

**Minutes of Board Meeting at 6pm on 18 August 2022 online via Teams**

<b>Directors Present</b>	<b>Titles</b>
Adam Walker [AW]	Independent Chair
Andres Hernandez [AH]	Independent Director
Brendan Fogarty [BF]	Elected Director
Clare Francis [CF]	Senior Independent Director & Vice Chair
Freda Bussey [FB]	Elected Director
Richard Harrison [RH]	Elected Director
Simon Griffiths [SG]	Elected Director
<b>Staff Present</b>	
Samantha Jamieson [SJ]	Interim Chief Executive
Kevin Fletcher [KF]	Financial Consultant
<b>In attendance</b>	
Janet Inman [JI]	On behalf of Volleyball England Foundation
Charlie Ford [CFo]	Observer
Agata Sromecka [AS]	Minute taking

**EB/21-22/12 Welcome from the Chair and apologies**

AW welcomed all to the meeting. Apologies had been submitted by Jess Plumridge, Jake Sheaf, Dave Reeve, Rob Payne, Phil French and Simone Turner.

AW, on behalf of the Board, congratulated CFo on his appointment as the new CEO of Volleyball England. AW welcomed CFo to the organisation as well as to the Board.

AW congratulated and thanked the whole Board and CWG working group for their contributions and work as part of preparations for the Commonwealth Games

**12.1 Directors Conflict of Interest & Disclosures**

There were none submitted.

JS was not present at the meeting due to a conflict of interest with point EB/22-23/13

**12.2 Approval of Agenda**

Agenda was approved by all present.

**12.3 Approval of minutes**

AW raised a small number of points of accuracy for adjustment

Subject to introduction of those adjustments, minutes of the 26 July 2022 Board meeting were approved as true and accurate records

#### 12.4 Matters Arising/Actions List

***EB/22-23/4 - RP to send out the player survey to Board for comment and questions.***

#### **EB/22-23/13 Director Recruitment for Consultancy**

AW asked the Board to express their views on the proposal to appoint Jake Sheaf (JS), Elected Director, into a consultancy role with Volleyball England:

Board discussed and unanimously agreed to appoint JS as a consultant to carry out the projects as discussed and presented in the paper distributed to the Board. The board directed the exec to give specific consideration to the reporting lines and processes for the consultant to ensure there are clear lines between the role the consultant would be employed to do and their responsibilities as an exec director. SJ would contact JS to communicate the outcome.

***Action:***

***EB/22-23/13***

***SJ to contact JS as soon as possible to communicate the outcome.***

#### **EB/22-23/14 Vexatious Complainant Policy**

AW thanked CFo for his contribution in relation to drafting the policy. AW encouraged all to discuss the draft policy:

- JI expressed her sadness that there had arisen a need for this policy to be created. AW and various members of the Board echoed this. JI added that as a governing body there would always be room for members of the community providing various feedback that VE would need to be prepared to face.
- SG raised his concern about sanction 10 which seemed more severe in comparison to the remainder contents of the policy and should be reviewed for adjustment.
- JI asked whether there was an intention to integrate other policies that dealt with complaints with this one. CF agreed that this would need consideration and the document should be dressed to match VE's other policies.
- AW summarised that following the discussion at Board, the policy would need more consideration before bringing it back to Board for final approval. SJ would produce a timeframe for this.

***Action:***

***EB/22-23/14 Vexatious Complainant Policy – SJ to produce the time scale for the reconsideration of the policy.***

#### **EB/22-23/15 Transgender Policy**

RH took the Board members through the Action Plan related to the process of drafting of the policy to ensure a thorough understanding of how the most recent version of the policy had been reached. RH highlighted the following:

- the process had involved a number of people including SG who had provided some great suggestions for refining the text to ensure it was reflective of the intention behind the policy and the text was clear for both internal and external audience
- the policy had been consulted on with a number of organisations, and the most notable comments had been from Fair Play for Women. Those had been reviewed, and some further amendments had been added as per the current iteration of the policy. RH noted that comments from Fair Play for Women had

guided the working group in ensuring that the sport represented the women's perspective in terms of the competition and conditions for competition.

- If approved, the policy would be published and widely circulated on 24 August 2022.
- Following publication, Rob Payne would attend the NGB workshop as per the Sport England recommendation to consult and share the policy with other national governing bodies.
- There was an action and comms plan in place for the launch. Stewart Thorpe had already prepared a comms piece to be published on the website alongside the policy.
- An LGBTQ+ plus webpage would be created on VE website to feature this policy.
- As a matter of an update related to this, Joelle Watkins from the Volleyball England Foundation had contacted RH with a request from a lobby group known as Mermaids that wanted VE to endorse their letter to members of parliament and to Sport England, allowing transgender women and girls to participate fully and inclusively in sport. This could not be endorsed based on fairness. RH had drafted a reply to this, which would be released at the same time as the policy itself.
- A webinar would be organised to answer any questions about the policy. The webinar would be recorded and posted on the website.
- The key changes to the policy as presented were:
  - the policy summary could be found on page 1 and part of it read: “A transgender woman **during the process of transitioning** can still play in the male category of competition. In order to be fair, transgender women can still play in the male category of competition.” The highlighted fragment **need not be included** due to the fact that males transitioning to female retained the male attributes. This meant that they could still play in male competition, which was the implication of fairness.
  - The same change would apply to section 6 as well in the FAQs.
  - The other main change was on page two in the last paragraph in reference to participation in Volleyball England competitions. It used to read “**self-disclosure of gender**” and it would be **changed to “self-disclosure of sex.”** This meant that based on birth sex, a transgender woman could not play in women's volleyball. This is due to the fact that competition was sex based, not gender based. Self-disclosure would be based on trust.
  - In terms of question 4 related to the process for challenging a player's gender during a competition, because competitions were sex based, sex should be the subject of a challenge as opposed to the player's gender they identified with.
  - Aside from those key changes, there was another one directed more at external audience around how the height of the net differentiated between men's and women's competition.
  - In relation to the FAQs and the question around what language should be used in reference to one's gender, VE would not be prescriptive as this was a personal choice and no specific language would be imposed by the sport in relation to the members of LGBTQ community playing the sport.
- RH encouraged the Board to discuss the policy and the comms plan with a

view to approve them.

- AW thanked RH and others that had been involved in carrying out a sterling job dealing with a complex and emotive issue. Board discussed:
  - JI asked whether a mixed competition could involve transgender women and what the ratio should be. RH reported that Fair Play for Women had encouraged VE to promote following consistent rules throughout the community for the ratio of men, women, and transgender women in mixed competitions. The importance lied in finding balance for fairness. The net would remain at men's height. RH planned to connect with James Murphy to put a policy together to suggest to regions that they should be following the policy in terms of ratios.
  - JI asked how the regions should deal with transgender women who had been playing in women's competitions long-term. RH answered that the policy needed to be followed despite the challenges it would be faced with.
  - AW reinforced that the policy was dealing with a complex issue and commented that experience would allow the Board to update and adapt the policy while it was being implemented. It would be impossible to think of a solution to every challenge that following this policy's implementation would face. The first step would be to approve the policy for implementation and review it on a regular basis to see whether it needed amending based on experience.
  - CFo commented that the process that had been undertaken so far had involved a number of people who were in agreement with the SCE&G guidance. However, there existed an alliance of organisations led by Pride Sports that disagreed with the guidance and had submitted to Sport England and sports councils a report counter arguing the SCE&G guidance. CFo added that it seemed as though the vast majority of NGBs were not releasing their stance towards this issue yet for fear of potential legal action against them. CFo suggested Pride Sports is contacted for feedback to get a balanced view before releasing of the policy.
  - RH responded that Pride Sports had not responded to the emails sent by VE. RH commented that safety and fairness had been at the forefront of the process of consolidation of the policy as volleyball is a sport based on fairness. Men's and women's competitions had adjusted heights of nets because of the distinct differences in physicality between men and women and those still applied despite hormonal treatment currently available, also in the context of a competition. This meant that should a transgender woman play volleyball against biological women, it would be effectively a man playing in women's competition. Taking all this into consideration, it would be difficult for a case to be made against volleyball for not being fair to transgender women because they could still play in men's competitions. RH added that should any evidence arise, that would show VE that an error had been made, the policy would have to be reconsidered.
  - AW encouraged the Board to take a view on whether the policy should be approved. The counter argument report would be shared with the Board; RH alongside the working group would consider the document with the view to decide whether it contained anything that could change

the policy. Comms would be clear on the policy being under continual review.

- RH added that women were a protected group under the Equality Act 2010 which enabled the sport to take this line in terms of the policy and until such time that the Act were to be reviewed or changed.

The Board approved the policy and the comms plan related to this.

AH left the meeting.

RH suggested that the policy would be reviewed at the next quarterly meeting of the group working on the policy.

- SJ asked whether the policy was still to be published on 24 August. AW confirmed that the publication of the policy should go ahead as planned with the knowledge that the policy will be regularly reviewed and updated as appropriate.

### **EB/22-23/16 AOB**

JI reported the following in relation to the Volleyball England Foundation:

- Christmas auction would be run again this year. JI asked the Board for donations of items that could be sold via the auction to raise funds.
- Board were invited to an induction session with new Foundation board members on 10 September. This would be held online.

AW proceeded to brief the Board on the following:

- A nominations committee had met earlier that day with CFo in attendance and discussed Deputy CEO interviews. There had been nine applicants and the committee had shortlisted five. AH and CF as well as Sport England rep would be on the panel at the first stage interview on 26 August. If a second stage interview was required then CFo, AW, CF, and RH would form the panel for this. An intention was to make a prompt appointment.
- In relation to the strategy review:
  - AW observed that The Game Plan had been launched in 2020. Being a 10-year strategy with two-year reviews, now was the time for the Board to review the performance against the strategy. To be able to evidence the impact of the work carried out by the organisation, AW had asked SJ to produce the top 20 facts evidencing the impact of the work of the hub team, all subgroups and working groups. The intention behind that was to have a bank of really interesting facts that could answer potential questions around impact. This would be shared with the Board when ready for reflection and comment. JI asked for the Volleyball England Foundation to be included in the thinking around those facts.
  - As part of the strategy review, it was important to remain in dialogue with the subgroups and working groups.
  - The final part of the strategy review could involve reaching out to the sport to commit to achieving a number of KPIs from the Implementation Plan.
- AW asked the Board to consider the strategy review at its next meeting, what and who it could involve. An impact report should be ready by November/December. Board discussed:
  - FB noted that it was important that the members of the community that

normally do not voice their opinions and work on the ground are reached and consulted. FB expressed her interest in leading on this work. AW responded that to boost connectivity with the regions, roadshows around the regions could be organised. It would be a fantastic opportunity for the community to meet the new CEO. CF added that a delivery lead would be needed to facilitate this work and they could work with/be mentored by FB. Board recognised the challenge that lay ahead in terms of reigniting the connectivity with layers of the community that had not been engaged with VE for some time. RH observed that regions focused on local need and their work was also limited by capacity. FB felt that more people wanted to be connected. AW, SJ, CFo and FB would work on a draft paper on the strategy review including the elements mentioned.

**Action EB/22-23/16**

AW, SJ, CFo and FB would work on a draft paper on the strategy review including the elements mentioned.

- SJ would inform JS of the appointment as soon as possible. SJ would also let the unsuccessful candidates know of the outcome. Board was advised not to contact JS about the appointment until such time that he had been informed about it by SJ.

**EB/22-23/17 Meeting Finalisation**

AW thanked all. There being no other business, the meeting closed at 7.15pm.

Actions	Who
EB/22-23/4 - RP to send out the player survey to Board for comment and questions. (carried forwards)	RP
EB/22-23/13 SJ to contact JS as soon as possible to communicate the outcome.	SJ
Action: EB/22-23/14 Vexatious Complainant Policy – SJ to produce the time scale for the reconsideration of the policy.	SJ
Action EB/22-23/16 AW, SJ, CFo and FB would work on a draft paper on the strategy review including the elements mentioned.	AW, SJ, CFo and FB

