

Minutes of the 97<sup>th</sup> Board Meeting of the English Chess Federation  
Held at the IBIS Hotel, Birmingham, on Friday 18<sup>th</sup> September 2015

Present: Phil Ehr (Chief Executive, PE)  
David Eustace (Director of Finance, DE)  
Alex Holowczak (Director of Home Chess, AH)  
David Openshaw (Director of International Chess, DO)  
Traci Whitfield (Director of Junior Chess, TW)  
David Thomas (Director of Memberships, DT)  
Bob Kane (Commercial Director, BK)  
Julian Clissold (Non-Executive Director, JC)  
John Foley (Non-Executive Director, JF)

In attendance:

Chris Majer (Chair, Governance Committee, CM)  
Chris Fegan (Strategic Advisor, CF)  
John Philpott (Company Secretary, via Skype, JP)  
Gary Willson (Office Manager, minutes, GW)

Apologies for Absence:

Dominic Lawson (President, DL)  
Malcolm Pein (FIDE Delegate, MP)  
Mike Truran (Chair, Finance Committee, MT)

1 Appeals in respect of the Holowczak/Kane complaint

The Board agreed that JC would act as the chair for this item.

PE read an email from the President, indicating his view. Dominic has the ruling and appeal papers. He has been reading the Forum. He regards the proceedings to have the appearance (and pointlessness) of a playground squabble. He asks you both to withdraw your appeals for the good of the Federation.

AH stated he could not withdraw his appeal as he had been approached about his suspension by one of his schools. BK stated that he was willing to withdraw his appeal on the sole condition that the subsequent statement reflects the validity of his initial complaint and that his position was properly represented.

JC stated that the appeal would therefore be heard. He suggested that the Board first deals with the appeal by AH, and then the appeal by BK. BK stated that they should both be heard in parallel.

JC stated that the Appeal would be heard by the Board in camera. The Board agreed that it should include directors who took no major part in the original decision. CM, CF, and JP agreed they should not be present. AH, BK and PE agreed they should not be present, though some or all may be called in as necessary to assist the Board should it be necessary.

DE, DO, TW, DT, JC, JF sat in camera with GW taking notes.

The full Board reconvened, and the following statement was agreed:

This is the view of the Board in relation to the appeals from Alex Holowczak and Bob Kane.

It is our joint and common opinion in the question of the appeal from Alex Holowczak that we consider the appeal upheld on the grounds that the complaint does not constitute a case of serious maladministration. We would therefore strike the suspension from the record.

In relation to the appeal from Bob Kane, which was on two grounds —

- (1) whether the process was poorly administered; and
- (2) whether the sentence was properly carried out,

We believe the process was reasonably administered and we have no comment on the second count as the suspension was struck out.

We would advise the Governance Committee to revisit the Complaints Procedures, in particular:

– a clearer definition of what is covered by the Complaints Procedure and what is included as serious maladministration.

The appeal is now closed.

## 2 Minutes of Meeting 96

Discussion was had concerning item 5 and whether some/all should be redacted. DO stated that he believes it should remain as MP had referred to the matter in his election address. JC stated that we would need to have good grounds for redacting.

Some minor amendments were made. The minutes (as published) were agreed.

## 3 Discussion on items for Council.

Concerning applications for association of the ECF, it was agreed to support applications from ChessMasters and the Blackpool Congress. It was agreed to recommend to reject an application from the Cumbria Open Individual Championships as it was not an independent congress. The status of the Frodsham Congress was not known; it was agreed to rely on the judgement of the Company Secretary once he had identified its status.

Concerning the working party on game fees, DT reported that he had tried to set up a working party but could not garner any interest from Council members.

AP 97/1: DT to provide JP with a form of words to JP concerning the game fee working party.

It was agreed that the Board would recommend to Council that the meeting should be chaired by JC as DL was not able to attend.

DE would include a report on the Chess Trust.

The International budget is likely to be short by £5K. This was due to a drop in donations.

It was noted that if this continues, sponsorship would become increasingly important. It may be prudent, given the situation, to ask Council to confirm the current international selection policy.

AP 97/2: DE to word a motion for Council concerning the budget shortfall in the international budget.

Concerning directors' reports, the Board was reminded of the timescales for completion and submission to JP.

CF commented that 11.4 of the articles states that Council can elect "a minimum of 2 Non-Executive Directors". JP stated that the Board is nominating only 2. CM stated this was because Council had decided to have a maximum of 10 directors for this election.

Concerning the Governance report, it was noted that there were some issues that Council may wish to discuss in some detail. It was important to allow adequate time for this, whilst allowing adequate time for the elections.

AP 97/3: JC to liaise with CM, PE and JP to decide on the time to be allowed for agenda items and election addresses.

Concerning the paper on Communications, PE stated that he had requested it be raised by BK. DO commented that it was disappointing to have to rush through it. It was noted it was a work in progress, all comments to BK.

Returning to Governance, CM presented a number of options for implementing the report. Whilst some of items are "low level", some will require significant structural reorganisation. It was suggested that Council be allowed to decide on the timescales for implementation, authorising the Board to proceed.

AP 97/4: JC to notify Gareth Pearce of the likely timing of his report to Council.

Some discussion was had on extending the size of the Board (from 10 to 12 directors). It was agreed to ask Council to allow "up to a maximum of 12 directors".

The Board agreed that the Register of Interests should go to Council. It was agreed to adopt the Register as is, though this may adapt over time by custom and practice. It was agreed to invite all candidates to complete an entry that will be published.

AP 97/5: All election candidates to be invited to complete an entry in the Register of Interests, to be published ahead of the Council Meeting.

Discussion was had concerning the proposals by SCCU.

AP 97/6: AH to write a paper concerning the proposals by SCCU to Council.

AP 97/7: JP to circulate and publish the amended Agenda for Council.

#### 4 Insurance

DE informed the Board, following some concerns expressed by a member, that the insurance we sell to clubs (on behalf of Greens Insurance) had been reviewed with the broker. Some things had been removed, others improved, but the requirement to maintain records for 30 years remains, as does the need for annual awareness updates.

BK stated that this issue was raised some time ago, and he was disappointed that a complete review was not undertaken, or that our sponsor Tradewise had not been offered a chance to tender for the work. The motion from the SCCU indicates a desire for competitive tendering; it was the general view that this was not appropriate for competitive tendering as the sums involved were too small.

It was noted that timescales were too short to undertake a full review, especially as we have 3 insurance policies, although the Office would consider a full review once the details of all 3 policies were known.

#### 5 Child Protection Policy (CPP)

TW informed the Board that she is reviewing and rewriting the CPP. New guidelines came out of the DBS during the summer which have a significant impact on our clubs' insurance and our policies on safeguarding. She will produce a comprehensive policy that will be fit for purpose.

AP 97/8: TW to look into whether parents give permission to have names/pictures published on the website

#### 6 Appointments

Mark Jordan was appointed Publicity Officer.

The Board agreed that the paper submitted by PE was to be dealt with as an email vote.

#### 7 Judicial Review, Chess APPG and Sport Consultation

The ECF had sought to intervene in the judicial review between the English Bridge Union and Sport England. Our intervention was opposed by the other side including now the DCMS. Furthermore, the other side sought to have the ECF witness statement declared inadmissible. (Update: The ECF was not given permission by the High Court to intervene. At the hearing in the High Court in September 22/23 September the ECF witness statement was declared inadmissible. In spite of this, the arguments put forward by the ECF for the official recognition of mindsports had been taken into account by counsel for the EBU and referenced in their skeleton arguments.)

There had been a productive relationship with the EBU. It was suggested that in the future some funding should be set aside for legal representation concerning sport recognition. The ECF was not able to respond as quickly as we should have done to the request for involvement from the EBU. The Board noted with thanks the hard work done by John Foley, Steven Coles, Melville Rodrigues, David Anderton and Phil Ehr together with our retained solicitor Alex Peebles of Irwin Mitchell.

The All Party Parliamentary Group on Chess was reconvened in July after the General Election with MPs from all parties. The APPG was briefed on the intervention by the government in the judicial review. A number of initiatives were discussed including organising a Parliament v Press chess match. Going forward, the role of the APPG is vital in increasing the political visibility of chess. The success of chess in the future will depend upon support from MPs. The Board noted with thanks the hard work of Chris Fegan in managing the APPG and by Malcolm Pein, John Foley and Phil Ehr.

A government consultation on Sport had been announced and Mike Gunn, the ECF representative at the Sport and Recreation Alliance would be leading the ECF response with input from Chris Fegan, John Foley, Dominic Lawson and Phil Ehr.

8 AOB

Training for the new Board will take place of 23<sup>rd</sup> October, probably in London. An invitation will be extended to members of the Governance and Finance Committees and the Company Secretary. Training will include a Strategy and Business session.

It was agreed to light pencil in future Board dates: 28<sup>th</sup> November (Birmingham); 16<sup>th</sup> January (London)

Minutes of the meeting of the Management Board of the British Chess Federation  
Held at the IBIS Hotel, Birmingham, on Friday 18<sup>th</sup> September 2015

Present: Phil Ehr (Chief Executive)  
David Eustace (Director of Finance)  
Alex Holoczak (Director of Home Chess)  
David Openshaw (Director of International Chess)  
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Julian Clissold (Non-Executive Director)  
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John Philpott (Company Secretary, via Skype)

Also Present:  
Chris Majer (Chair, Governance Committee)  
Chris Fegan (Strategic Advisor)  
Gary Willson (Office Manager, minutes)

Apologies for Absence:  
Dominic Lawson (President)  
Malcolm Pein (FIDE Delegate)  
Mike Truran (Chair, Finance Committee)

The Board met to discuss the nomination of John Higgs as a Trustee of the John Robinson Youth Trust. It was agreed that he was an excellent candidate, and his appointment would be recommended to the BCF Annual Council Meeting.

The meeting closed.