



IMPROVEMENT THROUGH INVESTIGATION

Written evidence submitted by Verita

Submission to the Digital, Culture, Media and Sport Select Committee

Sport governance inquiry

Executive summary

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- Governance structures for sports governing bodies
- Safeguarding at sports governing bodies
- Raising concerns
- Effective commissioning of investigations
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Introduction

1.1 As the leading independent consultancy for regulated organisations, Verita has years of experience in investigations, training and diagnosing issues in corporate governance and safeguarding, often within complex organisations. Verita has carried out extensive work in health, for charities, for the private sector and were asked by the secretary of state for health to oversee the NHS investigations into matters concerning Jimmy Savile.

1.2 In addition, our non-executive chair Adrian Barr-Smith has extensive experience in the world of sport. He has advised numerous sports organisations and governing bodies, including the Premier League, England & Wales Cricket Board, Rugby Football Union, Scottish Rugby Union and the Commonwealth Games Federation. He is currently chair of the British Association for Sport and Law and was consulting editor of “Law and the Business of Sport” (Butterworths).

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1.3 This submission brings this experience together to outline some of the governance and safeguarding challenges facing the FA and other sports bodies and how they can be tackled successfully.

Governance structures for sports governing bodies

1.4 There are many problems with governance structures which if not unique, are certainly more prevalent and deep-rooted in sports governing bodies than organisations in other sectors.

1.5 Some problems are related to legacy issues, for example structures with a weighty history behind them, which are difficult to update due to vested interests and an attitude of "we've always done it this way." In addition, modernising practices means some of those required to support change may lose roles, power and influence.

1.6 There is often a conflicting range of interests between the elite (or professional) and grassroots (participatory) levels within the same sport, leading to competition for resources and hard choices being made.

1.7 The frequent dependence on the efforts of volunteers necessitates that these contributions are acknowledged/represented at different administrative levels (including the board). However, well-intentioned volunteers may not necessarily possess the most up to date knowledge.

1.8 There is often a closed culture within organisations which recruit from small cliques or follow old-fashioned practices, and this 'old boys in blazers' approach leads to a deep-rooted mistrust of transparency, outsiders and external scrutiny and expertise.

1.9 Part of the answer lies in increasing independent challenge and scrutiny at the most senior level through new governance structures involving more non-executive directors at board level. There should also subsequently be periodic reviews, led by expert external support reporting to a non-executive director, to ensure that the updated structure remains fit for purpose and continues to operate as such.

Safeguarding at sports governing bodies

1.10 A significant issue with safeguarding for sports bodies is the multiplicity of potential contributions and concerns from multiple layers of elite and grassroots involvement. Most safeguarding concerns could come from non-employed individuals, such as players, officials, coaching staff and spectators. At an individual level, the relationship between player and coach is often imbalanced with power and influence placed firmly on the side of the coach, and this must be carefully monitored.

1.11 Part of the solution for sports bodies is that there should be an individual at board level (either an executive or non-executive director) with specific responsibility for safeguarding. This responsibility must include providing access for anyone with a concern or complaint to an independent person or channel who will provide advice, support and escalate as appropriate.

Raising concerns

1.12 In organisations outside sport, there is usually a clear reporting line or process for individuals to escalate any concerns relating to safeguarding or other matters. Sports do not lend themselves to such management structures. Consequently, individuals may not feel empowered, or safe, to raise concerns. When safeguarding is not seen or treated as a priority, individuals usually find it difficult to know how or to whom issues should be escalated.

Effective commissioning of investigations

1.13 When issues are escalated, organisations with more closed structures are unlikely to know how to properly commission an investigation. To be effective, time and thought must be put into the terms of reference and an operating framework in place to set out explicit standards for the investigation. Too often, organisations will turn to trusted colleagues or

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contacts, who may seem like a safe pair of hands but will lack the expertise and genuine independence of external experts.

1.14 We would recommend that a non-executive board member should have the responsibility for overseeing the standards and commissioning of effective investigations.

Conclusion

1.15 Sports bodies can learn from sectors such as healthcare who have also faced challenges managing complex structures and individual issues to do with safeguarding and whistleblowing. Individuals in positions of authority have been known to abuse their position of power and in a recent report about healthcare professionals with ‘superhero status’ we found that ‘organisations must be much more alert to patterns of behaviour to identify and stop abuse by staff’: <http://bit.ly/2xDlMi7>.

1.16 Our experience shows that boards need to proactively review their corporate governance culture, structure and processes regularly to fully embed safeguarding at all levels of their operation effectively. Verita has found that drawing on internal resources is rarely effective, lacking the necessary independence and expertise. Taking this action can be challenging but there numerous examples where this has been achieved, drawing on strong leadership and external expert support and challenge.