

MINUTES FROM NC MEETING 23/09/2017

Attending:

Chair, Fay Goodman (FG); Vice-chair, Debbie Bevan (DB); DIA, Chris Mansfield (CM); Treasurer, Anna Stone (AS); Secretary Dave Fanning (DF); Kendo DRC, John O'Sullivan (JOS); Iaido DRC, Keith Rose (KR); Jodo DRC, Jock Hopson (JH)

Kendo Bucho, Gary O'Donnell (GOD); Iaido Bucho, John Honisz-Greens (JHG); Jodo Bucho, Stojanka Vidinic (SV); Child Protection Officer, Leslie Drewe (LD); Iaido Events Officer/Anti-doping Officer, Anil Sahil (Anil)

CHAIR OPENED THE MEETING AT:

11:33hrs

FG- Welcomed everyone and then handed over to DB to clarify the NC's position regarding "observers".

DB- Anil's presence was accepted for this meeting, but the observers from each bu are the Bucho and we don't have observers bringing their own observers.

FG- If the Bucho cannot attend, they can send another bu EC member in their place.

APOLOGIES FOR ABSENCE

Membership Secretary, Fides Desacada (FD); Health & Safety Officer, Donnie Gordon

1) MINUTES OF PREVIOUS MEETING

Acceptance of minutes: proposed DF, seconded JOS. Accepted unanimously.

2) ACTION POINTS FROM PREVIOUS MEETING

- i. JH was awaiting feedback from JOS regarding the EKF database. JOS had not received the email due to his email address malfunctioning. DF asked everyone to email him with their current functioning email address so everyone could keep in contact. JOS circulated a new contact email address.
- ii. FG has arranged a package deal with the insurers so that entire delegations (inc. refs) are insured when travelling abroad. Exact details are given to the insurers at the end of the year.
- iii. DB has contacted Fides re. grading clock but received no update as yet.
- iv. Alan Thompson case- FG liaising with solicitors to find the best deal with regards a debt-collecting agency once all the paperwork pertaining to the case has been checked (free of charge).
- v. Naginata bu- no progress can be made until the constitution has been revised, then will be voted on at an AGM by the membership.
- vi. New hanko- FG to finalising wording. DB has sourced supplier.
- vii. CM has received membership lists from GOD. JHG resending his. Awaiting one from SV.

3) TREASURER'S REPORT

AS- Each bu should keep approx. six months turnover in account. Iaidobu has more and therefore needs to spend.

Action Point- GOD, JHG, SV to identify reserves in their planning

Action Point- AS to advise all Bucho of the ideal amount of reserves required

SV- 2016 jodobu accounts were still not agreed between the treasurer and myself.

AS- The jodo bucho has raised a series of requests for changes to the jodo bu accounts for 2016. The Treasurer has requested that all remaining changes should be raised at one time. A meeting has been arranged to do this.

AS- Has taken on Patrick Breheny as Assistant Treasurer. FG, JH and SV had reservations about this appointment.

AS- Recommends yearly audit of the accounts as there has not been one since 2012. This will cost £4500.

AS- Open Drive is not secure and does not provide an audit trail. It is not European Data Protection Act compliant (it's based on a server in the USA). Recommends sourcing new online repository for BKA data.

Action Point- AS to contact Gerry Kincaid, Malcolm Smalley and Erroll Blake re. new repository.

AS- Presented Principles for Best Financial Practice document (see APPENDIX for full copy).

- i. General comments
JH asked what the "incomplete financial information" and the "not consistent with the expense policy" remarks were referring to in her report. AS- Not enough detail regarding the cost of flights and meals.
DB- Expense forms are sent over an insecure route to the Treasurer.

Action Point- DB to reword TNS policy to the effect that account numbers and sort codes are sent via different routes.

Action Point- SV to amend expense claim forms to reflect the above.

- ii. Principle 1 (restriction of cash advances for expense claims)
Accepted unanimously.
- iii. Principle 2 (taking cash on the door)
JH and DF- There should be no surcharge on “cash on the door” fees. Online discount for early payment is sufficient. DF- Ensure all Cashiers have a receipt book.
Amendment- reference to “surcharge” removed.
Accepted unanimously.
- iv. Principle 3 (payments to non-members)
Removed as already covered by the constitution.
- v. Principle 4 (allocation by bu of profit and loss from events)
Amendment- “annual” inserted before “budget” in para 2.
Accepted unanimously.
- vi. Principle 5 (bu handling of requests made by the Treasurer for information required by the constitution)
Amendment- “financial” inserted before “financial” before “information”; remove “small”, as allowable expense of meals is set in the constitution.
- vii. Principle 6 (process for applying for an overseas grading)
Amendment- simplify wording to “members must pay in advance”.
Accepted unanimously.
- viii. Proposal that all new bucho and treasurer sign up to these principles.
Accepted unanimously.

CHAIR ANNOUNCED A BREAK FOR LUNCH AT:

13:14hrs

CHAIR RECONVENED THE MEETING AT:

14:09hrs

4) MEMBERSHIP SECRETARY'S REPORT

FG- Emailed Fides' report to each person present, then read out the salient points:

- i. The new membership and database online migration has been successfully launched recently.
- ii. BKA YouTube account has been created. Content is a work in progress.
- iii. Errors in membership details on the database have been corrected.
- iv. Membership FAQ section of the BKA website is a work in progress. A draft of the content will be sent to the NC.
- v. Gender change. FD has asked for guidance from the NC as to what documentation should be accepted as proof of gender change.
CM- It's up to individual member to keep their details up to date.
A discussion followed about the impact of trans-gender members on: the use of changing facilities; entering gender-orientated competitions (kendo); the exact date that the change of gender is recognised as complete. As no-one had any definitive information, the consensus was that this would be an area of investigation most suited to the newly created Equality & Diversity Officer to take care of.

5) DIA'S REPORT

CM- Change in the procedure for gradings: after the application deadline, BKA Grading Officers forward to me all the applicants so I can enter them onto the EKF database. Then once the passes have been confirmed, the whole process of notifying the respective associations of passes is automated.

6) BUCHO REPORTS

- i. **KENDO**
GOD-
Gradings- very successful, lots of applicants, gradings should be in profit by the end of the year.

Upcoming events- combined Bowden and Open taikai in late November, showcase event open to foreign competitors which should return a profit; plan to have a AJKF delegation over next August to enable a 7th dan grading, which will be of greater benefit to the BKA than inviting specific teachers who can't sit on grading panels.

Budget- currently a little (£560) behind the projection, but expected to recover in the last third of the year with the large event and gradings coming up.

ii. JODO

SV-

Past events- Louis Vitalis came to teach tanjo at the summer seminar which was very exciting and received good feedback.

Finance- lost about £200.

EJC- was a success: 2 gold; 1 silver; 1 Fighting Spirit. Sv thanked the coach, Harry Jones, the manager Ally Mihaylova and the competitors for their efforts.

Upcoming events 2017- Intensive Training session combined with a koryu seminar underwritten by Ojika dojo; refereeing and tanjo seminar in conjunction with the Eishinkan Taikai; Darlington seminar and grading all set.

Upcoming events 2018- Kangeiko set; National Taikai in February, possibly with Intensive Training session; Spring seminar split from iaido; no West Midlands seminar for one year, instead seminar to celebrate 30 years of Shimbukan and 10 years of Kenyukan organised by those dojo under the auspices of the Jodoku; no high grade seminar next year; koryu and northern seminar planned; hoping to split costs of inviting Otake Sensei for the summer with the Polish and Dutch federations; working on a proposal for the 2020 EJC.

Bu EC meeting planned for 14th October.

iii. IAIDO

JHG-

Past events- successful Nationals with high attendance; good summer seminar with excellent venue and maximum attendance.

Upcoming events- Darlington finalised; new team for the EIC.

Thanked 7th dans for supporting Squad Training Sessions.

2018- Looking to shift the date of the Nationals either forward or backwards; problems finding a suitable venue for the Spring seminar.

CM- Reminded all Bucho of the anti-doping issue. Cost is £1000 per test and the World Anti-Doping Association (WADA) can turn up at any time and demand testing of competitors. EKF want to comply. We must ensure our competitors don't take substances.

A discussion followed, including information from Anil (Anti-Doping Officer), of the impact to the BKA. The general consensus was that it was best competitors took no drugs at all (including over-the-counter pharmacy products) and that the BKA budget for prospective testing. FG- confirmed that documentation was in place to support our compliance with WADA.

7) SHOGO APPLICATIONS

FG-

2 applications for kendo kyoshi

3 applications for iaido renshi (1 BKA, 2 German federation)

Action Point: FG to contact John Howell Sensei about dates and syllabus for kendo applicants.

8) AGM FEEDBACK

Disability & Equal Opportunities Officer- general consensus to change the title to Equality & Diversity Officer. Amanda Allen heading a working party to create the role, currently co-opting people.

Action Point: FG to invite Amanda to next NC meeting to deliver progress report.

General agreement that the hall was not suitable for the AGM due to noise level.

General concern that there were too many meetings on one day, resulting in a rushed NC AGM that left some agenda items un-discussed. FG asked for suggestions by email of how to solve this problem i.e. having some of the meetings at other events.

AS- Noted that re-appointment of auditors didn't happen.

CHAIR PROPOSED TO MOVE POINT 9) TO AFTER POINT 14) TO MINIMISE DISRUPTION

Accepted unanimously.

10) REVIEW OF AUDIT POLICY

JHG- Pointed out that the BKA has not had its accounts audited since 2012.

FG- Advised that an organisation of our size is not obliged to have its accounts audited by the Sports Council.

JHG- Pointed out that the accounts for the last few years were too incomplete to be audited.

AS- Proposed a full audit of 2017 accounts, and to get three quotes for this.

Accepted- For-7; Against-0; Abstentions-1.

11) UPDATE ON CONSTITUTIONAL REVIEW

A discussion was held to determine how the constitutional review should proceed and who should be on the panel. It was felt that a solicitor should only be brought in once the reviewed constitution had taken significant steps forward and was nearing its final shape. The suggested committee was: DB, AS, JOS, Errol Blake; plus two out of three of: Malcolm Smalley, Donnie Gordon, Stephen Martin; plus an external professional person TBC.

12) INSURANCE UPDATE

See previous point 2) ii.

13) CHILD PROTECTION

LD- Suggested that we incorporate a Safeguarding course into the coaching course.

- We need to have a procedure for dealing with dojo coaches who have criminal convictions for violence, in respect of them teaching children/vulnerable adults.

- There is currently no requirement to have a DBS (or equivalent) check to become a L1 coach. It's only a requirement if one teaches children/vulnerable adults.

- There needs to be a check to see which dojo with children/vulnerable adults are without a DBS check in place.

- Someone has refused to update their DBS check.

A general agreement that each dojo should have one member who has received safeguarding training, cost to be borne by the dojo (online: £20).

Action Point: DF to add this discussion to the next agenda.

14) DPA/BKA MEMBERS' PERSONAL INFORMATION – RETENTION AND PROCESSING

DB- The BKA is not legally obliged to have a Data Protection Officer (DPO). 25th May 2018 much more stringent regulations are coming in. At the moment only the data controller is responsible for how data is handled, but from next May, the data processor is also responsible. It would be a good idea to have a DPO, so we can adjust and monitor the way we handle members' data in the light of the new regulations.

AS- OpenDrive is not secure and not fit for purpose and needs to be replaced by May 2018. Back door access is possible i.e. entering database and having access to accounts data without the need for a username & password.

DB- Extra regulations apply to transferring data outside the EU. We need to check what data Martin Farncombe (previous BKA Treasurer) has handled since he moved to Canada.

Action Point: DB to check with Martin Farncombe re. above.

DB- DPO will need to evaluate how long an ex-officer needs to retain data pertaining to members.

DB- Proposal to advertise for a BKA DPO.

Accepted unanimously.

9) RECOMMENDATIONS MADE BY THE KENDO COMPLAINTS COMMITTEE RE JOHN HONISZ-GREENS; HIS REPLY AND SUBSEQUENT REQUEST FOR AN INVESTIGATION BY THE NC INTO THE MISREPRESENTATION OF THE BKA BY PERSONS UNKNOWN WHO ARE BRINGING THE BKA INTO DISREPUTE.

JOS- Opened by confirming the members of the committee as of himself, John Howell and Geoff. Salmon. He then summarised the background and progress of the investigation thus:

i. Recommendation #1

The BKA Treasurer to clear up any outstanding issues with the 2015 laido accounts to her satisfaction.

JOS:

Background:

Back in February 2017 JHG wrote a report that queried certain accounting practices which caused multiple (5 or 6) complaints, including one which alleged racist prejudice.

Soon after the investigation began, JHG withdrew the report and published a replacement that took out some of the innuendo.

Soon after the committee began examining the evidence there appeared to be anomalies in the accounts. After JHG's election there had been almost no handover of any kind.

It was extremely difficult for the committee to extract any information from the people involved in the accounts in question. E.g. the £2000 given to the Dutch had no audit trail. There were several other accounting practices that were questionable.

There has been money given to various sensei, which is fine, but there is no audit trail to confirm it. Cash had been taken but not banked or recorded.

AS- Originally had wanted a forensic audit, but there was not enough information to conduct one.

Summary:

To assist in actioning this recommendation I propose that we set up a sub-committee to look at this. I suggest that the sub-committee consists of two professional individuals who have served as BKA officers and who are also in the Kendo Bu - Stephen Martin and Malcolm Smalley. Their remit would be to address the list of concerns which the Treasurer has raised and report back to the NC. Such information could assist the Treasurer in ensuring everything is resolved to her satisfaction and provide a platform to prepare best practice in all future accounting and financial matters.

FG- Proposed that we accept this recommendation that the NC should set up a new panel to investigate the alleged anomalies in the laido accounts. The chair of the panel should be independent and acceptable to all parties.

Accepted unanimously.

ii. Recommendation #2

The specific allegation that the previous laido Bucho took significant financial decisions himself without consultation requires a separate panel that can quickly report on this assertion.

JOS:

Background:

The committee didn't believe that any theft had taken place, but that unconstitutional and sloppy practices had taken place concerning the use of bu funds that were open to abuse. Even though the scope of the investigation was JHG's report, the committee came across financial practices that worried them, hence the recommendation.

The other worrying factor was that it seemed that Ishido Sensei had been told that the BKA were accusing him of impropriety. Who told him and why did this happen? The BKA accounts have nothing to do with anyone outside of the BKA and we would certainly not involve the Japanese in these issues. This has led to all sorts of repercussions.

People have been subject to accusations based on unreliable or non-existent evidence.

Summary:

To assist in actioning this recommendation we will need to set up an NC Appeals Panel. The NC officers who should sit on this panel are set out in the Constitution. However, there may be conflicts of interest so the NC will need to discuss (at the meeting on 23 September) who should sit on the panel.

Recommendation accepted: For- 6; Abstentions- 2.

General consensus that KR would make a suitable Chair for this panel.

Accepted: For- 6; Abstentions- 2.

iii. Recommendation #3

The Treasurer should agree a simple set of bookkeeping rules for all three Bu to follow. All Bu Officers should sign up to these rules without exception. The rules should specifically identify what actions are needed to authorize cash payments to (non-BKA) 3rd parties of whatever status.

This recommendation had already been proposed by the Treasurer and accepted by the NC before this part of the meeting. Therefore, recommendation 3 was redundant and was not accepted by the NC.

JOS- my final word on the bu finances is that have to be better controlled.

JOS- the racism charge against JHG was unfounded.

With reference to the misrepresentation of the BKA:

Involved a long debate. Salient quotes and opinions:

JOS- BKA officers have been harmed by misinformation and I suggest that the facts of the investigation be published and that the Japanese sensei's attention be drawn to them to say that no sensei has been accused of impropriety, and that the whole problem was to down to poor BKA administration.

JH- Disagreed. He stated that no-one need inform the Japanese Sensei because the report was in public view to be read by anyone and itself suggested impropriety by the Japanese Sensei.

A discussion followed as to whether the report implicated the Japanese Sensei or not, with divided opinion.

JOS & KR- BKA business should be communicated with Japan only through official BKA channels.

JH- Absolutely not, students have a perfect right to talk to their teachers.

JOS- The first bucho's report was badly written, but the replacement clarified the contentious points and was accompanied by an apology.

JH- The Japanese Sensei have never read the revised report.

FG- People have assumed that the report reflects the view of the NC, which isn't true. More care needs to be taken when BKA officers issue public statements.

15) ANY OTHER BUSINESS

- i. DB- A large waiting list for another First Aid course in London, so possibly a new one in November.
- ii. KR- said it had been brought to his attention that there had been racist banter between officers who are friends directed at each other that has been overheard by other members. He is certain there was no malice intended. He has spoken to the people concerned and recommended they be careful and they have agreed to cease this kind of joking.
- iii. KR (supported by DF)- we must put out a clear statement about what happened at the meeting today with reference to point **9**) on the BKA website.
Action Point: FG to draft a statement.
- iv. SV- Original Bucho's report still on the BKA website.
Action Point: FG to have original report removed.
- v. The jodo bucho read out a statement expressing her dissatisfaction with the way KCC never dealt with the four complaints against the iaido bucho's report by following the constitution procedure. There was no time left in the meeting to debate the claims made in these statements.

CHAIR CLOSED THE MEETING AT:

17:30hrs

APPENDIX

Treasurer's Report to the NC meeting 23rd September 2017

The following principles are based on the constitution and the Travel and Subsistence (T&S) policy.

Principle 1

Advances will not be made, except for exceptional reasons which must be (a) approved by the Treasurer and the NC Chair and vice chair, and (b) for sums less than £100. This will assist individuals who may need to incur personal expenses (e.g., travel, phone, postage, etc) where their personal resources may be temporarily stretched.

Where flights or hotels are to be booked and the person making the booking does not wish to fund the whole sum from personal resources, they may make a reservation and then pass the booking to the Treasurer for payment from the BKA debit card. If it is not possible to make a reservation, the individual may pass the details to the Treasurer to make the booking.

Principle 2

Cash may be taken on the door of a seminar where there are exceptional circumstances, e.g., the individual concerned has tried to pay online but there has been a technical problem. In this case, the Events Officer (or other delegated individual in charge of booking in attendees) is asked to ensure that the individual's name, and the sum paid, are added to the Event Planner. It is recommended that a discount is applied for those individuals paying in advance to encourage online payment.

Principle 3

Income from an event should be allocated to the bu running the event. Costs and expenses should be correctly apportioned to the bu incurring the expense. Expenses for shared facilities should be shared between the relevant bu in a proportion agreed by the BuEC of each bu.

If there is a proposal to subsidise the expenses of a bu from funds belonging to another bu this should be noted in the annual budget for the bu offering the subsidy. The proposed subsidy should be presented to the corresponding DRC for comment and the views of dojo representatives of the bu offering the subsidy should be taken into account. The proposed subsidy should be presented to the Bu membership at the Bu AGM for ratification.

Any substantial deviation from the annual budget should be circulated to dojo representatives by the DRC chair and their views taken into account.

Principle 4

The BuEC will comply with requests for financial information from the Treasurer where this information is required to comply with the constitution. All items of expenditure shall be supported by appropriate documentation, with the exception of sums claimed for meals within the T&S policy where a receipt may be missing and the BuEC may authorise payment regardless.

Principle 5

Members wishing to grade at an official EKF grading must pay in advance.