

# Active Black Country Independent Evaluation Report

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# Active Black Country: Report of Independent Board Evaluation

This report summarises the results of the independent board evaluation. It is confidential to the Trustees and Director of Active Black Country (ABC) and has been completed in accordance with the requirement for ABC to conduct such an independent evaluation under *A Code for Sports Governance*.

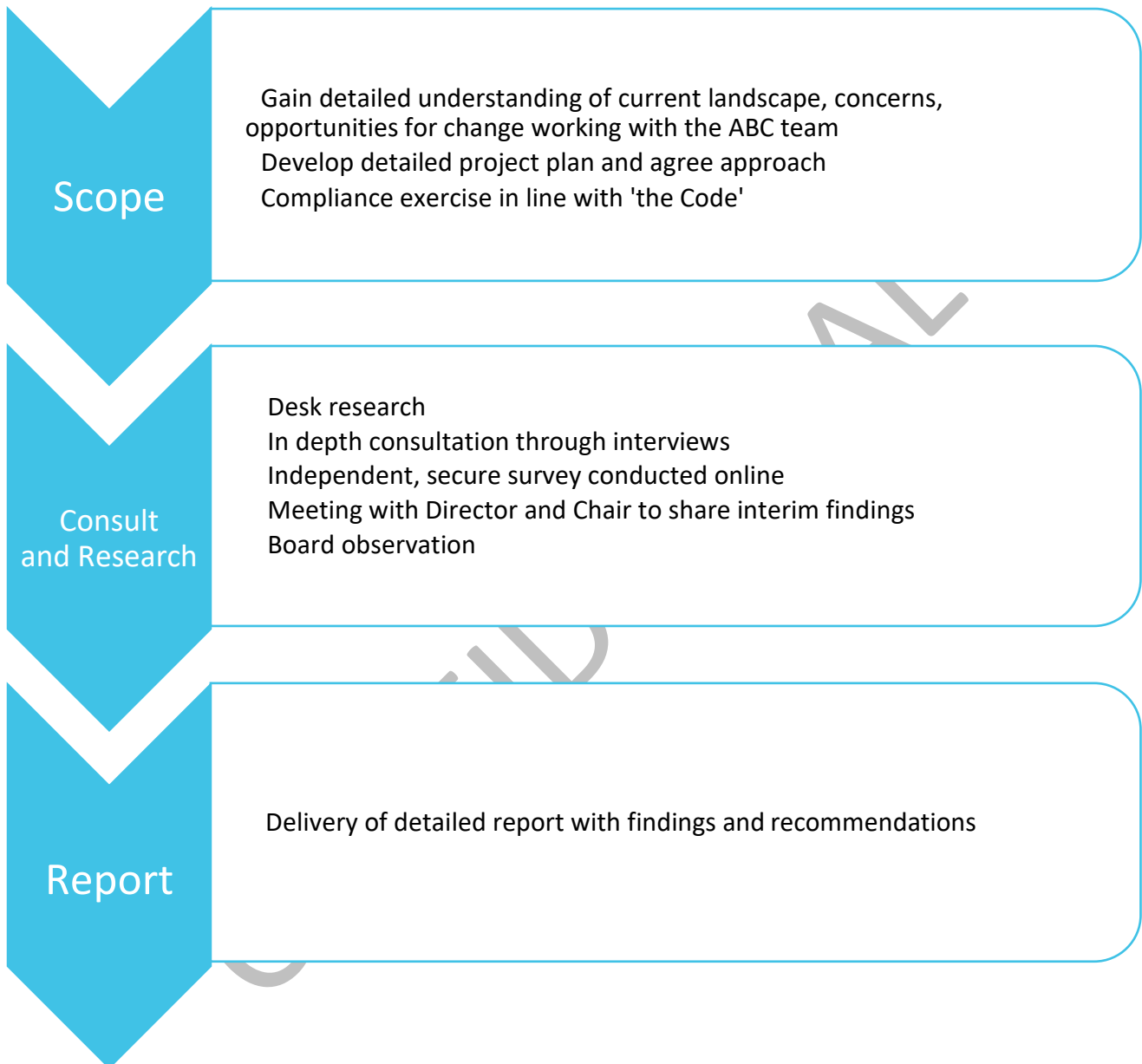
This evaluation was conducted during an exceptional period owing to the COVID-19 pandemic. Despite this, all findings and recommendations remain valid and whilst the situation posed significant operational challenges for ABC, Trustees and staff still co-operated fully and engaged very constructively with the process.

Given the imminent publication of the refreshed version of *A Code for Sports Governance*, an itemised breakdown of compliance against all requirements has not been completed. This will be completed upon publication of that document.

## Methodology

- Review the current Governance Framework for ABC, providing advice and guidance on its efficacy and areas for development;
- Conduct a series of meetings and interviews with key stakeholders to build a qualitative evidence base;
- Design a survey for completion by Trustees with full analysis;
- To provide supportive, constructive guidance throughout the project and in our report to fulfil a 'critical friend' role;
- To provide an assessment of compliance with *A Code for Sports Governance*;
- To provide high quality reporting and outputs including written report and presentation outlining our findings.

We approached the project through the following stages:





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## Our Team

**James Allen** founded Counsel in 2019, building on several years of experience in the sport, commercial, political and non-profit sectors. James has worked in a range of senior advisory roles in public affairs, governance, research, communications and public policy. Most recently, he spent six years at the Sport and Recreation Alliance where he was Director of Policy, Governance and External Affairs. James led a range of sector leading public affairs, communications, policy and governance projects delivering lasting impact across a large number of sport and physical activity organisations.

Previously, James led public policy and public affairs activity and later was the Head of Public Services at the National Council for Voluntary Organisations. He has worked as an adviser to corporates in financial services and in a variety of non-profit organisations. He worked as a Policy Adviser for a senior Cabinet Minister in the UK Government and has extensive Board experience, including as a Non-Executive Director at Sport Resolutions UK, where he led the development of a new strategy and as trustee of the award winning Disability Sports Coach (where he is Board lead on governance). James is an Ambassador and Trustee for the Bristol Sport Foundation and is a pro bono adviser to the Community Foundation of Crystal Palace Football Club. He is a Fellow of the Royal Society of Arts, holds an MSc degree in public policy, and is ICSA Sports Governance qualified, at distinction grade.

**Rhys D.W. Jones** has experience working at all levels in the sport sector over the past 14 years, both at the coal face and at board level. In 2007 when working as a Tennis Coach he founded Tennis Squad, now South Wales' largest and most reputable coaching provider. Between 2014-17, he managed the turnaround of a Tennis Centre from the brink of closure to industry leader, winning the LTA UK national centre of the year at an awards ceremony at Wimbledon. He has worked in tennis clubs serving on their committees and as chair.

More recently he had a role as Governance Officer at the Sport and Recreation Alliance and advised national sporting organisations on governance issues including drafting the Sport Wales Governance and Leadership Framework for Wales and working intensively to improve governance at smaller sports organisations. He organised and delivered Wales' first sports specific governance events at Sport Wales, bringing together organisations of all sizes to improve their performance through effective leadership. He holds an MSc degree in Chemistry and a CIPFA diploma in Corporate Governance.



## Overall Findings

### Positive areas

- Observations and evidence gathered throughout this process would suggest an organisation 'on the up' – with a clear sense that the staff and leadership are driven, ambitious and have a clear sense of future direction;
- Board members have a strong, shared understanding of the organisation's role and place in the landscape;
- The observed board meeting provided evidence of high quality, strategic discussion with appropriate challenge delivered within a supportive and professional atmosphere (further comments on the board observation are presented in this report);
- ABC is a very well governed organisation. Documentary evidence was reviewed and was clear and of high quality;
- Procedurally, governance appears strong with necessary checks and balances and policies in place. If ABC eventually adopts more independent arrangements and the nature of the relationship with the Black Country Consortium (BCC) significantly changes, then governance arrangements will also need to change and then should be kept under regular review;
- Views gathered through the review on the current efficacy of Board meetings and the way in which they are chaired were very positive;
- Feedback on the Chair's leadership role, commitment and communication was universally positive;
- Feedback on the information flow from staff to the Board to allow good quality discussion and informed decision making was very positive;
- Relationships between Board members appeared very strong;
- Relationships between the Board and staff appeared very strong.

### Areas for reflection and discussion

- The main area for consideration and further discussion is structural – particularly the relationship with BCC. This was mentioned both in survey data and in several interviews and requires further clarification;
- Board evaluations typically cover the appropriate balance between strategic discussion and operational detail. Whilst there were some divergent views, the majority opinion would suggest that the balance between the two is broadly appropriate. This area should be kept under review;
- The large majority (but not all) Board members felt that they fully understood their legal and fiduciary responsibilities;
- There were mixed views on the current level of succession planning;
- The Board should consider how best it can reflect all elements of the diversity of the region that it serves. Scores related to diversity were the lowest on the survey and interviewees also highlighted this as an issue;
- The Board will need to reflect on the revised 'Code' at an early opportunity to ensure that it is compliant and exemplifying best practice

**Areas of concern**

- No areas of particular concern were identified during this process.
- Tackling challenges related to diversity, in common with many organisations, is a priority. However, given the universal recognition of this and the commitment to change, we are very confident that quick progress can be made in this area.

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## Survey findings

Survey data presented an overall very positive picture of the current functioning of the Board. Please note that these scores should be taken in the context of the whole evaluation and read alongside the wider findings and recommendations.

The survey was completed by ten Trustees and results are presented anonymously – no data to identify individual recipients was gathered as part of this exercise. Given the very small sample, drawing detailed statistical conclusions is not possible from this data. The results do provide a general picture of a healthy and confident organisation, with a small number of areas highlighted for further consideration.

The survey was based on 30 questions covering four areas:

1. Strategy;
2. Board effectiveness;
3. Managing performance;
4. Skills, Experience and Diversity.

The majority of questions used the following scale:

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

### **Strategy**

1. The board understands and embraces the objectives and strategy - 10/10 Strongly agree/agree;
2. The board uses the strategy as a standard against which decisions are made - 9/10 Strongly agree/agree;
3. The board devotes time for strategic planning and makes strategic decisions - 10/10 Strongly agree/agree;
4. The balance between strategic discussions and decision making and operational detail is appropriate - 9/10 Strongly agree/agree.
5. Open text question (any other comments)

### **Board Effectiveness**

6. The board operates effectively – 10/10 Strongly agree/agree;
  - a. Board members are provided with relevant and sufficient information to fulfil their roles effectively - 9/10 Strongly agree/agree;
7. The board ensures it has the information it needs to create long-term plans 10/10 Strongly agree/agree;
8. The board ensures that the organisation's accomplishments, challenges and use of resources are communicated to stakeholders and staff - 8/10 Strongly agree/agree (1 disagree);



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9. Board members actively communicate with each other at meetings - 10/10 Strongly agree/agree;
10. Board members actively communicate with each other between meetings – 3/10 Strongly agree/agree, 5 neither agree/disagree, 1 disagree, 1 feels this is unimportant. This may be worth further consideration, particularly if changes to the structure are to be progressed;
11. The board has discussed and understands the role and responsibilities of the chair - 10/10 Strongly agree/agree;
12. The chair is well prepared for board meetings - 10/10 Strongly agree;
13. The chair helps the board to stick to the agenda - 10/10 Strongly agree/agree;
14. The chair is skilled at managing different points of view and navigating difficult conversations - 7/10 Strongly agree/agree;
15. Open text (any other comments)

*“I feel like we could do more to promote what we do externally”*

### Managing performance

16. The board has a positive relationship with staff - 10/10 Strongly agree/agree;
17. The board regularly reviews strategic risks and maintains an effective risk register - 7/10 Strongly agree/agree (2 neither agree/disagree, 1 disagree);
18. Board members are aware of their fiduciary and legal responsibilities – 8//10 Strongly agree/agree (2 neither agree nor disagree). This is a strong score, though it is important that all Board members are confident in this area;
19. The meeting agenda of board meetings is well planned so that you get through all necessary business 9/10 Strongly agree/agree (1 disagree);
20. Board members come to meetings prepared - 8/10 Strongly agree/agree;
21. The board has ensured that ABC has an effective operational plan (10//10 Strongly agree/agree);
22. Open text (any other comments)

### Skills, Experience and Diversity

23. The Board is sufficiently diverse **in terms of its skills** to operate effectively 7/10 Strongly agree/agree (3 neither agree/disagree);
24. The Board has sufficient diversity **of thought** to operate effectively - 6/10 Strongly agree/agree, 4 neither agree/disagree);
25. The Board is suitably diverse **in terms of the background of its members** to operate effectively - 3/10 Strongly agree/agree, 3 neither agree/disagree/4 disagree. This is the lowest score in any question and should be considered further.
26. All board members participate in board discussions - 10/10 Strongly agree/agree;
27. The board commits time to review its vision, direction and purpose - 8/10 Strongly agree/agree;
28. The board encourages and acknowledges different points of view 10/10 Strongly agree/agree;
29. Open text (any other comments)





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*“ Do I think the Board operates effectively – yes. Do I think it could be better if we are more diverse – absolutely”*

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## Interview findings

In-depth interviews were conducted with Trustees.

They were conducted on a semi-structured basis (following the same areas and the same questions) but were not 'scripted'. Interviews lasted approximately 40-60 minutes and findings are presented on a non-attributable basis. The interviews offered an opportunity to gather qualitative data, to explore further issues raised in the survey and to start to gain an understanding of the general dynamics of the Board, challenges and concerns, areas of strength and to develop bespoke recommendations.

All interviewees engaged openly and constructively with the process and demonstrated a high level of enthusiasm for ABC and its mission. The following key themes and observations emerged from the interviews:

1. More in-depth views emerged around the balance between strategic discussion and operational detail. Interviewees generally felt that this balance was appropriate, with some suggestions that too much time is spent on detail, that there can be 'information overload' (driven in part by legacy issues and in part by the Board itself) and that more time should be dedicated to discussing issues of strategic importance in detail. There was a general sense that ABC's strategy was sound and well understood at Board level, with mixed views on how much this strategy is used to guide discussion. The majority of interviewees also commented that this area has markedly improved under new leadership;
2. All interviews covered the role of the Chair – for the organisation generally and in Board meetings specifically. There was a lot of very positive feedback;
3. All interviewees were positive about the future potential of ABC;
4. Further comments on the relative diversity and mix of skills, backgrounds and approaches were made during interviews. Generally, the Board characterised itself as 'diverse' in terms of skills, but a lack of representation of the full diversity of protected characteristics (and a lack of reflection of the population diversity of the Black Country) was identified as an area for development.

### **Purpose and mission**

All board members had a very good grasp of what ABC is and what it stood for. There was a strong consistency of message summarised briefly as "Getting people active in the Black Country".

Each Board member clearly understands their duty of representing the Black Country in their individual field, community or area of expertise. Only around half of the board members used the words involving 'strategy' when describing their role, focussing more on the operational aspects or individual projects or agendas – this further corroborates a finding discussed elsewhere in this report that the strategic/operational balance does need to be kept under review.

*"To get people active to get people engaged in sports, we've got considerable issues across the black country in terms of inactivity, and the health inequalities that that creates, which leads to worsening life expectations. Our purpose is to, in essence, get people active."*



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*“Active Black Country is the driving force to increase the levels of physical activity and sport across the Black Country.”*

*“It's mainly about promoting the benefits of sport and physical activity and trying to increase the levels of physical activity in the Black Country across the whole of the community.”*

## **Structure**

Board members were aware of the broad structure of ABC and the nature of hosting by BCC. There was a degree of ambiguity around details of the relationship between ABC and BCC particularly amongst the new non-senior board members. This is largely due to the complex nature of the relationship, making the explanation difficult at times. The clearest level of detail comes from the Exec, Chair and Vice Chair.

*“I'm not completely clear as to the connection between the Black Country Consortium and the Active Black Country board.”*

*“So I suppose where my knowledge would be lacking, would be the organisations that sit beneath Active Black Country.”*

*“The relationship between ABC and the Black Country consortium was something that was actually quite difficult as a new member to try and get a handle on exactly what responsibilities that were, and exactly what reporting lines such were.”*

Board members cited several advantages to the current arrangements, with the main benefits of the structure as co-ordinating and co-operating in the greater Black Country network and regional context. This gives easy access to influential individuals across counties, as well as operational support in terms of financial services, data and administration.

*“Significant benefits in access to influences and key decision makers and working in an area like the Black Country, because it's a polycentric nature.”*

*“The back office structure, you know, the support that the team gets, I think, my assessment last year was it delivers value for money.”*

Overall, interviewees felt that the structure works. By being hosted there is a potential loss of independence and the challenge of only being one voice of many in the BCC. There is a reliance on the BCC for services, which works at present, but has an element of risk if strategy or conditions change in the future. There is a small element of risk in a conflict of interest with the Chair of ABC also sitting on the BCC Audit committee. However, the risk here does appear minimal and this is a potential conflict which has been declared and is well managed.



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Board members did not appear enthusiastic to pursue independence in the immediate future as whilst benefits were identified, there are also risks and costs. If this is to be explored further, then the Board should set aside significant time to fully understand the pros and cons and to assure itself of the consequences of any changes.

*“I think if I had a blank canvas, I would move us in the direction of an independent organisation. That's for a number of reasons, primarily, because I think it will enable us to attract more funding into the Black Country... but that is a huge undertaking. And it's not without its own risks. And I think if we were to take that path, we'd need to do so really carefully and really slowly, and we'd need to look at all of the various consequences of doing it.”*

*“I think independence can prove quite challenging and potentially costly, you know, so there's, there's the, does it work? Yes. Is it the best we could get? Possibly not at this moment in time, if we were prepared with that? It could work better.”*

### **People and skills**

The board was unanimous in its praise of the skill, work ethic and communication of the Chair. There was strong feedback on the improvements made under the Chair's leadership and a much greater focus on strategic issues, with significant enthusiasm for this trend to accelerate.

*“Yeah, I think Amanda's a great choice. And she's only come on recently after Deborah left. And she's a fantastic choice for the role. She's very insightful. And she gets straight to the point. She's very clear cut and knows her stuff.”*

*“In terms of how she prepares board meetings, how she steers board meetings, the way in which we have more efficient and effective meetings. She's a very fair Chair of meetings. She works hard to bring the quiet ones in and get a range of voices around the table. So yes, absolutely. I think she's a very effective chair.”*

*I think Amanda is an excellent chair. I think she's extremely well thought of, and very, very competent. She provides the right level of challenge and right level of support to the executive, as well as providing the board members with that confidence of a chair leading an organisation.”*

There is consensus that there is the correct number of people on the Board. Board members believe that the current board has the correct skills to operate effectively at present. Skills matrices have been completed to help in this regard and the board is aware of the gaps that will occur when certain board members are due to step down. In terms of planning for the future and improving, the



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board is currently seeking stakeholder management, networking and learning skills. The latter is seen as of particular importance by the executive team in order to improve services and models for delivering services.

Succession planning was not universally understood across the Board – it is advised to re-visit the succession plan to ensure that it remains fit for purpose and that, in addition, this plan is shared with Board members.

*“At the moment, have we got a good enough mix of people to discharge our duties as a board? Absolutely, I think we do. I would defend that all day long.”*

*“I think the skills on the board [are adequate] . But as with anything, the environment, which we're working in, is evolving.”*

*“So I think that the succession plan could be improved by greater, greater discussion around either the skill sets that we need, and these are the reasons we need them.”*

Board members identified a thorough and effective induction process, including the following steps:

- Basic information and conversations before interview;
- Introductions with senior board members;
- Board induction packs;
- Structure of organisation;
- Documents and policies/framework;
- Challenges of the organisation;
- Open communication to ask questions around any issues that arise.

All board members found this process positive and very useful to help fulfil their roles, with one small improvement to have a recommended reading list suggested.

*“It was a very positive experience, actually. I was expecting to feel like a fish out of water. I learned an awful lot about the board.”*

### **Information and process**

The board was again unanimous in its praise for the quality of the information provided by the Executive Team. It recognises the fact that it has improved its information drastically over the years that the current Director has been in post.

Board meetings are prepared well in advance and are timely. Board members are expected to read materials and action any points they may have. Governance subgroups, and strategy development subgroups are convened in between meetings. A board newsletter is produced every six weeks to highlight any key news and there is an expectation for board members to represent ABC at sporting/ community events in the Black Country, albeit that this has inevitably been limited due to COVID.



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*I think the quality of information we get from the executive is very good indeed. It has massively improved compared to 5-6 years ago. In tenure, I think has recruited a very strong team. They know where the big wins are to be had. And they're very focused on that. With leadership we do get some good quality information, the papers are very good."*

*"the team are working tirelessly. And I have no criticisms, our executive team, because they're trying to do all the right things. They're trying to satisfy an awful lot of agendas. "I think it's very very strong, It is timely, and the board agendas are structured, so that the right things come into board at the right time."*

*"Before reports came to the board late. That has been improved greatly. And the various charts and diagrams that we were being fed were far too complicated. And the board didn't need to know the finite details. And again, that has been looked at and has been simplified. Working on the assumption that more working groups have been established to look into those details of particular initiatives - that has improved enormously."*

## **Culture**

The Board strongly feels that since the change of Chair there has been a significant improvement in terms of professionalism in terms of how the Board operates. Any poor behaviour that is not in line with ethics and policies of the board is called out and dealt with, though there were no suggestions that this has been a frequent or a significant problem. In the past, it was felt the Executive Team was largely leading the Board in terms of processes and discussion. This has shifted to a more balanced relationship and the Executive Team being constructively challenged to produce higher quality reports.

The culture was felt to be positive, inclusive and professional in all respects.

*"We are very focused in our conversations. Amanda doesn't allow the meetings to deviate from the agenda. She does include lots of people in conversations and does her best to make sure we've got every voice in the room where we need it. It is focused, it is quite functional. It isn't an opportunity just to catch up with old mates every three months. So it is formal and professional and business like."*

*"It feels very much like a collaborative cohesive environment. And not like kind of one couldn't really nail it down to one person. Honestly. It's a very nice team both on the board and the executives. You can see they all work together very well."*

## **Diversity**

This was identified as the most significant area for development. All interviewees recognised and agreed that the Board does not currently represent the community they serve and as a Board



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collective they are very aware of it. Two particular areas the board feel they are not representing well are ethnically diverse communities and young people.

*“My immediate priorities around improving the ethnicity of the board, with the skills we want. Having a mind to gender balance, and other aspects of diversity such as youth, because I think we're predominantly an older board.”*

*“It's probably good to have people who are maybe younger, you know, who might have a different perspective.”*

*“We do not represent the ethnic diversity of the Black Country.”*

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## Board observation

This Board observation took place at a standard Board meeting, which was hosted online. Some particular observations on that meeting are as follows:

- The documentation circulated in advance was clear, timely and of high quality;
- The meeting was procedurally correct in that all statutory items were addressed;
- The meeting included a number of high quality, thought provoking and strategic discussions,
- The meeting was very well Chaired and was 'Board led', but with strong and high quality contributions from senior staff. The staff members in the meeting were deployed effectively and brought appropriately into discussion to provide further detail and technical advice;
- Discussion was purposeful, inclusive and respectful.

### Conclusions and recommendations

ABC is a well governed organisation with many strengths. There are opportunities to drive further improvements in governance and these recommendations are offered to assist the Board in considering changes to make in future:

1. Continue to develop a plan to address challenges around diversity;
2. Develop and maintain governance tracker(s) to assure ongoing compliance with requisite governance codes;
3. Keep the skills mix of the Board under regular review to ensure that it remains appropriate;
4. When appropriate, initiate discussions around structural changes and potential changes to the current hosting arrangements. Board members should:
  - a. Satisfy themselves that they are clear about current arrangements and their responsibilities;
  - b. Agree a forward plan, which the senior executive team and Board all agree;
5. Hold a high quality away day on a regular (e.g. annual) basis to allow for a focus on strategic discussion;
6. Keep local strategic relationships under regular review. This applies to BCC, individual local authorities, to building new strategic relationships with local business and to being mindful of and sensitive to regional political dynamics between different stakeholders in the regional landscape;
7. Keep the balance of strategic discussion and operational detail under regular review;
8. Take note of the range of relatively minor recommendations, including:
  - a. Ensuring that the succession plan is up to date and well understood;
  - b. Adding a reading list to induction packs