

Public Minutes of BSAC Council Meeting
The Jessop Suite, The Holiday Inn, Ellesmere Port
23rd January 2016

In attendance:

Council Members – Directors

Eugene Farrell	Chairman
Alex Warzynski	Vice-chairman
Sophie Heptonstall	National Diving Officer
Edward Haynes	Honorary Secretary
Ben Panter	
Dave Bell	
Dave Lock	
Davs Brander	
Geoff Hide	
Ian Furness	
Janos Suto	
Louise Whitehouse	
Michelle Kim	

Vice Presidents

Brian Cumming
Phil Harrison

HQ representatives

Mary Tetley	Chief Executive Officer
Wendy Meadows	Chief Operating Officer
Debbie Powell	Marketing Manager (Item 8.4.1 only)

Apologies:

Directors: Brett Parker
 Maggie Driscoll Honorary Treasurer

Vice Presidents: Ernie Crook, Harry Gould, Tony Marshall.

Meeting Opened 09:00.

- 1 Opening address from the Chair; including apologies.
- 2 Ratification of e-votes:
 - 2.1 21st November 2015 – full Council Minutes.
 - 2.1.1 Ratified.
 - 2.2 21st November 2015 – Public Council Minutes.
 - 2.2.1 Ratified.

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3 Matters Arising:

3.1 From 21st November 2015 Action Grid:

Item #	Action	By Whom	By When
4.1.1	Cylinder Testing: Phase 1 – An initial communication statement to be prepared and issued by Saturday 28 th November (1 week). Phase 2 – To fully engage in the Public consultation. [After Meeting Note: The Public consultation had closed 2 September prior to BSAC becoming aware of the proposal.] To be covered at item 5.3	Sophie Heptonstall	28/11/15
4.1.2	RNLI: HQ to liaise with the RNLI to facilitate them funding some safety research. To be covered at item 5.3	HQ	ASAP
4.1.4	Student Membership voting Rights: HQ to amend appropriate documents. To be covered at item 7.1	HQ	ASAP
4.1.5	St Abbs Lifeboat: HQ to contact the St Abbs Lifeboat team and discuss how BSAC could provide support by running courses etc. To be covered at item 7.1	HQ	ASAP
6.6.2	Young People Forum: Davs Brander to form a new group to develop the topic and present results to Council. To be covered at item 8.7	Davs Brander	No time frame
7	Crisis Management: 1. Development of a Policy Position “Bible”. 2. Development of a PR Issue Management Plan. Update below in 3.1	Mary Tetley/ Wendy Meadows	ASAP
9.1	Whistleblowing Policy: Edward Haynes to find and circulate the whistleblowing policy. To be covered at item 9	Edward Haynes	ASAP
9.2	Volunteer Management: Dave Lock to draft a Volunteer Management document.	Dave Lock	ASAP

3.1 The development of the Policy Position “Bible” and PR Issue Management Plan Mary Tetley / Wendy Meadows were on-going.

3.1.1 Mary Tetley / Wendy Meadows To report progress at next meeting.

3.2 Volunteer Management: Draft 1.1 of the Volunteer Management guidance had been placed in the Council DropBox folder. A discussion developed on the guidance’s audience? It was agreed that the guidance’s objectives should be clarified. All were requested to submit comments to Dave Lock who would be assisted by Sophie Heptonstall and HQ.

3.2.1 Action ASAP: All to submit comments on the Volunteer Management guidance to Dave Lock.

3.2.2 Action by May meeting: Dave Lock / Sophie Heptonstall /HQ to clarify the purpose of the guidance and review the layout.

4. Malta Update: Eugene Farrell, Sophie Heptonstall and Mary Tetley visited Malta at short notice late Monday 11th January returning to the UK PM Tuesday 12th January 2016.

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4.1 Council were updated on the three meetings attended. First the Maltese Tourist Authority, then with the Maltese Attorney General (AG) and afterwards with Steve Martin's (SM) Maltese lawyer. BSAC were advised that they could not bring legal representatives to the meeting with the AG. The 45 minutes allocated by the AG ran to 1 hour and 40 minutes. Council were informed on how the meetings progressed, including correcting mistakes in the prosecuting lawyer's statement notes that had incorrect timings and incorrect diving qualifications of one of the deceased. It was apparent that once these had been pointed out, the Maltese authorities case was severely weakened. Before returning to the UK, Mary Tetley updated SM by phone from Malta. On return to the UK, Mary Tetley and Sophie Heptonstall updated SM's UK lawyer and spoke to the Maltese Tourist Authority's UK Chair. Mary Tetley confirmed that the trip to Malta was a total of 22 hours.

4.2 Mary Tetley confirmed there was a written audit trail that SM had approved the quotes used in the statement released on Monday 18th January 2016 announcing the dropping of all charges against SM.

4.3 An involved discussion ensued on the way forward. It was agreed that a SCUBA article should be submitted on the case which will include an interview with SM.

4.4 Council thanked those closely involved, both from Council and HQ, who contributed to the successful outcome.

5 Officer Reports:

5.1 Chairman: Report placed in the Council Dropbox prior to meeting, Eugene Farrell elaborated on its contents:

5.1.1 John Bevan has accepted the offer to take over the Chairman's position of the BSAC Jubilee Trust when vacated by Harry Gould.

5.1.2 Malta has impacted on progress of all other business. Eugene Farrell gave a run down on what was covered in the Malta Attorney General meeting:

* We met with the Attorney General and one of his senior lawyers, accompanied by Maltese Tourist Authority and Professional Diving Schools Association (Malta).

* The meeting was allocated 45 minutes and lasted 1 hour 40 minutes.

* The Attorney General listened to representations from BSAC.

* Case made no sense to us.

* Worldwide attention of the case

* Damage to diving tourism

* UK inquest found accidental death in both cases

* Diving medicine expert Dr Wilmshurst gave evidence at inquest and would be called to Malta as defence

* Immersion Pulmonary Oedema is a spontaneous event

* Immersion Pulmonary Oedema could explain the sudden descent

* Rescue ascent assessed as expected for a rescue

* Dive conduct looked normal

* Weather and conditions were checked locally

* Qualifications of divers seems to be confused by Maltese

* Independent divers and the group in question seems confused

* Any BSAC diver trained to rescue

* Statements given without representation

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- * European Arrest Warrant wording
- * Attorney General explained Police and Magistrate investigate separately, and if they reach same conclusion it's difficult to act against it.
- * State case doesn't have to be shown until defendant in country
- * European Arrest Warrant does not have to represent the case
- * Underwater First Aid is a translation issue, they understood can't give first aid. It * means failed to rescue.
- * Statements were signed by SM in presence of police.
- * BSAC left transcript of inquest and suggested they read in detail.
- * Then we met with and updated SM's lawyer.

5.1.3 Eugene Farrell and Alex Warzynski plan to have strategy documents ready for mid-February 2016.

5.1.4 The pan Pacific visit set for End of February to coincide with BSAC Japan AGM.

5.1.5 Dava Brander asked if there would be advice on diving for other countries with Statutory diving regulations. Sophie Heptonstall stated that she was awaiting response from Malta for diving guidance and this work was progressing. However, keeping information up to date for all countries is not possible - BSAC advise checking legal regulations and will represent divers if any clarification is requested.

5.2 Vice Chairman:

5.2.1 Involvement in Malta case, pre and post visit.

5.2.2 Updating Twinset course on the integration of primary donate.

5.3 National Diving Officer: Report placed in the Council Dropbox prior to meeting, Sophie Heptonstall expanded on its contents:

5.3.1 Skills videos in the pool completed but need editing and voice over. Sophie Heptonstall to contact John McIntyre to progress.

5.3.2 The Malta case has prompted National Diving Committee to review Controlled Buoyant Lift in particular techniques for rescuing a descending casualty.

5.3.3 Dive Management and Risk Assessment need updating. This is being done as part of DTP with greater focus on teaching and action plans including recovery from the water.

5.3.4 Sophie Heptonstall explained the Diver Training Programme review will provide improved guidance on skill standards for instructors, in particular explaining in more detail what "*competent and confident*" means.

5.3.5 Sophie Heptonstall explained kit configuration was so diverse our (BSAC's) secondary take may not always be appropriate. Was two divers being face-to-face realistic? Secondary donate has been recommended to Diver Training Programme Group with an emphasis on ironing out all techniques in a buddy check. Primary take is not acceptable.

5.3.6 GUE recognition would cover open circuit only.

5.3.7 The "Sea Survival" Skill Development Course is being amended following Sophie Heptonstall's meeting with the Royal National Lifeboat Institute.

8.4.1 Project Skylab Update: Debbie Powell gave a presentation (copy in the Council DropBox folder) to Council on the current status of the Skylab Project. An underlying principle of the project was to make BSAC relevant to divers, not just BSAC members. Questions were taken during the presentation from:

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* Phil Harrison, Asked if the project was taking into account emerging technologies and how society is using technology? Debbie Powell and Wendy Meadows, the project is not based on a particular technology and when implemented will use the latest available.

* All, There was a general concern from Council Members over the project's slippage.

8.4.2 Debbie Powell handed out a pamphlet "*BSAC Plan of Action*" that contains a plan for implementation of the Skylab project in line with the developing Strategy.

8.4.3 Action by March meeting: HQ to provide a timetable for Council.

5.4 Honorary Treasurer: The management accounts for the 2015 Year End had been placed in the Council Dropbox folder. Wendy Meadows ran through the estimated final figures and gave clarification for any line when requested. Council Members were interested to know how the Malta exceptional expenditure was to be accounted for in the annual accounts.

5.5 Honorary Secretary:

5.5.1 Nominations for vacant Council positions being received

5.5.2 Motion to amend Articles, Edward Haynes presented a draft for Council to consider for amending Article 87,(E), a copy of the draft Motion was posted in the Council DropBox folder. The wording was changed from "All watercraft (other ...)" to "All boats (other ...)"

5.5.3 The Motion was proposed by Edward Haynes, seconded by Ben Panter. Carried.

6 Chief Executive Officer Report: The report was placed in the Council Dropbox prior to meeting; Mary Tetley updated Council on the Actions Arising from the last meeting:

6.1 Royal National Lifeboat Institute had been covered by the National Diving Officer above.

6.2 Student Membership voting rights has been concluded with all documents changed or issued.

6.3 St Abbs Lifeboat, A 1st aid course was run. Tunnock's Tea Cakes donated £250,000 to the Lifeboat appeal. A suggestion was made that a Tunnock's tea cake or wafer could be placed in the Diving Conference welcome pack.

6.4 Mary Tetley answered questions on the report from:

* Sophie Heptonstall, Could SCUBA be used to generate volunteer ideas? Mary Tetley would discuss with the editor.

6.4.1 Action by March meeting: Mary Tetley to speak with the editor of SCUBA about using the magazine to generate volunteer ideas.

7 Group Reports:

7.1 Commercial: Brett Parker was not present to give an update on commercial activities. Mary Tetley confirmed BSAC would be at London International Dive Show 2016.

7.2 Governance: Alex Warzynski reported work was on-going, but held up by Malta work.

7.2.1 Janos Suto suggested investigating whether BSAC's status could be changed to a charity as there had recently been changes which might financially benefit us if BSAC became a charity. There was discussion on some pros and cons identified on two previous occasions the change had been considered. However, a review of the implications should be undertaken.

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7.2.2 Action by March meeting: Janos Suto, Alex Warzynski and a HQ representative to bring a short paper on the implications of BSAC changing its status from a company (limited by guarantee) to a charity.

7.4 IT: Alex Warzynski stated Debbie Powell had covered his IT update.

7.5 Social & Environmental: The report was placed in the Council Dropbox prior to meeting; Louise Whitehouse added the construction of the Rampion Offshore Windfarm had started on 16th January 2016. BSAC have successfully negotiated that divers can dive on the foundations of the windfarm after completion of construction. Originally there was to be a 50m exclusion zone. A 500m exclusion zone will be effective during construction.

7.6 Strategy: covered during the Chairman's report.

7.7 Young People:

7.7.1 Young People Forum. Action in ongoing.

Action from 15 November 2015: Davs Brander to form a new group to develop the topic and present results to Council.

7.7.2 Davs Brander reported work is underway on a university Branch guide or Branch Officers' Handbook.

8. Risk Register.

8.1 Whistleblowing Policy. Edward Haynes reported that BSAC did not have a Whistleblowing policy with the exception of Safeguarding.

8.1.1 Action asap: Alex Warzynski to forward a whistleblowing policy for consideration.

8.2 A discussion took place of the relevance of the current Risk Register and whether it was a 'paper' exercise or did it serve a purpose? The conclusion was the register should be re-populated starting from with a blank-sheet.

8.2.1 Action by March meeting: Edward Haynes to get three responses from Council members to build a new Risk Register.

9. Prospective Members Insurance: Edward Haynes stated that he believed a significant number of members believe individuals diving with their Branch whom are not BSAC members are covered by BSAC 3rd Party policy for a limited number of days per year. Wendy Meadows clarified the position that when BSAC and non-BSAC divers were buddied the non-BSAC diver could claim against the BSAC diver who would be supported by the BSAC 3rd Party policy. However, if the BSAC diver were to claim against the non-BSAC diver the BSAC 3rd Party policy would NOT support the individual. The current insurance Frequently Asked Questions was clear, but old advice had been misinterpreted.

From comments by Council members it became clear that this misinterpretation was held by a significant number of Council members. There was a consensus that being able to offer BSAC's 3rd Party liability cover to potential members when they undertake check out dives with a Branch would be a positive selling point. It was noted that some other sports, i.e. cycling, offered this type of insurance.

9.1 Action by March meeting: Wendy Meadows to request options from our insurance provider for Council to consider.

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10. Kernow 2016, Dave Lock stated the show was going to be held.
11. AOB:
- 11.1 Mary Tetley confirmed the coroners' verdict for Andy Moll.

Meeting closed 15:53.