

ENGLAND BOXING

ANNEXE 1 TERMS OF REFERENCE

24 NOVEMBER 2021

WAYNE BARNES
TIM NEWCOMB
SHIV HARIA-SHAH

ANNEXE 1 - TERMS OF REFERENCE

A. INTRODUCTION

1. England Boxing (“**EB**” or “the **Organisation**”) is the NGB for the sport of Boxing in England, overseeing more than 900 affiliated clubs and more than 17,000 members across the country. Its origins date back to 1880.
2. The Organisation carries out a number of functions including: (i) overseeing the safety and welfare of members (including Safeguarding); (ii) compliance; (iii) coaching; (iv) the promotion of boxing to potential new members; (v) enforcing rules and regulations; and (vi) providing a talent pathway for boxers who excel.
3. EB also organises and administers a number of national and regional competitions for Elite, Youth, Junior, Schools and Development Boxers, as well as an annual Three Nations tournament and a female-only Box Cup. Working alongside EB are a series of regional boxing associations¹ that run competitions and liaise with local clubs.²
4. Over several years and for various reasons the relationship between parts of the East Midlands Region (“the **EMR**”) has been fractious with complaints and counter complaints. The number and regularity of these complaints has not only become a concern for the Board of EB (“the **Board**”), but has also become damaging for the reputation of the organisation and the sport. The complaints, very few of which relate to what happens in the ring or at boxing clubs, have, understandably, placed unnecessary strain on a number of officials at EB and distracted the organisation and its members and employees from other important tasks, initiatives and improvements that might otherwise have been implemented for the benefit of the sport at both regional and national level.

B. PURPOSE AND SCOPE

5. In line with Sport England’s Code of Conduct, EB wishes to engage effectively with all its stakeholders, and in particular its regions.

¹ Tyne, Tees and Wear, North West Counties, Merseyside and Cheshire, Yorkshire, Midlands, East Midlands, Western Counties, Eastern Counties, Home Counties, London and Southern Counties.

² There are also organisations that represent the interests of the British Police, the Royal Navy and Marines, the British Army and the RAF.

6. Assistance is sought to draw a line under the historic and ongoing issues with the EMR and ensure that such complaints can be dealt with in a more time efficient manner in the future.

7. The objectives of the Review are to independently:
 - a) Conduct a fact-finding investigation into the incorporation of the East Midlands Amateur Boxing Association (“EMABA”) in November 2016. This should include: (i) how the transition came about and was subsequently managed; (ii) the extent to which Articles of Association were adhered to; and (iii) how the EMABA has elected and appointed directors of the EMABA and the EMR Council;
 - b) Make recommendations which may include, but are not limited to, further investigation and/or disciplinary action;
 - c) Identify any issues relating to the way in which the EMABA was incorporated and make recommendations as to best practice moving forward;
 - d) Consider whether EB has addressed complaints relating to the incorporation of the EMABA in a fair and appropriate manner;
 - e) Make recommendations as to whether any historic allegations relating to the incorporation of the EMABA should be re-opened; and
 - f) Review the EB disciplinary and complaints procedures.

8. At the conclusion of the Review, a written report will be produced for the Board of EB. This report will:
 - a) Contain independent findings and recommendations, including recommendations for the Region based on best practice governance principles and the Sport England/UK Sport Code;
 - b) Provide advice and recommendations in relation to disciplinary action; and
 - c) Enable the Board to decide what actions are required to be taken in accordance with the EB policies and procedures.

9. The relevant time period for the purposes of the fact-finding investigation will be from November 2016 onwards albeit that this time period may be expanded based on issues and information that arises. The relevant time period will ensure that the scope of the investigation remains proportionate and focusses on relevant and up to date concerns.

C. ROLES AND RESPONSIBILITIES

10. EB shall:

- a) Commission the Review;
- b) Bear the cost of the Review;
- c) Provide the assistance of compliance officer and the EB IT staff; and
- d) Facilitate the availability of staff and documentation as required.

11. The Review team shall:

- a) Work to these Terms of Reference;
- b) Gather written and oral evidence, including where necessary, conducting interviews with relevant individuals;
- c) Consider the existence of governance and/or structural failings leading to issues and make observations and recommendations that might assist with preventing reoccurrence;
- d) Make comment as to whether any law or EB regulation has been breached;
- e) Provide general observations and recommendations with reference to best practice in line with Sport England Code for Sports Governance; and
- f) Produce a written report detailing their findings and recommendations for the Board.

12. The Review team shall not:
 - a) Complete any file to be used in any subsequent disciplinary process;
 - b) Conduct any mediation between any parties mentioned above or at all;
 - c) Conduct any re-investigation of any previously made complaint; or
 - d) Produce any new protocols, Articles of Association or codes of conduct for EB, EMABA or any other relevant party.

D. COORDINATING DETAILS

13. **Media Statements:** Due to the sensitive nature of the Review and the rights of the individuals concerned, there is no intention to publish the Report, any details relating to the Review or to issue a media statement. If, however, circumstances arise whereby EB considers that it would be appropriate to issue a statement, then the Review team and EB will liaise and agree in advance the content of any such media statement. Should any criticism be made of any individual, that individual will be given the opportunity to rebut those findings and provide any additional context or information that they may not have recalled or chose not to share at an earlier interview.
14. **Limits of the Investigation:** The Review shall be limited to the objectives and purpose outlined above and as refined in the Investigation Strategy to be produced. However, at the Review team's discretion, relevant and connected matters which arise may be considered after discussions between EB and the Review team.
15. **Referral to Statutory Services:** The Review team will consider the need for referral to the relevant statutory authority of information it considers to be of a criminal nature, raises immediate safeguarding concerns or a potential violation of anti-doping regulations. In those circumstances, the person whose personal information will be shared will be notified, where it is possible to do so.
16. **Timing:** The Review is to be conducted in a timely and efficient manner with the intention of the Report to be provided no later than 8 weeks from the commencement date. The timing will

depend in large part on the availability of witnesses for interview and we envisage that the timescale could be reduced significantly with appropriate cooperation and scheduling.

17. **Data Protection:** The Review team shall ensure that the requirements of the Data Protection Act 2018 and the General Data Protection Regulation are complied with, in particular the transparency requirements, and ensuring individual rights requests are respected.
18. **Confidentiality:** The Review team shall ensure that all information provided during the Review is kept confidential and processed in accordance with best practice. The Review team shall not use nor disclose such confidential information unless required by law.
19. **Amendment, Variation or Modification:** These Terms of Reference, including, but not limited to, the relevant time period, may be amended, varied or modified in writing after consultation and agreement by EB.