



**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE EBU LIMITED
AT ENGLISH BRIDGE UNION, BROADFIELDS, BICESTER ROAD, AYLESBURY, HP19 8AZ
ON WEDNESDAY 28TH JUNE 2017**

Present:

Jeremy Dhondy (Chairman) (JD)
Ian Payn (Vice Chairman) (IP)
Jerry Cope (Treasurer) (JC)
Heather Dhondy (HD)
Anthony Golding (AG)
Robert Lawy (RL)
Ron Millet (RM)
Graham Smith (GS)
Barry Capal (General Manager) (BC)
Gordon Rainsford (incoming General Manager) (GR)
Peter Stockdale (Minuting the meeting) (PS)

1. Apologies for Absence

Darren Evetts (DE)

2. Minutes of the meeting of 22nd March 2017

2.1 Accuracy

The minutes were approved as accurate.

2.2 Matters arising

7 – JC reported that he had not yet received a 'ballpark' figure for the value of sales made to non-members prior to the changes made to the shop. BC would ensure this was provided and would also seek to get an update from the shop staff on whether the changes to the Bridge Warehouse could be seen as being successful. JC noted that sales figures since the change would also soon be available.

Action: BC

2.2/5 – JD confirmed that the matter of the perceived disparity in the punishments given was raised at the recent meeting of the Laws & Ethics Committee. They would be considering the matter, and reporting on it at their next meeting.

2.2/11 – JD reported that he had not spoken to Yves Aubry at the European Open Championships, but that he had contacted him earlier by email. At the time of their correspondence the EBL did not have a policy relating to gender identity but was planning to discuss the topic during a meeting at the Championships. There had been no update since the event.

JD had outlined to Mr Aubry the EBU's policy, and he had thought it to be appropriate. JD also stressed that it would be wise for the EBL to publish a policy in the near future so all NBO's could ensure that they adopted a similar policy ahead of the next cycle of EBL junior competitions.

9. JD reported that 28 replies to the survey had been received. At present the number of counties which had confirmed they would be attending the meeting was low. It was agreed that if the meeting

was not well attended then it would again need to be considered whether the meeting was viable for future years. Subsequent to the meeting the number of confirmations had risen.

10. The changes to the bye-laws and articles were confirmed.

8. As he had not been present for the March meeting, RM asked to be appraised of the reasons why EBED had chosen not to run an advert in the Daily Telegraph. JD explained that although a large number of calls was received, there was insufficient evidence that many of these enquiries had resulted in students attending lessons. EBED also recognised that there was not a comprehensive and robust database of teaching activity currently available, and that would need to be developed before respondents to an advert could be adequately serviced. EBED did not currently have the necessary staff resources to carry out, or manage, a project to establish one in time for this year. EBED's Trustees therefore believed that it was not cost effective to run the advert again this year.

JD added that it was hoped that establishing a database of teachers, and making it possible to find such information on EBED's website, would be a project would be undertaken in the not-too-distant future.

5. A summary of the recent developments in the VAT case was given. Although no date was yet known for the judges' final ruling, it was expected that it would be made in 3-4 months. IP warned that although the opinion of the Advocate General was often upheld, this was not always the case, and it could easily be overturned. He therefore warned everyone to not believe it was 'set in stone'. He added that as well as HMRC, the EU had opposed the EBU in the case, so seemingly would not be afraid to overturn the position in the countries which already recognised bridge as a sport for VAT purposes.

It was recognised that in the event of a positive final ruling, there would then be a process which needed to be followed by the English courts and HMRC. It was therefore likely that any rebate would not be received for around a year. It was therefore agreed that there was no necessity to discuss what may be done with any money which may hypothetically be received. The matter would be revisited at the September meeting, at which time JC would put forward some possible, hypothetical, courses of action.

JC added that there were some aspects dealing with any rebate which may require 'expert advice' – for example how any rebate would be treated for the purposes of corporation tax. His first course of action would be to ask the EBU's accountants for their opinion.

JD enquired if it was known what the impact would be on VAT-registered clubs. JC believed that it would only affect clubs which were 'not-for-profit', and therefore not 'proprietor-owned' clubs. JD added that a member who was a VAT expert had offered to speak to member clubs which may be affected, at an appropriate time in the future. It was noted that a positive ruling may have an effect on whether such clubs should change the relative balance between their membership fees and their table money.

The ways in which this potential ruling could be linked to the Sport England case were considered. It was agreed that there was no direct link at present, though in due course another approach could be made to Sport England to ask whether they would now consider an application for recognition, given the increasing weight of evidence against their position.

PS provided a written summary of the media coverage of the ruling, along with some of the articles which had appeared in the national newspapers.

3. Financial report

Prior to the meeting JC had circulated his report for the financial year which ended in March. He highlighted that the 12 month figures were in line with the 10 month figures. There were still some transactions to include before the accounts could be finalised, and it was anticipated that these would have a small negative impact on the final figures. He was, however, still expecting a performance which was better than budget – a deficit of around £30k compared with a deficit of around £59k. This was in part aided by financial savings made due to the delays in implementing the new membership management system. He added that this was a satisfactory performance given the relatively poor returns from the shop, and from competitions.

As the amount which would be paid towards Sport England's costs was unknown, he advised that there be no change in the size of the accrual for this purpose. IP confirmed that a counterclaim against Sport England's claim for costs would be made in the next few weeks, and he would be discussing this with the legal representatives. **Note:** This has now been done

The fall in Bridge For All memberships between 2016 and 2017 was noted. JD advised that a significant number of teachers were not using the BfA methods, not selling the books, and/or not registering pupils who were using the scheme. Therefore the numbers were likely to be static, rather than declining, and this was not reflected in the data. He added that EBED was seeking to address this matter with some of the key teaching clubs and teachers.

A small decline in Universal Membership player sessions – of 0.78% between 2015/6 and 2016/7 – was attributed to natural fluctuations, and in part to the installation of the new membership software which may have slightly delayed the submission of some information.

JD reported that the Selection Committee had taken on board the requirement for them to more closely monitor their spending.

To make it easier for certain committees and departments to monitor their spending, it was agreed that in future summary accounts should, if possible, be produced a month earlier than at present – starting at the end of month two, rather than month three.

4. General Manager's report

BC had circulated his report prior to the meeting. He confirmed that Workbooks was working well, and whilst there were some remaining problems relating to financial transactions, the 'administrative' functions were performing better than expected. He added that the problems with the financial transactions would likely be resolved in a reasonable time period, though it required input from a third party, and some 'pushing' may be required.

One issue which had arisen was how Workbooks, and the integrated Sage package, calculated VAT. In some instances this led to a discrepancy of a few pennies. It was agreed that it was not worth the effort to rewrite any code to correct this, and any resulting differences could be written off. It was acknowledged that in some instances clubs may query why there was a penny difference between the calculated amounts, and this would therefore need to be explained to them.

It was confirmed that access to Enterprise had been switched off, but could be reinstated for a small fee to allow for access to historic data. This option was likely to be taken as although all the necessary data was already downloaded, it was considered a sensible precaution to transfer all information from Enterprise to Workbooks. This would be done over an extended period to ensure there was no significant 'down time' at any one point.

BC reported that the new internet connection for the Aylesbury office had been installed, but a new firewall still needed to be installed. Whilst there had been a moderate cost for this, the dedicated line which was now being used was providing a much quicker, and more reliable service, so had been worth the cost.

Some of the implications of the General Data Protection Regulation were discussed. It was agreed that not only would the new requirements have implications with regard to seeking consent from the members to send them emails and magazines, but also to how the information could be shared between clubs, counties and the EBU.

Some possible ways in which consent could be sought from the members was discussed, including circulating a consent form with the magazine, and having a 'pop-up' message in My EBU on the website.

All present were asked to be aware of how other organisations, of which they were a member, were approaching the issue, and to share any relevant information.

It was agreed that in time for the next meeting it would be necessary to produce an outline of what needed to be done, and that planning for how it could be implemented should be started well in advance of the required date. It was agreed that as GR would be taking over from BC as Data Protection Officer then he would try to do this. If necessary he would attend a course, or seek 'expert advice'. **Action: GR**

It was agreed that GR should act as DPO only for the EBU, and EBED should have their own DPO – possibly the new Chief Executive.

BC raised that, to date, nothing had been produced to assist counties with knowing which members held a secondary allegiance with the county. No work had been done as the counties, via the County Working Groups, had not provided a specification based on their combined requirements. It was recognised, however, that the matter had been outstanding for too long, so it was agreed that instead a specification would be provided to the counties. They would be given the chance to give feedback, and based on this feedback the necessary updates to Workbooks and My EBU would be made. BC would make a start on this, and pass it on to GR in due course. **Action: BC & GR**

5. EBED update

AS RL had been unable to attend the last EBED meeting, JD gave an update on its activities. He reported that work on Fast Track Bridge was nearly complete and the materials would be available for those wishing to begin lessons in the autumn. There would be various courses taking place to introduce the materials to teachers, and also a promotional video was being made. Two pilot courses have been run, and whilst neither had completed all the material in two days – likely making 'learn in a weekend' too optimistic – the course had been well received and all students had returned on a third day to complete the course.

JD advised that EBED would be funding more research. This would be done in order to gather robust evidence for the benefits of bridge, which could lead to further funding from outside sources. One project which had been approved was a continuation of the social research which was being carried out by Prof Sam Punch at Stirling University.

JD reported that the interviews for the new Chief Executive of EBED had taken place the previous day, and a decision would be made by the end of the week. All candidates were able to start work reasonably soon, so the successful candidate would likely be in place in the near future.

Following requests at the Shareholders' Meeting that a report be given on EBED's activities, to indicate how the EBU's donation was being spent, JD advised that Andrew Petrie, Chairman of EBED, was happy to give an update at future meetings.

6. NGS

GR reminded the board of the concerns that has been raised regarding the misuse of the exemption from the NGS, and that a consultation had been undertaken with clubs invited to respond to the suggestion that the exemption be removed. He reported that whilst the majority of clubs had been in favour, these were often clubs which did not use the exemption, or did so very infrequently. Those which expressed a contrary opinion were often clubs which saw the exemption as being a key part of their strategy for teaching and introducing less experienced players in to club sessions. They believed that removing this exemption would harm their ability to generate new players.

GR had also discussed the matter with Bev Purvis (BP), the Club Liaison Officer, who had received similar feedback from some 'teaching clubs'.

Some clubs had made proposals for changes to the NGS, but whilst a number of these had some benefits they were unlikely to be universally welcomed and/or would be too difficult to write in to the NGS software.

The board agreed with GR's proposal that no changes should be made at the present time, and the exemption would be retained. A report on the consultation would be circulated to the clubs. They would be reminded that the exemption remained 'a privilege' and not 'a right', that it could be removed from certain clubs if the misuse continued, and that those involved could be punished. They would also be reminded that the exemption should not be used in place of making their NGS anonymous. The former removes data from the system, making it less accurate, so as much information should be included as possible. If the member wished not to have their NGS known they should make themselves anonymous, rather than opting out of having their sessions included. JD would also include information on the subject in his editorial piece in the next English Bridge.

To make it easier for people to show that they were using the proper procedure when using the exemption, a 'notification system' would be established. The details would need to be finalised, but it was anticipated that an email and/or text message could be sent to a specific address/number prior to the start of the session to notify the EBU that the player would be exempted from the session. This would allow for cross-reference to see whether a player was using the exemption correctly, or whether they were misusing it by opting out retrospectively.

GR confirmed that he and BP had clarified the requirements for a session to be considered as 'novice', and that the majority of the clubs were now running, and submitting, their sessions appropriately, based on these requirements.

7. Master Points

Prior to the meeting JD had circulated the email correspondence which he had with a member regarding that member's Master Point status. The member believed he had achieved a certain Master Point rank a number of decades ago, but the rank currently showing on his records was much lower. He believed he reached this rank at a time before the computerisation of the scheme,

however the old paper records held by the EBU had been destroyed so could not be checked. The member was unable to provide evidence from his own records of his Master Point rank, and on searching through the archive of magazines and results JD was able to find evidence of promotion to a certain level but no higher. His Master Point rank had therefore been restored to that level, but no higher, which the member contested. The member asked the Board to consider the appropriateness of this course of action.

The board recognised that, in hindsight, the disposal of 'pre-computer' printed records by a previous administration had been an error. They agreed, however, that the course of action taken with this member had been appropriate given that he was unable to provide his own evidence of his former ranking, and that JD had gone to extra lengths to locate evidence on behalf of the member, but without success. If this situation occurred again it would be expected that evidence would need to be provided before any Master Points were awarded.

8. Licensing of EBU Tournaments

GR outlined the reasons behind the previous decision to offer counties the opportunity to run some of the EBU's events. He reported that splitting the former National Teams Congress in to two parts – a National Point-a-Board event, and a National Swiss Teams event, run by Warwickshire – had seen an increase in entry for both events. The Harrogate Congress which had been by Yorkshire had also been a success. It was acknowledged, however, that the full implications of the potential loss of revenue could have been given greater consideration before the changes were made, and it was agreed that in future it may be necessary to change some of the requirements and conditions for a county to run an event. GR confirmed that there was not a formal contract between the EBU and the counties which ran events on its behalf, however there was a 'requirements document' and on each occasion there was a 'gentlemen's agreement' that it would be followed.

Some congresses which could possibly be 'outsourced' were mentioned, however GR explained that at present he did not believe that there were any counties which were interested in running them, or that were sufficiently well equipped to do so.

RM reported that based on the success which Yorkshire had enjoyed when running congresses, they were in the process of producing a manual which looked at the 'pastoral' side of the congress, rather than at 'the bridge', e.g. liaising with the hotel, arranging meals, etc. He stated that Yorkshire believed that getting this aspect of the congress right was as crucial as any other aspect.

9. Award Nominations

In addition to the awards listed on the agenda, JD noted that nominations for the Silver Award and Dimmie Fleming Awards would soon be closing. They would be considered by the Awards Subcommittee and would be ready for the board's approval at the next meeting.

9.1 Diamond Award

JD reported that he had presented a Diamond Award to Colin Simpson last month, which Colin had greatly appreciated.

JD advised that the Selection Committee had opted not to be involved in the nomination process for the award. It was therefore the responsibility of the Board to produce a list of nominees and to make a selection. Other possible recipients of the award – to be presented at the AGM in the November – were considered.

9.2 Young Player of the Year

9.3 Young Pair of the Year

The Board approved the nominations for these awards which had been made by the Selection Committee.

9.4 Tony Priday Award

Possible recipients of the award – to be presented at the AGM in the November – were considered, and unanimous agreement was reached on this year's winner.

9.5 Tom Bradley & Alec Salisbury Awards

The Board approved the nominations for these awards which had been made by EBED.

10. EBL/WBF matters

JD reported that, to the best of his knowledge, there had been no further progress regarding the possible reassignment of medals from the 2014 European Teams Championships.

At the European Open Championships mementos had been presented to the founding countries of the EBL to celebrate its 70th anniversary. As Great Britain had been one of the founding countries, England, Wales and Scotland had each been presented with a memento. AS JD had not been in attendance at the function, Sally Brock had collected the trophy on the EBU's behalf. At the celebrations the inaugural Hall of Fame class, which included Nicola Smith and John Holland, had been inducted. Whilst the Board wholeheartedly approved of Nicola and John's induction, they were pleased to learn that in future the NBOs would be consulted during the nomination process.

JD had been asked whether the Board would be writing on behalf of the members to make a formal complaint about the playing conditions at the European Open Championships. The Board were in agreement that it was not its place to take the lead on such matters (it might be different were it a championship to which teams selected by the EBU were sent), however they would be happy to forward any letters which the enquiring member was able to collate from other likeminded members.

JD confirmed that one of the 'cheating cases' was still be resolved. It was agreed that this did not reflect well on the governance of the game at a global level.

11. Data Protection Changes

This had been discussed earlier in the meeting.

12. Poor and possibly criminal behaviour away from the Bridge Table or club

The attention of the EBU had been drawn to a number of cases involving this type of behaviour, and clubs in some of the cases had expelled members. There was a lengthy discussion on the possible actions that might be considered.

- a. The Board did not consider it appropriate to "go looking" for cases or detail.
- b. The Model Constitution for both clubs and counties should be reviewed to include detail on possible action.

- c. There was a need to consider the appropriateness of punishing twice for the same offence i.e. if the courts had dealt with a matter and a sentence had been served was it appropriate to do anything further?
- d. It was confirmed that it was an offence to refuse to play against an opponent at any EBU event and normally anyone doing so would be sanctioned.
- e. Other bodies such as the SRA might be able to offer advice and would be consulted.
- f. The Board would look at the bye laws to consider any changes but legal advice would be sought before making any. **Action:** AG

13. Any Other Business

GR reported to the Board on his ongoing discussions with an online bridge company regarding them possibly hosting EBU online games in future.