

Option B
AGM Proposal – Sport England Tier 1 Compliance

V1.1 Submission

Proposal – Phase 1:

To update the BMC Articles of Association to clarify compliance with the Companies Act 2006 and Sport England Tier 1 requirements; the BMC remaining a democratic, Member-led organisation.

(The wording of the Resolution for submission to the AGM of the British Mountaineering Council to be held on 16 June 2018 and the names of the proposers appears at the end of this document.)

Advantages:

- Confirmation of legal compliance.
- Retention of National Representative Body status.
- Retention of National Governing Body status.
- Sport England accreditation as a Tier 1 body.
- The BMC remains the focal point for climbers, hillwalkers and mountaineers in England and Wales
- Olympic funding via English Institute of Sport (current arrangement)
- Funded partners (Mountain Training, ABCTT) funded directly (current arrangement)
- National Council remains predominantly as Members elected by the Membership.
- Directors comprise a majority elected by Members, coupled with a minority appointed for specific skills.
- The role of National Council is to determine the high-level policy direction that is best suited to British Mountaineers.
- Local decisions (e.g. bolts & access policies) will continue to be delegated to BMC local areas.
- The biggest decisions remain the preserve of Members at the AGM, or other General Meetings.
- The role of Directors and staff is to implement the high-level policy direction agreed by National Council (current arrangement).
- Directors will be empowered to take legal responsibility for the management and administration of the BMC on behalf of the Members.
- Continued indemnification for elected National Council members (retention of Article 67), including permitted shadow-Director responsibilities – these will be clarified.
- Directors and Officers Insurance can be extended to protect Members through additional coverage of specified roles: National Councillors, Specialist Committee chairs, and some specific other positions.

Disadvantages:

- The BMC would only be eligible to bid for further Sport England grant funding under limited Tier 1 criteria.
- The BMC Finance Committee proposes a c. 10% subs increase to enable the most recent grant-funded projects to continue (see complementary proposal).
- The BMC's funded partners would need to apply directly to Sport England for funding (arrangements for this are being made).

Explanatory Notes:

Changes: The BMC needs to update its Articles of Association periodically to reflect legal and social changes. Advice received is that the BMC is not operating illegally at present, but that some changes would be beneficial to remove ambiguity. The Articles have been amended four times since the introduction of the Companies Act 2006, and this is the latest iteration.

Status: national representative body (NRB) status is held by the BMC because its Members established it to hold this primary purpose. The BMC has also been the national governing body (NGB) for competition climbing since 1989, and more recently was confirmed as the NGB for ski-mountaineering competitions. The BMC's NGB status is endorsed internationally by the IFSC and the UIAA. Sports Council recognition does not affect this status.

Influence: The BMC holds influence not just because of its c. 84,000 Members, but also because it represents all Climbers, Hillwalkers and Mountaineers. Estimates of total participation vary, but are frequently quoted as being in the millions. There is no other body that can do this, and provided the BMC remains Member-led, there will be no need to form a breakaway 'Members/Players Association' as some sports have, to provide representation to their NGBs.

Funding: The BMC has submitted bids to the Sports Councils for many years. As grants of public money, these are for specific amounts, for specific purposes and are for specific time periods. They do not generally fund 'core work'. Historically some grants have been renewed, and others have ended as criteria change. The previous Sport England (SE) funding round has ended, and the BMC is not currently receiving funding. The most recent bid for continued funding was rejected as being too ambitious. The BMC has recently received c. 20% of its income from SE. A re-bid could be at c.8% to 10% for three years, after which grant funding is expected to diminish as government priorities change and Lottery revenue decreases. In summary, SE funding is small, getting smaller, and probably disappearing anyway in the very near future.

SE have now stated that NGBs must be Tier 3 compliant to receive further funding. When compared against the cost of compliance at Tier 3, and the high proportion of officer time spent servicing SE, many people are concluding that SE funding is not worth the investment required to receive it. SE funding should therefore not be a deciding factor on the future of the BMC.

Phase 2: The BMC commissioned a major independent review following the 2017 AGM. The Organisational Review Group (ORG) published its final report in March 2018: this was a very wide-ranging review, and has produced 51 specific recommendations. The vast majority of these will be of clear benefit to the BMC, and it is proposed to consider and develop these for implementation over the next year or two. Proposals should be publicised to the Membership for feedback, and some may require approval at future AGMs or General Meetings.

Resolution for the Alteration of the Articles of Association of the British Mountaineering Council

"That the articles of the British Mountaineering Council be altered in accordance with the document annexed hereto (proposed alterations shown in bold and underlined)."