ADDENDUM

REPORT TO THE
AUSTRALIAN SPORTS COMMISSION

REVIEW OF THE
GOVERNANCE OF SKI AND SNOWBOARD AUSTRALIA

Independent Reviewer: Kate Costello
April 2006
1 INTRODUCTION

During the review of the governance of Ski and Snowboard Australia, the independent reviewer undertook to brief stakeholders on the recommendations contained in the final Report.

The Australian Sports Commission’s Steering Committee also endorsed a “second stage” debriefing of the Report under which the independent reviewer would meet, again, with major stakeholder groups, to seek their feedback on the Report’s recommendations and make any final adjustments deemed necessary as a result of this further consultation.

This addendum to the Report briefly summarises stakeholder reactions to the Report, clarifies misconceptions and oversights and adjusts some recommendations accordingly.

2 STAKEHOLDER FEEDBACK PROCESS

Meetings were held with interested parties in Melbourne, Sydney and Canberra. Attendees, in the main, comprised individuals from SSA, SSOs, VSA, SSDF, DWA, OWIA and state, territory and national discipline committee members. Briefing meetings were also held with SRV and SRNSW.

Written responses to the Report were received from NSWSA, Cliff Mason for NSWSA, VSA, ACTSA, ACT Interschools Committee, SSDF, Peter Ward and, separately, Alan Marsilland for Cross Country.

The independent reviewer thanks everyone involved in the briefing process and, particularly, those who took the time to respond to the Report, so thoroughly, in writing.

3 SUMMARY OF STAKEHOLDER FEEDBACK

In the main, the Report was well-received by SSA, its “supporter” group, DWA, OWIA, national discipline committee members and AOC.

SRV and SRNSW recognise the challenges in state-based funding under a unitary governance model but do not see this as insurmountable if state benefit can be demonstrated in project funding.

Concerns about inaccuracies or recommendations in the Report were mostly voiced by SSOs, their committees, VSA and SSDF. In summary, these concerns relate to the following:
3.1 Unitary Model

State and territory bodies have no confidence in SSA’s desire or ability to conduct competitive snowsports in an inclusive manner and, as a consequence, are reticent about a unitary model which sees their volunteer activities in competitive snowsports on the athlete pathway coming under the SSA umbrella.

3.2 The Board

Recommendations relating to the Board’s composition and terms of office for directors and the Chairman are seen by state and territory bodies as likely to entrench the status quo which is a primary cause of existing tensions. Three year terms for directors with only one elected director retiring and being eligible for re-election each year is viewed as undemocratic as is a six year maximum term for the Chairman.

3.3 Interschools

Those involved in interschools competitions pointed out that:

- race clubs are arguably the entry level to the athlete pathway
- a comparison of the efficiency of the SSDF with other interschools committees cannot be made without a deeper analysis
- an NIC already exists and functions well as a forum for discussion, support and coordination.

3.4 Role of State and Territory Bodies in Athlete Pathway

The role of state and territory bodies, their committees, and their volunteers, in competitive snowsports on the athlete pathway, from the grass roots to the sub-elite level, is insufficiently recognised in the Report.

Discipline programs run by state and territory discipline committees are crucial to the development of athletes on the athlete pathway. Just one example is the VSA’s involvement in the conduct of state, national and international events.

Alan Marsland kindly prepared a draft of “Australian Snowsports Product/Service Provision” chart as it relates to Cross Country which is substantially different from the existing Appendix 7 in the Report.
3.5 Location of SSA

NSWSA and ACTSA see SSA as a Melbourne-centric organization that has failed to genuinely engage with the entities in NSW and ACT, although promises to do so have been made on numerous occasions. These bodies have difficulty in supporting a unitary model of governance while SSA remains located in Melbourne.

3.6 Historical Disputes

VSA believes the Report inadequately addresses governance concerns from the past including governance failures of the SSA Board and the correct level of debt / surplus transferred from VSA to SSA in 1998.

4 RESPONSE TO FEEDBACK INCLUDING ANY CHANGES TO REPORT RECOMMENDATIONS

4.1 Unitary Model

The independent reviewer is still of the opinion that the unitary governance model recommended in the Report (R3) is the appropriate model for the governance of snowsports in Australia as defined in R1. The intention here is not to negate the activities of those who work so tirelessly for snowsports in their state or territory. In fact, these activities must continue (see 4.4). Instead, the intention is to remove the separate entity status of state and territory bodies so that competitive, athlete snowsports are no longer overgoverned by structures that reinforce unhealthy divisions, whether by state or territory or discipline or personality.

4.2 The Board

The composition of the Board and terms for directors and the Chairman should remain as recommended with one qualification.

The existing Board will “spill” if the recommended Constitution is adopted by the membership (see Heading 12, Implementation Plan, Step 8, of the Report). Three director positions would then be filled by election by the members.
To address concerns about these elected positions resulting in maintenance of the status quo and to ensure equal Board involvement of those from the various states and territories during the interim period while the Athletes’ Commission is being established and co-opted/appointed directors sourced, the interim Board of three elected directors be required to comprise one director from each of Victoria, NSW and ACT.

R11 should be amended by the addition of a final sentence which reads:

“For the interim period only, the three elected directors comprise one from each of Victoria, NSW and ACT.”

These interim, elected directors would be required to relinquish any other official position they held in snowsports under R12 which the independent reviewer sees as a cornerstone of good governance.

Concerns about only one, elected director retiring each year under a three year term for directors are ameliorated by provisions in the Corporations Act which give the General Meeting power to remove any director at any time regardless of any agreement they may have with the company as to their term or otherwise. The General Meeting has this ultimate power over the Board.

The reviewer is still of the opinion that a maximum of six years is appropriate for the position of Chairman for the reasons already expressed in the Report.

The Report’s recommendations as to the ongoing composition of the Board were appropriately founded on structural and skills-based logic not on a desire to handle short-term, personality issues which would be misguided.

4.3 NIC

While acknowledging that the NIC is extant, the recommendations in the Report impacting interschools (R20 and R28) are intended to forge a closer relationship between SSA and those involved in interschools in order that interschools play an agreed role in talent identification and improved junior development.
4.4 Operations Groups

The Report does not pay adequate attention to the future role of the state and territory discipline committees and, where applicable, interschools committees (see earlier comments in heading 3.4). These committees should continue to exist as Operations Groups. R26 of the Report should include the continued existence of these state and territory committees.

4.5 Planning Forum

R29 of the Report advocates a strategic planning forum involving major stakeholders once any new Constitution and structure is in place.

To begin to engender trust between SSA and others from state and territory bodies and, thereby, encourage adoption of the recommended constitutional change, the independent reviewer now believes a planning forum should be held as soon as possible and as a prelude to a vote at the General Meeting on a new Constitution. This will impact the sequence of the Implementation Plan in heading 12 of the Report and delay any constitutional change but should help to create a positive attitude about what can be achieved if everyone works together.

R29 of the Report should be amended (along with the Implementation Plan) to require a planning forum to be held prior to a new Constitution being voted on by the existing members.

4.6 Historical Disputes

The Report, as stated, was intent on looking to the future, not the past. Disputes about historical matters should be consigned to history.

The terms of reference for the review did not include the giving of legal advice. Those wanting to pursue any legal matter should take this decision themselves.
4.7 Location of SSA

The Melbourne – Sydney / Canberra divide is a genuine threat to successful implementation of the recommendations of the Report. Page 24 of the Report makes mention of the fact that consideration was given to recommending a relocation of SSA to Canberra as “neutral” territory but rejected.

On further reflection, the independent reviewer would encourage, though not mandate, serious consideration by a new Board about relocation of SSA to Canberra. An additional recommendation (R20.1) to the Report should read:

“Once any new Board is in place under a new Constitution, it should give serious consideration to a relocation of SSA to Canberra.”

Should this relocation occur R23 would become;

“The Southern Branch staff member reside in the most suitable location in Victoria.”

5 CONCLUSION

The reviewer thanks all those who have participated in the review in its entirety and is grateful for the opportunity to make some minor edits to the recommendations with a view to encouraging a wide acceptance of the recommendations.