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**MINUTE OF QUARTERLY MEETING OF THE SCOTTISH RUGBY COUNCIL
HELD BY MICROSOFT TEAMS
AT 5.00PM ON MONDAY 10 MAY 2021**

Present:

Ian Barr	(IB)	President
Colin Rigby	(CR)	Vice-President
Alistair Forsyth	(AB)	Borders Representative
Bobby Frazer	(BF)	National 3 Representative
Bob Richmond	(BR)	North Regional Representative
Eric Hugh	(EH)	National 2 Representative
Gavin Hastings	(GH)	Co-opted Representative (British and Irish Lions)
Gerry Tosh	(GTo)	National 1 Representative
Gordon Thomson	(GT)	Premiership Representative
Hazel Swankie	(HS)	Midlands Representative
Ian Rankin	(IR)	Co-opted Representative (Pro14)
Jim O’Neil	(JON)	Glasgow South Regional Representative
John Halliday	(JH)	Co-opted Representative (Rugby Europe)
Jonathan Anderson	(JA)	Schools Representative
Kenneth Knott	(KK)	Referees Representative
Malcolm Offord	(MO)	Scottish Exiles Representative
Murdo Gillanders	(MG)	Edinburgh Regional Representative
Rosy Hume	(RHu)	Women’s Representative
Willie Gardner	(WG)	Glasgow North Regional Representative

In Attendance:

[NAME REDACTED]	(XX)	Senior Solicitor & Council Secretary
[NAME REDACTED]	(XX)	Head of Regional Services
John Jeffrey	(JJ)	Chairman of the Board
[NAME REDACTED]	(XX)	Head of Business Services
[NAME REDACTED]	(XX)	Director of Performance Rugby
Mark Dodson	(MD)	Chief Executive Officer
[NAME REDACTED]	(XX)	Head of Training and Education
Robert Howat	(RHt)	General Counsel & Company Secretary
Sheila Begbie	(SB)	Director of Rugby Development

1. Introduction**ACTION**

The President welcomed Council Members and invited guests to the Meeting. He noted a quorum was present and opened the Meeting at 5pm.

No apologies were received.

2. Quarterly Review of Board Matters**2.1 CEO and Chairman Update**

The Chairman noted that the Lions squad had now been announced and was delighted that 8 Scottish players, 2 coaches and an analyst had been selected for the tour. He highlighted that this was a great opportunity for the players and coaches and congratulated all those selected.

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The CEO echoed the Chairman's comments and then provided the Council with an update on business which had occurred since the CEO's last update to the Council on 21 April. The key points were as follows:

- The new Chief Financial Officer was due to start on 1 August 2021.
- **[PARAGRAPHS REDACTED – COMMERCIALY CONFIDENTIAL]**
- He noted that the Return to Rugby funding information had now been released to the Clubs. He highlighted that Clubs had been informed that they should contact Scottish Rugby if any were in need of emergency funding, thus far no Clubs had approached Scottish Rugby in this regard.
- **[PARAGRAPHS REDACTED – COMMERCIALY CONFIDENTIAL]**
- The budget for FY21/22 had now been prepared based on the Council's endorsement of the strategy proposals. Substantial work had been carried out in making the recovery fund available to the Clubs on the time scale previously set out to the Council.

He highlighted that the organisation's cash position was strong and the organisation was now looking forward to seeing the return of rugby during the summer and into the coming seasons.

- The CEO invited questions, and none were asked.

The President thanked the CEO and the Chairman for their update and noted the Council's congratulations to everyone that had been selected for the Lions squad.

The CEO and Chairman left the Meeting at 5.10pm

2.2 *Regulatory and Company Secretary Report*

The Company Secretary referred to his circulated Report which was taken as read. The following points were highlighted:

- The Report covered an update of business over the past several months. The Company Secretary noted that the Council may have already seen much of the information through Minutes and other documentation but wanted to ensure all Council and Board decisions made were captured within the Quarterly Report. He welcomed any feedback from Council Members on the content of the Report.
- The Board had authorised the following changes to the Membership Roll since the last Council Quarterly Meeting:

Deletion from Associate Membership List - Scottish Borders Associate member Gala Red Triangle RFC had intimated that the club was to be wound up as part of the process of integrating all age group rugby in Galashiels within Gala RFC. Gala Red Triangle RFC had therefore resigned their membership of Scottish Rugby.

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Request to Change Council Area - A request had been received from Stirling County RFC, seeking to change the club's Scottish Rugby Area from the Midlands (part of Caledonia Region) to Glasgow North (part of the West Region). A number of reasons for the request were cited including travel costs associated with age grade teams, preferred Scottish Rugby Academy association and historic ties with the Glasgow Area (up until the mid-1990's Stirling County was part of the Glasgow District).

A consultation paper was being prepared to seek the views of certain clubs likely to be affected to assist the Board in coming to a conclusion on the request. Views were also being taken from relevant Council members and the Rugby Development and Competitions Department.

- Anti-Doping - SDR 21.1 was currently based on World Rugby Regulation 21, supplemented where relevant by the rules of the UK's National Anti-Doping Organisation (UKAD). Revised versions of both WR Regulation 21 and the UK Anti-Doping Rules came into force on 1 January 2021. Amongst the changes made perhaps the most significant change was that WR Regulation 21 now supplements the local anti-doping organisation's rules (rather than vice versa).

The updated UK Anti-Doping Rules and WR Regulation 21 were available via the Scottish Rugby website.

It was noted the above change had necessitated a re-write of *SDR 21.1 (Anti-Doping)*. The revised draft of the updated SDR, which reflected the feedback received on it from UKAD, had been made available for public consultation on the Scottish Rugby website. No substantive comments were received as a result of the open consultation. The draft remained on the website and open for responses until 12 May.

Scottish Rugby's Anti-Doping Report 2019/20 was available from the Scottish Rugby website.

- *Player Payment* – Following on from the recommendations of the PPWP, endorsed by both Council and Board, a copy of the PPWP Report and the revised draft Regulation was made available on the Consultation section of the Scottish Rugby website, in conjunction with Club Comms. Consultation responses were due by a deadline of 12 May.
- *Transgender Policy* – It was noted that during October 2020 World Rugby had changed its guidelines regarding the participation of transgender players in international competition. Under World Rugby's new guideline transwomen could no longer play in elite/international women's contact rugby on safety grounds. Individual Unions may, however, adopt their own policies in respect of the participation of transgender players in domestic competition.

Since October the four 'Home Unions' had worked collaboratively on potential adjustments to their respective Transgender policies. Proposals in this regard would be taken to the next meeting of the SWDI Board Sub Committee at its July meeting.

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- *Season restart* – it was anticipated that regulatory activity would begin to increase over the coming weeks and months as a result of the Return to Rugby roadmap announced recently, and as clubs look to plan matches and tours in the coming season and for next summer.

Competition rules would be revisited once the outcome of the Season Structure Consultation was known.

It was noted that notwithstanding the absence of competitive matches over the summer months in the restart, Disciplinary Rules would continue to apply, although it was hoped that the “friendly” nature of what is permitted would mean that no disciplinary interventions would be necessary.

If Council members were speaking with their clubs it was noted that it would be helpful to reiterate the continued importance from a player welfare and regulatory perspective - including in relation to injuries and insurance - of reporting on any matches which do take place.

- The Redaction Policy had now been approved by the Board and Council, with the minor adjustment requested by Council that it be reviewed annually rather than periodically incorporated. The policy was available on the Company’s website.
- The Terms of Reference of the Remuneration Committee had been updated at the Board Meeting of 25 March 2021 and published on the Company’s website on 16 April 2021.

Further details of the change made were included in the separate report provided to Council on the business of that meeting.

- It was noted that D McKay had left his position as COO of Scottish Rugby on 16 April 2021 to join Celtic FC as their CEO. Companies House notifications had been completed and website details updated.

The Chief Executive and Chief People & Engagement Officer were working with the Nominations Committee in relation to the scope of the role and recruitment of a potential successor.

- As the Council were aware, a Freedom of Information Request had been made to the Scottish Government on 5 April 2021 in relation to the £5m Government Loan funding received by Scottish Rugby.

The Loan Agreement itself had been approved by the Board on 25 March – (published minutes of that meeting were available on the website), with the Council informed of the key terms by the Chairman at the Council meeting held on 21 April.

A copy of the loan document itself would be circulated to Council members for information, shortly in advance of release by the Scottish Government, to be held as embargoed until official Government release.

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- A question had been received by a Council Member from Haddington RFC regarding the wording of the Rugby Development Return to Rugby survey circulated to Clubs on 31 March 2021.

A request was made that the Council provide clarification on the meaning of Bye-Law 14.2.3, in accordance with Bye-Law 27 (Interpretation of Bye-Laws).

The Council would discuss this under Agenda item 4.

- Four Council Member (North Representative, Midlands Representative, Edinburgh Representative and Borders Representative) terms were due to end at the 2021 AGM.

The nomination process had now taken place in accordance with the Bye-Laws and Election Rules. All four Council Representatives had been nominated, unopposed, to serve another 3-year term on the Council.

- The Company Secretary provided the Council with an update on the work on Pro14, EPCR and 6 Nations. He noted that as a result of Chief Operating Officer's departure and the changes at EPCR, Scottish Rugby's representation on various external Boards and Committees would need to be adjusted. This was being picked up with the Nominations Committee.

The President thanked the Company Secretary for his update.

2.3 *Finance Update*

The President referred to the circulated Finance Report which was taken as read.

3. **Rugby Development Update**

The President welcomed the representatives of the Rugby Development Department to the Meeting.

The Director of Rugby Development advised that she and her team would update on the Rugby Development Report, the Return to Rugby Roadmap and the Season Structure survey.

3.1 *Rugby Development Report*

The Director of Rugby Development referred to the circulated Rugby Development Report which was taken as read. The following points were noted:

- **Reset – Welfare**

In relation to workforce/volunteers and compliance, the Safeguarding team had recommenced processing PVG applications in line with VSIDS' new application process.

AYRTPR – Following consultation with the medical department, the decision had been taken to suspend AYRTPR applications for the rest of 2021. This decision would be reviewed in December 2021. Applications for elite players in performance environments would be considered, however it was the only

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exception. The decision was made on player welfare grounds. Applications for players seeking a medical dispensation to play down a year would continue to be accepted as normal.

- **Recover – Playing Opportunities**

As of 26 April, mini and youth players (17 and under) could take part in external touch rugby fixtures. Assuming Scotland was in a minimum of Level 2 restrictions, the earliest indicative date for external contact fixtures for mini and youth teams was noted as 31 May 2021. The earliest indicative date for adult external full contact fixtures was 5 July 2021 but would be confirmed closer to the time.

- **Rebuild – Grow, progress, sustain**

Community Awards - This year the awards would aim to recognise the tremendous community spirit and engagement from rugby clubs, schools and communities throughout Scotland. Reflecting this were 6 award categories to be delivered in each of the five Rugby Development regions.

Over 80 applications had been made to date and the Council would be engaged in the awards panels and the decision-making progress. Announcements and presentations would take place in late May.

Adam Gray Memorial Award - Following discussion with the Glasgow South clubs, a new award would be created in the memory of the former Council member Adam Gray and the great work he did for Glasgow South.

Development workforce support - Over the various lockdown periods it was noted there had been a range of engagements and activity which had been dependant on the furlough status of Development Officers. Colleagues had maintained a strong and positive relationship with the development workforce to ensure that clubs and schools had been able to continue to promote and plan for development as and when possible.

Community/Collaborate – It was noted that as lockdown eased and local sport started to open up, the regional teams would continue to work with key partners to support rugby. Strong relationships had been maintained and as practical return to rugby work built, the engagement and input from a range of partners was important in ensuring the game restarted as smoothly and as safely as possible under the circumstances.

- **Training and Education** - Guidance was published on 23 April regarding changes to return to rugby guidance effect from 26 April. A series of regional Covid-19 Safety Coordinator updates were held after the previous update to provide additional information and answer FAQs. Work was ongoing to update the return to rugby timeline in line with Scottish Government guidance on the return of competitive sport.

REGIONS

- *Caledonia North*

It was noted that Caledonia North (CN) continue to support their clubs and communities to RESET, RECOVER and REBUILD, maintaining community traction and conversation around their cultures, values and behaviours remained important to them in reinforcing the consistent, positive promotion of rugby, clubs and Scottish Rugby throughout Caledonia North. The Caledonia North Team had focused their efforts around 3 key principles:

Remain Connected - Grow the reach and relevance of our programmes.

Remain Engaged - Consistent high-quality support and delivery.

Remain Responsive - Develop target areas of work aligned to National KPIs and Local Authority Sport & Physical Activity Development Guides.

PLAY – Safe, positive environments ... #KeeptheStandardsHigh: In recognising the power of sport to engage people in physical activity, CN wanted their rugby clubs to be at the centre of providing solutions and opportunities for their communities to engage with the game of rugby and to be examples of best practice. As CN started the journey of recovery, CN were working with their clubs to ensure they continue to be safe, positive environments which place the wellbeing of their communities at the forefront of all they do. CN noted the need for volunteers and coaches to offer training and playing experiences that are safe, engaging, enjoyable, interesting, challenging and rewarding. Promoting dialogue and engagement with CN #QualityEnvironments planning questionnaire had been a priority area of work for the team.

PEOPLE - Clubs embracing Development Planning (CDP): The team continued their work engaging CN rugby communities through the Club Development Planning (CDP) process. Caledonia North clubs had been brilliant in supporting the work in the area. To-date 27 clubs had started meaningful work on the process showing their commitment to improving environments, strengthening structures, and embedding their unique cultures, values and behaviours. As part of the process, CN had received 647 responses from 29 clubs to our Caledonia North CDP survey, hosted a central workshop and supported clubs to produce 24 high-quality vision, mission and values statements! We had also received responses from 24 clubs to the workforce development planning survey affording CN the opportunity to build a clear picture of Caledonia North volunteer workforce needs. **#TeamCN #YouAmazeUs**

CLUBS & COMMUNITIES – CN Case Studies: Ensuring CN continue to enhance levels of support for the clubs, embedding them as examples of good practice across their communities, CN continue the work with them to produce high-quality case studies as an important part of our Supporting Clubs Investment Programme. To-date 51 case studies from 19 clubs across Caledonia North had been received. CN were, in equal measure, humbled and amazed at the commitment to building these case studies and the power/impact of the stories they were telling was truly inspiring. To enhance the process, the team had developed a Caledonia North case study template affording clubs the opportunity to share their brilliant and unique stories with their membership and community forums. **#KeepThemComing**

COLLABORATE & INNOVATE - CN Embracing Digital Platforms ... #ThrowbackThursdays: Caledonia North were proud to be leaders and innovators. As part of our CN social media plan, the regional facebook group continued to support

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the ability to engage with clubs and communities with an ever-expanding reach, now beyond 1200 members ... #CN2000. As CN marked a year since Covid-19 meant the Regional Awards ceremony was online, the Caledonia North Team felt it was important to adapt and continue celebrating the successes of the clubs and communities. To stir positive memories and promote/recognize the hard work, commitment, and selflessness of our club volunteer base CN launched **#ThrowbackThursdays** for clubs to revisit and share their successes and stories on the Caledonia North facebook group.

Caledonia Midlands (CM)

On-going club engagement and support had been a priority for the region, particularly as CM had progressed through the Return to Rugby roadmap. Clubs across the region, had, in most cases got back to rugby activity on the pitch following the Return to Rugby guidelines.

The Covid-19 Safety Coordinator roles within the clubs had been paramount to the filtering through of key messages and guidance, ensuring every club was operating in a safe and suitable manner. CM had recently devolved the Rugby Development engagement with the C19SCs into the region. The objectives of these engagements in the regions were to:

- Develop a closer connect between regional teams and C19SCs within regions to improve support and engagement.
- Give the regional teams the ability to provide relevant Return to Rugby updates and key messages and react to questions and discussions at or out with these meetings.
- Support the regional network of coordinators through Return to Rugby and the progression of the role.
- Sense-check the progression of these roles within our clubs.
- Opportunities to facilitate sharing good practice amongst network of coordinators.

The first regional meeting was held with this group on 7 April, with the second hosted on 28 April. At the first meeting, 26 Covid-19 Safety Coordinators attended the meeting and it was a good opportunity to share the up-to-date Return to Rugby guidance.

Clubs had been working hard on the *Rebuild* of their rugby club over the past few months and had been updating club development plans and submitting case studies, supporting the *Rebuild* section of the Supporting Clubs Investment Programme.

One significant piece of great news to highlight within the region was the launch of a youth section at Aberfeldy RFC. Aberfeldy were in the process of re-locating to a new venue and had been working hard during lockdown on their development planning. That planning and the impact of the work the club had done in the community over the last few years had resulted in the launch of their youth section. This was just one of many great examples of good news and great work in the region, but one that was worth highlighting.

Development Officer & Partnership Planning

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It was noted CM had continued to have regular engagement with the Development Officers network in the region. CM had continued to hold monthly meetings for the entire team of Development Officers. This provided an opportunity to support and provide updates on the return to rugby within their communities, as well as providing an opportunity for sharing of good practice across the group.

East

At an operation level within the department, East continue to support clubs across the East region through this season's Supporting Clubs Investment Programme (SCIP). 47 clubs in the East committed to the programme and, to date, all but 4 clubs had submitted sufficient information for the *Rebuild* section of SCIP, ahead of the 30 April deadline. Feedback from many of the clubs had been very positive, particularly around the process to review and refresh club development plans.

As the Development Officer network starts to return to full capacity in 28 communities across the East (both in the context of returning from furlough leave and recruiting new staff), East had recently supported Melrose Rugby with the successful recruitment for their vacant position. East continued to work with Haddington as they sought to appoint a new Development Manager.

Murrayfield Wanderers had been successful in their application to gain anchor club status at Wester Hailes Education Centre, where a new World Rugby compliant 3G pitch had been installed. The process had now begun to work with the school, the City of Edinburgh Council and Hutchison Vale Football Club to agree an operational timetable that will see both sports clubs base their training programmes at the school.

At Roseburn Park, home of Murrayfield Wanderers FC, ground works were nearing completion for the pitch upgrades taking place, which had been supported by Scottish Rugby investment. This would see a new drainage system in place to improve the quality of the two grass pitches.

At Leith Academy, a contractor had been appointed to carry out playing field upgrades for the benefit of Leith Rugby Club. This work was part of the club's facilities improvement project following a successful Club Sustainability Fund application, which included a synthetic pitch upgrade to a World Rugby compliant 3G surface, along with the installation of a second natural grass rugby pitch on site.

All three grass pitches across the two City of Edinburgh Council owned sites were expected to be ready for use around Autumn of this year.

Earlier this month, as part of the School of Rugby programme and its senior phase development, East had a 'soft launch' within the East Region of the Rugby Ambassadors Award (RAA). It was noted that the RAA was a senior phase coaching award which aimed to enhance young coaches' and volunteers' understanding of personal development through sport. The programme aimed to support its participants by:

- Developing a more in-depth knowledge and understanding of coaching and volunteering.
- Increasing a level of competence through the delivery of community projects and events.

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- Supporting with the development of a range of skills and personal development experiences which would help to prepare them for responsibility, further education and employment.

The award, delivered in partnership with Scottish Sports Futures, also aimed to raise players' attainment levels by the completion of 3 compulsory SCQF units at Level 4 & 5, with an additional 4 units available. Participating players could also be supported and mentored by rugby development staff and could also deliver on several rugby development projects within their community (walking rugby, junior phase curriculum rugby, P7 transition events etc).

The launch of the award within the East had seen 6 communities and 21 players enrol within the programme, all of whom had been delivering on several different rugby development and community specific projects. With a harder launch planned for August 2021, the objective was to offer the award within all Schools of Rugby as an additional bolt on option as part of the senior phase offering.

Entering its fourth year, the Aspiring Performers Programme (APPs) had seen significant growth this year, rolling out within 26 Schools of Rugby across the country with over 450 players enrolled onto the programme. The award focused on introducing players to strength and conditioning in a staged competency framework, aligned with the Fosroc Academy and focused on improving the players' physical conditioning, creating a better understanding of performance athlete behaviours and promoting game understanding and tactical/technical awareness.

Delivered in partnership with Borders College, the partnership development of the award had seen the employment of x 2 APPs tutors who supported the East Region Development Officer network with the assessment of the programme outcomes. Additionally, the award would generate a kick-back of circa £30,000 into the community and club game, based on the players' successful completion of the award. The award was currently being reviewed with the view to embedding it into all SoR programmes as an optional bolt on to the senior phase award.

Glasgow North (GN)

The recent easing of restrictions and gradual return of activity had provided a backdrop to a spell of increased engagement with stakeholders and more confident longer-term planning. This was allied to the ongoing support of colleagues, clubs and Development Officers.

Development Officers had remained highly engaged in fortnightly meetings with ever greater emphasis being placed on the return of (eventually inter-club) activity. This ongoing discussion had seen focus split almost equally between the practical logistics and format of playing and the ethos, culture and behaviours that we would expect to see with the return of activity. The emphasis throughout had been very much on the safe, fun and inclusive (player-centred) approach.

At the same time, conversations continued about the ongoing commitment to these Development Officer posts from partners, for this year and next, and some initial enquiries about any additional, third party funding that our collective investment leverages into the system via each of these posts. It was hoped that this would demonstrate the value of the investment and identify elements of good practice that could be adapted and adopted elsewhere across the network.

Engagement with local authority stakeholders had been more purposeful and optimistic in recent weeks as GN sought to capitalise on the encouraging signs of a return to activity. One more round of GN's extended Local Authority Rugby Development Groups was scheduled for the first week of May, after which the intention was to broaden the engagement into both a more specific approach to each individual local authority, to include local partners and stakeholders, and a broader whole Glasgow North Webinar Series to retain the current opportunity of sharing good practice across clubs and providing opportunities for updates, development resources and discussion.

In addition to these meetings, the calendar now included regional meetings for Covid-19 Safety Coordinators every three weeks which provided a good layer of support to these critical individuals and suggested a template for how other groups could be served in future. Planning for these additional groups, including for Women and Girls Rugby for example, was now well underway.

This element of governance and club official engagement was one strand within the wider ambition for the summer and into season 21/22, more detailed planning for which was now beginning to coincide with the return of staff. Support for colleagues remains ongoing and would continue to be a high priority throughout and beyond their phased return to work.

Likewise, the support of clubs remained a constant, incorporating the recent changes to Return to Rugby guidance, the ongoing requirements of the Supporting Clubs Investment Programme – particularly the submission of case studies – and supporting the rollout of other national initiatives, such as the recent launch of the Community Recognition Awards.

Glasgow South (GS)

Development Officer Network

It was noted the regional team continued to plan, and host fortnightly catch up meetings with the Development Officer network. All Development Officers were invited to attend with most individuals engaging. As GS moved towards April, more of the network returned from furlough which had made a difference to the group. This had been a great platform to share good practice and most recently the network had been sharing how the return to training had gone for them, Easter camps and before school sessions which had all be successful in various clubs.

These interactions also created a space for the network to ask any further questions on Return to Rugby guidance and for the regional team to share key updates such as the Mental Health and Wellbeing E-Learning course and the Community Recognition Awards.

These meetings continued to enhance the relationships between Development Officers and Scottish Rugby regional staff.

Club Support

Club Support remained a focus for the Glasgow South Team. As an ease in restrictions had allowed rugby activity to resume, support had been given on Return to Rugby

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guidance around delivering Easter Camps but also where positive cases had occurred in clubs.

Two clubs had been in contact requesting capital investment support for either new or ongoing projects.

Support had been offered on the Supporting Clubs Investment Programme *Rebuild* section and deadlines reinforced with several clubs who have not yet been in contact to discuss their submission. Expectations were also managed with regards to what was required and some clubs had requested catch up calls on this.

There had been outstanding case studies submitted by several clubs in the region in relation to this, along with detailed development plans which will require regional manager support on their return.

3.2 *Return to Rugby*

The Director of Rugby noted that her team had met with the President and Vice-President ahead of the Meeting to discuss the intended direction of travel for the Return to Rugby. An update was then presented to the Council, the key points were as follows:

- It was noted that further updates on the easing of Scottish Government restrictions were due to be announced the following day which would allow the Rugby Development Department to provide Clubs and schools with updated guidance in the coming week.
- The Return to Rugby funding was due to be announced to the Clubs in the coming days.
- It was noted that there were three streams to the Return to Rugby funding which amounted to £1million. The streams were noted as: the Kickstart Fund which focused on recruitment and re-engagement of players, coaches and members; regional activities, where funding would be given directly to schools/clubs/societies with an aim to supporting collaborative regional rugby activities and the last stream was a digital led marketing campaign to raise the profile of all the rugby activities within the Kickstart Fund.

Applications for the funding would open on 14 May and close on 11 June. The awards panels would be held throughout June and any awards would be confirmed to the Clubs by the end of June.

During questions the following points were noted:

- It was noted that the Kickstart Fund was independent of the Recovery Fund and a Club could be eligible for both, subject to their applications.
- It was confirmed that the Rugby Development Regional Managers were on a phased return from furlough and would be available to assist Clubs as required with the applications. An upcoming Club webinar would also provide further information on how the fund could be used.

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- It was noted that the second round of the Club Hardship Fund was still open and could still be applied for. Any underspend would be carried over into the Club Recovery Fund.
- In relation to coach development, it was noted that no sports governing body was carrying out coach development at the moment due to SportScotland guidance. The planning process on coach development had commenced and new courses would start in July. The Head of Training and Education noted that the current priority was to highlight the importance of the PVG process to Clubs.
- A question was asked in relation to Clubs which had multi-use and shared ownership of facilities. It was noted that the current funds were more focused on rugby activity and the requirements of the Club, not necessarily the facility, and as such shared ownership would not necessarily be an issue for applying for funding. Any award would be dependent on the individual application received.

3.3 *Season Structure Survey*

The Director of Rugby Development referred to the results of the season structure survey which had been shared with the Council and would be discussed at the Meeting.

During the presentation, the following points were noted:

- It was highlighted that the Rugby Development Department would assist the Council in implementing the structure as decided upon by the Council.
- It was noted that 139 unique responses had been received to the survey which covered 248 teams and 4 referee societies.
- The key question posed in the survey was whether Clubs would prefer season 2021/22 to be fully competitive or a revised season with a mix of friendly and competitive activity. It was highlighted that the responses had come back strongly in favour of a fully competitive season.

The (Men's) Premiership teams collectively responded to note their preference for the competition format to reflect a fully competitive season but without relegation. The Premiership Representative noted that this position was based on the belief that the other leagues would not have supported fully competitive rugby. If competitive rugby was being played, then he believed the Premiership would support promotion and relegation. He highlighted the importance of providing them with clarity to allow them to commence financial planning with their sponsors.

- It was noted clarification of Bye-Law 14.2.3 was due to be discussed and decided upon by the Council at the Meeting.
- In relation to a season start date, most responses wanted the earliest start date that conditions allowed. It was noted September was the provisional start date for the leagues.

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- In relation to travel, the responses were divided. The key concern highlighted was whether there would be social distancing requirements on transport as that would have an impact on cost.
- On promotion and relegation, it was noted that the majority of clubs were in favour of promotion and relegation.
- It was highlighted that as the Covid 19 pandemic continued, where transmission rates increased the Scottish Government would adjust the restrictions in response which may or may not impact on a team's ability to fulfil a fixture (contact sport may be restricted).

Ahead of Season 2021/22 (as per standard process) a revised set of National Competition Rules (NCRs) would be issued. It was proposed that the NCRs be updated to ensure any fixture directly impacted by Covid-19 be rescheduled to a later date. Consequently, consideration should be given to the length of the season and should promotion and relegation be included in the competition formats for Season 2021/22 the leagues would need to be concluded.

It was highlighted that should competitive rugby be the preferred option for Season 2021/22, a new Competition Rule would need to be introduced to ensure that the leagues could be concluded and promotion and relegation could be determined.

During questions and discussion, the following points were noted:

- In relation for the need for an AGM motion, in normal circumstances unfilled fixtures would be dealt with by the NCRs and the Competition Committees. The feedback from the survey demonstrated that the Clubs were strongly in favour of awarding Club's standing as an average based on the games completed if Covid was to disturb the season.
- In usual seasons, the Championship Committee would deal with any Club asking to drop out of the national league and the other Competition Committees would do the same for the regional leagues if there was movement.

It was noted that usually, if there was a request to drop down a league, then the first step was to assess whether there was a suitable team to step up to fill the gap in the national leagues. In the current climate, the risk was that there may be more Clubs asking to drop down. If that was the case, and there was not enough clubs ready to step up, then it may undermine the integrity of the league.

- It was highlighted that the responses to the survey provided the Council with clear data and demonstrated that the Clubs were overwhelmingly in favour of playing national and regional rugby with promotion and relegation.
- The definition of a cancellation due to a "covid related reason" was discussed. It was clarified that it would need to be directly linked to the Scottish Government changing their guidance, i.e. an area was put into a localised

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lockdown or movement in tiers of restrictions. The importance of clarifying what this constituted was highlighted.

- It was noted that at a recent forum meeting there had been debate about the survey itself and whether the results were binding. It was highlighted that the survey was intended to assess the Clubs' preferences to then allow the Council to make an informed decision on that basis.
- In relation to the desired structure, it was also noted that one size did not necessarily fit all for different teams within the same Club. The Head of Business Operations noted that there was more flexibility with the reserve leagues.

It was acknowledged that to be able to come to an informed decision on the season structure, the Council required to discuss the interpretation of Bye-Law 14.2.3.

3. Interpretation of Bye-Law 14.2.3

Reference was made to the circulated paper. The National 3 Representative then outlined the question received by Haddington RFC in relation to the Season Structure survey and Bye-Law 14.2.3. The following points were noted:

- In accordance with Bye-Law 27, where there was a difference in opinion regarding the meaning of a Bye-Law, it was for the Council to determine the meaning.
- Bye-Law 14.2.3 set out that the Clubs had the right to determine the format of national club competitions, with prior consultation and subsequent approval of the Clubs at AGM/SGM.
- Haddington RFC's question made clear that, in their opinion, the format of the league would not be altered if a Club was to drop out of a league.
- The National 3 Representative suggested that the Council should take a common sense approach to the interpretation of the Bye-Law and words should be given their everyday meaning and usage.

He highlighted that the crux of the matter was the Council's understanding of "format" and whether that simply meant the various leagues and structures that were in place or whether it should include more detail about the number of teams within a league. It was noted that the dictionary definition of "format" was "something that is to be arranged or set out or in some way or another is a structure".

It was suggested that, as a starting point, the Council should consider the responses to the survey that had been provided.

It was noted that if the Clubs were not satisfied by the decision of the Council, they could call an SGM for the matter to be dealt with.

The President thanked the National 3 Representative for his overview and asked each Council Member for their views and opinions on the matter.

REDACTED – FOR PUBLICATION

The Council Members were unanimously of the view that “format” meant the four national leagues, irrespective of the number of teams contained within each league and as such an AGM/SGM would not be required if a Club was to drop out of any one league. It was a matter for the Championship/Competition Committee to address. The following points were noted:

- The Premiership Rep noted that he believed that Bye-Law 14.2.3 did require to be amended as all Clubs should operate under the same regime but that was not a matter to be dealt with at this stage.
- The National 1 Representative highlighted the importance of maintaining as much flexibility as possible in the forthcoming season. He noted that unless the number of teams within each league was materially different then a General Meeting motion should not be required.
- The National 2 Representative suggested that the decision on whether a motion was required was deferred until after the Clubs were aware of the proposed structure. He noted that there were currently too many variables to come to a decision.
- The East Regional Representative noted that he had spoken with the original proposer of Bye-Law who had been confirmed that it was never the intention of the Bye-Law to require an SGM if a team was to drop out of the league.
- A number of Council Members noted the importance of being flexible in approach and highlighted the importance of the Council coming to a swift decision so the Clubs could start planning.

The President summarised that the Council was of the view that “format” meant the Premiership and 3 National League and therefore no SGM was required if the number of teams within a league was to change but subject to the change in the number of teams within a league not being material. In that event the issue may need to be revisited through a General Meeting motion.

The Council then discussed the number of teams which would potentially constitute a material change. It was noted that “material” meant a significant change which affected the nature of a league and had a significant bearing on the league’s integrity. It was noted that if three teams were to drop out of a league, for example but 3 teams were ready to move up, then it would not necessarily cause an issue but if no teams wanted to step up then the league may not be operational and may need to be dealt with via an SGM. The need for applying a common sense approach was reiterated.

It was noted that the NCRs may need further provision on the consequences of Covid-19 interruption and would need a degree of flexibility to empower the Championship Committee to decide the outcome of the leagues where there was a change in the number of teams.

The Director of Rugby Development thanked the Council for their input and advised that communications for the clubs would be prepared on the basis of the Council’s decision. The Rugby Development Department would also start working on a fixtures list.

REDACTED – FOR PUBLICATION

The President thanked the Rugby Development Department Representatives for their update and continuing hard work and they left the Meeting at 7.05pm.

5. Diversity and Inclusion Update

The Midlands Representative asked if the Council would be provided with the feedback from the Diversity and Inclusion training that had recently been undertaken. The Council Secretary advised she would confirm this with the Chief People Officer. **XX**

6. Safeguarding Update

No safeguarding concerns were raised.

7. Council Matters for Quarterly Review

7.1 Council Member Quarterly Reports

The President referred to the circulated Council Member Quarterly Reports, which were taken as read. Council members were asked to verbally update on matters related to their individual reports. The following matters were noted in particular:

- The National 1 Representative was asked about a comment made in his Report regarding the appointment of the Chairman. He asked whether it was the same Clubs continuing to ask these questions. The National 1 Representative advised it was not exclusively the same Clubs.

The North Representative advised that as a Board member, he sat on the Nominations Committee, with the President, and he provided the Council with an overview of the process followed in appointing the Chairman. He advised that both he and the President had been part of the appointment process and were content with the process that was followed.

- The Referee Representative noted that he was working with the Rugby Development Department on the new Match Officials strategy. He highlighted that substantial work was underway and noted that there had not yet been confirmation of the resourcing of the strategy yet.

8. GOVERNANCE

8.1 SCOG Update

The President noted that SCOG had had a number of Meetings and were due to meet in the coming days.

He highlighted that the group had received a QC opinion in relation to the Trust and the opinion was currently being digested by the group and factored into the models being developed.

It was hoped that initial findings would be made available to the Council and Board in due course.

REDACTED – FOR PUBLICATION

The President noted that SCOG had taken some time in getting to its current position but had thoroughly examined all aspects of the organisation, including the Trust which has not been explored since the time of the Dunlop Report.

He highlighted that SCOG were committed to reaching the right outcome and conducting a thorough consultation on the recommendations to ensure that when the recommendations were presented to an AGM/SGM they had the overwhelming support of the membership.

8.2 *Working Party Updates*

The Vice-President noted that:

- The Super6 Committee had now met twice and their work was continuing.
- The decision-making matrix had been updated by the subgroup of SCOG. It had been circulated to the Council for feedback and the same would be done for the Board.

After discussion, the Council **APPROVED** the draft decision-making matrix, subject to any further changes suggested by the Board.

- In relation to the Code of Conduct, the National 3 Representative updated the Council on the changes that had been made and the rationale for those changes. Once finalised and approved the Code of Conduct would be implemented.

8.3 *Trust*

The appointment of the additional trustees was being progressed and the Council would be kept up to date with that progress.

9. **AOB**

With all business concluded, the President closed the Meeting at 7.30pm.

Date of next meeting: 7 June 2021

APPROVED 7 JUNE 2021