



**KENYA SWIMMING FEDERATION
INTERIM MANAGEMENT COMMITTEE - WORK GROUP (IMC-WG)**

MINUTES OF THE MEETING #7

Date: 04th June 2022
Time: 20.00 EAT as per the meeting notice
Venue: Online

Attendance

Online: Jen Maina, Conrad Thorpe, Larissa Hart, John Wroe, Tony Rosafio, Emily Njeru, Stanley Kaberu* (*joined at 20.29 for 10 min or thereabouts)

Venue:

Apology: Kenneth Karani

Absent: Teddy Wamunyu, Elijah Kimani, Zeff Ekumbo, Thomas Muli, Stanley Kaberu* (*see above note)

Agenda as circulated by the Secretariat:

1. Assemble for the meeting / Adoption of the agenda
2. Prayers
3. Confirmation of the minutes of previous meeting – 28/05/2022
4. Reports raised by the various committees:
 - Governance (GC) (expected deliverables)
 - Technical (TC)
 - Finance (FC)
 - Stakeholders (SHC)
 - Secretariat (JS)
5. Road Map to Elections – Governance Committee
6. Any other business

The chairperson called the meeting to order at 20:03 EAT on reaching the quorum.

The chairperson thanked the members for punctuality and reminded about the importance of keeping time consistently. The members were also reminded about the



importance of attending the meetings, especially by the committee chairs, given the mandate given to IMC and expected deliverables, and a short time to deliver results.

Another note was on reporting by the committees in advance of the meetings so that to be prepared and address the familiar issues at the meeting instead of reading the reports at the meeting for the first time. This would save time and would make discussion streamlined, shortening the meetings and keeping them to the point. Only GC sent their report and TC sent their minutes, but no report. No other committees sent their reports as of the start of the meeting.

MINUTE 1/04/06/2022 - ADOPTION OF AGENDA

The chairperson read the notice of the meeting and presented the agenda of the meeting, which was adopted by the members.

DECLARATION OF CONFLICT

Members declared there was no conflict of interest.

MINUTE 2/04/06/2022 - OPENING PRAYER

Prayer was said.

MINUTE 3/04/06/2022 - CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING – 28/05/2022, MATTERS ARISING, ADOPTION

Minutes of the meeting of **28/05/2022** were discussed, confirmed and adopted.

Proposer: John Wroe, seconder Emily Njeru

Matters arising:

1. Code of Conduct (CoC)

This is a recurring point despite being discussed before as not all members signed CoC, yet no further comments received, the issue has not yet been referred to Mr John Ohaga. This needs to be done so that to receive directions.

2. IT issues (database, registration)

The provider who has done some work on DB already (partial DB can be seen online) has not yet been paid, the matter has been pending for a long time (c. 2019) yet some work had been done in good faith. The same company has the capability to provide registration solution and enhanced functions for online database. Non payment is the bottleneck and is a negative factor in resolving pending matters. Ideally, DB and registration should be all online with minimal manual intervention.

3. Pending issues

Several other issues are either pending from the last meeting or recurring from before, and are not likely to be resolved if the members do not attend meetings to



give their feedback and do not send reports, eg. financial (pending refunds from 2019 and various accounts, change of signatories, registration fees, etc), work with the stakeholders/education, NOCK camp selection, SCN preparation, making work of IMC-WG visible, etc. – there are too many issues that cannot be addressed in absence of people and updates.

Discussion took place and members agreed that non-attendance of the meetings and absence of updates frustrates the efforts of those who perform their roles diligently, it leads to disconnect within the members and does not allow IMC-WG to work successfully as a group.

It has been reiterated that the current IMC-WG was put together to achieve certain goals within a limited time period with the ultimate goal being the KSF elections. However, there is a lot of matters to be addressed in order to eventually hold successful legitimate elections. In addition, various policies are a long overdue matter that so far has not been addressed previously, they need to be put in place so that to hand over a good structure to the elected office. The term of IMC-WG is limited, members do not wish to overstay it as was discussed and set at the meeting of 03/05/2022, and if not all members pull their weight in, this IMC-WG will fail as others have before them, thus ultimately failing the athletes.

Resolution:

- (1) To refer the matter of CoC to CSDT together with the list of those who signed/not signed and request:
 - for the directions in the matter of CoC signing
 - once the directions are issued, to oversee the execution*
- (2) To discuss the matters that can be discussed with the members present at the current meeting, and adjourn it to discuss other pending matters to another meeting next week (part 2) on the day/time suitable to members with advance notice: to offer 2 days next week and several time slots to the members to achieve better attendance.*
- (3) Discuss pending matters and missing committees' reports at the next meeting, such reports to be sent in advance.*
- (4) The Secretariat to issue a public update on the committees formed and their members, even though the same is listed in the minutes of the meeting of 03/05/2022 – this to be a summary for ease of reference.*
- (5) Minutes to be published as discussed and agreed in the meeting of 28/05/2022.*
- (6) FC to issue the accounts for the 2019 tours with pending refunds and to discuss at the earliest.*
- (7) FC to update on the payment for the work done on online DB.*

MINUTE 4/28/05/2022 - REPORTS OF THE SUBCOMMITTEES

The chairperson of the meeting advised that only GC had sent their report in advance together with the committee meeting minutes, and TC sent their minutes but no report, all had been sent out to all members in advance of the meeting. No other committees' reports had been received.



Sub committees' meetings minutes need to be sent to the Secretariat for filing and reference, but no need to send those to the members as the summary of work should be presented in the summary reports. The minutes would be a reference point in case of any clarifications or details needed.

Governance committee (GC)

The chairperson of GC gave a report of the committee activities as per the written report submitted. The points are mainly as per the last meeting but elaborated and added on in content.

Main strategies and approach are as follows:

- Election roadmap - top priority under the mandate of IMC-WG. Two scenarios would be developed to be ready for either outcome of the court case.
- Activities and priorities identified, a lot of focus and immediate attention to be given to KSF Electoral Rules and the matter of appointment of the Independent Electoral Board.
- Preparation of the compliance status report has started, this is crucial in preparation to and assessing of the readiness to the elections. Counties and clubs will be involved in feedback for the report.
- Registration policy and registration go hand in hand with preparation to the elections as voting is done ultimately by members, regardless the format. Such members should be identified and be registered with KSF and aligned to the Sports Act.
- Identifying the persons to coopt is ongoing, process as agreed will be followed.

Discussion of the eventual elections took place. It has been agreed that while the election is the main goal, the election itself is the final point in a series of many events leading to it that require focus, preparation and legitimate electorate. The structures should be in place for the successful elections unopposed by any party prior, during or after the election day, and time needs to be used effectively as the court case can be decided within a short time. Preparation work should not wait for the conclusion of the case.

The matter of court case came up and at this point the Secretary Conrad Thorpe declared conflict. He advised that he would exclude himself from the discussion of this matter and would only take minutes till the discussion moves off the topic of the court case, this was agreed.

In principle, without going into the details of the court case, it became evident that the members were not familiar with the current status, expectations, possibility of mediation, etc. except the information available on public platforms and a general understanding that there was an injunction stopping the elections in March 2021. It was agreed that the KSF lawyers are to be contacted and requested to provide information within the legally allowed framework in order to have the understanding of the the matter, status, participants of the case, etc.

The matter of FINA approval of the KSF Constitution came up: if the format of voting changes from what is in the current KSF Constitution (adopted in January 2021), the changes will have to be approved by FINA first – a point that needs to be addressed depending on the case outcome.



In absence of other reports only CG report was discussed, each committee chairperson needs to send their missing formal reports as a matter of priority, discipline in this matter is imperative for the success of IMC-WG.

Resolution:

- (1) All committees' chairs to send their written reports at least 48 hours before the meeting for familiarization by members. The reports to be presented at the meeting for discussion as read.*
- (2) Team Leader to contact the KSF lawyers for the update on the case as discussed.*

MINUTE 5/04/06/2022 - ROAD MAP TO ELECTIONS

The matter was covered in the discussion of the GC report, refer to MINUTE 4/04/06/2022.

MINUTE 6/04/06/2022 - AOB

It was noted by a member that the election is the main objective and goal, but there should be no gaps in the day to day business: national events, international selections, day to day operations. This is in addition to formulation of policies that are necessary for a sports organization that had been run without any written policies for years. It was noted that some want to look only at the elections, some want it "now" regardless the circumstances, while not recognizing the need to address other "non election" areas and keep them afloat. As a result, a lot of efforts to address these "non elections" matters are being frustrated, including by nonattendance of meetings or frustration/delay of work to be done, and eventually it's the swimmers who do/will feel the punitive nature of such actions aimed to frustrate.

A suggestion has been made to separate the matter of elections (roadmap, etc) and the matters of operational nature and policy making. If IMC-WG concentrates on the policies formulations and operational matters, a separate body could concentrate on the matters of elections at the same time, concurrently. The leaders of both sections could work with synergy as coordination in some areas will be required, and there could be periodical joint meetings to address milestones. As such, if there is no subject/issue causing some to frustrate efforts of others from within, in any area, perhaps there could be more goals achieved within the shorter time in all directions.

There being no other business to be conducted the meeting adjourned at 22.10 EAT

Confirmed and signed as a true and correct record of the proceedings:



Name

**Signature
Date**

Jennifer Maina
(Team Leader)

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June 10, 2022
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Conrad Thorpe
(Secretary)

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June 10, 2022
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Ken Karani
(Secretary)

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Original with Conrad Thorpe