



national
water safety
forum

National Water Safety Forum Coordinating Group Terms of Reference

October 2019

Introduction

The National Water Safety Forum ('NWSF') is a UK-focused, voluntary network, working together in order to reduce water-related deaths and associated harm.

The NWSF was established in 2004 following a Government review into water safety. It sought to bring together a number of pre-existing national groups with the ambition of creating a 'one-stop shop' for the prevention of drowning and water safety harm in the UK, recognising the broad range of existing stakeholder groups, their respective contributions, and their own brands and values, often towards charitable objectives.

The NWSF has developed into a broad network that serves a number of purposes, for a variety of organisations. The creation of the Guiding Principles for Water Safety Management, Water Incident Database (WAID) and UK Drowning Prevention Strategy 2016-2026 (UK DPS), coupled with the depth of specialist insight and open exchange of knowledge within the network

have created a strong national platform for a coordinated and collaborative approach to reduce drowning and water-related harm in the UK.

Following a review of NWSF governance, this updated document reflects the Coordinating Group ('NWSF CG') stance towards the delivery of the UK Drowning Prevention Strategy 2016-2026. Further, it sets out the role of the NWSF CG, as well as its relationship with formally aligned groups and with The Royal Society for the Prevention of Accidents ('RoSPA').

These terms of reference seek to reflect the growth in NWSF since inception, and maturity of the network, whilst recognising the risks and benefits of this collaborative approach.

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National Water Safety Forum Coordinating Group

1. Name

The name of this body shall be the National Water Safety Forum Coordinating Group ('NWSF CG').

2. Aim

The principal aims of the National Water Safety Forum are to advocate for delivery of the UK Drowning Prevention Strategy 2016 -2026¹ and provide an authoritative voice to Government on water safety issues.

3. Status

- 3.1** The National Water Safety Forum is a voluntary network whose members agree to work together in order to reduce death by drowning and water-related harm.
- 3.2** The Forum is an unincorporated entity. Contractual and financial risks are held and managed by RoSPA, on behalf of the Forum.
- 3.3** The Coordinating Group is the Section Committee that advises RoSPA on matters of water safety, as per the Objectives of the RoSPA Constitution.

Membership and conduct of meetings

4. Membership

4.1 Membership of the Coordinating Group shall comprise the following:

Independent Chair	Coastal Target Group
Independent person/Lay role	Inland Waters Group
HM Maritime and Coastguard Agency	Swimming Forum
Royal National Lifeboat Institution	Water Sports/Recreation Group
National Fire Chiefs Council	Evidence and Insight (WAID)
Royal Society for the Prevention of Accidents	Communications reference group
Royal Life Saving Society UK	Suicide prevention thematic group
Reference members*	Water Safety Scotland Wales Northern Ireland
Secretary*	England

* Non-voting position

4.2 Membership of the Coordinating Group shall not exceed twenty (20) full members and shall be reviewed annually.

4.3 Appointment of Independent Coordinating Group Chair: The Chair shall be drawn from either: within the Coordinating Group; or by a suitably qualified person not employed, affiliated or in a position of responsibility to any of the participating organisations. Subject to Clause 5.1 (Election of officers).

4.4 Appointment of Vice Chair(s): The Chair may appoint one or more Vice Chairs to further the agenda of The Forum. The holder shall be drawn from within the Coordinating Group membership. The role of Vice Chair shall not confer additional voting rights.

4.5 Appointment of Target or Advisory Group Chairs: The Chair shall be drawn from within the relevant group, subject to the voting or agreement process as set out in that group's governing documents.

4.6 Non-transference of membership: The status of membership of the Coordinating Group, or any associated NWSF group, or payment of subscription towards NWSF, shall not confer membership of RoSPA. The Independent Chair and Vice Chair(s) shall be awarded ordinary membership of RoSPA, subject to its stated policy and conditions. RoSPA may extend ordinary membership to other Coordinating Group members at its sole discretion.

4.7 Representation: Each organisation or advisory group shall be represented by its Chair or their nominated person at the NWSF CG. It is the responsibility of the nominated lead to manage and accurately reflect the contribution of their organisation or group.

4.8 Guests: The Chair may invite observers or guests as they deem appropriate for a meeting or agenda item. Invitation does not confer an official role, nor does it extend to voting rights.

4.9 Resignation of officers: A member of the committee may resign at any point by notification to the Chair and Secretary in writing.

4.10 Removal of officers: If a member acts in a way that may bring the NWSF network or CG into disrepute or be against the best interests of the collective, or fails to attend CG meetings (as per Clause 5.8), the remaining members of the Coordinating Group shall take a collective view on the future attendance and membership status of the individual officer and/or the body they represent.

4.11 The decision to remove an organisation or individual shall be taken via a blind voting basis. Arbitration shall be at the discretion of the RoSPA Board of Trustees (BoT).

5. Procedures and conduct of meetings

5.1 Election of officers: The Chair shall be elected by the Coordinating Group at the last meeting before the Annual General Meeting (AGM) of the RoSPA BoT. Their appointment shall be subject to ratification by the first Executive Meeting following the AGM.

5.2 Term of office: A member who has held office continually as Chair or Vice Chair for four years shall be ineligible for that office for one year. The Chair or their nominee shall represent the interests of the Forum to RoSPA BoT.

5.3 Voting: All members of the Coordinating Group, including the co-opted members, shall have full voting rights. In the case of equality of votes, the Chair of the meeting shall have a casting vote.

5.4 Quorum and voting members: One third membership of the Coordinating Group shall comprise a quorum. If the total voting membership is not divisible by three, then the quorum shall be one third rounded up to the nearest whole number.

5.5 RoSPA membership: A RoSPA executive director and the head of leisure safety, who shall be the Secretary to the Coordinating Group, but RoSPA, like other members shall have only one vote.

5.6 Meetings and arrangements: Normally a maximum of three meetings shall be convened annually. The minutes of each meeting shall be circulated within four weeks of each meeting. The notice of a meeting with an agenda shall be circulated 14 days in advance. Members wishing to raise an agenda item shall notify the Secretary at least three weeks in advance of a meeting; it shall be the responsibility of the member raising the item to prepare a briefing note for circulation. Supplementary items shall be taken at the sole discretion of the Chair at the meeting.

Any other items of business shall be notified to the Chair before the meeting and shall be taken at their discretion.

5.7 Meeting attendance and substitutes: Any member of the Coordinating Group may arrange for an appropriate substitute to attend, provided the Secretariat is notified in advance of the meeting. In the case of target or advisory groups, the first substitute shall be from within that group. Such substitutes are entitled to vote, subject to the condition in Clause 4.7. In the absence of the Chair, the Vice Chair shall be the first substitute.

5.8 Non-attendance: If a representative misses three consecutive meetings without sending a substitute, and fails to provide apologies prior to the meeting along with a written update within 10 working days of the meeting, the Secretary shall write to the party concerned to establish its commitment to the CG, as per Clause 4.10.

5.9 Delegation of activity: The CG may appoint sub-groups or working groups and approve their terms of reference. The Chair and Secretary shall be members of those groups.

5.10 Conduct of meetings: Members shall approach discussions in an open and transparent manner, raising concerns via the Chair or Vice Chair, or Secretary if they cannot be resolved in the meeting.

5.11 Conflicts of interest: The CG shall apply the principles set out in the RoSPA conflict of interests policy and Government guidance.² Members shall declare any conflicts of interest. Any declared conflict shall be noted in the minutes, alongside how it was addressed.

Management of risk

6. Financial and intellectual property

6.1 All funds associated with NWSF

shall be held by RoSPA in a separate restricted fund, and shall be subject to the Society's arrangements for grant and restricted funds. These arrangements follow the Charity Commission guidance for fund accounting.³

6.2 Intellectual property ('IP') associated with NWSF, such as but not limited to copyrights held, data and software code, original NWSF content, and network network information shall be held by RoSPA. The IP shall be subject to the Society's governance policies and framework.

6.3 Basis of property held:

Subject to Clauses 6.1 and 6.2, in the absence of a specific agreement, the Society shall hold 100% of the rights associated with the funds and properties.

At the commencement of a major project, there shall be an agreed view on what basis the property shall be held by the NWSF CG and contributors.

6.4 Although the Coordinating Group has no financial powers, it shall make recommendations where to best use the available monies, IP and staffing support in order to meet the committee's aims (as per Clauses 7.1 and 7.2).

6.5 Right to audit: Coordinating Group members, and those who contribute a subscription within the previous two financial years, may exercise a right to audit the monies within the ring-fenced NWSF fund, and IP held.

6.6 If by way of a majority vote, passed by both groups, notice may be given to change the arrangements.

6.7 Dispersal of assets: In the event of the Coordinating Group being dissolved assets not subject to a specific agreement shall be returned to contributors proportionately in the first instance, or for the Maritime and Coastguard Agency to disperse.

7. Funding and business planning

The work of the NWSF is funded and resourced in two principal ways: (a) Via a contribution/subscription model, and; (b) Staffing contribution towards a given project or programme area such as WAID.

7.1 Raising of subscriptions: The Coordinating Group shall hold a policy that outlines the basis for, and application of, a subscription model. This model and policy will be reviewed on an annual basis.

7.2 Business planning: The Secretary and Support Group shall prepare and maintain a business plan, with the support and contribution of the NWSF CG (as per Clause 6.4).

8. Reporting and risk management

8.1 Risk management: The CG shall hold a risk register which considers, as a minimum, the following risk themes: (a) Activity that has an impact on the integrity and reputation of the Coordinating Group or NWSF network; (b) Risks affecting the delivery of the UK DPS; (c) Risks created by joint approaches through the NWSF.

The register shall be considered by the CG and NWSF network at least once per financial year, and shall be a standing agenda item at the meetings.

8.2 Financial reports: The CG shall receive a regular in-year report, typically quarterly, of income and expenditure for monies and shall make recommendations for expenditure and resourcing priorities. It is expected these will be aligned to the furtherance of the UK DPS.

8.3 No later than three months after the financial year, the Secretary shall provide a report outlining the income and expenditure for the previous financial year. This report shall

complement the RoSPA published annual accounts and annual review.

8.4 Data protection and privacy: The CG and projects commissioned by the Secretariat shall be subject to the RoSPA privacy policy and aligned risk management process.⁴

8.5 Contribution in kind: Members shall record the level of contribution in kind provided towards the delivery of the UK DPS.

8.6 Review of progress: On a bi-annual basis a review shall be made publicly available that provides an overview of attainment towards delivery of the UK DPS.

8.7 Open meeting: At least once every two years a meeting open to interested parties shall be held. Public notification of this meeting will be given in advance.

9. Secretariat and Support Group

9.1 The Secretariat and Support Group shall support the CG with the coordination and delivery of key actions in order to progress the delivery of the DPS. It shall also provide administrative and project support to the Chairs of the NWSF working groups, allowing actions, risks and any relevant information to be collaboratively stored, disseminated and updated in an inclusive and timely manner.

9.2 Membership of the Support Group is on a contribution in-kind basis, linked to the business plan and UK DPS objectives.

Relationship with groups and organisations

The NWSF is a network, principally consisting of groups, some of whom may have additional roles to that of the NWSF. Notwithstanding other obligations, all groups and organisations affiliated with the NWSF agree to include the following principles within their governing documentation.

10. Target and Advisory Groups (TAGs)

- 10.1** A TAG shall be UK-based legal entity in its own right or hosted by a UK legal entity with officers capable of entering into a framework agreement.
- 10.2** The creation or designation of a TAG shall be a decision taken by the Coordinating Group (as per Clause 5.9), with due reference to the UK DPS and business plan.
- 10.3** The legal entity shall enter into a written agreement that outlines how and on what basis it will work via the CG and with RoSPA as the Secretariat, in furtherance of the UK DPS and NWSF network.

The legal entity or TAG shall:

- 10.4** State its agreement, including any critical limitations, to work towards the delivery of the UK DPS.
- 10.5** Hold and maintain a collective plan which outlines how it intends to contribute towards the UK DPS.
- 10.6** Include the standing agenda items in all of its meetings.
- 10.7** Have a Chair that is voted in by its constituent members.
- 10.8** Have a governance framework that does not conflict with the CG obligations.

11. Co-opted organisations and coordination with other groups

- 11.1** A co-opted organisation shall be a UK-based legal entity in its own right or hosted by a UK legal entity with officers capable of entering into a framework agreement.
- 11.2** Agreement to proceed shall be a collective decision taken by the Coordinating Group (as per Clause 5.9), with due reference to the UK DPS and business plan.
- 11.3** The legal entity shall enter into a written agreement that outlines how and on what basis it will work with the Coordinating Group. As a minimum these will address the points in Clauses 10.4 to 10.8.

12. Communications and use of branding

Groups and organisations that work within the NWSF network may wish to utilise the brand or seek comment, clarification or support from the NWSF. As far as practicable, we will seek to accommodate these requests. As a collective network, there will be circumstances where a single organisation may be best placed to speak, particularly in the absence of an agreed position, or where that position may conflict with others obligations, such as those with a statutory duty or holding a government office. It is not the intention to restrict the organisation from pursuing a corporate objective; rather to manage those risks associated with working in a collective fashion.

Organisations within the NWSF shall not:

- 12.1** Alter or amend the brand for use in any respect or situation without written agreement.

- 12.2** Sub-let or permit third parties to use the brand, or enter into any agreement that enables this, without written agreement from the Coordinating Group and Secretary.
- 12.3** Use or associate the brand for endorsement or promotion of commercial services or products.
- 12.4** Speak on behalf of, or act as a representative of, the NWSF without the prior knowledge and agreement of the Coordinating Group.
- 12.5** Take part in activity that may be considered lobbying under the NWSF brand.
- 12.6** Continue to use the brand and any associated materials following a request in writing by the Secretary.

13. Review and dissolution of groups

13.1 Dissolution of the Coordinating Group

Group is at the discretion of RoSPA's BoT. Without prejudice to the powers of the BoT, the CG may recommend to RoSPA that the committee be dissolved by a resolution approved by not less than two thirds of the voting CG members present at a Special Meeting called for the purpose of the dissolution.

13.2 Review of membership and

constitution: These terms of reference shall be reviewed annually with recommendations made to the Executive Committee of RoSPA for approval.

