

**REPORT OF THE
INDEPENDENT REVIEW
PANEL
INTO
THE CLIMATE AND CULTURE
OF
THE WORLD CLASS
PROGRAMME
IN BRITISH CYCLING**

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1. Key Findings and Recommendations

1.1. In terms of a summary of its key findings, the Independent Review Panel (the “Panel”) unanimously found that over the period 2012-2016:

- From a pure medal-perspective the World Class Programme (“WCP”) in British Cycling (“BC”) continued to be a resounding success.
- Good governance was lacking at BC Board level in relation to how it managed the culture and behaviours within the WCP.
- Although structural recommendations from a 2012 internal report were put in place by the BC Board, hard-hitting conclusions in that report concerning behaviours within the WCP were not acted upon with necessary haste or focus by the BC Board.
- The central pursuit of medals and derived National Lottery funding from UK Sport meant that the addressing of cultural and behavioural issues in the WCP which were known since late 2012 was not prioritised.
- Since 2014 until his resignation in April 2016 Shane Sutton (“SS”) *de facto* led the WCP, which created a perceived power pocket centred on him.
- Although SS has an innate ability to coach riders to medal-winning performances, the Panel heard from numerous contributors that he did not possess the necessary skill-set to lead the WCP, which was widely acknowledged at the time he was appointed Technical Director in April 2014.
- Despite their dedication to the success of the athletes, a significant number of staff within the WCP felt demoralised, were not offered appraisals or any form of professional development training.

- Many WCP staff members referred to a “*culture of fear*” in terms of retribution or losing employment.
- Some WCP athletes complained of a lack of encouragement or support of athlete development beyond pure performance.
- The views of non-disabled track discipline athletes within the WCP were polarised. Some current and former athlete members of the WCP reported positively of their experiences. Others gave very negative feedback.
- Despite repeated requests, there were no contributions from recent members of the endurance programme (both male and female) or the male road programme.
- Some recent members of the sprint discipline team (both male and female) were critical of the culture and climate in that particular programme.
- Some current and former members of the female road programme (both non-disabled and on the para-side) felt disengaged from the WCP in Manchester.
- BMX and mountain-bike discipline athletes and staff felt like “*second-class citizens*” in comparison to the track athletes. The main cause of that feeling was because of the relative greater likelihood of achieving medal successes – and securing related UK Sport funding – in track disciplines rather than in others. This led to the focus in the WCP being primarily on the track programme.
- The para-programme was generally well run both in medal and cultural terms, albeit essentially also with a focus on the track-programme. There was, though, a perception at all levels of the para-programme that it had a lesser status due to the funding disparity between it and the non-disabled programme.

- Interpersonal communication and behaviours by a small number of WCP leadership figures towards staff and athletes was poor.
- Communication about selection processes, especially in terms of an athlete's removal from the WCP, was inadequate.
- There was an atmosphere experienced by some athletes and staff within the WCP of rumour, conjecture and distrust of the Board, the recent WCP leadership and BC Human Resources.

1.2. Further to the findings above, the five key recommendations proposed by the Panel (the “**Recommendations**”) are in summary:

- (i) Leadership within the Board and WCP needs to change, recognising that accountability and example-setting must begin at the top of any organisation. Those steps are already in the process of taking place in terms of a new CEO and WCP Performance Director (“**PD**”). Appointees need not necessarily come from a cycling background. To a great extent a fresh start is now required, including in terms of the composition of the Board. The new CEO and PD must have appropriate leadership, communication and behavioural skills not only to lead their own programmes but also to work together and with UK Sport to implement the Recommendations.
- (ii) Both the Board, in particular its new CEO, and UK Sport must together actively engage in and monitor steps being taken to implement the Recommendations.
- (iii) Training and development needs to be rolled out. On the staff-side of the WCP, professional development by way of coaching and course-attendance should be offered in terms of not only their core disciplines but also in terms of equalities and discrimination. An evolution of interpersonal – especially communication – skills also needs to be focused upon for

coaching staff within the WCP. Focus should not only be on athlete performance. On the athlete side of the WCP, the present prevailing culture needs to evolve into a sustainable, more balanced and mature “*adult-adult*” type of relationship between athletes and coaches. To assist that process, athlete leadership and empowerment needs to be developed.

- (iv) Selection procedures (for events and removal from the WCP) need to be improved. Although based on discretion, the selection process for events is generally sound, albeit communication in terms of ongoing performances, selection decisions and the appeal process can be improved. The procedure adopted in relation to removing an athlete from the WCP is opaque. Proper written procedures in that regard must be put in place and implemented. All selection-related procedures should be reviewed after each Olympic cycle with athlete-input to improve engagement, athlete buy-in and understanding.
- (v) Funding by UK Sport is strongly recommended to be made conditional on the implementation of the recommendations in this report (the “**Report**”).

1.3. Finally, the Panel would like to emphasise that it is very confident that not only can a positive and supportive culture exist within a world-leading, medal-winning programme but such a culture can also sustain itself in the long-term and even improve upon previous medal successes. A modern, collaborative working environment for both staff and athletes – in which confidentiality is assured, complaints can be made without fear of retribution, communication is mature, and regular appraisals are carried out – will neither lead to an undue softening of a high performance environment nor the compromise of the pursuit of excellence. The Panel’s confidence on point is held taking into account the panellists’ own first-hand experience within high-performance programmes in different sports. This Report, in particular the Recommendations, therefore represents a tremendous opportunity for BC, the WCP and UK Sport. The Panel hopes that they will seize that opportunity.

2. **Remit and Scope**

2.1. The Panel was composed of five members. Each possessed personal experience and expertise in sports governance at national sporting body level, high-performance coaching/leadership, as an Olympic-level athlete, or in sports/employment/discrimination law and adjudication (in alphabetical order following the Chair of the Panel):

- **Annamarie Phelps CBE (Chair of the Panel)** – Chairman of British Rowing; Vice-Chair of the British Olympic Association; Vice-Chair of the British Paralympic Association; rowing World Champion in 1993 and Olympian in 1996.
- **Jude Kelly CBE¹** – Artistic Director of the Southbank Centre, London; member of the Cultural Olympiad Board responsible for delivering the creative, cultural and educational aspects of London’s Olympic and Paralympic Games 2012.
- **Stuart Lancaster** – Senior Coach at Leinster Rugby; former Head Coach of England; the RFU’s Elite Rugby Director; Leeds RFU Academy Director; rugby player at both amateur and professional level.
- **John Mehrzad** – Barrister of England and Wales, specialised in sports, commercial, and employment law (including equalities and discrimination), practising at Littleton Chambers, London. Member of Panel of Chairman of the FA, determining charges involving alleged acts of discrimination.

¹ Jude Kelly joined the Panel as part of its deliberations only, having considered carefully all the evidence gathered, including interview transcripts. Her role was to carry out a high-level analysis of the Review and the Panel’s preliminary observations. The Panel found her input invaluable in that

- **Annie Panter** – Olympic bronze medallist in hockey at London 2012; member of the International Hockey Federation Board and co-Chair of the Athletes’ Committee; Member of UK Sport’s Mission 2016/2018 Panel, which reviews each sport’s assessment of their World Class Programmes with a view to proposing solutions to any issues that will prevent their medal targets being met.

2.2. The Panel was jointly commissioned by the British Cycling Federation and UK Sport:

“to understand what needs to potentially change culturally within British Cycling to ensure that the highest standards of ethical behaviour exist within and across the whole World Class Programme”.

2.3. In terms of its scope, the Panel’s review:

- Must include, but is not limited to, all forms of discrimination and bullying;
- Must cover the following questions/issues:
 - Are there fundamental behavioural issues within the climate and culture of the British Cycling World Class Programme?
 - If so, what are they and make recommendations on how should they be addressed?

2.4. This independent review (the “**Review**”) does not include:

- BC’s own investigation into the alleged misconduct of a member of staff. However, lessons learnt by BC from this separate investigation should be incorporated into that review;
- Consideration of the implications of the review on BC more broadly;

- Consideration of the implications for public investors in BC;
 - Identification of any themes that should be considered more broadly when investing in and driving development of the high-performance system through World Class Programmes.
- 2.5. Given the conflation in Press reports of the Panel’s terms of reference with the internal grievance process carried out by BC into allegations raised by Jess Varnish (“**JV**”) and a potential non-selection appeal, the Panel reiterates and stresses that it was not tasked with making grievance or disciplinary findings about those allegations. The Panel also wishes to make it clear that it is and was not the medium for a non-selection appeal.
- 2.6. Prior to producing this Report, the Panel received and considered closely the full version of BC’s grievance officer’s investigation report and draft outcome into the allegations made by JV. In addition to its own investigations the Panel considered that documentation in the sense that it shined an additional light onto the culture and climate of the WCP in the very recent past.
- 2.7. As part of its terms of reference, the Panel was also informed by BC and UK Sport that if during the course of its work it received any information that was outside of its scope that related to the broader activities of either UK Sport or BC then this shall be referred to the Commissioning Board for appropriate action (and such action may include broadening the scope of the Review). The Panel was also reminded that it had no disciplinary remit or authority.
- 2.8. On point, the Panel would like to emphasise that two key themes emerged from its investigations, which it considered to be outside its remit and scope:
- First, several contributors to the Review, including both past and present BC employees and WCP athletes, made allegations about financial impropriety within the WCP. Those allegations included the selling of

bikes and equipment (which the Panel has since been informed has already been investigated by BC); the alleged hiring of friends and family into roles within the WCP; some WCP leadership figures allegedly having a personal interest in representation companies for some leading athletes on the WCP; and the alleged diversion of BC employees away from WCP work onto personal matters, such as the fitting of bikes for friends and associates and the redecoration of homes.

- Secondly, one interviewee and one contributor by way of written submissions (neither of whom have ever worked in the WCP), raised the issue of alleged historical doping in terms of those who now work within the WCP but, notably, not against any athlete (either past or present) within the WCP.

2.9. The Panel decided not to investigate either of the two overarching allegations identified above since no supporting primary evidence was provided about either of them. In practical terms, the absence of that type of supporting evidence meant that any investigation in relation to alleged financial impropriety required a forensic analysis of BC's and/or the WCP's accounts over several years. Not only was the Panel not in a position of sufficient expertise to carry out that exercise but it would necessarily have caused a significant delay to the production of this Report. The Panel also notes that, in any event, the new *Code for Sports Governance* (which it is understood will apply to BC from April 2017) requires, amongst other matters, “greater transparency, for example publishing more information on structure, strategy and financial position of the organisation”.² Insofar as any alleged impropriety still exists, that new code should provide for greater transparency on point. As to the historic doping allegation, the individuals who made the allegation made clear to the Panel without prompting that the allegation was unsupported and, in the main, derived from hearsay. In the circumstances, the Panel had no hesitation that such a vague allegation did not warrant further investigation and, in any event, the remit for an investigation into alleged doping violations fell within the jurisdiction of UK Anti-Doping, not of the Panel.

² <http://uksport.gov.uk/resources/governance-code> [UK Sport website, 12 November 2016].

- 2.10. Nevertheless, in line with the express scope of the terms of reference, the Panel brings the Commissioning Board’s attention to the two matters identified above – namely alleged financial impropriety and historic doping – for it to decide whether or not to investigate those matters further, separately to this Review.
- 2.11. The Panel was also initially informed as part of its original terms of remit that only its Key Findings and Recommendations would be published by UK Sport and BC. It was on that basis that the Panel produced its draft Report. However, following the provision of its draft Report to the Commissioning Board, the Panel was tasked by that Board to revise the draft Report so that it could potentially be published in full. That revision exercise was requested to ensure that those who had contributed to the Review on a confidential basis could not be identified. The revised remit also necessitated a Maxwellisation³ process to be carried out.
- 2.12. The method of this Review was to be decided upon by the Panel in its absolute discretion. The Panel was informed that it may include a document review of information held by BC, UK Sport and correspondence received via a dedicated email address administered by Sport Resolutions (“**SRUK**”), the independent, not-for-profit, dispute resolution service for sport in the United Kingdom.
- 2.13. In terms of timeframe, the Panel decided to consider in the main the culture and climate of the WCP over the last Olympiad (2012-2016). That timeframe appeared to the Panel to be the most pertinent for it then to be in a position to make recommendations for the future, which is the primary purpose of this Report. Nevertheless, the Panel heard and considered carefully evidence dating from the late 1990s (at around the time of the establishment of National Lottery funding for sport

³ A confidential procedure in which individuals criticised in a public inquiry are given the opportunity to read relevant sections or the entirety of a draft report and challenge or object to relevant critical findings before a final version is published.

in 1997), in order to consider the background to the last Olympiad and, in turn, to understand how and why the present culture and climate in the WCP had developed.

3. Framework and Definitions

3.1. As set out in its remit, the Panel was to consider the “*climate*” and “*culture*” within the WCP. The *Shorter Oxford English Dictionary*, Sixth Ed., Vol. 1 A-M, OUP (2007) defines those terms as follows:

- “*climate*” as “*the mental, moral, etc., environment prevailing in a body of people in respect of opinion, some aspect of life, etc.*”
- “*culture*” as “*the distinctive customs, achievements, products, outlook etc. of a society or group; the way of life of a society or group.*”

3.2. As reflected by the definition within UK Sport’s *Athlete Insights*, the “*climate*” dimension within a sporting context “*relates to the culture, feeling and day-to-day operation of the...environment*”.⁴

3.3. The definitions above have been borne in mind by the Panel when considering the climate and culture within the WCP.

3.4. In terms of legal framework, the Panel was supplied with two sets of written Counsel’s Opinions, which both independently concluded that athletes within WCPs were neither “*employees*” nor “*workers*” for the purposes of UK employment law.

3.5. The legal position for members of staff within WCP is different. They are employees for the purposes of UK employment law. As such they avail of all the rights of employees under domestic legislation.

⁴ *UK Sport Athlete Insight Survey 2013*, p.20.

3.6. Notwithstanding that athletes are not afforded protection under UK employment law, the Panel felt it appropriate for the purpose of clarity to adopt certain definitions contained within the *Equality Act 2010*, namely and of relevance for this Review into, but not limited to, “*all forms of discrimination and bullying*”:

- “*Direct discrimination*” – a person (A) discriminates against another (B) if, because of a protected characteristic, A treats B less favourably than A treats or would treat others: *s.13(1) Equality Act 2010*;
- “*Discrimination arising from disability*” – A person (A) discriminates against a disabled person (B) if (a) A treats B unfavourably because of something arising in consequence of B’s disability; and (b) A cannot show that the treatment is a proportionate means of achieving a legitimate aim: *s.15(1) Equality Act 2010*;
- “*Indirect discrimination*” – A person (A) discriminates against another (B) if A applies to B a provision, criterion or practice which is discriminatory in relation to a relevant protected characteristic of B’s if (a) A applies, or would apply, it to persons with whom B does not share the characteristic, (b) it puts, or would put, persons with whom B does not share the characteristic at a particular disadvantage when compared with persons with whom B does not share it, (c) it puts, or would put, B at that disadvantage, and (d) A cannot show it to be a proportionate means of achieving a legitimate aim: *s. 19(1) Equality Act 2010*;
- “*Harassment*” – A person (A) harasses another (B) if (a) A engages in unwanted conduct related to a relevant protected characteristic; and (b) the conduct has the purpose or effect of (i) violating B’s dignity, or (ii) creating an intimidating, hostile, degrading, humiliating or offensive environment for B: *s. 26(1) Equality Act 2010*.⁵

⁵ BC’s *Harassment, Bullying and Victimisation Policy* adopts the similar ACAS definition of harassment: “*unwanted conduct that violates people’s dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. It may be related to age, gender, parental or*

3.7. “*Protected characteristics*” are defined under legislation as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation: *s.4 Equality Act 2010*. For the purposes of this Review, the Panel investigated, albeit not exclusively, the protected characteristics of age, disability and sex. In carrying out its investigations the Panel considered whether any other “*protected characteristic*” was also in play but it was not.

marital status, racial group (race, colour, nationality, ethnic or national origins), disability, religious beliefs or principles, social status, trade union membership or non-membership or sexual preference. The key is that actions or comments are viewed as demeaning and unacceptable to the recipient”.

4. Methodology

- 4.1. The Panel carried out its investigations from the end of May until the end of November 2016, a period of about six months. On 16 December 2016 a draft Report was provided to the Commissioning Board. Following separate consideration of that draft Report by the Boards of UK Sport and BC, on 8 February 2017 the Commissioning Board tasked the Panel with revising its draft to maintain the confidentiality of individual contributors' identities and engage in a process of Maxwellisation, as referred to at paragraph 2.11 above.
- 4.2. The Review was widely reported in the Press at the time of its launch and subsequently. Formal announcements also appeared on the UK Sport, BC and SRUK websites. Emails were also sent out by BC to all employees and athletes possessing a BC email address; by UK Sport to current and retired BC athletes; and by the English Institute of Sport ("EIS") to members of its staff who may have worked with BC, each inviting them to make contributions to the Review in either written and/or oral form by way of interview.
- 4.3. The Panel was then informed that some email addresses were out-of-date and, as a result, some interested parties did not initially receive the direct invitation to make contributions. This led to a concern amongst some participants that relevant individuals had been deliberately left off mailing-lists, although the Panel found no evidence to suggest that mailing-lists had been limited by design as opposed to being merely out-of-date.
- 4.4. Nevertheless, following a request made by the Panel, a second round of emails was then sent out by BC to a wider range of parties and by UK Sport to current and retired BC athletes who had opted out of mailing-lists generally. Once that second round was sent the Panel was no longer informed of any interested party who wanted to contribute to the Review but did not know how to do so. Although the two-stage

emailing process led to a delay, the Panel was ultimately satisfied that all interested parties had been reasonably informed of their right to make contributions to the Review. The Panel via SRUK also made direct enquiries with a small number of specific individuals that it had identified as key stakeholders as well as others that were requested by BC, asking them to make contributions – but it was entirely a matter for the individuals concerned whether they chose to do so.

- 4.5. The Review’s investigations coincided with the Rio Olympics in August 2016 followed by the Paralympics in September 2016. The Panel was mindful of the preparation and participation of many current athletes and members of staff in those events. In order not to disrupt those preparations, the Panel carried out a considerable amount of information-gathering and held the majority of interviews once both those events had finished, when a relatively large number of individuals also served written submissions on the Panel. Although out of the Panel’s control, the Olympic and Paralympic period also led to a delay to the production of this Report. In an ideal world those delays would not have happened, and the Panel was mindful of participants wanting an outcome as soon as possible but it was simply not practicable for a Report to be produced any sooner. The Commissioning Board, BC and UK Sport were, anyhow, updated regularly about the progress of this Review.
- 4.6. All those who contributed to the Review were informed in advance about its confidential nature. All interviewees were provided by SRUK with a written Interview Note drafted by the Panel in advance of their interviews, reminding them expressly about the Panel’s remit and reassuring them about its confidential nature. All those who provided written submissions or were interviewed were also asked to tick boxes on a pro forma document indicating whether their identities could be revealed to BC and/or UK Sport. Only those who agreed in writing for their identities to be revealed to BC and UK Sport were referred to in the original draft Report. At the outset of each interview, interviewees were again reminded of the remit of the Review and of its confidential nature. In the Panel’s opinion, the confidential nature of the Review could not have been made any clearer to participants. For those reasons, once the Commissioning Board decided to consider publishing the Report in full, it was necessary to review the draft Report and ensure contributors were not individually identifiable.

4.7. Whilst it was entirely a matter for each contributor, the Panel noted that a large number of contributors, especially those who currently operate within BC or the WCP, wished for their identities to remain confidential. In practical terms, this Report now only refers to contributors in the most general of terms out of necessity, so as to not reveal their identities.

4.8. By way of overview, in terms of contributions and documentation provided to the Panel:

- One hundred and eight written contributions (inclusive of comments received as part of the process of Maxwellisation) were submitted by individuals or entities, of which two were made anonymously;
- Forty-four interviews took place either in person, by Skype or telephone; and,
- Eleven files of other documentation were considered.

4.9. The Panel is aware that BC and some others have a concern that the Review would receive a disproportionate number of contributions from parties that had a grievance to air, rather than a balanced series of views. In response the Panel wishes to make the following points:

- Where groups of individuals (such as athletes on the endurance track or male road disciplines) have not made contributions, the Panel has made that point clear both in its Summary Findings and Recommendations section above and its Findings section below. Any reader of this Report should take those points into account in relation to the Panel's findings about athletes within the WCP.

- Participation in this Review was an entirely voluntary process. The Panel did not have the power, and would not have sought to compel, anybody or group to make a contribution.
- The Panel did take into account contributions from some of the most successful athletes within the WCP over the last two Olympiads. Some of those same individuals acknowledged the cultural and behavioural concerns identified in this Report despite their own successes.
- The Panel did in fact approach certain athletes to ask for contributions, sometimes repeatedly. They chose not to do so, which was their right.
- The Panel carefully reviewed the make-up of contributors and solicited additional submissions from under-represented groups of both staff and athletes.
- Offering confidentiality to contributors does not mean the Panel did not know who they were. There were only two anonymous contributions out of one-hundred and eight written submissions. The Panel gave no weight to sources that could not be identified.
- The themes which emerged during the Panel's investigations were repeated time and again by a range of different contributors at virtually all levels within the WCP and BC past and present.

4.10. It was explained in advance to interviewees by the Interview Note that at least two members of the Panel would attend every interview (be it in person, by Skype, or by telephone). Where all members of the Panel did not attend an interview, a recording was taken (with the express prior permission of each interviewee), many of which were then professionally transcribed. Both the recording and transcript were then circulated on a confidential basis to all panellists only (subject to the point made in the paragraph below), who each listened to and read them respectively.

- 4.11. A very small number of interviewees were not prepared to be interviewed by (or even have their identity revealed to) all Panel members. In such cases, the relevant Panel member(s) were not provided with copies of those interviewees' submissions, recordings, transcript, informed of their identity or that the individual was being interviewed. Those relevant interviewees informed the Panel that they were happy to participate on that basis.
- 4.12. Interviews in person were held in London at the offices of SRUK, Salisbury Square, or at Littleton Chambers, Temple, and in Manchester at serviced offices or at King's Chambers. Panel members also visited the National Cycling Centre in Manchester, visiting the offices of BC, the WCP, the Velodrome and the BMX track.
- 4.13. The Panel wishes to re-emphasise that, before coming to its Findings and Recommendations below, it very carefully considered all information provided to it. The Panel also set aside several specific deliberation days to consider and arrive collectively at its Findings and Recommendations set out under Sections 5 and 6 below, which are unanimous.

5. Findings

5.1. These findings reflect the submissions articulated to the Panel by contributors – including current and past officers, staff and athletes within the WCP – and describe how they experienced the climate and culture within it up to November 2016. Whilst the Panel is now aware that BC have put into place various initiatives to address the culture and behaviours in the WCP, the Panel’s investigations concluded before their implementation and they are not taken into account in terms of the Findings below.

5.2. Given the broad remit given to the Panel to consider the climate and culture within the WCP, the Panel identified several overarching themes which emerged consistently during its investigations. Within those themes, sub-topics also emerged. The structure of this section on Findings reflects those themes and sub-topics.

(i) Leadership

5.3. When contributors were asked what needed to change in the WCP, within the context of suggesting recommendations for the Panel to consider, almost without exception every individual replied that improved and effective leadership needed to be put in place.

a. The BC Board

5.4. Culture starts at the top of any organisation. At the top of BC is its Board (the “**BC Board**”), which has ultimate responsibility for all below it, including the WCP. From at least 2009 onwards the CEO has been the principal decision-maker and strategy-setter at BC Board level.

- 5.5. BC has been hugely successful in terms of the growth of the sport of cycling generally over the last 20 years. Over that period BC and the sport of cycling domestically have grown very rapidly. The WCP within BC has, though, been run as an almost separate entity. As was stated to the Panel, “*the organisation [BC] operated in silos which you could probably argue it had done historically*”. The Performance Director (“**PD**”) of the WCP was in control of its budget (of £30,267,816 for the period of 2013-2017⁶), there was separate accounting in place for the WCP and BC at the request of UK Sport, and the PD also made decisions in relation to staff within the WCP.
- 5.6. The Panel was told by a number of contributors that effective monitoring and supervision of the WCP had not been in place. To an extent, as the Panel was also informed, that state of affairs dates back to the 1997, which was the year in which National Lottery funding became available via UK Sport. A former BC Board figure also explained to the Panel that WCPs were an initiative created by UK Sport and their PDs were, in fact, encouraged to manage their programmes as if they were separate elements from the relevant National Governing Body. That same former Board figure also explained that it would be unfair to criticise the BC Board for cultural or behavioural issues within the WCP when UK Sport had encouraged WCPs to operate separately. The Panel was also informed by another former BC Board figure that the ethos of separateness between the WCP and the rest of BC continued until at least late 2013 and, with medal targets being achieved, UK Sport remained happy to maintain that continued separation between the WCP and the rest of BC.
- 5.7. In terms of the period from 2014 to April 2016, the Panel was again informed that the WCP leadership was ultimately in charge of its affairs not the BC Board. When asked about that period, a BC Board member informed the Panel that the WCP leadership would contact the Board only when they needed to and, more recently, would invite themselves to Board meetings when they wanted. The Panel was also

⁶ <https://www.uk sport.gov.uk/our-work/investing-in-sport/current-funding-figures> [UK Sport website, 18 November 2016]

informed about an historical lack of respect shown towards the BC Board. Comments heard by the Panel from a former WCP leadership figure include, “*I don’t think they were a very good Board. It was a low-level Board*”.

- 5.8. Since the WCP had been meeting Olympic and Paralympic medal targets (on both the non-disabled and para-side of the programme), over the majority of the last Olympiad (2012-2016) it was not a priority to look at its culture even if the BC Board recognised that there were behavioural issues which needed to be addressed. A former member of the BC Board recognised that that issue needed to be addressed in the next cycle (2016-2020) in informing the Panel that [underlining added for emphasis as used by the contributor]:

“So it’s [the strategy] been very much focused on how do we win, how do we grow, how do we get members, rather than the how and, as the organisation grows and grows and grows, we’ll still be focused on the what, but actually the whole framework for the next years for the organisation is less about the what, it’s about how we do it, and I think where we just never in our evolution had got to that point and, you know, it was me who put it to Board to say, look, we’ve got to look at the how now. That can’t be as simple as just winning and growing and it links into the whole sustainability debate. So if someone writes a cheque, whether that’s for participation or medals, we can deliver, we know we can deliver, but it’s actually how do you do that in a sustainable way and in order to answer that question you’ve got to look at how you’re doing it, not just about the what.”

- 5.9. On point, and within the context of the 2012-2016 Olympiad, a former WCP leadership figure when asked in interview whether the BC Board and UK Sport had left them to get on with it “*because you were delivering results?*”, they unhesitatingly agreed. Even on the para-side of the WCP, when the Panel asked one of its leadership figures, whether there had been any overview by the CEO or the BC Board of the para-programme, their response was: “*largely speaking no*”.
- 5.10. Indeed this Review may not have been necessary in the first place if clear warning signs about the reality of the culture within the WCP had been addressed promptly at the start of the last Olympiad in late 2012. On point, following the very successful

Olympic and Paralympic Games at London 2012, a former member of the BC Board was commissioned by the CEO to produce a report on key themes/trends around areas of strength and weakness that need to be addressed within the WCP (the “**2012 Report**”).

- 5.11. The Panel was informed that the idea for an independent review post-London 2012 came from the then CEO but a former leadership WCP figure told the Panel that it was in fact their idea. That latter individual explained to the Panel that they had felt the culture within the WCP to have developed in a wrong direction since about 2008/2009. Former WCP leadership figures also informed the Panel that that timeframe coincided with the temporary removal due to allegedly unacceptable behaviour by and the subsequent return to the WCP of SS. In SS’s absence, competition results for WCP athletes at major competitions in 2009 were poor. SS was then invited back into the WCP as Head Coach. That year, 2009, also coincided with the formation of Team Sky, the brain-child of DB, to win the Tour de France with a professional road-racing team. DB’s plan was for Team Sky to complement and work with as the men’s side of the WCP, rather than operate separately from it.
- 5.12. Given the above, SS apparently went from being on the verge of being dismissed, as the Panel were informed by then WCP leadership figures, to being in effective day-to-day control of the WCP less than a year later. In the circumstances, the Panel found it logical, as was explained to it by several contributors, that there has been a perception by certain WCP members of staff that SS was untouchable. This period (2008/2009), as the Panel was also informed by a then WCP leadership figure, coincided with the culture within the WCP moving away from being, as intended and articulated, “*coach-led, athlete-centred*” to one that was “*coach-led, coach-centred*”, which was apparently a key reason for the 2012 Report being commissioned in the first place.
- 5.13. In that context, the 2012 Report identified a number of key structural and cultural themes. A few of the more salient themes of the 2012 Report as pertinent to the remit of this Report are set out below:

- In terms of “*Structure and management*”, “*there is an overriding impression, supported by many comments, that ‘it’s broke, so let’s fix it.’*”
- In terms of “*Performance*”, “*a majority of athletes and coaches who are not part of the track podium programme felt that they were second class in respect of funding and access to support and resources.*”
- In terms of “*People*”:
 - “*the leadership style is seen by some as being autocratic*”;
 - “*several referred to a culture of fear, intimidation and bullying*”;
 - “*there are frequent examples of open antagonism between senior managers and middle managers*”;
 - “*opinions of SS as Head Coach are divided, ranging from strong support by some athletes and coaches to little or no respect at all from others – but few see him as a capable manager*”;
 - “*there is a general feeling that staff are not valued and that there is little or no prospect of salary enhancement, personal development or promotion*”.

5.14. The 2012 Report also arrived at a number of hard-hitting conclusions. Again, only a few of the more salient ones are set out below:

- In terms of “*People*”, “*the present situation regarding interpersonal relationships/behaviours is untenable and must be addressed urgently, whatever the overall plan is established for the future.*”

- In terms of “*Management Structure*”, “*any semblance of management structure had clearly disintegrated during the last Olympic cycle.*”
- In terms of “*Performance*”, “*there is a widely held view that our programmes in talent ID and nurturing, along with the minor disciplines, the women’s programme and the Paralympic programme are not taken seriously enough and consequently not resourced, funded or equipped as well as they should be.*”
- In terms of “*Recommendations*”, “*DB should be retained as Performance Director*” together with a prime function of “*supporting succession planning*”.

5.15. As should be evident from the conclusions cited above, at the end of 2012 there were apparently “*untenable*” relationships/behaviours within the WCP and the management structure had “*disintegrated*”. There were, therefore, major structural and behavioural issues that needed to be urgently addressed by the BC Board at that time. The Panel was informed that, as the structural side of the WCP was the most pressing issue that needed to be addressed, focus was placed on rectifying that issue with cultural and behavioural issues to be dealt with subsequently. The Panel was also informed by a former BC Board figure that, although cultural issues identified in the 2012 Report were to be addressed, that exercise was never in fact completed.

5.16. When the Panel asked a then BC Board figure whether they were surprised with the conclusions set out in the 2012 Report, they responded “*not really, that’s why we commissioned it in the first place, really*”. In fact, the then BC Board figure already knew, as they put it to the Panel, that “*it [the WCP] wasn’t a great place at times really, and it put a lot of pressure on people...*”.

5.17. A number of WCP staff also informed the Panel that they did not see concerns they had raised as part of the investigations leading to the 2012 Report as having been addressed. The Panel did, though, see a Powerpoint presentation dated December 2012, which was presented to staff within the WCP, summarising the outcomes and

recommendations of the 2012 Report. Whilst the Powerpoint covered the structural recommendations, it did not include the conclusions of a more difficult nature in relation to behaviours in the WCP. Indeed, the Panel was informed on numerous occasions that there was a sense amongst some WCP members of staff over the last Olympiad that the giving of feedback and/or raising issues as to behaviours in the WCP served no purpose since they would not be acted upon.

- 5.18. At most only three individuals received a copy of the full 2012 Report, albeit one of those individuals informed the Panel that they could not recall seeing the full 2012 Report and it was not apparent that they had done so from a trawl through their emails at the relevant time. The rest of the BC Board did not see a copy of the full 2012 Report. They only received an email summary from the then CEO. UK Sport was also not provided with a full copy but it was given a summary, including a short bullet-point about apparent behaviours within the WCP.
- 5.19. Despite not receiving a full copy of the 2012 Report, when probed by the Panel about their awareness of cultural and behavioural issues within the WCP, a then BC Board figure informed the Panel that the BC Board was aware “*anecdotally*” about such issues. They also added that they “*would accept as a critique*” that the BC Board was reliant on information provided to it about the WCP and did not dig deeper.
- 5.20. As to the structural recommendations of the 2012 Report, the BC Board had not instigated any form of succession planning by the time DB left his position as PD in April 2014. The reason that such planning was not put in place some seventeen months after the 2012 Report was that DB had informed the then CEO that he planned to remain as PD throughout the Olympiad leading to Rio 2016. Upon his departure, a new PD was not appointed even though a then BC Board figure informed the Panel that “*it [the WCP] needs a performance director*”. Instead, in April 2014, SS was promoted from the position of Head Coach to a new role of Technical Director (“**TD**”) whilst [REDACTED] who had been recruited from the EIS in 2012 (and then started at BC in 2013), was appointed into a new role of [REDACTED]

- 5.21. Despite his undoubted medal-producing ability, barely anyone interviewed by the Panel thought SS suited a senior leadership or management role. Notwithstanding that reservation, the Panel notes that SS was not offered any support or training to develop his leadership or management skills. Furthermore, although SS did not technically become PD (rather he was appointed TD), the reality was that he did not share control with [REDACTED] as should have been the case. The Panel was informed by a then WCP leadership figure that in practice SS “*took on a pseudo performance director/head coach role*”. Moreover, the Panel was also told by that same figure that once DB left, the reality was that “*the power...shifted significantly to Shane*” with [REDACTED] being “*semi-submissive and/or [using] coercion to facilitate actions, which led to a slower pace of change*”.
- 5.22. In terms of the joint TD/PRD model, the Panel was also informed by a then WCP leadership figure that the then CEO was informed “*almost on a monthly basis...that it was [not] necessarily the right way to go*”. That feedback was given, according to the same figure, because the joint model did not provide “*clarity of decision-making*” and it was a “*clunky model*”. The Panel, though, accepts that a model had to be put into place rapidly in order to keep the WCP functioning structurally with barely two years until Rio 2016. Nevertheless, it is notable that the joint model with SS [REDACTED] in situ did not last until those Olympics.
- 5.23. A then BC Board figure also candidly informed the Panel that “*at a time when we should have started to look at the behaviour side of it [the WCP] and the culture side of it, that was when Dave moved on*”, so the structural issues within the WCP had to be addressed first. As a result, a judgment was made at the time (April 2014) that “*because the structural side of it [the WCP] was so fundamentally broke we needed to get the structure sorted out...then we can look at the how...*”. Now with the benefit of hindsight, there is an acceptance at BC Board level that cultural and behavioural concerns raised in the 2012 Report were not dealt with as quickly as they should have been. With cultural issues having been put off to be addressed in the future, and with such issues having yet to be addressed by way of implemented actions (as of November 2016), many contributors informed the Panel, they were “*not at all*” surprised that “*we are here now*” in terms of an independent review into culture and behaviours within the WCP.

5.24. During the Panel's investigations, there was a palpable sense of frustration amongst many individuals within the WCP, as the Panel was informed regularly, about "*the unwillingness perhaps to make tough decisions at a higher level within the organisation [BC]*". On point, the Panel does not doubt that, as it was informed by some interviewees, instilling, developing and bedding down a new culture is not an easy task and it would take time. However, with ultimate responsibility sitting at BC Board level, and despite the continued success of the WCP in pure Olympic and Paralympic medal terms, its abrogation of duty in promptly addressing hard-hitting cultural and behavioural concerns about the WCP set out in the 2012 Report must be stated clearly in this Report.

b. *The WCP*

5.25. In practical reality control over the WCP lay in the hands of its PD or, since 2014, the TD. As was confirmed in interview, that control included "*pretty much*" all athlete issues, coaching issues, relationship issues and finances. Until shortly after London 2012, there was essentially a triumvirate sitting at the top of the WCP, each with skills and personality traits which balanced each other's. DB was the PD. SS was Head Coach. [REDACTED] was the [REDACTED] albeit he operated in practice alongside and at the same level as DB and SS. In addition, there was also [REDACTED] but in interviews [REDACTED] was not once mentioned to the Panel in terms of leadership decisions. The WCP leadership were, in the words of a then BC Board figure, "*formidable characters*". The Panel did not encounter any criticism of those arrangements from interviewees.

5.26. A then WCP leadership figure informed the Panel that throughout the early to late-2000s there was a "*coach-led, athlete-centred*" cultural model within the WCP. Over that period, the WCP was a small but fast developing programme, which was beginning to achieve success on a more regular basis and on a wider scale. Coaches and athletes were both learning at a quick pace. There had to be, almost by organic default, buy-in from all parties to ensure that they kept up with the pace of progress and development. As was clear from interviews, friendships and bonds between athletes and coaches over this period were not only the strongest in the history of the

WCP but many of them are also maintained to the present day. This was the era when the WCP – and it happened to be virtually all its Olympic medallist athletes over that period were male (and this finding does not in any way imply unlawful discrimination in that regard) – achieved its first major, sustained successes at Olympic level. They had, in many ways, grown up and made it to the top of the world stage together. In the circumstances, the Panel could understand why, despite acknowledging SS’ behavioural weaknesses, many of those medallists remain his supporters.

5.27. However, as a then WCP leadership figure informed the Panel, after the Beijing Olympics in 2008 there was a behavioural and environmental shift within the WCP, which had a knock-on effect on the culture within it. After those Games, mass Olympic medal-success was no longer a pleasant surprise, it was now expected. At Athens 2004, the WCP produced Olympic medals across four medal-events. At Beijing 2008, it produced medals across a remarkable fourteen medal-events. That level of achievement was akin to total dominance globally. With the next Olympics being at “home” in London 2012, a repeat performance was expected – and a record level of UK Sport funding was put in place in order to facilitate it. The era of a small group of (predominantly male) riders, who were on a fast-paced journey together, their coaches side-by-side, had ended. Post-2008 the WCP had become a “*medal factory*”, as it was and is often labelled, with pressure on everyone within it to keep producing Olympic medals.

5.28. The Panel was informed by a then WCP leadership figure that after Beijing 2008, the culture within the WCP morphed from “*coach-led, athlete-centred*” to “*coach-led, coach-centred*” in practice, even if some of the other then WCP leadership figures are of the view that the former remained in place. From that point a number of then staff and athletes also informed the Panel that they felt they were expected to follow directives given by the WCP leadership and many were fearful of speaking out in response. A number of WCP staff and athletes also informed the Panel that they felt there was no point in raising issues around conduct with BC’s Human Resources (both over that period and more recently) since they did not believe it had sufficient power or authority to do anything to address those issues.

5.29. The Panel was informed that from 2009 until prior to 2012 DB attended the Manchester Track Centre less frequently as a result of his commitments to Team Sky, albeit the Panel was informed that he was still heavily involved in planning and strategy within the WCP over that period. The Panel was told by a number of WCP members of staff and athletes that, over that same period, SS held effective day-to-day control of the WCP in Manchester. [REDACTED] was also present and, as the Panel was told, assisted in keeping relationships working between staff and between staff and athletes. [REDACTED] was, as one then WCP leadership figure labelled him, “*our safety-valve*”. However, over much of that period (2009-2012), the Panel was told that [REDACTED] attention was increasingly diverted into a managerial role and was no longer fully engaged in supporting athletes to perform.

5.30. Once [REDACTED] left (at the same time [REDACTED] in [REDACTED] only SS [REDACTED] [REDACTED] remained in the WCP. Almost by default SS then became leader of the WCP. A number of then WCP members of staff informed the Panel that, following DB’s [REDACTED] departures, there was an absence of strong peers to provide an appropriate check and balance to SS and to support him in his new role. The Panel was also informed that [REDACTED] did not provide that counter-balance. Further, beyond sporadic support offered by the UK Sport [REDACTED], SS was also not provided with any leadership or management training by BC.

5.31. By April 2014 there was already discontent within the WCP, albeit principally at staff-level. In terms of the reasons given to the Panel by then WCP members of staff for that situation:

- The WCP was a pressurised environment with members of staff’s employment being dependent on medal results. The Panel accepts that was an inevitable by-product of a high-performance, success-orientated environment.
- With that pressurised environment also came a degree of ruthlessness in terms of staff performance. As was explained by a then WCP leadership figure, members of staff specialised in any given discipline were expected

to be within the top three in the world. If those standards were not achieved or maintained, then those staff would be dismissed. Whilst that aspiration maintained very high-standards, the by-product of that approach was a low sense of job-security felt by many staff members who contributed to the Review.

- Staff were aware of the use of Settlement Agreements for those leaving the Programme. The confidential nature of those Agreements, and a perception that they were a regular way of dealing with departing staff, led to a feeling amongst some staff of poor job security if they challenged WCP leadership figures. The Panel does, though, accept that Settlement Agreements may make commercial sense to resolve potential disputes quickly and confidentially.
- The Panel was informed that the relationship between the WCP leadership and support-staff was of a “*parent-child*” nature, rather than of a more mature “*adult-adult*” nature.
- As indicated by the 2012 Report, at the end of 2012 a number of staff members felt as though there was a “*dictatorial*” regime and a “*culture of fear*”.
- The hierarchical imbalance within the WCP was further exacerbated by blurring of the boundaries between the WCP and Team Sky. Team Sky has offices within the velodrome complex next to the WCP offices. Salaries paid to Team Sky members were, the Panel was informed, considerably higher than those paid to BC employees. That difference also created a sense with certain WCP staff-members that they were second-class citizens.

5.32. Taking the environment as outlined above into account (and without taking into account issues at athlete level, as set out below), by early 2014 there were real and significant cultural issues that needed to be addressed by the BC Board. However,

they were not, and certainly not with any sense of urgency, with focus remaining primarily on medal-outcomes.

- 5.33. Over the last Olympiad (2012-2016), the medal-orientated culture in the WCP was a deeply ingrained one. It was explained to the Panel by a senior figure within the WCP in the following revealing terms:

“I think the culture within the World Class Programme was one of success. The all-out efforts towards success and the true embodiment almost of that podium people from both staff and riders and medal or nothing approach. At times that created a tough environment and the programme didn’t shy away from that tough environment and making some tough decisions. We all know how the funding model works. We also know that you can always have more funding so as a consequence if you delay decision-making you are, in effect, potentially doing one of two things, either wasting money and/or risking the World Class Programme in terms of not achieving its milestone targets which has a catastrophic effect on the organisation.”

- 5.34. The clear goal of the WCP was to achieve medal targets to fulfil UK Sport funding targets. The medal target goal is a simple one but, in terms of the 2012-2016 period, it had a blinding effect *vis-à-vis* culture within the WCP. As a result, developing a positive, balanced culture in the WCP has been a belated priority for BC and UK Sport.

- 5.35. Over that same period, the Panel was informed that there was relatively little interest in focusing on athletes as people and on staff professional development. On point, the Panel was informed by a number of athletes that they were discouraged from having outside interests, as they were informed that their focus would be taken away from cycling performances. The Panel was also informed that staff professional development and appraisals did not exist. Unsurprisingly the lack of pastoral care has led, in many instances, to a sense of frustration and negativity at staff-level.

- 5.36. Contributor after contributor to this Review also complained about the state-of-affairs after SS’ resignation. The Panel was told that by the latter part of 2016 there was a new leadership triumvirate in place; [REDACTED]

[REDACTED] The Panel was also informed by some contributors that those new WCP leadership figures had, albeit unintentionally, created a “*culture of animosity*” due to apparently poor communication skills with the result that members of staff felt alienated from the WCP leadership over the second half of 2016.

5.37. The Panel also noted the view stated by a number of members of staff that cultural development in the WCP would improve medal-success, not jeopardise it. As it was put to the Panel by a senior figure: “*it [the WCP] could be far more efficient in what it does and how it does it. I think as a consequence of that you would get happier people, both staff and riders*”.

(ii) Relationships

a. *Board – WCP*

5.38. As already indicated, over the period 2012-2016 there was an imbalance in the relationship between the then CEO/BC Board, on the one hand, and the then WCP leadership, on the other, albeit – as also already noted – that situation had a historical legacy of UK Sport dealing directly with the PD rather than the BC Board.

5.39. The culture of success in the WCP was originally driven by charismatic and strong personalities. However, over the last Olympiad (2012-2016) that culture became inverted and ingrained, including upwards to BC Board level in so far as it dealt with the WCP. There are several reasons for that conclusion:

- The BC Board tacitly permitted the leadership within the WCP to make decisions without meaningful accountability to it. That created an atmosphere of impunity, resulting on occasion in inappropriate behaviours that had no place in a modern workplace let alone one which is publicly-funded and accountable.

- When issues of concern or disputes arose, Settlement Agreements were entered into which contained confidentiality clauses. The Panel accepts that such agreements may make commercial sense from time-to-time. However, they also led to a sense as articulated by contributors that any challenge to the WCP leadership would be brushed under the carpet.
- The Panel discovered that, although it had been announced that SS had resigned as TD, he remained involved in preparations for and even during the Rio Olympics. Members of the WCP coaching staff were on the telephone to him on a regular basis.
- The Panel was also informed that a member of staff had been told that they were in a temporary role until his return.
- In the circumstances, the Panel was able to draw a reasonable inference that the BC Board hoped to bring SS back into the WCP, notwithstanding the very serious allegations made against him.
- When a member of the BC Board was asked by the Panel if they wanted to see SS back working in the WCP, they stated that they and perhaps some other BC Board members wanted him back in a consultancy-role “*if he [SS] was fully vindicated*” [underlining added], even though BC had only a couple of weeks previously found an allegation of discrimination to have been made out against SS.
- SS also informed the Panel that he had been told that he would be re-instated by the BC Board once the JV grievance allegations were deliberated upon by it.
- The Panel was told that certain members of the BC Board were concerned about airing views within Board meetings, given that information provided to the Board would be regularly leaked and certain BC Board members were apparently partisan supporters of SS.

- Rather than authorising its appointed grievance officer to come to conclusions following their investigation into JV's allegations, the conclusions were to be decided upon by the BC Board collectively. Taking into account the professional experience of the Panel in terms of grievance processes, that approach was inappropriate and indicative of vested interests within the BC Board who may have wished to control the grievance outcome. This point is further enhanced by the BC Board apparently not following independent legal advice about how to handle the JV grievance.
- In coming to its collective decision about the JV allegations, the BC Board was not informed about the historical conduct-related allegations in the WCP. It was also not informed of the behavioural findings set out in the 2012 Report.
- Shortly before this Report was supplied to the Commissioning Board, an outcome summary of JV's grievance was leaked to the Press. The leaked document shows that only one allegation of nine had been upheld by the investigating officer. However, the findings set out in the draft grievance investigation and conclusions of the grievance officer seen by the Panel before it was considered by the BC Board indicates that considerably more allegations were recommended to be found proven.
- The BC Board was to decide collectively on the grievance outcome, which it apparently duly did. However, the Panel was also informed that the BC Board was not unanimous as to the decision to reject the draft investigation recommendations.
- Taking into account that the Panel had already been informed that some members of the BC Board wanted SS back "*if fully vindicated*", the rejection of the grievance investigator's findings by the BC Board gives the impression of it trying to achieve that aim.
- In cultural terms, how the BC Board operated in terms of the JV grievance gives credence to concerns raised by several contributors when asked why

they did not feel able to raise concerns to BC's Human Resources or senior managers. Their simple response was that they did not feel any action would be taken, their complaints would be covered up, and WCP leadership would be protected.

5.40. The consequence of the Panel's finding that cultural and behavioural flaws within the WCP are institutional in nature, even reaching up to BC Board level, is that it is insufficient for that culture to be rebuilt merely by the removal of one individual. There needs to be a more systematic overhaul of leadership not simply within the WCP but also in terms of the composition at BC Board level.

b. WCP leadership – WCP staff

5.41. WCP staff are passionate about cycling and dedicated to the success of its athletes. The majority of contributors to this Review who spoke in positive terms about their work-place environment worked within the offices of BC and not in the WCP. One contributor, who worked within the BC offices, called it "*a great place to work*". Others from that environment, albeit not as effusive, were excited and proud to work for BC.

5.42. In terms of geography, although in the same building within the Manchester Track Centre, the respective offices are separate, with the BC offices upstairs on one side of the central atrium backing onto the BMX facilities and the WCP operating on the other side of the atrium in offices underneath the velodrome track. Despite both operations being no more than fifty or so metres apart, the relative culture at staff-level could be described in polar-opposite terms.

5.43. In regard to the Panel's finding that as of 2016 there was a negative culture and climate within the WCP at staff level, the following issues stood out:

- Some staff informed the Panel that they were treated like children. The relationship between the WCP leadership and senior coaching staff, on the

one hand, and the rest of the staff, on the other, was described to the Panel as being akin to a “*parent-child*” relationship rather than one of mutual “*adult-adult*” respect.

- Certain staff also informed the Panel about being publicly rebuked by WCP leadership figures within the WCP, thereby undermining those staff members’ own authority in front of colleagues and athletes. Comments made by contributors included:
 - “...*there really isn’t any emphasis on staff at all.*”
 - “*If your face fitted ok, if not you’re in big-trouble.*”
 - “*people there [WCP staff] are frightened to speak out and being bullied.*”
- Individual appraisals did not exist. The Panel was informed by staff that there was no, let alone periodic, reviews of staff performance. If performance was deemed to be below-par or if relationships broke down, the Panel was also told that there was a perception at staff-level that the member of staff may be dismissed with disputes subject to confidential Settlement Agreements.
- The Panel was also informed that equality and diversity training, except as part of an employee’s induction training⁷, did not exist. No updates were subsequently provided to coaches or staff.
- There was a strong impression at staff-level that complaints, which should have remained confidential, would work their way back to the WCP leadership with the resultant fear that retribution would be meted out. This meant that many staff members simply did not complain. The poor

⁷ The Panel received and considered the “*Equality, Diversity & Inclusion*” slides within BC’s *Induction Programme*.

communication of the 2012 Report and the poor-handling of the JV grievance did not assist on point either.

- The Panel was also informed in interviews that “*Human Resources was complicit with Shane*” and also that Human Resources informed disgruntled individuals that it would not help their careers to pursue complaints, although the Panel did not receive any evidence to support this point being anything other than conjecture on behalf of contributors.
- There was a sense that key WCP leadership figures can operate with impunity. The “*dictatorial*” nature of the WCP, as described in terms of feedback by the 2012 Report, was repeated in certain interviews to the Panel.
- Over the second half of 2016 there was no proper leadership within the WCP. With SS having resigned, no PD in place and IDR having announced his resignation as CEO, the WCP was rudder-less.
- The Panel was informed on several occasions that certain WCP staff members were considering their futures and may move elsewhere, even though they remained passionate about high-performance cycling and the success of the WCP athletes.
- Recruitment processes were opaque. When interviewees were probed by the Panel, they did not criticise the professional standards of those recruited but commented that open and transparent processes were not adopted, which meant that other staff did not know and were unable to apply for positions or external professional development.

5.44. Despite the negative feedback set out above, the Rio Olympics offered a timely glimpse into the future. As shown by the medal-success, there is a feeling amongst staff that the current WCP discipline coaches stepped up and were empowered by the additional responsibility of having to make decisions mainly by themselves. The Rio Olympics demonstrated, at least in part, their capability. That is another reason

to believe that the dismantling of an apparently “*dictatorial*” type of cultural model and instilling instead a more empowering one will not adversely affect medal success in the future.

c. *WCP coaches – WCP athletes*

- 5.45. Contributions to the Panel indicated that athletes within the WCP are overwhelmingly focused, dedicated and professional in their pursuit of excellence. The high-performance environment in which they operate is punishing physically and psychologically. It is not meant to be, nor should it be, easy. The Panel took that reality into account, taking into account their own first-hand experience, when considering the environment in the WCP.
- 5.46. Of those athletes who contributed to this Review – and, the Panel re-emphasises that in terms of those athletes who are still within the WCP, there were not many at all – the Panel was struck by the dichotomy between, on the one hand, those who said they were flourishing within it and gave positive reports of its culture and, on the other hand, others who reported very negatively on their experiences.
- 5.47. In terms of background to the athlete experience, the Panel considered carefully the *Athlete Insight* surveys over the last Olympiad, with only 2013 and 2014 available. Although on the surface, these may not have appeared to show any red “flashing lights” (meaning concerns that needed to be addressed and acted upon), deeper analysis would have resulted in some warning signs. For example, poor participation rates, particularly amongst Podium Olympic athletes, could indicate disengagement from the system and a sense that their opinions did not hold much sway.
- 5.48. Between the 2013 and 2014 surveys, the athletes who agreed with the statement “*Morale is high amongst WCP athletes in my sport*” declined from 86% to 66% i.e. one in every three athletes surveyed in 2014 felt that morale could not be described as high. This decline was also mirrored in other areas such as “*confidence of WCP athletes*”, “*effective leadership*”, “*effective communication*”, “*positive engagement*” and frequency of performance plan reviews.

- 5.49. Although participation rates were better amongst Podium para-athletes and responses were more stable across 2013/2014 than their non-disabled counterparts, there was still some cause for concern. Less than 60% of those who completed the survey in 2014 felt that "*morale*" or "*confidence*" were "*high amongst WCP athletes*" or that there was "*effective leadership*". In 2014, 62% of respondents felt there was not "*effective communication*", a significant increase from the 38% in 2013.
- 5.50. Despite those warning signs, over the second half of the last Olympiad (2014-2016) there appeared to have been little desire to engage with the views of athletes or to seek their recommendations and input into improving the WCP. In fact, the prevailing view as articulated to the Panel was that *Athlete Insights* did not carry much weight since not all athletes filled it in. However, if there is athlete disengagement, much of it is down to the fact that they do not feel their views will be acted upon. Ultimately, that sentiment helped lead to a programme with no real athlete ownership.
- 5.51. In terms of the disciplines themselves, on the non-disabled side of the WCP, track athletes are divided into those who are members of the endurance team and those on the sprint team. On the one hand, in terms of the current and recent endurance team members (both male and female), the Panel did not receive any contributions on the athlete-side at all despite inviting and chasing current athletes. The Panel, therefore, had no first-hand basis to find that the culture within the endurance teams was anything other than satisfactory.
- 5.52. On the other hand, the Panel heard significant criticism of how the sprint team has operated over the last Olympiad (2012-2016). One contributor explained that "*the sprint team still has a long way to go in terms of good cultural development*". Criticism concerned the following issues: its leadership, access to equipment, and selection. Various examples were given to the Panel of times that the leadership of that discipline would assert their authority over athletes and staff. These ranged from admonishing staff in public to giving athletes "*both barrels*".
- 5.53. When it was in the process of trying to reconcile the conflicting versions of what the sprint team leadership was really like, the Panel was voluntarily re-contacted by a

member of staff who wished to give a fuller account. The relevant interviewee explained that they had been initially concerned about speaking out and being perceived as not a “*team-player*”. It is revealing that someone was sufficiently concerned about the consequences of not being perceived as a “*team-player*” that they would not be full and frank to us in their initial interview. That approach was consistent with a hierarchical culture within the WCP, as explained to the Panel by some contributors, in which speaking out against the WCP leadership would be met (or, at least, there was a perception that it could be met) with negative repercussions in response.

- 5.54. Nevertheless, some athletes within the WCP system (both past and present), including in the sprint team, prospered and reported very positively about their experiences over the last Olympiad (2012-2016). Many of those athletes had been in the system as it grew in the 2000s or were more recent Olympic medallists or combinations of the same. There was a view from some of those more positive athletes that SS had a more “*open-door policy*” than DB when he became TD in 2014.
- 5.55. Away from the track, and over the same period, athletes and coaching staff in the BMX discipline explained to the Panel that they felt like “*second-class citizens*” in comparison to the track teams. The same view was raised by those historically involved in the mountain-bike programme – albeit that particular discipline did not send any athletes to the Rio Olympics. The Panel found that there is a degree of accuracy to that sentiment on the basis that BMX and mountain-biking do not provide for as relatively good medal prospects. This is due to the limited number of medals available and also the high probability of crashes or punctures. That being the case, and to reflect the WCP’s aim of achieving medal targets, BMX and mountain-biking are not afforded the same level of priority as the track team. As the Panel was informed, in the early 2000s the “*strategy was clear...there were 18 gold medals available in cycling...so we focused very much on the track*”. BMX is also a relatively new Olympic sport, having been introduced at the Beijing Olympics.⁸

⁸ Mountain bike racing first entered the Olympic programme in 1996.

- 5.56. That said, the Panel did see and inspect the dedicated BMX facility and course at the Manchester Track Centre, which was built for that discipline (at DB's instigation) and at considerable cost of £25 million. The Panel was also informed that the WCP was now investing more time and support in up-and-coming mountain-bikers since their Olympic discipline had been changed by the Union Cycliste Internationale (the "UCI") to a longer time-trial format, which suits the skill-set of the type of athlete historically produced and trained by the WCP.
- 5.57. In terms of the road programme, the Panel was provided with historical information prior to the most recent Olympic cycle (2012 – 2016), which highlighted the long-term focus on the track rather than non-track programmes. Feedback given about that earlier period was critical of a lack of support for the women's road-team, albeit DB did establish a road team – Team Halfords – in the lead up to the women's road team medal success at the Beijing Olympics. The Panel was also provided with a more up-to-date insight into the road programme, albeit only on the female side⁹. A recent road athlete informed the Panel that they did not feel that there was any overt less favourable treatment between the men's and women's road programme, but that Team Sky had detracted from the WCP by placing more of a focus and funding on the men's road team than the women's counter-part. However, they thought that it was justifiable for there to be more of a focus on the track programme since it was more "*controllable, and less unpredictable*" in terms of gold medals.
- 5.58. On the para-athlete side of the programme, the Panel was struck by its evolution culturally over about the last two years since the appointment of [REDACTED]. [REDACTED] It appears to have a quite different culture, which has been fostered through empowerment of both athletes and staff. The Panel was, though, informed that historically it had been stated that the Olympic programme "*came first*". However, more recently since 2014, the para-programme is "*better received than it ever has been in history*" with a positive culture in place.

⁹ No members of the male road team approached the Panel with contributions. The Panel did not find their lack of contributions unusual since they are professional athletes, employed by professional teams, and rarely train as part of the WCP.

- 5.59. When it explored how that culture was developed within the para-programme, the Panel was informed that regular discussions take place between athletes and staff, often informally, so there is a sense of openness and transparency. Team building activities and ongoing reviews also take place. Feedback from all staff and riders, who volunteered, was also taken into account about the para-programme's Tokyo 2020 submission. It has, in many ways, become a stand-alone entity, which could easily run itself, albeit in practice it does share the track facility and medical/mechanical support staff with the non-disabled programme. A reason for that ability to operate in a different culture is also the fact that the para-programme has responsibility for its own budget (of £6,833,000 for 2013-2017¹⁰). The culture of the para-programme is now a relatively mature one in which relationships appear to be “*adult-adult*.”
- 5.60. Despite the positive culture which has been developed within the para-programme in Manchester, some para-athletes who train elsewhere and who are road-orientated informed the Panel that they feel disengaged with and do not trust the decision-making by the para-programme leaders. Those para-athletes train remotely from and are coached separately to those in Manchester. Their accounts do not, therefore, reflect first-hand the day-to-day climate for the majority of the para-team based in Manchester. In any event, there remains a clear distinction between the perception of the culture between athletes on track and non-track programme in the para-programme as well as on the non-disabled side of the WCP.
- 5.61. The Panel was also particularly interested in investigating athlete selection in order to cast a light on how athletes were treated when it came to arguably the most important decisions of their time within the WCP. That issue was, therefore, investigated first in terms of selection to events and, secondly, as to membership of the WCP generally.
- 5.62. As to selection to events, nine main criteria (which were published on the BC website and also set out in a written *Selection Criteria for Team Great Britain for*

¹⁰ <https://www.uk sport.gov.uk/our-work/investing-in-sport/current-funding-figures> [UK Sport website, 18 November 2016]

the 2016 Rio de Janeiro Olympic Games document) are used in selection decisions for major competitions: UCI world rankings, recent race performances, recent training performance, up-coming competition courses, team composition, experience (in terms of gaining experience), commitment in training, event “doubling-up”, and any other points the selection panel deems necessary. Ultimately, however, decisions are based on a discretion vested in coaching staff. That is not to say that the discretion is exercised in a vacuum. The exercise of discretion means in practice the order chosen and weighting given by coaches to those nine criteria. Selection decisions are also reviewed by BC’s legal team to ensure that decisions are not unfair. As the Panel was informed, a “*significant amount of time was spent deliberating on each criterion, based on the information provided*” and an independent observer was also present during the decision-making process.

5.63. Other than in the instance of JV (which was not a selection decision *per se*, but was a decision not to renew her membership of the WCP), the Panel was informed that no athlete had previously raised any concerns about not knowing why they had not been selected or alleged that the decision had been unfair. The Panel was also told that there had been cases when athletes had been selected to major events even when they were border-line for selection. The Panel was also provided with anonymised selection spreadsheets and supporting data print-outs, indicating that minds had been turned to each criterion with comments inputted on the same. On its face, the process of selection generally, whilst using a discretionary power, was far from irrational or perverse.¹¹ In fact the selection process appeared to the Panel to be robust and good, albeit the related communication and appeals processes can be significantly improved. The Panel was told that it was practice within the WCP that non-selected athletes were not informed about that decision.

5.64. A non-selected athlete is entitled to appeal against their non-selection. However, the grounds for doing so are very narrow – “*the sole ground of appeal against the decision of any Selection Panel will be that there had been a failure to follow the*

¹¹ In law a discretionary power will be overturned if it is exercised in an irrational or perverse manner. That is a high threshold: *Commerzbank v Keen* [2006] EWCA Civ 1536

*applicable selection criteria*¹². That ground is unduly restrictive and not reflective of the fuller grounds available to an athlete under more recent decisions determined by independent panels administered by SRUK in the lead up to London 2012 and Rio 2016. An athlete who wants to raise a selection appeal must also pay £500 as a “*deposit*” to do so¹³. They may also have costs awarded against them if they do not succeed in their appeal.¹⁴ That payment requirement and potential costs consequence are prohibitive. The Panel was informed that selection appeals are rare and also that some athletes (on both the non-disabled and para-programmes) were dissuaded from challenging non-selection by those financial barriers. Whilst recognising that appeals may be costly for a national governing body, the Panel feels that the option to raise an appeal against non-selection should be an unconditional right, without payment obligations or cost consequences for an athlete, albeit subject to time-constraints to ensure team-stability and certainty. Nevertheless, BC’s policy of an initial evaluation of the appeal by an Evaluation Committee¹⁵ and then, as appropriate, convening an appeal panel comprising an independent legally-qualified chair, an officer or employee of BC, and a suitably qualified independent assessor¹⁶ is a good and appropriate one.

- 5.65. Decisions about the removal of an athlete from the WCP are opaque in the view of the Panel. According to the contractual *Athlete Agreement*¹⁷, an athlete in the WCP would have to have been given a warning and also a reasonable period to improve before removal from the WCP. The Panel was informed that custom and practice within the WCP was for the reasonable period to be three months. The Panel noted that JV was not given a warning or any period of time to improve. She was simply removed from the WCP.
- 5.66. The Panel is aware that the draft internal grievance investigation into JV’s allegations found as a draft recommendation that she was removed from the WCP in an arbitrary manner as an act of retaliation for the critical interview she had given

¹² See para. 3.1 (Ground of appeal), BC’s *Major events selection appeals procedure*.

¹³ Ibid. See para. 7.3 (Notification of appeal hearing and right of attendance).

¹⁴ Ibid. See para. 8.4 (Appeal hearing).

¹⁵ Ibid. See para. 5 (Initial consideration, the Evaluation Procedure).

¹⁶ Ibid. See para. 6.2 (Appeal Panel).

¹⁷ Para. 10.2 of the standard-form BC *Athlete Agreement*.

immediately following her and Katy Marchant (“**KM**”)’s narrow failure to qualify for the Rio Olympics. The Panel did take into account that another female, KM, was not removed from the programme despite her equal, if not greater, contribution to the relevant post-event interview. However, the Panel was informed that JV was perceived as the “*ring-leader*” for the criticism against WCP coaching staff. In a number of coaches’ minds, as the Panel was also informed, JV was also viewed as a trouble-maker. The Panel was also told that the post-race interview was an “*issue*”, causing “*tensions [to become] quite high*” – even though, as the Panel was also told, there should have been more support for athletes in terms of media-training, with JV and KM not being allowed to go into the media mixed zone when post-race emotions were running so high. As that person stated in interview, “*it wasn’t right but it’s the way it is*”. In any event, as the Panel was again informed, the relevant interview was the “*tipping-point*” which led to JV not having her membership of the WCP renewed.

- 5.67. JV was also not an incumbent medallist, as were other athletes who voiced criticism but were not removed from the programme. The Panel did not view her removal as an act of discrimination but, in the Panel’s view at the very least it did not follow contractual due process. That conclusion was further strengthened by interviews with some members of staff who informed the Panel that they did not agree with JV’s removal from the programme.
- 5.68. The way in which JV was informed that her membership was not to be renewed was also poor. There appears to have been no clear process in practice about how such decisions were to be communicated. JV was initially informed that she should attend a meeting, albeit not informed of its subject. When she insisted on knowing its nature, she was informed of her removal from the programme by telephone. Even if informing her of that decision by that method was well-intentioned (as the Panel was informed was the case), that method of communication for such a crucial decision concerning JV’s sporting career (and funding) was not good practice in the Panel’s view. On point, one contributor described the exit process generally as “*often heartless*”.

- 5.69. In terms of complaints procedures, the Panel was informed that there is an Athlete Agreement, signed by each athlete within the WCP, which sets out different procedures including for a formal grievance. The responsibility for resolving grievances falls within the ambit of BC Human Resources. On this point, the Panel feels a distinction needs to be made between, on the one hand, WCP athletes not being aware of grievance/complaints procedures and, on the other hand, staff-related procedures. As to the former, the Panel accepts that athletes would not necessarily “*read things that you’re given. And only probably after the event that you do actually go about reading them*”. In short, policies and procedures may be available and have been given to athletes but they may not have engaged with or absorbed them. On the other hand, the decision taken by staff not to raise complaints appeared to the Panel to be more linked to a perception of potential retribution in response. In short, staff knew of complaints procedures, but feared using them, whilst athletes did not necessarily know of them.
- 5.70. As to how the complaints procedures worked in practice, the Panel took into account how JV’s grievance was conducted. Despite not being part of this Review’s remit (as agreed by the Commissioning Board), the Panel was shown a BC letter sent to JV explaining that this Review would consider JV’s allegations and make findings about them. The Panel was then required to feed-back to the Commissioning Board that it was for BC, in accordance with its own policy, to conduct that grievance investigation.
- 5.71. As a result the grievance process was delayed, lasting approximately six months, which is unreasonably long as a BC Board figure candidly accepted. The Panel was informed by another then BC Board figure that “*some errors were made by a range of people*” within BC but “*these were genuine errors caused by the complexity of the interaction*” [between the internal grievance and this Review] and “*do not indicate an underlying culture that did not take the athlete’s concerns seriously.*”
- 5.72. Even if that was the case, the Panel was informed that the unreasonable delay led to uncertainty within the WCP amongst some athletes and staff. The Panel was repeatedly informed in interviews of rumour and conjecture that SS “*would be cleared*” and “*they [the Board/CEO] want him back*” from various concerned

athletes and staff. The atmosphere within the WCP was, therefore, impacted upon by the delay and related rumours. The Panel was also surprised to learn that, as of December 2016 (over six months after she made a formal complaint), JV had still not been given an outcome to all her allegations. With a dedicated internal Human Resources department and external legal support, the JV allegations could have and should have been dealt with more quickly and decisively. Such delays and (lack of) outcomes give rise to a strong inference that serious athlete concerns were not dealt with adequately.

- 5.73. Stepping back and looking at the athlete experience in the WCP holistically over the last Olympiad (2012-2016), the Panel was struck with how little, if any at all, emphasis there was in terms of athlete development away from pure performance. The Panel was informed by a member of the WCP staff that *“the coaches and the team...aren’t looking at the growth and development of the [athlete] mind-set”* away from progress in a physiological sense. It was, therefore, important that *“opportunities [are] given to athletes so that they feel more empowered about their own career and what they’re doing which means then their behaviour will be functional”*. The Panel agrees.
- 5.74. The Panel was also of the view that there was a lack of support towards athletes who leave the WCP. In many instances, according to contributors, the exit process is brutal. Some athletes related to the Panel that they felt like they were disposable commodities. The Panel also heard that members of the programme were *“absolutely discouraged”*, and even criticised, for following outside interests. The Panel was also informed that a member of staff was told that they should not have *“life beyond cycling”* conversations with athletes as it could distract them from current performance. That lack of a duty of care means that athletes are all the more in need of support in terms of transition away from the WCP. Even if the Panel did hear occasionally that such support mechanisms were in place, the athletes it met who had relatively recently exited the programme did not report any support being provided during their exits.
- 5.75. As to trying to engage with athletes, the Panel was informed that in terms of the *Athlete Insight* reports *“a lot of the time a lot of the Olympic athletes couldn’t be*

bothered to fill it in” and “we’ve tried athlete reps before, never worked, because nobody was really that interested”. As a result, it was clear to the Panel that a more formal type of feedback, by way of form-filling or representatives, does not work in practice.

- 5.76. Overall, other than a focus on day-to-day training and the pursuit of ever greater performance, the culture within the WCP at athlete-level is inconsistent. Some athletes, especially those on the track endurance programmes or in the track para-programme, either reported a positive environment or gave no input to this Review at all. Those athletes, both non-disabled and para-athletes, who operated outside of those disciplines, both on the track (especially on the female sprint programme) and away from it (especially on the female road, BMX and mountain-bike programmes), were much more critical of the culture. Nevertheless, the WCP athletes have been remarkably successful in shutting out concerns they may have had to continue to produce top-level performances and achieve Olympic and Paralympic medal success at Rio 2016. However, with a more consistent culture – especially in communication terms – across the non-disabled programme (but also incorporating non-track disciplines generally), the Panel feels that athlete-focus and performance could be enhanced yet further with a real collective athlete buy-in to a BC/WCP high-performance culture.

d. WCP – UK Sport

- 5.77. UK Sport should have a key role to play in maintaining an oversight of the WCP. From 2012 – 2016 UK Sport did not dig deep enough into the cultural reality of the WCP. The Panel is also concerned that UK Sport did not act upon knowledge it possessed as of December 2012 that there were behavioural issues which needed to be addressed within the WCP.
- 5.78. In terms of background the Panel was informed by a then WCP leadership figure that, during the early 2000s, *“UK Sport was just a source of cash, ...which did not look hard enough since it was not willing to challenge such a successful sport.”*

Then, during the late 2000s until early 2014, the relationship between the PD and UK Sport deteriorated to the point of being non-existent by the early 2010s. A reason for that breakdown was two reviews carried out by Deloitte, as instigated by UK Sport, into the potential conflicts concerning National Lottery funding posed by the creation of Team Sky. The Panel were told that the friction caused by the Deloitte reviews led to the then PD not meeting the UK Sport representative for a number of years. However, at around the same time, the Panel was also informed by a then BC Board figure that UK Sport also adopted much more of a “hands-off” model with its performance advisors withdrawn from 2008-2012¹⁸.

- 5.79. Whilst the Panel noted that the relationship, in terms of direct communication, between UK Sport and the WCP did improve since April 2014, there was no evidence that UK Sport insisted that behavioural issues within the WCP were addressed. Instead it appears that UK Sport was a passive observer, albeit the Panel accepts that UK Sport is not a monitoring body and does not run BC; that organisation runs itself. It is not for UK Sport to turn over every stone within the WCP. It is for the BC Board/CEO to monitor the WCP, with any major concerns passed onto UK Sport as necessary. The Panel was also informed that UK Sport’s focus is on assisting the WCP obtain medal targets and, therefore, meet funding targets. That is, though, not to say that UK Sport should not have an important role in maintaining an oversight of the WCP.
- 5.80. It must also be emphasised that UK Sport has been reliant on information it received. The Panel was informed during its investigations that UK Sport was not given a full copy of the 2012 Report and, therefore, was not aware of the behavioural issues which needed to be addressed as of late 2012. Whilst the former was the case, as part of the Maxwellisation process the Panel was shown an email of 22 November 2012 circulated internally within UK Sport which specifically raised as a bullet-point “*Behaviours – teams/individuals need addressing at times*” in relation to the WCP at that time. This email followed a long discussion between UK

¹⁸ UK Sport has clarified that the Performance Advisor role was not withdrawn for this period but has suggested that a change of personnel in the role may have given the impression of less direct engagement with the WCP.

Sport and BC about the 2012 Report in which the then CEO was described as “*very open and honest*”. UK Sport was, therefore, aware of behavioural issues within the WCP as early as November 2012, even if not the precise details set out in the full 2012 Report. In the Panel’s view UK Sport must, therefore, share in the responsibility for those behavioural concerns not being addressed promptly after late 2012.

5.81. As to the structural changes in 2014, the Panel was informed that SS was appointed TD without any consultation with UK Sport, which had “*certain concerns*” about the decision at the time and it knew “*there was a risk*”. Those “*concerns*” and the “*risk*” were not though in terms of UK Sport’s knowledge of SS’ alleged past behaviours but rather that an open and transparent recruitment process was not carried out. That point mirrors the concerns at staff-level within the WCP that appropriate recruitment procedures were not followed at around that time.

5.82. The Panel was also informed that UK Sport could, in principle, make any funding award conditional on implementing recommended steps, especially where serious concerns have been identified. The Panel believes this to be such a case, especially since BC has known about the cultural and behavioural issues within the WCP for some years but been very slow at addressing them.

(iii) Environment

5.83. Having set out findings as to Leadership and Relationships above, the Panel sets out below its findings as to the environment within the WCP. That environment flows from and, in our view, is consistent with the findings above. It is, in short, the cause and effect of the climate and culture within the BC WCP.

a. “*No Compromise*”

5.84. The WCP is the prime-example of how to achieve sustained Olympic medal success. There is certainly a culture of medal-success within the WCP. That culture reflects UK Sport’s well-known “*No Compromise*” approach to funding, in relation to which it “*will only fund sports which can demonstrate medal potential over an eight year*

cycle".¹⁹ It is therefore unsurprising that former WCP leadership figures have been asked by UK Sport to present to their peers in other sports about the formula for success within the WCP.

5.85. However, as this Report demonstrates, over the last Olympiad (2012-2016) “*No Compromise*” has, within the WCP, also come to reflect the single-minded pursuit of medal-targets in order to retain funding rather than promptly addressing behavioural issues within the WCP. In that context, UK Sport needs to be very mindful that its mantra is not interpreted as an “ends justifies the means” approach to culture within high-performance environments across sport generally.

b. Fear and distrust

5.86. Over the last Olympiad (2012-2016) there has a significant perception at both staff-level and to a lesser extent at athlete-level within the WCP that the then WCP leadership was untouchable. The Panel was informed, primarily by a large number of members of staff in subordinate positions, that they were expected to do as they were told. An ancillary fear also developed that if the hierarchy’s instructions were not followed, then careers could be put on the line.

5.87. Those fears were apparent to the Panel, primarily at staff-level, throughout its investigative process in terms of the last Olympiad. Many interviewees did not want to have their identities revealed. Others were convinced, despite various assurances, that any information they provided to the Panel would be leaked back to BC and, in particular, the then leadership of the WCP. There was no basis for those fears in relation to the Panel’s investigations but they reflected a culture of suspicion among staff in particular.

5.88. Some interviewees were emotional and, at times, distressed in recounting their experiences within the WCP. Some also gave the impression of having experienced trauma. Taking into account the experience of the Panel generally and within a high-

¹⁹ <http://www.lotterygoodcauses.org.uk/distributor/uk-sport> [Your National Lottery Good Causes website, 19 November 2016]

performance sporting context specifically, it recognises those types of emotions as being reflective of a sense of fear amongst some staff and athletes in terms of the environment within the WCP over the last Olympiad.

c. Favouritism

5.89. There has been a perception, repeated by many contributors, that the former TD had favourites among the athletes. Those athlete favourites were perceived to be predominantly, but not uniquely, men – albeit an interviewee accepted that the former TD could be “*equally harsh to everyone [men and women] at times*”. In any event, during the early to mid-2000s success on the track came principally from the men’s sprint and endurance teams which, as the Panel was informed, reflected the relatively greater likelihood of medal-success in those disciplines.

5.90. Although certain female riders also achieved success, the environment was one which some female riders informed the Panel that they found uncomfortable. On point, the Panel was informed by a self-declared male supporter of SS that SS was “*more comfortable around men*” and “*did not really know how to deal with women*”. That is not to say that he did not assist female riders but his communication with members of the opposite sex was not always appropriate.

d. Discrimination

5.91. There were a number of areas that the Panel considered in terms of discrimination (as defined under the Framework and Definitions section above):

- Disciplines: There is less favourable treatment between the WCP programme disciplines. However, it is not discriminatory in a legal sense. The difference in treatment is because of funding targets. In many ways, the reason for the differences is a logical consequence of the domestic UK Sport funding model which invests in potential. Any business would invest time, energy, and money more heavily in areas that would be more likely to meet targets. Nevertheless, and again as a logical consequence of that funding model, the disciplines which did not receive the same level of

support as others feel like “*second-class citizens*”. In terms of the WCP, focus is placed on the track programme (equally between men and women), meaning that the non-track programmes (in particular BMX and, to an extent, the road programme) has not been afforded the same support.

- Equipment: The Panel was informed that there was a “*disparity in equipment given*” to riders. In training the so-called favourites may have been given apparently better bikes but the Panel was told that at events all participants would be given the same equipment. Moreover, at the March 2016 World Championships, JV and KM were given the Rio Olympic skinsuits in order to assist them achieve qualification. No other riders (male or female) were given that support. This was not, therefore, an issue which caused the Panel concern in terms of potential discrimination.

- Disability: Although this heading could sit underneath the Disciplines heading above, it merits its own attention on two bases:
 - For the same reasons as set out under the Disciplines heading above, the para-programme is treated less favourably with regard to financial resource compared to the non-disabled programme. That is because the funding attached to a Paralympic medal is not at the same level as that afforded to an Olympic medal because, according to UK Sport, average costs are relatively lower for para-athletes.

 - Language was used towards para-athletes, which on its face gives rise to a *prima facie* case of less favourable treatment because of disability. The Panel was informed by a number of interviewees that para-athletes were referred to occasionally as “*wobblies*” or “*gimps*”. Whilst the Panel was of the view that such language was inappropriate come what may in the modern workplace, it also considered the context in which it was used. The Panel was informed (although this could not be verified first-hand) that para-

athletes in fact referred to themselves by such terms, even setting up a WhatsApp messaging group labelled “*Wobblies&Gimps*”. However, when SS used those terms, the Panel was informed that he would not do so directly to a para-athlete but would do so generally and he used those terms in a derogatory context, including adding the word “*fucking*” before them. The use of such terms in that context was inappropriate.

- Gender: The Panel finds that it was language rather than decision-making that could be viewed as discriminatory because of sex and/or amounting to sex harassment:
 - The Panel noted BC’s draft grievance investigation report found that SS used discriminatory language towards women from time-to-time, including the terms “*sheilas*” and “*bitches*” (albeit the leaked summary grievance outcome suggests only the latter was found by the BC Board to be discriminatory). Although SS has denied using that latter term, other interviewees gave corroborative evidence that he did. The Panel was also of the view that SS is not a man who couches his language but, on the contrary, uses crude language at times.
 - As to the term “*sheilas*”, the use of which was not denied by SS. He contended it is an Australian colloquialism. Sexual harassment is not to be assessed from the perspective of the alleged harasser; the proper test is whether the person who is alleged to have been harassed reasonably felt that they were subject to unwanted or degrading conduct taking into account the context it is used. It is a mixed subjective and objective test²⁰. The Panel does not need to make a finding as to whether SS’ use of that word did or did not, in each and every circumstance he uttered it, amount to sexual harassment. It is sufficient for the Panel to mention that some

²⁰ See s. 26(4)(a)-(c) *Equality Act 2010*.

contributors informed it that they were uncomfortable with its usage, whilst others were not. This is therefore a good example of the type of manner or behaviour that should have been stopped had SS been given proper line-management or training.

- The Panel was also informed by various interviewees that SS was “*old-school*”, and “*Shane is Shane*”. The Panel understood that to mean that SS did not operate in a way which was always appropriate for a modern work-place, even if highly-pressurised and at the pinnacle of international sporting competition. Furthermore, those descriptions again indicate that SS should not have been placed into a leading management position within the WCP without appropriate support, guidance and training also being put in place for him.
- In terms of coaching, equipment, or selection, the Panel do not find that there was discrimination because of gender. The WCP was (and is) committed to performance outcomes. It does not fit with that central aim for an athlete not to be afforded the ability to perform well because of their gender. In coming to that finding, the Panel considered whether there may have been a subconscious motivation of sex discrimination in play. One member of the WCP support staff informed the Panel that they thought that was the case. However, on balance, the Panel rejects that contention given the medal-performance driven aims of the WCP is gender-neutral.
- The Panel noted that all senior leadership positions within the WCP have been and are filled by men. However, the Panel also heard that in terms of more recent female participation at high-performance level, the WCP has been enlightened about supporting women in coaching and equipment terms to a much greater extent than previously.

- Age: The Panel did not feel that there was less favourable treatment because of age. There are examples of older riders within both the non-disabled and para-programme.

e. Communication

5.92. The Panel was informed by a senior WCP staff member that “*the things that need to change are...relatively easily described and they fundamentally fall down to communication and the consistency of that communication to staff and riders*”. The Panel agrees that communication needs to be improved. Decision-making is sometimes unclear and policies not implemented properly. However, this is primarily due to a lack of appropriate leadership being in place; being one which currently does not comprise people who possess the right interpersonal skills to set an example as to good communication practices.

f. Rumour and conjecture

5.93. The Panel received unsubstantiated evidence about alleged financial impropriety and, in two instances, in terms of historic doping. Interviewees who provided that evidence admitted that they had no supporting evidence for such allegations and, in the main, it was based on hearsay. As set out in the Remit and Scope section above, it is a matter for the Commissioning Board whether it wishes to investigate those matters further. In any event, the Panel was informed by some contributors that the allegations referred to above have contributed to a culture of distrust towards the recent WCP leadership over the latter part of the last Olympiad (2014-2016).

6. Recommendations

- 6.1. The Panel is of the view that this is excellent timing for BC in conjunction with UK Sport to implement the Recommendations below. Both BC and the WCP are in a state of transition with a new PD and new CEO recently appointed. The present time also represents the beginning of the new Olympiad leading to Tokyo 2020.
- 6.2. There is ample time for the Recommendations to be put into place, not only to assist the WCP to continue to produce medal outcomes consistent with its medal targets but also to improve and instil a more positive and sustainable culture for both athletes and staff. If the Recommendations are not implemented, the Panel fears that the types of issues that emerged so publicly prior to the Rio Olympics are not only likely to be repeated but medal prospects may also suffer. Indeed, the Panel was informed by one contributor that “*we [Team GB cycling squad] could have done a lot better there [at Rio]*” had the below already been in place.
- 6.3. The Panel makes five overarching Recommendations, which are explained more fully below:

(i) New leadership:

- BC and the WCP both need strong leadership of an appropriate character to instil and be responsible for cultures and behaviours. The new CEO of BC must be committed to implementing the Recommendations. That will require a strong character, and someone who is prepared to insist on working closely with, and line-managing, the new PD. The new CEO, as well as the BC Board (since ultimately the buck stops with them as the directors of BC including the WCP), will also need to go back to basics; it is not appropriate in terms of good governance for the Board to hand over the decision-making process regarding the WCP to the PD. Key financial decision-making, structural changes (including major staffing decisions),

and periodic cultural reviews need to be approved by the BC Board, and not as a mere rubber-stamping process.

- The composition of Board itself needs to be reviewed. Its actions in relation to the JV grievance and its delayed addressing of the behavioural issues within the WCP as set out in the 2012 Report, demonstrated poor governance of the WCP. The introduction of a new CEO by itself will not create the change that is needed to install a system of good governance at the highest level of BC. Change needs to be more-widespread and systematic.
- The new CEO and PD do not need to come from a background in cycling. In some ways, given that there needs to be a fresh start at both Board and WCP levels, the Panel believes that there is a merit in hiring from outside cycling into at least one of those roles. In cultural terms a break from the past would also be a good thing too. Many, but not all, of the coaching staff within the WCP have operated within it for many years. Since the Panel is of the view that the present cultural failings are systematic, it is unlikely that mere promotion from within will assist fixing cultural flaws. It will probably only ingrain them further. On point, the Panel is aware and notes that the recently appointed new PD and new CEO do not come from a cycling background.
- The new PD must report upwards on a regular basis and be accountable to the new CEO.
- The Board and UK Sport need to be aware that the Panel was informed by coaching and support staff alike that they were considering their positions and may consider leaving their employment with the WCP. There will inevitably be a state of flux and a period of bedding in when new leadership arrives with resultant staff changes probably taking place. In so far as it can the BC Board and UK Sport should be circumspect as to that prospect. Moreover, since this is the start of the new Olympiad, now is the right time for changes to happen.

(ii) Close monitoring and supervision:

- The BC Board in particular, but also UK Sport to a lesser extent, must become more engaged with the WCP, especially in terms of the implementation of the Recommendations.
- The UK Sport Performance Advisor must be given access to, and build a relationship with, the new PD. The new PD cannot be permitted to redirect the UK Sport Performance Advisor to the new CEO or to other staff in the WCP. The UK Sports Performance Advisor should take positive steps to raise areas of concern with the new PD and new CEO if such concerns are brought to their attention, such as through *Athlete Insights*.
- In terms of areas to review in particular:
 - Recruitment processes into the WCP must be open, fair and transparent. This should help to develop a more diverse and independent workforce and avoid the risk of groupthink or the development of cliques.
 - As to the exiting of staff from the WCP:
 - Exit interviews or interview forms should be conducted or completed respectively. By reviewing that type of feedback, the BC Board and UK Sport can gain a valuable insight into reason(s) behind staff leaving the WCP and, accordingly, whether any underlying themes need to be

investigated further and/or addressed on an ongoing basis;
and

- Even where Settlement Agreements are entered into – and the Panel understands that they may make commercial sense from time-to-time – BC’s Human Resources should record and review the types of complaints raised and periodically report to the BC Board as to whether any themes emerge which should be addressed.
- BC’s Human Resources must report in practice to the BC Board/new CEO and not to the new PD. It is important that where formal complaints are raised with Human Resources about matters within WCP that the BC Board/new CEO are notified about them and how they are concluded.
- Staff and athlete training and development (as set out below) should be implemented.
- Athletes and staff in whichever discipline they operate in, but especially those which are less likely to lead to medal outcomes such as BMX, mountain-biking and road-racing (on the female side in particular) and therefore receive lower levels of funding, must be treated in behavioural terms no differently than their counter-parts in the more successful track disciplines. The Panel recognise that funding may not be equal across a programme but transparency and improved communication regarding the allocation of resource should help ensure everyone is treated fairly.

(iii) Training and development:

- On the staff side of the WCP:

- Formal two-way, confidential appraisals should be held periodically. Those appraisals should comprise of written feedback from the staff member as well as from their line-manger and relevant athletes followed by a face-to-face meeting.
- Professional training should be offered. Not only will training assist staff to enhance or develop skills, which may be professional-orientated and/or interpersonal and/or procedural (such as in relation to selection and/or equalities and discrimination), but the BC Board/WCP will also be able to demonstrate that it has thought about and cares about staff development. That active demonstration will hopefully assist in terms of cultural change and buy-in to it at staff-level within the WCP.
- Line-managers should take active steps to facilitate staff empowerment; encouraging staff to be innovative in the way they carry out their work, develop professionally as persons and to give feedback in order to improve the working environment within the WCP.
- On the athlete side of the WCP:

An athlete induction process should be rolled out in a face-to-face format. That process should include, amongst other matters, information and explanations about selection policies, codes of conduct, complaints procedures, and contact details of the British Athletes Commission for independent advice/support as needed. These steps should be taken to ensure that athletes are fully informed of their rights and options from the outset of their membership of the WCP. It may also be necessary to repeat sessions or update athletes on a regular basis. Complaints procedure documents must also remain accessible at all times.

- Athlete leadership should be encouraged. The so-called “*parent-child*” relationship between some coaches and athletes needs to develop into a more mature “*adult-adult*” relationship, even if hard messages need to be communicated from time-to-time. Athletes have a right to ask for information if they are unsure about decisions and must be given the confidence to do so.
- Senior athletes should engage in an athlete mentoring system within the WCP. This will assist the induction of new athlete members and also help instil athlete leadership in those who are already members of the WCP.
- In general terms, athletes should be encouraged to:
 - Participate in collective decision-making with coaches, with athlete-feedback welcomed;
 - Attend education or vocational courses with such potential career-transition development monitored; and
 - Participate in improved media training.
- As far as specific individuals are concerned, the Panel has already fed-back on a confidential basis its thoughts to the BC Board.
- In terms of athlete representation:
 - The Panel toyed with the idea of recommending an athlete liaison figure. However, in the end, it decided not to do so. Based on the Panel’s own experience and feedback received from interviews, such a person does not necessarily add a great deal in practice.

- The new WCP leadership must though ensure that it has adequate input from athletes. It should also work with athletes to put in place the most suitable process for that input to be given, whether through a senior athlete group or another mechanism that best suits the WCP.
 - The BC Board must also have a connection with the athlete experience within the WCP and *vice versa*. As a result the Panel recommends that an athlete is elected by their peers within the WCP to represent them at Board meetings from time-to-time in order to provide insights into the realities of the WCP (and, of course, provide first-hand updates on the development of its culture in line with the Recommendations). Consideration should be given to appointing such an athlete as a full member of the Board.
- In terms of psychological support:
 - In the short term, the WCP should retain the availability of professional psychological support. Other than in terms of hopefully exceptional personal circumstances, such support should be performance focused and not be used to counter-balance any cultural problems within the WCP. Nevertheless, in that short term, professional psychological support will have an important role to play in establishing and starting to ingrain a more positive culture and environment across the WCP.
 - Over time, as the culture within the WCP develops, the aim should be to reduce the amount of psychological support for anything other than pure performance reasons.

At the same time, athletes should be encouraged to have support networks outside of the WCP.

(iv) Selection and communication:

- By way of preliminary recommendation on this area, it is imperative that regular athlete reviews about performance and progression against targets take place. Such reviews allow all parties to know and understand where they are in terms of those targets and, crucially, should not lead to the situation where non-selection comes as a surprise.
- Despite the preliminary point made above, the selection process for events requires tweaking:
 - The selection criteria should remain accessible at all times to those on the WCP.
 - The involvement of an independent observer and, as required, an independent appeal board are good processes, which should remain in place.
 - However, the £500 payment requirement for an appeal is prohibitive and should be removed.
 - The potential appeal grounds should also be expanded from the purely procedural to allow an athlete to appeal on any (either individually or cumulative) of the following grounds:
 - (a) The decision was not in accordance with the selection policy as published;

- (b) The policy has been misapplied or applied on no good evidence and/or in circumstances where the application of the policy was unfair;
 - (c) The decision-maker has shown bias or the appearance of bias or the selection has otherwise been demonstrably unfair; and/or
 - (d) Where the conclusion is one that no reasonable decision-maker could have reached.²¹
- The process for the removal of an athlete from the WCP must be drafted in clear terms and provided to all WCP athletes, ideally as terms within their Athlete Agreement.
 - A proper, fair and transparent policy and process should include the following steps:
 - An athlete is informed at a meeting with his or her discipline coach and the new PD that they are deemed potentially not to be of the standard to retain membership of the WCP; the areas that they need to improve (with specific targets set); the period over which that improvement needs to be made (the Panel suggests three months as that was the period mentioned to it in interview, albeit provided the period of time is a reasonable one the ultimate period of time may be set by WCP coaches at their discretion); interim review stages are set when the discipline coach will review interim performance with the athlete, including the review of the athlete's performance data; and, if those performance targets are not reached by the end of the overall set period the athlete is informed

²¹ See *Belcher v. British Canoe Union* (SRUK, 5 July 2012). For a more in-depth analysis of relatively recent decisions concerning non-selection appeals, see “*The Selection of Athletes and Grounds for Challenges*” (Wheen & Mehrzad), *World Sports Law Report*, vol. 14, issue 1 (2016).

that they are likely to be removed from the WCP. The key points arising from the meeting must also be set out in writing and given to the athlete following its conclusion.

- At the end of the overall review period, the athlete is invited in writing to a final review meeting, and provided with copies of their performance data over the review period as set against the performance targets. The meeting should be with the discipline coach and the new PD with the athlete entitled to bring a fellow athlete or a representative through the British Athletes Commission, as the athlete so wishes. At the meeting the athlete is informed whether they are to remain on or be removed from the WCP with an explanation given. That explanation will also then be set out in writing and given to the athlete, with a right of appeal.
- If an appeal is raised, the suggested grounds are similar to those for a non-selection appeal (as set out above) albeit with the relevant selection policy being substituted for the performance targets set at the start of the review period. An independent appeal board should also be convened to determine such an appeal. Since the WCP and an athlete will want to know of a final decision as soon as possible, and to prevent training disruption, the appeal process should not take longer than two weeks in total if practicable.
- The mechanism about the communication of selection/non-selection to events and non-renewal of membership of the WCP must be decided upon in consultation with the WCP athlete group. That mechanism should also be reviewed on an incremental basis. This process should include the opportunity for non-selected athletes or those removed from the WCP to meet their coach face-to-face to discuss those decisions. This is not only good practice, but also fosters a more open culture as well as athlete buy-in to processes within the WCP. Athletes will have invested considerable time and energy in their chosen pursuit, so the very least that should be done if they do not “make it” is for the beginning of their transition away from the

sport to be conducted properly and/or they are left motivated that if they manage to improve their performances away from the WCP, they may be able to re-enter it.

- A review of the selection processes (for both events and the WCP) should also take place at the completion of every Olympiad in conjunction with athlete groups. This will ensure that any difficulties encountered in the meantime are addressed and athletes are made fully aware of the selection processes.

(v) Conditional funding

- UK Sport should make funding conditional on the Recommendations being implemented, including the composition of the Board being reviewed.
- UK Sport should also monitor the implementation of the Recommendations on a periodic basis.

7. Acknowledgments

- 7.1. The Panel has been greatly assisted in carrying out the Review by a number of different individuals and organisations, which it would like to acknowledge and thank. SRUK, in particular Richard Harry, Catherine Pitre, Jenefer Lincoln, Kylie Brackenridge, Matthew Berry and Richard Bazley, has provided first-rate and responsive administrative assistance throughout this process. UK Sport and BC have helpfully provided documentation and contact details. The Panel is also thankful to SRUK; Littleton Chambers, London; and King’s Chambers, Manchester, for hosting interviews and Panel meetings. The Panel is extremely grateful to all those who volunteered to attend interviews and/or provided written submissions.
- 7.2. Finally, the Panel was informed by many contributors (both in written submissions and in interviews) that participation in this Review was a cathartic, welcome and long overdue process for them. BC and UK Sport should be applauded for taking the step of commissioning this Review. The Panel sincerely hopes that this Report assists the WCP to achieve even greater success in all areas and disciplines in the future.

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10 April 2017

