

Judicial Appointments Panel

Terms of Reference

1. Membership

- 1.1. The Judicial Appointments Panel (the 'Panel') shall consist of a maximum of eight persons. One person from each Region shall be nominated each year to the Panel.
- 1.2. The following may not serve as a member of the Panel:
 - 1.2.1. Swim England Board members;
 - 1.2.2. Committee members of any committee within Swim England's formal governance structure;
 - 1.2.3. regional management board members;
 - 1.2.4. Dispute Resolution Panel members; and
 - 1.2.5. Appeals Panel members.
- 1.3. 50 per cent of those entitled to attend and vote from those individuals nominated each year shall form a quorum at any meeting.

2. Specific Responsibilities

- 2.1 The Panel shall assist the Swim England judicial process by:
 - 2.1.1 appointing a Chair and Vice-Chair from within its own members;
 - 2.1.2 from time to time setting criteria matching nominees to the criteria and recommending one, or more, of the nominees to the Annual General Meeting for election to the office of Judicial Commissioner;
 - 2.1.3 filling any vacancy in the office of Judicial Commissioner, which may occur during the term of office. Such a replacement shall take office immediately and remain in office until his or her successor is elected and appointed at the immediately following Annual General Meeting;
 - 2.1.4 in consultation with the Chairs of the judicial panels and Swim England, appointing members of the Dispute Resolution Panel and Appeals Panel, as appropriate;
 - 2.1.5 informing, with assistance from the Judicial Office Manager, Swim England's Annual General Meeting of any appointments made to the Dispute Resolution or Appeals Panels;

- 2.1.6 considering removal of any Dispute Resolution or Appeals Panel member where such is considered to have potentially breached their Terms of Reference or the Code of Conduct for Judicial Panel Members, or for any other reason that the Panel considers relevant. Individuals will be informed that the Judicial Appointments Panel is considering their removal and will be given an opportunity to make representations in relation to such. A decision to remove an individual by the Panel is final;
 - 2.1.7 from time to time reviewing and determining the appropriate term length for the Dispute Resolution and Appeals Panels, which shall be no greater than two consecutive terms of four years;
 - 2.1.8 from time to time reviewing and determining the appropriate term length for the Judicial Commissioner, which shall be no greater than two consecutive terms of four years;; and
 - 2.1.9 determining which members of Dispute Resolution Panel or Appeals Panel are sufficiently experienced in the area of safeguarding to be added to the Safeguarding List.
- 2.2 Swim England will provide Panel members with a number of training opportunities each year. Panel members will be expected to attend or complete a minimum of one training opportunity each year.

3. Swim England Support

- 3.1. Swim England shall provide the Panel with prompt administrative support required to enable it to fulfil its duties, including but not limited to:
 - 3.1.1. providing person specifications for all roles to be appointed;
 - 3.1.2. providing the Panel with the details of any applicant or nominee for a role, including any CV or additional documentation submitted;
 - 3.1.3. corresponding with any applicant or nominee to provide updates in relation to such, including any requests for additional information and confirmation whether the Panel has appointed them or not;
 - 3.1.4. informing the Panel of any particular skills that it believes to be required or desirable, including any areas of weakness advised to Swim England by the Judicial Management Group within the Judicial Panels as constituted from time to time;
 - 3.1.5. immediately informing the Panel of any known concerns in relation to any applicant or current member of the judiciary, including but not limited to safeguarding concerns or a prior disciplinary history, which may affect their suitability for appointment or continued holding of their relevant role;
 - 3.1.6. indicating factors that the Panel may wish to consider when determining whether an individual is suitably qualified for inclusion on the Safeguarding List.
 - 3.1.7. updating the Panel on operational requirements, to enable the Panel to consider how many judicial members are required from time to time.

- 3.2. The Swim England Judicial Office Manager shall liaise with the Chair of the Panel from time to time to discuss the level and nature of support required by the Panel.

4. Conflicts of Interest

- 4.1. The Panel must follow Swim England's Conflict of Interest Policy at all times.
- 4.2. Completion of the Declarations of Interest Form must be completed by each member annually. This process will be administered by the OJA.

5. Confidentiality

- 5.1. Panel members must adhere to the Swim England policy on confidentiality for volunteers. Members must also keep confidential any information provided by Swim England that Swim England designates as confidential, and any information or discussions that the Panel designates as confidential.
- 5.2. Panel members must bear in mind that offensive or otherwise inappropriate comments on social media could violate Swim England regulations or the Code of Ethics. Panel members must refrain from comment in the press or on social media on Panel work unless in accordance with and with permission from the Swim England Communications Team together with the Panel chair.
- 5.3. Panel members must not comment publically on any decision to appoint or not appoint an applicant to the Judicial or Appeals Panel.

6. Expenses

- 6.1. Swim England shall pay the reasonable expenses incurred by Panel members attending any meetings in line with its Expenses, Accommodation and Subsistence Policies.
- 6.2. With the exception of reasonable expenses incurred in accordance with Paragraph 6.1, Swim England shall not remunerate or make any other payments to Panel members.

7. Review

- 7.1 Swim England shall review these Terms of Reference annually to confirm that the Terms remain sufficient and effective for the purposes of Swim England's judicial system.