

**Ottawa Sport Council**  
**Risk Management and Quality Assurance Policy**

**Purpose**

1. In sport, the term 'risk management' usually has a narrow definition, referring to measures an association takes to ensure safety in programs and to minimize liability through techniques such as waivers and insurance.
2. The Ottawa Sport Council recognizes risk management as a broader activity that encompasses all facets of the association. Such an understanding of risk management recognizes that harm or loss (whether financial or otherwise) can arise from a range of activities and that minimizing such harm or loss requires careful management of all aspects of Ottawa Sport Council's operations and relationships.
3. Managing risks thus requires planning, foresight and diligence from Directors, Staff, Member Associations and other representatives of Ottawa Sport Council. This document is the Association's first effort to formulate a guiding statement on risk management. Its purpose is to:
  - a) Reinforce an understanding of risk management as having a broad focus;
  - b) Draw attention to some of the key areas of risk facing the Ottawa Sport Council;
  - c) Provide timelines for review and updating key items relating to these risk areas;
  - d) Perform an educational function for the Ottawa Sport Council and its Member Associations;
  - e) Over the longer term, contribute to enhancing a 'risk management culture' within the Ottawa Sport Council.
4. This policy is not a replacement for Ottawa Sport Council's existing policies and procedures, many of which contain risk management measures, but is a companion piece to these other documents.

**Responsibilities for Risks**

5. As with any organization, the Ottawa Sport Council has three areas of responsibility. Failure to fulfill these responsibilities, either through direct measures or through leadership, can result in harm to persons and/or loss to the Ottawa Sport Council, or both. These responsibilities are:
  - a) *To provide a safe environment* → this means having and implementing policies, standards and rules that promote safe programs in safe facilities, overseen by qualified personnel and trained volunteers.
  - b) *To manage conflict effectively* → this means having and following proper policies and procedures when making decisions that affect members and handling disputes that may arise from such decisions.
  - c) *Protecting assets of the organization* → this means, safeguarding money, equipment, facilities (where applicable), data and intellectual property (where intellectual property includes trademarks, copyrights, confidential and proprietary information, patents, personality rights and goodwill)

**Existing Policy Framework**

6. Ottawa Sport Council presently has the following policy documents that relate to risk management:
  - Code of Conduct and Ethics (inclusive of harassment)
  - Discipline and Complaints Policy
  - Appeals Policy
  - Dispute Resolution Policy
  - Conflict of Interest Policy
  - Concussion Prevention and Management Policy
  - Screening and Training Policy
  - Equity and Access Policy

## **Risk Areas**

7. The Ottawa Sport Council has identified the following as priority risk areas. This is not an exhaustive list and over time, additional areas may be identified.

### **Risk Area 1 - Governance and Dispute Management**

*Importance to risk management:*

8. A necessary step in risk management is 'getting the policy house in order'. Sound policies lead to informed and transparent decision-making, which in turn results in improved management of time, resources, disputes and risk exposures. These are the hallmarks of good governance and good governance is essential to managing risks.

*Actions:*

- a) Ottawa Sport Council approved its Bylaws in April 2013. The Board of Directors undertakes to review the Bylaws every two years to ensure that they remain current and reflect the Ottawa Sport Council's evolving needs.
- b) As part of its commitment to sound policies and risk management, Ottawa Sport Council will establish and maintain current policies to address: code of conduct, discipline, harassment, appeals, dispute resolution, conflict of interest and safe environment/screening.
- c) The Executive Director will ensure that Ottawa Sport Council fulfills all statutory requirements including compliance with privacy laws, employment laws, employment-related withholdings, and corporate filing and reporting requirements, and will report on these fulfillments regularly to the Board.

### **Risk Area 2 - Employment**

*Importance to risk management:*

9. Ottawa Sport Council has lasting contractual relationships with employees and contractors. These are important to risk management because of the considerable financial investment Ottawa Sport Council makes in these relationships, because Ottawa Sport Council will be vicariously liable for the fraudulent or negligent actions of these individuals, and because Ottawa Sport Council may be liable for retroactive withholdings should a contractor be deemed by authorities to be in an employment relationship.

*Actions:*

- a) Ottawa Sport Council presently has written job descriptions for all employees. All employees retained after the date of adoption of this policy will execute a written employment contract with Ottawa Sport Council, in addition to having a written job description.
- b) Any contractor agreements will be drafted carefully so that employment references are omitted. Such agreements will include provisions to maintain confidentiality and privacy, and will include provisions to clarify Ottawa Sport Council's ownership of intellectual property generated by the contractor.
- c) If there is any uncertainty whether a relationship is one of employee or contractor, professional advice will be obtained.

### **Risk Area 3 - Programs and Activities**

*Importance to risk management:*

10. The core of Ottawa Sport Council's mandate is fulfilled through its programs. To manage risks effectively, Ottawa Sport Council must provide sound policies to guide its own activities.

*Actions:*

- a) The Ottawa Sport Council will conduct a risk assessment of its programs to ensure that appropriate risk management measures are in effect.

#### **Risk Area 4 - Contracts**

*Importance to risk management:*

11. Contracts are a common business tool that routinely identify and allocate risks among the parties to a contract. When the Ottawa Sport Council executes contracts, it exposes itself to risk in two ways: by assuming certain liabilities that are inherent in the contract and by facing the possibility of liability should it be in breach of the contract, either intentionally or unintentionally.

*Actions:*

- a) Ottawa Sport Council will carefully review all contracts that it executes. Such contracts are deemed to fall into two categories:
  - i. Standard form contracts are routine business contracts such as those used to rent facilities, to book accommodations and food/beverage services at hotels or similar establishments, to rent vehicles, to lease office space, to procure products and services from regular suppliers, etc. These contracts may be reviewed by the Executive Director and/or the Chair prior to signing.
  - ii. Unique contracts are all other contracts including sponsorship and partnership agreements, as well as any contract drafted by the Ottawa Sport Council or for which the Ottawa Sport Council may negotiate specific provisions. The terms of these contracts will be approved-in-principle by the Board of Directors.
- b) Ottawa Sport Council will not terminate any contract prior to its stated termination date without first obtaining professional advice.

#### **General**

12. Each year as insurance is renewed; the Executive Director will review coverages with the insurance broker to determine if there are any emerging risks or issues to be addressed.