



Risk Management Policy

Purpose

In sport, the term “risk management” usually has a narrow definition, referring to measures a sport organization takes to ensure safety in programs and to minimize liability through techniques such as waivers and insurance.

Slo-Pitch Ontario recognizes risk management as a broader activity that encompasses all facets of the organization. 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 **Slo-Pitch Ontario’s operations and relationships**.

Managing risks thus requires planning, foresight and diligence from Directors, **Member Associations** and other representatives of Slo-Pitch Ontario. **This document is Slo-Pitch Ontario’s guiding statement on risk management**. Its purpose is to:

1. Reinforce an understanding of risk management as having a broad focus.
2. Draw attention to some of the key areas of risk facing **Slo-Pitch Ontario**.
3. Provide timelines for reviewing and updating key **items relating to these risk areas**.
4. Perform an educational function for Slo-Pitch Ontario; and
5. Over the longer term, contribute to enhancing a “risk management culture” within **Slo-Pitch Ontario and the sport**.

This policy is not a replacement for **Slo-Pitch Ontario’s** existing policies and procedures, many of which contain risk management measures, but is an accompanying piece to these other documents.

Responsibilities for Risk

As with any sport organization, **Slo-Pitch Ontario** has three areas of responsibility. Failure to fill these responsibilities, either through direct measures or through leadership, can result in harm to persons and/or loss to **Slo-Pitch Ontario, or both**. **These responsibilities are:**

- *To provide a safe environment* - this means having and implementing policies, standards and rules that promote safe programs in safe **environments**, overseen by qualified personnel and trained volunteers.

- *To manage conflict effectively* - this means having and following proper policies and procedures when making decisions that affect members **and participants**, and handling disputes that may arise from such decisions.
- *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).

As a governing body for the sport of softball in Ontario, Slo-Pitch Ontario's responsibilities are not limited to its own activities.

Thus, in addition to having responsibilities for its own activities, programs and persons (over which it has direct control), **Slo-Pitch Ontario** is also expected to demonstrate leadership in promoting risk management in the activities and operations of Softball Associations, clubs, leagues and teams (over which **Slo-Pitch Ontario** does not have direct control).

Existing Policy Framework

Slo-Pitch Ontario presently has the following policy documents that relate to risk management:

- **Anti Doping Policy**
- **Appeal Policy**
- **Code of Conduct Policy**
- **Concussion Protocol & Return to Play Policy**
- **Conflict of Interest Policy**
- Confidentiality Policy
- Discipline & Suspension Policy
- Discrimination and Harassment Policy
- **Police Records Checks**
- Privacy Policy
- **Risk Management Policy**
- **Social Media Policy**
- **Transgender Athlete Policy**

These are compiled, with other relevant materials in **a Policy and Procedures Manual**.

Risk Areas

Risk Area 1 - Governance and Dispute Management

Importance to risk management:

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, which are essential to managing risks.

Action:

1. Slo-Pitch Ontario's Board of Directors agrees to review and update its By-Laws annually to ensure that they remain current and reflect the Slo-Pitch Ontario's evolving needs.
2. Slo-Pitch Ontario will continue to offer professional development for the Board – on an annual basis.
3. As part of its commitment to sound policies and risk management, Slo-Pitch Ontario will establish and maintain current policies to address: code of conduct, discipline, harassment, appeals, dispute resolution, conflict of interest and safe environment & screening.

Once approved, these policies will be reviewed on an annual basis to ensure they keep pace with legal developments.

The President will ensure that Slo-Pitch Ontario fulfills all statutory requirements including compliance with privacy laws and corporate filing and reporting requirements, and will report on these fulfillments regularly.

Risk Area 2 - Programs and Activities

Importance to risk management:

Slo-Pitch Ontario's mandate is fulfilled through its programs and competitions. To manage risks effectively, Slo-Pitch Ontario must provide sound policies to guide its own activities as well as strong leadership to influence the activities of its Members.

Action:

Slo-Pitch Ontario will conduct a risk assessment of its technical programs for coaches, officials and scorekeepers, to ensure that appropriate risk management measures are in effect.

Slo-Pitch Ontario will implement and maintain, on a regular basis, risk management policies and practices that are consistent with, and equal to, those of Softball Ontario as required by the Letter of Agreement and the Ministry of Tourism, Culture & Sport.

Risk Area 3 – Contracts

Importance to risk management:

Contracts are a common business tool that routinely identify and allocate risks among the parties to a contract. When Slo-Pitch Ontario executes a contract, 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 contract, either intentionally or unintentionally.

Action:

1. Slo-Pitch Ontario will carefully review all contracts that it executes.
Standard form contracts are routine business contracts such as those used to rent facilities, to book accommodations and food or beverage services at hotels or similar establishments, to rent vehicles, to lease space, to procure products and services from regular suppliers, etc. These contracts may be reviewed by the President and the Treasurer prior to signing.
Unique contracts are all other contracts including sponsorship and partnership agreements, as well as any contract drafted by Slo-Pitch Ontario or for which Slo-Pitch Ontario may negotiate specific provisions. The terms of these contracts will be approved-in-principle by the Board of Directors and will then be reviewed by an external professional prior to execution.
2. Slo-Pitch Ontario will not terminate any contract prior to its stated termination date without first obtaining legal advice.
3. All contracts negotiated and approved for Slo-Pitch Ontario will be signed by the President and the Treasurer or appointed alternate.

Risk Area 4 – Intellectual Property

Importance to risk management:

Intellectual property refers to the intangible assets of Slo-Pitch Ontario such as copyrights, trademarks, logos, confidential and proprietary information, and goodwill. Although it is difficult to measure a discrete value of these items, or to convert them into measurable revenue streams, without them Slo-Pitch Ontario would not have the recognition, image and brand value that it presently has. Risk management involves protecting intellectual property assets from loss, theft or misappropriation.

Action:

1. Slo-Pitch Ontario has registered its name and visual image (logo) as a trademark in order to improve the Association's ability to limit its use by others and protect its value.
2. Using written agreements, Slo-Pitch Ontario will ensure that copyright in creative works (publications, website, manuals) is owned by the Association, not be the creators of the work. To this end, all existing contractor agreements will be reviewed, and new contractor agreements will be drafted, in such a way as to clarify Slo-Pitch Ontario's ownership of all intellectual property generated by the contractor.
3. Slo-Pitch Ontario will consult with its web site host to ensure that its membership data, and other confidential information on the web site, is secure from unauthorized access.

General:

1. Each year as insurance is renewed, the Treasurer will review overages with the insurance brokers to determine if there are any emerging risks or issues to be addressed.
2. All Directors will be provided with a copy of the Volunteer Canada publication *Legal Liability and Risk Management: A Handbook for Directors. (2002)*.
3. This policy will be reviewed by the Board on a **regular** basis and will be updated as appropriate. The Board may obtain independent risk management advice in this review.

Policy Name: Risk Management Policy
Policy Number: SPORM-001
Version Control: November 25, 2016
Ratification Date: November 25, 2016
Review Date: November 2019