



SKATE ONTARIO RISK MANAGEMENT

EFFECTIVE DATE: November 2015
APPROVED BY: Board of Directors

Purpose:

Currently, Skate Ontario faces many challenges including fragility of funding sources, increasing expectations from stakeholders, system-wide reform in the delivery of skating in Ontario and Canada, and rapid change in communication technologies.

Skate Ontario recognizes risk management as a broad activity that encompasses all facets of our operations. Such an understanding of risk management recognizes that harm or loss can arise from a range of activities and that minimizing such harm or loss requires careful management of all aspects of Skate Ontario's operations.

This policy is Skate Ontario's preliminary effort to formulate a guiding statement on risk management. It has the following purposes:

- Reinforce an understanding of risk management as having a broad focus;
- Draw attention to some of the key areas of risk facing Skate Ontario;
- Provide regular benchmarks for review and updating key items relating to these risk areas;
- Perform an educational function;
- Over the longer term, contribute to enhancing a "risk management culture" within the Association.

This policy is not a replacement for Skate Ontario's existing policies and procedures, many of which contain risk management measures, but a companion piece to the existing policies, waivers, memorandums of understanding, and codes of conduct.

Risk Area 1 - Governance and Policy

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 and good governance is essential to managing risks.

Actions:

1. The Board of Directors of Skate Ontario is strongly committed to upholding our vision, mission and values. These will be communicated regularly and will be reviewed and renewed every two years, or as appropriate.
2. The Board of Directors will take steps to ensure that Skate Ontario Bylaws are reviewed routinely so that they remain current and reflect our evolving needs.
3. Included in the Executive Director's job responsibilities will be the maintenance of an up-to-date policy manual, a copy of which will be provided to all Directors, Committee members, staff and contractors and which will be posted on the Skate Ontario website.
4. As part of its commitment to sound policies and risk management, Skate Ontario will follow the current policies of Skate Canada to address: conduct, discipline, harassment, appeals, and dispute resolution. These policies will be reviewed on an annual basis to ensure compliance by Skate Ontario.
5. The Executive Director will ensure that Skate Ontario fulfills all statutory requirements including compliance with privacy laws, employment laws, employment-related withholdings, and corporate filing and reporting requirements, Ministry of Tourism, Culture and Sport regulations and compliancy, and will report on these fulfillments regularly to the Board.

Risk Area 2 - Employment Importance to risk management:

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

Actions:

1. All employees of Skate Ontario will have a written job description and all employees retained after the date of adoption of this policy will execute a written employment contract.
2. All contractor agreements will be drafted carefully to ensure compliance with the current Employment Laws. Such agreements will include provisions to maintain confidentiality and privacy, and will include provisions to clarify Skate Ontario's ownership of intellectual property generated by the contractor.

3. If there is any uncertainty whether a relationship is one of employee or contractor, professional advice will be obtained.

4. Written employee job descriptions will be attached to all employment contracts.

Risk Area 3 - Programs and Activities Importance to risk management:

The core of Skate Ontario's mandate is fulfilled through its programs and events. Skate Ontario conducts programs and events on its own accord and also does so in partnership with others, primarily Skate Canada, the four member Ontario Sections, and the CSIO. To manage risks effectively, we must provide sound policies to guide our own activities as well as demonstrate strong leadership to oversee the activities of other entities.

Actions:

1. Skate Ontario will review and update our hosting agreement standards annually and will promote compliance with the standards through use of an executed Hosting Agreement. The Board will review this agreement yearly.

2. Skate Ontario will encourage use of Skate Ontario's Concussion Policy, Concussion Waiver, and Return to Play form. Completion of the concussion waiver is a requirement of participation in our activities, and is highly recommended for use by member Sections and their Clubs.

3. Skate Ontario will require participants/parents to sign the Skate Ontario Athlete Code of Conduct and Skate Ontario Publicity waiver as a requirement for participation in the Skate Ontario Championships.

4. Skate Ontario will use Police Records and Vulnerable Sector Checks as a screening mechanism for staff and volunteers occupying positions of trust and authority within Skate Ontario.

Risk Area 4 - Contracts Importance to risk management:

Contracts are a common business tool that routinely identify and allocate risks among the parties to a contract. When Skate Ontario 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:

1. Skate Ontario will carefully review all contracts that it executes. Such contracts are deemed to fall into two categories:

- 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 must be reviewed by the Executive Director or designate, prior to signing.

- Unique contracts are all other contracts including sponsorship and partnership agreements, as well as any contract drafted by Skate Ontario or for which Skate 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. Skate Ontario will not terminate any contract prior to its stated termination date without first obtaining professional advice.

3. On an annual basis the Executive Director will inform the Board of all contracts currently in effect, as well as any new contracts executed and any existing contracts expired, since the previous year.

Risk Area 5 - Intellectual property Importance to risk management:

Intellectual property refers to the intangible assets of Skate Ontario such as copyrights, trademarks, logos, confidential and proprietary information, and reputation and goodwill. Although it is difficult to measure a discrete value of these items, without them Skate 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.

Actions:

1. Skate Ontario will register its name and visual image (logo) as a trademark in order to improve our ability to limit its use by others and protect its value.

2. Using employment contracts and other written agreements, Skate Ontario will ensure that copyright in creative works (newsletters, website, manuals) is owned by Skate Ontario, not by the creators of the work.

3. Skate Ontario will with its web site host ensure that registrants' data, and other confidential information on the web site, is secure from unauthorized access.

Risk Area 6 - Crisis Management Importance to risk management:

Skate Ontario may find itself in adverse situations that pose a risk of harm to members of Skate Ontario or Skate Ontario itself, or that have the potential to do so. These situations may call for well-informed and swift decisions and actions, as well as strategic communications to minimize the risk of harm Skate Ontario's reputation, values, public image and goodwill.

Actions:

1. The President of Skate Ontario may declare any situation to be an emergency, subject to the provisions of this policy. Should this occur the President will designate a Crisis Management Team consisting of himself/herself, one other member of the Board, and the Executive Director.
2. The responsibilities of the Crisis Management Team will include:
 - Calling an emergency Executive Committee to authorize the necessary actions to address the situation.
 - Determining what outside professional services may be required to deal with the situation and making the necessary arrangements to secure those services.
 - Identifying a single spokesperson for Skate Ontario and ensuring that all external communications are made through this individual.
 - Carrying out any other directives of the Executive Committee to deal with the situation.

General

1. Skate Ontario recognizes that communication is an essential part of risk management. This policy, and Skate Ontario's corresponding commitment to risk management, will be communicated to the four Ontario Sections, and we will encourage Sections to communicate to us their risk management policies, issues and concerns.
2. The Board of Directors will make it a practice to include risk analysis as a standing item on the annual planning meeting agenda. The purpose of the item is to permit the Board, Staff, and Committee Chairs to have an annual discussion about risks facing Skate Ontario and appropriate risk management responses.
3. This policy will be reviewed by the Board on an annual basis and updated as required. Staff and Committee Chairs will be fully involved in this review. The Board may obtain independent risk management advice in conducting this review.
4. Each year as insurance is renewed, the Executive Director will review coverage with the insurance broker to determine if there are any emerging risks or issues to be addressed.
5. The President and Executive Director of Skate Ontario will be tasked with managing the Risk Management Policy.