



RISK MANAGEMENT

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.

Squash 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 Squash Ontario's operations.

Managing risks thus requires planning, foresight and diligence from Directors, staff and other representatives of Squash Ontario. This policy is the Association'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 Squash Ontario;
3. Provide regular benchmarks for review and updating key items relating to these risk areas;
4. Perform an educational function;
5. Over the longer term, contribute to enhancing a 'risk management culture' within the Association.

This policy is not a replacement for Squash Ontario's existing policies and procedures, many of which contain risk management measures, but is a companion piece to these other documents.

Risk Area 1 - Governance and Policy

Importance to risk management:

Sound policies lead to informed and transparent decision-making, which in turn results in improved management of time, resources, disputes and risk exposures.

Actions:

1. The Board of Directors will take steps to ensure that the Squash Ontario Constitution and Bylaws are reviewed every two years so that they remain current and reflect the Association's evolving needs.
2. New Board members will receive an orientation to the policies and work of the Association.
3. The Executive Director will maintain an up-to-date policy manual, a copy of which will be provided to all Directors, staff, coaches, contractors and regional associations.
4. Squash Ontario will review all current policies every two years, and adopt new policies as needed in accordance to Squash Canada and the Ministry of Tourism, Culture and Sport requirements.

5. Squash Ontario will use written criteria and procedures to select athletes and coaches to all provincial teams. These criteria will be Board-approved and will be published a minimum of 3 months before the selection date.
6. The Executive Director will ensure that Squash Ontario 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:

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

Actions:

1. All employees of Squash Ontario will have a written job description and all employees retained will execute a written employment contract with Squash Ontario.
2. All contractor agreements will be drafted carefully so that employment references are omitted, using the resource *A Guide to Employment Contracts for Coaches*, available from the Coaching Association of Canada, as a guide. Such agreements will include provisions to maintain confidentiality and privacy and will include provisions to clarify Squash Ontario's ownership of intellectual property generated by the contractor.
3. Written employee job descriptions and Squash Ontario's policies relating to staff ('Professional Staff Warranties, Benefits and Expectations') will be reviewed by the Board on an annual basis.
4. All employees and contractors will be required to review and familiarize themselves with Squash Ontario's policy webpage containing all organization policies.
5. All employees, contractors and volunteers will be interviewed and have at least one reference called prior to their work with Squash Ontario.
6. All employees, contractors and volunteers working with minors are required to provide current a Vulnerable Sector Check to Squash Ontario.
7. All employees, contractors and volunteers hired to coach athletes are required to be at least "trained" at the Coaching Foundations level of the National Coaching Certification Program.

Risk Area 3 - Programs and Activities

Importance to risk management:

The core of Squash Ontario's mandate is fulfilled through its programs. Squash Ontario conducts programs on its own accord and also does so in partnership with others, primarily regional associations and member clubs. To manage risks effectively, Squash Ontario must provide sound policies to guide its own activities as well as strong leadership to oversee the activities of other entities.

Actions:

1. Squash Ontario will review and update its Provincial Championships Hosting Standards annually and will promote compliance with the standards through use of an executed Hosting Contract. This contract will be reviewed by an independent professional every two years.
2. The use of appropriate eye-guards by is a requirement in all Ontario championships and junior events.
3. All regional member associations and member clubs are entitled to adopt Squash Ontario policies for their own use.

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 Squash 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. Squash Ontario will carefully review all contracts that it executes. Such contracts are deemed to generally fall into two categories (but will not be limited to):
 - 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 prior to signing.
 - Unique contracts are all other contracts including sponsorship and partnership agreements, as well as any contract drafted by Squash Ontario or for which Squash 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. Squash Ontario will not terminate any contract prior to its stated termination date without first obtaining professional advice.
3. On a quarterly 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 quarter.

Risk Area 5 - Intellectual property

Importance to risk management:

Intellectual property refers to the intangible assets of Squash 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 Squash 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. Squash Ontario will register 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 employment contracts and other written agreements, Squash Ontario will ensure that copyright in creative works (magazine, website, manuals) is owned by the Association, not by the creators of the work.
3. Squash 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.

Risk Area 6 - Crisis Management

Importance to risk management:

Squash Ontario may find itself in adverse situations that pose a risk of harm to members of the Association or the Association 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 to Squash Ontario's public image and goodwill.

Actions:

1. The President of Squash Ontario may declare a 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 Squash 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. 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.
2. As part of the Association's commitment to Board training and development, all Directors will be provided with a copy of the Volunteer Canada publication *Legal Liability and Risk Management: A Handbook for Directors*.
3. This policy will be reviewed by the Board on an annual basis and be updated as appropriate. The Board may obtain independent risk management advice in this review.
4. The President and Executive Director of Squash Ontario will be tasked with managing the Risk Management Policy.