

# Sport Yukon



**PRESENTATION BY STEVEN INDIG**

# Sport Law & Strategy Group



**Providing strategic insight to the Canadian sport community through professional services in these areas:**

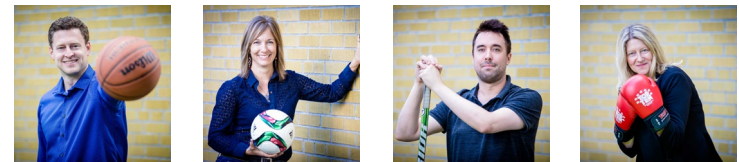
- **Legal Solutions**
- **Communications, Marketing and Event Management**
- **Leadership Development, Human Resource Management and Integral Coaching®**
- **Governance, Compliance, Risk Management, and Financial Management**
- **Strategic Planning, Research, and Member Surveys**

# Our Values + Our Team

We strive for excellence in all that we do and aim to provide exceptional value to our clients. We embrace the following values:

## Professional Integrity:

- We act fairly, ethically and compassionately.
- We are reasonable and accessible.
- We are a trusted partner.



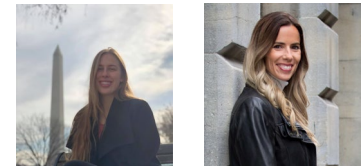
## Continuous Learning

- We educate ourselves and our clients.
- We ask questions, challenge conventional thinking and push boundaries.
- We are driven to find simple solutions to complex problems.



## Shared Passion

- We care about our clients and the achievement of their goals.



# *Governance*



# A DIRECTOR

- An individual who is a member of the board of an organization which manages the affairs of the organization.
- Responsible for managing, supervising and overseeing the operation of the organization on behalf of its members. Role is no different than for-profit corporation
- **Diligence** → to act honestly, reasonably, prudently, in good faith and with a view to the best interests of the organization and as a reasonably prudent person.
- **Loyalty** → to not use one's position as a director to further private interests
- **Obedience** → to act within the governing bylaws and within the laws and rules that apply to the organization

# SOME BASIC PRINCIPLES OF BOARDS

- The Board is a corporate body and acts as a **single entity and speaks with one voice**
- The Board speaks by developing, approving, monitoring and updating **policy**
- Board, committees and staff must work in **partnership**

# DEFINITIONS

## GOVERNANCE:

- “The processes and structures that a Board uses to direct and manage its general operations, programs and activities”

## GOOD GOVERNANCE:

- “... is about having the right structures and processes to ensure you are achieving desired results and achieving them the right way”

# Good Governance

- ✓ Governance is about leadership, relationships and goals. And **good governance** is about **strong** leadership, **positive** relationships and **shared** goals
- ✓ Governance is a **journey** and not a destination. It should be constantly addressed and nurtured, and not just attended to periodically or when there is a crisis
- ✓ A culture of **open debate**, **transparent sharing** and grappling with the **real issues**, and responsibility to help develop strategy is absolutely essential to good governance



# Good governing organizations ...

- ✓ Have the right **governance** model in place to achieve strategic outcomes; clear separation of roles and responsibilities; empowered committees
- ✓ Have relevant **strategic and financial plans** that are approved, monitored, shared and updated
- ✓ Have developed the means to **strategically communicate** with key stakeholders
- ✓ Have updated **policies** that meet **legal and ethical** expectations
- ✓ Have an integrated **risk management** into their decision-making at all levels
- ✓ Have a strong **culture**, a clear **purpose**, based on **shared values**

# Common Governance 'Gremlins'

- Conflict of interest (too many 'hats')
- Lack of trust between decision makers
- Board too big, committees too numerous, terms too long,
- Wrong people on the Board in terms of skills, knowledge, interests or commitment
- Lack of common focus or direction

# Board Paradox

- Many Board members do not understand the difference between governance and management
- A Board too involved in management may be “meddlesome”
- A Board too focused on governance may be “careless” in their oversight role

*“Why get a dog and bark yourself?”*

## Governance starts with the Board....

- ✓ Boards may be advisory, administrative-governing or policy-governing
- ✓ Boards may be small or large
- ✓ Boards may be representative or independent
- ✓ Boards may be elected or appointed
- ✓ Boards may consist of 'everyman' or 'experts'

# How do you decide what fits?

- ✓ Which decisions does the Board want to make for itself and which decisions does it want to delegate?
- ✓ How much involvement does the Board want to have in the operations?
- ✓ How will the reporting relationship between the Board and staff be defined?



# 'GOOD' GOVERNANCE

- **Vision** – identifying your destination
- **Planning** – setting goals and providing a pathway to get there
- **Resources** – securing the resources required to reach destination
- **Monitoring** – checking that progress is being made towards destination
- **Accountability** – using resources responsibly and reporting progress to your stakeholders (members, funders, partners)

# Key Lessons

1. THE BOARD GOVERNS – DIRECTORS DO NOT
2. GOVERNANCE IS NOT MANAGEMENT
3. CREATING AND OVERSIGHT OF POLICY IS THE PRIMARY ROLE AND FUNCTION OF A BOARD

***poor governance** is all too visible to your members, stakeholders, funders, the public....*

*... **good governance** is not always visible from the outside but it can make a good organization great*



# Organizations Run Into Trouble When:

- They do not set out rules [**policies**] or procedures to deal with something
- They set out rules [**policies**] but they are incomplete, vague or contradictory
- They set out rules [**policies**] but then choose not to follow them
- They have rules [**policies**] that do not “fit” with their culture or their resources

# Policies are Your Best Friend

- They provide you with a guide for your actions
- They help you to avoid a problem or crisis
- In the event you cannot avoid a problem or a crisis, they will help you to act uniformly, consistently and fairly in how you manage your problem or crisis

# Types of Policies

- **FRAMEWORK POLICIES** – vision, values, beliefs, mission and mandate
- **GOVERNANCE POLICIES** – organizational structure, roles and responsibilities, award and revoke privileges of membership, dispute resolution
- **OPERATIONAL POLICIES** – operational details of programs, personnel, finance and advocacy

# Policy Template

1. Statement of **purpose** of the policy
2. **Scope** and **application** of the policy (what and whom does the policy apply to?)
3. **Exclusions** from the policy (what does the policy not apply to? - just to be safe!)
4. Policy “**scheme**” (who does what, when, how)

# Structure & Process

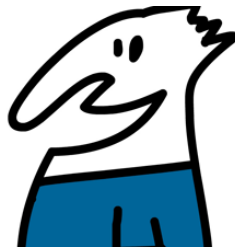
Constitution/Articles of Incorporation (Purposes)

By-laws

Key Governance Policies

Other Policies

# Any Questions or Comments?



# Questions?

For more information, visit:

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