



# Rosedale Community Council 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.

Rosedale Community Council 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 Rosedale Community Council operations.

Managing risks thus requires planning, foresight and diligence from Executive Members, Coaches, Volunteers and other representatives of Rosedale Community Council. The purpose of this document 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 Rosedale Community Council;
3. Provide timelines for review and updating key items relating to these risk areas;
4. Perform an educational function; and
5. Over the longer term, contribute to enhancing a 'risk management culture' within the Rosedale Community Council

This policy is not a replacement for Rosedale Community Council existing policies and procedures, many of contain risk management measures, but is a companion piece to these other documents.

## Responsibilities for Risks

As with any sport organization, Rosedale Community 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 Rosedale Community Council, or both.

- 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)

Thus, in addition to having responsibilities for its own activities, programs and persons (over which it has direct control), Rosedale Community Council is also expected to demonstrate leadership in promoting risk management in the activities and operations



### 3. Existing Policy Framework

Rosedale Community Council presently has the following policy documents that relate to risk management:

- Discrimination and Harassment Policy
- Privacy Policy
- Confidentiality Agreements
- Executive Job Descriptions
- Personal Use of Corporate Equipment/Resources
- Code of Conduct
- Discipline and Complaints Policy
- Conflict of Interest Policy
- Screening Policy and Disclosure Form
- Appeal Policy
- Social Media Policy

These are compiled, with other relevant materials, on Rosedale Community Council website

### 4. Risk Areas

Rosedale Community Council operations have been reviewed by an external risk management consultant, who 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:

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.

2 Actions:

1. The RCC Executive will take steps to ensure that the Constitution and Bylaws are reviewed every year so that they remain current and reflect the Association's evolving needs. Softball Ontario recognizes the upcoming need to transition to compliance with the new Ontario Not-for-Profit Corporations Act (ONCA) which is expected to come into force in late 2017 or early 2018.
2. Rosedale Community Council will execute a Letter of Agreement that outlines the terms and conditions of their working relationship, as well as the respective roles and responsibilities of Rosedale Community Council and other users of the Rosedale Community Park. This Letter of Agreement is not only conducive to good governance but is also a requirement of recognition and funding from the City of Hamilton. Rosedale Community Council in good faith to maintain these Letters of Agreement and will ensure that they are reviewed and renewed for subsequent years so as to ensure the Association remains in compliance with recognition and funding requirements.



3. Rosedale Community Council will continue offering professional development for the Executive. Specifically, Rosedale Community Council will offer a board training session once per year.
4. As part of its commitment to sound policies and risk management, Rosedale Community Council will maintain current policies to address: code of conduct, discipline, harassment, appeals, dispute resolution, conflict of interest and safe environment/screening.

These policies will be reviewed on an annual basis to ensure they keep pace with legal developments.

5. The President/Vice President will ensure that Rosedale Community 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 Executive.

## Risk Area 2 - Programs and Activities

Importance to risk management:

The core of Rosedale Community Council mandate is fulfilled through its programs and the programs of its Membership. To manage risks effectively, Rosedale Community Council must provide sound policies to guide its own activities as well as strong leadership to influence the activities of its Members.

Actions:

1. Rosedale Community Council will regularly conduct a risk assessment of its technical programs for coaches, officials and scorekeepers, to ensure that appropriate risk management measures are in effect
2. Rosedale Community Council will support its membership in their initiatives to implement risk management policies and practices that are consistent with those of Rosedale Community Council, as required by the City of Hamilton, Provincial Women's Softball and Softball Ontario.

## 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 Rosedale Community 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:

1. Rosedale Community Council will carefully review all contracts that it executes. Such contracts are deemed to fall into two categories:
  - o • 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 President/Vice President prior to signing.



- • Unique contracts are all other contracts including sponsorship and partnership agreements, as well as any contract drafted by Rosedale Community Council or for which Rosedale Community Council may negotiate specific provisions. The terms of these contracts will be approved-in-principle by the Executive and will then be reviewed by an external professional prior to execution.
- 2. Rosedale Community Council will not terminate any contract prior to its stated termination date without first obtaining professional advice.
- 3. At every Executive meeting, the President/Vice President 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 meeting.

#### Risk Area 4 - Intellectual property

Importance to risk management:

Intellectual property refers to the intangible assets of Rosedale Community Council 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 Rosedale Community Council 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:

#### General

1. Rosedale Community Council 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 contracts and other written agreements, Rosedale Community Council will ensure that copyright in creative works (publications, website, manuals) is owned by the Association, not by the creators of the work. To this end, all existing contractor agreements have been reviewed, and new contractor agreements have been drafted, in such a way as to clarify Rosedale Community Council ownership of all intellectual property generated by the contractor.
  3. Rosedale Community Council will regularly consult with its website host to ensure that its membership data, and other confidential information on the website, is secure from unauthorized access.
  4. Each year as insurance is renewed, the President/Vice President will review coverage's with the insurance broker to determine if there are any emerging risks or issues to be addressed.
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1. As part of Rosedale Community Council 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 (2002).
  2. This policy will be reviewed by the Executive on a regular basis and updated as appropriate. The Board may obtain independent risk management advice in this review.