

Operational Enhancement Initiative (OEI)



Report prepared for the Board of Directors and Senior Staff of viaSport

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Overview of Operational Effectiveness Initiative (OEI)

The OEI is a multi-year project with a goal of strengthening capacity and improving the sustainability of Designated Sport Organizations in BC. viaSport selected Sport Law to work alongside all 75 Designated Sport Organizations to modernize and strengthen existing governance structures and operations.

The sport system in Canada requires updated processes and approaches to support the increased legal standards required of non-profits. Moreover, the current governance structure in most sport organizations is reliant on dedicated volunteers who do not necessarily have the required capacity or expertise to support the legal and leadership requirements. With a growing number of issues, scandals and failed expectations being downloaded onto primarily volunteer-run sport organizations, viaSport is investing in strengthening the capacity of Designated Sport Organizations, which are pivotal to support a thriving sport sector in BC.

The OEI focuses on four main components with each organization: Organizational Priorities, viaSport Standards of Practice, Leading Practices for Organizational Excellence, and Provincial Sport Culture Index.

Organizational Priorities take into account those items and areas that each organization has defined as being important to them, as well as what they know they would like to work on to support a healthy and strong organization. These priorities, as defined by viaSport, have been included and incorporated in this report.

viaSport Standards of Practice are some of the foundational pieces of good governance and operational effectiveness that viaSport already requires Designated Sport Organizations to meet to remain eligible for funding through the *Designated Program Policy*. These standards of practice, in themselves, are leading practices. Although viaSport is not mandated to adhere to the Standards of Practice as a condition of funding, these standards represent key principles of good governance which viaSport support and desires to uphold. For the purposes of this review, the Standards of Practice have been integrated and referenced where applicable to viaSport's context.

Leading Practices for Organizational Excellence are those practices, policies, procedures or processes that an organization should have in place to enhance and strengthen their governance and internal operating systems. Current leading practices are informed by the successful application of policies, procedures and processes in other organizations and by the [Canadian Sport Governance Code](#).

Provincial Sport Culture Index (PSCI) is a novel and evidence-based assessment that quantifies culture in sport organizations. The PSCI measures 12 culture factors including: accountability, clarity, mission/vision, impact, governance/leadership, improvement, psychological safety, belonging, values alignment, communication, learning, and integrity.

There are a number of elements that fall within the components of leading practices and the standards required by viaSport. Each of the following elements has a number of leading practices associated with it:

1. Legal Incorporation
2. Foundational Statements and Intentional Planning
3. Informed Governance (Good Governance)
4. Committee Structures
5. Human Resource Planning and Management
6. Financial Planning and Management
7. Risk Management
8. Safe and Inclusive Environments
9. Delivery of Programs and Services

In working with viaSport, Sport Law has been able to identify the strengths that viaSport currently has as it relates to these elements. There are also some areas that may be strengthened to enhance the governance and operational effectiveness of the organization.

Principles of Good Governance and Operational Effectiveness

Sport Law has prepared a set of Principles of Good Governance and Operational Effectiveness. Although it is not required that all organizations adopt all Principles listed, each organization should consider how these Principles could enhance how it governs its affairs.

Principle #1:

There is a clear distinction between the responsibilities of the Board and those of staff

1. The Board possesses responsibilities that pertain to the governing of the organization. The Board:
 - a) Maintains an updated set of articles and bylaws that conform with existing laws and regulations
 - b) Develops a governance framework and processes, including governance policies, for the organization
 - c) Approves a strategic plan, which affirms the mission, vision, values and strategic priorities of the organization
 - d) Approves an annual operating plan and budget, prepared by staff, to facilitate completion of the strategic plan and human resources strategy
 - e) Develops processes for ongoing Board development (e.g., Board evaluation, recruitment, orientation, and training)
 - f) Monitors the organization's performance, including its financial affairs and the management of risks and opportunities
 - g) Selects, oversees, evaluates, and compensates the CEO
 - h) Develops a succession plan for the CEO

2. Staff is responsible for the management of the operations of the organization. Staff are required to:
 - a) Manage and administer finances, human resources, programs, program structures, services, stakeholder relations, and risk management
 - b) Develop operational structures, processes and policies that enact the organization's mission, reflect its values, and support the achievement of its strategic priorities
 - c) Prepare, for approval by the Board, an annual operating plan and budget based on the priorities of the strategic plan
 - d) Ensure that the operational requirements of the executive limitations are met (e.g., protection of assets, monitoring of financial processes, and management of stakeholder relationships)
 - e) Execute and implement Board policies and directives
 - f) Ensures that the Board has one employee, the CEO; and that all staff report directly to the CEO versus the Board.

Principle #2:

Our organization has Board structures and processes that enable it to govern and oversee the growth of the sport in an effective and professional manner

1. The Board is of a size that facilitates a Board culture of participation, personal and shared responsibility, efficiency, common vision, cooperation, and effective decision-making
2. The Board has the requisite skill sets and knowledge to carry out its governing responsibilities
3. The Board has a composition that reflects geographic, linguistic, gender and ethnic/cultural diversity
4. Each director carries out their fiduciary duties (duty of care, duty of due diligence, duty of loyalty, duty of obedience) as matters of personal responsibility, which cannot be delegated to any other person or organization
5. The Board, in performing its responsibilities, acts with a view to the best interests of the organization:
 - a) The Board is required to make decisions that are in the organization's best interests; in reaching a decision, the Board takes into account the decision's impact on members and other stakeholders
6. The Board provides *direction* and *control* of the organization by:
 - a) Ensuring that the agenda for meetings of the Board is structured according to the priorities of the strategic plan and annual operating plans
 - b) Ensuring that Board control does not lead to a focus on operational details or decisions but instead makes certain that:
 - i. The assets and resources of the organization are directed towards its strategic and annual priorities
 - ii. There is proper oversight of the organization utilizing standardized policies and processes (e.g., executive limitations, CEO evaluation, risk registry, succession planning)
7. The Board appoints committees to assist in performing its governing responsibilities. The Board uses two types of committees: standing and special. Standing committees assist the Board with financial oversight, strategic assessments, risk assessment, the development of governance processes, Board evaluation, and Board recruitment. Special committees are struck on a temporary basis to examine Board-related issues not addressed by the standing committees
8. Staff receive their direction from the CEO, who reports to the Board through the Chair.

9. To ensure that there is no conflict of loyalty, no Director of the organization simultaneously holds a Director position with another organization that is a member of the organization
10. The CEO may strike committees to assist with the organization's operations. The CEO appoints program committees composed of individuals with skill sets and knowledge that are necessary to administer program structures and services. Operational committees act independently of the Board and report to the CEO.

Principle #3:

The organization's relationships with its members and governing organizations reflect accountability, alignment, responsiveness, transparency, and clarity in communications

1. On governance-related matters, communication occurs between the Board's Chair or identified designates
2. On operations-related matters, communication occurs between the CEO or identified designates
3. The Board and staff are responsive, transparent and clear in communicating information that involves or has an impact on other organizations
4. Following a decision of the Board, each Director both supports and communicates the same message

Organizational Priorities

viaSport has identified the following organizational priorities that they would like to focus on as part of this project:

viaSport is undergoing a leadership transition with CEO Charlene Krepiakovich departing her role at the end of 2024. To support a successful transition of leadership, viaSport has identified the importance of providing senior leadership staff with the opportunity to engage in one-on-one leadership coaching with a certified Sport Law leadership coach. Each senior staff member would have the opportunity to participate in 1 – 2 sessions with additional sessions(s) considered as part of their professional development if staff members would like to explore this. The intent is these sessions would be confidential and provide the senior staff member the opportunity to identify what support they may need as part of the transition. Where themes are observed that would aid viaSport in developing overall strategies to align with strengthening and enhancing the organization or the work the staff member is doing, these may be shared back with viaSport leadership. Themes would only be shared in a way that does not identify any individuals and only if there is an overall benefit to the organization.

In summary, viaSport would like to focus on:

1. Leadership coaching for senior staff
2. Increasing support for staff through professional development opportunities
3. Identifying common areas where support can be increased by viaSport

viaSport Standards of Practice

The following outlines the Standards of Practice that each Designated Sport Organization is required to have in place or meet to remain eligible for funding through the *Designated Program Policy*. As these are already required and in place, they did not form part of this review with the exception of ensuring that the organization had a solid set of bylaws or policies in place.

ELEMENT	ITEM	STANDARDS OF PRACTICE
Legal Incorporation	Registered Society with BC Societies Act.	Compliant with the <i>BC Societies Act</i> , including by-laws, meeting requirements, filing of annual requirements to maintain in good standing.
		The organization has a constitution and by-laws that define the organization's governance structure and at a minimum addresses the following: organizational purpose; size and composition of the Board; procedures for election of Directors and corresponding terms; roles and duties of Directors and Officers; procedures for meetings of Directors and meetings of the Members; membership categories and voting rights; financial management.
Foundational Statements and Intentional Planning	Foundational Statements – Vision, Mission and Values	The organization has a Vision Statement, Mission Statement and Values in place and has been revisited and reviewed by the Board as part of the strategic planning process.
	Strategic Plan	The organization has a multi-year strategic plan that includes goals, actions and performance measures that has been approved by the Board.
Informed Governance	Conflict of Interest	Conflict of Interest Policy has been adopted by the organization and approved by the Board.
Human Resources Planning and Management	Human Resource Policies	Human Resource Policies are in place.
Financial Planning and Management	Audit or Review Engagement	The Board is responsible for ensuring that an annual Audit, Review Engagement or Compilation Engagement is conducted by a chartered professional accountant on an annual basis.

ELEMENT	ITEM	STANDARDS OF PRACTICE
Risk Management	Insurance Coverage	The Board has reviewed and obtained appropriate insurance for the organization. (minimum 2 million General Liability)
Safe and Inclusive Environments	Safe Sport	The organization has adopted key safe sport policies, including Code of Conduct; Discipline and Complaints; Dispute Resolution and Appeals; Criminal Record Check and Screening; Fair Play and Anti-Doping; Diversity, Equity, Inclusion and Access.
		A process is in place to ensure orientation of new Board of Directors which includes a completion of the Commit to Kids online training.
		Organizations are in a state of readiness to align with the BC UCC or UCCMS and have complaints managed through a third party.

Leading Practices for Organizational Excellence and Related Findings

All organizations, regardless of their structure, have a set of functions that can be categorized as (1) governance and (2) management or operations.

Governance Functions are those elements or areas of the organization that are the responsibility of the Board. Generally, these functions cannot be delegated outside of the Board structure.

Management/Operational Functions are the non-governance elements or areas of the organization that are the responsibility of staff, committees, or volunteers. When a Board has hired a CEO or Executive Director, the management and operation functions become the responsibility of that individual (and then delegated to additional staff as required). When an organization does not employ a CEO or ED some, or all, of these areas or elements may be performed by the Board, specific Directors, committees. In this capacity, it is important to note that the Board or Director in performing the function is acting in the management or operational function and not in the governance function.

In collaboration with viaSport, Sport Law has reviewed key organizational documents, including policies, procedures and processes and has obtained through dialogue additional information to inform the following findings.

Element	Legal Incorporation
Item	Registered Society
Governance Function	The Board ensures that all required documents are filed annually with the government via Societies Online. These include a BC Society Annual Report, updated Director information, and any amendments to the by-laws (which have been approved by the members).
	The bylaws conform to current Good Governance as it relates to Board Composition, Terms, Membership Voting, and the exclusion of policy and operational clauses (NOTE: Standards and/or Leading Practices for this area are also contained in the Informed Governance Area)
Management Function	n/a

Findings – Legal Incorporation

The CEO submits annual filings to Societies Online.

viaSport’s bylaws meet the requirements of the *BC Societies Act* and demonstrate all elements of Good Governance as it relates to composition, terms, voting. Policies are not contained within the bylaws.

Element	Foundational Statements and Intentional Planning
Item	<i>Foundational Statements and Strategic Plan</i>
Governance Function	The Board approves and has a process to review the Vision Statement, Mission Statement and Values of the organization.
	The organization has a multi-year strategic plan that includes goals, actions and performance measures that has been approved by the Board.
Management Function	n/a
Item	<i>Operational Plan</i>
Governance Function	n/a
Management Function	Management is responsible for creating an annual operating plan that is aligned with the strategic plan. The organization has a process to evaluate its progress in achieving the operational plan
	Management is responsible for ensuring the human resources plan and annual operating budget are in alignment with the operational plan.

Findings - Foundational Statements and Intentional Planning
Foundational Statements and Strategic Plan

viaSport has a current strategic plan that clearly articulates the Vision, Mission and Values, four (4) strategic pillars with identified objectives, strategies and key results for each pillar. The strategic pillars, objectives, strategies and key results are reviewed yearly with the Board as demonstrated through the update provided in the review documents. The strategic plan is for the period 2022 – 2027.

Operational Plan

viaSport has a robust operational plan that is reviewed by the entire staff team and developed/refined for each operating year. The operational plan is fully aligned to the strategic plan and further identifies staff responsible, status, targeted completion date and a high-level summary. The annual operational planning process incorporates human resources planning and planning for the operational budget to ensure alignment.

Annually, leadership staff provide an update to the Board on the status of the achievements of the strategic plan.

Element	Informed Governance
Item	<i>Understanding the Role of the Board</i>
Governance Function	Roles of the Board and Staff are clearly defined and aligned to the type of Board in place.
	If the organization has an Executive Director or CEO, an <i>Executive Limitations Policy</i> has been adopted by the Board.
	If the organization has an Executive Director or CEO, a clear distinction between the role of governance and the role of management/operations is in place.
	The Board has clearly defined its role and accountabilities through a Board Policy or Board Charter
Management Function	n/a
Item	<i>Conflict of Interest</i>
Governance Function	A <i>Conflict of Interest Policy</i> has been adopted by the organization and approved by the Board.
	The Board has adopted a process to declare conflicts on both an annual basis and at each Board meeting.
	The organization has a process to identify or declare potential conflicts of interest through the Board nomination process.
Management Function	n/a
Item	<i>Board Composition</i>
Governance Function	The organization's by-laws provide for an odd number of Directors, with the size of the Board reflective of the type of the Board that is in place.
	The organization's by-laws outline term lengths and term limits. The preferred term lengths are 2 or 3 years with alternating elections and the preferred term limits of 8 - 9 years.
	The organization's by-laws provide for the membership to elect Directors and/or the Directors to appoint* Directors to the Board. The Directors then elect or appoint the Officers of the Board (President/Chair, Secretary, Vice-President etc.). The organization's by-laws do not permit representative roles on the Board.
	*The organization's by-laws allow for the Board of Directors to appoint individuals to the Board to capture a board that is inclusive of gender, diversity, age, independence based on the size of the Board.
	Directors elected or appointed to the Board are independent and do not hold a position on a Board of any affiliated organization.
Management Function	n/a

Element	Informed Governance (con't)
Item	Meetings of the Board
Governance Function	The Board holds a sufficient number of meetings each year to properly ensure the appropriate direction and oversight of the organization. The Board ensures that it is holding the number of meetings as required in the by-laws.
	Minutes of Board meetings are recorded and retained.
Management Function	n/a
Item	Board Role Descriptions
Governance Function	The Board has adopted and approved role descriptions for the role of Director on the Board and a process to review role descriptions on a regular basis.
Management Function	n/a
Item	Board Recruitment
Governance Function	The Board establishes a Nominations Committee that is cleared of any conflict of interest. The Board has adopted and approved a Terms of Reference for the Nominations Committee.
	The Board has established and approved a recruitment and nominations process for the Board and this process has been shared with the membership. At a minimum, the process should include the use of a skills, diversity and attributes matrix.
	The Board has established an orientation process and/or orientation manual for all new Directors.
Management Function	n/a
Item	Board Development and Evaluation
Governance Function	The Board has established a process to do an annual review of the performance of the Board, both collectively and individually.
	The Board provides the opportunity for Directors to participate in development and learning opportunities.
Management Function	n/a
Item	Legal Compliance
Governance Function	The Board or a standing committee of the Board oversees the organization's compliance with its governing documents and all applicable laws and regulations.
Management Function	n/a

Item	Remuneration
Governance Function	The Board has adopted a policy that provides for Directors to be remunerated only for personal expenses (out of pocket). Directors receive no remuneration for their role.
Management Function	n/a

Findings - Informed Governance

Understanding Role of the Board

Governance Framework and Policy Framework documents have been created by viaSport that outline the roles and responsibilities of Board, CEO and Management as it relates to governance structures. Policies are approved by either the Board or CEO. The Governance Framework and Policy Framework documents were approved by the Board on April 24, 2024.

A Board Charter is not currently in place for viaSport and further exploration around the added value of this document is needed.

An *Executive Limitations Policy* has not been adopted by the Board and further exploration around the added value of this document is needed.

Conflict of Interest

Currently, conflict of interest is embedded and referenced in the Code of Conduct and Confidentiality policies. A separate policy on Conflict of Interest has not been adopted by the organization that both defines conflict of interest and describes a process for managing. This would be an important aspect for those in decision making roles within the organization, such as the Board of Directors, CEO and leadership staff.

Board Composition

The by-laws provide for the Board to have 5 – 11 Directors. Each director would serve a three (3) year term with a term limit of 9 years. Three-year terms provide for no more than 1/3 of the Board turning over each year and supports succession planning and continuity of leadership. Elected Directors elect and/or appoint the Officers.

Meetings of the Board

The Board meets quarterly and has an additional meeting following the Annual General Meeting. Board meetings are recorded through meeting minutes and stored. The standing committees of the Board have identified tasks that need to be completed each quarter and these are coordinated and aligned with a board calendar that is maintained by the Executive Coordinator. This process provides for continuity of knowledge within viaSport and will support any succession planning that occurs at the Board or Leadership levels.

Board Role Descriptions

Board Role Descriptions have not been formally adopted by viaSport. Drafts of Role Descriptions have been created and are currently with the Governance Committee for review and adoption.

Board Recruitment

A separate Nominations Committee is not in place. The Governance Committee strikes a working/sub-committee to serve as the functions of the nomination committee.

A skills and diversity matrix are an intentional element of the Board recruitment process. The skills and diversity matrix are aligned to the strategic pillars and objectives adopted by viaSport in their approved strategic plan.

A Board orientation manual is in place and current.

Board Development and Evaluation

Board Development and Evaluation are part of the core responsibilities of the Governance Committee.

A Board Evaluation process is in place. It is an anonymous survey that is reviewed by the Chair and the Governance Committee, two times per year – following the AGM and at a mid-way point. It has an emphasis on evaluating or reflecting on Director contributions, effectiveness, belonging and meeting management. A collective evaluation on the performance of the full Board does not presently exist.

A strong emphasis is placed on Board Development opportunities. Directors have received orientation on good governance including ensuring a good understanding of the role of the board and the role of management in non-profit organizations. Each Director also is expected to undertake training on Safe Sport, Diversity, Equity and Inclusion (DEI) and Reconciliation during their term. viaSport provides a list of courses on these topic areas and allows Board Member's to identify training/development opportunities outside of the aggregated list. Other board development opportunities are continuously shared with the Board, such as those provided by VantagePoint and the Institute of Corporate Director (ICD).

Legal Compliance

The Finance and Audit Committee has the responsibility of ensuring viaSport meets its compliance requirements as it relates to the governing documents such as bylaws, funding agreements etc. The Terms of Reference for the Finance and Audit Committee defines a schedule for this review.

Remuneration

In compliance with the *Societies Act*, viaSport has documented in the bylaws a clause that does not permit Directors to receive remuneration for acting as a Director, however, they may be reimbursed for any expenses incurred in their duties as per established policies. The *Travel Expense Policy* outlines how Directors (and other viaSport Personnel) may be reimbursed for out-of-pocket expenses. This policy was last revised in December 2024.

Element	Committee Structure
Governance Function	There is a clear understanding of the distinction between governance and operational committees.
Management Function	There is a clear understanding of the distinction between governance and operational committees.
Item	<i>Committees of the Board</i>
Governance Function	At a minimum, the following committees of the Board are established: Nominations Committee; Audit and Finance Committee; and Governance Committee.
	All committees of the Board are advisory.
	The Board, through its committee structure, has ensured that the elements of Human Resources and Risk Management have been assigned to a committee. These may be separate committees of the Board.
	A process is in place that allows the Board to create Ad Hoc Committees of the Board to support other governance initiative or projects.
	Terms of Reference for each Board Committee are in place and there is a process to review these on a regular basis, ideally every two to three years.
	A process is in place for Committees to report regularly to the Board.
Management Function	Staff may be assigned to attend meetings of Board committees in an administrative capacity.
Item	<i>Operational Committees</i>
Governance Function	n/a
Management Function	The CEO/ED has the authority to establish Operational Committees. When a senior staff person does not exist within an organization, operational committees may be established by the Board.
	Terms of Reference for each Operational Committee are in place and a process to review these on a regular basis has been established.
	A process is in place for each committee to report regularly to the CEO/ED or other designated individual within the organization, when a senior staff person does not exist.
	Athlete Representation is considered when constituting the composition of operational committees OR an Athlete Council/Committee is in place for the organization.

Findings - Committee Structure

Committees of the Board

viaSport has two standing committees of the Board – Governance Committee and Finance & Audit Committee. The Board of Director nominations process is completed by a sub-working group/committee of the Governance Committee.

Human Resources is the responsibility of the Governance Committee and Risk Management is the dual responsibility of the Governance Committee and Finance & Audit Committee.

The Board has the ability to establish additional committees as needed, and the bylaws also ensure that each committee of the Board has a Terms of Reference (TOR).

Each of the Governance Committee and Finance and Audit Committee have a TOR in place which includes the committee's mandate, composition, responsibilities, meetings & reporting, finances, conflict of interest and confidentiality. The TOR contain a workplan that outlines activities that the committee is responsible for addresses in each of its quarterly meetings.

The Finance and Audit Committee TOR were last updated in May 2021 and the Governance Committee TOR were last updated in May of 2021. Further, each committee reviews the TOR at the beginning of the fiscal year.

Operational Committees

No operational committees currently exist for viaSport. However, viaSport does facilitate and lead various working and focus groups to support strategic initiatives in support of viaSport projects and the wider sport system and sector in BC.

Element	Human Resources Planning and Management
Item	<i>Recruitment, Support and Evaluation of the Senior Staff Person (ED/CEO) is in place</i>
Governance Function	The Board is responsible for the recruitment and orientation of the most senior staff person.
	The CEO/ED reports to the Board through the Chair and has a written job description in place.
	The Board is responsible for evaluating the performance of the CEO/ED.
	The Board (or a committee of the Board) is responsible to approve the total compensation package of the CEO/ED annually.
	The Board (or Committee of the Board) is responsible for reviewing the expenses of the CEO/ED.
	The Board is responsible for ensuring a succession plan is in place for the CEO/ED.
	If an Executive Director or CEO is in place, Executive Limitations have been established.
Management Function	n/a
Item	<i>Human Resources Planning and Management of Staff</i>
Governance Function	Human Resource Roles demonstrate knowledge of the capacity of the organization to deliver on its strategic plan, support the effective delivery of programs and services and take into account the type of governance structure (Board type) and overall size of the organization.
Management Function	Human Resource Roles demonstrate knowledge of the capacity of the organization to deliver on its strategic plan, support the effective delivery of programs and services and take into account the type of governance structure (Board type) and overall size of the organization.
	A Human Resource Plan forms part of the operation plan/budget process and is in alignment with the strategic plan.
	Human Resource policies are in place and all staff have access to them.
	Position Descriptions are in place for all staff and are reviewed annually.
	Employees are recruited and selected through an objective, consistent process that complies with human rights legislation.
	An orientation and training process is in place for all new staff.

Element	Human Resources Planning and Management
<i>Item</i>	<i>Human Resources Planning and Management of Staff (con't)</i>
Management Function (con't)	An annual performance development process is in place that incorporates a performance review, annual objective setting and a development plan for each staff.
	The organization provides the opportunity for employees to develop additional skills and development opportunities.
	The organization has a process to identify the type of role and the appropriate compensation.
	The organization has policies and procedures in place that define and support the involvement of volunteers, including leadership volunteers.

Findings - Human Resources Planning and Management

Recruitment, Support and Evaluation of the Senior Staff

The Board is currently engaged in the recruitment of a new Chief Executive Officer (CEO) for viaSport.

The CEO has a current position description that forms part of their employment contract as a schedule.

A CEO Performance Evaluation Framework was developed and shared with the Board/Governance Committee with informal conversations prioritized over formal reviews. In reporting to the Board through the Chair, the CEO and where required the Chief Operating Officer (COO), have regular meetings and updates with the Chair and Vice-Chair.

All expenses incurred by the CEO are approved by the Director of Finance & Administration and reported quarterly to the Finance & Audit Committee Chair. The remuneration package for the CEO is approved by the Board through the Chair.

Human Resources Planning and Management of Staff

viaSport has a clear distinction between governance and management/operations and has in place a full governance Board. The CEO is fully responsible for the management and operation functions of viaSport and has the ability to hire staff and develop a human resource plan that is aligned to the strategic plan and financial resources.

The new role of COO has brought some additional governance, policy and operational bench strength to the organization. It has allowed for streamlined reporting that sets the stage for future growth and offers additional support to the sector, as evident with this OEI project.

A detailed Employee Handbook was updated to provide for a full set of human resource policies and procedures. All staff have access to this handbook and the policies, procedures and guidelines contained within it. This Handbook was last reviewed and updated in 2024.

Role Descriptions have been developed for each staff position that are reviewed annually as part of the operational plan development. The role descriptions can vary in format and elements for each position and lack consistency. It is not indicated when each position description was reviewed.

viaSport has developed a “Discover” program that is utilized for staff development that includes self-reflection on performance, individual goal setting, and professional development plans.

A Remuneration Policy has been adopted as an operational policy in July of 2024. Annually, compensation information is collected that provides an overview of trends and market data in the non-profit sector as it relates to compensation. This information includes low, medium and high data points for aligned roles in the non-profit sector. The CEO uses this information to make informed decisions on compensation as aligned to the Remuneration Policy.

The philosophy used for recruitment is to ensure that all roles are posted for potential internal and/or external candidates to apply for. Within that posting and hiring process, care is taken to ensure viaSport’s commitment to Diversity, Equity and Inclusion is communicated and aligns with approved policies.

Element	Financial Planning and Management
Item	<i>Audit and Finance Committee</i>
Governance Function	The Board has established an Audit and Finance Committee, that meets quarterly, at a minimum.
	The Board is responsible for approving and monitoring the annual operating budget.
	Financial Statements are reviewed monthly or quarterly by the Audit and Finance Committee and a report is shared with the Board.
Management Function	Management is responsible for developing the annual operating budget in alignment with the operational plan.
	A process is in place to monitor the annual operating budget and report any discrepancies to the A/F Committee or the Board.
Item	<i>Financial Management Policies</i>
Governance Function	The Board is responsible for approving the financial management policies of the organization.
	A minimum of two signing authorities are required for all payments and expenses.
Management Function	The Financial Management Policies are executed.
	An accounting system has been adopted by the organization and a process to ensure account of all funds (revenue and expenses) are done in a timely manner.
Item	<i>Tax Filings and Statutory Remittances</i>
Governance Function	The Board has a process to ensure that the tax return is completed and filed annually.
Management Function	On an annual or semi-annual basis, the Senior Staff person confirms that all statutory remittances have been filed and made.

Findings - Financial Planning and Management

Audit and Finance Committee

As stated above, viaSport has a Finance and Audit Committee in place that meets quarterly with a defined compliance and reporting schedule for each quarter. Financial statements are reviewed, and a report is shared with the Board.

Management develops an annual operating budget that is in alignment with the strategic plan and reflects the human resources needs for the organization. The annual operating budget is reviewed by the Finance and Audit Committee and then recommended to the Board for approval.

Financial Management Policies

The Board approves a *Finance Policy* and reviews it every two years. The policy was last revised in July of 2024. The Finance and Audit Committee has responsibility for ensuring the Finance Policy is implemented. Procedures for the Finance Policy is documented in a Finance Procedures document.

In addition to the *Finance Policy*, the Board also approves the following policies: Board-designated Strategic Initiatives Reserve Policy, Board-designated Operating Reserve Policy, Board-designated Safe Sport Reserve Policy and a Procurement Policy.

Tax Filings and Statutory Remittances

The TOR for the Finance and Audit Committee outline the responsibility of the committee to ensure tax filing and statutory remittances are completed and has a process to review this in Q3 as per the workplan.

Element	Risk Management
Item	<i>Risk Management Policy</i>
Governance Function	The Board has adopted and approved a Risk Management Policy.
	The organization has a process to identify its major strategic and operational risks. The organization also has a plan to minimize and mitigate those risks, and this plan is reviewed and approved by the Board at a minimum of once a year.
Management Function	Management is responsible for ensuring the Risk Management Policy is executed.
	Management has a process to ensure that operational risks are reported to the Board on a regular basis.
Item	<i>Insurance Coverage</i>
Governance Function	<i>General Liability reviewed and in place.</i>
	The Board has Directors and Officers Liability Coverage
	The Board has reviewed and considered other insurance coverage such as Cyber Abuse, Errors and Omissions.
Management Function	N / a
Item	<i>Document Management</i>
Governance Function	The Board is responsible for ensuring that all Governance Documents (e.g., by-laws, approved policies, Board minutes etc.) are retained and accessible to current and future Boards
Management Function	Management is responsible for ensuring that data collected, and documents are stored in a manner that is secure and respects confidentiality and privacy, while also ensuring that access to appropriate staff - current and future.

Findings - Risk Management

Risk Management Policy

The Board has adopted a Risk Management Policy that was created in July of 2024. The Policy outlines the responsibility of the CEO to ensure a strategy and/or process is in place to identify, review, and mitigate risks. This process is updated quarterly and reported to the Board for review and discussion. The Finance & Audit Committee along with the Governance Committee have a dual responsibility for ensuring the Risk Management Framework is monitored on a regular basis and ensures it is reviewed quarterly.

Insurance Coverage

The Governance Committee is responsible for providing oversight to ensure Insurance coverage is in place and reviewed annually as per the TOR.

Document and Data Management

A Privacy Notice and Terms of Use document has been approved by viaSport (January 2024) and is maintained on the organization's website. This is essentially a Notice and Terms of Use along with a Privacy Policy. The document outlines viaSport's commitment to ensuring any personal information collected aligns with privacy legislation and is intended to be used only for the purposes collected. It is currently under review for the purposes of formatting into viaSport's standard policy framework.

viaSport has an established electronic document storage server that provides for access and permissions by staff role to ensure internal documents are stored appropriately and accessible.

Element	Safe and Inclusive Environments
Item	Safe Sport
Governance Function	The organization has adopted key safe sport policies.
	The Board is responsible for adopting a policy that provides for the ability of complaints to be managed through a third party. <i>Future Standard of Practice</i>
	The organization has adopted, and the Board has approved a policy on Equity, Diversity and Inclusion.
Management Function	The organization has adopted key safe sport policies.
	Management has established the processes to ensure that relevant complaints through the BC UCC are referred to the established independent third party. <i>Future Standard of Practice</i>

Findings - Safe and Inclusive Environments

viaSport has exemplified having an appropriate policy in place as it relates to ensuring a safe and inclusive environment. A sense of belonging was recognized as a culture factor that the organization was doing very well in.

viaSport has approved policies for Code of Conduct and Ethics (Sept 2024), Discipline and Complaints (October 2024), Appeals (June 2024), Screening/Criminal Record Check (July 2024) and Diversity, Equity and Inclusion (September 2024). viaSport is not directly delivering sport programming in the same way as the Designated Sport Organizations and their members. These policies are applicable to viaSport Personnel which is defined as anyone acting in a capacity supporting the work or representing viaSport including Board Members, Staff, Contractors, Committee Members and Advisory Group Members. These policies are reflective of an organization that is not doing direct sport program delivery, however, ensures strong governance for the organization itself, while also providing best practice and leadership for the sector. These policies could be used templates to support the Designated Sport Organizations

Element	Evaluation of Programs and Services
Item	<i>Program Evaluation</i>
Governance Function	n/a
Management Function	A process is in place to evaluate all programs and services to ensure they are meeting intended outcomes or impact for the organization.

Findings - Evaluation of Programs and Services

viaSport delivers a wide range of services to the sport sector in British Columbia, which can be broadly categorized as program offerings. These include initiatives such as coach education and training through the National Coach Certification Program (NCCP), broader educational opportunities like the Bystander Intervention Training, a robust Grant Program, and the Core Annual Funding Program under the Designated Program Policy, among others.

As viaSport continues to lead and support the sport sector in BC, a key priority will be ensuring that its programs achieve their intended impact and outcomes, driving meaningful and measurable progress.

Provincial Sport Culture Index Assessment

These findings will be shared in a separate document.

Recommendations

Sport Law is recommending 10 actions and steps for viaSport to consider.

viaSport has demonstrated an exemplary system of good governance and operational effectiveness. It is evident viaSport has taken great care and pride in ensuring that its policies, practices, and processes are aligned with leading practices and are reviewed and updated on a regular basis. In taking this proactive approach, viaSport serves as a strong role model for the Designated Sport Organizations for which they provide funding support as well as for other organizations similar to viaSport that provide leadership to the sport sector in British Columbia and across the country.

Further, with viaSport participating in the OEI as both a sponsor and a participant, it is modeling the organization's desire to continue to grow, develop and ensure a continual ongoing review occurs to ensure leading practices and systems are adopted and incorporated into both the governance and operational aspects of the organization. viaSport should be commended for its leadership in this way and with its focus to ensure a sport system that is thriving not only in British Columbia but throughout the country by elevating standards for others to achieve.

General Recommendations

1. Continuing to Demonstrate Leadership in the Sport Sector

In providing leadership to the Operational Effectiveness Initiative, there will be key learnings and themes that will emerge to support a more strong and sustainable sport system in BC. Ensuring viaSport is open to consider all emerging themes and aligning future decisions, support and resources to continue to evolve the sector will be critical. There are several emerging risks that the sport sector is facing currently and as we look to the future. These include increased emphasis on safe and welcoming spaces for participants, shifts in volunteerism and engaging volunteers in meaningful ways, enhanced and expected accountabilities in organizational governance, overall risk management, aging facilities and effective data management strategies. Recognizing the leadership role viaSport can continue to play in shaping a healthy sector will be important as well as ensuring the resources, both human and financial, are considered to support this leadership role.

2. viaSport Sustainability

viaSport has not received any new core funding to deliver on the requirements of the Contribution Agreement that is in place between the BC Government and viaSport since the organization was formed. It is through this agreement that viaSport supports the funding of 75 Designated Sport Organization with core funding, provides various grants to support the

broader sport ecosystem such as coaching, hosting, increasing participation and inclusion, school based and post-secondary sport programs etc. **and** supports the general operations of viaSport. The ongoing sustainability of viaSport will be a critical consideration in a climate of increasing costs to operations and increased accountabilities that is being demanded of the sport system to continue to provide strong sport programs and leadership to mitigate the emerging risks identified in #1 above.

viaSport has and continues to receive project-based funding over the last several years to support emerging trends and initiatives in the sport sector. However, this funding is limited and project based. Consideration to how viaSport will maintain current staffing levels, with some staff roles tied to the augmented project-based funding. viaSport will need to put a strong emphasis on diversifying its funding base to support increased sustainability and ensure leadership in several key areas that are emerging in the sector.

3. Sector Sustainability and Capacity

In addition to the emerging risks that are being seen in the sport eco-system, there is also long-established structures and systems that may benefit from a thoughtful disruption to ensure a sport system that has the capacity to effectively deliver on programs & services and the sustainability to thrive into the future.

The non-profit sector, in which the sport sector resides, is being stretched financially to deliver more with less and is consistently “over-governed” with multiple organizations providing similar services and delivering on similar mandates. The sport system overall needs to be better aligned from National Sport Organizations through to Provincial and Territorial Sport Organizations to Local Sport Organizations to ensure efficiencies and consistency in program delivery and have an effective response to current and emerging risks and trends. At all levels there needs to be a strong focus on creating new structures that are better aligned and minimize duplication. This involves organizations looking closely to see how effectively they can deliver on their mandates by coming together or combining resources and/or structures. If done thoughtfully and with care the result will provide the opportunity for the sport system to use its resources more effectively, both financial and human, ensuring sustainability into the future. It is acknowledged that viaSport’s unique and important role in the system is heavily linked to provincial government decision-making; therefore, it will be important for viaSport to continue to steward this relationship and establish trust with government officials, while listening and elevating sector concerns as well presenting potential solutions/opportunities.

Further, finding a space to welcome new and emerging sports into the system, such as Pickleball, Skateboarding and others, needs to be considered to ensure individuals can play, participate, train and compete in meaningful safe and welcoming sport opportunities that speak to them. Current structures and funding models make it difficult to incorporate emerging sports without having potential unintended consequences to those already in the system. At the same time, it is critically important to consider long-sustainability, to embrace change, and to retire traditional approaches/models.

Leading Practice Recommendations

The following recommendations are provided for consideration:

Incorporation

No recommendations for consideration.

Foundational Statements and Intentional Planning

No recommendations for consideration.

Informed Governance

4. Executive Limitations and Board Charter: Create and adopt a Board Charter or Executive Limitations Policy to clearly and further define the authority of the Board and the responsibilities and accountability of the CEO. Executive Limitations provide assurances to both the Board and CEO as to expectations and limits within the role.
5. Conflict of Interest: Although a Conflict of Interest standard is contained within the Code of Conduct and Ethics Policy and referenced in the Governance Committee and Finance and Audit Committee Terms of Reference, there is value in developing and adopting a separate and distinct Conflict of Interest Policy for viaSport, that would apply to the Board of Directors and viaSport personnel. The Conflict of Interest Policy should outline a process for declaring and documenting conflicts of interests as part of the nominations process and during Board meetings for specific topics and areas of discussion.
6. Board Role Descriptions: Ensure the completion and adoption of a Board of Director Role Descriptions for all Directors, include the Officer Roles of Chair, Vice-Chair, Secretary/Treasurer. A process to review this on a regular basis, similar to the committee TOR should be in place. Ensuring these are available to current and prospective Directors.
7. Board Evaluation/Assessment: Explore implementing a process that allows Directors to evaluate both their own performance and the performance of the Board.

Committee Structure

No recommendations for consideration.

Human Resource Planning and Management

8. With a new CEO coming on board at viaSport, ensuring an evaluation and development plan is in place to support new leadership and align Board expectations is recommended.
9. Staff Position Descriptions: Develop a consistent format or template for all staff position descriptions, or minimally ensure consistency between various levels within the organization (i.e. Directors, Managers, Coordinators). Ideally position descriptions should contain: Title, Link to Mission, Purpose, Reporting Structure, Key Duties and Responsibilities and the date

the position description was reviewed. Position Descriptions may also contain the skills and attributes for the role, or these may be kept in a separate document.

Financial Planning and Management

No recommendations for consideration.

Risk Management

No recommendations for consideration.

Safe and Inclusive Environments

No recommendations for consideration.

Evaluation of Programs and Services

10. Consideration should be given to developing a process or system that standardizes, as best as possible, the evaluation of all programs and services being delivered by viaSport to ensure intended outcomes and impact are being realized and align with both the viaSport strategic plan and any new or emerging trends in the sport sector.

Provincial Sport Culture Index Recommendations

These will be provided in a separate summary report.

Proposed Next Steps

The following outlines the suggested next steps for viaSport to consider:

1. This final report be shared with viaSport's Leadership Team review. Sport Law is able to assist with the presentation and review of findings and recommendations, if desired by the CEO/COO.
2. The CEO and COO to discuss the recommendations with the Leadership Team to determine which ones to adopt and how best to implement and action the adopted recommendations, taking into consideration the operational plan, human resources, achievable timelines etc. In essence a summary report and implementation plan are created on the adopted recommendations.
3. CEO and COO to include agree actions in the 2025-26 Annual Operational Plan.
4. Summary report shared with the Board of viaSport that outlines at a high-level the adopted recommendations and plan for implementation and any implications or requirements of the Board of Directors to support the implementation of the recommendations.
5. In the interest of transparency and leadership, this report and/or the recommendations identifying which ones will be actioned in fiscal year 2025-26 to be shared with stakeholders as best determined by viaSport with a strong suggestion to post on the viaSport corporate website.