

GUIDE TO GOOD GOVERNANCE

A Guide providing additional guidelines for good governance at sports institutions.

GENERAL

This project addresses to identified problem in the European Union, provide young practitioners sports training of high quality and promote good governance in sports associations.

The consortium has set agreements about sports practices. Participating regularly in a variety of sports and physical activities brings physical, psychological and social benefits related to both short- and long-term development and to future participation in both recreational and competitive sports.

There is now a greater interest (and expectation) across the stakeholders of sport to participate in the future direction and policy making activities of sports governing bodies (hereinafter: sporting bodies) and to have their views heard and appropriately reflected in the decisions of those bodies. In this context members/participants are acting more like consumers and becoming more demanding.

There is general agreement on the need to encourage young people to participate in sport from an early age and to extend that participation through adolescence when, often, they either stop altogether or significantly reduce their level of activity. One important ingredient in supporting continuing participation is to provide support and ensuring that they enjoy the sports they play. Engagement of this nature will help to ensure that young practitioners play sport throughout their lives bringing with it many additional benefits and skills. The project results will be sustainable after project life because the programme we implement and the guide will be useful for sport clubs, , sports associations and schools.

Sport and physical activity also have positive benefits on education, we'll put emphasis in young people learn about the importance of key skills as: team work, resilience, entrepreneurship... it also helps young practitioners to become healthier & fitter via sports/physical education.

The target groups are:

- Young people from -9 to + 15
- Sports trainers and PE teachers

ERASMUS+: Sport, Youth and Aid Volunteers KA Sport: small Collaborative Partnerships
Sport for all, ensuring they enjoy the games they play
Project Number 579752-EPP-12016-1PL-SPO-SSCP

- Persons in charge of sports institutions (those with a responsibility for the management and values of sports clubs and sports institutions)

The project will make possible that those who teach future sports trainers, trainers who have experience working people at grassroots level in different sport clubs, institutions in charge of promote sports in their city and teachers who teach physical education and sports at school come together in order to bring quality in sports training by organizing sports events and implement master classes of high quality that will be shared between partners and disseminated across Europe. The use of ICT is also very important in this project. To motivate students we'll use videos, this will contrite other trainers and teachers have access to materials and practices of high quality. To share these experiences partners will use a platform.

The organization of sports events will contribute to share experiences in order to implement quality in training and young participants get knowledge about what being European means.

Shifting demographics and societal changes within Europe and beyond require sporting bodies to consider whether existing inclusivity policies, diversity strategies and levels of representation across all groups remain appropriate and reflective of their participants and society in general. A particular issue in this regard is the access of women to leadership positions in sports organizations within the context of the wider debate on gender in Europe and at international level.

As public interest in sport has increased and the financial stakes have risen there has been a growth in the propensity of participants at all levels to pursue legal claims requiring sports bodies to adopt effective risk management practices and insurance protocols to minimize legal and financial exposure.

The integrity of sport has been subject to significant challenge over recent years, inter alia given the growth of sports betting. Match-fixing, corruption and other criminal activities have arisen in different sports in various territories across Europe and beyond. Such activities have highlighted the vulnerability of sport to match fixing and other corrupt practices. Sporting bodies are no longer able to deal with the threat and challenges to sporting integrity alone. The assistance of regulators, national governments and law enforcement agencies with their additional powers and investigative authority is needed by sports bodies to allow them to tackle the threat of match fixing and other corrupt activities, as well as appropriately structured relationships with betting operators on areas such as bet types.

Increasingly, sports bodies must seek to form partnerships, engage in dialogue and cooperate with governments, European institutions and other state agencies in a range of areas and such public authorities may be more inclined to link public funding to minimum standards of good governance, particularly in relation to financial subsidies and the deployment of public money by sports bodies.

In identifying good practice in the context of good governance for sports bodies it is important to be pragmatic, flexible and proportionate. Many different sports bodies

ERASMUS+: Sport, Youth and Aid Volunteers KA Sport: small Collaborative Partnerships
Sport for all, ensuring they enjoy the games they play
Project Number 579752-EPP-12016-1PL-SPO-SSCP

have considered issues of good governance in their own unique context. However, this initial set of recommendations seeks to outline top level principles covering the whole sport movement (as opposed to only major governing bodies or event owners), address professional and amateur sport, embrace team sports and individual disciplines, assist large and small sports bodies and not deter volunteers from taking part in sport.

DEFINITION

From studies estimated that between 2% and 8% of athletes (both minors and young adults) are victims of sexual assault within the context of sport.

Concerning sexual violence, it appears in particular that:

- Elite young athletes are more likely to be sexually assaulted than their lower-level counterparts.
- The type of sport played by young athlete has no impact.
- Girls are sexually abused in sport more often than boys are (NB few studies include boys in their surveys and boys are maybe less likely to report this kind of abuse).
- Perpetrators of sexual abuse have been identified as primarily authority figures, particularly coaches, but also team doctors, trainers or "counselors". Some studies have showed that sexual violence may be perpetrated by their peers or people they don't know (such as spectators or fans).
- In 98% of the cases perpetrators were male.

Negative consequences of violence against minors are widely studied in the intra and extra familial context to which must be added some specific "sporting" consequences when they occur in the sport context.

- Psychological: e.g. impacts on family-friends, lowered self-esteem, alcohol and drug use, etc.
- Physical: e.g. eating and sleep disorders;
- Sporting consequences: minors leaving their sport or to take up another one, decline in performance, failing to attend training sessions or finding it hard to concentrate during training...

The definition of a child can vary considerably under EU law, depending on the regulatory context (e.g. young workers directive). In areas in which EU action complements that of Member States (e.g. education), EU law defer to national law to determine who is a child. Therefore we will use the definition laid down in the UN Convention on the Rights of the Child (UNCRC), according to which a child is any human being below the age of 18 (art.1).

The framework and culture within which a sports body sets policy, delivers its strategic objectives, engages with stakeholders, monitors performance, evaluates and manages risk and reports to its constituents on its activities and progress including the delivery of effective, sustainable and proportionate sports policy and regulation.

ERASMUS+: Sport, Youth and Aid Volunteers KA Sport: small Collaborative Partnerships
Sport for all, ensuring they enjoy the games they play
Project Number 579752-EPP-12016-1PL-SPO-SSCP

With reference to the following list of principles, it is important to underline that good governance essentially comprises a set of standards and operational practices leading to the effective regulation of sport. Therefore, whilst good governance must be distinguished from specific sports regulations, the application of good governance principles should facilitate the development and implementation of more effective sports regulation. Not all sporting regulations are part of good governance; however, the way sport is regulated is deeply affected by the governance of each discipline at both national and international level.

The following standards of good governance are applicable to all organizations throughout the spectrum of sport. However, higher standards are expected from professional elite sport, on grounds of its economic and social role.

GOALS ACHIEVEMENT

- Protection of young athletes and safeguarding children's rights in sport

Today sport plays a major role in society and is a popular leisure activity among children. Every week millions of children worldwide take part in some form of organized or non-organized sport, either at club level, at school or in the street, at grassroots or competitive level.

Positive effects of sport for children are well known¹ and already underlined at international, EU and national level. Through sport children can learn important values as tolerance or fair-play. They can also develop motor skills² and a healthy way of life³. All forms of sport can contribute to their social inclusion, education and personal or social development⁴. Because of these positive effects among others, sport is recognized by Member States and EU as an important policy priority. And for the vast majority of children, sport is therefore a positive experience.

But for other children, the experience may be affected by negative experiences. Like in any other arenas involving a close personal relationship and/or authority relationship toward children, a sporting environment may also sometimes expose minors to particular risks. Studies and high-profile cases showed that minors can be subject to various forms of violence in sport that can lead to lifelong consequences on their emotional, physical and psychological health, personal development, social and family life, and subsequently impact their participation in sport and life.

Generally recognized as a vulnerable population, minors need special consideration and protection. However, the sport sector is an example (among others) where safeguarding minor's rights can be said to have been given insufficient attention in the past. Many structures or entities in the EU “working” close to minors have realized they have a particular responsibility towards protecting minors against any form of violence and to keep paying attention on this concern, but there is still much to be done.

ERASMUS+: Sport, Youth and Aid Volunteers KA Sport: small Collaborative Partnerships
Sport for all, ensuring they enjoy the games they play
Project Number 579752-EPP-12016-1PL-SPO-SSCP

Minors have to be protected against any form of “violence” that may be caused in the course of sport activities, regardless of the sports level (grassroots or high-level); minors have the right to practice sports activities in a safe environment.

The aim of these recommendations is to propose key actions to and sport organizations/associations to raise awareness on the importance of the protection of minors in sport, and to propose concrete guidelines for action.

- Gender Equality in Sport

According to the Special Euro-barometer study 412 “Sport and physical activity” from 2014, in the EU, men exercise, play sport or engage in other physical activity more than women. This disparity is particularly marked in the 15-24 age group,

Equality between women and men is a fundamental principle of the European Union, mentioned in the Treaties. With the inclusion of an EU sport competence in the Lisbon Treaty in 2009, it is now possible to conduct specific and convergent actions to further integrate issues of gender equality in sport. However, this must always be done in line with the principles of subsidiarity and proportionality.

The main issue of the draft recommendation is to assert that equality between women and men is a key principle behind the good governance of a sport organization.

The operational challenge of the draft recommendations is to identify and promote existing actions to generate a ripple effect among Member States and European sport organizations (possibly with the help of a pledge board).

GOOD GOVERNANCE PRINCIPALCE

The EU is uniquely positioned to facilitate the exchanges of good practices, transfers of knowledge and the networking of stakeholders active at national and international level. In this respect, the EU institutions have a role to play in ensuring that good governance principles adopted at EU level are recognized and implemented in all the Member States. The EU can also facilitate the promotion of principles of good governance in sport beyond its borders with both sporting bodies and public authorities.

IMPLEMENTATION OF GOOD GOVERNANCE PRINCIPALCE specifically to improve the learning performance of children and young people, encouraging school attendance and a desire to succeed academically

1. CLARITY OF PURPOSE/OBJECTIVES

a) Role, function and objectives

Absolute clarity on the proper role, function, responsibilities and objectives of sports bodies is a critical first step to good governance. It is not possible to establish the appropriate governance arrangements for a sport body if there is no clarity of purpose.

- The precise role, function and objectives of each sports body should be clearly set out in its foundation and constitutional documents and incorporated into the vision, strategic plan and communication protocols adopted by the sports body concerned.
 - Good governance in the sport involves mutual cooperation of five groups of stakeholders (Board):
 - **State institutions** such as ministries or other governmental institutions being the main policy makers and supporters of the development of sports activities in the particular territory through (1) provision of the necessary legal basis and favorable tax policy that stimulates development and implementation of the sport activities, and (2) financial support to the sport activities.
 - **Municipalities and municipal institutions** being the main supporters for organization of the sports activities in their territory through (1) provision of the access to the publicly owned sports infrastructure for the organizers of the grassroots sports activities and (2) logistical support to organizing sport activities, especially, larger scale events in the cities.
 - **Non-governmental organizations** – often in the form of associations, federations or clubs representing specific field of sports – being the main engine behind promoting and organizing the sports activities.

ERASMUS+: Sport, Youth and Aid Volunteers KA Sport: small Collaborative Partnerships
Sport for all, ensuring they enjoy the games they play
 Project Number 579752-EPP-12016-1PL-SPO-SSCP

- **Private sector actors** – sports clubs or fitness centers – are often active organizers of the sports activities that operate mainly on the commercial grounds.
- **Volunteers and informal groups** of sports enthusiasts being active supporters of the sport activities and organizers of the sports activities in local, especially rural communities.
- **The Board:**
 - Should hold appropriate and regular board meetings.
 - Is responsible for setting the meeting agenda and making sure that directors receive timely and accurate supporting papers in advance of the meeting.
 - Must make sure that the management team provides clear and sufficient information to support an informed decision making process.
 - Meetings should include strategic priorities and risk as standard agenda items.
 - Meeting minutes and decisions should be recorded along with assigned tasks and timescales.
 - Must make sure that there are appropriate internal controls and risk management procedures in place and those organisational risks are regularly reviewed.
 - Must review and manage individual conflicts of interest at each board meeting, in accordance with the organization’s conflict of interest policy.
 - If the board has sub-committees or working groups, it must make sure these have terms of reference. The composition of such groups should include an appropriate skill set to perform its duties effectively.
 - Must make sure all directors have access to key policies and relevant documents to allow them to make informed decisions and perform their legal duties.

b) Goals and principles

The particular objectives of sports bodies will vary, and may be influenced by international federation requirements as well as local, regional or national factors. Generic objectives are likely to include expanding participation, promoting development initiatives and improving sporting infrastructure.

- All sports bodies should, in any event, formally commit to the fight against doping and discrimination, the maintenance of sporting integrity and the adoption of ethical practices.
 - **As guardians of sport and recreation activity, the board should uphold the highest standards of integrity within the organization and in the wider environment by embedding values and good practice and promoting high ethical standards.**
 - The board leads by example, setting out and maintaining clear ethical standards for the organisation and welcoming the opportunity to be transparent in order to demonstrate the organization’s ethical values. Where an organization is responsible for organizing competitions, the board has overall

ERASMUS+: Sport, Youth and Aid Volunteers KA Sport: small Collaborative Partnerships

Sport for all, ensuring they enjoy the games they play

Project Number 579752-EPP-12016-1PL-SPO-SSCP

responsibility for ensuring that competition is fair, robust and compliant with relevant rules and procedures of the activity both national and international, including specialist action required on areas like betting integrity and anti-doping.

- The board is also responsible for protecting the mental and physical wellbeing of participants at all levels. Every organization should understand its moral and legal obligations around safeguarding and should have policies that are applied rigorously and subjected to regular scrutiny

c) Vision and strategic plan

- Sports bodies should, wherever practicable, look to adopt and publish a vision and strategic plan aligned to their long term objectives and reflecting evolving short term priorities.
 - The board must make sure the organization complies with its articles of association as well as relevant legal, regulatory and governance requirements.
 - The board must have and implement a robust conflict of interest policy and directors should avoid any conflicts between their personal or business interests.
 - The board must maintain appropriate robust policies on safeguarding, illegal betting, anti-doping, equality and diversity and review their effectiveness on an annual basis.
 - Board directors must maintain confidentiality on board matters and respect the decisions made in the boardroom even though they may conflict with personal views.
 - Board directors must comply with all laws, rules and regulations applicable to their role as a director.
 - The board should make sure there are mechanisms in place to allow the views of members and stakeholders to be considered in the decision making process.
 - The board, where appropriate, should support training and education opportunities for directors on issues such as safeguarding, anti-doping and others.
 - Board directors should sign a code of conduct which sets terms of objectivity, behavior and time commitment.
- This approach aids planning and may assist in removing short term and reactive sports governance practice. It will also promote accountability and transparency.
 - Must operate in an open and transparent manner to allow stakeholders to understand and scrutinize its actions.
 - Should maintain appropriate complaints and appeals procedures and these should be communicated to members.

ERASMUS+: Sport, Youth and Aid Volunteers KA Sport: small Collaborative Partnerships
Sport for all, ensuring they enjoy the games they play
Project Number 579752-EPP-12016-1PL-SPO-SSCP

- Should publish an annual governance statement either in their annual report or on their website to ensure stakeholders have visibility on its governance matters.
- Should actively seek stakeholders' views through annual surveys, road shows or other meetings on a regular basis.
- Organizations must publish their audited accounts and ensure stakeholders have access to the information at the end of each financial year.
- Should maintain a stakeholder engagement policy and review it regularly.
- Must publicly disclose information on their governance structure, board activities, individual director biographies and either summary or full board meeting minutes.
- Must promote transparency and inclusivity by ensuring stakeholder views are heard and considered in the decision making process.

d) Consensual strategy

- Sports bodies should seek to develop their strategic plans and priorities (including proposed regulatory adjustments) in a consensual way and ensure that such plans are endorsed by the relevant decision making bodies within the organization. Once approved such strategic plans should be circulated to all members, stakeholders and participants and preferably made public.

e) Monitoring and oversight

- Sports bodies should seek to implement an appropriate level of monitoring and oversight to verify progress of the strategic plan against measurable key performance benchmarks to ensure value for money is being achieved from their investments and that the plan is working effectively.
 - coordinate legislation, regulation, policies and administrative practices between the Commonwealth and the States to allow governments to adopt appropriate measures to ensure sport is drug-free
 - provide national coordination, monitoring, reporting, and strengthen relationships between state and territory governments, regulators, sporting organizations, law enforcement agencies, and other agencies as appropriate
 - work with like-minded nations, the international sports movement, betting operators and regulators on match-fixing and fraudulent betting issues and advocate for a global response to match-fixing
 - work with relevant sports governing bodies
 - provide advice and work with individual sports to ensure a robust framework is adopted across the sporting codes and there are no gaps for criminal groups to use as soft targets

ERASMUS+: Sport, Youth and Aid Volunteers KA Sport: small Collaborative Partnerships
Sport for all, ensuring they enjoy the games they play
Project Number 579752-EPP-12016-1PL-SPO-SSCP

- develop and maintain a website as a resource centre for key stakeholders to access up to date information including integrity tools, education, contacts and research
- compliance audits of sports to ensure policies continue to be effectively implemented
- support sports (i.e. advice, issues management)
- introduce mechanisms for whistle-blowing in the area of manipulation of sports results to ensure disclosure of information
- investigate complaints made about the integrity processes and systems of a sports controlling body, and
- undertake research and provide information on latest best practice to support international, state and territory governments, regulators, sporting organizations law enforcement agencies, regulators and other agencies as appropriate to promote consistent and effective approaches to protect the integrity of sport.

2. CODE OF ETHICS

a) Development of a code of ethics

Sports bodies should develop a code of ethics binding on all members, stakeholder, participants, staff and volunteers. It should embrace a range of ethical practices and inform the conduct and culture of the organization as a whole by instilling values of integrity, equity and transparency and an appreciation of acceptable conduct.

THE THREE PRINCIPLES OF CODE OF ETHICS

a. Respect for Individuals

- Treat and respect everyone equally, regardless of race, language, religion, culture, gender or physical ability.
- Recognize that your athletes can contribute in providing positive feedback on training methods and how best performance during training and competition could be optimized. Be a good listener when occasions for such interaction arise.
- Remember that there is a need for certain information to be kept confidential. Disclosure of such information should only be made with the consent of those who requested confidentiality.
- Be sensitive to the feelings of your athletes when providing feedback on their training progress and performance during competition. Criticisms, if any, should not be directed at your athlete, instead it should be on your athlete's performance.

b. Responsible Coaching

- Be responsible for periodically updating your coaching expertise through participation in courses, conferences and workshops and through information available in resource materials.
- Prepare well-planned and sound training programmes and execute them in a manner that would benefit all your athletes.
- Recognize the limits of your knowledge and collaborate with other qualified practitioners. Where appropriate, refer your athletes to a more qualified coach or specialist.
- Advise your injured athlete to seek further medical treatment and suggest an appropriate recovery plan whenever possible. When deciding on your injured athlete's ability to continue training or competing, do take into account his/her future health and general well-being.
- Ensure that training and competition venues meet with minimum safety standards and that your athletes are properly attired.
- Avoid sexual intimacy with your athlete. Any physical contact with your athletes should be only when absolutely necessary and during appropriate situations.

c. Integrity in Actions

- Be honest and sincere when communicating with your athletes. Do not give false hopes to your athlete.
- Inform a fellow coach if and when you are working with his/her athlete(s).
- Your coaching qualifications and experience should be accurately represented, both in written and verbal form.
- Abide by the rules of your sport and respect your opponents and those in positions of authority.
- Adopt a professional attitude and maintain the highest standards of personal conduct. It should encompass your mannerism, dress and language.
- Exercise self-awareness and evaluate how your values and actions influence your coaching activities positively or negatively.
- Uphold the values of clean, dope-free sport, by complying with all relevant antidumping rules that are in line with the World Anti-Doping Code and cooperating with relevant anti-doping authorities should a need arise. Be a positive influence to those under your charge with respect to the values of clean sport.

b) Basic rules on the content and enforcement of the code

The terms should

- Be agreed across the sports body so that it reflects the views of all levels of the organization.
- The code should incorporate the general ethical values of the sports body,
- Also address specific areas of risk for example by making express provision for the disclosure and registration of gifts and/or acceptance of hospitality and setting suitable financial limits.
- Incorporate an effective implementation and enforcement protocol
- Be subject to regular review.

ERASMUS+: Sport, Youth and Aid Volunteers KA Sport: small Collaborative Partnerships
Sport for all, ensuring they enjoy the games they play
Project Number 579752-EPP-12016-1PL-SPO-SSCP

3. STAKEHOLDER IDENTIFICATION AND ROLES

a) Involvement of stakeholders

- Each sports body will have different stakeholders reflecting its particular range of participants and interested parties. Such stakeholders may include players/athletes, managers, owners, coaches, leagues, clubs, supporters, agents, match officials. Sports bodies should also as appropriate liaise with commercial partners and equipment manufacturers.

Internal Stakeholder Roles

- Internal stakeholders are accountable for or held responsible for particular project planning activities and are required to participate in certain activities, whereas external stakeholders generally aren't.
- Like external stakeholders, internal stakeholders are also incidentally involved in or consulted regarding other activities for which they have no direct responsibility.
- Planning activities in which internal stakeholders participate with differing levels of involvement include project scope estimation; definition of work product, task attributes and project life cycle; projection of effort and cost; creation of budget and project schedule; identification of project risks; planning for data management, project resources, personnel, stakeholder involvement and training; creation and review of project plan; reconciliation of work and resource requirements; and gaining stakeholder commitment to the project plan.

External Stakeholder Roles

- Project planning activities in which external stakeholders participate are frequently identical to those of internal stakeholders. However, roles of external stakeholders are limited to that of consultants rather than team members directly accountable for individual project planning activities
- Each sports body should evaluate how best to utilize the input and expertise of its stakeholders in its activities, consultation processes and decision making

Normally it is envisaged that a board will:

- Comprise between five and nine individuals,
 - Have a sufficient blend of expertise, skills and diversity necessary to effectively carry out its role,
 - Have all board members being independent, regardless of whether they are elected or appointed,
 - Have the ability to make a limited number of external appointments to the board in order to fill skill gaps,
 - Institute a staggered rotation system for board members with a maximum term in office to encourage board renewal while retaining corporate memory, and
 - Be broadly reflective of the organization's key stakeholders, but not at the expense of the board's skills mix and the organization's objectives.
- Procedures. Stakeholders may be given different levels of involvement depending on the sports body concerned.

ERASMUS+: Sport, Youth and Aid Volunteers KA Sport: small Collaborative Partnerships
Sport for all, ensuring they enjoy the games they play
Project Number 579752-EPP-12016-1PL-SPO-SSCP

b) Minimum standards for stakeholders' representation

- Sports bodies should establish minimum representation and democratic standards that stakeholders should meet in order to participate in consultation and/or decision making.
 - **State institutions**
 - **Municipalities and municipal institutions**
 - **Non-governmental organizations**
 - **Private sector actors**
 - **Volunteers and informal groups**

c) Commitment from stakeholders

- A commitment from relevant stakeholders should also be sought confirming that they support the overall objectives and vision of the sports body concerned and will make decisions and generally act in the best interests of the sport, without prejudice to the definition of labour relations between social partners through social dialogue.

d) Formalization of role of stakeholders

Clarity on the role of members, stakeholders and participants in consultation processes and decision making is critical. The formalization of roles promotes accountability and should assist in minimizing the prospects of any party exceeding their powers, avoiding consultation on key decisions, duplicating resources and/or generating tensions associated with unbalanced policy or decision making.

- The respective roles, responsibilities and objectives of sports bodies and their stakeholders should be collectively acknowledged and codified within its statutes.
- In this way, a sporting body can have greater confidence in producing fair, credible, affordable, and proportionate sports policy and regulation which is more likely to be accepted and complied with across the sport concerned.

ERASMUS+: Sport, Youth and Aid Volunteers KA Sport: small Collaborative Partnerships
Sport for all, ensuring they enjoy the games they play
Project Number 579752-EPP-12016-1PL-SPO-SSCP

4. DEMOCRACY AND MINIMUM STANDARDS

a) Clear organizational framework

- Sports bodies should establish a clear organizational framework for membership and decision making via appropriately representative, inclusive and competently populated bodies implementing fit for purpose, democratic procedures and acting in pursuance of the objectives, strategic plan and vision of the sports body concerned.

The organization's framework of governance should:

- Enable strategic guidance of the entity,
- Ensure the effective monitoring of management by the board,
- Clarify the respective roles, responsibilities and powers of the board and management,
- Define the board's accountability to the entity, and
- Ensure a balance of authority so that no single individual has unfettered powers.

b) Identification of decision making organs

- The organizational framework should identify all decision making organs of the sports body and their interrelationship. The statutes of sports bodies should early set out the various responsibilities and decision making authority of the different organs including, where applicable, congress (council or general assembly), the executive body or board, technical or standing committees and disciplinary/judicial bodies.

c) Identification of procedural rules

- For all decision making organs, sports bodies should clearly identify procedural rules and the rights of members/stakeholders to participate in consultations, debates and/or decision making processes.

d) Role and rights of members and stakeholders

- Ordinarily, the constitution of a sports body should include details of the entitlement of relevant members, stakeholders and participants to vote at meetings, majorities required for particular decisions, regularity of meetings, the right to receive notice of meetings, order of business under consideration, and the opportunity to make representations. Once established, there should be strict compliance with the constitution and procedural rules.

e) Minimum democratic principles for appointment to decision making bodies

Within Europe there are many different types of democratic system in operation and it is not practicable to be prescriptive over the adoption of any particular democratic process. In key decision making areas all relevant personnel should be involved as determined by the sports body.

However, whilst an appropriate degree of flexibility is needed to allow sports bodies to apply a suitable and proportionate democratic structure, based on its particular needs and resources, whatever system of democracy is adopted or appointment practices implemented there are some minimum good practice principles that should be respected by all sports bodies when identifying their processes and appointing personnel to their sovereign decision making bodies. These include the following:

ERASMUS+: Sport, Youth and Aid Volunteers KA Sport: small Collaborative Partnerships
Sport for all, ensuring they enjoy the games they play
Project Number 579752-EPP-12016-1PL-SPO-SSCP

- 1) A commitment and requirement to hold free, fair and regular elections;
- 2) Ensuring that broad stakeholder consultation and/or representation exists;
- 3) A requirement to hold regular meetings to fulfill allocated responsibilities and functions;
- 4) Clarity over the role and powers of the President or Chairperson and Board Members;
- 5) The enforcement of a code of conduct or by-law which includes an express obligation for decision makers to:
 - i. Adopt the highest ethical practices;
 - ii. Act independently in the interests of the sports body as a whole;
 - iii. Not make decisions in which they have a business or personal Interest;
 - iv. To declare conflicts of interest.
- 6) Ensuring that the appropriate level of inclusivity, diversity and sports Representation is achieved and maintained across decision making bodies;
- 7) Adopting fixed terms of office to allow regular refreshing of decision making bodies.
- 8) Utilizing a credible and suitably transparent basis and process for voting.
- 9) Where appropriate making public the decisions reached

The above checks and balances and procedural safeguards may need to be re-enforced and/or supplemented for major decisions of a sporting, financial or commercial nature. For instance the awarding of major event hosting rights and changes to fundamental governance structures may be regarded as so significant in terms of the wider consequences and direction of a sport that a higher level of accountability and transparency is justified.

ERASMUS+: Sport, Youth and Aid Volunteers KA Sport: small Collaborative Partnerships
Sport for all, ensuring they enjoy the games they play
Project Number 579752-EPP-12016-1PL-SPO-SSCP

5. DELEGATION AND COMMITTEES

Clarity of responsibilities for the different organs that make decisions within a sports body is critical to promoting the efficiency of policy development and effective governance.

a) Delegation of tasks to members and stakeholders

- Appropriate delegations of tasks to members and stakeholders should be permitted subject to a proportionate level of monitoring and supervision by the sports body and provided always that such members or stakeholders possess the relevant expertise to fulfill the delegated responsibility and, if applicable, that they possess a mandate for the stakeholder group they represent.

b) Appointment of technical and/or expert committees

- Sporting bodies should allow for the appointment of technical or expert committees (whether standing or ad hoc) and/or working groups for specialist work and advice on relevant issues. The terms of reference, reporting lines and status of committee decisions or recommendations should be clearly identified and communicated to all members, stakeholders and participants.

c) Composition of committees

- Appropriate selection policies should be in place for committees or working groups to ensure that suitable experts are appointed and there is a balance of views, gender equality and diversity.

6. MANAGEMENT

In most sports bodies, the board constitutes the executive organ providing a supervisory and monitoring role over the day to day activities and management of the organization. The board therefore represents an essential component of good governance in sport. The successful implementation and acceptance of good governance in a sporting body is influenced by whether and how well the board and the management embrace good governance. The board and management should seek to promote a culture of good governance throughout the entire organization, for example by conducting appropriate training and qualification measures, among other things. Important requirements for a board to be effective are as follows:

a) Requirements for the board

- 1) The governing documents (including committee structures) must be fit for purpose, available at all times to members and other stakeholders.
- 2) The chairperson should possess strong leadership skills.
- 3) Decision making powers should be clearly identified along with delegated responsibilities and authorizations granted by the board.
- 4) Board members should act independently in the best interests of the sports body as a whole and in accordance with their legal and fiduciary duties.
- 5) Where proportionate and justified, an appropriate number of The board should be independent and appointed via open procedures.
- 6) The board must promote equality and diversity and actively work to attract a diverse range of members, including, in particular but not limited to, an appropriate gender balance at board level as part of an overall inclusivity programme.
- 7) Board members must have the necessary attributes, skills and competence required to carry out the role effectively with skills being regularly assessed and performance evaluated.
- 8) Appropriate term limits for board members should be in place as part of succession planning processes.
- 9) A board must not be too large or small and must hold an appropriate number of meetings to reflect the needs of the sports body.
- 10) The board should have an appropriate policy on conflict of interest declarations and management.
- 11) There should be a clear policy and process for the removal of board members for misconduct.

It is important that the relationship between the board and management of a sports body is well structured including regular engagement, oversight policies and the setting of key performance indicators for managers. This is an integral part of the overall strategic operation of the sports body with management and staff implementing policies determined by the board or sovereign body of the organization. In this regard the CEO or General Secretary has a critical role to play in promoting staff and management performance that is in accordance with board expectations and can deliver the strategic plan of the sports body and its longer term objectives.

7. JUDICIAL/DISCIPLINARY PROCEDURES

a) Need for an appropriate judicial/disciplinary framework

- Sports bodies should put in place a suitable judicial/disciplinary framework that meets their particular needs (and any requirements of its international sporting family). The framework should be proportionate to the size, membership and type of cases on which it is required to adjudicate.

b) Need for a separate judicial/disciplinary code

- It is preferable for a separate judicial/disciplinary code to be developed incorporating clear disciplinary rules, sanctions and procedures. Members, stakeholders and all participants should agree to be bound by the code and the sanctions imposed. Members, stakeholders and participants should, where practicable, be educated on key rules and obligations under the code so they are aware of what is expected of them and the consequences of non-compliance. Interactive web-based initiatives can be used for this purpose.

c) Impartiality of adjudicators

- Adjudicators should be impartial.
- Sports bodies should monitor legal requirements in this regard as well as any minimum standards imposed by their international, national or regional bodies. To mitigate risk of challenge appropriate codes of practice can be developed for judicial personnel providing guidance on when it may not be appropriate for them to sit in judgment.

d) Skills and expertise of adjudicators

- Adjudicators must possess the necessary skills and expertise to evaluate evidence, assess credibility of witnesses and make reasoned decisions. To aid transparency it is preferable if adjudications are supported by written reasons and where possible made public. Training in disciplinary procedures, the application of rules and production of written reasons should where possible be undertaken by adjudicators.

e) Fair trial

- Basic procedures to ensure the right of the defense should be established in accordance with general principles of law.

f) Appropriate appeal framework

- An appropriate appeal framework should be put in place by sports bodies. This supports overall due process and provides a further layer of risk management as erroneous decisions can be rectified.

Where appropriate, a sports body may also consider appointing an ombudsperson. Where legal challenges to the decisions of governing bodies in national state courts are likely a sports body may also consider, subject to applicable national and EU laws, adopting a suitable binding internal arbitration mechanism. Such alternative dispute mechanisms should deliver swift, cost effective, expert sports specific resolutions.

8. INCLUSIVITY AND YOUTH ENGAGEMENT

a) Inclusivity of sports bodies

- Sports bodies should be inclusive and represent the diverse nature of society and their sports whether by reference to gender, race, sexuality, disability, age or otherwise. By selecting from the widest possible talent pool for all positions and at all levels the most skilled, experienced performers can be identified and engaged by sports bodies.

b) Adoption and implementation of an inclusivity strategy

- Having appropriate regard to applicable laws, sports bodies should develop and implement robustly an inclusivity strategy incorporating recruitment, selection and appointment procedures. This strategy should be monitored and steps taken to identify how any issues of under representation can be suitably addressed at all levels of the organization.

c) Engagement with youth groups

- The long term viability of sport and sports bodies depends on future generations of participants being attracted to sport as competitors, match officials, volunteers and administrators. In developing sports policy and promotional initiatives it is good practice for sports bodies to engage and consult with representative youth groups as a form of future proofing for the sport to minimize generational disconnects. For example, establishing Youth Boards respecting gender balance and diversity may assist in promoting engagement and succession planning. In this context, particular attention should be paid to the issue of protecting the physical and moral integrity of young sportspeople, notably against sexual harassment.

Sports bodies must also recognize that to attract new generations of administrators, technology and IT will play an important part. Increasingly mobile and remote video conferencing will need to be utilized for governance, disciplinary and sports administrative activity and those sports bodies which embrace such technology are more likely to encourage ongoing participation in administrative and related matters by future generations. Technology will also be crucial in attracting and retaining volunteers.

ERASMUS+: Sport, Youth and Aid Volunteers KA Sport: small Collaborative Partnerships
Sport for all, ensuring they enjoy the games they play
Project Number 579752-EPP-12016-1PL-SPO-SSCP

9. STATUTES, RULES AND REGULATIONS

a) Availability of statutes, rules and regulations

- The statutes, rules and regulations of sports bodies should be available as public documents, be clearly drafted and identify the process for amendment.

b) Consultation for amending statutes, rules and regulations

- When amendments to statutes, rules, regulations or key policies are being contemplated an appropriate and proportionate consultation process should be put in place with relevant members and stakeholders within a suitable timeframe. Wherever possible the rationale for any adjustment should be available along with supporting evidence. It should also be made clear which particular objective and part of the strategic plan is being advanced by the proposal so that fully informed decisions can be taken. In addition to representing best practice it is notable that the process adopted by sports bodies and the consultation undertaken in such scenarios is assuming increasing importance in legal challenges to sports rules/regulations both nationally and at European level. Accordingly, an inclusive, evidence based consultative approach to regulatory change also represents effective risk management.
- To promote transparency and accountability the web sites of a sports bodies is an ideal place to set out statues, rules, regulations, vision, strategic plan and other policy positions as well as information concerning proposed adjustments. The web-site can also be used as a means for consultation with members, stakeholders and where appropriate other groups.

10. ACCOUNTABILITY AND TRANSPARENCY

a) Establishment of accountability standards / Checks and balances

- Sports bodies should establish clear levels of oversight and accountability for their various decision making bodies to ensure that powers are exercised appropriately and consistently with the objectives and functions of the relevant body. Proportionate checks and balances should be developed by the sports body concerned.

b) Performance indicators

- Key performance indicators and evaluation procedures commensurate with the size of the sports body should be set at all levels of the organization to promote efficiency and good management.

c) Internal control measures

- Sports bodies should adopt proportionate, fit for purpose internal controls, reporting requirements, data protection policies and financial management strategies to at least the level required by applicable laws. Such policies should include clear financial authorization limits and formalization of agreements in legally enforceable form.

d) Financial information

- Financial information (produced in accordance with applicable laws and subject to appropriate auditing standards) should be made available to members, stakeholders and the public wherever possible. All such financial information should be clearly presented and preferably form part of an annual report of the activities of the sports body.

e) Distribution of funds

- If the sports body makes financial distributions to members and/or stakeholders such distributions should be documented and made subject to appropriate terms and conditions and on-going reporting requirements to the distributing body on the ultimate deployment of such funds.

f) Risk management

- Sports bodies should adopt effective and proportionate risk management arrangements designed to identify, assess, control, manage and mitigate risk across all of their activities. This should include evaluating the optimum legal form for the sports body and/or its members to operate under and putting in place appropriate insurance arrangements.

g) Confidentiality

- Sports bodies should develop appropriate confidentiality protocols and codes which are capable of rigorous enforcement. They should also have clear policies on who may speak with the media and in what circumstances. Where possible sports bodies should develop rapid, crisis response protocols to be deployed in specific scenarios.

h) External and internal communication

- In addition to developing transparent external communication policies, effective and transparent internal communications for staff, members, volunteers and stakeholders should be developed so they are aware of important developments, events, meetings, policy changes and opportunities.

i) Professional development of staff and volunteers

- Continuing professional development for all personnel and volunteers within sports bodies should be promoted wherever possible along with clear guidelines for staff conduct.