

## Overview: 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 with Designated Sport Organizations to modernize and strengthen existing governance structures and operations, to support the increased legal standards required of not-for-profit organizations.

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**

Principle #2:

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

Principle #3:

**The organization's relationships with its Members, participants/registrants, and governing organizations reflect accountability, alignment, responsiveness, transparency, and clarity in communications**

The OEI focuses on four main components with each organization:

- 1. 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.
- 2. 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 *Designation Program Policy*.
- 3. 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](#).
- 4. Provincial Sport Culture Index (PSCI)** is a novel and evidence-based assessment that quantifies culture in sport organizations.

In working with Water Polo West, Sport Law has been able to identify the strengths that the organization currently has related to those elements. There are also some areas that may be improved to enhance the governance and operational effectiveness of the organization.

# Organizational Priorities

In summary, Water Polo West would like to focus on:

1. Strong Governance, including solid policy development; and Succession Planning,
2. Growing the Membership
3. Continuing to build trust within the water polo community.

## viaSport Standards of Practice

The complete table of viaSport’s ‘Standards of Practice’ for Designated Sport Organizations can be found in the OEI Report. In the *Designation Program Policy*, viaSport requires organizations to meet these standards in order to remain eligible for funding. Since all of the Designated Sport Organizations participating in the OEI received funding, it was assumed that each organization already met the standard described below. Regardless, Water Polo West’s documents were reviewed to ensure they were aligned with the identified standards.

## Leading Practices for Organizational Excellence and Related Findings

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

Governance Functions (G) 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 (M) are the non-governance elements or areas of the organization that are the responsibility of staff, committees, or volunteers.

In collaboration with Water Polo West, Sport Law has reviewed key organizational documents, including policies, procedures and processes and has obtained through dialogue additional information to inform the findings below. Leading Practices listed on the left, findings on the right.

	<b>Legal Incorporation</b>	<b>Observations/Findings</b>
	<b>Registered Society</b>	
G	The Board ensures that all required documents are filed annually with the government via Societies Online.	Annually, this task has been completed by the President and will be completed by the Secretary in the ensuing year.
G	The bylaws conform to current leading governance practices related to Board Composition, Director Terms, Member Voting, a distinction between Members and registrants/participants, and the exclusion of policy and operational clauses.	Individual participants are not Members. Water Polo West’s bylaws refer to Athletes as being individuals insured to play water polo and registered with a Member for that purpose.

	<b>Foundational Statements and Intentional Planning</b>	<b>Observations/Findings</b>
	<b>Foundational Statements and Strategic Plan</b>	
G	The Board approves, and has a process to review, the Vision Statement, Mission Statement and Values of the organization.	Water Polo West has an approved strategic plan for the period of 2023 – 2027. The strategic plan outlines the foundational statements of Vision, Mission and Values.
G	The organization has a multi-year strategic plan that includes goals, actions and performance measures that has been approved by the Board.	The strategic plan outlines four strategic pillars (or large goals) that include Athlete Development, Coach Development, Officials Development and Capacity Development. Each of the pillars further identifies three to four strategic priorities that Water Polo West is looking to achieve.
	<b>Operational Plan</b>	
M	Management is responsible for creating an annual operational plan that is aligned with the strategic plan. The organization has a process to evaluate its progress in achieving the operational plan.	Water Polo West does not have a stand-alone operational plan, but rather has incorporated the activities and targets within their strategic plan.
M	Management is responsible for ensuring the human resources plan and annual operating budget are in alignment with the operational plan.	Overall, it would appear that Water Polo West has created a system and process for the implementation of the strategic plan.

	<b>Informed Governance</b>	<b>Observations/Findings</b>
	<b>Understanding the Role of the Board</b>	
G	Roles of the Board and Staff are clearly defined and aligned to the type of Board in place.	The organization is still working on establishing and refining some of the structural pieces of the organization. As such, currently there is not a Board Policy (Charter or Mandate) that exists and describes the board role outside of the bylaws.
G	If the organization employs a senior staff person, an <i>Executive Limitations Policy</i> has been adopted by the Board.	As Water Polo West is likely on the continuum between a Management Board and Full Governance Board with .8FT equivalent Executive Director.
G	If the organization employs a senior staff person, a clear distinction between governance tasks and management/operations tasks is in place.	an Executive Limitations Policy has not been adopted and may not be warranted at this point for the organization.
G	The Board has clearly defined its role and accountabilities through a Board Policy or Board Charter.	The organization’s bylaws specifically provide for the appointment of and delegation to a “Senior Manager.”

	<b>Informed Governance</b>	<b>Observations/Findings</b>
	<b><i>Meetings of the Members</i></b>	
G	Members have the responsibility to vote on: Appointment of the Auditors, election of the Directors and amendments to the bylaws and not on any other matter.	Members do not approve financial statements, but only review and consider them in a discussion with staff and the Board. Members do, however, appoint the auditor retained to review or audit the financial statements.
	<b><i>Conflict of Interest</i></b>	
G	A <i>Conflict of Interest Policy</i> has been adopted by the organization and approved by the Board.	Water Polo West had not adopted a Conflict of Interest Policy.
G	The Board has adopted a process to declare conflicts on both an annual basis and at each Board meeting.	The board meeting minutes do not demonstrate that Water Polo West is routinely declaring conflicts of interest as a standing item on the agenda.
G	The organization has a process to identify or declare potential conflicts of interest through the Board nomination process.	
	<b><i>Board Composition</i></b>	
G	The organization's bylaws provide for an odd number of Directors and the size of the Board reflects the type of the Board that is in place (i.e., a larger Board is more appropriate when there are fewer staff and Directors must take on some operational responsibilities).	As noted above, Water Polo West's bylaws stipulate a Board of between three (3) and seven (7) Directors as determined by the Voting Members.
G	The organization's bylaws outline term lengths and term limits. The preferred term lengths are 2 or 3 years with alternating elections and the preferred term limits are 8 - 9 years.	There is a limit of two (2) terms of two (2) years each for a total of four (4) years
G	The organization's bylaws indicate that the Members elect Directors and/or that 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 Voting Members elect a President. The Board elects from among the Directors a Secretary and a Treasurer. The bylaws set out that the Board should consist of appropriate diversity of skill, experience, and culture.
G	*The organization's bylaws allow for the Board of Directors to appoint individuals to the Board ensure the Board is inclusive of gender, diversity, age, and independence relative to its size.	No more than one-third (1/3) of the Directors can be "Affiliated" with any single Member, and no more than two-thirds (2/3) shall be "Affiliated" with any Member..
G	Directors elected or appointed to the Board are independent and do not hold a position on a Board of any affiliated organization.	

	<b>Informed Governance</b>	<b>Observations/Findings</b>
	<b><i>Meetings of the Board</i></b>	
G	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 bylaws.	The bylaws do not set out a minimum number of Board meetings to be held each year.
G	Minutes of Board meetings are recorded and retained.	Water Polo West does not post the minutes of meetings of the Directors on its website. The minutes do not indicate that there is a standing agenda item at the start of all Board meetings for Directors to list any conflicts they may have.
	<b><i>Board Position Descriptions</i></b>	
G	The Board has adopted and approved position descriptions for Directors and a process to review position descriptions on a regular basis.	Water Polo West does not have Board Position Descriptions for Directors or Officers in place, outside the high-level description provided in the bylaws.
	<b><i>Board Recruitment</i></b>	
G	The Board establishes a Nominations Committee that is cleared of any conflict of interest.	
G	The Board has established and approved a recruitment and nominations process for Directors 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 bylaws outline that potential Directors disclose their affiliation prior to any appointment or election to the Board. There is no formal nomination and recruitment process that has been approved by Water Polo West.
G	The Board has established an orientation process and/or orientation manual for all new Directors.	
	<b><i>Board Development and Evaluation</i></b>	
G	The Board has established a process to do an annual review of the performance of Directors (individually) and the Board (collectively).	Water Polo West does not have a process in place to evaluate the Board.
G	The Board provides the opportunity for Directors to participate in development and learning opportunities.	No formal board development opportunities are in place for the Board of Water Polo West.
	<b><i>Legal Compliance</i></b>	
G	The Board, or a standing committee of the Board, oversees the organization's compliance with its governing documents and all applicable laws and regulations.	We have previously discussed Water Polo West's general compliance with the <i>BC Societies Act</i> .  The organization has a fulsome Privacy Policy.

	<b>Informed Governance</b>	<i>Observations/Findings</i>
	<b>Remuneration</b>	
G	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.	The bylaws confirm that no Director may be remunerated for being or acting as a Director but a Director may be reimbursed for all expenses necessarily and reasonably incurred while engaged in the business of the Society.

	<b>Committee Structure</b>	<i>Observations/Findings</i>
G	There is a clear understanding of the distinction between governance and operational committees.	Water Polo West is still looking to establish more formally some of the structures of the organization in alignment with leading practices, including its committee structure.
	<b>Committees of the Board</b>	
G	At a minimum, the following standing committees of the Board are established: Nominations Committee, Audit and Finance Committee, and Governance Committee.	
G	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.	Water Polo West is in the process of formally establishing committees of the Board with approved terms of reference. These committees include a Finance Committee, Human Resources Committee, Governance Committee and Nominations Committee.
G	A process is in place that allows the Board to create Ad Hoc Committees of the Board to support other governance initiative or projects.	
G	Terms of Reference for each Committee of the Board are in place and there is a process to review the terms of reference on a regular basis (ideally every two to three years).	The terms of reference documents provide are fairly basic and may benefit from more details as to duties and responsibilities.
G	A process is in place for Committees to report regularly to the Board.	
M	Staff may be assigned to attend meetings of Board committees in an administrative capacity.	
	<b>Operational Committees</b>	
M	The senior staff person 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.	Executive Director is currently working on developing the terms of reference for committees. They also have an ad-hoc local organizing committee for the provincial championships.

	<b>Committee Structure</b>	<i>Observations/Findings</i>
M	Terms of Reference for each Operational Committee are in place and a process to review the terms of reference on a regular basis has been established.	
M	A process is in place for each committee to report regularly to the senior staff person. When a senior staff role does not exist, operational committees report to a designated individual.	
M	Athlete Representation is considered when constituting the composition of operational committees <b>OR</b> the organization has an Athlete Council/Committee.	

	<b>Human Resources Planning and Management</b>	<i>Observations/Findings</i>
	<b><i>Recruitment, Support and Evaluation of the Senior Staff Person is in place</i></b>	
G	The Board is responsible for the recruitment and orientation of the most senior staff person.	The Board was responsible for hiring the Executive Director in April 2025.
G	The senior staff person reports to the Board through the Chair and has a written job description.	The position description for the Executive Director is contained within the employment contract.
G	The Board is responsible for evaluating the performance of the senior staff person.	With the Executive Director being recently hired (within the last year), a performance evaluation has not been conducted.
G	The Board (or a committee of the Board) is responsible for annually approving the total compensation package of the senior staff person.	
G	The Board (or Committee of the Board) is responsible for reviewing the expenses of the senior staff person.	The expenses of the Executive Director are approved by the President.
G	The Board is responsible for ensuring a succession plan is in place for the senior staff person.	
G	If a senior staff person is in place, Executive Limitations have been established.	
	<b><i>Human Resources Planning and Management of Staff</i></b>	
G	Human Resources 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.	Water Polo West is a small organization that utilizes both contract staff and volunteers to support the operational aspects of the organization.

	<b>Human Resources Planning and Management</b>	<i>Observations/Findings</i>
M	Human Resources Roles demonstrate knowledge of the capacity of the organization to deliver on its strategic plan, support the effective delivery of programs and services.	
M	A Human Resources Plan forms part of the operational plan/budget process and is in alignment with the strategic plan.	
M	Human Resources policies are in place and all staff have access to them.	With all roles being either contracted or volunteer, this has not necessarily a priority for the organization so long as the contract adequately stipulates rights and responsibilities.
M	Position Descriptions are in place for all staff and are reviewed annually.	Position Description was provided for the High Performance Coach, however position descriptions were not provided for any of the contracted individuals or volunteer.
M	Employees are recruited and selected through an objective, consistent process that complies with human rights legislation.	
M	An orientation and training process is in place for all new staff.	
M	An annual performance development process is in place that incorporates a performance review, objective setting and a development plan for each staff member.	
M	The organization provides the opportunity for employees to develop additional skills.	
M	The organization has a process to identify the type and nature of roles within the organization and the appropriate compensation.	
M	The organization has policies and procedures in place that define and support the involvement of volunteers, including leadership volunteers.	

	<b>Financial Planning and Management</b>	<i>Observations/Findings</i>
	<b><i>Audit and Finance Committee</i></b>	
G	The Board has established an Audit and Finance Committee that meets quarterly, at a minimum.	Water Polo West is in the process of establishing a Finance Committee and recently approved the terms of reference for the committee (January 19, 2026).

	<b>Financial Planning and Management</b>	<b>Observations/Findings</b>
G	The Board is responsible for approving and monitoring the annual operating budget.	Water Polo West indicated that the annual operating budget is developed by the Executive Director and approved by the Board annually.
G	Financial Statements are reviewed monthly or quarterly by the Audit and Finance Committee and a report is shared with the Board.	The minutes of the board meeting demonstrate the Board is reviewing financial statements on regular basis and reporting on any discrepancies.
M	Management is responsible for developing the annual operating budget in alignment with the operational plan.	
M	A process is in place to monitor the annual operating budget and report any discrepancies to the Audit and Finance Committee or the Board.	
	<b>Financial Management Policies</b>	
G	The Board is responsible for approving the financial management policies of the organization.	Water Polo West does not have approved financial management policies or controls in place.
G	A minimum of two signing authorities are required for all payments and expenses.	Water Polo West did indicate that all payments require two signing authorities.
M	The Financial Management Policies are executed.	
M	An accounting system has been adopted by the organization and so has a process to ensure that the accounting of all funds is done in a timely manner.	
	<b>Tax Filings and Statutory Remittances</b>	
G	The Board has a process to ensure that the organization's tax return is completed and filed annually.	
M	On an annual or semi-annual basis, the senior staff person confirms that all statutory remittances have been filed and made.	Statutory remittances have been filed and made, however a process to notify the board of this task has not occurred.

	<b>Risk Management</b>	<b>Observations/Findings</b>
	<b>Risk Management Policy</b>	
G	The Board has adopted and approved a <i>Risk Management Policy</i> .	Water Polo West does not have an approved Risk Management Policy nor does it use a risk register or process to monitor risk on an ongoing basis.
G	The organization has a process to identify its major strategic and operational risks. The organization also has a plan to minimize and mitigate those	

	<b>Risk Management</b>	<b>Observations/Findings</b>
	risks, and this plan is reviewed and approved by the Board at least once a year.	
M	Management is responsible for ensuring the <i>Risk Management Policy</i> is executed.	
M	Management has a process to ensure that operational risks are reported to the Board on a regular basis.	
	<b>Insurance Coverage</b>	
G	The Board has General Liability insurance and it is regularly reviewed. <i>Standard of Practice</i>	Insurance coverage is provided through Water Polo Canada, and meets the viaSport Designation Program Standards.
G	The Board has Directors and Officers Liability Coverage	The organization indicated that it does have Director's and Officers Liability coverage.
G	The Board has reviewed and considered other insurance coverage such as Cyber Abuse, and Errors and Omissions.	
	<b>Document and Data Management</b>	
G	The Board is responsible for ensuring that all Governance Documents (e.g., bylaws, approved policies, Board minutes etc.) are retained and accessible to current and future Boards.	
M	Management is responsible for ensuring that documents are stored in a manner that is secure and respects confidentiality and privacy, while also ensuring that they are accessible to current and future staff.	Water Polo West utilizes Google Works for the storage of documents. Access to documents is restricted by role, as needed. The organization utilizes the national registration system provided by Water Polo Canada (RAMP) for all registrations where personal information and data is stored as Privacy Policies.

	<b>Safe and Inclusive Environments</b>	<b>Observations/Findings</b>
	<b>Safe Sport</b>	
G	The organization has adopted key safe sport policies and adheres to any applicable Acts or legislation. <i>Standard of Practice</i>	Water Polo West has adopted a Code of Conduct, Equality and Inclusion, and Screening Policy.
G	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 is in the process of setting out policies and protections for all participants to ensure appropriate compliance, discipline, and sanctioning in this area consistent with Water Polo West's obligations as the governing body.

	<b>Safe and Inclusive Environments</b>	<i>Observations/Findings</i>
G	The organization has adopted a policy on Equity, Diversity and Inclusion. <i>Standard of Practice</i>	
M	The organization has adopted key safe sport policies. <i>Standard of Practice</i>	
M	Management has established the processes to ensure that relevant complaints through the BCUCC are referred to the established independent third party. <i>Future Standard of Practice</i>	

	<b>Evaluation of Programs and Services</b>	<i>Observations/Findings</i>
	<i>Program Evaluation</i>	
M	A process is in place to evaluate all programs and services to ensure they are meeting intended outcomes or impact for the organization.	Water Polo West is in the process of defining how to evaluate programs and services.

## Provincial Sport Culture Index Assessment

These findings have been shared in a separate document. The findings indicate a healthy environment for board members, staff and contractors of Water Polo West.

## Recommendations

The following 28 recommendations have been developed for consideration by Water Polo West.

### Legal Incorporation

1. Water Polo West should consider revisions to its bylaws to ensure that its governance documents properly capture its Members, and then delineate between those Members and the individual participants in the sport, including athletes and all others who contribute to the sport. Water Polo West is encouraged to amend its bylaws to remove the category of “Non-Voting Member” so that membership is comprised of the Voting Members.

### Foundational Statements and Intentional Planning

2. To support enhancing accountability, Water Polo West may wish to consider including who is responsible for each of the actions identified within the strategic/operational plan.

### Informed Governance

3. The division of responsibilities between the Board and the senior staff person needs to be clarified. Options to consider would be the development of an *Executive Limitations Policy*, to have a well defined Board Policy or Charter, and a basic description of the Executive Director should also be added to the bylaws.

4. Water Polo West should continue to maintain formal minutes of all Member Meetings that capture attendance, motions.
5. Generally, members of a not-for-profit organization are responsible for three main pieces: a) electing Directors, b) appointing the auditor, and c) amending the bylaws. The organization should ensure that Members are not voting to approve financial statements, operational policies, membership fees, or any other things more properly left to the authority of the Directors, and that members are voting to appoint the auditor.
6. As with all organizations, Water Polo West should review annually the way in which the organization is identifying and resolving conflicts of interest. Water Polo West should implement a thorough *Conflict of Interest Policy* and update it annually.
7. Water Polo West should take steps to ensure that term limits for Directors are appropriate and that their Directors are independent without potentially competing fiduciary duties. Leading practice would demonstrate that generally term limits of 8 – 10 years be in place and outlined in the bylaws.
8. Water Polo West should consider having their Members elect all Directors as “at-large” and then having the Board appoint, from amongst themselves, all of the Officer positions.
9. Water Polo West should consider permitting the Board to appoint one or two Directors to align with any current or future *Diversity, Equity and Inclusion Policy* and/or any Skills, Diversity and Attributes gaps identified by the Board.
10. Water Polo West should consider creating a Board Planning Calendar outlining the dates of the meetings and the topics for discussion is an effective way for the Board to ensure it is performing all of its oversight functions.
11. Water Polo West should ensure that the position descriptions for each Officer and Director position are documented and available to all Directors so that there is no overlap between their duties (or with the duties of staff members).
12. Water Polo West should ensure that an appropriate process is in place for facilitating and vetting nominations to the Board, through a Nominations Committee with a current and approved terms of reference.
13. Water Polo West should consider establishing a process for the Board to conduct an annual board evaluation.
14. To ensure effective and efficient governance, Water Polo West should consider making ongoing Board education and development a priority.
15. Water Polo West appears to be operating in a legally compliant manner, but it should consider adopting a more fulsome set of governance policies outside of its bylaws to establish norms and

procedures to enhance the likelihood of ongoing compliance, especially within the realm of safe sport.

## **Committee Structure**

16. Water Polo West is encouraged to ensure that the standing committees of the Board are established in three core areas: Finance, Governance, and Nominations. All Board Committees should have clear terms of reference and should report to the Board.
17. Water Polo West may also establish committees with operational, as opposed to governance, responsibilities. All operational committees should have a current terms of reference, a review process, and a process to report to the senior staff person on a regular basis.

## **Human Resources Planning and Management**

18. Water Polo West should consider having the position description for the Executive Director outside of the main employment contract, in addition to forming part of it.
19. Water Polo West should look to adopt a process to evaluate the performance of the Executive Director.
20. To assist with succession planning and accountability, Water Polo West should look to document and describe through written position descriptions the roles of all the contracted staff and key volunteer(s). The organization should also look to adopt a simple and effective performance evaluation process.

## **Financial Planning and Management**

21. Water Polo West should continue in its work to establish and utilize the Finance Committee to assist in providing financial oversight to the organization.
22. Water Polo West should look to develop and adopt a Financial Management Policy with related controls.
23. A process should be in place to inform the board on an annual basis that all tax filings and statutory remittances have been filed.

## **Risk Management**

24. The Board should look to adopt and approve a Risk Management Policy.

## **Safe and Inclusive Environments**

25. All Designated Sports Organizations in British Columbia are required to facilitate the effective implementation of safe sport policies. Effective and efficient governance that provides for appropriate jurisdiction over Members, Registrants, and Participants is critical to safe sport compliance. The recommendations noted above are a part of what is required to provide a safe and inclusive environment.

26. Rules and procedures with respect to safe sport continue to evolve. All organizations should continually review and revise their bylaws, policies, rules, and procedures to ensure alignment with Water Polo Canada. Further, Water Polo West should ensure that it can meet requirements being established by Sport Safeguarding BC.
27. Screening procedures must be clear that representatives of the organization who coach or otherwise interact with minors must obtain a criminal record check. Here, Water Polo West requires screening at least every two (2) years.

### **Other Recommendations**

28. Water Polo West is encouraged to provide a copy of this report to its Members and other stakeholders by displaying it on the website and distributing it through other means of communication. The organization could also provide updates to the Members as the recommendations are adopted through the implementation process.

## **Implementation**

1. Sport Law will co-create an implementation plan and work with Water Polo West to decide which Recommendations to adopt, the timeline to adopt priority items, and the individual(s) who will action the implementation plan (with Sport Law's assistance, if desired).