

BEST PRACTICES IN RISK MANAGEMENT

BARRIE SPORT CONFERENCE 2026

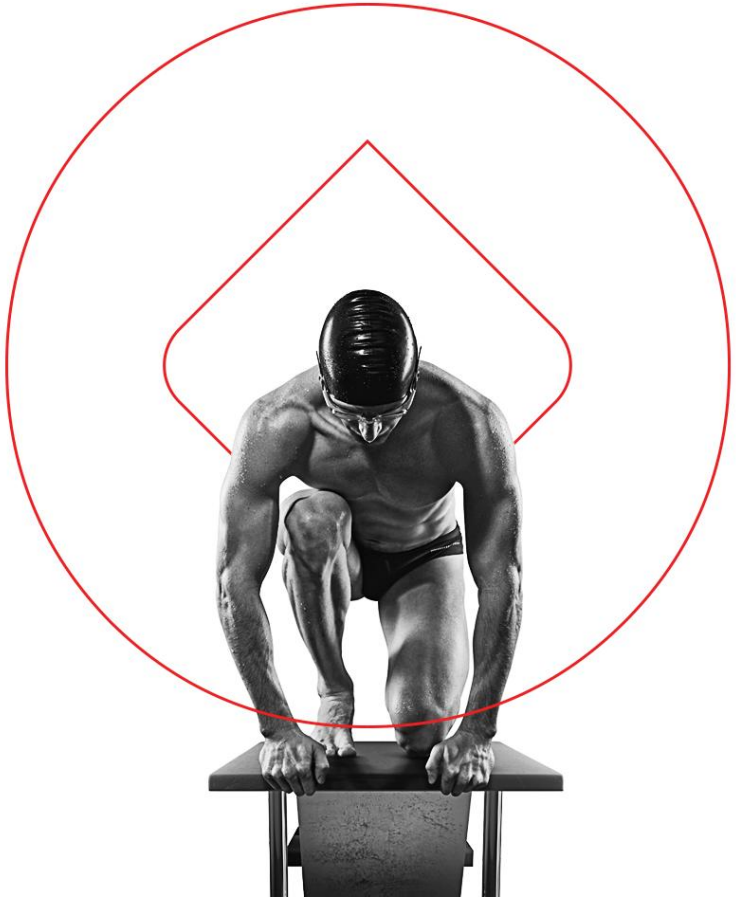
SPORT LAW

We know sport.

WHO WE ARE:
SPORT LAW

Our team loves working with sport leaders and organizations to help you achieve clarity and purpose.

- Leadership, Integral Coaching and Human Relations
- Legal Services
- Governance and Risk Management Solutions
- Planning and Financial Solutions
- Communications and Marketing Solutions
- Inclusive Solutions



RISK MANAGEMENT STEWARDS SINCE 2007

Since 2007, we have supported sport organizations in addressing, mitigating and managing risks so they can better leverage opportunities that will help them achieve their mission and vision, in a manner that aligns with their values. The impact of this work has been far-reaching and has improved risk awareness at all levels of sport.

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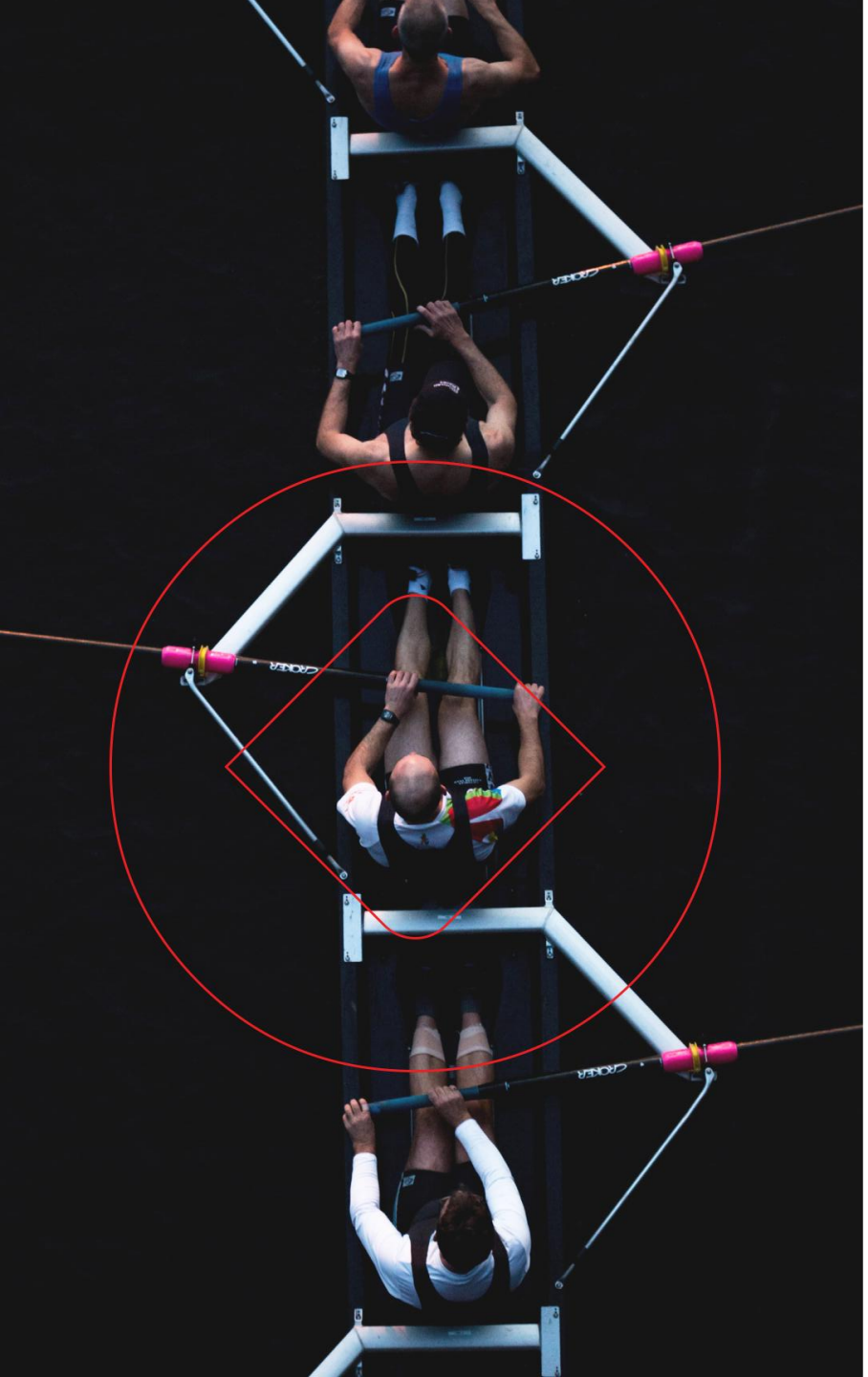


AGENDA

- Key areas affecting sport & implications for sport leaders
- Negligence
- Common risks in sport
- Risk Management tools & the Workshop
- Waivers
- BE INTENTIONAL

WHAT'S GETTING IN THE WAY?



- Outdated governance: Need new structures to remain relevant
- Disruption: Increase in mental health issues; safe sport issues; non-traditional ways of working; global disturbances
- Clash of values: Multi-generations have different values; demand for transparency and accountability; diversity is exposing our systemic flaws
- Changing nature of volunteerism: Incentives to volunteer; aversion to risks; fewer 'lifers'
- Shifts in leadership: Need for emotionally intelligent leaders who can both extend trust and demand excellence … the next gen doesn't want to be managed … they want to be inspired

IMPLICATIONS FOR SPORT LEADERS

- **Legal**
  - Injury/accident/fatality
  - Accessibility & Equity
  - Skills & knowledge
  - Elevate standards
- **Organizational**
  - Financial
  - Funding/Resources
  - Staffing
  - Programming/Legacy
  - Leadership
- **Public**
  - Membership/participation
  - Spectatorship
  - Partnerships
  - Relationships
  - Reputation/Brand hit

NEGLIGENCE/ACCIDENTS – 4 STEPS

Negligence occurs only when:

- A Duty of Care is owed,
- The Standard of Care is breached,
- Harm or Loss occurs,
- The breach of the Standard causes or substantially contributes to the Harm or Loss.

DUTY OF CARE

To whom do you owe a duty of care?

"To anyone who you ought to know could be affected by your actions"

Coach → Athletes

STANDARD OF CARE



- **Written/published standards**
  - Standards
  - Organization policies & rules
  - Manuals
- **Unwritten/unpublished standards**
  - New developments and trends
  - Network
  - Pursue and Participate in Professional Development.
- **Case law**
- **Common sense**
  - Intuition
  - Knowledge
  - Experience
  - Gut

STANDARD OF CARE



Highest possible level of care
- risk is eliminated

Reasonable standard of care in the circumstances - risk is appropriately managed

Failure to exercise any care
- risk is ignored

REALITY CHECK

The law does not cut you slack because you are '**volunteer-based' or 'volunteer-led**'.

But Remember…

The law never expects perfection, it only expects reasonableness

21ST CENTURY SPORT/REC ORGANIZATIONS …

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

COMMON ORGANIZATIONAL RISKS

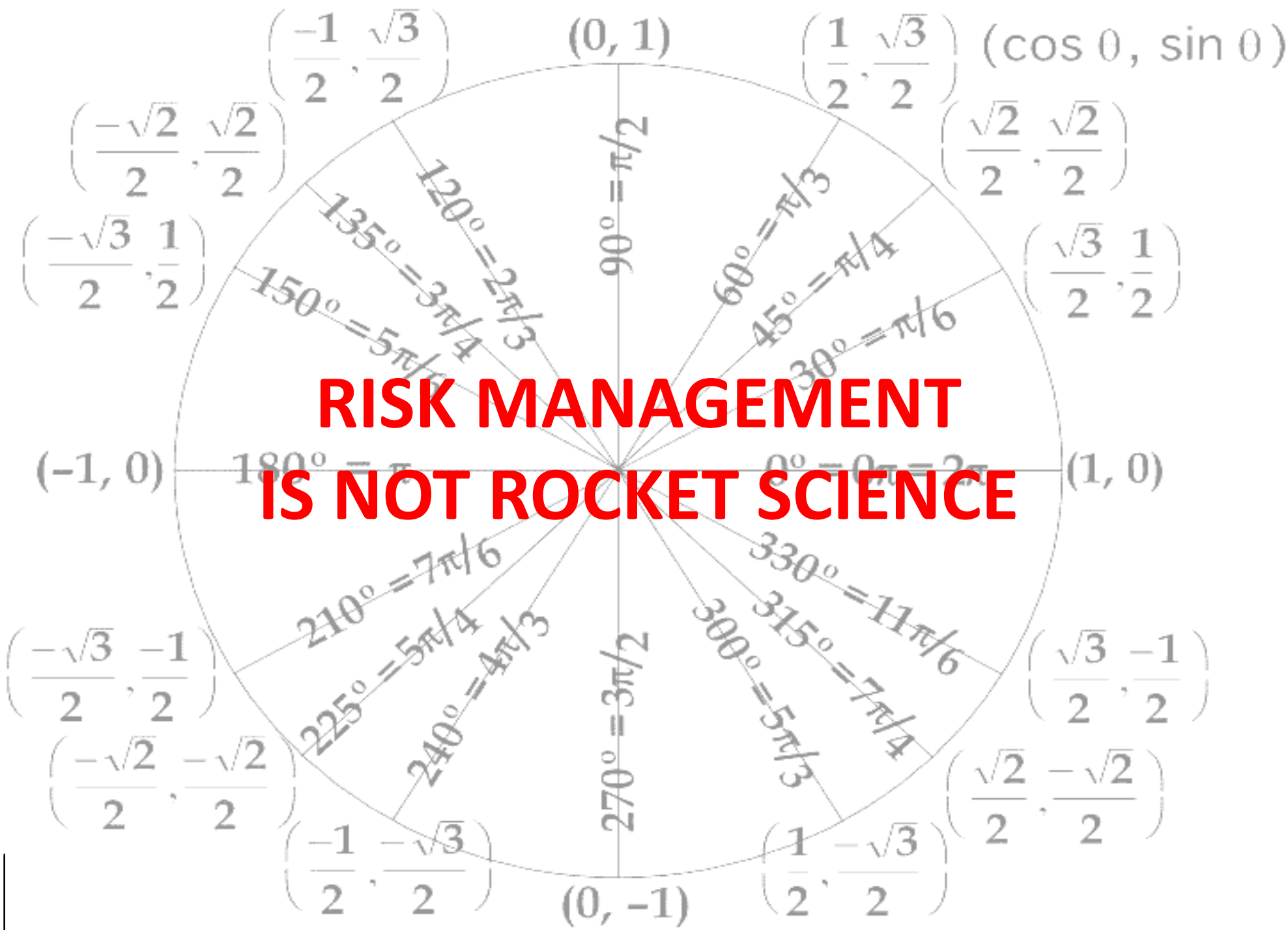
- Human resource issues (coaches, officials, administrators, volunteers)
- Lack of succession planning
- Concerned about financial stability; not diversified
- Excessive demands by participants
- Outdated/ inconsistent policies
- Reactive communications
- Lack of Board training
- Lack of qualified volunteers
- Lack of planning to deal with dispute or scandal
- Lack of diversity and inclusion
- Safe sport issues
- Insufficient investment in leadership and culture
- Misalignment between organization and its members
- Outdated governance system
- Ineffective conflict management

COMMON EVENT/PROGRAM RISKS

- Insufficient staffing for activity
- Significant accident leading to serious injury
- Incomplete registration for activity
- Limited financial resources
- Ineffective communications
- Lack of specific standards and guidelines to run activities
- Conflicting expectations
- Bad word of mouth, negative press / social media
- Competing activities that impact participation
- Long distance between participants and safety / medical personnel
- Inadequate insurance coverage
- Inclusion of alcohol at event

POLL:

On a scale of 1 – 5, with 1 being very poor and 5 being exceptional, how effective is your organization at managing its high level risks?


(0, 1)
(cos 0, sin 0)
90° = π/2
60° = π/3
45° = π/4
30° = π/6
120° = 2π/3
135° = 3π/4
150° = 5π/6
(−1, 0)
180° = π
0° = 0 = 2π
(1, 0)
210° = 7π/6
225° = 5π/4
240° = 4π/3
270° = 3π/2
300° = 5π/3
315° = 7π/4
330° = 11π/6
(0, −1)
RISK MANAGEMENT
IS NOT ROCKET SCIENCE

RISK MANAGEMENT FRAMEWORK

Aligned with the ISO International Standard for Risk Management Principles and Guidelines (ISO 31000:2009):

- Categorization of risks to make them more manageable
- Assessment tools & risk scoring method
- Risk treatment strategies (retain, reduce, transfer, avoid)
- Key program risk exposures/themes and recommended solutions (i.e. insurance, waivers, alcohol policy, resource allocation)
- ORG: policy, registry, programming, training, education
- Events/Programs: registry, EPP, ERP, manuals, equipment
- Mitigating risk = improved organizational effectiveness + enhanced resource allocation + stronger brand

HOW TO MANAGE RISK - SIMPLIFIED

Identify your Risks

- Not just injuries, but everything impacting your achievement of desired objectives
- Identify more serious risks – emergencies & themes
- Categorize your risks

Assess your Risks

- Using measurable criteria (Likelihood vs. Consequence)
- Assign risk ratings/scores & prioritize risks
- Compare with industry standards & best practices

Treat your Risks

- Retain, Reduce, Transfer, Avoid
- New and existing tools

MOST TIMES THE SOLUTIONS ARE EASY



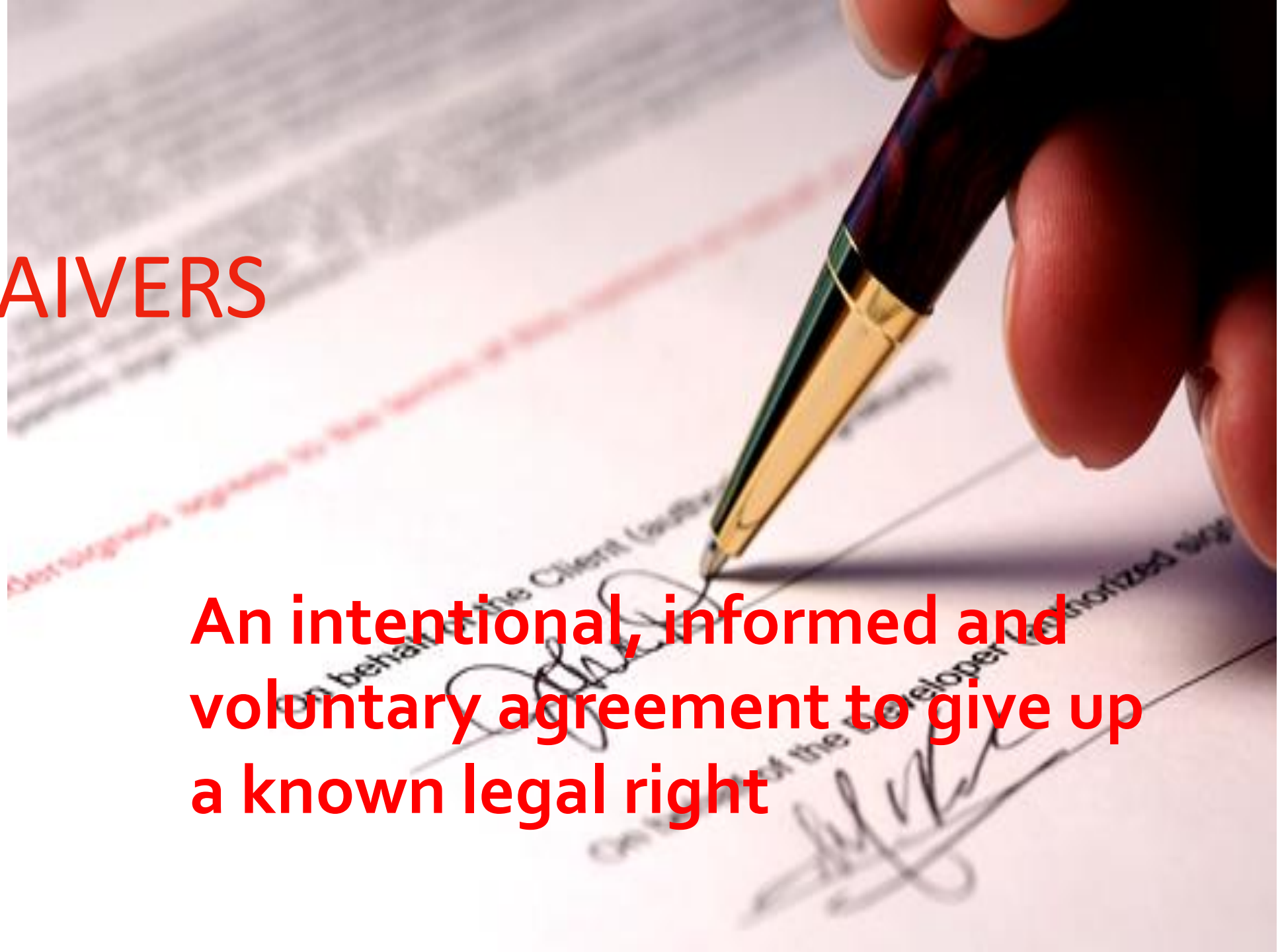
TOOLS FOR YOUR ORGANIZATION

- **Risk Registry** of high level risks which the organization will monitor, update, and operationalize (i.e. future measures) on an ongoing basis
- **Risk Management Policy** to promote the organization's commitment to risk management, as well as the internal framework (definitions, procedures, commitments) for the management of risk
- **Risk Assessment Worksheet** utilized by the Board and staff when reviewing its risks - identifying, assessing and determining risk treatment solutions and strategies
- **Action Planning Sheet** to help transfer identified treatment measures (short & long term) into operational plans, directives, & budgeting
- **Board of Directors RR Dashboard** for ongoing 'snapshots' of the Risk Registry and check-ins with the Risk Manager (ED/Committee/Other)
- **Risk Management writings and resources** that share additional best practices, risk solutions, and risk awareness tips for your organizational leaders

RISK MANAGEMENT WORKSHOP

- Facilitated session(s) w key staff & leaders
- Identify and capture your key corporate/program risks
- Rank your risks and identify the mission critical
- Risk Management Program: implementation, training, and education
- Establishment of tools for your organization
- To learn more:
  - https://sportlaw.ca/sub-service/perform-risk-management-assessments-and-prepare-risk-registries/
  - https://sportlaw.ca/wp-content/uploads/2025-Risk-Management-Workshop-Flyer.pdf

WAIVERS



An intentional, informed and voluntary agreement to give up a known legal right

WAIVERS

CONTEXT – is the waiver being used in a setting that is appropriate for such use

WORDING - is the waiver easy to read and understand?

CONTENT - are all activities, all parties, all risks covered (including negligence)?

EXECUTION - does person have authority to sign a contract, did they have an opportunity to read and understand the contract, did they sign the contract voluntarily?



WAIVERS - 3 ESSENTIALS

- Description of risks you are asking participant to accept - including both physical risks of the sport and legal risk of your negligence

- Participant's "release" or "waiver" of liability - the backbone of the waiver is the participant's knowing relinquishment of their right to sue you

- Participant's acknowledgement - that they have understood the terms of the waiver - and are signing it voluntarily

BE INTENTIONAL



The intentional management and mitigation of your risks is critical in today's sport landscape

- Start the conversation
- Properly identify your risks – think holistically; what's keeping us up, what's getting in the way
- Focus on the big boulders, not the little pebbles
- Adopt RM tools and basic standards for your organizational leaders – expand to a full framework and defined process
- Allocate the time, take the necessary pause
- Be accountable to the process

BENEFITS

- Your leaders have a shared definition of risk, they use the language, and they are asking RM questions
- Minimize your risk exposure and potential resource loss
- Preparedness – cracking the boulder
- Alignment with your VALUES
- Save resources (and stress) in the long run
- Effective RM creates opportunities and casts your organization in a positive light



JOIN US FOR CONVERSATIONS ABOUT HEALTHY, HUMAN SPORT

- Sport Law hosts a bi-weekly podcast, titled ***Sportopia: Conversations about healthy, human sport***, covering a range of topics within the Canadian sport landscape.
- Episodes are available on Apple Podcasts, Spotify, Google Podcasts, and Amazon Music. You can also listen on our website.



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