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**Governance Code for Sport**

**Policies and Procedures**

A Guidance Note

Disclaimer

Sport Ireland is making available a range of resources including guidance notes, policy documents and templates for selected areas aligned to the Governance Code for Sport which will support sport organisations, boards, management and staff in the development of relevant governance processes and procedures particular to their own organisation.

For the avoidance of doubt, the final decision on the nature, type, extent and format of approved governance policies, procedures and processes for each organisation is a matter for the board / highest governing structure of the organisation and the resources and material provided may assist the approval process.

This document is not, nor is it intended to be, a definitive statement of the law and it does not constitute legal advice.

This document is not a substitute for professional advice from an appropriately qualified source and it is recommended that sport organisations consult their governing document or obtain their own independent legal advice where necessary. Sport Ireland does not accept any responsibility or liability for any errors, inaccuracies or omissions in this document.

**Which policies and procedures does an organisation need?**

All of the five principles of the Code have sub-principles that make it critical to have proper policies and procedures in place. Without documented policies and procedures around specific areas the organisation would not be able to comply with all elements of the Code. In other areas, whilst not bound to be compliant, the organisation will be much more effective with a well drafted policy or procedure in place. We outline here which policies and procedures organisations should develop, and why they should do so. Organisations under the umbrella of a Local Authority may need to cross check with the authority’s policies and procedures.

All organisations – whether Type A, Type B or Type C - need to be compliant with the Code, and to manage their organisation to the best possible effect. All five of the principles of the Code – Leading the Organisation, Exercising Control, Being Transparent and Accountable, Working Effectively, Behaving with Integrity – are best achieved through the use of policies and procedures, which are supported by the appropriate patterns of behaviour.

Whose responsibility is it to develop policies and procedures?

It is the responsibility of the Board to ensure that the Governance Code is in place and that the organisation is adhering to the principles of the Code. The executive lead/CEO, together with volunteers or staff skilled in specific areas, will likely draft many of the policies/procedures, for discussion and approval by the Board.

Boards need to ensure that the appropriate organisation policies are in place and acted upon.  It is the responsibility of the Board to ensure that the policies are regularly reviewed to keep them up to date. These policies should be reviewed every 2 to 3 years as appropriate or legislative changes and organisational needs dictate. It is the responsibility of the Board to ensure that the policies in place comply with legislation and are up to date.

What governing documents is the organisation obliged to have?

The following are core documents that the organisation must have in place to be established:

* Governing documents, specifically the
  + Constitution
  + Memorandum and Articles of Association
  + Bye-laws
  + Discipline and appeals framework
  + Rule Book / Competition Rules and Regulations
* Definition of purpose of the organisation:
  + Strategic plan (Type C)
  + Annual Workplan (Type B and Type A)

Further policy areas in which it is mandatory for the organisation to comply with legislation - specific legal and regulatory requirements that are referenced in the Code

There are areas of specific legislation in Ireland where the organisation must comply with legal and regulatory requirement. To ensure that that the organisation complies with the legislation, it strongly requires a policy be put in place. These are policies around:

* Health and safety legislation – *Safety Statement*
* Children and Vulnerable Persons Legislation - *Safeguarding & Child Safety Statement*
* Equality Law – *Equality Policy*
* Protected Disclosures Act – *Protected Disclosure Policy*
* Data protection – *Data Protection Policy*
* Regulation of Lobbying Act - *Conflicts of interest, Code of Conduct*
* Revenue Commissioners – *Financial Policies and Procedures*
* Employment Law - *Employee Handbook, Employment Contracts, etc (Type C and Type B)*
* Companies Act 2014 – *Financial Policies & Procedures*
* Grants and Contracts (to comply with legal terms and conditions in contracts)

Which further policy areas will significantly improve the running of the organisation?

There are areas where the use of certain plans or policies/procedures will significantly improve the running of the organisation, and would be especially recommended in the case of Type C and Type B organisations, although will also benefit Type A. These could include:

* Job descriptions (or at least terms and conditions of employment)
* Performance appraisals and reviews
* Volunteer management policy
* Annual financial reports
* Risk register
* Schedule of matters reserved for the Board
* Communications plan
* Annual activity report
* Complaint form
* Feedback form
* Board induction process
* Board self-evaluation process
* Codes of conduct

Please see the full list of templates available at [Sport Ireland website](https://www.sportireland.ie/governance-code/governance-code-resources).

Further links and resources

[**Companies Registration Office**](https://www.cro.ie/)

[**The Wheel Employer Resources Newsletter**](http://www.employerresources.ie/)

**[Health & Safety Authority](https://www.hsa.ie" \t "_blank)**

[**Sport Ireland website**](Sport%20Ireland%20website)