



# **Attachment 1 to Item 4.4.5.**

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InConsult's 'Hawkesbury Sports Council  
Governance Review Report', dated January  
2024

Date of meeting: 14 May 2024  
Location: Council Chambers  
Time: 6:30pm



# Hawkesbury Sports Council

## GOVERNANCE REVIEW REPORT

January 2024



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# 1. EXECUTIVE SUMMARY

This report presents the results of an independent review of Hawkesbury City Council's (Council) approach to the management of the relationship with and oversight of Hawkesbury Sports Council Inc. (Sports Council) to which the Council has delegated the care, control and management of sporting facilities in the region. This report focused on the governance and management of risk by the Sports Council. This involved a review of governance and risk management framework documents, and discussions with the Executive Officer, directors, and member representatives.

The review found:

- Council has validly delegated powers to the Sports Council however greater clarity in roles and responsibilities would assist in better coordination.
- Sports Council is effective in leveraging available Council funding through successful grant applications and 50% financial or in-kind support from member sporting clubs.
- Sports Council has a range of governance structures, policies and procedures in place. The limited size of the Sports Council inhibits maturity therefore support from Council is required to assist.
- Sports Council has processes for longer-term planning based on prioritised allocation of available funds to respond to member sporting club requests. There is a lack of a coordinated approach to assessing community needs and delivering new facilities or major upgrades.
- There are significant opportunities to improve the governance and coordination of the Sports Council through the recommendations provided, including:
  1. Council to develop a service-level agreement to clarify roles and responsibilities, service standards, and operating requirements.
  2. Council to support Sports Council in enhancing governance through the development of broadly aligned procedures.
  3. Council and Sports Council to develop a coordinated approach to long-term planning based on the assessment of the adequacy of facilities and sports club requests.
  4. Sports Council to improve transparency and reporting to member clubs, Council, and community.

Our recommendations aim to help enhance the design and operation of the governance practices and assist the Council in working with the Sports Council in effectively delivering services to the community. Whilst the Sports Council may have limited resources, support should be provided by the Council and there are a range of resources available from Sports Australia and Sport NSW.

## 2. BACKGROUND

The Council understands the importance of managing risks at all levels of the organisation and is committed to ensuring that the risk management framework and practices are appropriate, robust and continually improving. The Council has relationships with a number 3rd parties for the delivery of services to the community.

Following a series of risk workshops across the Council which identified several risks relating to 3rd parties, the Council requested assistance in facilitating a review of corporate governance and oversight of a range of 3rd parties who manage Council assets and/or provide services on behalf of Council.

InConsult has conducted a review of the Council's approach to the oversight of 3rd party relationships and provided recommendations to develop standards for due diligence, contractual arrangements and monitoring and oversight to ensure that risks to the Council are appropriately managed. These standards are in development by the Council and yet to be fully implemented.

### 3. OUR APPROACH

To conduct the review and evaluate the Council's approach to managing its relationship with the Sports Council, we undertook the following activities.

- Identified and reviewed relevant Council governance and oversight standards (e.g. delegations, fraud, business continuity, procurement, code of conduct, conflicts of interest, business ethics)
- Reviewed applicable governance instruments (e.g. committee charters, delegations, terms of reference), legal structure (constitution) and service standards (e.g. legal contract, SLA, grant agreement).
- Met with range of representatives from Council including Elizabeth Richardson, General Manager, Charles McElroy, Manager Corporate Services and Governance and Sean Perry, Coordinator Open Space, Matt Hill, Coordinator Asset Planning, Conrad Manager, Manager Enterprise Risk Systems and Hana Maslak, WHS Coordinator, to discuss engagement with the Sports Council and risks that have the potential to impact on Council in terms of Environment, Finance, Operations and Reputation.
- Met with the Council's representative on the Sports Council, Councillor Sheather to discuss governance, risk management, reporting arrangements and associated issues and challenges.
- Met with Anne Neal, Administrator, Sports Council to confirm activities and governance arrangements, discuss issues and challenges, risks, opportunities etc. that have the potential to impact on Council in terms of Health and Safety, Environment, Finance, Operations and Reputation.
- Met with David Bertenshaw, President Sports Council to discuss governance and operation of the Sports Council and engagement with the Council.
- Met with select member representatives to discuss the experiences of their sporting club with the Sports Council and the Council.
- Identified key elements of better practice relevant to the Sports Council and evaluated the application of the Council's governance and oversight.
- Conducted a compliance audit of the Sports Council's compliance with relevant governance instruments and financial requirements. We considered:
  - Governance – constitution, charter, delegations, operating procedures.
  - Constitution – the role of members, user groups and other stakeholders, decision-making regarding allocation of funding, processes for the making of grant applications and acquittal of funds/reporting, and record keeping.
  - Risk Management – Risk management framework, Work, health and safety, identification of activities and associated risks that have a potential impact on the Council, opportunities to better manage the relationship between the Council and the Sports Council to mitigate potential risks, Business Continuity Plans, Disaster and emergency preparedness and response.

- Privacy and Confidentiality – Legal requirements, Privacy and Personal Information Protection Act 1998 and the Information Protection Principles.
- Transparency and reporting (Recording and keeping of minutes, Reporting to Council).
- Application of Council policies including Code of Conduct, and Procurement Policy.
- Financial – Establishment and execution of plans, alignment with Council’s Community Strategic Plan and Delivery Program, compliance with statutory reporting obligations, authorities and financial delegations, payroll compliance, procurement processes and activities, expenditure and financial reserves.

## 4. FINDINGS

In conducting the review, we examined the documentation provided, conducted interviews, and examined whether the governance and risk management framework of the Sports Council was reasonable and provided appropriate assurance to Hawkesbury City Council about the risks to its reputation, environment, and financial position.

Our review also considered a range of sources of better practices in assessing governance and risk management:

- Office of Local Government Guidelines
- CivicRisk Mutual (Council’s insurer) Continuous Risk Improvement Program Audit Tool
- [Sports Australia Governance Standards](#)

In conducting the review of the Sports Council, an assessment was made against better practice. It should be noted however that some better practices may not be appropriate for the size and business model of the organisation and there may be alternate methods of meeting the objective of the criteria.

Element	Observations
Delegation	<ul style="list-style-type: none"> <li>● Council has validly delegated by Council resolution the care, control, and management of active playing fields to Hawkesbury Sports Council Inc as required by Section 355. The delegation was for <i>active playing fields as previously determined by the Council</i> rather than detailing specific services to be provided by the Sports Council. Without referring to all prior Council resolutions, the extent of delegation and allocation of responsibilities is not entirely clear.</li> <li>● There is a 20-page table listing facilities at each sporting ground with a checkmark indicating maintenance responsibilities split between the Sports Council, Council and sporting clubs. In practice, despite the delegation to the Sports Council, Council staff may override the delegation or change practices outlined in the table without agreement. There are blanks, handwritten question marks and comments on the table and ambiguity of expectations in terms of expected operational practices.</li> <li>● Responsibility for flood lighting is contentious as the table indicates Sports Council responsibility for each facility however the Council prefers to manage both security lighting and flood lighting.</li> </ul>

Element	Observations
	<ul style="list-style-type: none"> <li>• Sports Council does not have a defined role in the development of new sporting facilities. Whilst the responsibility for management is not defined, in practice it involves improvements to sporting facilities which was one of the original proposed aims and objectives of the Sports Council.</li> <li>• Legal advice is that potential issues with the delegation of non-delegable functions are overcome through the expenditure of funds approved as part of Council's Operational Plan. The Operational Plan includes fees applied and a budget for the renewal, upgrade and construction of recreational facilities.</li> </ul>
Governance	<ul style="list-style-type: none"> <li>• Sports Council has a constitution that was broadly aligned with the most recent model constitution for associations. The objectives in the constitution include, amongst other things, to maintain, improve and increase the sporting recreation areas allocated to the Sports Council and to improve facilities, subject to Council approval.</li> <li>• Member representatives of sporting clubs are voted to the Committee of the Sports Council at an AGM, however, there are limitations to two committee members from each sporting discipline and one from each of the Hawkesbury Primary Schools Sports Association, Hawkesbury non-government schools and Hawkesbury High Schools Sports Association. Council appoints one committee member, and the Coordinator Parks and Recreation attends all meetings. Council's Operational Plan indicates responsibilities relating to sporting facilities reside with Asset Systems and Planning.</li> <li>• The Sports Council Executive comprises the President, two Vice-Presidents and Treasurer who are directly elected by member representatives rather than elected by the Committee.</li> <li>• The Committee oversee operations run by an Administrator. Sports Council has one full-time administrative assistant and three outdoor staff.</li> <li>• The review against the Sports Australia Governance Standards assessed practices on a 1-4 scale and identified several limitations as not unexpected for an organisation of its size. Refer to Appendix A.</li> </ul>
Strategy and Business Planning	<ul style="list-style-type: none"> <li>• Sports Council develops 2-year, 5-year and 10-year plans based on input of members which are then subject to funding grants becoming available. Sporting clubs are encouraged to contribute 50% of project costs either directly or through in-kind contributions to support approval. Projects are prioritised by the Committee after considering the recommendations of the Administrator who nominates works where known issues exist.</li> <li>• There is general alignment with the high-level objectives in the Council Community Strategic Plan. The Council Delivery Program and Operational Plan do not include detailed reference to projects and initiatives delivered in partnership with or by the Sports Council.</li> <li>• There is limited longer-term planning based on condition assessment or benchmarking of facilities. Limitations to funding approved for the Sports Council may result in safety concerns not being addressed. Due to the prioritisation of funding, sporting clubs' requests may not be actioned for a few years.</li> </ul>

Element	Observations
	<ul style="list-style-type: none"> <li>• Sports Council’s planning is not aligned with the Council’s asset management planning approach to maintenance and renewal.</li> <li>• Sports Council does not have long-term asset management plans. Council develops asset management plans for facilities however due to funding these are not always fully implemented before being revised. Sporting clubs have advised they are not routinely consulted by Council.</li> <li>• The approach to long-term planning by the Council and Sports Council may not fully cater for changing demographics, population growth or changing community needs.</li> <li>• Until recently, Council’s asset management planning did not recognise the full replacement value of assets including in-kind contributions.</li> <li>• Council appears to have effectively leveraged the support of sporting clubs to upgrade and operate existing assets. Sporting Council user fees and charges and council operating budget contribution have only been adjusted for inflation since being set in 1992.</li> <li>• Sports Council allocates active playing fields on an existing user primacy basis, which supports commitment by sporting clubs to raise funding for upgrades due to a sense of ownership. This does however mean that newer sporting clubs may not be allocated home facilities that meet their needs for several years despite other existing clubs with smaller member numbers having multiple facilities.</li> <li>• Sports Council does not have a conflict-of-interest policy or register however minutes demonstrate notification by directors when topics are discussed.</li> </ul>
Risk management	<ul style="list-style-type: none"> <li>• Sports Council does not have a documented risk management framework except relating to Work Health and Safety risks where there are policies and procedures developed as a result of a Employsure Workplace review in mid 2023. This does not yet include the completion of a risk register.</li> <li>• Sports Council has developed a WHS Corrective Action Plan to address WHS items. The Workplace review did not cover construction work, including renewal and upgrade projects.</li> <li>• In practice, the Sports Council understands and manages the safety risk relating to business-as-usual care, control and maintenance. There have been no material incidents to date.</li> <li>• Sports Council has not formally identified and documented its risk exposures and how they are managed nor provided these to the Committee.</li> <li>• Sports Council practice, which is also outlined in its User Guide, is for major projects to be supervised by the Sports Council or an approved project manager. Some projects are managed directly by the Council. The project manager is responsible for induction.</li> <li>• Major projects involve engagement (contract or in-kind contribution) of a licensed builder, with insurance cover and WHS plan submitted to the Sports Council. Minor improvements involve a risk assessment, license and insurance review.</li> </ul>

Element	Observations
	<ul style="list-style-type: none"> <li>• In developing or modifying facilities, no specific project management methodology is adopted. The risk of cost overruns for projects is not assessed.</li> <li>• Insurance purchased by the Sports Council (and Council) cannot legally cover WHS fines and penalties which may be substantial, impact the viability of the Sports Council and expose the Council.</li> <li>• Sports Council has purchased a range of insurances including management liability, professional package, commercial motor, workers' compensation and voluntary workers.</li> <li>• Sports Council has responded effectively to the series of floods by developing strategies to rapidly protect equipment and assets by evacuating equipment/moving containers. These have yet to be fully documented. Sports Council does not have a Business Continuity Plan for the loss of key staff, facilities or information technology.</li> <li>• Sports Council has engaged an IT professional to implement cyber security. Information technology systems are backed up offsite.</li> </ul>
Compliance	<ul style="list-style-type: none"> <li>• Sports Council has agreed to abide by the Council Code of Conduct, Statement of Business Ethics and Code of Meeting Practice however relevance of application to Sports Council operations and activities is unclear. No evidence of non-compliance was identified.</li> <li>• Neither the Council nor Sports Council has evidence of communication of or agreement to adhere to the Council's privacy policy. Sports Council is not covered by the Australian Privacy Principles in the Privacy Act 1988 as annual turnover (including grants) is less than \$3m. Sports Council is not subject to the Privacy and Personal Information Protection Act 1998 NSW and the Information Protection Principles. Sports Council holds limited confidential or personal sensitive information.</li> </ul>
Financial Management	<ul style="list-style-type: none"> <li>• The Sports Council is allocated funding each financial year to cover ongoing operating expenses and is provided grant funding from the Council sourced from 3<sup>rd</sup> parties for sporting facility upgrades. The Sports Council funds the sports facility upgrades with grant monies only transferred after acquittal at project completion.</li> <li>• Council provides operating funds for the new financial year after receipt of audited financial statements from the previous financial year. This exposed the Sports Council to solvency risk because of delays in receiving funding for operating expenses. After the review, this was changed to ensure receipt of audit report is only required for the 2<sup>nd</sup> payment.</li> <li>• Neither the Council nor Sports Council has evidence of communication of or agreement to adhere to the Council's Procurement Policy and the Sports Council does not have its own policy. It is understood that the Council has encouraged the Sports Council to follow its procurement practices and has subsequently advised an overview of their policy and training is available upon request.</li> </ul>

Element	Observations
	<ul style="list-style-type: none"> <li>• In practice, the Sports Council obtains multiple quotes for amounts over Council thresholds or refers to Council-preferred suppliers where the Sports Council does not have previous suppliers.</li> <li>• The rationale for member provision of in-kind support or quotations to be declined due to Council preferred supplier arrangements has not been adequately communicated. It was reported that where the council has multi-year preferred supplier agreement costs appear to be higher than market rates available to the Sports Council.</li> <li>• Council allocates limited funding to the Sports Council for specific projects and where there are variances including from the use of Council-preferred suppliers that are more expensive than quotations obtained by the Sports Council or sporting club, this overspending is worn by the Sports Council which reduces funding for other projects.</li> <li>• Untimely response by Council to minor maintenance requests can result in major operation failure which reduces the Sports Council budget.</li> <li>• Sports Council adheres to 3<sup>rd</sup> party grant acquittal processes however the level of supporting evidence required for release of grant funding from Council is more extensive than required directly by the grant provider.</li> </ul>
Engagement, Monitoring and Oversight	<ul style="list-style-type: none"> <li>• Sports Council provides annual financial statements and AGM meeting minutes to member representatives. The Council's Coordinator Parks and Recreation and Councillor Sheather receive all Committee reporting including meeting minutes.</li> <li>• Sports Council does not provide a detailed annual report to Members, Council or the community outlining the scope of its activities or performance. The constitution requires a Committee report on activities over the last financial year to be presented to the AGM. The President makes a speech at the AGM outlining activities.</li> <li>• Consolidated 2, 5 and 10-year plans outlining Sports Council funding prioritisation that has been approved by the Committee are distributed to member representatives after the AGM. These plans were not circulated to member representatives in previous years.</li> <li>• Sports Council has a dispute resolution process documented in its User Guide which involves the Executive in the first instance followed by a meeting with the member sporting club, Sports Council Executive and Council representatives. This process has not always been followed by sporting clubs and the Council nor have the meetings with the Council been effective in resolving long-standing issues.</li> <li>• Sports Council engages closely with the Council however since the Council restructured, the responsibility of stakeholders and the escalation process relating to issues about quality or timeliness of Council maintenance responsibilities has not been clear.</li> </ul>

## 5. RECOMMENDATIONS

The recommendations provided are designed to improve the maturity of each attribute to the next level of Risk Maturity and address the requirements of the Guidelines.

Element	Recommended Activities to enhance maturity
Delegation	<ol style="list-style-type: none"> <li>1. Council should ensure that the delegation by council resolution refers to the care, control and management of active playing fields as outlined in the service level agreement agreed on DD MMM YY and as amended from time to time by agreement of Council CEO and Sports Council.</li> <li>2. Council should document a service level agreement that outlines in detail expectations to provide clarity for all parties. Refer to Appendix B.</li> </ol>
Governance	<ol style="list-style-type: none"> <li>3. Council should specify required policies and procedures in the service level agreement and assist the Sports Council with developing policies and procedures that are broadly aligned and appropriate for the size and nature of operations.</li> <li>4. Sports Council should <u>consider</u> the benchmarking against Sports Australia Governance Standards in Appendix A and whether any action is warranted over time given available resources. It is acknowledged not all standards are appropriate for the size and nature of the Sports Council. Sports Australia has a range of free <a href="#">governance resources</a> and director courses to assist. Sports NSW also has a range of resources covering governance, <a href="#">risk management and accountability</a>, strategy and planning, and financial management.</li> <li>5. Sports Council should develop a Conflicts of Interest Policy and record all conflicts and potential or perceived conflicts on a register in addition to the standard declaration and recuse practice at Committee meetings.</li> </ol>
Strategy & Business Planning	<ol style="list-style-type: none"> <li>6. Council should collaborate with the Sports Council and member sporting clubs in an assessment of the adequacy of facilities to ensure appropriate long-term funding for renewal and upgrade as part of better practice asset management planning.</li> <li>7. Sports Council should ensure that the planning prioritisation process is documented and communicated to members and that consolidated plans are regularly communicated to members to ensure there is no perception of bias.</li> <li>8. Sports Council should <u>consider</u> presenting 2- and 5-year priorities to the Council's Asset Strategy and Planning team for review and prioritisation as part of the proposed Council capital works program to ensure alignment with the Council's Community Strategic Plan, Delivery Program and Operational Plan. This will enable a more holistic view by Council of the adequacy of funding.</li> <li>9. Sports Council should review the approach to ground allocation to ensure that allocation reflects participation to ensure that the overall needs of the community are met over a reasonable timeframe. This could involve co-tenancy or a reduction in allocation based on participation.</li> <li>10. Council should consider its approach to funding any works required to address safety concerns to ensure prioritisation, without affecting the backlog of facility upgrades.</li> </ol>

Element	Recommended Activities to enhance maturity
	<p>11. Council should implement a process to expedite and resolve any issues with inadequate or insufficient active playing fields, where sporting club needs have been unable to be met for an extended period. This may include the development of an Open Space Strategic Plan.</p>
Risk management	<p>12. Sports Council should develop a Risk Management Policy outlining the risk assessment criteria and process for identifying and documenting risk and controls on a risk register. A risk register covering all risk categories (including safety, environment, project, financial, cyber, and compliance) should be reviewed at least annually and reported to the Committee.</p> <p>13. Sports Council should report to the Committee and Council on WHS action plans.</p> <p>14. Council should consider a review of the Sports Council’s WHS system periodically.</p> <p>15. Sports Council should ensure that evidence is maintained of due diligence checks and induction of volunteers for projects.</p>
Compliance	<p>16. Council should assist the Sports Council in developing appropriate governance policies and procedures that are broadly aligned and tailored for the Sports Council. This should include a Code of Conduct, Code of Business Ethics, Procurement Policy, and Risk Register.</p> <p>17. Council should ensure that copies of all policies expected to be complied with in full are stated in the service level agreement and issued to the Sports Council at least every Council term (when delegation authorised) and when the policy is revised.</p>
Financial Management	<p>18. Council should ensure that the approach to budgeting and provision of funding is documented in the service level agreement.</p> <p>19. Council should <u>consider</u> whether it is appropriate to adjust the Sports Council's budget where Council chooses to reject in-kind contributions or appoint a service provider to undertake works at a higher cost than could be arranged by the Sports Council.</p> <p>20. Council should review its grant acquittal process to ensure the level of evidence and format required from the Sports Council is consistent with that required by the grant provider. The agreed process should be documented in the service level agreement.</p>
Engagement, Monitoring and Oversight	<p>21. Council should collaborate with the Sports Council to ensure all parties have an enhanced understanding of the needs of members of sporting clubs and adequacy of sporting facilities in the Hawkesbury. This would be consistent with community engagement as part of the development of an Open Space and Community Facility Strategic Plan.</p> <p>22. Council should document the role and contact details of key business partners within Council and communicate to the Sports Council.</p> <p>23. Council should review the effectiveness of the dispute resolution process and how to expedite the resolution of long-standing issues. This could involve monthly meetings with Assets Systems and Planning and the relevant Director.</p> <p>24. Council should review the process for prioritisation or escalation of maintenance issues that may have a financial impact on the Sports Council. This process should be documented and included in the service level agreement.</p>

Element	Recommended Activities to enhance maturity
	<p>25. Council should ensure that the rationale behind the decline of in-kind contributions is communicated in writing to the Sports Council and member sporting clubs.</p> <p>26. Sports Council should <u>consider</u> providing a periodic briefing to members, Council staff and Councillors on the role and operations of the Sports Council in delivering services to the community. At least once each Council term may be appropriate.</p> <p>27. Sports Council should provide a report at least every six months to the Committee outlining compliance with agreed service standards and relevant Australian Standards, management of risk and remediation of any issues.</p> <p>28. Sports Council should <u>consider</u> providing a six-monthly report to members and Council demonstrating adherence to any programs, agreed performance targets, compliance requirements and standards and/or results of any audit or review.</p> <p>29. Council should <u>consider</u> assisting the Sports Council in producing an annual report to members and the community. E.g. <a href="#">annual-report-parkes-sports-council-2022-2023.pdf</a>  <a href="#">This would better meet the requirements of the Sports Council constitution and demonstrate the role of Council and Sports Council in supporting community sport.</a></p>

Our recommendations have been prioritised based on the level of risk and importance.

### Priority Rating of Recommendations

Rating	Guidance	Responsible Party	
		Council	Sports Council
<b>HIGH</b>	Action is a matter of priority within 9 months to enhance governance, management of risk and operational effectiveness	1, 2, 10, 11, 17, 18, 19, 22, 23, 24	5, 12, 13
<b>MEDIUM</b>	Action is required within 9 to 15 months to enhance governance and ensure material risks are not overlooked	3, 6, 14, 16, 20, 21, 25	7, 8, 9, 15, 26, 28
<b>LOW</b>	Action is important to be completed within 15 – 24 months to enhance governance oversight and engagement with members	29	4, 27

Some recommendations may not be as important however may be easy to address or would be better implemented in conjunction with other recommendations.

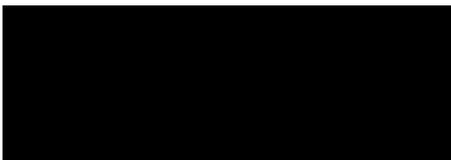
## 6. CONCLUSION

Council has a strong relationship with the Sports Council and the constitution of the Sports Council guarantees strong engagement. There are significant opportunities to ensure that there is greater clarity of expectations, increased coordination and transparency about how services are being delivered, and to enhance understanding of how risks to the Council are being managed.

This report makes a number of recommendations designed to enable the Council to obtain greater assurance in relation to robust governance and risk management of the Sports Council and improve coordination to better deliver services to the community.

Overall, we made 29 recommendations. Many of these relate to the clarity of the roles of each party and, the development of appropriate policies and procedures which will need the support of the Council. Many of the recommendations are reliant on the Sports Council to agree to enhance practices.

It is recognised that implementation of some recommendations will be relatively straightforward whilst others will require more detailed consideration. Accordingly, we have divided the recommendations into three categories based on our view of their complexity and urgency: high, medium and low. Ultimately it will be a matter for management to determine the timeframe and priority of each recommendation depending upon available resources.



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**Cameron Parsons**

Senior Manager – Risk & Resilience

January 2024

*Disclaimer: We have performed this review to assist the Council in enhancing its understanding and oversight of the Sports Council and to strengthen elements of its governance and risk management framework. Our review was not designed to identify all gaps and weaknesses. The Council and Sports Council should consider all the ramifications of our recommendations before taking any action about, or emanating from, our report. This report is prepared solely for the Council and should not be used for any other purpose or provided to, used by or relied upon by any party other than the Council and Sports Council without our prior written consent.*

## APPENDIX A: SPORTS AUSTRALIA GOVERNANCE STANDARDS

Sports Governance Standards		Average	Assessment	Evaluation	Comment
<b>Principle 1</b>					
The spirit of the game – values-driven culture and behaviours. An organisation’s culture and behaviours should be underpinned by values that are demonstrated by the Board (Committee) and embedded in its decisions and actions.					
1.1	Code of Conduct	2.87	1	The Committee has not implemented a committee members' code of conduct	President has committed to abiding by the Council Code of Conduct which is not directly relevant as not tailored to Sports Council. Employee Handbook covers misconduct by employees.
1.2	Defined Values and Behaviours	3.16	1	The organisation has not yet defined or published values and behaviours	
1.3	Demonstrated Values and Behaviours	N/A	N/A	Evaluation cannot be assessed where values and behaviours have not been defined.	
	<b>Assessment</b>		<b>1</b>		
<b>Principle 2</b>					
The team-aligned sport through collaborative governance. Across a sport, Boards should work together to govern collaboratively and create alignment to maximise efficient use of resources and implement whole-of-sport plans.					
2.1	Stakeholder Engagement Plan	2.75	1	The Committee has not developed a stakeholder engagement plan	Sports Council is open to engagement from members and all member representatives required to attend the AGM.
2.2	Member Meetings	3.40	1	The Committee does not meet with the Board/Committee of member bodies	Committee meets with member representatives at the AGM.

Sports Governance Standards		Average	Assessment	Evaluation	Comment
2.3	Member Communication	3.71	2	The organisation communicates with its member bodies on an ad-hoc basis, usually when information is sought by either party	
2.4	Member Collaboration	N/A	2	The organisation proactively communicates opportunities for collaboration (such as resource utilisation) with its member bodies	
	<b>Assessment</b>		<b>1.5</b>		

### Principle 3

The gameplan – a clear vision that informs strategy. The Board is responsible for overseeing the development of the organisation’s vision and strategy as well as determining what success looks like.

3.1	Strategic Plan	3.10	3	The organisation has a strategic plan with an accompanying budget	The Committee has not adopted a strategic plan with clear and measurable targets however the ability to meet the 2 and 5 year plans within budget is viewed as a measurable target.
	<b>Assessment</b>		<b>3</b>		

### Principle 4

The players – a diverse Board to enable considered decision-making. A board should be a diverse group of people who collectively provide different perspectives and experience to facilitate more considered decision-making

4.1	Board Skills Matrix	3.49	1	The Committee does not have a board/committee skills matrix or have regard to diversity of skills when identifying committee members for elected and appointed positions	Committee members are elected by member representatives or appointed by Council.
4.2	Diversity, Equity & Inclusion	2.35	N/A	The Committee has not identified board/committee diversity, equity and	

Sports Governance Standards		Average	Assessment	Evaluation	Comment
				inclusion goals necessary to achieve its strategy.	
4.3	Gender Balance	3.43	2	The Committee has no more than 80% of one gender	
4.4	Director Independence	3.61	3	Appointed committee members are independent, its elected committee members may not be independent	
4.5	Appointment of Directors	3.20	1	The organisation does not have processes for the identification of prospective committee members to ensure the committee collectively has required skillset.	All committee members are elected following a nomination, a seconding and lodgement of nomination form
4.6	Board Composition	2.74	2	The Committee has between 0-20% appointed directors	Only Council Sheather is appointed, although the Coordinator Parks and Recreation attends as an observer.
	<b>Assessment</b>		<b>1.8</b>		

### Principle 5

The rulebook – documents that outline duties, powers, roles and responsibilities. An organisation should clearly define and document its structure and the duties, responsibilities and powers of members, directors, committees and management.

5.1	Legal Entity	3.92	4	The organisation is a legal entity which best suits its size, need and jurisdiction	
5.2	Director Term Limits	3.63	1	The organisation does not have term limits or a maximum tenure for committee members	Some committee members have long tenure.
5.3	Director Eligibility	3.27	1	The organisation does not have a minimum period before a former committee member is eligible to re-join the Committee	All committee members are elected by member representatives.

Sports Governance Standards		Average	Assessment	Evaluation	Comment
5.4	Director Induction	3.05	1	New committee members do not undertake a formal induction process or training	President provides an overview to new committee members.
5.5	Board Charter	3.02	1	The Committee does not have a documented committee charter	
	<b>Assessment</b>		<b>1.6</b>		

### Principle 6

The playbook – board processes that ensure accountability and transparency. Through effective processes and continual review of its performance, the board is able to demonstrate accountability and transparency to its members and stakeholders.

6.1	Finance, Audit & Risk Committee	3.34	1	The organisation does not have a Finance, Audit and Risk Committee (or equivalent)	Finances are reviewed by the Committee.
6.2	Board Chair Appointment and Evaluation	2.97	1	The organisation has a chair elected who is not elected by the Committee	Officebearers including the President are directly elected by member representatives as outlined in the constitution.
6.3	CEO Eligibility	3.34	1	The organisation does not have a minimum period before a former Administrator is eligible to become a committee member.	
6.4	Conflicts of Interest	3.34	1	The Committee does not have a conflict-of-interest policy and register	The committee members declare conflicts on an agenda-item basis.
6.5	Governance Reporting	2.81	1	The organisation does not report on governance outcomes	The Sports Council does not have an annual report, including if not why, why not reporting.
	<b>Assessment</b>		<b>1</b>		A President's Report and powerpoint presentation is provided at the AGM.

### Principle 7

The defence – a system which protects the organisation. To proactively protect the organisation from harm, the Board ensures the organisation has and maintains robust and systematic processes for managing risk.

Sports Governance Standards		Average	Assessment	Evaluation	Comment
7.1	Vulnerable Persons and Children	3.42	Not Applicable	The organisation does not document processes for workers/volunteers working with vulnerable persons and children	All sporting code governing bodies require the sporting clubs to provide details of their processes.
7.2	Development of Risk Management	2.92	1	The organisation has not developed a risk management process or associated policies	The Sports Council has a WHS policy but not a risk management policy or process
7.3	Implementation of Risk Management		1	The organisation does not implement a risk management system	The Sports Council does not have a risk register or risk management system
	<b>Assessment</b>		<b>1</b>		

### Principle 8

The best and fairest – a system for ensuring integrity. An organisation should have measures and protocols to ensure integrity of the sport and safeguard its participants. Note: From July 2022, Sport Integrity Australia is responsible for standards relating to Principle 8, including the measurement of maturity levels and support for sporting organisations.

8	Sports Integrity Australia		Not Applicable		
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### Principle 9

The scorecard – embedded systems of internal review to foster continuous improvement. The Board must have an appropriate system of internal controls to enable it to monitor performance, track progress against strategy and address issues of concern.

9.1	Board Evaluation	2.35	1	The Committee does not conduct a committee evaluation process	
9.2	Board Meeting Schedule	3.39	2	The Committee schedules five or more committee meetings a year	
9.3	Board Meeting Agenda	3.56	2	The organisation circulates agenda and committee papers to the Committee	
9.4	Board Meeting Minutes	3.27	2	The organisation records and documents committee member-approved minutes of	

Sports Governance Standards		Average	Assessment	Evaluation	Comment
				committee meetings including a record of all committee decisions	
9.5	Financial Delegations	3.25	1	The Committee does not have documented financial delegations	The Committee has not documented delegation to enter into contracts or make purchases.
9.6	Non-Financial Delegations	2.69	1	The Committee does not have documented non-financial delegations	
9.7	CEO Evaluation	3.02	1	The Committee does not have a performance evaluation process for the CEO (or equivalent) i.e. Administrator	The Committee does not have documented processes.
9.8	Succession Planning	1.89	1	The Committee does not have succession plans in place for key personnel	The Committee has an informal succession plan for the Administrator but no plan for the President.
	<b>Assessment</b>		<b>1.375</b>		

## APPENDIX B: SAMPLE SERVICE LEVEL AGREEMENT CONTENTS

### Minimum contract requirements

- i. the scope of the arrangement and services; (Sports Council has been delegated the care, control and management of active sporting fields as outlined in Appendix X.
- ii. scope of Council service provision and service standards about active sporting fields
- iii. commencement and end dates; (date of council resolution date and ending within X months of the end of council term)
- iv. review provisions; (review and minor amendment by agreement between Council CEO and Sports Council Committee)
- v. budgeting and financial planning (e.g. amount, frequency, invoicing, payment terms); (including the provision of fee structure for inclusion in annual Operational Plan, adjustments to the operating budget, grant acquittal process)
- vi. service levels and performance requirements (e.g. consider content, frequency, format, timelines, benchmarks); including required reporting
- vii. project management;
- viii. grant acquittal procedures and evidence requirements (including necessary detail for funding release and recording of assets)
- ix. council policies; (policies that the Sports Council must adopt in full or must be substantially aligned – code of conduct, procurement policy, statement of business ethics, risk management policy)
- x. ground closure policy
- xi. work, health and safety requirements; (Sports Council must have an adequate WHS system)
- xii. confidentiality, privacy and security of information requirements (e.g. this may allow the Council or an expert the opportunity to obtain and review information security or attain a letter of representation);
- xiii. business continuity plans (e.g. consider allowing the Council the opportunity to obtain and review BCP or test results or attain a letter of representation);
- xiv. insurance requirements (minimum coverage and annual provision of certificate of currency);
- xv. subcontracting (e.g. provider should remain responsible, even after any subcontracting to another party. Consider rules and limitations of major project and minor projects);
- xvi. liability and indemnity (e.g. impact of negligence, rights);
- xvii. audit and monitoring procedures;
- xviii. incident reporting and escalation;
- xix. dispute resolution arrangements (e.g. escalation, conciliation and arbitration process about service standards of either party);
- xx. default arrangements; and
- xxi. termination provisions (e.g. consider notice period, rights, responsibilities, accessibility and ownership of records).
- xxii. Appendix X – List of sporting fields and the duties and obligations of Council and Sports Council about maintenance and upgrade of aspects of the facilities and any limitations.