
Edmonton Boxing and Wrestling Commission Governance Review

March 7, 2006

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Edmonton Boxing and Wrestling Commission

Executive Summary

The Chair of the Community Services Committee of Council requested that the Office of the City Auditor (OCA) consider undertaking a governance review of the Edmonton Boxing and Wrestling Commission (Commission). The City Auditor considered the request and after reviewing a package of information provided, agreed to conduct the Audit using resources allocated from the OCA's 2006 Emerging Issues budget.

The City of Edmonton Boxing and Wrestling Commission was originally established in 1920, with the mandate to control and regulate boxing, wrestling and full contact karate.

The objective of this project was to review and assess the effectiveness of the governance roles, responsibilities, and relationships of the Commission.

The OCA conducted the following steps in order to identify opportunities to improve the governance framework of the Commission:

1. Conducted numerous interviews with Commission members and other stakeholders known to the combative sports industry.
2. Reviewed Legislation, Bylaws, City Policies, rules and regulations relative to the Commission.
3. Reviewed the key governing documents for Commission.
4. Reviewed relevant background information, meeting minutes, legal files and other documentation.
5. Gathered research, bylaws and reports from other jurisdictions that are both Municipal and Provincial Commissions.

The Commission is a working committee comprised of capable people with a passion for the combative sport industry. The Commission members contribute valuable background experience and knowledge to the regulation of these sports, thus adding credibility to the City. There is a good cross section of representation on the Commission and the members are committed to the mission of ensuring the safety of the participants and public.

The OCA's observations and recommendations presented in this report focus on areas where improvements to the governance framework could be enhanced: Orientation and Training, Role Clarity, Meeting Protocol, Conflict of Interest, Bylaw Revision, Appointment Process, and Annual Reporting Process.

The Office of the City Clerk and the Commission provided the OCA with responses to the recommendations presented in this report.

Edmonton Boxing and Wrestling Commission Governance Review

1. Introduction

The Chair of the Community Services Committee of Council requested that the Office of the City Auditor (OCA) consider undertaking a governance review of the Edmonton Boxing and Wrestling Commission (Commission). The City Auditor considered the request and after reviewing a package of information provided, agreed to conduct the audit using resources allocated from the OCA's 2006 Emerging Issues budget.

2. Background

2.1. History

The City of Edmonton Boxing and Wrestling Commission was originally established in 1920, with the mandate to control and regulate boxing, wrestling and full contact karate. Historically in Canada, boxing commissions were established because Section 83 of the Criminal Code, which created an offence for engaging in a "prize fight," unless the fight is held with the permission of an athletic board or commission.

City Bylaw 5821, *Boxing, Wrestling and Other Combative Sports* established the Commission to govern regulated sport. The Commission has full power and authority to supervise, regulate, govern and control boxing, wrestling, full-contact karate, kickboxing, and other regulated sports that hold contests between opponents, which involve striking with hands, feet, knees or elbows, bouts and contests, and training quarters for persons in training for the regulated sports. The Edmonton Boxing and Wrestling Commission reports to Community Services Committee of City Council.

The Commission is comprised of seven members and is supported by an Executive Director. The position of the Executive Director of the Commission exists to ensure that the business of the Commission is carried out effectively, efficiently, and in accordance with the provincial and municipal legislation governing commissions. Commissioners are appointed by Council for one-year terms, from January 1 to December 31, for a maximum of six years.

The City of Edmonton classifies the Commission as a decision-making board and as such requires the Commission to forward a copy of its report of the year's activities to the Community Services Committee as required by Section 19c of Bylaw 5821, *Boxing, Wrestling and Other Combative Sports*.

2.2. Governing Legislation

The governing legislation, policies and procedures established to define the roles and responsibilities of the Commission are as follows:

- Municipal Government Act
 - Section 535.1(1) - Protection of sporting commissions
 - Section 145 - Bylaws – council and council committees
- Criminal Code *Part II: Offences Against Public Order – Prize Fights*
 - 83.** (1) Every one who
 - (a) engages as a principal in a prize fight,
 - (b) advises, encourages or promotes a prize fight, or
 - (c) is present at a prize fight as an aid, second, surgeon, umpire, backer or reporter,is guilty of an offence punishable on summary conviction
 - (2) In this section, “prize fight” means an encounter or fight with fists or hands between two persons who have met for that purpose by previous arrangement made by or for them, but a boxing contest between amateur sportsmen, where the contestants wear boxing gloves of not less than one hundred and forty grams each in mass, or any boxing contest held with the permission or under the authority of an athletic board or commission or similar body established by or under the authority of the legislature of a province for the control of sport within the province, shall be deemed not to be a prize fight.
- Bylaw No. 5821 (as amended): *Boxing, Wrestling and Other Combative Sports*
This bylaw establishes the Boxing and Wrestling Commission to govern regulated sport.
- City Policy C475: *Civic Agencies Appointment*
This policy establishes generally applicable practices for appointments to Civic Agencies, while accommodating the special needs of particular agencies on a case-by-case basis.
- City Policy C476B: *Civic Agencies Reporting*
This policy establishes basic standards and procedures for reporting by the Commission to Council (Community Services Committee). The Boxing and Wrestling Commission is classified as a “Decision Making Agency” under Schedule 1 of this policy.
- City Policy C473B: *Appointment of Members of Council to Civic Agencies*
This policy sets out the criteria under which the agencies are classified, and provides principles for the appointment of a member of Council.
- Boxing and Wrestling Commission – *Combative Sports Rules*
The Commission has developed its own set of rules (which are amended from time to time, the last consolidation of amendments occurred on July 8, 2004) based on the bylaws and policies, which outlines the rules regulating combative sports.

3. Objective

The objective of this project was to review and assess the effectiveness of the governance roles, responsibilities, and relationships of the Edmonton Boxing and Wrestling Commission.

4. Scope and Methodology

This project documented and evaluated the governance framework in place as at January 2006. The scope included interviews with current Commissioners, the Executive Director, and other relevant stakeholders. The OCA limited its assessment to Commission activities, which occurred throughout 2005.

The project objective was achieved by:

1. Completing one on one meetings with all seven commission members, the executive director, the treasurer, a referee, a ring general, three former Commissioners, two dressing room personnel and a boxing judge.
2. Administering a questionnaire to the seven Commission members; which covers topics on governance, such as orientation, strategic direction, roles and responsibilities, communication, teamwork, etc. A rating scale of 1 to 4 was used to indicate interviewee's perception of how well the Commission attends to each of the factors identified within the governance framework.
3. Reviewing the Legislation, Bylaws, City Policies, rules and regulations relative to boxing and wrestling in Edmonton and obtaining clarification from Office of City Clerk and Law Branch.
4. Making enquiries relative to adherence with City policies and procedures and Commission rules and regulations.
5. Obtaining information obtained from the interviewees plus supporting documentation and benchmark information.
6. Gathering relevant research, reviewing bylaws and reports from other jurisdictions including both municipal and provincial commissions and individuals dealing with commission governance and oversight.
7. Reviewing the key governing documents for the Commission as outlined under the governing legislation.
8. Reviewing background information, meeting minutes, legal files and other documentation.

5. Observations and Analysis

This section of the report describes the work completed throughout the audit. It is organized into the following categories: Governance; Legislation, Bylaw, Policies, and Other Jurisdictions.

5.1. Governance

5.1.1. 15 Attributes of Good Governance

In order to gather information about the current practices of the Commission, the Office of the City Auditor (OCA) met with each Commissioner (2005 Members) in January 2006. During these meetings, information was gathered about the Commission's practices in both general and specific terms. To help focus the discussions on governance topics, the OCA developed a meeting guide, which is based upon the 15 attributes of good governance listed in the *Governance Effectiveness Quick Check*¹ created by the Institute of Governance. These attributes are designed to provide an impression of the effectiveness of a governing board.

The 15 specific governance attributes that were discussed during the interviews included:

- | | |
|------------------------------------|--|
| 1. Orientation & training | 1. Compliance with legislation |
| 2. Strategic | 2. Teamwork |
| 3. Executive Directors performance | 3. Communications/Working relationship |
| 4. Financial | 4. Manage risk |
| 5. Roles & responsibilities | 5. Meetings |
| 6. Efficient use of resources | 6. Decision-making process |
| 7. Stakeholders | 7. Balance |
| 8. Commitment | |

5.1.2. Overview of Interview Results

A four-point scale was used for rating purposes (strongly disagree, disagree, agree and strongly agree). A summary of the Commission member's views in relation to the above governance attributes is attached as Appendix A.

All attributes except for two had an overall average score of three or higher, indicating that the Commissioners believe that they are performing well but could benefit from some improvements. The Commissioners did identify one teamwork challenge that existed in 2005 but indicated that overall, teamwork and good working relationships exist within the Commission.

The OCA noted during the interviews with Commissioners that although the overall scores were high, individual comments indicated that orientation and training, role clarity, meeting protocol, and a conflict of interest policy would improve the Commission's governance.

¹ Institute of Governance; www.iog.ca/boardgovernance/html/ass.html. The Quick Check is a short questionnaire designed to give board members and CEOs a quick impression of the effectiveness of their board. It contains fifteen items that research suggests correlate with effective governance.

In addition to feedback provided from the interviews with Commissioners, the OCA interviewed other stakeholders who had a wide range of knowledge and interest in the combative sports industry. These stakeholders included the current executive director, treasurer, referee, ring general, former Commissioners (3), dressing room personnel (2) and a boxing judge. Most interviewees were familiar with the existing Commission and the rules and regulations that govern it. Stakeholders' responses indicated that the Commission is working effectively to fulfill its mandate.

Overall feedback from the OCA's interviews with Commissioners and other stakeholders indicated that the Commission is comprised of capable people with a passion for the combative sport industry and they represent it well. The Commission members have background and knowledge, which is valuable in providing regulatory oversight of these sports. The Commission adds credibility to the City in the combative sports industry. There is a good cross section of representation on the Commission and its members are committed to the mission of ensuring the safety of the participants and public.

The areas that will assist the Commission to strengthen their governance framework are discussed in the following sections.

Orientation and Training

During the interviews conducted by the OCA, the self-assessment question: "Does the Commissioner's orientation adequately prepare you to fulfill your governance responsibilities?" resulted in an average score of 2.7 out of 4.0.

Some of the more specific comments from the Commissioners as outlined in Appendix A are as follows:

1. There is no orientation manual for new members but one could be produced.
2. The Commission should provide new members with the rules and bylaws of the Commission to better introduce them to their roles.
3. The Commission should obtain feedback from new members to identify opportunities to improve orientation and training.
4. Each new member should have a mentor or field partner.
5. Succession planning for the Executive Director position is not good; however it has improved.

The OCA discussed the orientation and training opportunity for improvement with the Office of the City Clerk (OCC) and was informed that other decision-making boards do obtain orientation training sessions at the beginning of new terms. The OCC organizes regular group orientation sessions for Agencies, Boards and Commissions to address questions and review relevant legislation, bylaws and policies. In addition, they discuss the mandate, responsibilities of the Board and or Commission members, Chair, reporting, meeting procedures, voting, etc.

Role Clarity

During the OCA's interviews, Commissioners indicated that role definition and responsibility was not clear for some members, including the role of City Council and the Community Services Committee in relation to the Commission.

The role of each party (City Council, Administration, Chair, Vice Chair, Commission member, etc.) needs to be clarified in order to develop an effective and efficient working relationship between the parties covered by the *Boxing, Wrestling and Other Combative Sports* Bylaw.

Meeting Protocol

During the governance interviews, the Commissioners indicated that meetings sometimes run too long, voting on motions for and against is not recorded and prescheduled meeting dates are not provided.

The OCA, in discussion with Commissioners and others, believes that a meeting protocol/policy should be adopted that outlines the following:

- That members keep themselves informed to exercise their duties at Commission meetings, through reading materials circulated in advance.
- Have an agenda prepared for each meeting.
- Inform the Chair in advance if unable to fulfill an assigned duty or attend a meeting.
- Read minutes of prior meetings, note discrepancies and report them at the following meeting.
- Provide adequate notice of all meetings. In addition, preschedule some meetings throughout the year and call others as required.
- Record who voted against and for each motion.

The OCA noted that the OCC includes meeting procedures in their orientation training to civic agencies, which is available to the Commission upon request. The meeting protocols listed above are addressed in this training session.

Conflict of Interest

The Commission does not have its own conflict of interest policy but refers to the City of Edmonton's "Ethical Guidelines for Citizens who serve on City Agencies, Boards and Committees". The OCA noted that although the Ethical Guidelines outline actions expected of the Commission members it does not provide an appropriate course of action in the event a conflict exists. A conflict of interest policy is a useful tool to reinforce the message that all Commission members are expected to act in the best interest of the City and the combative sports industry.

In order that decisions approved by the Commission are not subject to challenges based on perceived conflicts, a conflict of interest policy should be adopted describing potential conflicts of interest and provide an appropriate course of action.

All parties agreed that a more effective orientation and training program should be provided annually to new Commissioners. In addition, a manual should be provided to each new member of the Commission containing the following information:

1. Mandate of the Commission.
2. Legislative Framework for governing the Commission including the Criminal Code, the Municipal Government Act, the Bylaw, and City Policies.
3. Clearly defined roles and responsibilities.
4. Commission rules and regulations.
5. Meeting policy.
6. Conflict of Interest definitions and expectations.
7. Code of Conduct (currently established by the Commission).

Recommendation 1	Management Response and Action Plan
<p>The OCA recommends that the Commission consult with the Office of the City Clerk to develop an orientation and training program to be presented annually to all Commission members.</p>	<p>Accepted: <i>The Commission Chair on behalf of the Commission indicates that an orientation would be a good step in aiding and assisting future entry level Commissioners into assimilating them into the role.</i></p> <p>Accepted: <i>Office of the City Clerk agrees to assist the Boxing and Wrestling Commission to develop an orientation and training program.</i></p> <p>Planned Implementation: <i>April 2006</i></p> <p>Responsible Party: <i>Boxing and Wrestling Commission in consultation with the Office of the City Clerk</i></p>

Recommendation 2	Management Response and Action Plan
<p>The OCA recommends that the Commission strengthen the governance framework by clarifying the duties and obligations of Commission members.</p> <p>This would include defined roles and responsibilities, revisions to Commission rules and regulations, meeting procedures, and conflict of interest policy.</p>	<p>Accepted: <i>The Commission Chair on behalf of the Commission will commence immediately to clarify the duties and obligations of the Commission members.</i></p> <p>Planned Implementation: <i>April 2006</i></p> <p>Responsible Party: <i>Edmonton Boxing and Wrestling Commission</i></p>

5.2. Legislation, Bylaw, and Policies

5.2.1. Bylaw Revision

The OCA performed a high-level legislative scan of the following jurisdictions for benchmark purposes: City of Vancouver, City of Moncton, City of Calgary, Province of Manitoba, and Province of Ontario.

The OCA noted that Vancouver's and Moncton's bylaws do not contain as much detail as Edmonton's bylaw. However, the intent of both bylaws appears to be similar to Edmonton.

Calgary's bylaw places more emphasis on the duties of Commission members compared to Edmonton, Vancouver and Moncton. Requirements under the Calgary bylaw which are not included in the Edmonton bylaw are:

1. Two of the nine Commissioners are appointed from City Administration (one member shall be the Director, Recreation, or his designate, and one member shall be the Deputy Chief Licence Inspector.)
2. Orientation for new members.
3. Six specific meeting dates are required during the year (January, March, May, July, September and November).
4. The Commission is required to submit to Council annually a proposed budget indicating income and expenses for the forthcoming calendar year.
5. The Commission is required, when submitting its annual budget to Council, to submit an annual report setting out the Commission's activities.
6. The Chief of Police, the City Solicitor, and the City Clerk, or anyone designated by them, shall attend all meetings of the Commission when requested in writing by the Commission to do so.
7. Any member of the Commission may be removed for reasons deemed appropriate by Council. Any member of the Commission who fails to attend three successive meetings of the Commission is automatically removed from the Commission.

In October 2005 the City of Calgary's Administration conducted a governance review of their Boxing and Wrestling Commission and issued: "City of Calgary Boxing and Wrestling Commission Governance Review Report". This report recommends that Calgary's current Boxing and Wrestling Commission Bylaw be replaced with a new Combative Sports Bylaw reflecting current state of the Combative Sports industry, and in compliance with the Municipal Government Act of Alberta.

As a result of the of the above-mentioned legislative scan, the OCA believes that the Edmonton's Boxing and Wrestling Commission Bylaw needs to be reviewed to strengthen the governance framework and to clarify the duties and obligations of

Commission members, the Office of the City Clerk and the Community Services Committee.

5.2.2. Increase in Commissioners

During the OCA's interviews, we noted that the Commission is a strong working commission that requires active Commissioners to carry out their role and responsibilities. It is not immediately clear whether seven Commissioners are enough to carry out the roles expected of them, particularly in relation to volunteering at events as the number of boxing and wrestling events grows in Edmonton. Increasing the number of Commissioners could provide for delegation at events when the current seven Commissioners are not available. It would also be a benefit as new Commission members, or those who would like to take on different roles, are mentored for succession planning purposes.

The OCA explored whether the Commission should increase from seven to nine members and whether the composition should include a member of the City's Administration or an Edmonton Police Service (EPS) member. In consultation with OCC we obtained information on these options as to the roles of a full (voting or non-voting) member versus a liaison member (see Table 1).

The OCA recommends that the Commission explore whether it should increase the number of members from seven to nine to include a member of Administration or an EPS member and to determine the pros and cons of whether or not the new member should be a full member or hold a liaison position.

Table 1 - Key Elements:

Full Commission Member	Commission Liaison Position
<ul style="list-style-type: none"> • Whether serving as a voting or non-voting member, a member of the Commission must put the needs of the Commission first • Whether in favour of a motion or not, Commission members must be seen as supporting decisions of the Commission • Commissioners should be available to serve on sub-committees • Commissioners should be available for assignments at matches • Commissioners must live in the City of Edmonton (unless the bylaw is changed) • Commissioners must keep private discussions of the Commission confidential • Commission members hire the Executive Director and other staff such as officials • Commission members are responsible for the actions of the Commission 	<ul style="list-style-type: none"> • Serves as a contact to the Commission for advice from City Administration • Provides an entry for the Commission to effectively interact with City Administration and City Council • Is not required to attend meetings or matches • May attend meetings or matches at the discretion of the Commission • No voting rights • Does not have the ability to overrule the Commission

Recommendation 3	Management Response and Action Plan
<p>The OCA recommends that the Office of the City Clerk, in consultation with the Law Branch and the Commission, review Bylaw 5821, Boxing and Wrestling Commission and Other Combative Sports Bylaw, to ensure the mandate of the Commission is accurately reflected and up to date.</p>	<p>Accepted: <i>The Commission Chair on behalf of the Commission agrees with this recommendation.</i></p> <p>Accepted: <i>The Office of the City Clerk will consult with Law Branch and the Commission and bring forward an amending bylaw to City Council through Community Services Committee by June 30, 2006.</i></p> <p>Planned Implementation: <i>June 30, 2006</i></p> <p>Responsible Party: <i>Office of the City Clerk in conjunction with the Law Branch and the Boxing and Wrestling Commission.</i></p>

Recommendation 4	Management Response and Action Plan
<p>The OCA recommends that the Commission review the board composition in consultation with the Office of the City Clerk and advise Council as to an appropriate composition.</p>	<p>Accepted: <i>The Commission Chair on behalf of the Commission agrees with this recommendation.</i></p> <p><i>Members of the Commission will explore the possibility of increasing the board composition and consult with the Office of the City Clerk accordingly.</i></p> <p>Accepted: <i>Office of the City Clerk agrees to assist the Commission in reviewing the board composition.</i></p> <p>Planned Implementation: <i>June 30, 2006</i></p> <p>Responsible Party: <i>Boxing and Wrestling Commission in consultation with Office of the City Clerk</i></p>

5.2.3. Appointment Process

The Edmonton Boxing and Wrestling Commission was established by Bylaw 5821, *Boxing, Wrestling and Other Combative Sports Bylaw*. This Bylaw outlines the purpose, the number of members (seven) and that the members of the Commission shall hold office for a maximum period of six consecutive one-year terms.

City Policy C475, *Civic Agencies Appointment* establishes generally applicable practices for appointments to Civic Agencies, while accommodating the special needs of particular agencies on a case-by-case basis. The policy states:

- Appointments and re-appointments are made by resolution of Council.
- Terms of office shall be a maximum of six consecutive years.
- Anyone who has served six consecutive years may not be appointed to a civic agency for two years.
- The City Clerk co-ordinates appointments to civic agencies.

During the OCA's interviews, the Commissioners and other stakeholders expressed some dissatisfaction about the appointment and reappointment process. Commissioners believe that certain skills and abilities relevant to their positions are required. To facilitate this when vacancies occur, more specific criteria should be included in the City's advertisements for potential Commissioners.

The OCA reviewed the appointment process outlined in the Policy C475 to ensure that Council has the best information in making decisions to appoint or reappoint members to the Commission. The OCA noted that City Policy C475 appears somewhat general and is not focused on the specific requirements needed by the Commission. Areas such as advertising for vacancies did not include specific qualifications required by the Commission (e.g., legal or accounting expertise). In addition, reference check validations and statutory declaration signoffs were not conducted. Statutory declarations signoffs are needed to address potential conflict of interest issues.

The OCA noted that under City Policy C478, *Process for Appointments and Re-appointments of Members to City of Edmonton Quasi-Judicial Boards*, a more rigorous process is in place to ensure that applicants satisfy the necessary qualifications of Quasi-Judicial Boards (e.g., the Assessment Review Board and the Sub-Division Appeal Board). The OCA believes that the Commission would be better served by the processes contained in City Policy C478.

Recommendation 5	Management Response and Action Plan
<p>The OCA recommends that the Office of the City Clerk in consultation with the Commission review the current recruitment and appointment process for the Commission and make a recommendation to Council on an appropriate process that would best serve the Commission’s needs.</p>	<p>Accepted: <i>The Commission Chair on behalf of the Commission agrees with this recommendation.</i></p> <p>Accepted: <i>The Office of the City Clerk with its current resources is not in the position to have unique recruitment processes for every board. However, the OCC will review the current recruitment and appointment processes and recommend to City Council through Community Services Committee by June 30, 2006, a process that is appropriate for the Commission.</i></p> <p>Planned Implementation: <i>June 30, 2006</i></p> <p>Responsible Party: <i>Office of the City Clerk in consultation with the Commission.</i></p>

5.2.4. Civic Agency Reporting

The Commission is one of many City Agencies established by Council. To establish the basic standards and procedures for reporting by Civic Agencies to Council, City Policy C476B was created. The Policy classifies the Commission as a Decision-Making City Agency and identifies the Office of the City Manager, Office of the City Clerk as the interfacing City Department.

Apart from Bylaw 5821, Section 19(c), the only City policy that describes the reporting requirements from the Commission to Council is Policy C476B. The OCA reviewed this Policy to provide assurance that the reporting requirements, as outlined in Policy C476B, from the Boxing and Wrestling Commission to Council were met.

Section 6 of Policy C476B requires the Commission to provide an Activity Report to Council by March 31 each year for the previous year ended December 31. The OCA noted in reviewing these reports for the past three years (2003 to 2005) that they were too brief and lacked relevant details such as adequate narrative describing events that occurred during the year. Also, in 2005 an activity report was not provided to Council. Overall, the OCA believes more detail is required in the Activity Report such as, strengths, training sessions conducted, challenges faced, and lessons learned.

Recommendation 6	Management Response and Action Plan
<p>The OCA recommends that the Commission establish a process to ensure that a more detailed Activity Report is provided to Council by March 31 of each year as per the requirements of Section 6 of City Policy C476B, <i>Civic Agencies Reporting</i>.</p>	<p>Accepted: <i>The Commission Chair on behalf of the Commission agrees with this recommendation.</i></p> <p><i>The Commission will prepare an activity report for the period ending December 31, 2006 as per the requirements outlined in Policy C476B.</i></p> <p>Planned Implementation: January 2007</p> <p>Responsible Party: <i>Edmonton Boxing and Wrestling Commission</i></p>
Recommendation 7	Management Response and Action Plan
<p>The OCA recommends that the Office of the City Clerk review the activity reporting template in policy C476B and advise Civic Agencies to provide more detail than is currently provided.</p>	<p>Accepted: <i>OCC will review Policy C476B and if appropriate bring forward an amended policy to City Council through Community Services Committee.</i></p> <p>Planned Implementation: <i>October 31, 2006</i></p> <p>Responsible Party: <i>Office of the City Clerk</i></p>

5.3. Other Jurisdictions

5.3.1. Provincial versus Municipal Commission

The OCA's high-level legislative scan generated discussion about the consideration of an Alberta Provincial Commission.

In the 1970's, the Edmonton and Calgary Commissions recommended the formation of a Provincial Commission and held a number of meetings with the Office of the Attorney General. The Attorney General of the day said it was impractical to set up a Provincial Commission when most of the boxing and wrestling activity occurred in Calgary and Edmonton, which had competent, functioning Commissions. The OCA reviewed correspondence from the City Manager to the Deputy Minister of Municipal Affairs in August 2001, which indicated that the province's position has not changed.

A Provincial Commission could offer much more uniformity and consistency in regulating combative sporting activities and better ensure the safety of the participants and public at all events held in the province. The OCA believes that there is merit in reconsidering the formation of a Provincial Commission for Alberta.

The Commission, in consultation with the City Clerk and Law Branch, should consider developing and presenting a position paper that outlines the advantages and disadvantages of a Provincial combative sports commission for the Province of Alberta. Provincial governments have established commissions in Manitoba, Nova Scotia, Ontario, Quebec, and Newfoundland.

The advantages of a Commission governed by Provincial jurisdiction compared to a Municipal jurisdiction may include:

1. Reducing the likelihood of promoters “shopping around” for Commissions that do not have adequate processes to ensure the safety of the participants, public and the greater good.
2. Reducing the likelihood of promoters staging unsanctioned events in municipal or other jurisdictions that do not have any legislative authority governing combative sporting activities.
3. Providing consistency for regulating combative sporting activities throughout the Province.
4. Greater utilization of relatively few people who are properly qualified and knowledgeable about Boxing and Wrestling sports.

The disadvantages of a Commission governed by a Provincial jurisdiction compared to a Municipal jurisdiction may include:

1. Greater executive, administrative and travel costs, including governing a limited number of events outside Calgary and Edmonton.
2. Greater bureaucracy leading to reduced effectiveness and efficiency.

Recommendation 8	Management Response and Action Plan
<p>The OCA recommends that the Commission, in consultation with the City Clerk and Law Branch, develop a position paper that outlines the advantages and disadvantages of a Provincial combative sports commission for the Province of Alberta.</p>	<p>Accepted: <i>The Commission Chair on behalf of the Commission agrees with this recommendation. Presently, the Commission’s legal advisor has compiled much of the research and work necessary to develop this position paper. Consultation will be pursued further with the Office of the City Clerk and the Law Branch.</i></p> <p>Planned Implementation: June 2006</p> <p>Responsible Party: <i>Edmonton Boxing and Wrestling Commission</i></p>

6. Conclusion

The OCA conducted this review to assess the governance framework of the Edmonton Boxing and Wrestling Commission. The key parties in the governance framework are City Council, Office of the City Clerk and the Edmonton Boxing and Wrestling Commission.

The Commission is comprised of capable people who have a passion for the combative sport industry and represent it well. There is a good cross section of representation from the boxing and wrestling community on the Commission and the members are committed to ensuring safety of the participants and public.

The OCA's observations and recommendations focused on enhancing the governance framework. Such enhancements would include improvements in orientation and training, role clarity, meeting protocol, conflict of interest, bylaw revision, appointment process, and the annual reporting process.

Both the OCC and the Commission have provided the OCA with a response to the recommendations. These responses have been included in the final report and are acceptable to the OCA.

This audit was conducted with tight deadlines and required consultation and feedback from many individuals. The OCA thanks the Commissioners, staff from the OCC, and Law Branch for their assistance.

APPENDIX A

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Summary of Interviews Conducted

15 Attributes of Good Governance

In order to gather information about the current practices of the Commission, the Office of the City Auditor (OCA) met with each Commissioner (2005 Members) in January 2006. During these meetings, information was gathered about the Commission's practices in both general and specific terms. To help focus the discussions on governance topics, the OCA developed a meeting guide, which is based upon the 15 attributes of good governance listed in the *Governance Effectiveness Quick Check*² created by the Institute of Governance. These attributes are designed to provide an impression of the effectiveness of a governing board.

The 15 specific governance attributes that were discussed during the interviews included:

- | | |
|-------------------------------|--------------------------------|
| 1. Orientation & training | 9. Compliance with legislation |
| 2. Strategic Direction | 10. Teamwork |
| 3. Executive Directors | 11. Communications/Working |
| performance | relationship |
| 4. Financial | 12. Manage risk |
| 5. Roles & responsibilities | 13. Meetings |
| 6. Efficient use of resources | 14. Decision-making process |
| 7. Stakeholders | 15. Balance |
| 8. Commitment | |

Overview of Interview Results

A four-point scale was used for rating purposes (strongly disagree, disagree, agree and strongly agree).

All attributes except for two had an overall average score of three or higher, indicating that the Commissioners believe that they are performing well but could benefit from some improvements. The Commissioners did identify one teamwork challenge that

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existed in 2005 but indicated that overall, teamwork and good working relationships exist within the Commission.

The OCA noted during the interviews with Commissioners that although the overall scores were high, individual comments indicated that orientation and training, role clarity, meeting protocol, and a conflict of interest policy would improve the Commission's governance.

In addition to feedback provided from the interviews with Commissioners, the OCA interviewed other stakeholders who had a wide range of knowledge and interest in the combative sports industry. These stakeholders included the current executive director, treasurer, referee, ring general, former Commissioners (3), dressing room personnel (2) and boxing judge. Most interviewees were familiar with the existing commission and the rules and regulations that govern it. Stakeholders' responses indicated that the Commission is working effectively to fulfill its mandate.

Overall feedback from the OCA's interviews with Commissioners and other stakeholders indicated that the Commission is comprised of capable people with a passion for the combative sport industry and they represent it well. The Commission members have background and knowledge, which is valuable in providing regulatory oversight of these sports. The Commission adds credibility to the City in the combative sports industry. There is a good cross section of representation on the Commission and the members are committed to the mission of ensuring the safety of the participants and public.

The areas that will assist the Commission to strengthen their governance framework are discussed in the following sections.

15 Attributes of Good Governance

This section lists the attribute name, the question, the overall average rating, and general responses that the Commissioners provided into how the Edmonton Boxing and Wrestling Commission viewed themselves.

1. **Orientation & Training** – Does the Commissioners Orientation adequately prepare you to fulfill your governance responsibilities?

Average Rating: 2.7 out of 4.0

During the interviews conducted by the OCA, the self-assessment question: "Does the Commissioners Orientation adequately prepare you to fulfill your governance responsibilities?" resulted in an average score of 2.7 out of 4.0. This was only one out of two scores that rated below 3.0 out of 4.0.

The comments provided by the Commissioners have indicated a recognized need, and a desire for training. Specific comments included:

- There is no orientation manual for new members but one could be produced.
- The Commission should provide new members with the rules and bylaws of the Commission to better introduce them to their roles.
- The Commission should obtain feedback from new members to identify opportunities to improve orientation and training.
- Each new member should have a mentor or field partner.
- Succession planning for the Executive Director position is not good; however it has improved.

2. **Strategic** – Is the Commission actively involved in planning the direction and priorities of the Edmonton Boxing and Wrestling Commission?

Average Rating: 3.6 out of 4.0

This attribute had a high score although, there was general agreement that the Commission does not strategically plan for or control the number of sport events that take place but govern the events that do occur. The comments provided by the Commissioners indicated that the Commission does limited long term planning since the Commission does not know in advance how many events would occur in any given year. Specific comments included:

- The Commission is very pro-active, always looking for ways to improve (continuous learning) and is very effective. Example: improvements to certification for judges/referees; dressing room supervisor training, Bumper removals, Release of health information, etc.
- Long-term goals are not in writing, difficult to strategically plan when Promoters control the number of events, which will occur over one year.
- Mandate is general – ambassadors for Edmonton.
- Commission is involved in regulating the Boxing and Wrestling activities, not promoting the industry.
- Long-term goals and objectives are not in writing, it could help to have in writing.
- Open dialogue between Promoter and Commission does not exist. Only exists through sub committee.
- Commission is not involved in contacting Promoters to get more events.
- You cannot promote.

3. **Executive Director Performance** – Does the Commission do a good job of evaluating the performance of the Executive Director (measuring results against defined objectives)?

Average Rating: 3.6 out of 4.0

The comments provided by the Commissioners indicated that the performance of the Executive Director is very good and no formal evaluation process takes place. Specific Comments include:

- Executive Director is very good, very busy.
- The job is getting very busy, no formal evaluation process.
- Executive Director does a lot of work and performs a great job.
- This position is heavily relied upon.
- Evaluation is mainly through verbal feedback and observation.

4. **Financial** – Is the Commission appropriately informed about the financial aspects of the Edmonton Boxing and Wrestling Commission operations to ensure it is financially sound (viable and stable) in both the short and long term?

Average Rating: 3.1 out of 4.0

This attribute resulted in a “high” score indicating that there is general agreement that the Commission is actively involved in the financial aspects of the Commission. Specific comments included:

- No major financial concerns.
- Would like to see rainy day funds allocated for specific purposes.

5. **Roles & Responsibilities** – Do Commissioners demonstrate clear understanding of the respective roles and responsibilities of the **Commission**?

Average Rating: 3.7 out of 4.0

Do Commissioners demonstrate clear understanding of the respective roles and responsibilities of **City Council**?

Average Rating: 2.6 out of 4.0

The comments provided by the Commissioners indicated that the level of understanding is strong for the experienced Commission members but the roles are not clearly defined. Concerning the role of City Council, the Commission does not have a clear understanding of Council's role in relation to the Commission. Areas requiring clarity include:

1. Roles are not in writing, current members are very experienced.
2. Closer relationship with Council is a good idea.
3. No ideas as to the roles and responsibilities of Council.
4. Someone from the Administration should attend commission meetings.

6. **Efficient use of Resources** – Does the Commission obtain sufficient information to be satisfied that Edmonton Boxing and Wrestling Commission resources are used efficiently (good value for money spent)?

Average Rating: 3.6 out of 4.0

Specific comments include:

- In comparison to other commissions, the Edmonton Commission has very experienced and knowledgeable members.
- The boxing and wrestling community is becoming more active every year; Mixed Martial Arts is very popular. Resources are efficiently used with mostly volunteer resources. A danger of burnout may occur.
- One of the best Commissions in the world compared to other Commissions.
- Co-ordination is good among Commission Members.
- Resources are used efficiently through observation/feedback.
- The Office of City Clerk does not communicate very frequently with the Commission.
- Training is very important, cost savings when training costs are shared with other Commissions (Calgary for example).

7. **Stakeholders** – Does the Commission have high credibility with key stakeholders (Citizens, Commission Staff, and City Council)?

Average Rating: 3.7 out of 4.0

This attribute resulted in a high score, indicating that if there are no complaints received from Stakeholders all is considered good. The comments provided by the Commissioners indicated there is wide variation amongst themselves, as well as the views of their credibility depending on which stakeholder they were considering.

Specific comments include:

- No complaints received from key stakeholders.
- No formal process to measure stakeholder feedback.
- Promoters would have a mixed opinion about the Commission. No formal feedback process, informal feedback communication is good.
- Boxers would say that the Commission is great.
- Officials like training sessions and provide good informal feedback.
- Debrief and dialogue with officials after each event.

8. **Commitment** – Do Commissioners demonstrate commitment through their actions to the stated Mission and Guiding Principles?

Average Rating: 3.6 out of 4.0

This attribute resulted in a “high” score indicating that there is general agreement that the Commissioners are committed to the organization. Some specific comments:

- Room for improvement, one or two Commissioners occasionally do not attend meetings and could spend more time on Commission business, but overall commitment is good.
- Very high commitment for a bunch of volunteers.
- Mission is to protect the fighters and the public.

- Mission is not in writing; mission is to protect the fighter, the public and the City from liability.
- Mission is to ensure safety of participants, public and regulate the sport.
- Mission is to make sure the City is properly represented at all times.

9. **Compliance with Legislation** – Do Commissioners conduct themselves in accordance with key elements of the governance structure (Boxing and Wrestling Commission Rules Regulations, City Bylaws, Policy & Procedures, Code of Conduct)?

Average Rating: 3.5 out of 4.0

The comments provided by the Commissioners indicated there is wide variation in the knowledge of the specific legislation, policy, and procedure to which the Commission is required to adhere. Some specific comments:

- Awareness and diligence.
- Commission always consults with the bylaw to ensure compliance.
- Written code of conduct is available for Commissioners.
- Not sure if anyone reads the bylaws.

10. **Teamwork** – Is the Commission's capacity to govern effectively not impaired by conflicts between Commissioners?

Average Rating: 3.2 out of 4.0

Some stated that there are disagreements, but usually brings for good debate. This year there are some teamwork issues. Some specific comments:

- Not aware of any process, procedure or policy to deal with conflict between Commissioners.
- Except for one incident, the teamwork is very strong.
- Requires seven active bodies to function well.
- No formal communication, no agenda.

11. **Communications/working relationship** – Is there is a productive working relationship between the Commission and the Executive Director (characterized by good communication and mutual respect) to ensure that each can fulfill their responsibilities?

Average Rating: 3.4 out of 4.0

Some specific comments:

- Except for one issue.
- No formal communication, no agenda; minutes do not indicate who voted against a particular motion.

12. **Manage Risk** – Are you confident that the risk management practices of the Commission would effectively allow it to manage any organizational crisis that could be reasonably anticipated?

Average Rating: 3.3 out of 4.0

The comments provided by the Commissioners indicated that this function has not been something the Commission has performed. Some specific comments:

- Every two or three events something unusual happens and the Commission resolves it in an effective manner.
- Very liable for a lawsuit, example Monster Pro Wrestling Events.
- Not as much control over wrestling.

13. **Meetings** – Are Commission meetings well managed?

Average Rating: 3.4 out of 4.0

This attribute resulted in a “mid-point” score, indicating that while there is room for improvement, the Commission believes that it addresses this function well. The comments provided by the Commissioners indicated that the meetings are generally well run; however, meeting time is too long. Some specific comments:

- Meetings are too long, about 3 hours; meetings should only last 90 minutes.
- Maybe more action oriented read correspondence and information before attending.
- More formality at meetings required, would like to see a voting member from City Council or City official on the Commission.
- Meetings are well documented, minutes taken. They have approximately eight meetings per year.
- Voting is not documented.
- Attendance is medium to high.

14. **Decision-making process** – Does the Commission use sound decision-making processes (focus on Commission responsibilities, factual information, efficient use of time, items not frequently revisited, and effective implementation)?

Average Rating: 3.6 out of 4.0

The Commission believes that it addresses this function well. Some specific comments:

- No written process. They usually look at background information, etc.
- Good process to handle decisions. Reference rules. The Officials know the rules.
- Do not always agree but use common sense.
- Lot's of research (on any unusual situation or question) is performed with other jurisdictions.
- Specifically Nevada and Montreal.

- Big issues consult with other jurisdictions.

15. **Balance** – Does the Commission have a good understanding of the need to balance organizational stability (current practice) with innovation (future practices) to meet citizen expectations?

Average Rating: 3.7 out of 4.0

The comments provided by the Commissioners have indicated that they consider themselves proactive. Some specific comments:

- The Commission is constantly evolving to deal with the changing fight scene.
- Difficult to predict.

Overall Comments

Overall feedback from the Commissioners that would help improve the governance framework of the Boxing and Wrestling Commission are as follows:

- Orientation and Training process needs improvement.
- Role clarification is needed.
- Enhance meeting conduct.
- Reporting process requires improvement.
- Appointment process needs improvement.
- Council needs to talk to the Chair of the Commission about potential appointments to the Commission.