

Headline 1.7 Checks and Balances

1. Definition

The principle of checks and balances is a cornerstone in the governance of sport organisations, designed to ensure the fair and transparent distribution of power and authority. By dispersing decision-making authority among multiple entities within the organisation—such as governing bodies, committees, and various stakeholders including other organisations in the sports pyramid, members, athletes, employees, and fans—checks and balances prevent the concentration of power in the hands of a few individuals or groups, even over extended periods. This approach promotes fairness, equity, and inclusivity in decision-making processes, ensuring that no single entity can wield unchecked influence over the organisation's affairs.

Checks and balances also establish mechanisms for oversight and accountability, enabling independent review and scrutiny of organisational activities to prevent abuses of power, conflicts of interest, and unethical behaviour. These principles are closely intertwined with other dimensions of good governance, reflecting their broad relevance across various governance practices.

In practical terms, checks and balances are implemented through institutional structures and processes such as the division of powers, separation of duties, and independent oversight bodies. For example, sport organisations typically have governing bodies or boards of directors responsible for setting strategic direction and making key decisions, while committees or working groups oversee specific operational areas. Independent audit committees, ethics commissions, or ombudsmen may further reinforce oversight and accountability by reviewing organisational practices, investigating complaints, and ensuring compliance with ethical standards and regulations. Collectively, these elements create a system of accountability and transparency that upholds good governance, integrity, and trust within sport organisations, ultimately enhancing their effectiveness and credibility in the eyes of stakeholders and the public.

The importance of good governance, including the implementation of checks and balances, is highlighted in several key documents. The European Commission's White Paper on Sport emphasises the necessity of adopting principles of good governance to ensure the effective and sustainable management of sport. Similarly, the European Sports Charter and the Council of Europe's Code of Sports Ethics provide guidelines for good governance in sport, recommending the adoption of checks and balances as part of a comprehensive governance framework. Initiatives like the International Partnership against Corruption in Sport (IPACS) further underscore the value of ethical conduct and good governance. By promoting the adoption of a published Code of Ethics and effective governance structures, such initiatives contribute to creating an environment conducive to implementing robust checks and balances within sport organisations.

2. Ideal Scenario

Checks and balances are meticulously designed to ensure transparency, accountability, and integrity in organisational governance. The organisation's statutes clearly outline governance structures, delineating

the roles and responsibilities of governing bodies, committees, and executive leaders to ensure a balanced distribution of decision-making authority. These roles are subject to periodic renewal to prevent the concentration of power, and transparent decision-making processes engage stakeholders through consultation and debate, fostering inclusivity and responsiveness to stakeholder needs. Additionally, appeal mechanisms are integrated to provide stakeholders with avenues for challenging decisions.

Independent oversight bodies, such as audit committees and ethics commissions, play a crucial role in maintaining impartial scrutiny and accountability, monitoring organisational activities to ensure compliance with ethical standards and regulations. These bodies are supported by robust accountability mechanisms, conflict of interest policies, and whistleblower protection, all of which reinforce ethical conduct and prevent misconduct or corruption.

To further enhance governance, the organisation prioritizes continuous improvement through regular reviews and evaluations, allowing it to learn from past experiences and incorporate best practices into its framework. This commitment to improvement, coupled with the foundational principles of checks and balances, helps sport governing bodies build credibility and trustworthiness while fostering a culture of integrity and excellence within the sports industry.

Specific measures and instruments are integrated to ensure effective checks and balances. An ethics committee with independent representation oversees ethical standards, while an independent audit committee scrutinizes financial matters. A compliance or integrity officer may support these committees, ensuring that control mechanisms and external financial audits, including anti-corruption measures, are rigorously enforced to safeguard against misconduct.

Regular risk assessments, including those related to corruption, are conducted to proactively identify and mitigate potential threats to the organisation's integrity. Compliance with competition law and anti-trust legislation is strictly observed in athlete eligibility and event sanctioning, and open tenders for major contracts ensure transparency and accountability in procurement processes. Decisions can be challenged through internal appeal mechanisms, with final recourse to an independent body to ensure the right to a fair trial. Due diligence and effective risk management are exercised in all aspects of event allocation and management, with awarding processes adhering to open and transparent procedures.

3. Risks

- Individuals or groups within the organisation may wield unchecked authority, leading to the potential abuse of power, favouritism, or corruption.
- The absence of an oversight mechanism makes it difficult to hold decision-makers accountable for their actions, allowing misconduct, unethical behaviour, or financial impropriety to go unchecked.
- Higher risk of mismanagement or misuse of organisational resources, including funds, facilities, and personnel, which can lead to financial instability or operational inefficiencies.
- Failure to implement checks and balances can erode trust and confidence among stakeholders, including members, sponsors, and the public, damaging the organisation's reputation and credibility.

- The lack of transparent decision-making processes and mechanisms for resolving disputes may lead to internal conflicts, power struggles, or governance crises, destabilising the organisation and hindering its ability to fulfil its mission.
- Without mechanisms for meaningful stakeholder engagement and participation, the organisation may struggle to involve members, volunteers, and other stakeholders in decision-making processes, leading to disengagement.
- The absence of checks and balances prevents the organisation from identifying and addressing weaknesses, inefficiencies, or areas for improvement, hindering its ability to adapt, innovate, and evolve.

4. Instruments and key elements

<i>Instruments</i>	<i>Key elements</i>
Governance structures, organigram, transparent decision-making process	<ul style="list-style-type: none"> • Separation of powers between different branches or bodies. • Clear governance structure with governing boards, committees, and executive leadership positions with defined roles, responsibilities and decision-making authorities. • Consultation, debate, and accountability allowing stakeholders to understand how decisions are made.
Independent oversight bodies	<ul style="list-style-type: none"> • For example: Audit committee, Ethics committee, ombudsmen, integrity/compliance officer • Monitoring organisational activities, review decisions, ensure compliance with ethical standards and regulations.
Accountability mechanisms	<ul style="list-style-type: none"> • May include performance evaluation, annual report, and independent audit. • Holding decision-makers accountable and ensuring transparency.
Conflict of interest policies	<ul style="list-style-type: none"> • Identify, disclose and manage conflicts of interest among board members, executives and other stakeholders. • Members of any decision-making body should be independent in their decisions, therefore, members facing an actual or perceived conflict of interest must be excluded from the decision-making process.
Whistleblower protection	<ul style="list-style-type: none"> • Mechanisms for whistleblowers to report misconduct, corruption, or ethical violations confidentially and without fear of retaliation

5. Good practice examples

Example “Whistleblower protection”

Organisation: World Skate

Description: World Skate’s Whistleblower Policy aims to foster a transparent and ethical environment in sports by allowing individuals to confidentially report suspected misconduct and doping violations. The

policy defines informants as those providing information and whistleblowers as informants who receive additional protection after signing an agreement. Disclosures can be made anonymously to the DELA Department via email, and advice is available before making a formal report. Whistleblowers are assured of confidentiality and protection against retaliation, though World Skate cannot provide physical protection but will assist in engaging relevant authorities if needed. Rights and responsibilities include maintaining confidentiality, complying with agreements, and receiving updates on investigations. Sanctions for confirmed misconduct may include disqualification and fines, while false disclosures can lead to legal action and termination of whistleblower agreements. World Skate ensures that all data is handled in compliance with privacy laws, and concerns can be addressed directly with the organization.

Further information: [World Skate Whistleblower policy & Procedure for reporting misconduct](#)

Example “Whistleblower protection”

Organisation: World Aquatics

Description: The World Aquatics Whistleblower System processes complaints related to integrity violations and doping through the Aquatics Integrity Unit (AIU). For integrity violations, the Chief Ethics and Compliance Officer (CECO) reviews complaints, potentially involving an investigatory body, and assesses evidence before charging the accused and proposing settlements, which can be ratified by the Adjudicatory Body or referred for a decision. If decisions are appealed, the CAS Appeals Division adjudicates. For doping violations, the CECO refers cases to the International Testing Agency (ITA), which notifies individuals of potential Anti-Doping Rule Violations (ADRVs), reviews explanations, and proposes settlements, with unresolved cases referred to the CAS Anti-Doping Division. Both integrity and doping case outcomes, including appeals, are published to ensure transparency. This system maintains the integrity and fairness of aquatic sports by ensuring thorough investigations and opportunities for defense.

Further information: [World Aquatics Whistleblower system](#)

Example “Whistleblower system”

Organisation: Fédération International de Basketball (FIBA)

Description: The FIBA Whistleblower system allows individuals to report breaches of integrity, including anti-doping violations, competition manipulation, integrity non-compliance, and harassment or abuse, through the International Olympic Committee's integrity and compliance hotline or the WADA Speak Up platform, ensuring FIBA is directly informed and that the integrity of basketball is maintained through these established international channels.

Further information: [FIBA Whistleblower system](#)

Example “Ethics Committee”

Organisation: International Weightlifting Federation (IWF)

Description: The Ethics and Disciplinary Commission is responsible for overseeing ethical conduct and disciplinary actions within its organization. It ensures that members adhere to established rules and regulations, addressing any violations through formal decisions. These decisions are made publicly available to maintain transparency and accountability.

Further information: [IWF Ethics and Disciplinary Commission](#)

Example “Ethics Committee”

Organisation: International Tennis Federation (ITF)

Description: The ITF Ethics Commission was established in 2019 to uphold the International Tennis Federation's commitment to integrity, governance, and transparency. It is responsible for defining, reviewing, and enforcing the framework of ethical principles outlined in the ITF Code of Ethics. The Commission members are appointed for a four-year term and are chosen from outside tennis' stakeholders to ensure independence. The Code of Ethics applies to key ITF officials and election candidates and is available in multiple languages. The Commission provides resources, statements, and decisions on ethical matters, ensuring transparency and accountability. The Election Panel, comprising Sandra Osborne, David Howman, and Urvasi Naidoo, oversees the fairness and integrity of the ITF Presidential and Board of Directors elections held every four years. Concerns or complaints can be addressed to the Commission via email.

Further information: [ITF Ethics Committee](#)

Example “Integrity Unit”

Organisation: World Aquatics

Description: The Aquatics Integrity Unit (AIU) is an independent body within World Aquatics focused on maintaining the integrity of aquatic sports. It addresses ethical breaches, harassment, abuse, betting issues, result manipulation, and anti-doping (in collaboration with the International Testing Agency). The AIU is overseen by a Supervisory Council comprising a chairperson, vice-chairperson, and five independent members, including two athletes. It includes an Adjudicatory Body, Chief Ethics & Compliance Officer, Anti-Doping Advisory Panel, and Investigatory Body, each with designated leaders and independent members. The AIU's primary functions are investigating and adjudicating violations, preventing future wrongdoing through education and policy development, and ensuring compliance with the World Anti-Doping Code and World Aquatics Rules. By handling integrity-related matters independently and expertly, the AIU fosters trust and confidence among all stakeholders in aquatic sports. This structure ensures a fair and ethical environment for athletes, coaches, officials, and fans.

Further information: [Aquatics Integrity Unit](#)

Example “Internal Controls”

Organisation: Fédération Internationale de Volleyball (FIVB)

Description: The FIVB governs global volleyball activities through its Congress and Board of Administration, with its supreme legal document being the FIVB Constitution. Internal control of financial processes within the FIVB emphasizes a compliance system, document retention, and information security, tailored to the organization's size and importance. Audit committees are recommended for larger entities. The FIVB Code of Ethics, in effect since April 2022, underpins these internal controls. The Board of Administration regularly updates various regulations, including financial, disciplinary, ethics, medical and anti-doping, and homologation, to ensure effective oversight and integrity in the organization's operations.

Further information: [FIVB Internal Controls](#)

6. Steps to the next level

To level 2 ★★ “Emerging”	To level 3 ★★★ “Developing”	To level 4 ★★★★ “Established”	To level 5 ★★★★★ “Embedded”
<ul style="list-style-type: none"> Clearly define the roles and responsibilities of governing and supervisory/advisory bodies in the statutes, ensuring a clear segregation of rights and duties. Implement a periodic renewal process for elected and appointed officials, establishing term limits that allow a maximum of three terms of four years each to prevent undue centralisation of powers. Ground decisions in and respect the principles of due process, including the right to be heard and the right to appeal. Develop and enforce rules of procedure for handling potential breaches, measures/sanctions, and the 	<ul style="list-style-type: none"> Develop and maintain independent internal control systems for key financial processes and operations. Assign dedicated personnel within the administration to handle audit and compliance matters. List judicial and other independent bodies (e.g. electoral committee) in the statutes. Specify the responsibilities, composition, appointment rules, and required qualifications for these bodies in the statutes and/or regulations. Ensure members of judicial and independent bodies do not belong to any other body or the association’s administration. Develop and implement internal 	<ul style="list-style-type: none"> Implement dedicated audit and compliance roles to ensure adequate handling of regulatory risks and the monitoring and evaluation of the internal control environment. Ensure that disputes of a national dimension related to the application of the organisation’s statutes, regulations, directives, and decisions are referred to an independent, impartial court of arbitration after exhausting all internal channels, unless prohibited by national legislation. Direct disputes of an international dimension related to the statutes, regulations, directives, or decisions of International Federation & 	<ul style="list-style-type: none"> Establish an audit and compliance committee with a clearly defined composition, appointment process, and scope of responsibilities. Ensure members of the audit and compliance committee meet specific selection criteria, including the disclosure of any conflicts of interest. Ensure eligibility checks are carried out by an independent body (e.g. electoral committee). Prohibit members of judicial and other independent bodies from forming a business relationship with the organisation for at least one year after their mandate ends. Conduct eligibility checks for members of judicial and other independent

<p>appeals process, and publish details of sanctions following concluded cases in an appropriate manner according to relevant regulations.</p> <ul style="list-style-type: none"> • Enforce and publish a conflict-of-interest policy that must be respected at all times by all members of the organisation. • Implement and enforce guidelines and procedures for managing contracts and signing official documents. • Ensure the General Assembly acts as the supreme and legislative body, position the executive committee/Board as the strategic and oversight body, maintain the administration as the operational and administrative body under the CEO/Secretary General, and ensure judicial bodies operate independently in their judicial functions. 	<p>appeal mechanisms (e.g. appeals committee) to allow decisions to be challenged.</p> <ul style="list-style-type: none"> • Ensure that any person or entity affected by a sports organisation's decision has the right to submit an appeal to the Court of Arbitration for Sport (CAS) after exhausting all internal dispute resolution mechanisms. • Create a robust contract management strategy before tender release. • Define and implement a comprehensive procurement governance framework with multiple levels of internal and external controls from contract signature to closure. • Form an Ethics Committee with independent members, including athlete representation, approved by the General Assembly, and grant it advisory, 	<p>European Federation to the Court of Arbitration for Sport (CAS) in the last instance, as specified by the statutes of both federations.</p> <ul style="list-style-type: none"> • Nominate and appoint members of judicial and other independent bodies through a predefined and clear selection process conducted by the executive committee/Board, with ratification by the congress/General Assembly. • Maintain the independence of members of judicial and other independent bodies, ensuring they do not belong to any other organisation body. 	<p>bodies to ensure adherence to criteria, including the disclosure of conflicts of interest and relevant independence criteria (e.g. material/financial and personal independence, including immediate family).</p> <ul style="list-style-type: none"> • Publish the ethics committee report annually, select its members through an open recruitment process, and provide support through a secretariat.
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<ul style="list-style-type: none"> • Prohibit members of the executive committee/Board, independent bodies, and the administration from serving as delegates at the congress/General Assembly or as members of any other body simultaneously. • Establish independent bodies to oversee the organisation’s operations and ensure regulatory compliance, including forming an Ethics Commission with independent representation from the governing bodies to uphold ethical and integrity standards, and publicly provide its composition and terms of reference. • Nominate members of these bodies through a clear selection process and on the basis of a predefined competence profile by the executive committee/board and ratify them by 	<p>investigative, and disciplinary functions with clear rules of procedure, robust integrity safeguards, and reporting responsibilities to the General Assembly.</p>		
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<p>the congress/General Assembly.</p> <ul style="list-style-type: none"> • Protect the administration from undue influence on operational matters and decisions. Ensure it runs the day-to-day operations under the leadership of the general secretary/CEO, while being accountable to the executive committee/board for strategic guidance and oversight. • Designate an individual, such as a compliance or integrity officers, to implement and monitor ethical principles and rules. 			
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