

IPACS Benchmark Guidelines

Updated 21 December 2021, version 6

IPACS Benchmark C5 – The organisation has established and makes public eligibility rules for candidates for election/appointment together with due diligence assessment

Definitions

- Eligibility rules – rules that set criteria to determine whether or not an individual can be elected/appointed to a position in an organisation (e.g. the individual must not have been declared bankrupt, the individual must not already served the maximum number of terms)
- Due diligence assessment – a fact-based check of an individual's profile (or an event bid) against eligibility criteria, often performed by an independent person/committee and/or a specialist supplier; other terms used may include vetting or integrity checks

Introduction to this Benchmark and its significance

- Establishing eligibility rules allows the organisation to determine to a certain degree the characteristics of people who are elected or appointed to governing body and committee roles, excluding some people who are unsuitable; in doing so the organisation can protect its reputation
- Eligibility criteria can relate to representation (e.g. limiting the number of individuals with the same nationality/area on the governing board to ensure a broad spread), gender, skills and competencies (e.g. requiring specific professional expertise for a particular role) and also integrity (e.g. limiting eligibility to individuals who do not have an unspent criminal conviction or an anti-doping or manipulation of competition violation; requiring the disclosure and prevention of conflicts of interest); the differing approaches to prosecution by countries should be taken into account
- If due diligence assessments are conducted in an appropriate way, it demonstrates to stakeholders internally and externally that the organisation is serious about setting high standards for the type of people who take on senior roles
- See also Recommendations C1 (election of officials), C2 (campaigning rules), C3 (election rules), C4 (non-staff appointments), C6 (term limits), C8 (conflicts of interest) and C9 (equality and diversity)

Commentary on the action to be taken

- The organisation should define objective eligibility rules for elected positions (and potentially non-staff appointments), which may be discussed and approved by the General Assembly
- Eligibility rules may cover a combination of representation/diversity criteria, skills and competencies and integrity considerations to ensure the organisation elects and appoints appropriate people into senior roles; those ruled ineligible will not be able to stand in elections or be appointed
- In some circumstances, an individual may have a conflict of interest that must be declared and managed; in some circumstances, it may not be possible for an individual to occupy two roles as the roles are conflicting and the conflict of interest that cannot be resolved in a satisfactory way; in this case, the rules should require the individual to resign from one of the roles
- Representation and competency-based criteria may vary from one role to another
- The eligibility rules may set parameters to ensure that some or all elected officials have a background in the sport; however, such criteria should not be so narrow that they exclude all but a tiny number of potential candidates (e.g. requiring an individual to have served for eight years on the governing body before becoming a candidate for President); eligibility parameters and rules should take account of the need to increase female participation in leading positions
- The eligibility rules should be published and easily accessible (e.g. on the organisation's website)
- Where candidates for election or appointment are nominated by member organisations, a single nomination should be sufficient to avoid limiting the pool of potential candidates.
- Due diligence assessments, checking the profile of individuals against the eligibility criteria, should be conducted by an independent person or committee; this helps to protect current staff and officials from potential political pressure

- More general person specification criteria for roles, which are often more subjective (e.g. having significant experience of coaching in the sport), should be considered in the recruitment process rather than among strict criteria to determine eligibility among candidates (but ensuring that women are not disadvantaged)

Investment requirement – development of the nomination process and basic eligibility rules is straightforward; conducting independent due diligence assessments may be expensive as it often requires specialist expertise but helps mitigate against reputational risks and protect staff

Guidance according to stage of organisation

Early stage

- The organisation has a defined nomination process for candidates for election, and for non-staff appointments, where applicable
- Candidates can be nominated by a single member organisation
- In the case of organisations composed of individual members, no more than two nominations are required for an individual to become a candidate
- The organisation has eligibility rules based on factual criteria, such as appropriate integrity standards, which are published
- The organisation checks profiles against the eligibility criteria based on information declared by the candidates
- The organisation requires candidates to declare conflicts of interest, which must be managed. In some circumstances it may not be possible for an individual to occupy two roles as the roles are conflicting and the conflict of interest cannot be resolved in a satisfactory way; in this case the individual must resign from one of the roles
- The organisation publishes the list of confirmed candidates in good time before any elections and appointments, in accordance with rules

Developing

- The organisation has eligibility criteria that are tailored for different committees/roles
- The organisation's eligibility requirements in relation to involvement in the sport (where they exist) are proportionate so as not to be unduly restrictive, especially for women

Advanced

- The organisation has a nomination committee that considers the appropriate criteria for filling vacant positions
- The organisation has an independent person/committee (which may be the nomination committee) that conducts due diligence assessments, comparing the profiles of individuals against the eligibility criteria; for senior roles in larger organisations, the assessments include appropriate background checks beyond information that is declared by the candidate, with a special focus on integrity
- The organisation has an appeal process regarding the due diligence assessments

Good practice examples

International Federations (from 2020)

- ITF: Candidates are nominated by Class B members – see [Constitution](#) articles 20b and 21f. There are eligibility rules - see article 19c
The rules for the Election and Eligibility Panel are in the [Code of Ethics](#) – see appendix 1, article 1.7
- ITTF: There are brief eligibility rules for elected officials – [Constitution](#) 1.5.9. The nominations process is non-restrictive
The Nominations Committee reviews the validity and qualifications of candidates – Constitution 1.5.7.2
- FEI: The eligibility of candidates is covered in [Statutes](#) article 24 and is not restrictive:
The Nominations Committee vets all candidacies – see Code of Conduct and article 32 of Statutes
- IBU: [Constitution](#) 17.4-7 – nomination and eligibility rules. There are [vetting rules](#)

Overall standard among International Federations:

- 10 out of 31 members of ASOIF had both proportionate eligibility rules and a nominations committee in the 2019-20 review

Continental Bodies

- None seen

National Olympic Committees

- US Olympic and Paralympic Committee (USOPC) – eligibility rules for independent board members – [bye-laws](#) 3.4 and 3.5

National Federations

- French Tennis Federation – Rules are clearly defined on the eligibility, the election and the length of the mandate of members of the Executive Committee, including its President –Articles 18 to 21 of the [Statutes](#)

Selected references

- [ASOIF GTF Questionnaire 2019-20](#), Indicator 4.5
- [SIGGS](#) Principle 4 (Democracy, Participation and Inclusivity), Indicator 5 - How does your organisation elect Board members within your organisation?; Roadmap Principle 4
- Parliamentary Assembly of the Council of Europe, [Addendum to the report “Working towards a framework for modern sports governance”](#):
 - Criterion 2.1: Regular elections of the governing bodies:
 - The organisation has detailed regulation for all open positions for elections and appointments including the process for candidates
 - Eligibility checks
- Geeraert, A. (2018). [Sports Governance Observer 2018](#). An assessment of good governance in five international sports federations. Aarhus: Play the Game/Danish Institute for Sports Studies, p.11-15: Principle 12: Board members are (re-)appointed according to clear and democratic procedures. IOC’s [“Consolidated Minimum Requirements for Implementation of the Basic Principles of Good Governance for NOCs”](#):
Theme 2.5 “Democratic process”, Principle 1: Democratic processes, such as elections, should be governed by clear, transparent and fair rules

ASOIF indicator 4.5 – scoring definitions used in the 2019-20 assessment

- 0 – No
- 1 – Some rules about eligibility for election candidates
- 2 – Published eligibility rules for election candidates with a nominations process unrestricted except for proportionate rules to ensure involvement in the sport
- 3 – Published eligibility rules with unrestricted nominations and a nominations commission

- 4 – State of the art eligibility rules, a nomination commission