



An Rialálaí  
Carthanas

Charities  
Regulator

# **Crisis Management for Charities:**

**A guide for charity  
trustees and senior  
management**



### **Legal Disclaimer**

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This document is not, nor is it intended to be, a definitive statement of the law and it does not constitute legal advice. This document is not a substitute for professional advice from an appropriately qualified source. The Charities Regulator recommends that charity trustees consult their governing document and obtain their own independent legal advice where necessary. The Charities Regulator accepts no responsibility or liability for any errors, inaccuracies or omissions in this document.

# Contents

<b>1. About this guide</b>	<b>3</b>
1.1. What is a crisis?	3
1.2 Examples of a crisis	4
<b>2. Planning for a crisis</b>	<b>5</b>
2.1 The importance of crisis planning	5
2.2 The importance of risk management systems	5
2.3 Preparing for a crisis	6
<b>3. Crisis Checklist</b>	<b>7</b>
3.1 Take quick and decisive action	7
3.2 Notify regulators and stakeholders	7
3.3 Check your insurance policy	8
3.4 Get external advice	9
3.5 Consider if an investigation is needed	10
3.6 Deal with stakeholders	12
3.7 Develop a crisis communications strategy	13
3.8 Co-operate with regulators	14
3.9 Keep clear records	14
3.10 Crisis scenarios 1: Staff theft	16

---

## **4. Crisis communications** **18**

---

### **4.1 Planning** **18**

---

### **4.2 Preparation** **18**

---

### **4.3 External communications experts** **19**

---

### **4.4 Messaging** **19**

---

### **4.5 Media Channels** **19**

---

### **4.6 Leadership** **20**

---

### **4.7 Crisis scenario 2: Financial impropriety** **20**

---

## **5. Governance in a crisis** **22**

---

### **5.1 Understanding your charity** **22**

---

### **5.2 Holding board meetings** **22**

---

### **5.3 Carrying out your charity's purpose** **23**

---

## **6. Learning from a crisis** **24**

---

### **6.1 After a crisis** **24**

---

### **6.2 Internal or external review** **24**

---

### **6.3 Implementing change** **25**

---

### **6.4 Additional charity trustees** **25**

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# 1. About this guide

In recent times, more charity trustees contact us for advice on how to deal with difficult issues and crises within their organisations. While this rise may be due partly to the Covid-19 pandemic, this is clearly a topic where guidance would be helpful. We have produced this guide to help you plan how to respond should a crisis occur.

The way a charity reacts to and manages an unexpected crisis can have a significant effect on its ability to successfully navigate and survive the crisis. As charity trustees, you are legally responsible for the management and oversight of your charity, even though you are volunteers<sup>1</sup>. You must be prepared to assess a situation quickly, act swiftly and make crucial decisions during times of crisis.

The Charities Regulator cannot step in and carry out the responsibilities of charity trustees other than in exceptional cases under the Charities Act 2009.

We hope this guide helps you to:

- plan for a crisis,
- manage a crisis,
- put in place strong crisis communications,
- follow good governance during a crisis,
- learn from a crisis.

We have included two scenarios later in this guide which show how charity trustees might respond to a crisis.

## 1.1. What is a crisis?

A crisis is any situation concerning a charity that could:

- threaten the charity's stakeholders or property,
- seriously interrupt the charity's work,
- significantly damage the charity's reputation or its financial viability.

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<sup>1</sup> **Guidance for Charity Trustees**

## 1.2 Examples of a crisis

- Fire or significant storm damage to charity buildings,
- Cyber-attack,
- Financial wrong-doing,
- A pandemic or the effect of pandemic restrictions,
- Inappropriate behaviour by a charity trustee, employee, contractor or volunteer such as theft or other criminal act,
- Unethical behaviour by a charity trustee, employee or volunteer such as hiring a relation without transparent competition for the job,
- Safeguarding issues in relation to children or vulnerable adults,
- Significant data breaches,
- Sudden dramatic loss of funding,
- An investigation into the charity by An Garda Síochána, a regulator or other public body, for example, after a complaint,
- Negative media reports or social media commentary that could damage the charity's reputation.



## 2. Planning for a crisis

### 2.1 The importance of crisis planning

Crisis planning is important because crises can severely affect your charity's ability to carry out its charitable purpose. You can predict certain types of crisis and can put measures in place to either:

- prevent the crisis from happening in the first place, or
- lessen its impact if it does.

#### What to do

1. Make sure your charity's governance policies and procedures are strong. Review and update them at least once a year.
2. Identify the issues that could cause a crisis in your charity. Even the best run charities cannot forecast every crisis as the Covid-19 pandemic demonstrated. However, by identifying the issues that could lead to a crisis, charities can be prepared. Remember that your charity's response will vary depending on the type of crisis.

### 2.2 The importance of risk management systems

When thinking about the types of crisis that could affect your charity, it is useful to look at the risks in your risk management system and your risk register<sup>2</sup>.

#### What to do

1. Create a risk register including each type of potential crisis you identify.
  - Assess the likelihood of each of these risks happening.
  - Prioritise which potential crisis events are most likely to happen.
  - Make sure the charity's risk register is on the agenda for each board meeting.
2. Consider how to lessen the impact of each crisis event. This will help to frame the charity's Crisis Management Plan. The plan should:
  - address the practical measures that the charity can take before a crisis happens, and ideally
  - prevent a crisis from happening in the first place.

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<sup>2</sup> Charities Regulator guide on "[Risk Management for Charities](#)" and Charities Regulator "[Template Risk Register](#)"

## 2.3 Preparing for a crisis

The best way to prepare for a crisis is to:

- create a plan before the crisis happens, and
- put in place a response team with the equipment and training to deal with the crisis. This crisis team should know their responsibilities in relation to the crisis and have access to the information they need to manage the crisis. If resources allow, use training simulations to provide valuable learning to the crisis team.

### Checklist of questions to ask



Which regulator(s) and enforcement authorities are the charity likely to deal with? This may include: the Charities Regulator, An Garda Síochána, TUSLA (Child and Family Agency), Approved Housing Bodies Regulatory Authority, and so on.



What are the charity's reporting obligations for each regulator or enforcement authority?



Who are the charity's stakeholders?



How will the charity manage its communications during a crisis? (see section 4, Crisis Communications)



How will the charity carry out its charitable purpose for each crisis type?



How can the charity respond to a cyber-related issue? (see Charities Regulator guidance on **Protecting your charity from cybercrime**)



What is the role of the charity trustees in a crisis? (see section 5, Governance in a Crisis)



What is the role of the charity's senior management in a crisis?

## 3. Crisis Checklist

### 3.1 Take quick and decisive action

At the start of a crisis, a charity needs to act quickly to gain control of the situation. This could mean, for example:

- notifying the emergency services,
- making a report to An Garda Síochána,
- pausing affected charity services, or
- engaging cyber security specialists.

#### What to do

It is important not to panic during the early stage of a crisis:

1. Make sure any actions taken are appropriate.
2. Get professional, legal advice before suspending staff members or volunteers suspected of wrongdoing.
3. Consult the charity's Crisis Management Plan to make sure policies and procedures are followed for the type of crisis event that has happened.

### 3.2 Notify regulators and stakeholders

Depending on the nature of the crisis, you may have to notify relevant regulators, authorities or An Garda Síochána. Even if your charity conducts its own investigation, it is important to liaise closely with these bodies, as they must follow their own procedures.

#### Who to notify

1. By law<sup>3</sup>, charities must report suspicions of theft and fraud to the Charities Regulator. They should also notify An Garda Síochána<sup>4</sup>.
2. You may need to notify funders, donors and partners if the crisis could have a regulatory or reputational effect on them. It is also important to reassure these stakeholders to help keep important funding arrangements in place so you are able to carry on the charity's activities. This is covered in more detail in section 3.6.

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<sup>3</sup> Section 59 of the Charities Act 2009

<sup>4</sup> <https://www.irishstatutebook.ie/eli/2009/act/6/section/59/enacted/en/html>

## 3.3 Check your insurance policy

In preparing the Crisis Management Plan, check whether the charity must notify the insurer when a crisis incident occurs. This is important because insurance coverage may be denied if the insurer is not notified in line with the terms of the insurance policy.

### What to do

1. Check the scope of your insurance policy to make sure it covers the range of crisis types identified in the risk register.
2. Make sure the policy covers all crisis-related expenses such as legal advice, communications expertise and cyber response specialists.
3. Review the terms of the insurance policy around notification, communication, investigation and reporting. This will help you put clear procedures and instructions in the Crisis Management Plan for insurance policy compliance if there is a crisis incident.

### Sample Insurance Awareness Checklist



Did you check the scope and terms of your insurance policy and the level of cover?



Are you required to notify your insurer in line with your policy? If you are, it will be important to notify them early and keep in regular contact with them.



Do any proposed actions invalidate your insurance policy?



Does the scope of your insurance policy cover liability related to crisis incidents and, if so, what types of crisis incidents?



Does it cover claims that arise during the incident period?



Does it cover communications advice?



Does it cover legal advice and representation?



Does it cover cyber response advice and expertise?



Does it cover theft and fraud?



Does it cover advice for charity trustees, senior management and employees?

## 3.4 Get external advice

During a crisis events can often move quickly and can involve people known to the charity's trustees or senior management. It can be challenging for charity trustees to make decisions when confronted with complex cultural, regulatory or safeguarding issues. By cultural issues, we mean the operational culture within the charity. For example, there may be a culture of not questioning of the CEO, or a culture of bending the rules.

Engaging an external advisor who has no previous involvement in the charity's operations can help you to:

- better understand the extent and significance of the crisis event,
- make better decisions based on all the options available and the likely consequences of different actions,
- balance the needs of the charity's beneficiaries (such as families of service users) and the various stakeholder groups.

### What kind of advice

The type of advice a charity may need will depend on the type of crisis. It may include legal, forensic accountancy, technology, cyber or public relations advice.

### What to do

1. Make a list of potential advisors and their contact details which will be ready to go if there is an incident. This can save valuable time and unnecessary stress.



### 3.5 Consider if an investigation is needed

You may need to investigate some types of crisis incidents such as financial wrongdoing, safeguarding issues or cultural failures such as unethical behaviour or failure to comply with the charity's values.

#### What to do

1. Take care when considering whether to carry out an internal investigation or take action as a result of an internal investigation. Consult with regulators or An Garda Síochána to make sure you do not compromise any law enforcement or regulatory investigations.
2. Think about hiring an independent, external investigator. The nature of the crisis may require specialist investigators such as forensic accountants or forensic technology experts. Be very clear with external experts about the costs, terms of reference and timeline of any investigation.
3. Bear in mind that there may be an expectation that an independent expert report may be published. Decide in advance how you might deal with any demands for publication of the report.



## Sample Investigation Checklist

-  Can the charity investigate the crisis incident itself or must it notify An Garda Síochána, the Charities Regulator or another regulatory body?
-  Does the charity have the capacity and expertise to investigate, or is an independent investigator or external expert needed?
-  Do you need to decide now who should manage this process?
-  Do you need to consult with An Garda Síochána or the relevant regulator so you can investigate without compromising formal regulatory or other investigations?
-  Have you identified a panel of external independent investigators? Tendering in advance for these services gives clarity on investigation scope, costs and terms of reference.
-  Who will decide the scope and terms of reference for an investigation?
-  Are the scope and terms of reference clear when engaging independent investigators?
-  Talk with your legal advisors when putting investigation terms of reference together.
-  Have costs and timelines been agreed in advance with investigators?
-  Was evidence gathered from employees and volunteers at the earliest stage possible?
-  Have interview notes been agreed with interviewees?
-  Are you aware that notes taken may have to be provided to An Garda Síochána, regulators or possibly in legal proceedings?
-  Are you aware that notes taken may be used as part of any subsequent internal disciplinary procedures?

## 3.6 Deal with stakeholders

As part of your Crisis Management Plan, you should identify all the charity's stakeholders so that an appropriate plan can be prepared for communicating with them in the event of a crisis. Stakeholders may include:

- charity trustees
- staff
- volunteers
- service users
- beneficiaries (for example the families of service users)
- regulators
- donors
- members of the public
- the media

### What to do

1. Think about how different types of crisis could affect each stakeholder group and how you can reduce the effects on these groups.
2. Assess the consequences of crisis-related decisions on vulnerable stakeholders.
3. Where possible, try to involve vulnerable stakeholders in the crisis decision-making process.
4. Consult the **Charities Governance Code**, in particular Principle 6: Being accountable and transparent, which explains your duties and responsibilities.



## Sample Stakeholder Checklist



Does your Crisis Plan include a dedicated section on stakeholder management?



Have you identified all stakeholders in the plan?



Is there a list of stakeholder contact details ready to go in the event of a crisis situation?



Does the plan address the needs of employees, volunteers, service users, charity beneficiaries, funders and the public?



Have you thought about how the crisis event and the charity's response might affect the different stakeholder groups?



Does the plan take into account the effects of potential crisis events on marginalised, vulnerable or underrepresented groups?



How can the charity reduce the negative effects of the crisis?



Have you updated the risk register to reflect these considerations?

## 3.7 Develop a crisis communications strategy

During a crisis rumours, allegations and new pieces of information usually emerge and enter the public domain. It is important not to rush into any public statements and to think through any responses carefully (see section 4, Crisis Communications on page 18).

### What to do

1. Think about how your communications during a crisis might affect others, particularly vulnerable groups and beneficiaries affected by the crisis.
2. Maintain confidentiality and comply with data protection laws when dealing with communications during a crisis.

## 3.8 Co-operate with regulators

### What to do

1. Co-operate with regulators at every stage during the crisis. This may help to reduce later criticism.
2. If regulators place requirements on the charity, let them know promptly if your charity cannot meet these deadlines.

## 3.9 Keep clear records

It is important to be able to locate charity records, documentation and data quickly and easily, especially during a crisis. You must be able to comply with legal obligations to produce records and documentation to regulators and An Garda Síochána.

### What to do

1. Check that records are properly organised and accessible.
2. Get specialist advice, if needed, when sharing information. This will ensure that safeguards are in place to comply with GDPR and data privacy principles.

### What records to keep

- Policies and procedures
- Financial records
- Minutes of charity trustee meetings (including records of decisions)
- Risk assessments and risk register
- Staff recruitment information
- Garda vetting records
- Human resources data
- Staff training records
- Case notes
- CCTV recordings
- Incident logs and reports

## Sample Record-Keeping Checklist



Has the charity kept all documentation, data and records? Is information accessible and can it be easily located if needed?



Is there a disaster recovery plan?



Is data backed up at a secure off-site location?



Are all policies and procedures documented?



Are there records of staff and volunteer training?



Is there CCTV or other equipment recordings that may be relevant to a crisis incident?



Are there minutes of all charity trustee meetings and key decisions?



Have you considered GDPR privacy obligations? (You may need to get specialist advice before disclosing data such as CCTV footage.)



Have you reported suspicions of theft or fraud to the Charities Regulator (as required under the Charities Act 2009) and An Garda Síochána?

## 3.10 Crisis scenario 1: Staff theft

This scenario, and the second example included later in this document, show how charity trustees might respond to hypothetical crisis situations. They are included for guidance. Crises differ and charity trustees must decide the appropriate actions to take in response to their particular situation.

### What is the crisis?

Charity A is based in a local Dublin community and provides support to families of disabled children. When reviewing the charity's bank statements last week, the office manager discovered that their bookkeeper, Mary, has been writing cheques to herself over the last 8 months totalling at least €40,000. Mary has been employed as the charity's bookkeeper for the past 12 years.

### What should the charity do?

1. Call an emergency meeting of the board of charity trustees as soon as practicable. The board should plan to meet often during this crisis period.
2. The charity trustees should consult the charity's Crisis Management Plan to find out what procedures to follow in responding to this crisis.

### What initial actions might the charity trustees take (in line with the Crisis Management Plan)?

#### Immediate actions

- Consult the charity's legal advisors and consider suspending Mary's employment. Also get their advice about whether to interview her and act according to their advice.
- Remove Mary as a signatory on the charity bank account.
- Ask the office manager to find out as much as possible about what has been happening and report back to the charity trustees.
- Notify the Charities Regulator that a fraud or theft may have taken place. Give the reasons why you believe this is the case.
- Report the suspected theft to An Garda Síochána.
- Consider starting an investigation and engaging external investigators. Before doing so:
  - consult the charity's legal advisors;
  - decide the scope and terms of reference for an investigation;
  - agree costs and timeline;
  - consult An Garda Síochána to make sure your investigation does not compromise any criminal investigation.

- Notify the charity's insurers and confirm the insurance policy covers the suspected theft.
- Draft a statement for circulation to staff, volunteers, service users and funders (see section 4, Crisis Communications).

### Next actions

- Review the charity's finances urgently to see what reserve funding remains.
- Decide if the charity can continue to provide services to all beneficiaries.
- If the charity cannot fund current services, consider fund-raising options, cost-cutting options, restricting or reducing services, and looking for support from similar charities.
- Consider possible options to recover the stolen monies.
- Review the charity's financial controls using the checklists in the **'Internal Financial Controls Guidelines for Charities'** document available from the Charities Regulator's website.

Remember, these are examples of how charity trustees might respond to a crisis. In reality, charity trustees would decide what actions to take based on the particular circumstances of a crisis and the guidelines set out in their Crisis Management Plan.



# 4. Crisis communications

## 4.1 Planning

It is important to put plans in place for how your charity communicates and responds during a crisis. Planning for crisis communications should be a priority item on the risk register.

The issues that charities face when a crisis happens are likely to affect operations, especially fundraising. Addressing the reputational damage caused by a crisis is a fundamental consideration when developing your Crisis Management Plan.

### What to do

1. Make sure your plan for crisis communications is reviewed and updated at least once a year.
2. Consult the Charities Regulator's [Guidance on Charity Communications](#).

## 4.2 Preparation

It is important to include crisis communications within your Crisis Management Plan. This aspect of your plan should include communication strategies and responses for each type of crisis included on the risk register.

### What to do

1. Prioritise the crisis events that are most likely to happen.
2. Decide how you will handle communications and responses as the crisis evolves, including:
  - who will draft the communications,
  - how trustees will approve the communications.

This helps make sure there is one clear message coming from the charity and reduces the risk of sending out inaccurate or mixed messages.

## 4.3 External communications experts

A crisis can generate negative publicity for a charity. It can also undermine trust and confidence among staff, volunteers and external stakeholders. Most charities do not have trustees or senior managers with crisis communications experience. Hiring an external crisis communications expert can help limit the reputational damage a crisis can cause, providing support on messaging, media relations, and internal and external communications.

### What to do

1. Consider hiring an external crisis communications expert, if funding permits.

## 4.4 Messaging

It is important to identify and prioritise the people who matter most when responding to a crisis. These are most likely to be your beneficiaries and service users. You should also consider staff, volunteers, donors and partners in any communications. Bear in mind that there could also be significant media attention.

### What to do

1. Clear messaging is vital. Charities should be conscious of their values in the messages they deliver.
2. Remember that people are affected during a crisis so communicate with understanding and compassion.
3. Communicate reassurance. Concerned or panicked beneficiaries, staff and volunteers need to see you show leadership and take action.

## 4.5 Media channels

You need to consider how best to communicate with your internal and external stakeholders.

### What to do

1. Decide which communication channels to use to reach your most important stakeholders. This may include emails, telephone calls, text and messaging systems.
2. Take care when providing information and updates on your website and social media channels, especially when posting responses to posts or queries on social media.
3. Make sure you have control over decisions to post information on social media channels. Factual accuracy is important when sharing information and considering responses.

## 4.6 Leadership

Visible leadership is crucial for charities steering their way through a crisis. Stakeholders and members of the public want to hear from those responsible and accountable for the charity.

### Who should be the ‘public face’ during a crisis?

1. If the charity has a chief executive officer (CEO), that person should be front and centre in communications related to the charity’s operational matters.
2. The chairperson of the board of trustees should deal with communications related to governance of the charity.
3. If the charity does not have a CEO, the chairperson of the board of trustees should lead communications for both operational and governance matters.

## 4.7 Crisis scenario 2: Financial impropriety

### What is the crisis?

Charity B is based in Munster and provides specialist educational services. This morning, the CEO received a phone call from a journalist who said they had been contacted by a former employee alleging financial impropriety at the charity. Specifically, the former employee said the charity had awarded contracts worth over €100,000 to a family member of a trustee. This was in breach of the charity’s procurement policy.

The journalist is looking for answers to a number of questions. The journalist has also contacted the charity’s main funder as they understand the funder is aware of the allegation and is considering suspending funding to the charity.

The CEO and chairperson know nothing about any breach of the charity’s procurement policy, and have not been told by the funder that funding may be suspended.

### How should the charity respond?

Charity B should call an emergency meeting of the board of trustees. Firstly, it should establish if any charity trustee has a conflict of interest arising from the allegations and if so the charity’s conflict of interest policy should be followed. Then they should decide how to respond to the allegations. The trustees should consult Charity B’s Crisis Management Plan so that the charity can carry out its crisis communication procedures.

## What action might the charity take?

### 1. Get external help.

Hire an expert communications consultant immediately to give advice and guidance on how to respond to the media queries or the publication of an article.

### 2. Direct the charity's CEO or senior executive management to take action.

Direct them to:

- find out whether there is any truth to the allegations
- find out if there has been any communication from the main funder, and
- contact the funder urgently to clarify the situation.

### 3. Brief your communications expert.

They will help you deal with media queries and to prepare a statement for media addressing the crisis issue. Decide too who will, if necessary, be the charity's spokesperson.

### 4. Inform staff and volunteers

Draft a memo to staff and volunteers to reassure them.

### 5. Inform beneficiaries

Prepare a communication for the beneficiaries. This is to reassure them and avoid panic if there is media coverage of the issue. Decide how best to contact beneficiaries (email, phone or messaging systems).

### 6. Plan content for the charity's own channels (website and social media.

### 7. Decide who needs to update the charity's website and social media channels

with information related to the crisis, and how the updates will be approved. Trustees should have control over posts to the charity's social media accounts. Consider how best to communicate with the charity's funders, donors and partners about the crisis if an article is published in the media.

Remember, these are examples of how a charity's trustees might respond to a crisis. In reality, charity trustees would decide what actions to take based on the particular circumstances of a crisis and the guidelines set out in their Crisis Management Plan.

# 5. Governance in a crisis

A charity can face many different types of crisis. Charity trustees must be prepared to assess a situation quickly, act swiftly and make crucial decisions.

## 5.1 Understanding your charity

As charity trustees, you are responsible for the governance of your charity. In a crisis, however, you also need a good understanding of your charity's operations so that you can make the right decisions.

Any crisis could affect your charity's funding, services and reputation. You need to know what caused the crisis and what to do to address it. In making crisis-related decisions, you will need accurate and complete information so you can navigate the charity through the crisis.

If the charity is a Company Limited by Guarantee (CLG) and you are also a director of the CLG, you may have specific obligations under company law. Ask your legal advisors about these obligations and how they can affect the charity.

## 5.2 Holding board meetings

During a crisis, you may need to meet more often than at your regular board meetings.

### What to do

1. Keep written minutes of all meetings during a crisis (both in-person and virtual meetings).
2. Record all decisions as you would at any other board meeting, including the factors that the board considered in arriving at a decision. This will create a clear and transparent record of the decision-making process. The Charities Regulator has a **Guidance note on minute-taking**.
3. Circulate the minutes as soon as practicable after the meeting. Include any comments or amendments before the minutes are finalised and agreed. This is important because the minutes may be examined if there is a regulatory investigation.
4. Consult the **Charities Governance Code** to make sure you understand and comply with your responsibilities and duties, in particular Principle 5: Working Effectively.

5. Check the rules for your board meetings to see:

- how many board members must be present for a meeting to be valid,
- whether meetings can be held by remote means such as video conferencing or phone.

This is important as board meetings may have to be called at short notice during a crisis. A charity's governing document normally contains the rules for board meetings.

## 5.3 Carrying out your charity's purpose

As charity trustees, your duty is to help your charity to carry out its purpose. This also applies during a crisis. See the Charities Governance Code, in particular Principle 1: Advancing charitable purpose.



# 6. Learning from a crisis

## 6.1 After a crisis

Even though every crisis brings stress and can damage a charity, a charity can survive. Charities can learn, grow and emerge stronger once a crisis has passed. It is important to put structures in place so that the lessons learned can put the charity on a stronger footing to face a crisis in the future.

### What to do

1. Make the lessons learned from a crisis a priority agenda item for board meetings. It is important to do this while the lessons are still fresh in people's minds.
2. Engage with the relevant regulator after the crisis to address issues that arose and to show that the charity has put systems and procedures in place to prevent similar incidents in the future
3. If the charity can no longer carry out its charitable purpose, then it should be wound up in an orderly way. This is particularly important if the charity employs staff, provides front-line services to beneficiaries or has significant assets that could be made available to another charity with a similar purpose<sup>5</sup>.

## 6.2 Internal or external review

Consider whether to conduct an internal or external review that addresses:

- how the crisis incident arose,
- how it was handled,
- lessons learned,
- recommendations,
- actions proposed.

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<sup>5</sup> [Guidance on winding up a charity](#) is available on our website

## 6.3 Implementing change

### What to do

1. Carry out recommended changes to the charity's policies and procedures to prevent a similar crisis happening again.
2. Review policies and procedures regularly to make sure that recommended changes have been properly carried out.

## 6.4 Additional charity trustees

### What to do

1. Consider whether the charity needs to recruit additional charity trustees with experience relevant to the type of crisis that happened. This may help protect the charity from a similar crisis happening in the future.





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