

General Governance Checklist for Charities

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Introduction to the Checklist

Please note that this checklist is *not* an alternative to compliance with the Governance Code for Community, Voluntary and Charitable Organisations - which represents best practice in the sector (see www.governancecode.ie). This checklist is, rather, a basic reference tool aimed at evaluating an organisation's *general* governance practice, perhaps prior to embarking on the Governance Code adoption journey.

Constitution and Governance

- Has the charity agreed its vision, purpose and values, and does it ensure they remain relevant?
- Is the charity's constitution or Memorandum & Articles of Association understood and regularly reviewed?
- Is the charity in a position to comply with the Governance Code (www.governancecode.ie)? There is a need to consider board leadership, board accountability, board responsibilities, board review and renewal, board delegation, board and director integrity, board openness.
- Does the charity ensure that the board exercises its collective responsibility through board meetings that are efficient and effective?
- Does the organisation identify major risks and decide on ways to manage those risks - e.g.: Does the charity have a risk register and is it regularly reviewed and updated?
- Does the charity behave with integrity, and is it open, honest, fair and independent in all its dealings?
- Does the organisation protect and promote its reputation?

Charity Trustees

- Has the identity of the charity trustees been verified and have all records been checked?
- Does each of the charity trustees understand his or her roles and duties?
- Do the charity trustees have an appropriate mix of experience, skills and knowledge?

Useful Link: <http://www.charitycommission.gov.uk/trustees-staff-and-volunteers/>

Conflicts of Interest & Loyalty

- Does the charity have a clear conflict of interest/conflict of loyalty policy?
- Does the charity address how to identify a conflict of interest/loyalty, how to deal with a conflict of interest/loyalty, how to record a conflict of interest/loyalty?

Useful Link:

<http://www.charitycommission.gov.uk/detailed-guidance/trustees-staff-and-volunteers/conflicts-of-interest-in-charities/>

Charitable Objects and Activities

- Are the charity's main objects understood and regularly reviewed?
- Are the charity's main objects clearly charitable under the Charities Act 2009?
- Does the charity consistently act within its main objects?
- Is the charity retaining income and if so does it have a Reserves Policy with consent from the Revenue Commissioner where appropriate?

Useful Link:

<http://www.charitycommission.gov.uk/detailed-guidance/charitable-purposes-and-public-benefit/public-benefit-an-overview/>

Regulation

- Does the organisation identify and comply with all relevant legal and regulatory requirements?
- Are all CRO (Companies Registration Office) filing obligations up to date?
- If the charity is structured as a company limited by guarantee does it have the requisite 7 members and is membership kept updated following retirements or deaths?

Financial Reporting

- Does the charity prepare accounts and if so has the charity considered the SORP guidelines and whether it conforms to those guidelines?
- If the charity does not currently adopt SORP, is it aware that new requirements will shortly be introduced by the Charity Regulator?

Fundraising

- Does the charity comply with the Statement of Guiding Principles for Fundraising (<http://www.ictr.ie/content/fundraising-codes-practice>)?
- Has the charity reviewed and considered the provisions of the Charities Act 2009 on fundraising?

Stakeholders

- Does the charity identify those who have a legitimate interest in its work (stakeholders) and make sure there is regular and effective communication with them about the charity?

- Does the charity respond to stakeholders' questions or views about the work of the charity and how it is run?
- Does the charity encourage and enable the engagement of those who benefit from the charity in planning and decision-making?

People

- Does the charity manage, support and hold to account staff, volunteers and all who act on behalf of the organisation?
- Does the charity make sure that the governing body, individual board members, committees, staff and volunteers understand their roles, legal duties, and delegated responsibilities for decision-making?
- Does the charity have appropriate written contracts of employment with all of its employees and are remuneration and pension arrangements regularly reviewed?
- Does the charity have appropriate arrangements in place in relation to volunteers (i.e.: a Volunteer Policy)?

Property

- Does the charity have a clear understanding of what it owns and in whose name assets are held?
- Does the charity use all charity property for charitable purposes?
- Is all charity property appropriately invested?

Insurance

- Does the charity and its officers have adequate insurance in place?

Taxation

- Is the organisation a charity and if so does it have a CHY number?
- Are the charity's tax affairs in order?

Cross-border

- Does the charity engage in any cross-border activities and if so does it comply with all local regulation?