The Code of Good Governance

Governance Health Check

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Revised 5 February 2019

**Preface**

It is vital that local Management Committees and Boards understand the important role good governance plays in the running of a strong, successful and legally compliant organisation. Not only does good governance support the day-to-day running of the organisation, but it also provides a means of building public trust and confidence.

Across Northern Ireland, voluntary and community sector organisations are playing a key role, delivering local support services, helping individuals and groups, and providing numerous benefits to the public. In turn, those organisations receive a range of support, from funding to volunteers giving freely of their time, skills and knowledge. That is why it is so important organisations are able to retain the public’s trust and confidence.

However, public trust and confidence can be easily damaged. As charity regulator, the Commission receives concerns about charities, many of which could easily have been resolved by ensuring the correct governance processes were in place, and being adhered to, in the first instance.

While the Commission’s approach to regulating charities is to work, where possible, with a charity to help put things right, we understand that it can be concerning to hear from the Commission’s enquiries team, particularly over a governance issue which could easily have been avoided. That is why we work in partnership with groups and organisations such as the Developing Governance Group to deliver information and advice, encouraging and facilitating better governance and accountability.

Implementing this health check is a practical, step-by-step means of ensuring your organisation is adhering to the key principles of the Code of Good Governance, as well as identifying areas where you may wish to make changes or improve. Together with my fellow Commissioners, I welcome the publication of this self-assessment health check and encourage Management Committees and Boards to make the most of the advice and information it offers.

**Tom McGrath**

**Chief Commissioner, Charity Commission for Northern Ireland**

**Good Governance – A Health Check**

**Introduction**

The Code of Good Governance sets out five principles and practices of good governance for voluntary and community organisations. The Code was first launched in 2008 by the Developing Governance Group, following consultation with the voluntary and community sector which recognised the need to have its own principles of governance. While it is not mandatory, it has been widely accepted as the set of standards for governance practice in the sector.

This governance health check is a self-assessment tool which has also been devised by the Developing Governance Group as a practical resource to assist committees/boards to work towards adhering to the principles of the Code. It should help committees/boards of any size to demonstrate their good governance practices to their stakeholders, beneficiaries and funders alike.

**Using the governance health check**

Throughout the health check the questions refer to the ‘board’, this is intended to mean the committee, management or executive committee, board of directors or trustees or any other name given to the governing body of the organisation.

Although it should not be overly burdensome, it is strongly recommended that an appropriate amount of time is set aside for the board to use this tool. For example, a whole meeting could be dedicated to completing the questionnaire. It would also be beneficial to appoint at least one board member to lead the process of ensuring the actions are carried forward including organising any training identified.

When the governance health check is being filled out, board members should be mindful that it is an internal document for their organisation and should not feel inhibited about answering the questions honestly. The aim of the questionnaire is to help boards to review their governance arrangements, check that they have appropriate systems in place and identify areas where they could improve. It is a best practice tool - it is not mandatory.

This health check uses a scale as a self-assessment tool. When you are completing it, it is important to consider what evidence you have to help you determine where you are on the scale as outlined below:

* Fully Met: You are confident that the procedure is actively in place and you have the evidence to support it
* Part Met: You partly carry out the practice or the practice needs adapting or improving and you have some evidence to support it
* Not met: You do not carry out the practice and you have little or no evidence

You can then list the practices in the column entitled ‘our evidence’. A list of examples under the ‘suggested evidence’ section has been included to be used as a prompt. Please note that this is not an exhaustive list as it is recognised that different organisations, depending on their activities and beneficiaries, will be subject to various regulations and will therefore need to provide additional evidence to certain questions.

Once areas requiring improvement have been identified, the ‘actions’ box at the end of the questions under each principle should be filled out. Additional guidance and a range of practical resources are linked into each of the five governance principles, available to download from [www.diycommitteeguide.org](http://www.diycommitteeguide.org) which will assist the board to implement the identified actions.

The Code of Good Governance is also available in hard copy. If your board members would like to have their own pocket-sized version, then please contact NICVA or Volunteer Now to arrange collection.

**The Code of Good Governance (revised 2016) summary**

An effective board will provide good governance and leadership by:

* understanding its role and responsibilities
* working well both as individuals and as a team
* ensuring delivery of organisational purpose.
* exercising appropriate control.
* behaving with integrity and by being open and accountable.

Glossary of Terms

**Accountability** is being liable for one’s responsibilities and answerable for one’s actions in relation to these**.**

**Assets** are things that your organisation owns that are of value, including buildings, equipment, money, trademarks and intelligence.

**Autonomous** is a self-governing, independent body which is free from external control and constraint.

**Beneficiaries** are the people who will be helped from the work of the organisation.

**Community audit** is a survey of the needs of the local community.

**Compliance** is the act of conforming to ofﬁcial requirements.

**Cyber Security** is the protection measures put in place to keep IT systems safe and secure.

**Delegated authority** is the decision making power which has been given to a sub-committee or person so that they can carry out a particular task or activity. The committee, however, remain accountable for the outcome of the delegated work.

**Digital** refers to the use of technology to store, use and communicate information electronically.

**Diversity** is used in this health check to refer to the involvement of a range of different people of various life experiences and backgrounds.

**Effective** is something that works in practice and achieves what it is intended to achieve.

Encryption is the protection of data that is either stored or transmitted to render it unreadable without a security key so that only authorised persons can view it.

**Equity** is used to mean fairness and impartiality.

**Firewall** is a digital barrier or filter between a trusted IT system or network and outside electronic connections such as the internet.

**Governance** is about leadership and ensuring that an organisation is effectively and properly run. It has been deﬁned as “the systems and processes concerned with ensuring the overall direction, effectiveness, supervision and accountability of an organisation”

**Governing document** is the written set of rules governing an organisation, setting out in writing the systems for controlling and managing the organisation, eg a constitution, trust deed or memorandum and articles of association.

**ICO** is the Information Commissioner’s Office which is the data protection regulator.

**ICT** (information and communication technologies) refers to technologies that provide access to information through telecommunications, similar to IT (information technology) but with the focus primarily on communication technologies.

**Integrity** is used to describe soundness of moral character, this is demonstrated through adherence to moral and ethical principles**.**

**Not-for-proﬁt organisations** may be better described as not-for-*personal*-proﬁt as these organisations may make a proﬁt in line with their objects but they don’t distribute the proﬁts among the members but rather use the proﬁts to further the purposes of the organisation.

**Objects** this clause (sometimes called purposes) which expresses the aims of the organisation is laid out in the governing document. It also describes who is going to benefit from the work of the organisation and in which geographical area.

**Probity** is to behave with integrity, being open, transparent and honest.

**Procurement** is the process of buying/acquiring goods or services.

**Prudence** is care, caution and good judgement as well as wisdom in looking ahead.

**Public benefit** is one of the key components of what makes a purpose charitable. A benefit must flow from the charity’s purpose; be capable of being demonstrated and be beneficial, not harmful to the public, or to a section of the public and; it must not provide a private benefit to individuals unless the benefit is incidental.

**Quorum** isthe minimum number of voting members that must be present in order to proceed with a meeting. Quorums for general meetings and committee meetings are usually stated in the governing document.

**Solvent** means having enough money to pay all the debts owed to other people or organisations.

**Stakeholders** are people or organisations who have a legitimate interest in the organisation’s work and have an interest in its success.

**Subject access request** is the term under data protection regulations which gives a person the right to access the personal data that an organisation holds on them.

**Volunteering** is deﬁned as the commitment of time and energy, for the beneﬁt of society and the community, the environment or individuals outside (or in addition to) one’s immediate family. It is undertaken freely and by choice, without concern for ﬁnancial gain.

**Good Governance – A Health Check**

**Principle 1: Understanding roles and responsibilities**

**An effective board will provide good governance and leadership by understanding its role and responsibilities.** The members of the board are equally responsible in law for board actions and decisions. They are collectively responsible and accountable for ensuring that the organisation is performing well, is solvent and complies with all its obligations**.**

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| **Understanding Roles and Responsibilities** | **Not** **Met** | **Part****Met** | **Fully** **Met** | **Our evidence –****Please describe below** | **Suggested Evidence****(examples only)** |
| Is the role of your board clearly defined? |  |  |  |  | Written role descriptionsInduction pack |
| Are the board members aware of the mission, vision and values of the organisation?  |  |  |  |  | Mission statementVision & values statementObjects/Purposes relevant and valid |
| Do board members understand their legal responsibilities in relation to their role?  |  |  |  |  | Duties in charity and trust lawDuties in company lawCharity Commission Trustee declaration  |
| Are the board members aware of the organisation’s operating environment?  |  |  |  |  | Awareness of needNISRA indicesRelevant government policiesCommunity audits  |

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| **Understanding Roles and Responsibilities** | **Not** **Met** | **Partially****Met** | **Fully** **Met** | **Our evidence –****Please describe below** | **Suggested Evidence****(examples only)** |
| Is the board clear about who the beneficiaries and stakeholders are? |  |  |  |  | Records of service usersParticipantsRegister of MembersFundersStatutory bodiesGoverning document  |
| If you have premises and other assets, are they used and maintained effectively? |  |  |  |  | Maintenance logFire safety proceduresSecurity proceduresPlanning for renewalMonitoring usage eg schedule of income analysis Asset registerInsurance LeasesTenancy agreementsFranchise contracts  |
| Have you got a written up to date list of the voting members of your organisation?  |  |  |  |  | Register of members |
| Have you reviewed your governing document in the last three years?  |  |  |  |  | Minutes of general meetingsSpecial resolutions Date of adoption on document  |

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| **Understanding Roles and Responsibilities** | **Not** **Met** | **Partially****Met** | **Fully** **Met** | **Our evidence –****Please describe below** | **Suggested Evidence****(examples only)** |
| Have you checked your charity registration status with the Charity Commission? |  |  |  |  | Charity Register on CCNI websiteRegistration list on CCNI website |
| If charitable, does your organisation fulfil the public benefit requirement? |  |  |  |  | Read Charity Commission’s guidance on the ‘public benefit requirement’Public benefit statement |

**Actions required to adhere to Principle 1**

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| **Required Action**  | **By whom**  | **By when**  |
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| **Go to Principle 1: Understanding roles and responsibilities on** [**www.diycommitteeguide.org/code/principle/leadership**](http://www.diycommitteeguide.org/code/principle/leadership) **for templates and other resources to help you implement your actions.** |

**Principle 2: Working well both as individuals and as a team.**

**An effective board will provide good governance and leadership by working well both as individuals and as a team.** The board will have a range of appropriate policies and procedures, knowledge, attitudes and behaviours to enable both individuals and the board to work effectively.

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| **Working Well**  | **Not** **Met** | **Part****Met** | **Fully** **Met** | **Our evidence –****Please describe below** | **Suggested Evidence****(examples only)** |
| Are your board meetings and sub-committee meetings effective? |  |  |  |  | Appropriate agendaQuorums metMinutes including records of decisions madeRegular reports and other info Held regularlyRegular full attendance |
| Have you got adequate skills, or reasonable access to skills, and experience on your board? |  |  |  |  | Skills auditTraining eg child protection, recruitment, governanceEvidence of advice obtainedPossibly amend governing document if it’s restrictive |
| Has your board received appropriate information and guidance in relation to governance?  |  |  |  |  | Induction pack/ materialsGovernance training /events /seminars/conferencesRegular policy updatesMentoring |

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| **Working Well**  | **Not** **Met** | **Partially****Met** | **Fully** **Met** | **Our evidence –****Please describe below** | **Suggested Evidence****(examples only)** |
| Does the board work to attract new members in accordance with its governing document? |  |  |  |  | Rotation of board Terms of officeBoard members replaced when term of office expiresProcess for admitting new membersIdentify skills gapsAdvertising skills gapsRecruitment policyBoard inductionPlan for committee renewal |
| Does the board have a policy to deal with internal conflicts within the board? |  |  |  |  | Code of conductClear role boundariesGoverning documentWhistleblowing policyLegislation |
| Does the board review its own performance on an annual basis? |  |  |  |  | Board members surveyBoard appraisalReview days or sessions Governance health check |

**Actions required to adhere to Principle 2**

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| **Go to Principle 2: Working well on** [**www.diycommitteeguide.org/code/principle/leadership**](http://www.diycommitteeguide.org/code/principle/leadership) **for templates and other resources to help you implement your actions.** |

**Principle 3:**

**An effective board will provide good governance and leadership by ensuring delivery of organisational purpose.** The board has ultimate responsibility for directing the activity of the organisation and delivering its stated purposes.

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| **Delivery of organisational purpose**  | **Not** **Met** | **Part****Met** | **Fully** **Met** | **Our evidence –****Please describe below** | **Suggested Evidence****(examples only)** |
| Are the activities of the organisation in line with the objects/purposes laid out in your governing document (eg constitution/articles/deed)? |  |  |  |  | Up to date governing documentReview services offeredNeeds assessmentSatisfaction surveysPublic benefit statement |
| Does the organisation have a written plan for what it wants to achieve including strategies for sustainability? |  |  |  |  | Strategic PlanBusiness plansFundraising strategy Diversified income streams identifiedImpact statement |
| Does the organisation have an annual work plan? |  |  |  |  | Operational planWork plansService level agreements |

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| **Delivery of organisational purpose**  | **Not** **Met** | **Partially****Met** | **Fully** **Met** | **Our evidence –****Please describe below** | **Suggested Evidence****(examples only)** |
| Have you procedures in place to help the board regularly monitor progress and evaluate the effectiveness of the organisation’s work? |  |  |  |  | Organisation plansAction plansStaff and/or volunteer reportsReports to fundersOn-going monitoring and reviewSatisfaction surveys EvaluationsConsultation with stakeholdersReviewed, updated policiesMinutes of meetingsAchievement of outcomes |

**Actions required to adhere to Principle 3**

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| **Go to Principle 3: Delivery of organisational purpose on** [**www.diycommitteeguide.org/code/principle/leadership**](http://www.diycommitteeguide.org/code/principle/leadership) **for templates and other resources to help you implement your actions.** |

**Principle 4:**

**The key principle: An effective board will provide good governance and leadership by exercising appropriate control.** As the accountable body, the board will maintain and regularly review the organisation’s system of internal controls, performance, and policies and procedures.

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| **Exercising appropriate control**  | **Not** **Met** | **Part****Met** | **Fully** **Met** | **Our evidence –****Please describe below** | **Suggested Evidence****(examples only)** |
| Do you adhere to the legal and compliance obligations of the organisation? |  |  |  |  | Letters of offer / contractsInsuranceContracts of EmploymentLeasing agreementsEqual opportunities policyChild protection and Adults at Risk policies Access NI checksCharity and company law administration and reporting requirementsData Protection / GDPROther… |
| Do you ensure compliance with health and safety legislation and fulfil your duty of care obligation to employees, volunteers, service users and the general public?  |  |  |  |  | Health & Safety Policy, noticesFire and Health & Safety Risk assessmentsFire alarms, extinguishers, Accident book Insurance policiesFirst AidPolicies and procedures in line with legislation and good practice  |
| **Exercising appropriate control**  | **Not** **Met** | **Part****Met** | **Fully** **Met** | **Our evidence –****Please describe below** | **Suggested Evidence****(examples only)** |
| Do you understand data protection legislation and can the organisation demonstrate compliance with the data protection principles? |  |  |  |  | Personal data registerData protection policyData sharing agreements (where appropriate)Privacy noticeData Protection Officer if requiredRecord consent where requiredICO registrationStaff/volunteer trainingBreach reporting proceduresProcess for responding to subject access requests |
| Are you looking after the data that you hold?  |  |  |  |  | Information registerAcceptable use of ICT systems policyRecords management policiesMonitoring and evaluation of records securityStaff have separate email accountsUnderstanding who is responsible for creating and updating recordsCybersecurity risk register |

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|  **Exercising appropriate control**  | **Not** **Met** | **Partially****Met** | **Fully** **Met** | **Our evidence –****Please describe below** | **Suggested Evidence****(examples only)** |
| Do you review your approach to cybersecurity and ensure that your systems are robust and protected? |  |  |  |  | Strong password policy Backup hard drivesEncrypting sensitive information and personal dataInternet firewallSpam filter for emailSecure mobile devicesKeep equipment and software up to dateUnderstanding threats such as viruses, malware and phishingCybersecurity risk registerSecure remote access to systems  |
| Have you got appropriate financial systems in place? |  |  |  |  | Financial procedures policyBudgetCash book / Cheque JournalLedger / computerised accountsCash flow forecastPurchase order bookPetty cash Segregation of dutiesRequired cheque signatoriesOnline banking dual authorisation Bank reconciliationsCash handling proceduresCredit controlDebt management |

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| **Exercising appropriate control**  | **Not** **Met** | **Partially****Met** | **Fully** **Met** | **Our evidence –****Please describe below** | **Suggested Evidence****(examples only)** |
| Are your annual accounts externally examined by an independent person? |  |  |  |  | Full auditIndependent examination |
| Is the financial reporting to the board clear, transparent, readily understood by all board members at each meeting? |  |  |  |  | Agenda of meetingsTreasurer inputManagement accountsIncome and Expenditure sheetAdequate guidance/mentoringScrutiny by all board members |
| Does the board consider and manage risks (uncertainties, threats), both short-term and long-term, in all aspects of the organisation’s work? |  |  |  |  | Risk policyRisk assessments carried outRisk register in place Consideration of:* Governance risks
* Operational risks
* Financial risks
* External risks
* Compliance risks
* Reputational risks

TrainingMinutes of meetings |

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| **Exercising appropriate control**  | **Not** **Met** | **Partially****Met** | **Fully** **Met** | **Our evidence –****Please describe below** | **Suggested Evidence****(examples only)** |
| Does the board set out and communicate the functions of sub-committees, officers, staff and anyone performing duties on its behalf?  |  |  |  |  | Organisation chartTerms of referenceRole descriptionsJob descriptionsMinutesPolicies and reporting processesInduction Governance manual training |
| Does the board regularly monitor and review the effectiveness of sub-committees? |  |  |  |  | Minutes of meetings and sub-committee meetingsReportsEvidence of decisions taken in line within agreed parametersTerms of reference |
| Do you meet the legal requirements in relation to the recruitment and management of staff? |  |  |  |  | Equal opportunityGrievance / disciplinary policiesDismissal and redundancyRemunerationLeave entitlementsAccess NI checksRecruitment and selection trainingPension provision |

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| **Exercising appropriate control**  | **Not** **Met** | **Partially****Met** | **Fully** **Met** | **Our evidence –****Please describe below** | **Suggested Evidence****(examples only)** |
| Have you got appropriate staff management systems in place? |  |  |  |  | Up to date staff contractsClear rolesJob descriptions and accountabilityRegular supervision of all staff including most senior staff memberTraining and developmentAppropriate HR policies inc Bullying and harassment |
| Does the board have clear procedures/guidelines to distinguish between staff and volunteer responsibility? |  |  |  |  | HR policiesVolunteer policies Organisation chartsRole descriptionsJob descriptions |
| Have you got appropriate systems in place for recruitment and management of volunteers? |  |  |  |  | Volunteer policyInductionRole descriptions AgreementsVolunteer expenses policy Training Support and supervision |

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| **Exercising appropriate control**  | **Not** **Met** | **Partially****Met** | **Fully** **Met** | **Our evidence –****Please describe below** | **Suggested Evidence****(examples only)** |
| Do you adhere to fundraising legislation and good practice considerations when raising money? |  |  |  |  | Rules for street collectionsRules for door to door collectionsCode of fundraising practice CCNI fundraising guidanceCash handling procedures for fundraising activities  |
| Do you sell raffle/lottery tickets in line with lottery legislation?  |  |  |  |  | Register societies lottery with council Societies lottery ticket sold for £1 only |
| Has the board discussed the ethics of receiving sponsorship?  |  |  |  |  | Charitable purposesHMRC guidance |
| Have you stipulated what your fundraising is for?  |  |  |  |  | Code of fundraising practiceCharity Commission guidance |
| Are you engaged in fundraising activities that could be considered as trading?  |  |  |  |  | HMRC guidance CC35 Charity Commission for England and Wales guidance |
| Do you have procedures in place for fundraising being carried out on your behalf? How do you monitor this? |  |  |  |  | Fundraising policy / strategyRisk assessmentInsurance policyCash handling procedures Fundraising contract/agreement |

**Actions required to adhere to Principle 4**

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| **Required Action**  | **By whom**  | **By when**  |
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| **Go to Principle 4: Exercising appropriate control on** [**www.diycommitteeguide.org/code/principle/leadership**](http://www.diycommitteeguide.org/code/principle/leadership)  **for templates and other resources to help you implement your actions.** |

**Principle 5:**

**An effective board will provide good governance and leadership by behaving with integrity and by being open and accountable.** The board will be open, responsive and accountable, acting at all times with integrity, in the interest of the organisation and its beneficiaries.

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| **Integrity, openness and accountability**  | **Not** **Met** | **Part****Met** | **Fully** **Met** | **Our evidence –****Please describe below** | **Suggested Evidence****(examples only)** |
| Do you have procedures in place to deal with gifts and hospitality? |  |  |  |  | Policy on gifts & hospitalityGuidelines |
| Does the board have a policy on payments to its members which is in line with the governing document?  |  |  |  |  | Is this permitted by the governing document?Policy on paymentsConflicts of interest registerOut of pocket expenses policy |
| Do you have procedures in place to deal with conflicts of interest including conflicts of loyalty? |  |  |  |  | Conflicts of interest policyConflicts of interest registerStanding item on agenda Governing documentMinutesConnected persons definition |
| Have you clear plans in place for when something goes wrong?  |  |  |  |  | Communications policyContingency plans Emergency proceduresBusiness continuity plan Serious incident report to CCNI |

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| **Integrity, openness and accountability**  | **Not** **Met** | **Partially****Met** | **Fully** **Met** | **Our evidence –****Please describe below** | **Suggested Evidence****(examples only)** |
| Does the board ensure that there is regular and effective consultation with key stakeholders? |  |  |  |  | ConsultationsRegular meetingsQuestionnairesAGMMember/user feedbackMonitoring and evaluation reportsUser forums Accessible social media |
| Is the board accountable to key stakeholders about its’ own work and the governance of the organisation? |  |  |  |  | AGMAnnual reportRegular meetingsPartnership agreementsProcurement policy and proceduresReports to fundersAnnual reporting to the Charity Commission/other regulatorsAccessible list of board membersExternal audit/evaluationComplaints procedureDonor management procedures |
| Do you listen, respond and represent the views of your beneficiaries? |  |  |  |  | Engagement with beneficiariesConsultationsInvolvement of beneficiaries when trying to influence government decision  |

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| **Integrity, openness and accountability**  | **Not** **Met** | **Partially****Met** | **Fully** **Met** | **Our evidence –****Please describe below** | **Suggested Evidence****(examples only)** |
| Does the board ensure that there is regular and effective communication with key stakeholders? |  |  |  |  | Information provided is timely, relevant, accurate and good qualityAGMAnnual reportNewsletterWebsiteSocial mediaMember/user participationRegular meetingsCommunity audit |
| Do you recognise, promote and value equality and diversity? |  |  |  |  | In the composition of your committee, staff, volunteers, beneficiariesEqual opportunity policyTraining |
| Does the board, at least annually, consider its independence from government, funders or other stakeholders? |  |  |  |  | Mission, vision and valuesConflict of interestBCT’s Independence stocktakeConflicts of loyaltyResearch Annual review |

**Actions required to adhere to Principle 5**

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| **Required Action**  | **By whom**  | **By when**  |
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| **Go to Principle 5: Openness, Integrity and Accountability on** [**www.diycommitteeguide.org/code/principle/leadership**](http://www.diycommitteeguide.org/code/principle/leadership) **for templates and other resources to help you implement your actions.** |

Online Governance Resource - [www.diycommitteeguide.org](http://www.diycommitteeguide.org)

* a useful resource of practical help and support mapped to the principles of the Code of Good Governance.
* a signposting directory which includes links to all Developing Governance Group members including the training and support they offer.

Pocket sized Codes of Good Governance

Copies of the revised Code of Good Governance booklets can be collected from any of the Developing Governance Group members or by contacting the Secretariat which is provided by NICVA on 028 9087 7777 or Volunteer Now on 028 9023 2020

The Developing Governance Group

The Developing Governance Group is made up of the following sector support organisations:

Age NI, Arts & Business NI, Early Years, NICVA, NI Sports Forum, Rural Community Network, Sport NI, Supporting Communities and Volunteer Now.

Many of the member organisations of the Developing Governance Group will be able to provide practical assistance with subscribing to the Code through their governance work. NICVA and Volunteer Now jointly provide secretariat to the Developing Governance Group.

**Disclaimer**

Reasonable precautions have been taken to ensure information in this publication is accurate. However, it is not intended to be a definitive guide to assessing your governance structures and practices; it is designed to provide guidance in good faith without accepting liability. The onus is on each committee/board to take forward actions identified. If relevant, we recommend you take appropriate professional advice or guidance before taking any action on the matters covered herein.