



AGE CONCERN WAIRARAPA BOARD CHARTER

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1 INTRODUCTION

1.1 PURPOSE

The purpose of this charter is to document the principles, governance framework and processes that the Age Concern Wairarapa (ACW) Board follows in exercising its responsibilities.

This Charter is in keeping with the ACW Incorporated Constitution and is also informed by standards of good practice including the NZ Government Charity Services (Ngā Ratonga Kaupapa Atawhai), Community Governance Aotearoa Trust's Good Governance Code (Waehere Whakahaere Tika) and the Institute of Directors New Zealand Governance Best Practice Pillars.

1.2 USE OF THE CHARTER

This Charter has been created as a working document to provide information, additional to the ACW Constitution, on Board functions and responsibilities. All Board members and the ACW manager will be bound by the charter. The charter will be used as a basis for evaluating the ongoing performance of the Board and be reviewed at least every three years and updated as the need arises.

1.3 ENABLING LEGISLATION and CONSTITUTION

Age Concern Wairarapa is an incorporated society under the New Zealand Incorporated Societies Act (ISA) 2022. ACW is a registered charity under the Charities Act 2005 (amended by the Charities Amendment Bill 2023).

The ACW Constitution is the primary governance instrument and sets out ACW's objects and rules under the Act.

2 BOARD MAKE UP AND BOARD MEMBER RESPONSIBILITIES

2.1 BOARD COMPOSITION

The Board shall comprise no fewer than three and no more than nine persons, who are not precluded by any relevant legislation from being a Board Member and will include:

- a Chair, Deputy Chair, Secretary, and Treasurer (Principal Officers of the Society as defined in clause 15 of the Constitution),
- and up to a further five Board members. The roles of Secretary and Treasurer may be held by one person.

The Board will work to ensure that the Board reflects the community of Wairarapa and that it has the full range of skills necessary for effective governance. It will do this by identifying and encouraging potential members from diverse backgrounds and with the necessary skills to nominate for election to the Board.

Where new Board members do not have previous governance experience, they must commit to undertaking governance training during the induction period. All Board members must commit to continuing professional development in governance.

2.2 ROLE OF THE BOARD

The Board has legal responsibility to direct and control the business and affairs of ACW toward the attainment of its objects as set out in the Constitution. Details of the responsibilities can be

found in the ACW Constitution. The Board exercises these responsibilities on behalf of ACW members, clients, funders and staff.

In overview, the Board is responsible for:

Strategic governance

- enhancing and protecting the reputation of the ACW and ACNZ.
- providing strategic direction by approving and periodically reviewing the strategic plan and monitoring the achievement of strategic goals
- setting the Board's risk culture, ensuring risks are identified and appropriate control, monitoring and reporting mechanisms are in place
- approving the annual business plan and budget and monitoring financial performance
- engaging with stakeholders such as members, employees, government agencies, potential funders and other interest groups.

Operational effectiveness

- overseeing the management of ACW
- appointing and removing the Manager, determining terms and conditions of appointment (including remuneration package) and role expectations
- agreeing performance targets (KPIs) with, and monitoring the performance of, the Manager
- approving the appointment of the external auditor and the audited financial statements
- reporting to members.

Board effectiveness

- determining the desired performance culture for ACW and acting as a role
- monitoring compliance with best practice corporate governance requirements and the relevant accreditation standards
- approving and regularly reviewing key Board governance documents such as the Constitution, this Charter, officer roles/responsibilities and policy framework.

2.3 BOARD MEMBER RESPONSIBILITIES UNDER THE ACT

Board members, through their participation in the Board, are responsible for setting the strategic direction of ACW and monitoring its performance to ensure it is being managed effectively. Board members, as individuals, also have specific legal duties and obligations established through common law.

The NZ Incorporated Societies Act 2022 prescribes the key duties of Board members. These duties are:

- to act in good faith and in what the Board member believes to be the best interests of ACW
- to exercise any power as a Board member for a proper purpose
- not to act, or agree to ACW acting, in contravention of either the ISA 2022 or ACW's constitution
- to exercise reasonable care and diligence when exercising powers or performing duties as a Board member
- not to permit, cause or allow the ACW's activities to be carried on in a manner likely to create a substantial risk of serious loss to its creditors
- not to agree to ACW incurring any obligation unless the Board member reasonably believes the society will be able to perform the obligation.

2.4 ROLE OF THE CHAIR

The Board Chair is responsible for facilitating effective Board leadership and governance and sets the tone for meetings. It is an active role that engages the Board members, building upon each member's individual strengths.

The Board Chair exercises leadership to ensure the work of the Board is focused on the strategic issues that require its attention and delegates work that could be more effectively addressed by a Board sub-committee or by management. The Board chair orients new board members.

The Board chair's relationship with the Manager is critical to the organisation and is built on mutual trust and respect. They share a common understanding of the organisation's goals and strategies and work together to achieve them.

2.5 OFFICER ROLES

Board officer roles have specific responsibilities as defined in the associated role descriptions. Role descriptions for Chair, Vice Chair, Secretary and Treasurer can be found in Appendix Part 1.

2.6 BOARD MEMBER CONDUCT

While the ISA 2022 and ACW's constitution set out the legal obligations of Boards and Board members, good governance is more than meeting legal requirements. The way Board members conduct themselves when exercising their duties is equally important to good governance.

Board members will:

- maintain a commitment to excellence in all matters including representing the Board and the organisation in a manner befitting Board membership status
- accept a level of accountability that automatically accompanies Board membership. The Board is accountable to its stakeholders for the organisation's actions and decision
- accept the principle that the Board speaks with one voice, that no one member shall publicly express his/her own opinion should this deviate from an agreed Board position or decision
- maintain a governance rather than a management perspective, unless circumstances dictate otherwise eg. to manage the risk of staff vacancy or to maintain operational performance
- focus on the strategic implications and required outcomes of services and programmes rather than on their management
- take collective responsibility for all matters pertaining to the Board operations including adherence to ACWs policies and principles
- conduct themselves in a professional manner including:
 - committing to completing the induction programme including governance training and gaining background on ACW governance and operations
 - maintaining an appropriate level of knowledge of the sector including understanding older persons' needs and the opportunities and challenges for ACW service provision
 - being responsive to requests for input/views during discussions and decision making
 - committing to attending and participating in meetings fully prepared, having previously read all the documentation associated with the agenda

- trusting and respecting other members and the contribution they make even when there are differences of opinion
- if holding an officer role, undertake the duties identified in the associated job description.

ACW, as an organisation has a set of Key Behavioural Indicators (KBIs) which detail behavioural expectations for Board, staff and volunteers. They describe ACW expectations for how people engage, talk, perform and work together. Board members are expected to always model these behaviours.

2.7 CEASING TO BE A BOARD MEMBER

A Board Member shall be deemed to vacate office immediately if that Board Member resigns in writing to the Board.

A member may be required to resign by resolution of the Board where in the opinion of the Board they:

- have brought ACW into disrepute
- have failed to disclose a conflict of interest
- cannot manage the role because of mental incapacity
- are an undischarged bankrupt
- have lost the confidence of the Board
- have been absent from three consecutive Board meetings without leave of absence from the Board.

3 KEY BOARD FUNCTIONS

3.1 THE BOARD AND STRATEGY

The Board:

- oversees the process of strategy development, design and implementation, probes and monitors organisational performance, and helps to identify risks and strategic inconsistencies
- directly contributes to strategy development by bringing a broader perspective than that of management, including experience from beyond the industry, understanding of stakeholder perspectives, and helping to avoid cultural blind spots
- provides the strategy with credibility and authority and helps garner support from both within and outside ACW.

3.2 THE BOARD AND THE MANAGER

Trust, mutual respect, teamwork and open communication are the foundations for a productive working relationship between the Board and the manager. The relationship must be empowering and safe. Operational decisions made by the manager are not questioned by the Board as long as they are in line with ACW's strategic direction, business plans, the Manager's operational delegations/KPIs or a specific Board direction. The expectations set out below are the basis on which trust, and mutual accountability are built and maintained.

The Board relies on the Manager to:

- Provide strategic advice, analysis and recommendations to support Board decisions
- Provide open and honest, timely, fit for purpose and high-quality reports

- Implement Board decisions in a timely way and accurately communicate the rationale for Board decisions to staff
- Keep the Board informed of major developments and significant opportunities and risks relevant to ACW
- comply with the constitution and Board policies and facilitate the Board's oversight of compliance and review of policies
- support the operation of the Board.

The Manager relies on the Board to:

- contribute to and approve the strategic direction and policy framework of the ACW
- provide a sounding Board, as needed, to test thinking and make difficult management decisions
- provide support and recognise achievements by the Manager and staff
- observe boundaries between operational and Board responsibilities
- make timely and sound decisions
- follow through on commitments and agreed actions.

The Board and Manager roles for the various business functions are outlined in the Board / Manager Responsibilities and Expectations matrix in Appendix Part 3.

3.3 CHAIR AND MANAGER RELATIONSHIP

Outside of Board meetings, the primary point of contact between the Manager and the Board is through the Chair. This relationship is pivotal to Board effectiveness and supports the Managers leadership of the organisation. The Chair and Manager will meet/communicate prior to each Board meeting and more frequently if there are major issues to be discussed and resolved.

The meetings provide a space for:

- the Manager to discuss and seek advice on significant operational issues
- the Chair and Manager to consider and agree on matters to come before the Board and prepare for the Board meeting
- the Chair to provide support, feedback and guidance to the Manager.

3.4 COMMUNICATION BETWEEN THE BOARD, MANAGEMENT AND STAFF

The Manager is the primary link between the Board and staff. Maintaining and respecting this link means that:

- The Manager keeps staff informed about the outcomes of Board meetings and matters under discussion by the Board and its committees in a manner which supports the Board decisions
- Staff participate in Board meetings by invitation of the Chair and/or Manager, where their knowledge or advice is critical to matters before the Board
- Matters that staff wish to bring to the Board's attention should be referred to the Board through the Manager
- Board members should not direct the work of individual staff members, and they should keep the Manager informed where there is a need for direct communication

The exception to the above general rules are:

- Formal complaints and staff grievances about the Manager should be referred directly to the Board through the Chair

- Staff and Board members may communicate on joint work through committees or by delegation of the Board and/or the Manager
- Upon resignation, staff are to be given the opportunity to have an exit interview with a member of the Board if they wish to provide feedback on areas they believe ACW can improve its performance.

Specific communication protocols are attached at Appendix Part 4.

3.5 BOARD PORTFOLIOS / SUB COMMITTEES

The Board may delegate work to members by portfolio eg.

- Strategy and Policy (including Risk)
- Finance (Treasurer)
- Funding and Contracts
- People and Capability
- Asset Management.

The Board may also establish sub committees to which it may delegate any of its powers, duties and responsibilities. At least one member of each committee must be a Board member. Each committee will have Board-approved Terms of Reference setting out their roles and responsibilities.

Committees may be ongoing, or time-limited and focussed on a specific task. While committees will often have delegated powers, the Board may establish advisory committees with no delegated powers.

3.6 PERFORMANCE FRAMEWORK

This Charter is one part of the performance framework that guides the operations of ACW. At the highest level, the Constitution sets out the establishment and rules of the organisation. This Charter sits under the Constitution and is supported by a suite of policies. Policies and procedures/guidelines are approved and regularly reviewed by the Board. For an outline of the ACW performance framework see Appendix 5.

3.7 MONITORING PERFORMANCE

The Board is responsible for monitoring the performance of ACW and ensuring it complies with legislative and other requirements. The Board does this by carefully considering the reports provided by the Manager, the Treasurer and the external auditor.

The Board works with the Manager to ensure the reports it receives are useful and provide the information needed in a timely manner and a user-friendly format.

The Manager will maintain a Board Calendar that includes the due dates for significant milestones/reporting such as annual reporting, contract performance reporting, Board meetings, tender rounds and key ACW activities.

3.8 RISK MANAGEMENT

Board members' duties require them to actively consider risk. Members must agree a common approach to risk and set the risk appetite for ACW. This should result from robust discussion by the Board and inform the framework that the Board adopts to support its risk oversight activities.

The ACW Board has a Strategic Risk Management framework to support the identification of risk and regularly assesses controls to prevent or mitigate the incidence of risk. See Appendix 6 for an overview.

3.9 CONFLICTS OF INTEREST

Conflicts of interest are an inevitable aspect of organisational life. Good governance principles require the Board to operate with a culture of disclosure, recognition and active management of conflicts as they arise to ensure transparency and sound decision making.

A perceived conflict of interest can be as damaging to the reputation of ACW as an actual conflict. All conflicts, whether real, potential or perceived, must be declared and managed in accordance ACW's Constitution.

The obligations of Board members are to:

- act impartially, without prejudice and in the best interests of the ACW
- not accept gifts or benefits that could influence their actions
- avoid conflicts of interest where possible
- identify and disclose any conflicts of interest
- carefully manage any conflicts of interest
- respond to any breaches.

Board members must ensure that the Interests Register is current and notify the Chair if their circumstances change in a way that could result in a conflict of interest. They must inform the Board Chair of their management plan for any conflict of interest situation.

4 BOARD PROCESSES

The ACW Constitution outlines the key Board processes for:

- Board meetings – General, Special and AGM meetings
- Quorum and voting
- Meeting procedures
- Election of officers
- Complaints

5 BOARD EFFECTIVENESS

Board members will participate in an annual review of the Board's effectiveness in carrying out its responsibilities. The review process will include consideration of:

- the size and composition of the Board
- the Board succession plan
- the skills matrix for Board membership
- the number and type of committees and their size and composition
- any amendments to the Constitution or Board Charter.

The review should also include:

- a collective review of effectiveness
- individual performance reviews for members including an assessment against the ACW Key Behavioural Indicators
- opportunities for members to give private feedback to the Chair on Board effectiveness

- such other review mechanisms as the Board decides.

The Chair will lead the Board review process. The Board may engage an independent expert to facilitate the review.

6 BREACH OF THIS CHARTER

This Charter aims to guide the conduct of the Board of ACW and its Board members in serving the interests the Wairarapa community and its clients.

Where there is an allegation of a breach of the Charter, the concerned Board member making the allegation, or any other person, should raise the matter with the Chair. The Chair shall decide whether to act on the concern raised. If the allegation is about the Chair, then another Board member will investigate.

If the Chair considers the matter worthy of investigation, the Chair shall in the first instance raise the matter with the member about whom the issue has been raised. If after consideration the Chair is still sufficiently concerned about the matter, the Chair shall raise the matter with the Board with a recommendation as to the manner with which it is to be determined.

The Board may then decide on the matter and any response to it and/or conduct any further investigation it believes is required, including engaging an independent person for this purpose.

In following the above process, the Board must have due regard to the principles of procedural fairness and the rules of natural justice. If a matter is to be considered by the Board the member concerned shall be advised in advance (if this is possible) in writing and shall be given the opportunity to be present during the Board consideration of the matter.

Within 10 working days of a decision being made by the Board that the conduct of a member or the Chair is in breach of the Charter, the affected member may request in writing an independent review of the Board's decision.

If the member is found to have breached the Charter and taking into account any findings and recommendations from the review, the Board will make a decision on a course of action. This may include the member being removed from their position on the Board.

7 RELATED DOCUMENTS

- ACW Incorporated Constitution
- ACW Strategic Plan
- Performance framework and associated documents
- Risk Management Framework and Register (under development)

8 APPENDICES

Appendix1 – Officer Role descriptions

ACW Board Chair

- Leads the board
- Convenes and chairs meetings
- Prepares meeting agendas
- Ensures accurate records of meetings are kept
- Prepares the annual report to members
- Ensures the Constitution /Trust Deed is being adhered to
- Is the liaison between the board and manager
- Ensures the board is fulfilling its roles and responsibilities
- Maintains oversight of the overall health and functioning of the organisation
- Ensures the organisation is legally compliant
- Ensures the values of the organisation are reflected in its mahi

ACW Vice Board Chair

- Fulfils Board Chair duties when presiding Chair is absent
- Responds and assists with tasks requested by the Chair or other members of the committee.
- Chairs the Annual General Meeting in the absence of the Chair.

ACW Board Treasurer

- Ensures that the finances of the organisation are managed appropriately
- Makes recommendations to the board regarding the financial management of the organisation
- Ensures good financial accounting practices are followed
- Ensures an audit or review is carried out
- Prepares annual reports to the board
- Oversees the preparation of the annual budget

ACW Board Secretary

- Organises meetings
- Deals with correspondence
- Takes Board meeting minutes
- Ensures the storage of records adheres to the Privacy Act
- Manages routine compliance as the contact officer for regulators

Appendix 2 – ACW Key Behavioural Indicators

Key Behavioural Indicators	
Leadership	Vision: Able to articulate a clear vision and direction for ACW
	Motivation: Able to inspire and motivate the ACW team to achieve the best performance
	Decision making: Makes informed and timely decisions while considering input from others
	Accountability: Takes responsibility for own actions and the outcomes of decisions made
Ethical conduct	Integrity: Demonstrates honesty, transparency and ethical conduct in all interactions
	Respect for confidentiality: Upholds confidentiality and respects sensitive information
	Ethical decision making: Considers ethical implications when making decisions and taking action
	Adherence to policies: Follows ACW policies, NZ laws and regulations
Emotional intelligence	Self-awareness: Recognises and understands own emotions and the impact on their behaviour
	Empathy: Understands and empathises with the emotions and perspectives of others
	Relationship management: Builds and maintains positive relationships with Board, staff, volunteers and stakeholders
	Stress Management: Effectively manages stress and adapts to changing circumstances
Teamwork (ACW people)	Collaboration: Able to work cooperatively with the board, staff, volunteers and stakeholder to achieve required outcomes
	Contribution: Willing to actively participate in team initiatives
	Supportiveness: Ready to assist and offer help when needed
	Respect for diversity: Able to accept and appreciate diverse perspectives and backgrounds
Communication	Clarity: Able to convey ideas and information clearly and effectively
	Active listening: Demonstrates attentiveness and understanding when others speak
	Non-verbal communication: Uses body language and facial expressions to enhance communication
	Feedback receptivity: Open to receiving and incorporating feedback from others
Conflict resolution	Conflict resolution: Able to address conflicts constructively and find mutually acceptable solutions
	Emotional control: Maintains composure and professionalism during challenging situations
	Negotiation: Seeks win-win outcomes by compromising when conflicts arise
	Mediation: Facilitates discussion between conflicting parties
Organisational skills	Time management: Prioritises tasks, meets deadlines and effectively utilises time
	Planning and organising: Sets goals, creates plans and arranges resources effectively
	Attention to detail: Pays careful attention to accuracy and thoroughness in works tasks
	Adaptability: Flexible and willing to adjust plans and priorities in response to changes
Problem solving	Analytical thinking: Analyses information, identifies patterns and generates insights
	Creativity: Thinks innovatively and generates new ideas to address challenges
	Decision making: makes well-informed decisions base on thorough evaluation and analysis
	Persistence: Perseveres in the face of obstacles and seeks alternative solutions when necessary

Appendix 3 - Board / Manager Responsibilities and Expectations

FUNCTION	BOARD	MANAGEMENT
Planning		
Strategic	Lead strategic planning	Input into strategic planning
Operational	Input into / approve ACW business plans	Develop business / action / project plans to support strategic direction
Performance monitoring	Oversee ACW performance	Report business performance to the Board
Stakeholder relationships		
Community / Key agencies	Engage with and develop strategic relationships	Manage operational relationships
Funders	Accountable for ACW / Funder relationships	Maintain working relationships
Clients of ACW services	Monitor outcomes	Monitor / report outcome KPIs to the Board
Organisational culture		
Expectations / behaviours	Monitor compliance with Board Charter / ACW Values	Set operational expectations with staff, monitor and report to Board
Responsiveness	Be responsive to requests from the Manager for information / decisions required	Respond / report to the Board in a timely and accurate manner
Communication	Set clear Board / Manager expectations	Operate on a 'no-surprises' basis with the Board
Funding		
Opportunities	Identify and consider new funding streams	Identify and create business cases for new opportunities
Contract management	Approve new contracts & those being renewed	Manage contracts
Performance monitoring	Monitor performance and approve reports to funders	Submits report to funder with Board approval and Report against outcomes to Board
Operations		
Service provision	Monitor service provision	Manage / report to the Board on service provision against targets
ACW operations	Monitor ACW performance	Manage and report ACW operations to the Board
Employees		
Recruitment / Selection	Lead for the role of Manager	Manage ACW staff recruitment and onboarding with Board involvement
Performance / Development	Manage for the role of Manager	Regularly review staff performance and identify development opportunities
Wellbeing	Monitor for both the Board and employees	Proactively manage staff wellbeing
Financial management		
Oversight	Monitor financial position	Monitor and report financial position to the Board
Budgeting	Approver of budgets on an annual basis	Prepare yearly budget for Board approval
Accounts	Oversee accounts and approve payables	Manage day-to-day transactions
Risk management		
Compliance	Monitor legislative compliance	Report compliance as required
Risk framework	Identify / manage risks using the risk framework	Manage / mitigate identified risks
Operational	Define the policy framework / oversee policy development	Operate within policy guidelines

Appendix 4 – Communication Protocols

Board to Board

If emailing the Board Chair:

- and requiring a response by a specific date, please indicate clearly a required date that the response is required by.
- if requiring a response within 24 hrs, please also send a text to advise of the email and required timeframes for a response
- if you require a response in less than 24 hrs, please call the Board Chair to discuss

If emailing all the Board Members:

- and requiring a response by a specific date, please indicate clearly a required date that the response is required by.
- if requiring a response within 24 hrs, please also send a text to advise of the email and required timeframes for a response
- if requiring a response in less than 24 hrs, please call the Board Chair to discuss (advise what other Board members would like)

If the Board Chair or Treasurer email, seeks feedback in relation to an electronic Board decision and no feedback/response has been received from Board members within the stated time frame (with no reasonable explanation) then any decision will be based on the majority of the feedback received and a final email will be sent by the Board Chair or Treasurer to confirm the matter has been closed/ resolved/ passed onto the Manager for action.

Board Chair or Treasurer to Manager

If emailing:

- and requiring a response by a specific date, please indicate clearly a required date that the response is required by.
- if requiring a response within 24 hrs, please also send a text to the manager to advise of if you require a response in less than 24 hrs, please call the Manager to discuss
- It must be acknowledged that at times, the Board will require ad hoc information, and that priorities set by the Board will take precedence or deadlines further negotiated.

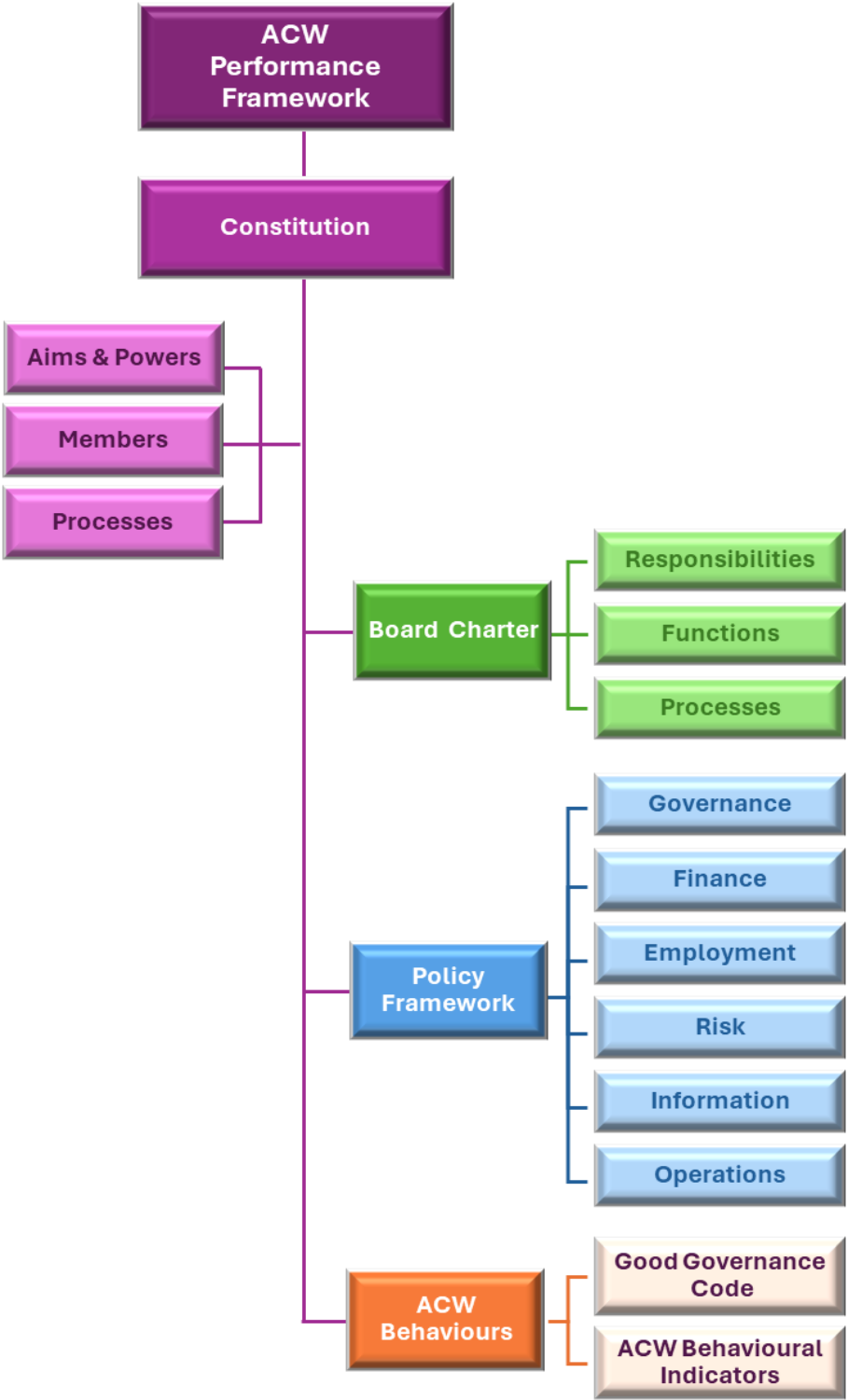
Manager to Board Chair or Treasurer

If emailing:

- and requiring a response by a specific date, please indicate clearly a required date that the response is required by.
- if requiring a response within 24 hrs, please also send a text to the Board Chair or Treasurer to advise of the email and required timeframes for a response
- if you require a response in less than 24 hrs, please call the Board Chair or Treasurer to discuss

For the review of documents requiring feedback, by the Board, Board Chair or Treasurer please provide 72 hrs notice.

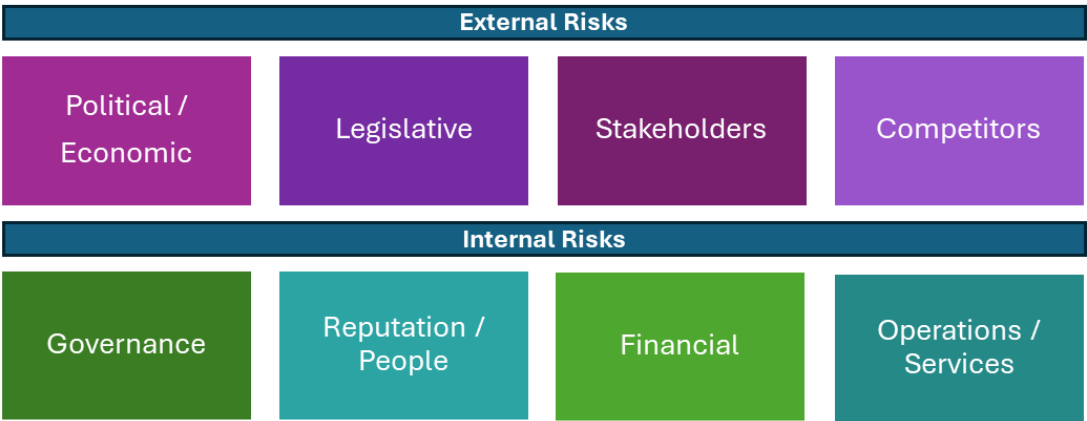
Appendix 5 – Policy Framework



Appendix 6 – Risk Management Framework overview

Managing strategic risk is an essential activity for all organisations. Strategic risk relates to the dangers an organisation faces when trying to achieve their strategic goals. Understanding the dangers and their potential impact assists the ACW Board to make well-informed decisions.

ACW identifies risk as either external, those risks that can be found in the external environment and over which ACW has limited control, and internal risks which are more within the Board’s ability to govern. The categories of risk are:



Identifying and managing risk is a dynamic process, shifting in focus as external and internal influences change. The Board will regularly undertake a risk assessment and monitor changes as they occur. The aim is, wherever possible to remove or at least mitigate identified risks.



The full Risk Management Framework is defined within the Policy knowledgebase.