

Consulting Services to Fund Boards

The landscape of funds regulation and director accountability has changed markedly over the last half dozen years both in Jersey and further afield. Regulatory changes have placed a much greater onus of responsibility on fund boards to operate effective monitoring and oversight over all the key aspects of a fund's operation. And regulatory and legal actions in recent years have focused the minds of many on the enormous man hour and financial costs entailed in after-the-event remedial work where poor or insufficiently resourced governance arrangements have contributed to fund related misfeasance or breaches of regulatory standards by funds or their functionaries. Better a stitch in time...

Howard Consulting is able to provide independent consulting to boards in Jersey on governance related and regulatory risk issues.

In particular reports and advice can be prepared on the following subjects:

Risk Management Policy

Whether the fund board has prepared or been provided with an adequate risk identification and management policy. This is now a focus for regulatory compliance at functionary level in Jersey. An adequate risk management policy informs the content and direction of board oversight discussions and should dovetail with the scope of compliance reporting presented to the board.

Conflicts of Interest Policy

Whether the fund board has adequately identified conflicts of interest affecting the fund arrangements and assessed the degree of independence of the board. Whether adviser conflicts of interest have been sufficiently mapped and what techniques for managing conflicts of interest have been adopted. The extent to which investor and investment manager interests are sufficiently aligned by fee and incentive arrangements.

D&O Insurance

The adequacy and scope of fund insurance policies and whether the coverage for directors and officers protection targets the principal risk issues to which offshore fund boards are exposed. The impact of sharing coverage limits with other fund functionaries, the acceptability of policy exclusions and the interaction with professional indemnity cover (PII) can be examined.

For further information or advice please use the contact details below.