



6 tips to help you be ready for a crisis



Be clear on what's a "crisis" vs. what's BAU

Not every negative issue is a crisis – but if you get the distinction wrong, things can quickly deteriorate.

It's a good idea to prepare a simple framework that clearly defines the tipping points for your business, so the response team is established as expeditiously as possible.

A crisis generally involves a significant and currently uncontained disruption to an organisation's ongoing operations or management – with no immediate end in sight.

It is a situation of sufficient complexity that requires streamlined processes for information gathering and sharing.



Get the right team around the table

Ensure that those able with responsibility for operational response, technology, legal, reputation and other core functions are represented.

You don't want a cast of thousands – information flow into the crisis management team, decision making and response must be quick and efficient.

Crisis management team must be led by someone who ensures a well-balanced consideration of all inputs to decision making.



"Here's something I made earlier..."

Anything you can have prepared in advance will save critical time (and anxiety) if a crisis hits, for example:

Privilege: think about what you need to have privilege set up immediately a crisis is declared.

Psychological support: employers have a positive legal duty to ensure workers are psychologically safe and support needs to be appropriate for the situation. Standard corporate EAP programs are unlikely to be sufficient for a large-scale crisis.

Single point of truth: for all stakeholders to quickly access the latest information direct from the company. Many companies have dummy holding pages set up on separate servers they can get up quickly in the event their main site is down / under attack.

6 tips to help you be ready for a crisis



Practice!

It's all very well to have a good plan, but it's no good if it's stored away somewhere just gathering dust. The first time you see it in action should not be when a crisis hits.

The 'theory' of crisis management is relatively simple. The reality of a crisis is that it is messy and full of ambiguity.

It is therefore critical that all your crisis protocols processes are regularly tested through simulations, so weak points can be addressed and all participants understand how things will operate in a real crisis.

No matter how much you practice, you also need to 'expect the unexpected' and remind yourself of this when a crisis starts so you don't panic when it happens.



Internal relationships and trust = critical

The most successful crisis response teams are driven by a good balance of inputs across key functions.

The relationships between operations, legal and communications/corporate affairs are particularly important – it needs to be open and trusting. A crisis response that is skewed too heavily by one voice's perspective is likely to be deficient.

For example, a response driven purely by image control will not stand up to the scrutiny of the facts as they emerge (as they inevitably do).

The legal team has an important role to play in a crisis as they are often across all of the information.

The ones who balance the competing demands during a crisis well have good relationships with all relevant internal and external stakeholders.



Understand stakeholder needs

External stakeholder demand for information escalates rapidly during a crisis.

Each stakeholder will have their own drivers and responsibilities. They might not always coincide with one another and sometimes they might conflict. Some directors and officers will want or need their own legal representation separate to the company's representation.

It is often the lawyer's job in these circumstances to try and manage these competing views. Decisive, concise, and commercially-relevant legal advice is key. As well as empathy.

It can be very hard to strike a balance between competing stakeholder demands when you're in the pressure cooker. In terms of trying to manage this risk and ensure an appropriate 'baseline' information flow, it is important to have a single public 'point of truth' for all stakeholders to access the latest information; and extra resourcing where required for dedicated channels to ensure direct response to inbound queries, particularly from customers, regulators/legislators and media.

For crisis communication advice >

Angus Trigg, Partner, SEC Newgate
+61 413 946 708
angus.trigg@secnewgate.com.au

David Taylor, Partner, MinterEllison
+61 423 182 320
david.taylor@minterellison.com

Kathy Reid, Partner, MinterEllison
+61 419 585 488
kathy.reid@minterellison.com