

Navigating Turbulent Times from the Top

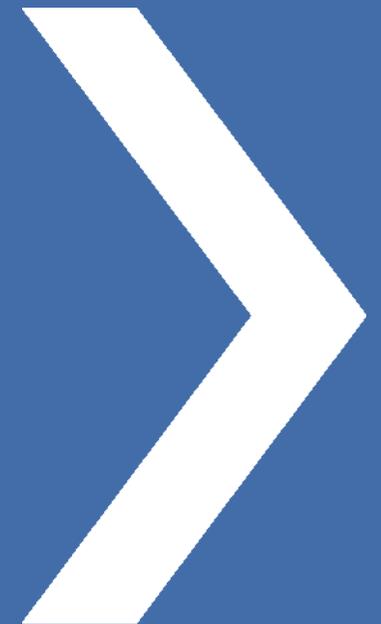
Tuesday 15 November 2022

Presenters:

Rohan Braddy, CEO, Mambourin

Jonathan Teh, Principal, Russell Kennedy Lawyers

Jaqueline Wilson, Associate, Russell Kennedy Lawyers



Welcome

- Rohan Braddy, CEO, Mambourin
- Jonathan Teh, Principal, Russell Kennedy Lawyers
- Jaqueline Wilson, Associate, Russell Kennedy Lawyers

Webinar housekeeping

- You will be on **mute** and your camera will be off during the webinar
- Use the **Chat function** for technical issues
- Use the **Q&A function** for webinar content questions. There will be time for questions at the end
- To provide feedback please use the QR code at the end
- This webinar will be recorded
- Slides will be available on request

Agenda

- Reflections on the sector
- Legal and strategic responses Directors and senior managers may consider in turbulent times
- Identifying practical steps to manage risk



1. Reflections on the sector



Watching the skies ahead – storm clouds or trade winds?

- NDIS Review
- Disability Royal Commission
- Review of the Disability Services Act
- NDIS General Issues inquiry
- NDIA Culture & Capability Inquiry
- Quality and safeguards
- Workforce



Watching the skies ahead – storm clouds or trade winds?

- Legislative changes
 - State and Federal budgets
 - State elections
 - Floods (fires, cyclones & droughts)
 - Declining 'terms of trade'
 - COVID!
- ...and much more!



2. Legal and strategic responses



Watching stormy seas from the shore



Watching stormy seas from the shore

- Get a weather report (*potential legislative reform etc*)
- Scan the sea for rip tides (*contingent liabilities, underpayments*)
- Fathom your resources (*measure and assess reserves*)
- Install a speedometer (*dashboard reporting, lead indicators etc*)
- Dry dock your boat (*program reviews, exist misaligned businesses etc*)
- Get the right crew (*skill and experience of directors and senior managers*)
- Develop your sailing plan (*update strategic and workforce planning etc*)
- Undertake voyage planning (*organic, accretive, merge, JV etc*)

Steering the ship in rough seas



Steering the ship in rough seas

- Wish you went ship shopping earlier? (*large vs nimble models*)
- Sail upwind or downwind? (*grow or shrink?*)
- Bring in more navigators (*advisors, mentors etc*)
- Adhere to navigation and sailing rules (*director duties/insolvency*)
- Avoid windward side / Sail to the leeward side of islands (*strengths*)
- Sailing in a fleet? (*is group think appropriate for the times?*)

Time to start bailing the water



Time to start bailing the water

'Foundering' - a seafaring term for when a ship is so filled with water that she cannot veer nor steer.

- Engage a maritime pilot (*liquidator/administrator*)
- Deploy the lifeboats (*strategies for orderly wind down*)
- Call in the rescue helicopter (*who is going to come?*)
- Walk the plank (*recrimination distraction*)
- Dealing with people leaving the 'sinking ship' early (*best staff may leave*)

3. Practical Steps to manage risk



Practical steps

- We are all in the same boat (*lots of sector and other supports*)
- Get your ship in order (*due diligence activities etc*)
- Plan your journey before you sail (*importance of strategic planning*)
- Determine who the captain is (*Chair/CEO are governing/operating*)
- Get everyone to row in unison (*organisational cohesion*)
- Keep a sailors diary (*good minutes to justify business judgement*)

4. Questions



Concluding observations

“The good seafarer weathers the storms they cannot avoid and avoids the storms they cannot weather”

Anonymous

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