

Check List for Crisis Management Planning

A crisis is anything that has the potential to significantly impact an organization.

Companies with crisis management plans are better able to –

- Work effectively with local emergency responders city, state and federal agencies in responding to events;
- Promptly attend the needs of those affected;
- Assist investigating agencies without jeopardizing the company's legal position;
- Form working relationships with media and elected officials that will help get the company's message to the public;
- Prepare for possible litigation and claims;
- Provide accurate and timely information;
- Minimize the diversion of corporate executives;
- Contain financial exposure; and minimize the incident's effect on the company's reputation

Crisis management has four objectives:

Reducing tension during the incident;
Demonstrating corporate commitment and expertise
Controlling the flow and accuracy of information
Managing resources effectively

Major elements of effective management planning include the identification of a crisis management team, an assessment of the most likely crisis scenarios, the development of a crisis management plan document, periodic crisis training exercises, adherence to crisis communication guidelines and continual review and refinement of the plan.

Step One: Create a Crisis Management Team and Assess Potential Crises

The CMT team can include legal counsel, investigators, public relations personnel, investor relation's personnel, risk manager, financial personnel, marketing personnel, employee relation's personnel, and technical personnel.

Step Two: Develop Crisis Management Team plans

The primary objective of any plan is to set up a flexible structure that is capable of responding to any type of crisis quickly, decisively and in a coordinated manner. The CMT plan should establish relationships, responsibilities and continuity. It should include a notification system with a specific and up to date

listing of current contact information on the team members, chain of command, outside relevant agencies.

Step 3: Establish guidelines for gathering information and internal investigations.

The CMT should be prepared to initiate the investigation, determine the facts, potential liability and available defenses. The team should implement policies that promote the fact-finding process.

- Identify who has the authority to initiate an investigation;
- Identify who will determine the scope of the investigation;
- Identify an attorney or investigator that is qualified to head the investigation
- Formulate a preliminary list of employees and management with knowledge about particular crisis risks;
- Formulate guidelines that establish an initial schedule for the investigation and identify the information needed; and
- Determine which team member will evaluate the results and what will be done with them.

The team should take efforts to maximize protections provided by legally recognized privileges, including attorney-privilege, work-product immunity doctrine and self-evaluative privilege.

An important component of a crisis management plan is creation and communication of a document retention policy.

Step Four: Provide periodic crisis training evaluation

The best way to ensure that everyone understands his or her roles in the plan is to have training on managing a crisis. The training will help address legal issues before they occur, develop investigation procedures; identify systems and equipment needed during a crisis and develop good media relation's skills.

Step Five: Develop guidelines for crisis communications

Good communication is the heart of any crisis management plan. Communication should reduce tension, demonstrate a corporate commitment to correct the problem and take control of the information flow. Crisis communications involves communicating with a variety of constituents: the media, employees, neighbors, investors, regulators and lawmakers. Public relations is the single most important element of the crisis response. Create guidelines for designated spokesperson covering how working with the media and community leaders. Prepare templates for communicating with various scenarios. Attorneys on the crisis management team should review media statements and proposed answers

to protect against privilege waivers and potential admissions than can be used in litigation.