# Risk and Governance

Independent intelligence on fund governance issues

Issue 94 • June 2019

# The lessons of Woodford

There are a number of lessons to be learnt from the Woodford affair. In particular, Woodford's troubles illustrate the difficulties of providing effective independent oversight of head-strong and well-known managers. But there are other lessons too.

Over the last few weeks there has been a considerable amount of coverage of Woodford Investment Management in the UK press. An article in The Sunday Times suggested that governance at this firm was particularly weak. The article said that Woodford's 'tendency to push the boundaries' goes back to his time at Invesco. The Sunday Times reported that Invesco received a record £18.6 million fine because of breaches at three of its funds, two of which were run by Woodford. These funds also used leverage, without proper disclosure to investors, and made loses of £5.3 million.

The Sunday Times' article went on to claim that, after he left Invesco, Woodford 'was allowed to create his own governance structure' and that things went from bad to worse as a result. What can those that want to improve standards of fund governance, in the belief that this is the best way to protect investors, learn from the Woodford affair? *Continued on page 5* >>>

# News from The NED

The NED is consulting on the introduction of Director Ratings. It welcomes input from all its subscribers. The Ratings will differentiate directors by experience (both areas of expertise and length of time), capacity, degree of independence and so forth. Please contact Simon Osborn (osborn@ifiglobal.com) if you would like to provide your views on this initiative.

The NED is also launching DirectorSearch. DirectorSearch is for managers and their advisors looking for confidential advice on the selection of independent directors to fund boards in the era of BEPS and new substance rules in offshore jurisdictions.

DirectorSearch provides its users with a short list of well-qualified candidates, tailored to meet their search requirements. Short lists by skills, experience and/or geography are provided. Short lists typically comprise three to five candidates that meet the search requirement.

Use of DirectorSearch is confidential. Names of those using this service are not revealed, unless those making the selection decision would like this information to be made public. For more information please contact Tamara Sims sims@ifiglobal.com.

## Contents

News	2
Jersey, Guernsey and Isle of Man to set up public registers	2
Alt UCITS liquidity risk	3
PM delegation changes back on the table	4
More substance required in the EU	4
The lessons of Woodford – continued from page 1	5
Time for an FCA re-think?	8
Fund board performance evaluation	10
Improving director selection	13
European Expert Fund Boards	16
Non Executive Fund Directors Database	19

### **IFI Global Research**

### **ADI**

How the tax tsunami impacts fund domiciliation decisions

### The NED

Alternative Fund Governance: The View of Investors (US & Europe)

### **The Tracker**

The impact of AIFMD on US managers (incl remuneration & ManCos)

For more information, please e-mail <u>Tamara Sims</u>

The NED is published monthly by IFI Global Ltd. Annual subscription is £340. No part of this publication may be distributed or reproduced in whole or in part without prior written permission from the publisher. All contents copyrighted.

# The NED Subscription Form

### With your NED subscription:

- 12 issues of the publication.
- Attendance at all NED events.
- Receipt of NED research. The NED has developed a proprietary databank of information on investor and manager views on board composition, practise and preferred director qualifications.
- The NED Directory. Subscribers are welcome to be included in the NED Directory of fund directors on nedglobal.com.

This form can be completed and saved in Acrobat Reader and then emailed to Tamara Sims

Name:				
Company:				
Address:				
Email:		Tel:		
Date:			cription to The NED is £340 scription to The NED is £850	
Payment options				
Direct Transfer  HSBC Bank Plc Oxford Summertown Branch	Account: IFI Global Ltd Bank Account No: 41444530 Sort Code: 40-35-35 IBAN: GB95HBUK40353541444530 SWIFTBIC: HBUKGB4B		By Cheque (£ Sterling only) Make cheque payable to: IFI Global Ltd. 10 Arthur Street London EC4R 9AY	
For additional information please contact Tamara Sims at <a href="mailto:sims@ifiglobal.com">sims@ifiglobal.com</a> IFI Global Ltd, 10 Arthur Street, London EC4R 9AY Tel: +44 (0) 207 220 9077				
The NED is published by IFI Global Ltd, 10 Arthur Street, London EC4R 9AY Tel: +44(0)207 220 9077  Editorial & research enquiries:  Directory, event & subscription enquiries:  Tamara Sims e-mail: sims@ifiglobal.com				