



5 pitfalls of starting an NGO

Nicole Copley is an NGO lawyer with clients both locally and internationally, and the author of *NGO Matters: A Practical Legal Guide to Starting Up*. She shares some of the common mistakes made by many fledgling NGOs.

1 FAILING TO CONNECT WITH EXISTING NGOS

There is a lot of duplication of effort and projects in the sector. Founders of NGOs should, before they consider starting up a new organisation, see who is already working on something similar in their area, and whether they could find a way to support or join forces with an existing project.

2 NOT THINKING THROUGH OPTIONS FOR LEGAL STRUCTURES

My guide deals with this issue and how NGOs, for lack of information and pausing for thought and taking advice, use the closest or easiest legal structure, which is often not suitable for how they want the organisation to be perceived or governed. Once the wrong choice is made, and all the other registrations are in place, it is tedious and expensive to undo it and get it right.

3 NOT REALISING THAT STARTING AN NGO MEANS GIVING UP ULTIMATE CONTROL

An NGO does not belong to anyone, and cannot be owned or controlled. It exists for a purpose – for public good – and those who found it, sit on its board and carry out its projects, are working in service of the NGO and those objects. They are all temporary custodians of the vision and the public money spent in achieving it.

Far too many founders don't realise this and imagine that it is their 'baby',

and that they will always be in charge. Or worse, they think that the things they produce while working for the NGO (intellectual property, usually) belong to them. They don't realise the things they create belong to the NGO that employed them or for which they volunteered when the programme, materials, books or brand were created.

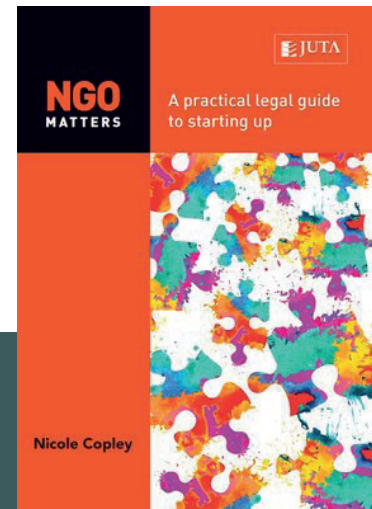
4 NOT BUILDING FOR THE LONG TERM

This one flows on from the previous point. We often have to deal with founder syndrome, where the founder who built the NGO is burned out but, seemingly, irreplaceable. Because the organisation has been built around that individual and his or her skills and personality, it falls apart when the founder leaves.

I always counsel founders of new NGOs to remember from the start that they are building something which will outlast them and leave a legacy, and that they need to consider that every step of the way. They need to recruit people who they can train to eventually replace them, and put in place systems and processes that will continue to work when they are gone.

5 NOT HAVING ENOUGH INDEPENDENT AND STRONG BOARD MEMBERS

The board of an NGO is the locus of its governance. Having board members who are strong enough to give direction is key to an NGO's survival. They need to have an independent position and perspective, so that their decisions are strategic and forward-looking.



About *NGO Matters: A Practical Legal Guide to Starting Up*

When starting up an NGO, the proper legal structure and registration of an organisation are fundamental to its credibility and survival. *NGO Matters: A Practical Legal Guide to Starting Up* is a constructive, systematic guide that provides founders, board members, donors and advisers to NGOs with critical information on structures and registrations, explains key concepts and dispels some myths along the way. It also includes extracts from relevant legislation and forms, all in one useful volume. Find out more about this and other titles in the *NGO Matters* series by visiting www.juta.co.za.