PANCAP
REGIONAL COORDINATING MECHANISM

GOVERNANCE MANUAL

FOR
THE GLOBAL FUND GRANTS

Prepared by the RCM

Revised 6 April 2017

TABLE OF CONTENTS

ACRONYMS

AIDS	Acquired Immune Deficiency Syndrome
CBOs	Community Based Organisations
CCM	Country Coordinating Mechanism
FPM	Fund Portfolio Manager
GF	Global Fund
GFATM	Global Fund to Fight AIDS, Tuberculosis and Malaria
LFA	Local Fund Agent
PANCAP	Pan Caribbean Partnership Against HIV and AIDS
PUDR	Progress Updates and Disbursement Requests
PR	Principal Recipient
GPR	Grant Performance Report
SR	Sub-Recipient
SSR	Sub-Sub-Recipient
RCM	Regional Coordinating Mechanism

1. BACKGROUND

The Global Fund to Fight AIDS, Tuberculosis and Malaria (The Global Fund) allocates funding to the PANCAP Regional Coordinating Mechanism (RCM) to focus on priorities that are consistent with its own.

The RCM is a regional multisectoral body with a mandate to provide oversight to the PANCAP Global Fund grants and is a requirement of the Fund.

This RCM Governance Document serves as the Terms of Reference (ToR) for the RCM. These ToR shall take effect on the day they are approved by a two-thirds majority vote of the RCM members.

Subsequent modifications to these ToR also require a two-thirds majority vote at a meeting of the RCM for which at least three weeks' notice has been provided. The notice must include a description of the proposed modifications.

2. GUIDING PRINCIPLES OF THE RCM

1. Ensuring that grant implementation is focused, fast and flexible: The RCM shall help ensure that implementation is focused on the right activities, for the right populations and in the right places, and that available resources are used efficiently. To facilitate this the RCM shall be adequately empowered to ensure that grant implementation is flexible in programming and financing if the situation so requires.

2. Ensuring access to high quality data: Access to quality and timely data will be key to monitor and analyze progress and inform strategic direction and management.

3. Enabling effective, broad and inclusive participation in recognition that a wide range of partners have a legitimate interest in the success of the grant programme and the RCM should engage with them as part of its oversight responsibility.

4. Ensuring democratic decision-making, respect, openness and transparency, and efficient operation of the RCM.

5. Creating political leverage and joint funding platforms through linking with national governments, CARICOM, regional organisations and development partners such as PEPFAR and UN agencies.

6. Ensuring a transparent process for engagement of the right implementing partners in accordance with agreed criteria.

3. ROLES AND FUNCTIONS OF RCM

1. Development and submission of Concept Note and Global Fund funding request fully endorsed by RCM members, Countries and CCMs.

2. Determine grant content through a consultative process.

3. Provide implementation oversight for ensuring that the grant is implemented in a timely manner and in line with agreed strategy and related workplans and budgets. The oversight role will be shared with an Oversight Committee which will be guided by Terms (see Annex 1).

4. Nomination of Principal Recipient (PR) to implement the Global Fund grant, and the selection of Sub-Recipients (SRs) who will be involved in grant implementation in collaboration with the PR.

5. Monitor and evaluate the implementation of projects financed by the PANCAP RCM Global Fund grant (including the performance of the PR and SRs).

6. Ensure that RCM funded activities are consistent with other initiatives to address the enabling environment and health systems strengthening, and are adapted and updated in response to new evidence on the effectiveness of intervention approaches.

7. Coordinate and communicate with other regional initiatives to ensure alignment and efficiency of regional activities.

8. Review progress reports prior to being sent to the Global Fund or other donors by the Principal Recipient (PR).

9. Develop, modify and implement these ToR.

4. LINKAGES AND RELATIONSHIPS

1. The RCM shall ensure linkages to and consistency with broader HIV control and elimination efforts in the region. This will include ensuring that regional activities are complementary and meet the highest priority needs.

2. The RCM shall complement efforts undertaken by other regional and development partners to mobilize political support and resources for interventions to address HIV. This will include creating linkages and complementarity with and the Caribbean Vulnerable Communities Coalition (CVC) – COIN Global Fund grant programme.

3. The success of the governance and management arrangements for the RCM grant implementation will require clarity of roles and relationships between the RCM and the PR. Close coordination of activities and exchange of information will be crucial to ensure the bodies will fulfill complementary roles at regional level as follows:

   • The RCM will identify and approve a PR[1]. The RCM will work with the PR, to ensure that the SR selection process is open, fair and based on objective criteria related to performance capacities.

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[1] The CARICOM Secretariat was formally endorsed as the PR at the Seventh Meeting of the RCM on 21 September 2014

- The PR will manage all financial inputs to, and reporting requirements of SRs under the terms of the agreement signed with The Global Fund. In conjunction with key stakeholders, the PR will facilitate relationships building and programming mechanisms, and will share data, best practices and lessons learnt related to grant programme implementation.
- The PR will be responsible for grant management according to grant agreement signed with The Global Fund. The PR will work closely with national Sub Recipients (SRs) in preparing their work plan and budget development.
- The PR will prepare a written report in accordance with the format provided by the Global Fund and provide this to the RCM at least every six months.
- SRs receiving grants from the PR to implement components of the grant will report to the PR which will monitor their performance.

5. RCM REGULATORY FRAMEWORK

- Revised RCM Governance Manual
- RCM Conflicts of Interest Policy
- RCM Oversight Plan
- RCM Work Plan and Budget (To be developed annually)
- Global Fund CCM Eligibility Requirements, Minimum Standards and Updated Guidelines

6. RCM STRUCTURE

1. The RCM is composed of members, who shall elect a Chair and a Vice-Chair.
2. The RCM shall appoint an Oversight Committee, and other committees and working groups as required.
3. The RCM shall establish an independent Secretariat, and shall select an Coordinator to lead the Secretariat.
4. The hierarchy of authority shall be as follows: RCM membership; RCM Chair and Vice-Chair; Coordinator RCM Secretariat. Within this hierarchy, parties higher in the hierarchy can overrule any party. The Vice-Chair shall have equal powers in this hierarchy when acting as the Chair.
5. The RCM Secretariat will provide support functions to the RCM under the leadership of the RCM as specified in these ToRs or in the RCM Secretariat terms of reference (see Annex 4 to be developed), or as determined by the RCM.

7. COMPOSITION OF THE RCM

1. Membership of the RCM is granted to members representing the following constituencies: Government, civil society (including representatives of people living with HIV, key populations, faith organisations, the private sector) and multilateral and bilateral international partners working in the region. Each RCM member represents the interests of their entire constituency, and not those of their own individual self or organization.

2. The RCM shall contain eighteen (18) voting members (as described below) plus one chair, and four (4) non-voting members.

3. The reconstituted RCM shall contain the following voting numbers of members from each sector and constituency:
- Seven (7) members of the government sector, determined by the six CCMs (Belize, Dominican Republic, Guyana, Haiti, Jamaica, and Suriname) and the Organisation of Eastern Caribbean States (OECS) RCM;
- One (1) member of people living with HIV from the Caribbean Network of People Living with HIV (CRN+);
- Six (6) members from the non-government sector, represented by members of key populations' civil society organizations including MSM, Transgender, Sex workers, vulnerable youth, CARICOM Youth Ambassador Corps and migrants;
- One (1) member of the academic constituency (public and/or private universities or other academic institutions) based in the region with knowledge of the HIV epidemic;
- One (1) member representing faithbased organisations (Caribbean Conference of Churches [CCC]) in the region with knowledge of the HIV epidemic;
- One (1) member of the Private Sector (Pan Caribbean Business Coalition [PCBC]) with experience in supporting HIV programmes; and
- One member of a regional financial institution.

The RCM shall contain the following non-voting members:
- Two (2) members of the development partner sector, represented by multi-lateral and bi-lateral development partners (UNAIDS and PEPFAR) working in HIV in the region;
- The PANCAP Coordinating Unit
- The Coordinator of the RCM Secretariat.

4. Every effort shall be made to ensure gender balanced representation within the RCM.

5. Any changes to the constituencies or their representatives on the RCM must take account of current Global Fund guidance on CCM/RCM membership, and must be approved by a two-thirds majority of RCM voting members present and voting at a meeting at which there is a quorum.

6. The RCM shall review membership every three years to coincide with its election schedule and shall make any adjustments necessary to ensure representation of all relevant sectors.

7. At the expiration of a term, which shall last for three years, and with the approval of the RCM, a member may be nominated by their constituency to serve another term, subject to a limit of two consecutive terms (i.e. six years in total). Existing alternates may be nominated as new members of the RCM.

8. The RCM shall have an orientation process for new members, including the responsibilities of individual members, Conflict of Interest Policy, and RCM oversight role.

9. Membership renewal: Three months prior to the expiration of a member's term, the RCM shall publicly announce the date of election of new members, and information regarding the means by which members of each constituency may participate in the election process.

10. Elections shall follow the procedures as specified in these Terms of Reference.

8. SELECTION PROCEDURE FOR MEMBERS REPRESENTING NON-GOVERNMENT CONSTITUENCIES

1. RCM members representing non-government constituencies shall be selected by their own constituencies based on a documented, transparent process, developed within each constituency.

2. In order to grant membership to representatives nominated from civil society constituencies, the RCM shall obtain nomination letters and/or dated meeting minutes from each civil society constituency documenting the process it followed to select its representative(s) on the RCM.

3. Each organization proposed for membership on the RCM must be formally approved by the RCM.

9. ROLES AND RESPONSIBILITIES OF RCM MEMBERS

1. Each RCM member represents the interests of their entire constituency, and not those of their own individual self or organization.

2. RCM members shall respect and adhere to these Terms of Reference and other policies and procedures adopted by the RCM.

3. RCM members shall share information with their constituents in an open and timely manner, and should respond to requests for additional information.

4. RCM members shall consult their constituents regularly so that they can reflect their views and concerns in RCM decisions and meetings.

5. RCM government members shall be mandated by, represent the views of, and report back to the senior leadership of their government. They have an important role in coordinating RCM activities and decisions, in particular with regional and national HIV programmes, acting as a liaison between the RCM and government agencies, and ensuring programme sustainability.

6. RCM private sector members shall share expertise and resources with the RCM, and shall act as advocate for HIV programmes, particularly on issues related to economic development and sustainability.

7. RCM civil society members including people affected by HIV and key population groups shall maintain strong ties to their communities, in order to provide feedback on the quality and impact of programmes.

8. RCM members shall regularly report all important decisions of the RCM to organizations and individuals within the constituency that the member represents.

9. All RCM voting and non-voting members, Alternates, Secretariat staff, and all members of standing committees, subcommittees and working groups shall comply with the RCM Conflicts of Interest Policy (COI) (Annex 2).

10. All RCM members shall complete a Conflicts of Interest Declaration form for the record, in compliance with the RCM COI Policy, (Annex 1, Appendix 1) at the time of being appointed on the RCM and disclose any actual or perceived conflicts of interest at that time and annually thereafter.

10. RCM MEETINGS

1. The RCM shall hold at least one general face-to-face meetings per year and special meetings when called at the request of the Chair or the Vice-Chair.

2. Only approved RCM members, their alternates and any special invitees or observers approved by the RCM may attend RCM meetings.

3. If an RCM member is unable to attend an RCM meeting, their designated alternate member can represent the RCM member at the meeting where the appointed member provides at least 36 hours written notice to the Secretariat of his/her absence.

4. The designated alternate member will assume the full rights and responsibilities of a RCM member in the meeting **apart from** as specified in these ToR with respect to decisions on amendment of the ToR and election of Chair, Vice-Chair or Committee members.

5. RCM Vice-Chair or Committee/Working Group Chairs shall request all participants in an advisory or decision-making session to disclose any potential COI. Members disclosing potential COI shall be asked to recuse themselves from participating in the meeting in compliance with the RCM COI Policy detailed in Annex 2.

6. When the RCM is discussing an issue which could be to the financial or other advantage or disadvantage of the member organization or of its representative, the member shall openly declare this potential COI, and offer to leave the room, or to refrain from speaking or voting, while the RCM deals with that issue (see RCM COI policy, Annex 2).

11. QUORUM

1. The definition of a quorum is the presence of at nine of the RCM members voting members. For the RCM with 18 voting members the quorum is therefore nine (9).
2. No decision made at a RCM meeting is valid unless a quorum is present at the time of the decision.

12. VOTING PROCEDURES

1. Decisions shall be made by consensus whenever possible. But where necessary, decisions shall be made by voting.

2. If the Chair declares that a decision has been made by consensus, but a member believes there was not consensus, the member can ask for a vote.

3. Votes shall be of two kinds: "simple majority" and "two-thirds majority." "Simple majority" means a majority of voting members present at the time of the vote. "Two thirds majority" means two-thirds of voting members present at the time of the vote.

4. For a measure to pass, a simple majority vote is required except when these ToR state that a two-thirds majority vote is required.

5. Voting shall normally be by show of hands. When a member requests a formal recorded vote, the results of the vote (i.e., the numbers for, against and abstaining) shall be recorded in the minutes. When a member requests it, each member's vote shall be recorded in the minutes of the meeting.

6. Secret ballots shall be used for voting when called for in these ToR or when requested by a member and approved by a majority vote, or if requested by The Global Fund.

7. In the event of a tie of votes, the Chair has a vote as an ordinary member but should first seek to achieve a consensus decision through further discussion of the issue(s).

8. When neither the representative nor alternate of a constituency member is present, that member's constituency may not vote and may not have anyone else vote on its behalf.

9. Urgent decisions arising between RCM meetings can be put to a vote by e-mail. This shall be at the discretion of the Chair and Vice Chair.

12. NOTICE AND AGENDA

1. All RCM members must receive, by email, fax, letter or phone at least three weeks prior notice of each general meeting, and at least three days prior notice of each special meeting.

2. The notice must specify the proposed agenda.

3. The draft agenda of the meeting shall be compiled by the Chair in consultation with the Administrative Officer. RCM members may send requests to the RCM Secretariat for items to be included on the agenda.

4. At the start of each meeting, the agenda may be modified and must be approved by the RCM.

5. Background papers must be sent to members at least five days prior to the meeting. The papers sent prior to each general face-to-face meeting should include reports from the PR on programme progress on each grant since the previous general meeting. The agenda of each general meeting should include opportunities to discuss such reports.

13. MINUTES

1. The RCM Secretariat will be responsible for taking and circulating RCM meeting minutes, listing participants - members and non-members -, clearly summarizing

discussions, decision points and member/ constituency participation or abstention in accordance to the format contained in Annex 2, RCM COI Policy.

2. The RCM Secretariat shall distribute draft minutes to RCM members within two weeks of each meeting. At the following meeting, these draft minutes shall be discussed, amended as necessary and formally approved.

3. RCM members may share draft minutes with the organizations and individuals in the constituencies they represent providing the minutes are clearly labelled "draft".

4. Minutes that have been formally approved shall be distributed to all members within one week of the meeting at which they were approved. Approved minutes are public documents and shall be posted immediately after approval on the RCM website.

14. RCM CHAIR RESPONSIBILITIES

1. The RCM shall have one chair. The responsibilities of the Chair include:
   - thinking strategically about how to achieve the goals of the RCM;
   - convene and chair RCM meetings;
   - propose and seek approval of the agenda of each RCM meeting;
   - when necessary, make decisions between RCM and/or Committee meetings;
   - seek the opinion of the Vice-Chair on all important matters;
   - when necessary, delegate certain responsibilities and decisions to the Vice-Chair;
   - serve as official spokesperson for the RCM and speak on behalf of the RCM;
   - provide oversight of the RCM Secretariat; and
   - fulfil other responsibilities as outlined in these ToR.

2. The success of a well-functioning RCM will largely depend on the level of engagement and the leadership it is able to provide. The Chair shall have a mix of outstanding skills that include, at a minimum, a proven technical background and understanding of HIV or health issues in the Caribbean region, and capacity to strategically facilitate a broad range of views while at the same time progressing discussion.

3. The Chair and the Vice-Chair must be from different constituencies. However, Section 2.4 of the RCM COI Policy states that the *RCM members representing institutions that are principal recipients or sub-recipients shall not provide oversight of their own grants. They may however engage in discussions during RCM meetings about their grants, and if needed can attend as non-voting participants to provide information on these grants*.

4. The RCM Chair shall be elected by a vote of the RCM. Any candidate for Chair must be nominated and seconded by RCM members. The vote for Chair shall be by secret ballot. Only full voting RM members (not alternates or non-voting members) may vote to select the Chair. The Chair will have no vote except in order to break a stalemate/tie.

5. The RCM can vote to remove a Chair during his/her term. Such a vote requires a two thirds majority of the voting members present at the meeting. Only full voting RCM members (not alternates or non-voting members) may vote to remove the Chair.

6. The term of office for the Chair is three years. No person may serve more than two consecutive terms as Chair. If the Chair resigns, complete his/her two terms, or is removed in mid-term, the Vice-Chair shall serve as Chair until a new Chair is elected.

7. The RCM can appoint the Co-Chair to complete the term of the former Chair and, at the discretion of the RCM, to serve for a full term beyond that.

15. RCM VICE-CHAIR RESPONSIBILITIES

1. The RCM shall have one Vice-Chair.

2. The representative in the RCM or his/her alternate of one of the voting government or non-government constituencies shall be elected Vice-Chair. Choice of the Vice-Chair should however, take into account whoever is selected for the Chair position in compliance with these ToR, Article 14.3.

3. The responsibilities of the Vice-Chair are as follows:
   - perform tasks delegated by the Chair;
   - stand in for the Chair when requested by the Chair to do so, and when the Chair is unable to fulfil his/her functions; and
   - fulfil other responsibilities as outlined in these ToR.

4. The Vice-Chair shall be elected by a vote of the RCM. Any candidate for Vice-Chair shall be nominated and seconded by RCM members. The vote for Vice-Chair shall be by secret ballot.

5. The RCM can vote to remove a Vice-Chair during his/her term. Such a vote requires a two-thirds majority of the voting members present at the meeting. Only full voting RCM members (not alternates or non-voting members) may vote to remove the Vice-Chair.

6. The term of office for the Vice-Chair is three years. No person may serve more than two consecutive terms as Vice-Chair.

7. If the Vice-Chair resigns or is removed in mid-term, an election shall take place at the meeting at which the Vice-Chair's departure is announced, or at the next meeting.

8. The new Vice-Chair shall be appointed to complete the term of the former Vice-Chair and, at the discretion of the RCM, to serve for a full term beyond that.

16. OTHER RCM COMMITTEES

1. The RCM shall set up standing committees and working groups, or ad-hoc working groups, as needed, including the Oversight Committee. In the case of PANCAP, the entire RCM shall also serve as the Oversight Committee.

2. TOR shall be developed for each standing committee and working group, and ad hoc committees and working groups accordingly.

3. For the Oversight Committee (Annex 1 of these ToR);

4. Each committee and working group shall conduct tasks assigned to it by the RCM, and make recommendations to the RCM.

5. The composition of each committee and working group shall be determined by the RCM. Not all members of a committee or working group need to be members of the RCM.

For each committee/working group:

- The Chair shall be chosen by committee/working group members from among the RCM members on the committee/working group;
- Term of office of Chairs of committees/working groups shall not exceed two years;
- The committee/working group shall operate by simple majority vote;
- The quorum for meetings shall be 50 percent of the committee/working group membership;
- The committee/working group shall regularly report on its work to the RCM.
- Minutes shall be prepared for each committee meeting within 2 weeks, and shall be distributed to all committee members and all RCM members.

17. RCM SECRETARIAT

1. The RCM shall establish a Secretariat, appoint a Coordinator and other Secretariat staff where necessary, and shall approve the Secretariat budget and terms of reference (Annex 5 of these ToR).

2. The Secretariat budget shall include the costs for operating the RCM.

3. The Secretariat shall be co-located with an organization agreed by the RCM. The conditions for co-locating the RCM Secretariat with an organization will be governed by the Memorandum of Understanding between the host organization and the Global Fund.

4. The main responsibilities of the RCM Secretariat in support of the RCM and its Oversight functions are detailed in the Terms of Reference of the Secretariat in Annex 4 of these ToR, which include:
   - Organization and functioning of RCM;
   - Harmonization of partners;
   - Coordination of the Concept Note and Proposal Development;
   - Communication and Constituency Engagement;
   - Carry out other functions as specified in these ToR or in the RCM Secretariat terms of reference (see Annex 4), or as determined by the RCM.

5. The RCM Secretariat shall be headed by a Coordinator, who shall be selected by the Chair and Vice Chair and shall report to the RCM Chair or in his/her absence Vice-Chair.

6. The Coordinator of the RCM Secretariat shall be a non-voting observer of the RCM.

7. The responsibilities of the Coordinator are to supervise RCM Secretariat staff; attend all meetings of the RCM in a non-voting capacity, and serve as secretary for these meetings; and perform other responsibilities that are specified in the RCM Secretariat terms of reference (Annex 4).

18. CORE FUNCTION: THE DEVELOPMENT OF FUNDING APPLICATIONS TO THE GLOBAL FUND

1. In accordance with the Global Fund CCM/RCM Requirement 1, RCM shall coordinates the development of all funding applications through transparent and documented processes that engage a broad range of stakeholders[2] - including RCM members and non-members – in the solicitation and the review of activities to be included in the application.

2. RCM shall clearly demonstrate documented efforts to engage key population groups in the development of funding applications, including most-at-risk populations.

3. In line with the new Global Fund funding model, the RCM shall make every effort to obtain inputs from key stakeholders into the concept note development including:

   - strategic investment guidance from technical partners;
   - information and analysis on existing Global Fund grants and other sources of funding; and
   - in close dialogue with the Global Fund Secretariat, determine the amount of indicative funding available to implement RCM strategies and programmes.

4. RCM shall coordinate the formulation of regional programme components in close collaboration with regional partners. This shall include looking at the macro performance (focusing on the tiers to cover, selecting the right implementing partners, identifying gaps and bottlenecks).

5. The RCM will set in consultation with key stakeholders, regional priorities plus resources gaps, allocation and re-allocation as needed.

6. The RCM will oversee Concept Note development progress; and coordinate research inputs (in collaboration with regional partners and independent expertise).

7. The RCM shall engage technical partners and seek technical assistance (TA) as necessary to ensure that programmes for which funding is requested are reaching expected targets in an effective and sustainable manner.

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[2] Stakeholders may include: i) Government representatives; ii) Organizations of people affected by HIV; iii) Organizations representing key affected population groups; iv) Non-governmental organizations (NGOs), v) The private sector, vi) faith-based organisations; vii) Academic Institutions; and viii) Multilateral and bilateral international partners working in the Caribbean region.

8. The RCM shall make every effort to follow the Global Fund funding application guidelines and requirements, defining for each Concept Note preparation detailed steps to follow in accordance with the roles of the RCM and the RCM Secretariat as defined in these ToR, including:
    - Call for submissions via internet;
    - Organization of and/or participation in meetings, and workshops, and ad hoc RCM technical working groups related to proposal development;
    - Invitations to diverse stakeholders to participate in these meetings and working groups as needed;
    - Formation of a multi-stakeholder ad-hoc review committee made up of RCM members and non-members to review proposal submissions. This Committee will form one or more ad hoc Technical Working Groups as necessary;
    - The RCM agreement and documentation of selection criteria and scoring system;

9. The RCM Secretariat shall document and maintain the required documentation according to the Secretariat Terms of Reference (see Annex 3) including:
    - Public announcements email announcements (with distribution list) inviting stakeholders to participate;
    - Criteria used to review proposals;
    - Minutes of meetings which record decisions taken on what to include in the application as well as stakeholder input and participation;
    - Minutes, reports, and participant lists from proposal development related workshops, stakeholder meetings, technical working groups and/or panels.

19. CORE FUNCTION: PROCESSES FOR NOMINATION OF PR AND SELECTION OF SRs

1. In accordance with the Global Fund CCM/RCM Requirement 2, the RCM shall:
    Nominate one or more PR at the time of submission of application for funding;
    Document a transparent process for the nomination of all new and continuing PR based on clearly defined and objective criteria;
    Document the management of any potential conflicts of interest that may affect the PR nomination process in compliance with the COI Policy (see Annex 2 of these ToR).

2. The RCM shall nominate a PR through a transparent and documented process at an early stage in the funding application development process so that any capacity building needs would inform TA planning within the funding application. This would be considered during the PR's capacity assessment where a new PR is selected.

3. For the regional grant the RCM shall nominate a PR through a transparent and documented process according to the Global Fund Guidelines, and in compliance with these ToR.

4. The RCM shall ensure that the PR follow a SRs selection process that is open, fair and based on objective criteria related to performance capacities. The RCM shall ensure that – to the extent possible - nominated PR identify prospective SRs, in consultation with the RCM, during the development of applications so that the feasibility of the proposed

programme can be assessed. The RCM shall identify specific implementing partners and recommend to the Global Fund the selection of possible regional SRs.

5. The respective PR, in consultation with the RCM, shall provide evidence of SRs' performance capacity and past performance records, for the RCM consideration. The same procedure shall be followed with current SRs effectively managing global fund grants with demonstrated capacity (e.g., border migrant programmes) which could be open to a streamlined selection process. As established in these ToR in all other cases the RCM shall require the PR to follow a SR/SSR selection process open, fair and based on objective criteria related to performance capacities.

20. OVERSIGHT OF PRS AND PROGRAMME IMPLEMENTATION (Refer to RCM Oversight Plan)

1. In accordance with the Global Fund CCM/RCM Requirement 3, the RCM shall submit and follow an oversight plan for all financing approved by the Global Fund. The plan must detail oversight activities, and must describe how the RCM will engage programme stakeholders in oversight, including RCM members and non-members, and in particular, non-government constituencies and people living with and/or affected by the diseases.

2. The RCM determine the Body responsible for Oversight during a full meeting of the RCM and the selection process duly recorded in the minutes of that meeting.

3. In its oversight role the RCM shall enforce strictly the provisions of the RCM Conflicts of Interest Policy in all of its deliberations.

4. All members of the RCM shall engage in oversight.

5. The resident skills shall include:
   - Programme management
   - Financial management
   - Procurement and supply management
   - Technical expertise in the diseases (HIV, TB, Malaria as appropriate)

6. The roles and responsibilities of the Oversight Committee shall include, but not necessarily limited to, the following:
   - Collect and analyze relevant information to determine full status of grant implementation.
   - Organize and undertake oversight visits to programme sites, headquarters, divisions, departments and other structural units of PRs, SRs and their partners that implement the programme of the Global Fund grant. These visits will be conducted on a quarterly basis.
   - Identify additional RCM members, PR representatives and external technical experts as needed to participate on the oversight activities.
   - Convene review meetings with senior officials of the PRs to assess and verify grant performance status.
   - Identify cross-cutting challenges, lessons learned, and best practices across diseases and grants that may be shared with key stakeholders.

- Participate as observer in bidding, tender and SRs selection meetings conducted by the PR or RCM.
- Maintain Global Fund information tool Dashboard and present it to the RCM along with the Oversight Committee recommendations.
- Communicate with the GF Secretariat regarding oversight activities to be undertaken and the outcome of the site visits. The outcome will be packaged by the Secretariat for presentation at the RCM meetings.
- Investigate and verify information of any signs of flagging performance and problems as well as support problem-solving efforts by reviewing and verifying reports on indications of any mismanagement, problems, or suspected violations arising in the implementation of Global Fund programs based on:
  - Progress reports and other grant performance documentation
  - Debriefing info from Local Fund Agent (LFA)
  - Issues submitted by interested stakeholders
  - Other non-specified issues
- Conduct meetings and/or site visits in order to gather information and verify findings from the above reports when necessary.
- Submit recommendations from the results of such reviews, meetings, and visits to the RCM.
- Implement actions as assigned by the RCM to support problem resolution.
- Monitor follow-up actions by all concerned parties on recommendations aimed at improving grant performance**.**

10. The RCM shall prepare Annual Oversight Work Plans that shall be approved by the RCM. The Work Plan shall contain the following core elements:
  - Activities to be undertaken
  - Frequency – timeline
  - Responsibility for each activity
  - Budget

The RCM Secretariat shall provide logistical and administrative support to the RCM in the preparation of the Annual Work Plan and Budget.

21. GOOD GOVERNANCE PRINCIPLES AND PRACTICE

Good Governance: Management of Conflicts of Interest (Refer to RCM Conflicts of Interest Policy)

1. In accordance with the Global Fund CCM/RCM Requirement 3, the RCM shall develop and publish in the RCM website (when available) a policy to manage conflicts of interest (COI) that applies to all RCM members, across all RCM functions.

2. COI that can arise whenever members of the RCM participate in discussions and decisions in which they have a personal interest or in which the organisation they represent has an interest.

3. The most common conflicts of interest on RCMs occur when a member is representing an organisation that is implementing a Global Fund grant as PR or SR (or in another capacity).

4. When that RCM member is also the chair or vice-chair of the RCM, the conflicts of interest is considered to be even more pronounced. The conflict stems from the fact that the RCM is frequently required to make decisions that affect a given implementer. Four examples of such decisions are:
(a) The nomination of a PR;
(b) Reviewing the performance of a PR;
(c) Deciding on the contents of a proposal to the Global Fund when the RCM member's organisation has made a submission for possible inclusion in the proposal; and
(d) Re-programming of funds."

5. The RCM COI Policy included in Annex 1 of these ToR clearly state that RCM members will periodically declare conflicts of interest affecting themselves or other RCM members. The policy state, and RCM shall document, that members will not take part in decisions there there is an obvious conflict of interest, including decisions related to oversight and selection or financing PR or SRs.

6. The RCM COI Policy shall apply throughout the life of Global Fund grants, and the RCM shall present documented evidence of its application to the Global Fund on request.

7. The RCM Secretariat shall document and keep records of documentation including:
   - Documentation of RCM member self-declaration of conflicts of interest that may affect themselves or other RCM members according to the format included in the RCM COI Policy Annex 1, Appendix 1;
   - A description of how conflicts of interest declarations and related documents are filed by the RCM Secretariat (see COI Policy Annex 1, Article …);

8. Minutes of RCM meetings, clearly summarizing discussions, decision points and member/ constituency participation or abstention according to the template defined by the COI Policy, Annex 1, Appendix 2;

22. RCM PERFORMANCE ASSESSMENT

1. The RCM shall carry out periodic self-assessments of its performance following the guidelines and templates developed by the Global Fund and submit the findings to the Global Fund by 30th November each year.