

Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

TERMS OF REFERENCE
For
Oversight Committee
Country Coordinating Mechanism

By
Country Coordinating Mechanism

2014

1. General Provision

1.1 Goal and Objectives

The most important function of the country coordinating mechanism (CCM) is oversight. The CCM oversees the performance of principal recipients (PRs) to ensure that they achieve the established targets for the programs that they are implementing. The CCM holds PRs accountable to all country stakeholders. According to Requirement 3 of the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund) guidelines for CCMs, each CCM must have an oversight plan and follow this plan. To implement its oversight plan, the CCM needs to have an oversight body in place. This established oversight committee (OC) can serve in this role.

The OC is a permanent CCM committee whose purpose is to oversee the implementation of approved Global Fund grants in the country. Its goal is to ensure the implementation of activities and the use of resources in accordance with the grant agreement. Achieving this goal might involve providing strategic direction to PRs when needed, ensuring compliance with Global Fund policies and procedures, establishing financial controls, and following up on key recommendations.

To reach its goal, the OC fulfills the following objectives:

- Ensure implementation of the CCM's oversight function, one of the four core functions of a CCM
- Ensure development, timely updates, and implementation of an oversight plan and corresponding work plan and calendar
- Analyze problems and bottlenecks in grant implementation and provide recommendations for informed decision making by the CCM
- Promote effectiveness in oversight by appropriate use of time and available resources
- Improve relationships between the CCM and PR(s) and between PRs and sub-recipients (SRs) if necessary.

These terms of reference describe the role of the Lao PDR OC (CCM) in the oversight of long-term grant performance, including governance and accountability. In contrast to oversight committees, PRs focus on monitoring and evaluating the day-to-day program implementation.

1.2 OC Role

The OC plays a key role in the oversight process by ensuring appropriate, timely, and effective use of Global Fund monies; timely and effective implementation of PRs' and SRs' programmatic work plans; and transparent, competitive, and effective procurement and supply management with appropriate quality assurance in accordance with national legislation.

The OC is not a decision-making body. The committee's role is to provide information and informed recommendations to guide the CCM in its oversight deliberations and decision making.

1.3 OC Mandate

The CCM authorizes the OC to develop, update, and implement an oversight plan and corresponding annual work plans and calendars; identify problems and bottlenecks facing PRs and SRs, and provide guidance and recommendations for the CCM; follow up on recommended actions and their implementation; and improve communication and collaboration between the CCM, PRs, and lead SRs, and between PRs and SRs or sub-sub-recipients.

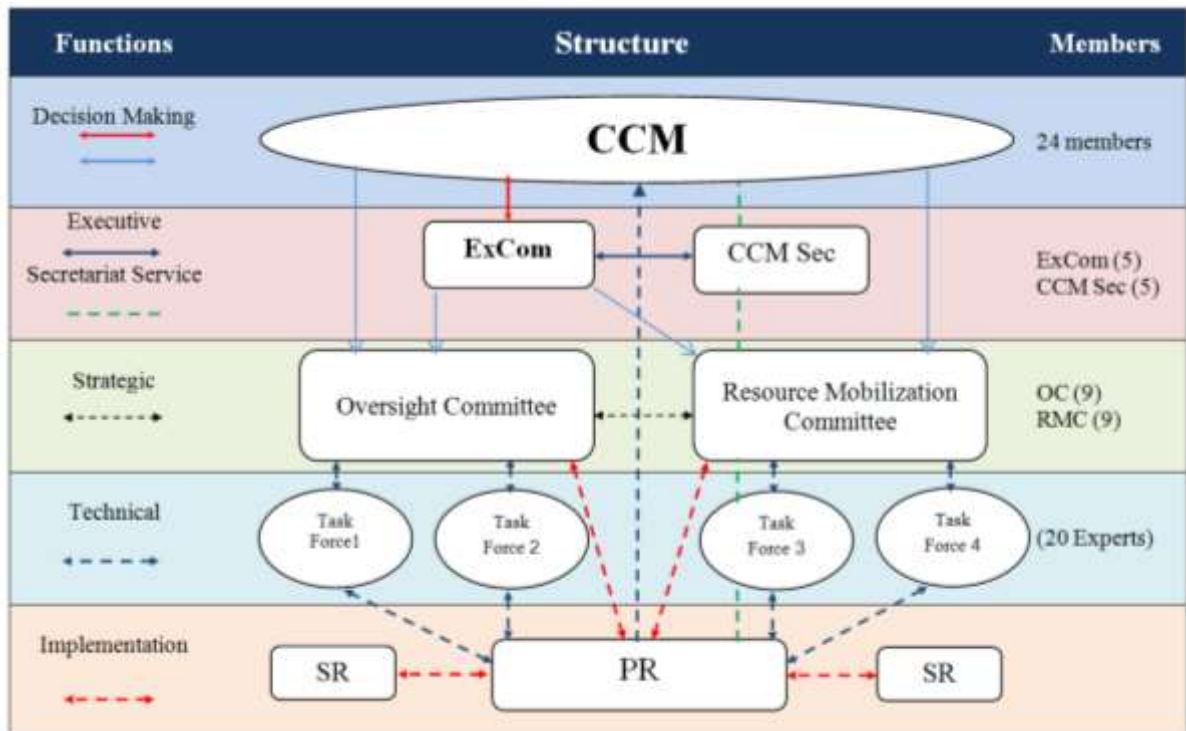
2. Structure and Composition

2.1 Structure

The OC is a standing committee of the Lao PDR CCM structure and has a strategic role as a consultative function to the whole CCM to which it directly reports back.

The OC works in coordination with the resource mobilization committee (RMC) under the direction of the CCM and the Executive Committee (ExCom). The OC chair is a member of both CCM and ExCom.

The OC's works has been technically supported by the 4 Task Forces and executively supported by the CCM Secretariat.



2.2 Composition

2.2.1 Membership

The OC has 9 members that are elected or selected by the CCM. Five members of OC are current CCM representatives (either member or alternate), and four other members are from the task forces.

The OC elects one of its members to serve as committee chair and the CCM approves of the election results.

The OC members include representatives of the following constituencies:

- People living with the three Global Fund diseases or people who are at risk of these diseases (mandatory presence in regard to requirements 4),
- Bilateral and multilateral partner organizations,
- Public sector,
- Non-governmental organizations, private sector, or both.

CCM members can nominate candidates or candidates can nominate themselves. Voting takes place during a CCM meeting and requires a quorum.

2.2.2 Service Terms

Committee members serve a term of 3 years (except for 6 of them at the beginning of the implementation of these ToR in order to allow a staggering process in membership, i.e. 3 will have a 1 year tenure, 3 other a 2 year tenure). The CCM replaces, reappoints, or reelects 3 members of OC members every year. The CCM may reelect or reappoint OC members once.

An oversight committee member's term ends when one of the following occurs:

- Service on the committee reaches the maximum number of years
- A permanent conflict of interest
- Personal request to resign that the CCM has approved
- Poor performance on the oversight committee as determined by the CCM
- For oversight committee members who are CCM members, termination of CCM membership due to poor performance as determined by the CCM

2.2.3 Competencies

To fulfill their responsibilities on the OC, members must dedicate a substantial portion of their time to committee activities.

Ideally, members collectively have experience and skills in the following areas:

- HIV/AIDS, tuberculosis, and malaria program management and service delivery, monitoring, and evaluation
- Strategies for ensuring that target groups have access to services and experience advocating for target group interests
- Epidemiology of the three Global Fund diseases and the dynamics of these diseases in the country
- Ability to read and analyze dashboards
- Financial planning and management
- Procurement and supply management
- Communications

However, a lack of expertise and experience in these areas does not preclude a CCM member from membership on the OC because OC members shall have access to technical support.

2.2.4 Member Responsibilities

Members of the OC have the following responsibilities:

2.2.4.1 Build capacity and prepare annual plans for CCM oversight.

- Clarify oversight function and oversight committee responsibilities and build oversight committee members' capacity for oversight.
- Orient and train new CCM members on oversight guidelines and retrain existing members on oversight roles and responsibilities of the CCM, PR, SRs, and other stakeholders.
- Develop approaches for engaging CCM members and program stakeholders in the oversight process
- Develop annual oversight work plans, calendars, and budgets.

2.2.4.2 Gather information on program and grant implementation

- Gather program performance, financial, and procurement information for Global Fund grants using routine reports or by reviewing available data through the use of dashboards.

- Gather information on Global Fund grants through site visits and participation in joint PR and SR performance review meetings.
- Gather information on Global Fund grants by investigating specific issues.

2.2.4.3 Identify implementation issues, problems, and bottlenecks

- Analyse information to identify problems and bottlenecks requiring CCM attention and crosscutting issues that require attention from a broader range of stakeholders.
- Document problems, issues, or bottlenecks for CCM review and decision making.
- Prepare comprehensive analyses of identified issues to present at a CCM meeting.

2.2.4.4 Provide guidance and recommendations to inform CCM decision making and further actions

- Provide presentations of identified findings and propose recommendations to inform CCM decision making and further actions.
- If required, help CCM understand issues and determine appropriate actions
- Request exceptional CCM meeting when urgent problems arise.

2.2.4.5 Follow up and report on results to the CCM and program stakeholders

- Follow up on decisions made and recommended actions and report on results to CCM and program stakeholders.
- Report back to CCM and program stakeholders on progress, remaining issues, and additional follow-up required.

2.2.5 Chair Responsibilities

The OC members elect a committee chair from among its CCM members at the first meeting after the election or appointment of new committee members, after the reelection or reappointment of committee members, or when the previous chair's term has ended. Committee members elect a chair for a term of 3 years with a possibility of one reelection. The CCM must formally approve the appointment of the newly elected chair. The OC chair serves as a member of the Executive Committee.

In addition to having at least some of the competencies described above, the OC chair should have the following skills:

- Coordinating and facilitating meetings and activities
- Communicating, networking and interacting with various in-country stakeholders
- Planning and organization
- Monitor secretariat to ensure that PRs deliver dashboards according to the oversight plan
- Analyzing, reporting, and presenting
- Understanding Global Fund processes and requirements

2.3 Technical Resources and Outsourced Expertise

The OC may call on external experts on a regular basis or for specific activities. The CCM secretariat maintains a database of external experts and assists the oversight committee in identifying appropriate experts when needed.

The CCM or the OC decides when to consult an external expert depending on the magnitude of the issue and the anticipated scope of work. The CCM and OC should first try to find external experts who are willing to consult with the OC on a voluntary basis.

The CCM must approve all decisions to hire an external consultant at a plenary session or delegate this activity to the Ex Com.

3. Conflicts of Interest

The potential for conflicts of interest in OC members can be considerable because the CCM's members probably include Global Fund grant implementers. The CCM's conflict-of-interest mitigation policy provides clear procedures on identification, declaration, documentation, and management of conflicts of interest.

Conflicts of interest can arise when recipients of funds are involved in oversight. To avoid conflicts of interest in the oversight process, members of the OC must not be affiliated with any implementing organizations.

4. Communication and decision making

The OC will inform on a regular basis the Ex Com about its analysis and recommendations through its chair as member of the Ex Com and will get endorsement from the CCM.

There are 2 ways of endorsement by the CCM, through regular CCM meetings or in case of tight deadlines and other time constraints; the CCM secretariat will circulate recommendations for endorsement through E-mail to all CCM members on a "no-objection" basis.

The CCM Secretariat will organize OC meetings, collect dashboards from PRs, distribute them to OC members and keep minutes of all OC meetings. These minutes (in both English and Lao languages) must be available to all CCM members, and must be available during CCM meetings.

Recommendations by the OC must be based on a consensus, if no consensus is reached by the OC, the issue is referred to the CCM.

5. Meetings

The OC shall meet whenever necessary, but at least once between regular CCM meetings (four per year) to carry out its work.

Notice:

All OC members must receive by email, fax or letter, at least one week prior notice of all meetings of the OC. The agenda and related background documents are distributed by the CCM Secretariat at least 3 working days in advance of the meeting. The agenda may be modified and must be approved at the start of each meeting.