

Terms of Reference

Independent Evaluation Panel (IEP)¹

¹ Approved by the Board on 10 November 2021 (GF/B46/DP06). These Terms of Reference will only come into force by 31 December 2022 as stated in board decision [GF/B46/DP06 Independent Evaluation Function](#).

Purpose

- 1.1 The Independent Evaluation Panel (IEP) is an advisory group, independent from the Secretariat and accountable to the Board through the Strategy Committee (SC), providing assurance of quality and independence over Global Fund independent evaluation activities to the Board. In its advisory role to the SC and Global Fund Secretariat, the IEP recommends improvements to evaluation methodologies, procedures and quality-assurance mechanisms; and recommends innovative ways to strengthen conduct and use of evaluations, including improvements to knowledge-sharing and dissemination. The IEP's work is intended to support cross organizational learning from evaluation conducted by other partners related to the Global Fund learning needs.
- 1.2 The IEP is empowered by the Board to undertake responsibilities outlined in these terms of reference.

Mandate

- 2.1 Acting pursuant to delegated authority from the Board, the IEP shall provide:
 - a. Oversight over the Secretariat's policies and guidelines regarding:
 - i. selection of evaluators to conduct evaluations and approaches to manage evaluator pools; and
 - ii. core evaluation procedures established and implemented by the Secretariat, including oversight of associated standard operating procedures, guiding norms and principles, and performance and quality standards for the conduct and management of evaluation.
 - b. Oversight in the form of quality assurance to individual evaluations at critical stages of the process through:
 - i. provision of advice on the scope and questions to inform development of evaluation terms of reference;
 - ii. approval of the evaluation terms of reference;
 - iii. review of the quality of inception and draft reports with a focus on evaluation quality and independence; and
 - iv. endorsement of the final evaluation report
 - c. For each evaluation conducted by the Secretariat in accordance with its annual evaluation work plan a commentary will be presented to the SC that includes:
 - i. an assessment of the quality and independence of the evaluation; and
 - ii. implication analysis on the findings, conclusions and recommendations including key areas of policy, process and implementation that have been identified through the evaluation that require specific attention of the SC and/or Board. The

IEP commentaries will be posted on the Global Fund website alongside final evaluation reports and Secretariat management responses.

- d. Coordinate with the evaluation structure of the Secretariat to provide input in the development of the multi-year evaluation calendar and the annual evaluation work plan.
- e. Review the multi-year evaluation calendar and the annual evaluation work plan prepared by the evaluation structure of the Secretariat and advise the SC regarding, respectively the SC's advice to the Board regarding approval, or the SC's approval. The advice of the IEP considers whether these documents:
 - i. Identify learning and accountability needs across stakeholders; and
 - ii. Prioritize evaluation topics, with a focus on evaluability.
- f. On an ongoing basis, oversight of the implementation of the evaluation multi-year calendar and annual evaluation work plans by the evaluation structure of the Secretariat.
- g. An annual report to the Board through the SC including:
 - i. an opinion on the independence, quality, capacity and working modalities of the evaluation structure of the Secretariat; and
 - ii. recommendations on improvements.
- h. Advise the Secretariat and the SC on the dissemination, communication and engagement with stakeholders in response to evaluation findings. Reviews and provides input to evaluation syntheses reports presented to the SC and Board.

Composition

Membership

- 3.1 The IEP is a group of experts in evaluation who are all institutionally independent from the Secretariat, Board, and Committees. Members serve in their personal capacities and will not represent their employers, governments or Global Fund partners organizations including the United Nations and its specialized agencies.
- 3.2 The selection of IEP members is guided by the following criteria: expertise, experience or knowledge of evaluation methodology including design and quality assurance, evaluation theory and qualitative and quantitative methods.
- 3.3 IEP members will collectively have a balance of skills, recent and relevant expertise, experience or knowledge, including, at a minimum, of the following: international development systems and functions: development of theories of change; HIV/AIDS,

tuberculosis and malaria; gender; health systems in low and middle-income countries; procurement and supply chain management; community systems, human rights, political economy analysis and social determinants of health; understanding of the Global Fund's mission and strategy and how evaluations can help achieve them; ability to work in a team and reach a compromise to support IEP decisions and recommendations.

- 3.4 IEP members are required to participate in a program of induction, training, and familiarization with the work of the IEP and the Global Fund to enable members to keep abreast of current developments of the work of the IEP and leading practices.
- 3.5 The IEP is composed of no less than 7 and no more than 11 members, including the Chair. A representative of the SC, the head of the evaluation structure of the Secretariat and the Executive Director, or their representatives, will be invited to participate in IEP meetings as ex officio members.
- 3.6 The Chair of the IEP is selected by the SC and normally serve for an initial term of 3 (three) years and shall be eligible to serve not more than two consecutive terms or 6 (six) years. The Chair shall:
 - a. Plan, lead and facilitate the conduct of meetings;
 - b. Facilitate and summarize discussions objectively and with clarity seeking to gain consensus and exert authority when necessary;
 - c. Ensure all IEP members appropriately contribute to deliberations and regularly participate in all meetings;
 - d. Collaborate with the Board Committee Chairs as appropriate;
 - e. Collaborate closely with the Office of the Executive Director (OED) and Secretariat on all matters relating to the oversight of the activities of the evaluation structure of the Secretariat;
 - f. Report to the Board on relevant and material matters as appropriate;
 - g. Participate in and advise on the selection of IEP members in conjunction with the SC and the Board, including providing guidance on matters relating to the independence of candidates;
 - h. Take part in the recruitment of the head of the evaluation structure of the Secretariat jointly with the SC and the Executive Director of the Global Fund.
 - i. Meet regularly with the head of the head of the evaluation structure of the Secretariat; and
 - j. Collaborate with the OED for the joint performance assessments of the head of the evaluation structure of the Secretariat, with systematic input from the SC, in accordance with the applicable Global Fund human resources processes.

Ethics and conflicts of interest

- 4.1 IEP members are "Covered Individuals" as defined under the Policy on Conflict of Interest² and are subject to the Code of Conduct for Governance officials³.
- 4.2 IEP members shall uphold the integrity of the IEP and its independence and confidentiality requirements. IEP members must abide by the requirements of various policies and codes relevant to the IEP⁴. IEP members that have not complied with reporting requirements, as stipulated in these documents and signed confidentiality undertakings, shall not be eligible to participate in any activities until such requirements have been fulfilled.
- 4.3 Prior to each IEP meeting (in-person or virtual) and throughout their terms as IEP members, IEP members will be required to update the Declaration of Interest to disclose to the Ethics Officer and IEP Chair any and all actual, potential or perceived conflicts of interest in relation to the evaluation conducted by the evaluation structure of the Secretariat and will recuse themselves, or may be required by the IEP Chair to recuse themselves, from review of particular evaluations or other IEP work in the event of an actual, potential or perceived conflict of interest. The IEP Chair may consult with the Ethics Office on any conflict-of-interest situations when needed.
- 4.4 If an IEP member is considering taking new professional activities that may create a conflict of interest with the responsibilities on the IEP, they must disclose it to the IEP Chair, who may ask the IEP member to step down from the proposed professional activity, recuse themselves from certain IEP activities or any other mitigation measures that are defined by the IEP Chair if a conflict of interest is identified. The IEP Chair may seek advice from the Ethics Office in reaching such decision.
- 4.5 In case an IEP member's professional or personal activities should cause repeated and continuous conflicts of interest that would make it hard for the member to be effective in their IEP role and/or that would be hard to mitigate, the IEP member may be requested to step down from IEP membership. Such decisions would be made jointly by the SC Leadership in consultation with the Ethics Office, upon recommendation from the IEP Chair.
- 4.6 To ensure independence and avoid actual, potential or perceived conflicts of interest during their terms of service on the IEP, IEP members shall observe a "cooling off" period of 2 [two years] after they have completed their service to the IEP, during which they are required to abstain from engaging in activities funded by Global Fund-

² https://www.theglobalfund.org/media/6016/core_ethicsandconflictinterest_policy_en.pdf, (GF/B43/EDP04) as amended from time to time

³ https://www.theglobalfund.org/media/4293/core_codeofethicalconductforgovernanceofficials_policy_en.pdf, (GF/B44/EDP16) as amended from time to time

⁴ The ethics policy framework relevant to the IEP include the following, as amended and updated from time to time: Ethics and Integrity Framework; Policy on Ethics and Conflict of Interest for Global Fund Institutions; the Global Fund Policy to Combat Fraud and Corruption; Whistle-blowing Policy and the Code of Conduct for Governance Officials

supported programs or seek employment or business opportunities with the Global Fund.

- 4.7 The IEP Chair and Vice-Chair shall disclose any actual, potential, or perceived conflicts of interest they may have in writing to the Ethics Office for a decision. In view of their leadership roles, they may be subject to additional conflict of interest restrictions as determined by the Ethics Office.
- 4.8 In case of ambiguity or disagreement over the interpretation of the existing policies on ethics and conflict of interest, the matter will be referred to the Ethics Office by the IEP Chair or by the Secretariat, including by the head of the evaluation structure of the Secretariat directly, for decision.
- 4.9 Conduct-related matters in relation to IEP members shall be raised to the Ethics Office and may be escalated to the Ethics and Governance Committee of the Board as provided by the Global Fund Code of Conduct for Governance Officials. The Ethics Office has the responsibility to undertake a preliminary assessment of potential ethical and integrity-related misconduct by Global Fund governance officials, determine if breaches to the Global Fund Code of Conduct for Governance Officials or the Policy on Ethics and Conflicts of Interest for Global Fund Institutions have occurred and advise the Ethics and Governance Committee of the Board as provided by the Policy on Ethics and Conflicts of Interest for Global Fund Institutions.

Recruitment and appointment

- 5.1 The recruitment of the IEP Chair and IEP members shall be managed by the SC with support from the Secretariat and input from the Executive Director and through an open, transparent, and criteria-based process.
- 5.2 A working group on IEP recruitment shall be constituted before IEP recruitment consisting of the following members: the SC Chair or Vice-Chair; the SC focal point to IEP; the IEP Chair; and the Chief Evaluation and Learning Officer (non-voting).
- 5.3 The SC shall appoint IEP Chair and IEP members in accordance with the SC's Charter and voting procedures.
- 5.4 The IEP Chair self-selects one of its members to serve as Vice-Chair to assist the Chair and serve in the Chair's absence. To ensure continuity through a gradual, staggered expiration of IEP membership, the IEP Chair may extend the 3 [three]-year term of service of an IEP member up to a maximum of 3 [three] years, to allow for staggered transition of IEP members and effective carryover of institutional memory over time. All such extensions must be reported to the SC through regular reporting by the IEP Chair.

Working modalities

Meetings and activities

- 5.5 The IEP may set internal operating rules and procedures in line with these Terms of Reference, building on achievements and lessons learned.
- 5.6 The IEP will have three formal meetings per year including 2 in-person meeting of a 3-day duration and a remote meeting of one-day duration (e.g., potentially spread over 2 days given different time zones), scheduled in consideration of the governance calendar and evaluation work plan. Additional meetings may be scheduled if the need arises, as requested by the Chair. This amounts to a level of effort about 8 days per year for formal meetings. Additional days of up to 14 per year is estimated for remote activities depending on specific needs (e.g., review of documents). For the Chair, the total time commitment is estimated up to 50 days over the course of the calendar year.
- 5.7 With the support of the evaluation structure of the Secretariat, the IEP shall maintain other means of communication, including an electronic discussion group or video conferencing, to facilitate the exchange of views between in-person meetings. Arrangements will be made for regular access to relevant information on the Global Fund and its activities as well as activities related to evaluation as specified by the IEP.
- 5.8 IEP shall aim to make decisions by consensus. In the event, if consensus cannot be achieved, decisions shall be made by a 2/3 majority threshold with quorum considered achieved if over 50% of members are in attendance.
- 5.9 If an IEP member is unable to attend a scheduled meeting, they cannot designate a replacement. If an IEP member has two consecutive absences from IEP meetings, the Chair will discuss with SC members the validity of his/her continued involvement on the IEP.
- 5.10 In the event the Chair is unable to attend a scheduled meeting, the vice-Chair will lead the meeting.
- 5.11 All decisions of the IEP, including endorsement of evaluations and commentaries, will be recorded in minutes of the IEP meetings, approved by the IEP and provided to IEP members, and retained in the permanent records of the Global Fund.
- 5.12 Additional experts and resource persons may be invited to participate in meetings as the need arises and by approval of the IEP Chair. The IEP may also choose to have closed sessions, from time to time, during which any or all ex officio members can be excluded. Decisions taken in closed sessions will be recorded in the minutes of IEP meetings.

Honoraria

5.13 The eligibility and the amount of honorarium for IEP members shall be governed under the Honorarium Framework, effective at the time, and applicable delegations of authority.

Relations with Board and Committees

5.14 The IEP reports to the Board through the SC and is subject to oversight and regular assessment by the SC.

5.15 The IEP collaborates with the Board through the SC to identify evaluation needs with regards to design, implementation, and results of Global Fund's policies and programs and ensure timely communication of evaluation findings and recommendations to inform decision-making processes.

5.16 The IEP shall maintain open communication between SC members and the Board as appropriate.

IEP Attendance at Governance meetings

5.17 The Board Chair will extend a standing invitation to the IEP Chair to participate in Board meetings.

5.18 The IEP Chair participates in SC and Board meetings to present on the quality of evaluations; the independence, quality and capacity of the evaluation structure of the Secretariat and issues related to evaluation practice and implementation more broadly. The IEP Chair may also present additional commentary or analysis as they deem appropriate.

5.19 Where evaluation findings are being presented by the Secretariat to the SC or the Board, the IEP Chair is invited to comment including on a) the technical quality of the evaluation and b) the implications of the analysis of findings, recommendations and conclusions.

Relations with the Global Fund Secretariat

5.20 The primary focal point for the IEP is the head of the evaluation structure of the Secretariat. The Chair will also have regular and direct engagement with this focal point on matters relating to the performance of the evaluation structure of the Secretariat, technical or strategic issues, and any other issues arising in connection with the mandate of the IEP and the implementation of the evaluation work plan.

5.21 The evaluation structure of the Secretariat shall provide operational, administrative and logistical support to the IEP in the implementation of the IEP work including the review of documents, organization of meetings and preparing meeting minutes.

- 5.22 All communications of a technical nature from the IEP Chair and its members shall be coordinated with designated Secretariat focal points. The focal points shall:
- a. Ensure that the IEP receives required documents and information to perform their advisory and oversight role to the evaluation structure of the Secretariat;
 - b. Provide timely responses to enquiries of the IEP as well and ensure the cooperation of the Secretariat with the IEP;
 - c. Ensure the proper management of records of IEP meetings, and related publications in line with applicable policies; and
 - d. Communicate to the new IEP members the structure, and roles within, the evaluation structure of the Secretariat.
- 5.23 In order to promote efficiency, avoid duplication, and help ensure a positive working environment, productive working relationships should characterize the IEP's interactions with Global Fund staff; the external auditors; the Office of the Inspector General, and other governance officials and committees.