

## **LOCAL FUND AGENT COMMUNICATION PROTOCOL**

### **Introduction**

The Global Fund is a 21st-century financing vehicle which brings together stakeholders involved in the fight against AIDS, tuberculosis and malaria for effective investment. The Global Fund is a partnership, relying on the expertise and contribution of all sectors in order to ensure that funds reach the men, women and children it is intended to serve.

Local Fund Agents (LFAs) are an integral part of the Global Fund model. LFAs are independent organizations contracted by the Global Fund on a country-by-country basis to undertake an objective examination of and provide independent professional advice and information relating to grants and implementers in each country where the Global Fund finances grant implementation activities.

LFAs do not act as the Global Fund's representative in a country and do not speak for the Global Fund.

While the LFA's primary focal point within the Global Fund is the Country Team, coordinated by a Fund Portfolio Manager, LFAs need to interact from time to time with other teams, as described in the LFA Manual<sup>1</sup>. Similarly, the Global Fund regularly interacts not only with in-country LFAs and their expert focal points but also with LFA Central Coordinating Teams, when applicable.

Efficient and effective communication is key for (i) facilitating the work of LFAs and (ii) successfully maintaining the relationship between the Global Fund and LFAs, both of which are crucial for ensuring the accountability and effectiveness of Global Fund grants.

In performing their role, LFAs are required to interact with Principal Recipients, other program implementers, Country Coordinating Mechanisms and various additional stakeholders. These interactions must comply with the parameters established in this document and occur in such a way as to preserve the independence of LFAs which is critical to their oversight role.

Likewise, a clear and realistic understanding of an LFA's role on the part of external parties including Principal Recipients, other program implementers and Country Coordinating Mechanisms is essential for LFAs to be able to perform their work effectively. The Global Fund and LFAs alike will take every opportunity to clarify this role to Principal Recipients, other implementers, Country Coordinating Mechanisms and key external parties.

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<sup>1</sup> Section B available at the LFA website: <http://www.theglobalfund.org/en/lfa/documents/>

This protocol highlights the principles governing communications between LFAs, the Global Fund and other key actors during the lifecycle of a Global Fund grant. LFAs are required to comply with this protocol, as amended from time to time, for the duration of their obligations under their respective Framework Contracts with the Global Fund. LFAs shall ensure that their respective authorized agents or representatives, such as sub-contractors and/or consortia members, also comply with this protocol when performing services for or on behalf of LFAs.

This communication protocol covers the following aspects:

A. General Principles	3
B. Sharing of LFA Reports and Findings	6
C. LFA Communication with In-country Stakeholders	7
D. LFA De-briefs Following Assessments and Grant Performance Reviews	8
E. LFA Attendance at Country Coordinating Mechanism Meetings	9

This protocol does not cover communications related to audits and investigations conducted by the Office of the Inspector General, which are described in separate documents.<sup>2</sup>

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<sup>2</sup> Please refer to the Office of the Inspector General's stakeholder engagement model available on <http://www.theglobalfund.org/en/oig/communications/stakeholders/>

## A. General Principles

1. Communication is a collective responsibility of the Global Fund, each LFA and other relevant stakeholders.
2. Regular frank, open and respectful communication is essential.
3. Early communication of planned activities or changes in priorities is critical.
4. Positive feedback is as valuable as constructive criticism.
5. In person or telephone discussions are usually preferable to long email exchanges. However, agreements reached orally are to be confirmed in writing, by a confirmatory email or a more formal document, as appropriate.
6. The Global Fund and the LFA will try to streamline the use of email as a means of communication.<sup>3</sup>
7. The LFA must ensure that it complies in all communications, be it with Principal Recipients, Country Coordinating Mechanisms or other stakeholders, with the confidentiality provisions in the Framework Contracts.
8. The LFA's focal point within the Global Fund is the Country Team, coordinated by a Fund Portfolio Manager. However, the LFA may need to interact from time to time with other teams, as described in the LFA Manual. Even so, all communications concerning a specific portfolio should be addressed to or copied to the relevant Fund Portfolio Manager.
9. The Global Fund and the LFA will plan LFA services and activities on grants together to foster better coordination and responsiveness. In doing so, the Global Fund, usually through the Fund Portfolio Manager, will communicate its priorities for the period. Timely planning is essential to ensure the required LFA resources are available to provide the requested service.
10. Deadlines for LFA deliverables are to be agreed upon jointly by the Fund Portfolio Manager and the LFA before the start of the service.
11. Deadlines must be respected and when they cannot be met, the reasons for the delay and a revised deadline must be discussed and agreed in advance of the deadline's expiry.
12. The LFA will be proactive in following up on key deliverables like disbursement requests with Principal Recipients before the requests are due.
13. There may be situations when the LFA does not receive information/documentation it had requested in advance from the Principal Recipient or other implementers and which it requires to perform a Global Fund requested service. In such cases, the LFA will proactively

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<sup>3</sup> For example:

- a. The use of email headers, specifying the country, component and subject matter of the email;
- b. Sending one email per grant rather than a single email covering several grants;
- c. Reserving "to" for recipients who must take action;
- d. Reserving "cc" for recipients who are copied for information only;
- e. The use of email groups;
- f. Indicating the true level of urgency of the message.

inform the Fund Portfolio Manager either by copying the latter in follow-up email communications with the relevant Principal Recipient/implementer or in a separate communication to the Fund Portfolio Manager requesting the Global Fund Country Team to follow-up with the Principal Recipient/implementer, particularly in cases of repeated delays.

14. The Global Fund will strive to communicate with the LFA and Principal Recipients (or other key stakeholders, e.g. technical partners or other program implementers, when discussing issues relevant to the work of the LFA) at the same time, in multilateral discussions, in order to avoid misunderstandings and ensure that information is shared. Where this is not possible, the Global Fund will strive to ensure that the LFA is kept informed of all agreements or amendments arising out of any bilateral discussions with the Principal Recipients or other stakeholders that are relevant to the work of the LFA. This will for example be done by copying the LFA on correspondence with the Principal Recipient or other stakeholders.

15. The Global Fund will generally notify the Principal Recipient and the LFA at the same time on the timing and purpose of upcoming country visits.

16. The Global Fund and the LFA will ensure that contact information is made available and updated regularly.

17. All parties, in particular the Fund Portfolio Manager and the in-country LFA, will provide notice of upcoming absences from the office and designate a replacement contact for the period they are away.

18. The Global Fund will ensure that the LFA has copies of the latest versions of all relevant grant-related documents, including the Grant Agreement, Implementation Letters, Performance Letters, etc. The LFA is expected to be proactive in requesting these documents from the Global Fund when it does not already have them.

19. All grant-related documents are to be clearly marked with the date and version number so that the latest version is identifiable.

20. The Global Fund will keep the LFA informed of developments or changes in its policies or tools. This will be done as early as possible and with explanations regarding the changes. The LFA Coordination Team is responsible for coordinating this communication.

21. The LFA is responsible for providing consistent high-quality, risk tailored, timely, relevant and best-value services to the Global Fund in line with the Global Fund's expectations and requirements. The Global Fund will provide regular performance feedback to the LFA, through its Performance Evaluation Tool (PET) but also in its regular communication with the LFA team throughout the year. Likewise, the LFA should proactively seek feedback on its services from the Country Team in its strive for continuous service improvement.

22. Any concerns or complaints regarding the quality of particular LFA services will be directed to the country LFA concerned. Where the issue persists or cannot be resolved at that level, the Global Fund will raise the issue with the LFA Central Coordination Team, where applicable. The LFA will work to resolve the issue and update the Global Fund on progress in this regard. Joint discussions between the LFA and the Global Fund on

mechanisms to resolve the quality issues are crucial.

23. In the case that an LFA encounters issues or difficulties in its dealings with the Global Fund counterparts, it should bring this to the attention of the relevant Regional Manager or Department Head and/or the Manager of the LFA Coordination Team.

24. Global issues affecting the LFA may be raised with the Manager of the LFA Coordination Team at the Global Fund, who will then coordinate the Global Fund response to the issue in question.

## B. Sharing of LFA Reports and Findings

25. LFAs report only to the Global Fund.

26. The Global Fund will not share or publish reports that have been prepared by the LFA for the Global Fund with any third parties (including but not limited to Principal Recipients and Country Coordinating Mechanisms), unless the Global Fund has obtained the prior written consent of the LFA to make such reports available to specified persons or the public at large, as the case may be.<sup>4</sup>

27. Confidentiality is important to enable the LFA's independent and frank reporting to the Global Fund. LFA reports often contain sensitive information on grant performance and management. Expanding the audience that receives the report beyond the Global Fund may compromise the ability of the LFA to communicate openly. Also, LFA reports contain recommendations which may not necessarily reflect the position of the Global Fund.

28. However, the Global Fund may use the findings from LFA reports to prepare its own communications to Principal Recipients and other stakeholders. In doing so, the Global Fund will ensure that the confidentiality of the LFA's work is maintained.

29. The Global Fund will systematically send Performance Letters<sup>5</sup> to Principal Recipients and Country Coordinating Mechanisms at key grant milestones and as soon as feasible following the delivery of LFA reports. These Performance Letters will explain the decisions made by the Global Fund, the rationale for these decisions and the key issues or challenges for the Principal Recipient to address. The letters should not directly reference the LFA or compromise the confidentiality of information provided to the Global Fund by the LFA, particularly if sensitive in nature.

30. The LFA should receive a copy of the Performance Letters<sup>6</sup>. In subsequent verification work (e.g. next Progress Update and Disbursement Request), the LFA may be requested to verify the Principal Recipient's responses to the action points described in the Performance Letter.

31. The LFA should refer requests made by third parties, including the Country Coordinating Mechanism, with respect to sharing assessments, review recommendations, updates on grant implementation or other reports, to the Global Fund.<sup>7</sup> The Global Fund will follow up with any third parties on such requests as necessary.

<sup>4</sup> An exception to this principle may be made when disclosure is mandated by a dispute resolution process or by the Office of the Inspector General.

<sup>5</sup> Performance Letters have been referred to as management letters in the past. The Fund Portfolio Manager will determine the appropriate language for the Performance Letter (English, French, Spanish, etc.).

<sup>6</sup> Performance Letters are also copied to Country Coordinating Mechanisms.

<sup>7</sup> Note: As reflected in grant agreements, a Principal Recipient has an obligation to report to and update the Country Coordinating Mechanism on grant progress and any other issues relating to the Country Coordinating Mechanism fulfilling its oversight role.

### **C. LFA Communication with In-country Stakeholders**

32. When interacting with in-country stakeholders, including grant implementers, the LFA should explain its role and functions as and when appropriate, as it is important for such parties to have a clear understanding of the scope and limits of the LFA functions and work.

33. To effectively perform its role, the LFA needs to maintain professional working relations with the Principal Recipients, other grant implementers and key stakeholders, without compromising its independence or obligations to the Global Fund.

34. The LFA should give the Principal Recipient advance notice of its intention to meet with program staff and/or review program records and sites, unless the Global Fund has authorized the LFA to undertake a special ad-hoc site visit and/or special investigation.

35. The LFA should always ensure that communication with the Principal Recipient, the Country Coordinating Mechanism and other stakeholders is respectful of the hierarchies and level of staff they interact with (e.g. by sending staff of appropriate seniority to interact with senior government staff).

36. The LFA is encouraged to seek information from in-country stakeholders and make use of available opportunities to meet relevant in-country stakeholders (such as through Country Coordinating Mechanism meetings) to gain contextual information, for example relating to the latest health sector developments or capacity building initiatives.

37. The LFA should make active use of the experience and knowledge of development actors in the country, for example, by conducting interviews and accessing available evaluations and reports.

38. The LFA should accompany the Global Fund to meetings with stakeholders during country visits, if requested to do so.

39. The Global Fund should introduce the LFA to key development actors in country and explain its role and functions.



#### **D. LFA De-briefs Following Assessments and Grant Performance Reviews**

40. After completing an assessment and/or grant performance review, the LFA should undertake a verbal de-brief with the Principal Recipient (and sub-recipients, as applicable) before sending the final report to the Global Fund. This allows the LFA to share its key findings with the Principal Recipient and to give the Principal Recipient an opportunity to comment on any discrepancies or inaccuracies in the LFA's findings.

41. Unless explicitly instructed to do so by the Global Fund, the LFA should not make recommendations to the Principal Recipient on grant related issues nor instruct the Principal Recipient to take specific grant related actions. Instead, the LFA should communicate all such recommendations to the Global Fund. The Global Fund will then communicate its decisions and any relevant recommendations to the Principal Recipient, copying the LFA.

42. Where necessary, the LFA should seek guidance from the Fund Portfolio Manager on the extent of information that should be shared with the Principal Recipient during the verbal de-brief.

43. In exceptional cases, the LFA may seek direction and a decision from the Fund Portfolio Manager before organizing a debrief (e.g. where the LFA recommends that a nominated Principal Recipient lacks the necessary capacity and systems to be the Principal Recipient for a new grant).

44. When scheduling the debriefing meeting with the Principal Recipient, the LFA will also forward the invitation to the Country Coordinating Mechanism's nominated representative, to allow the Country Coordinating Mechanism to be better informed on grant issues identified by the LFA, and therefore better equipped to undertake any remedial/support action at an early stage. It is recommended that the Country Coordinating Mechanism nominates a dedicated Country Coordinating Mechanism member(s) to attend de-brief meetings with the Principal Recipient.

45. The submission of the LFA's work to the Global Fund should not be unreasonably delayed (i.e. by more than a few days) as a result of organizing the debrief.

46. The LFA debriefs do not replace the Principal Recipient's responsibility to report progress or issues to the Country Coordinating Mechanism.



## **E. LFA Attendance at Country Coordinating Mechanism Meetings**

47. The Fund Portfolio Manager will engage with the Country Coordinating Mechanism to facilitate that the LFA is informed of and receives invitations to Country Coordinating Mechanism meetings on a regular basis, as well as copies of Country Coordinating Mechanism meeting minutes.

48. The LFA should agree the frequency of its attendance of these meetings with the Global Fund.

49. Regular attendance by the LFA Team Leader or other key experts ensures the LFA is up to date with and can brief the Global Fund on the latest Country Coordinating Mechanism developments. It also helps the Country Coordinating Mechanism to obtain a better understanding of the LFA role.

50. As an observer, the LFA should not participate in decision-making and/or voting processes, speak in the name of the Global Fund or purport to represent the views of the Global Fund.

51. The LFA should refrain from discussing any issues with the Country Coordinating Mechanism that are outside the ambit of its role and responsibilities and its instructions from the Global Fund, and should refer such issues to the Global Fund.

52. Following a Country Coordinating Mechanism meeting, the LFA should update the Global Fund about what was discussed at the meeting, particularly any discussions and decisions that relate to or may impact grant implementation (e.g. donor activities, health sector decisions impacting grant implementation, public-private sector engagement, etc.).

53. It is recommended that the Global Fund, through the Fund Portfolio Manager and in collaboration with the in-country LFA team, initially introduces the LFA and presents the LFA role to a full Country Coordinating Mechanism meeting to foster understanding of the LFA role and its boundaries. The presentation may need to be repeated in the event of changes in Country Coordinating Mechanism membership or the selection of a new LFA for the country.

54. The LFA will alert the Country Coordinating Mechanism and the Global Fund, as appropriate, to address cases where the Country Coordinating Mechanism may be operating under a misconception of the LFA role.

55. Country Coordinating Mechanisms are encouraged to review any existing Country Coordinating Mechanism Governance Manuals/Tools to ensure the LFA role is correctly represented in order to avoid false expectations.