

Twenty-Third Board Meeting Geneva, Switzerland, 11-12 May 2011

GF/B23/6

Attachment 3

# SECOND SUPPLEMENTARY REPORT OF THE FINANCE AND AUDIT COMMITTEE

#### **PURPOSE:**

This report summarizes the deliberations of the Finance and Audit Committee (FAC) at its meeting on 21 June 2011 and in subsequent email and telephone communications, and its resultant recommendations to the Board.



# PART 1: INTRODUCTION

1.1 The Finance and Audit Committee (FAC) met in Geneva on 21 June 2011 as a follow up to its 16<sup>th</sup> meeting (22-24 March 2011 and 9 May 2011). The Chair was Peter Van Rooijen (Developed Countries NGO) and the Vice-Chair was Lars Kjaer Knudsen (Point Seven).

- 1.2 This report contains the following topics for Board Decision:
  - Part 2: Implementing the Global Fund Reform Agenda
- 1.3 This report contains the following topics for Board information:
  - Part 3: Budgetary Implications of Twenty-Third Board Meeting Decisions
  - Part 4: OIG Matters
  - Part 5: Financial and Other FAC Matters

# PART 2: IMPLEMENTING THE GLOBAL FUND REFORM AGENDA

**Decision** 

# Update on the Q1 Report

2.1 The FAC noted the comprehensive and informative update from the Global Fund Secretariat on the Q1 Report (GF/FAC16/15 Attachment 1) and the importance of some of the recommendations for implementing the reform agenda, particularly on the need to rebalance the workforce towards grant cycle related functions, and the importance of the Country Team Approach (CTA).

2.2 The FAC acknowledged that the report was commissioned by the Executive Director and Deputy Executive Director for their own managerial use and that of the Executive Management Team (EMT). The FAC welcomed the full transparency shown in sharing the full report and the findings with the FAC and Board. The FAC encouraged the Global Fund Secretariat to provide the Board with the same type of narrative information (as was provided to the FAC) to put the Q1 Report in its proper context.

# Implementing the Global Fund Reform Agenda

2.3 The FAC reviewed the costs detailed in GF/FAC16/15 and in the supplementary information provided to the FAC in GF/FAC16/15 Attachment 2 (which provided further details on the resource request in response to questions raised in the FAC teleconference on June 17) and Attachment 3 (the current draft of the Global Fund's Plan for Comprehensive Reform, showing the deliverables, timing and resource requirements of each of the reform areas).

2.4 The FAC noted that the Global Fund Secretariat required 75 positions to implement the reform agenda but that through a process of internal reallocations, 50 positions would be found from within the existing headcount between July and March 2012. The remaining 25 positions would be sourced with a temporary increase in the current headcount. This request for a temporary increase was due to the urgency of implementing the reforms, the recognition that internal rebalancing of staff will take several months, and the realization that it will not be possible to source all of the positions internally, especially for technical specialists in finance and procurement. 2.5 The FAC also noted the request for non-staffing costs mainly related to Information Technology initiatives required to support grant management, travel costs related to the proposed expansion of the Country Team Approach, six program evaluations and partnerships related work.

2.6 The FAC noted that there was strong support for recommending to the Board to endorse the Secretariat's request. However it was also noted that some constituencies (in and outside of FAC) requested additional time to review the supplementary papers submitted to the FAC, as these papers, responding to queries raised by Board delegations at a conference call on Friday 17 June, were only made available by the Global Fund Secretariat shortly before the FAC meeting. The FAC therefore organized a second conference call on Monday 27 June to allow FAC and other Board members more time to review the documents and to raise questions and concerns either verbally or in writing.

2.7 Following the second conference call (June 27), the FAC supported the proposed approach to the implementation of the reform agenda that requires a short term additional investment. The FAC notes that this investment is necessary to make the Global Fund a more efficient organization, which will ultimately save money and increase the benefit to the recipients of the grants.

2.8 The FAC also notes that the increased level of staffing of 25 positions is temporary and that the Global Fund Secretariat will return to existing headcount levels over the course of 2012 (reduction of 15) and 2013 (reduction of 10).

2.9 The FAC notes that the documentation presented was substantial and that they are satisfied with the robustness of the budget preparation to date which has involved Cluster by Cluster costing of the (updated) reform agenda, prioritization, and Executive Management Team review. The FAC acknowledged that the resources requested are the current best estimate of resources required by the Global Fund Secretariat and while there may be some minor modifications, the expectation is that these modifications can be accommodated for within the modified 2011 budget, once approved.

2.10 The FAC recognized the leadership of the Executive Director and Deputy Executive Director, which involves difficult decisions on staffing, and acknowledged that the proposed process will be extremely demanding for staff throughout Secretariat. In this context the FAC notes that the process will be implemented in an already complex environment in conjunction with other major processes (HR review, IT Review, Strategy development, and High Level Independent Review Panel).

2.11 The FAC acknowledged the urgency of implementing the reform agenda and expressed the concern that delays in approving the request for resources may significantly delay implementation of the reforms.

2.12 The FAC expressed their appreciation for the offer of assistance from the World Bank to support efforts to improve grant management and reduce transaction costs. The FAC noted that the World Bank had provided the services of a Human Resources Director to assist the Global Fund Secretariat with the HR Review on a pro-bono basis.

2.13 The FAC requested the Global Fund Secretariat to provide additional detailed information on the Information Technology related costs requested. This was subsequently provided in Annex 1 of GF/FAC16/15 Attachment 2. The FAC also requested that the presentation provided to FAC be shared with the Board. This was also provided and is GF/FAC16/15 Attachment 4.

2.14 The FAC expressed their appreciation for the work of the Global Fund Secretariat in developing these papers, and especially for providing the supplementary information to the FAC at short notice in advance of the meeting.

2.15 The FAC decided to recommend the following decision point to the Board (note: the decision point will be sent to the Board by e-mail for an electronic vote).

### Decision Point:

### 2011 BUDGETARY IMPLICATIONS OF THE GLOBAL FUND REFORM AGENDA

The Board authorizes the addition of 25 staff positions, representing US\$ 1.8 million in staffing costs, and US\$ 4.13 million in non-staffing costs to the approved 2011 Operating Expenses budget to accelerate the implementation of the Reform Agenda, as described in GF/B23/13.

The budgetary implications of this decision for the 2011 Operating Expenses Budget are US\$ 1.80 million in staff costs (prorated), reflecting an increase of 25 staff positions, and US\$ 4.13 million in non-staffing costs.

### PART 3: BUDGETARY IMPLICATIONS OF TWENTY-THIRD BOARD MEETING DECISIONS

Information

#### High Level Independent Review Panel (GF/B23/DP4)

3.1 In Decision Point GF/B23/DP4, the Global Fund Board approved the establishment of a High-Level Independent Review Panel on fiduciary controls and oversight mechanisms. The Board noted the estimated cost of US\$2.2 million for this work and delegated authority to the FAC to consider and approve the budget.

3.2 The FAC reviewed the information provided in GF/FAC16/16 regarding the budget for the panel and considered the additional information provided by the Global Fund Secretariat at the meeting (See Annex 1 of this paper).

3.3 The FAC acknowledged the extensive work of the panel including the review of 372 grants in 40 countries, and noted that the fees of the panel members represented sound value for money given the seniority and experience of the individual members. The FAC noted the significant amount of professional fees budgeted but acknowledged that the extensiveness of the work and the need for the work of the panel to be as independent as possible from the Global Fund Secretariat required significant use of external consultants.

3.4 The FAC concluded that the comprehensive explanation of the costs was very helpful and satisfied the needs of the FAC. The FAC recognized the appropriate level of remuneration and recognized that an element of the panel's work was done on a probono basis.

3.5 The FAC clarified that the budget amount is an upper limit and if there is a need to exceed it, this must be discussed with the Board Chair and the Co-Chairs of the Panel.

FAC Decision Point 1: Budgetary Implications of the High Level Independent Review Panel

In accordance with the delegated authority provided to FAC in GF/B23/DP4, the FAC approves the budget for the High Level Independent Review Panel as set forth in Annex 1 to GF/FAC16/16

<u>The Budgetary Implications on the 2011 Operating Expenses Budget are US\$ 2.24</u> <u>million</u>

# Strategy Development Process (GF/B23/DP14)

3.6 In Decision Point GF/B23/DP14, the Global Fund Board approved a number of steps related to the development of the Global Fund Strategy Framework 2012-2016. The Board noted that the estimated budgetary impact of the Strategy development process in 2011 is approximately USD 950,000 and delegated authority to the FAC to consider and approve the budget

3.7 The FAC reviewed the information provided in GF/FAC16/16 regarding the budget for the strategy development process and considered the additional information provided by the Global Fund Secretariat at the meeting (See Annex 1 of this paper).

3.8 The FAC noted that as the process for the strategy development commenced at the Twenty Second Board meeting in Sofia, the scope of that work and consequently the expected budgetary implications were not available for inclusion as part of the normal approval process of the 2011 Operational Expenses Budget.

3.9 The FAC acknowledged the significant meeting costs that were required for consultations with key stakeholders, including implementers. The FAC noted that due to the time constraints and the seniority and expertise of individuals to be included in the consultations, it would be difficult to achieve efficiencies by coordinating the timing of the meetings with other events.

3.10 The FAC acknowledged the significant amount of work to be performed in a limited period of time. The FAC noted that the professional fees budget for management consultancy was necessary to support the Secretariat in terms of project management and technical expertise, noting that some of the consultants that will be contracted have worked on similar initiatives previously with other organizations.

FAC Decision Point 2: Budgetary Implications of the Strategy Development Process

In accordance with the delegated authority provided to FAC in GF/B23/DP14, the FAC approves the budget for the Strategy Development Process as set forth in Annex 1 to GF/FAC16/16

The Budgetary Implications on the 2011 Operating Expenses Budget are US\$ 950,000.

### Market Shaping Interventions for ARVs (GF/B23/DP21)

3.11 In Decision Point GF/B23/DP21, the Global Fund Board approved the strategic interventions for ARVs in accordance with the Market-Shaping Strategy. The Board recognized that implementation of the proposed Strategic Interventions for ARVs had budgetary implications estimated at US\$ 350,000 for provision of market-shaping tools and implementation of Strategic Interventions, including three Full Time Equivalents ("FTEs") starting on or about October 2011.

3.12 The FAC reviewed the information provided in GF/FAC16/16 regarding the budget for the market shaping interventions for ARVs and considered the additional information provided by the Global Fund Secretariat at the meeting (See Annex 1 of this paper).

3.13 The FAC noted the assurances from the Global Fund Secretariat that the budget required for 2011 was as lean as possible, and that costs for these initiatives would also be requested going forward.

3.14 The FAC limited their review of the budget to the additional operating expenses required for 2011, but noted that a further request for resources would be included as part of the 2012 Operating Expenses Budget.

3.15 The FAC recognized that three additional full time equivalent staff positions were required in 2011 and the costs are included in the funds requested to implement the Decision Point.

3.16 The FAC further recognized the concerns of the Global Fund Secretariat leadership that Board decisions that proposed small numbers of extra staff specifically related to an individual Decision Point was a piecemeal approach to managing human resources needs, and therefore while the FAC approved the additional three full time equivalent positions required to implement the Board Decision Point, they removed reference to it in the proposed FAC Decision Point below.

FAC Decision Point 3: Budgetary Implications of Market Shaping Interventions for ARVs

In accordance with the delegated authority provided to FAC in GF/B23/DP21, the FAC approves the 2011 budget for the Market Shaping Interventions for ARVs as set forth in Annex 1 to GF/FAC16/16.

The Budgetary Implications on the 2011 Operating Expenses Budget are US\$ 350,000.

#### PART 4: OIG MATTERS

Information

# Pre-Arbitration Process / Complaints Procedure

4.1 The FAC considered the paper on the pre-arbitration process/complaints procedure (GF/FAC16/17) that had been briefly discussed by the FAC at their meeting on 9 May 2011 (GF/B23/6 Attachment 2).

4.2 The FAC noted that it did not make sense to consider a complaints procedure for all Global Fund staff that was separate from the existing HR Disciplinary Regulation and Procedure. However, since the existing HR Disciplinary Regulation and Procedure covered employees of the Global Fund, but excluded contractors and consultants, the FAC decided it was appropriate to modify the existing HR Disciplinary Regulation and Procedure to address concerns such as the behavior of contracted consultants working in country. The FAC further decided the modified HR Disciplinary Regulation and Procedure would be presented to the FAC separate from the pre-arbitration process.

4.3 The FAC then considered the pre-arbitration process proposed and noted that the current proposal involved an independent panel that would receive and evaluate documentation presented by grant recipients interested in disputing the findings and recommendations of an OIG audit or investigation final report. The current proposal would be voluntary and the results of the process would be non-binding.

4.4 The FAC noted several outstanding issues to be resolved before the process could be approved. In particular, the FAC noted the OIG and the Global Fund Secretariat would address the following issues:

- i. The intention of the process should be to avoid a lengthy and expensive arbitration. The process should reflect elements of mediation with the focus towards resolving disputes.
- ii. The process should include a preliminary screening mechanism to prevent the independent panel and process from being overwhelmed by disputes that are frivolous or inappropriate for the process.
- iii. The process should specify the procedures if either party disagrees with the recommendations of the independent panel. The FAC noted that recommendations of the independent panel would be submitted to both the Executive Director and the OIG for endorsement. If the Executive Director and OIG fail to reach a consensus, the disagreement would be submitted to the Board Chair and Board Vice-Chair for final determination.

4.5 The FAC acknowledged that this process would require some investment but noted that this type of process reflected what was best about the Global Fund.

4.6 The FAC acknowledged that this was an OIG led process that should be carried out within two weeks. The FAC noted that the Legal Unit would consult with the Executive Management Team to develop the Secretariat's view on the pre-arbitration process and modification to the HR Disciplinary Regulation and Procedure to finalize the policies and procedures with the OIG. The FAC further noted the OIG should complete the work with advice from the Global Fund Secretariat, seek consensus and, in consultation with them, bring this issue back to the FAC.

# Scope of OIG Audits and Investigations (GF/B23/DP8)

4.7 In GF/B23/DP8, the Board requested that the Finance and Audit Committee (FAC) review and refine the position and scope of audit and investigation functions, and report on its progress at the Twenty-Fourth Board Meeting.

4.8 The FAC decided that as the High Level Independent Review Panel was currently considering these matters, they would not consider the issue until the report was made available. This approach was confirmed during the meeting by the coordinator and advisor to the Panel.

# PART 5: FINANCIAL AND OTHER FAC MATTERS

### Tax Equalization

5.1 The FAC noted that the outstanding issues arising from the tax equalization discussion at the 16<sup>th</sup> FAC meeting in March would be considered at its 17<sup>th</sup> meeting in October 2011.

#### Budget 2012

5.2 The FAC noted that the World Bank would need to increase their fees for acting as the trustee by approximately 10% in 2012 due to a revised calculation of their cost recovery polices, and this would increase costs by approximately US\$ 275,000.

### UNDP

5.3 The FAC noted the update from the UNDP/UNFPA/UNOPS Executive Board that took the following decision in relation to the Global Fund:

"Decides that the Administrator of UNDP and the Executive Directors of UNFPA and UNOPS may, upon request, disclose to a donor intergovernmental organization and the Global Fund to Fight AIDS, Tuberculosis, and Malaria, internal audit reports pertaining to a given project in which the said donor is financially contributing."

5.4 The FAC Chair will now discuss with the Board Chair the role of the FAC in taking forward the issue of improving collaboration further with UNDP.

This document is part of an internal deliberative process of the Global Fund and as such cannot be made public until after the Board meeting.



**Twenty-Third Board Meeting** Geneva, Switzerland, 11-12 May 2011

> GF/B23/6 Attachment 3 Annex 1

### Supplementary Information Related to Budgetary Implications of Twenty-Third Board **Meeting Decision Points**

High Level Review Panel (GF/B23/DP4)

The overview of the budget for the Panel is shown below:

sting in our future The Global Fund To Fight AIDS, Tuberculosis and Malaria

### High Level Independent Review Panel (early April - end Sept 2011)

#### Budget estimate for 6 months (early April - end Sept)

in US\$ (as of 20 June 2011)

Sub-Total				396,000
Fees for Support Working Group (Consultants)				
Total Fees Support Working Group			517,400	
Fees for Document Review Group (Consultants)				
Total Fees Support Working Group			750,000	
Sub-Total				1,267,400
Travel Cost to attend Meetings (Panel)				
Travel (Business Class)	tickets at	tickets at		
(including travel for one security)	3000	5000		
1 meeting in Geneva, Switzerland	1	5	(incl. one security)	
1 meeting in Washington DC, USA	4	4	(incl. one security)	
Total travel cost in business class			60,000	
Per diem	mtg days	Funded part.	per diem	
(incl. per diem for one security)		(Incl. one sec.)	rate	
Geneva, Switzerland	4	6	446	
Total per diem cost Geneva			10,704	
Washington DC, USA	2	8	363	
Total per diem cost Washington			5,808	
Total per diem Geneva and Washington DC			16,512	
Sub-Total				76,512

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The Global Fund Twenty-Third Board Meeting Geneva, Switzerland, 11-12 May 2011

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Travel Cost for Trips to Implementing Countries				
(Panel)	trips	days/trip	Panel mbrs.	
	8	5	2	
	unit cost	Total		
Travel in Business Class (trips x participants)	6,500	104,000		
Average per diem rate (trips x participants x days)	350	28,000		
Sub-Total				132,000
Travel Cost (Consultants)			team	
(to meetings, other institutions, impl. countries, etc.)			leaders/	
	trips	days/trip	consultants	
Trips Team Leaders	8	5	1	
Trips Consultants	8	5	1	
·	unit cost	Total		
Travel in Business Class (trips x participants)	6,500	208,000		
Average per diem rate (trips x particip x days)	350	112,000		
Sub-Total		112,000		320,000
Sub-Total				520,000
Meeting Cost (Venue)				
1 Meeting Room for 15pax, 2 days. Conference beverages, 2				
lunches, no dinner. Projector, laptop, screen.	4500			
Washington DC, USA (meals, technical requirements,	1500			
no venue)	600			
Geneva, Switzerland (in-house)	600			
Sub-Total				2,100
Telephone Conferences	cost	nr of calls		
15 participants dialled in for a 90mins call	800	6		
Sub-Total				4,800
Other				
Translation (approx. US\$50/page) and printing of				
documents				
Sub-Total				15,000
Total in US\$ (estimate):				2,213,812

Further details of the professional fees are as follows:

- 1. Costs for High Level Panel members up to US\$ 396,000
  - Represents maximum amount
  - Members to invoice for actual days worked
  - Maximum of 5 days/month per member and 7 days for Co-Chairs (travel days not remunerated)
  - Daily fee level is approximately one third of fee level for partners at certain LFAs and Document Review Team
  - Obtaining value for money given seniority and expertise of individual members

- 2. Costs for Support Team up to US\$ 517,400
  - Represents maximum amount
  - Six person team with skills in investigation, audit, verification, Global Fund policy & governance, development finance, civil service reform, etc
  - Several with 30 plus years' experience
  - Fees range between US\$ 650 and US\$ 2,300 per day
- 3. Document Review Team up to US\$ 750,000
  - Represents maximum amount
  - Full desk reviews of all grant management documentation for 40 countries and more than 350 grants

# Strategy Development Process (GF/B23/DP14)

The Global Fund has embarked upon a strategy development process, which will lead to the adoption by the Board of a new strategy, for the period 2012 - 2016, at its Twenty-Fourth Board Meeting scheduled for November 2011.

In connection with this the PSC has deliberated on a process and pursuant to this a decision point was approved at the Twenty Third Board Meeting (GF/B23/DP14). Under this decision it is envisaged that:

- 1. A working group of the PSC will be established to work with the Global Fund Secretariat;
- 2. The working group, with the Global Fund Secretariat, will ensure that there are appropriate linkages with Board Comprehensive Reform Working Group recommendations; and
- 3. A number of regional and technical fora are to be hosted in order to gather additional input.

The nature of the work to be undertaken between now and the end of the year will therefore require several regional consultation meetings. These meetings are now being planned. The expectation is that four regional meetings will be held, and with each, a cluster of smaller focused meetings also be scheduled in order to engage senior leaders in various fields. The Secretariat will also look to other opportunities to leverage off other planned meetings so that a maximum number of people can be reached. The objective here is very much to obtain implementer perspectives.

Several technical consultations are also planned. These will engage technical partners, Technical Review Panel member and other fora to feed into the overall goals, targets and more generally debate the strategic objectives established in the Draft Strategy Framework acknowledged by the Board at its last Board Meeting. Part of the budget request (US\$ 475,000) is estimated for these consultations.

In relation to these consultations:

- a. They are being planned in conjunction with PSC Sub Working Group and in anticipation of their participation
- b. Currently anticipating a meeting in Johannesburg that will be supported by the Vice Chair of the Board and one in Bangkok supported by the Chair of the Board
- c. Other satellite meetings under consideration adjacent to the main meetings and potentially alongside other GF related meetings
- d. The budget request is an estimate to cover these costs and will be refined as necessary.

The Global Fund Secretariat team will also need to be reinforced with additional consulting expertise. This will contribute both to project management as well as content development. Discussions are currently underway with a major service provider. The total budget increase requested is for US\$ 350,000 in respect of this item. The overall fee that is anticipated is of an amount of approximately US\$ 500,000. The fee being negotiated is on the basis of a deep discount (50%) of normal rates. It is hoped that a cost sharing arrangement with the Gates Foundation may help defray some of this cost. The services provided by this firm will include project management, content development, assistance and participation in consultations and assistance in framing and presenting the strategy.

Additional costs related to these consultations and processes were recognized in the decision point approved at the Twenty-Third Board Meeting (GF/B23/DP14) which noted:

"The Board notes that the estimated budget impact of the Strategy development process in 2011 is approximately US\$ 950,000 for costs including technical and regional consultations, consultant fees and travel costs. The Board delegates to the FAC to consider and approve this budget within the framework of the 2011 administrative budget review, which is scheduled for June 2011".

# Market Shaping Interventions for ARVs (GF/B23/DP21)

- 1. Activity 1 :
  - a. Product optimization: US\$ 50,000 a Request for Proposals (RFP) will be issued, and it is envisaged that an estimated initial payment of US\$ 50,000 will be made by Q4 2011.
  - b. Expert Working Group the cost estimate of US\$ 25,000 is for a two-day meeting in Geneva for 10 members. Calculation is based on the assumption that 50% of members will pay their own costs or are located in Geneva:
    - i. Travel costs for five (spread across the world vary from US\$ 600 within Europe to US\$ 5,000 from Southern Africa) US\$ 20,000 plus US\$ 350 per Diem for 2 days in Geneva (US\$ 3,500).
    - ii. Catering costs (coffee break and light snacks) estimated meeting will be held in the Secretariat (US\$ 1,500).
  - c. Professional fee estimated at US\$ 25,000 to develop the initial draft guidelines.

- 2. Activity 2: Strengthen National capacity this is based on three to five in-country missions (travel costs tickets and per diem for 5-10 days (US\$ 5,000- US\$ 8,000); and professional fees for consultants US\$ 7,500 US\$ 10,000).
- 3. Activity 3: Transition of paediatric ARV procurement from UNITAID/CHAI project to Global Fund grants: Technical Support to participating countries (this will be conducted in collaboration with UNITAID /CHAI) estimated ten country visits at US\$ 5,000 travel costs and per diem per visit.

The process used was a) internal development; b) MDC committee review; c) Cluster Director Review. The budget estimates are based on actuals / expenditures on similar activities and rounded up to the nearest thousand for ease of reference.

### GF/B23/6 Attachment 3 Annex 2

# GUIDANCE ON LOCATION OF FURTHER INFORMATION

The below table indicates where further information on items dealt with in this report can be found:

ltem:	Further information available:
Reform Agenda	GF/FAC16/15 - Implementing the Global Fund Reform Agenda GF/FAC16/15 Attachment 1 - Q1 Review Report GF/FAC16/15 Attachment 2, Revision 1 - Implementing the Global Fund Reform Agenda - Supplementary Information GF/FAC16/15 Attachment 3 - The Global Fund's Plan for Comprehensive Reform (Latest Draft) GF/FAC16/15 Attachment 4 - Presentation to FAC
Budgetary Implications of Twenty-Third Board Meeting Decision Points	GF/FAC16/16 - Budgetary Implications of Twenty-Third Board Meeting Decision Points
Complaints Procedure/Pre- Arbitration Process	GF/FAC16/17 - Complaints Procedure / Pre-Arbitration Process

All documents listed below are available on the Global Fund extranet: <u>https://extranet.theglobalfund.org/cme/FAC/default.aspx</u>