

Stop TB Partnership
Governance and Policy Review

Findings

1 Background, Scope, and Approach

On September 12, 2020, the Stop TB Partnership (STBP) was confronted with negative publicity in an article in *The New York Times* mentioning allegations involving harassment and racism by STBP staff in 2015 and 2017. Before the article was published, the Executive Commission of the Board of the Stop TB Partnership communicated on the STBP website on August 22, 2020 that it had "commissioned an independent external review. The review will examine the serious issues that have been raised, assess current policies and practices, and make recommendations to ensure a work environment that is safe, equitable and free of discrimination including racism in any form."

In a statement on September 18, 2020 on the STBP website the Executive Committee (EC) stated that, "The review will examine the serious issues that have been raised, assess current policies and practices, and make recommendations to ensure a work environment that is safe, equitable and free of discrimination including racism in any form."

The process will:

- Review and assess the Board, Stop TB Partnership Secretariat, and current hosting organization's anti-discrimination and anti-harassment policies.
- Review processes of how allegations of misconduct and the responses to those allegations by the Partnership and the current hosting organization are handled to inform lessons learned going forward.
- Provide concrete recommendations for action to the Board, the Stop TB Secretariat, and the current hosting organization to prevent and address discrimination and harassment."

In early September, 4N6 Factory was asked to perform this review. We note that the purpose of this review is not to reconstruct the investigation of allegations that were brought in the media. Also considering the Board's 2019 decision to move away from the hosting agreement with the United Nations Office for Project Services (UNOPS), we took a forward-looking approach, focusing on the learning points and recommendations for improvement.

The fact that STBP is hosted by UNOPS has implications for the extent to which a review can be conducted by an external party. There are several limitations when it comes to third party reviews of the United Nations, in this case particularly with regards to UNOPS personnel, records, and policies.

In conjunction with UNOPS, the EC of STBP sought a practical solution that ensures a proper review that STBP can learn from while respecting the boundaries of the review and work in tandem with a review on the UNOPS side.

In this review, the STBP governance documents and policies and procedures of UNOPS that apply to the STBP organization and staff are considered. Apart from a document review, we conducted interviews with members of the Board/EC and UNOPS senior leadership.

In parallel, UNOPS rolled out an independent staff survey done by PwC, with the objective to assess staff experience in relation to discrimination and prejudice in the workplace and identify areas for organizational improvement and change.

2 Findings

In this chapter, we address the main findings from the interviews and document review. In paragraph 3.1, we address various aspects of the governance model. Paragraph 3.2 addresses policies and procedures on workplace conduct and 3.3 discusses Speak-up processes. Finally, the results of a review of UNOPS processes is addressed in paragraph 3.4.

2.1 Governance

In this section, we describe our findings regarding the most relevant governance documents for the Stop TB Partnership. Next to a review of relevant documentation, the interviews with EC/Board members were helpful for our assessment.

2.1.1 Board Governance Manual

During the interviews, we were informed that the initial Board Governance Manual was drafted between 2011 and 2014 with support of advisors from McKinsey, around the time that the Stop TB Partnership moved from the World Health Organization (WHO) to a UNOPS hosting agreement. We received and assessed an updated version (July 2018) in our review.

In line with many governance manuals or organization regulations as used by other organizations, the document describes roles, responsibilities, and procedures around nomination/termination of Board members, Executive Committee members, and other bodies, as well as decision-making procedures.

The document clearly states that, "The Secretariat is led by an Executive Director and is hosted by UNOPS, which provides administrative and hosting services, as it does not have its own legal status."

It is crucial to note that not having a legal status also has direct consequences for the role, responsibilities, and decision-making power that the Board/EC has. Unlike in a corporation or other legal entity, the Board does not have the ultimate authority and depends on the cooperation with the host organization. From the interview with UNOPS, we learned that "by coming to the UN, these Boards accept a UN trusteeship," which implies far greater responsibilities than that of a service provider to which operational tasks are outsourced. In their view, ultimately, UNOPS and the UN are accountable. We note that, as part of the donor agreement between the donors and UNOPS, the hosting terms were defined in a separate annex, which will be addressed in the next paragraph.

It was a strategic choice to have a large Board (28-30 members) doing right to the interests of various stakeholders (e.g., donors, doctors, ministers, civil society, private sector), with fixed or rotating seats, with or without voting rights. We note that, compared to the size of the administrative organization (with around 80 staff members), the Board is relatively large.

From the interviews, we learned that the multi-stakeholder Board composition contributed to the quality of the discussion on the strategic direction of the STBP program. While this makes sense from a content perspective, the coordination effort arising from this should not be underestimated. Especially when the organization is preparing to rotate out of the current hosting agreement, but also when negative publicity hits the organization, especially the Executive Committee and the (Vice-)Chair need to be available.

According to the Board Governance Manual, the Executive Committee's roles and responsibilities include: "10.1.4 On the basis of delegated authority from the Board, make decisions on issues judged not to require the consideration of the full Board" and "10.1.5 Make emergency decisions on behalf of the Board when the Chair and Vice-Chair deem that regular Board decision-making procedures are unable to accommodate the nature and urgency of the required action to be taken subject to ratification of such decisions by the next meeting of the full Board."

In our view, from a pragmatic perspective this makes absolute sense. To us, it is not entirely clear who "judges" if issues do not require the consideration of the full Board (10.1.4); if the EC can decide this by itself, they de facto do not need Board approval. Also, against the backdrop of a sizeable multi-stakeholder Board, it is more

complicated to find time to have everyone convene. If this results in more “emergency decisions” that need to be taken, the EC’s role further increases.

We understand that for UNOPS to be serving as a host organization it is required that the UN is also represented on the Board, which is the case.

According to the Board Governance Manual, the approximate time commitment for the Chair is 15 days per year and for the Vice-Chair approximately 20 days. Under normal circumstances, this might be realistic, but in turbulent times where the organization is rotating out of its existing hosting agreement, this might be challenging. We note that when the Chair is a Health Minister, who probably will not be able to dedicate more time, the Vice-Chair and Executive Committee are put under more pressure.

2.1.2 Hosting Terms— Executive Director

The Hosting Terms (Attachment F. Award No. AID-GH-IO-15-00002) outline the details of the Grant to UNOPS for STBP. In relation to the appointment and performance evaluation of the Executive Director (ED) it states that:

- “The selection and appointment of the Executive Secretary will be conducted in accordance with UNOPS Regulations and Rules and will be subject to no objection of the Board.” (Hosting Terms, 12)
- “UNOPS official will act as chair of the selection and appointment panels.” (Hosting Terms, 12)
- “UNOPS will, in consultation with the Board’s designee(s), establish the key performance indicators of the Executive Secretary, paying due consideration to the Board’s determination of the expectations for the Executive Secretary’s performance.” (Hosting Terms, 13)
- “The performance of the Executive Secretary will be regularly assessed in accordance with the applicable UNOPS Regulations and Rules.” (Hosting Terms, 13)
- “Any decision to renew, not to renew or to terminate the Executive Secretary’s appointment will be made in consultation with the Board’s designee(s) and is subject to the prior no objection by the Board.” (Hosting Terms, 14)

From these Hosting Terms it is clear that, a) UNOPS Regulations and Rules apply to the selection, appointment, and performance evaluation, and b) the STBP Board (or a Board designee) has a role in these processes. This means that the host cannot hire or fire the ED without consultation of the Board’s designee(s) and a “no objection” by the STBP Board.

In preparing for its rotation to a new host organization, the Board formulated several principles that need to be agreed upon with the new host organization, one of which is:

- “iii. Board authority for oversight and performance assessment of the Executive Director including decision-making on hiring and termination.”

Currently, the hosting terms with UNOPS state under point 14 that “any decision to renew, or not to renew or to terminate the Executive Secretary’s appointment will be made in consultation with the Board’s designee(s) and is subject to the prior no objection by the board.”

The current Hosting Terms with UNOPS under point seven, it is stated, “All activities of the Secretariat will be undertaken in accordance with a) UNOPS Regulations and Rules, b) these Hosting Terms and c) the Secretariat Manual, with any conflict relating to interpretation resolved in such order of priority.” This means that under the current agreement, UNOPS Regulations and Rules, such as Operational Instructions, will prevail over the hosting terms.

We note that in December 2019, UNOPS changed its Operational Instruction on Hosting Engagements (OI.IPS.2019.01).¹ From the interview with UNOPS, we learned that an extensive twelve-month consultation process has been started where meetings were held with numerous Board members of various hosted initiatives. We were informed that the largest donor for the STBP project (USAID) was not consulted in this process.

Despite a process which foresees consultation with its stakeholders, it still means that the host organization can

¹ <https://content.unops.org/documents/libraries/policies-2020/operational-directives-and-instructions/management-of-unops-partners-and-resulting-agreements/en/OI.IPS-Hosting-Engagements.pdf?mtime=20200306123430>

make changes in the overarching Operational Instruction, which then supersedes the pre-existing hosting terms. We note that we did not have access to the entire donor agreement, only to the Hosting Terms attached to it. As such, we are not aware of any provisions regarding changes in hosting terms and its impact on the legal agreement (the donor agreement).

Regarding the evaluation of the Executive Secretary (the STPB Executive Director), the new Operational Instruction states under point 3.6 that, "The appointment of the Head of the Secretariat, and the decision to renew or not to renew the appointment (and, if necessary, the termination thereof), is decided by the UNOPS Executive Director or his/her delegate. The UNOPS Executive Director and/or his/her delegate manages the performance of the Head of the Secretariat (the Board/SC² will be consulted regarding the Head of the Secretariat's performance related to the establishment of strategy, workplan and budget)."

From this, we conclude that there is room for interpretation about who is "in the lead" of the process. Whereas the existing Hosting Terms (Attachment F. Award No. AID-GH-IO-15-00002) under points 12 to 14, explicitly state the Board has a role in the appointment, these Operational Instructions do not mention it.

Under normal circumstances, this does not need to be problematic. From the interview with UNOPS, we gather that also in other hosting structures, joint assessments of the Executive Secretary's performance are made, for instance in a meeting with the Executive Committee and the UNOPS line manager.

Also, for the performance evaluation of the STBP Executive Director, the Board will be consulted. When however, a conflict arises between UNOPS and the STBP Board regarding the decision (not) to renew and terminate, the UNOPS Executive Director (or his/her delegate), ultimately decides. UNOPS stressed that in practice, "the EC has a big role to play" in performance review and contract renewals and "UNOPS would never hire or fire an ED for Stop TB without EC support and agreement".

From the interviews we conclude the EC members and the STBP Executive Director, interact on a regular basis, not only on strategy and governance matters, but also on specific topics (e.g. TB Reach, GDF, change in host). For the performance evaluation of the ED, the Vice-Chair was given the opportunity to provide input on the evaluation on the key performance indicators as well. Also, other individual EC members regularly interact with the ED and Secretariat directly across a range of TB related issues.

2.1.3 Stop TB Partnership Standard Operating Procedures Manual

Next to the Board Governance Manual, the Stop TB Partnership Standard Operation Procedures Manual (revised September 2016), is an important document, outlining the operational guidelines for managing the STBP program. In the introduction it is stated that:

"The Stop TB Partnership derives its legal status from UNOPS and thus share the same obligations, benefits and status as UNOPS. Accordingly, when Stop TB wishes to enter into agreements with third parties, it is UNOPS that enters into the relevant agreements and makes commitments in support of the Stop TB Partnership. In view of this, the activities of the Stop TB Partnership as well as its personnel are subject to UNOPS Organizational Directives and Administrative Instructions."

The Standard Operating Procedures Manual is built on policies and procedures of UNOPS. This applies to Human Resources and recruitment, office and administration, finance, procurement as well as grants. A change to a new host will impact the procedures. We note that, according to the terms in the hosting agreement, the host organization is responsible for developing the Standard Operating Procedures (SOP) Manual. If the new host operates under the UN umbrella, the policies might largely remain the same. However, a review of the manual will be needed to disentangle policies and procedures related to the current host organization.

2.2 Policies and Procedures on Workplace Conduct

As reflected in the Standard Operating Procedures Manual, the UN policies and standards apply to all UNOPS employees and as such also for the STBP organization and staff. The UN has many charters, directives, and operational instructions that also address provisions regarding workplace ethics, where harassment and

² SC = Steering Committee

discrimination are explicitly mentioned as "prohibited conduct."

For instance, the Staff Regulation and Rules for the United Nations (ST/SGB/2018/1),³ that apply to all UN organizations defines that:

"1.2 (a) Staff members shall uphold and respect the principles set out in the Charter, **including faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women**. Consequently, staff members shall exhibit respect for all cultures; **they shall not discriminate** against any individual or group of individuals or otherwise abuse the power and authority vested in them.

1.2 (b) Staff members shall **uphold the highest standards of** efficiency, competence and **integrity**. The concept of integrity includes, but is not limited to, probity, impartiality, fairness, honesty and truthfulness in all matters affecting their work and status.

1.2 (f) **Any form of discrimination or harassment, including sexual or gender harassment, as well as abuse in any form at the workplace or in connection with work, is prohibited.**"

We note that, under the UN's Staff Regulation and Rules, racism is covered under the UN's definition of discrimination:

"Discrimination is **any unfair treatment or arbitrary distinction based on a person's race**, sex, gender, sexual orientation, gender identity, gender expression, religion, nationality, ethnic origin, disability, age, language, social origin or other similar shared characteristic or trait. Discrimination may be an isolated event affecting one person or a group of persons similarly situated, or may manifest itself through harassment or abuse of authority (ST/SGB/2018/1)."

Also, for UNOPS, specific guidance is given in the Operational Directive Human Resources, Ethics and Culture (OD.PCG.2017.01).⁴ Under the "Guiding Principles" (2) it is formulated that "UNOPS shall ensure that personnel have adequate protection, including from discrimination, harassment or abuse of authority" (2.1.3).

In line with UN's Staff Regulation and Rules, under section 4, "Standards of Conduct, Integrity and Accountability," it is clearly stated that, "All UNOPS personnel shall adhere to the highest standards of efficiency, competence, and integrity" (4.1), and "managers or supervisors shall act as role models and have therefore a special obligation to uphold the highest standards of conduct" (4.4). In addition, the Operational Directive states that, "All UNOPS personnel have a duty to report suspected wrongdoing" (4.7).

Finally, this Operational Directive also addresses the possibilities for "Confidential Independent Advice and guidance on ethical issues and ethical dilemmas."

Implementation — Training

We note that, in the Stop TB Partnership Standard Operating Procedures Manual under the "Start-up Basics (for New Personnel)" on page 12 reference is made to the training related to these policies where it states:

"All personnel should complete the following core learning (mandatory) courses:

- Welcome to the UN Induction Course,
- Welcome to UNOPS Induction Course,
- Security in the field (2),
- Prevention of Harassment,
- Sexual Harassment and Abuse of Authority in the Workplace,
- Building Our Professional Capacity to Address HIV,
- Integrity Awareness."

This, in our view, not only shows that the links to UNOPS policies are an integral part of the staff manual, it also

³ <http://undocs.org/ST/SGB/2018/1>

⁴ <https://content.unops.org/documents/libraries/policies-2020/operational-directives-and-instructions/internal-audit-and-investigations-charter/en/OI.IAIG-Misconduct-Allegations-Against-UNOPS-Personnel.pdf?mtime=20200306122408>

shows that the behavioral norms and standards have a prominent place in the onboarding of new staff. Also, the overview shows that a significant portion of these mandatory trainings, specifically address workplace ethics: "prevention of harassment," "sexual harassment and abuse of authority in the workplace," and "integrity awareness."

We note that we did not have access to the individual courses to evaluate to what extent anti-harassment, anti-discrimination, and anti-racism are covered in the mandatory courses.

We conclude there cannot be any misunderstanding by any employee what the expectations are regarding standards of behavior. The policies, but also the efforts taken to raise awareness and implement these standards are in place. We do, however, recognize that having policies and training in place does not guarantee people always comply with the rules and regulations. The results of the forthcoming Pulse Survey might provide better insights.

In the next section, we will address the Speak-up policies and processes.

2.3 Speak-up Processes

There are many ways in which employees can raise concerns when they are uncomfortable with a situation. Recognizing it is sometimes difficult to address concerns directly, various alternative avenues are available through the host organization's HR processes.

In our view, UNOPS has established a due process to report and follow-up on cases. These processes are laid out in several policies. In the media release of September 18, 2020,⁵ they were summarized:

"Anyone wishing to share additional information can use the following channels:

- The Speak Up Hotline⁶ is UNOPS's confidential mechanism for individuals (UNOPS personnel and people outside UNOPS) to report misconduct. The hotline is managed by an independent service provider on behalf of UNOPS to protect confidentiality. This service can be reached at speakup@unops.org or by phone in Switzerland at +41 800- 562907. It can be accessed worldwide and free of charge.
- The Internal Audit and Investigations Group receives allegations of fraud and financial irregularities, forgery, theft, misuse of resources, conflicts of interest, assault including sexual assault, sexual exploitation and abuse, and violations of local laws. Contact: investigations@unops.org
- The Internal Grievances team handles any form of discrimination, harassment, including sexual harassment, and abuse of authority. They also investigate improper recruitment processes. Contact: internalgrievances@unops.org
- The Ethics and Compliance Office is entrusted with managing concerns of retaliation against UNOPS personnel for reporting misconduct or cooperating with an audit, investigation or other duly authorised fact-finding activity. Contact: ethicsofficer@unops.org
- The Office of the United Nations Ombudsman and Mediation Services helps employees to address their workplace concerns and resolve conflicts through informal means, such as: identification and review of options, conflict coaching, shuttle diplomacy, and mediation. The work of the ombudsmen and mediators is based on the principles of confidentiality, neutrality and impartiality, independence and informality. Contact: ombudsmediation@un.org or mediation@un.org
Incidents brought forward through UNOPS channels will be afforded due process within the United Nations system, and the Stop TB Partnership Board will receive information on UNOPS planned actions from any findings. Whistleblowers' confidentiality will be protected."

As mentioned in the previous section, according to the Operational Directive Human Resources, Ethics and

⁵ <http://stoptb.org/assets/documents/news/STBP%20Board%20EC%20Statement%2018%20Sep%20Final.pdf>

⁶ <https://secure.ethicspoint.eu/domain/media/en/gui/105317/index.html>

Culture (OD.PCG.2017.01) it is stated that, "All UNOPS personnel have a duty to report suspected wrongdoing."

In addition, several other, more detailed, and publicly available regulations apply. At a UN level for instance, the Secretary General Briefing of 2017 (ST/SGB/2017 2 Rev.1)⁷ offers protection against retaliation for someone reporting concerns:

"Section 3—Reporting misconduct through established internal mechanisms

Except as provided in section 4 below, reports of misconduct should be made through the established internal mechanisms: to the Office of Internal Oversight Services (OIOS), the Assistant Secretary-General for Human Resources Management, the head of department or office concerned or the focal point appointed to receive reports of sexual exploitation and abuse. It is the duty of the Administration to protect the confidentiality of the individual's identity and all communications through those channels to the maximum extent possible.

Section 4—Reporting misconduct through external mechanisms

Notwithstanding staff regulation 1.2 (i), protection against retaliation will be extended to an individual who reports misconduct to an entity or individual outside of the established internal mechanisms, where the criteria set out in subparagraphs (a), (b) and (c) below are satisfied:

- (a) Such reporting is necessary to avoid:
 - (i) A significant threat to public health and safety; or
 - (ii) Substantive damage to the Organization's operations; or
 - (iii) Violations of national or international law; and
- (b) The use of internal mechanisms is not possible because:
 - (i) At the time the report is made, the individual has grounds to believe that he/she will be subjected to retaliation by the person(s) he/she should report to pursuant to the established internal mechanism; or
 - (ii) It is likely that evidence relating to the misconduct will be concealed or destroyed if the individual reports to the person(s) he/she should report to pursuant to the established internal mechanisms; or
 - (iii) The individual has previously reported the same information through the established internal mechanisms, and the Organization has failed to inform the individual in writing of the status of the matter within six months of such a report; and
- (c) The individual does not accept payment or any other benefit from any party for such report."

In our view, the UN policies and procedures offer numerous ways to address concerns confidentially and go through great lengths to protect reporters against retaliation, even when, under circumstances, external mechanisms are used.

For the STBP Board it is important to understand these escalation criteria in case a concern is brought to the attention of the STBP Board or individual Board member. This in our view is not sufficiently covered in the Board Governance Manual. Only under "15.2 Emergency Meetings" it is stated that:

"The Board Chair and Vice-Chair, acting in consultation with the Executive Committee, may call emergency Board meetings to address extraordinary circumstances (e.g., major financial, legal or ethical issues, loss of confidence in leadership)."

When, for instance, concerns are raised about the ethical behaviour of the STBP leadership, the Board can call for an emergency meeting. The key question here is if the Board can take further action. This is not explicitly stated in the Board Governance Manual or Hosting Terms. Therefore, also here, the Board needs to rely on its host organization for the follow-up. In addition, we observe that the Board Governance Manual does not provide a process for dealing with media.

⁷ <https://undocs.org/ST/SGB/2017/2/Rev.1>

2.4 Joint Inspection Unit—Review of UNOPS Processes

As mentioned previously, the follow-up on reported concerns involving UNOPS personnel is done by the UNOPS Ethics and Compliance Office in conjunction with the Internal Audit and Investigations Group. The procedures are explained in the “Operational Instruction Investigations and Measures Relating to Misconduct Allegations Against UNOPS Personnel (OI.IAIG.2020.01),” which is publicly available⁸ as well.

In 2018, a Joint Inspection Unit published its “Review of management and administration in the United Nations Office for Project Services,” which assessed the efficiency and effectiveness of policies and procedures in the management and administration of UNOPS.⁹

Regarding the Internal Audit and Investigations Group of UNOPS, the Joint Inspection Unit concluded:

“The review identified a well-established and comprehensive oversight framework in place. The Internal Audit and Investigations Group generally adheres to professional standards and has the required independence. Its work is complemented by external oversight mechanisms such as the Audit Advisory Committee.”

Furthermore, it stated:

“Ethical standards and integrity are crucial elements of the United Nations accountability framework. The UNOPS ethics function was established in 2009 in line with the provisions of the bulletin on ethics principles in the separately administered organs and programmes issued by the United Nations Secretary-General. Through its own internal policies, UNOPS has made all of its personnel subject to broadly the same standards of conduct regardless of their contractual status, for the purpose of coherence and with the aim of ensuring integrity and accountability.”

The Joint Inspection Unit also brought two recommendation regarding these two UNOPS functions:

- “The Executive Board should adopt, at its 2019 annual session, revised terms of reference for the Audit Advisory Committee, prepared by the Executive Director, in compliance with good practices and established standards, notably with regard to the mandate, independence and composition of the Committee and the procedures for the appointment of its members.
- The Executive Director should strengthen the ethics framework, notably by: (a) establishing a full-time Ethics Officer staff position at senior level; and (b) providing additional resources in the management budget 2019/2020 to ensure a more proactive ethics function.”

It is our understanding that, at least in part, these recommendations have received follow-up in UNOPS, most prominently with the appointment the Chief Ethics and Compliance Officer.

We therefore conclude the UN not only regularly independently assesses the effectiveness and efficiency of its operations, but also its recommendations are implemented.

2.5 Pulse Survey and UNOPS review of allegations

As outlined in section 1, our review focused on the governance framework, policies, and procedures. In parallel, UNOPS rolled out an independent staff survey done by PwC, with the objective to assess staff experience in relation to discrimination and prejudice in the workplace.

We note that UNOPS regularly conducts a Pulse Survey of all UNOPS staff to take the pulse on its organizational culture, for which it contracts an independent third party. Following the allegations of harassment and discrimination in the media, the Executive Committee of STBP discussed with UNOPS if such a Pulse Survey could be conducted. The external service provider was retained to conduct this survey. The results were shared with UNOPS, EC and STBP staff. Since the findings are confidential and internal to STBP, they cannot be disclosed in

⁸ <https://content.unops.org/documents/libraries/policies-2020/operational-directives-and-instructions/internal-audit-and-investigations-charter/en/OI.IAIG-Misconduct-Allegations-Against-UNOPS-Personnel.pdf?mtime=20200306122408>

⁹ https://www.unjuu.org/sites/www.unjuu.org/files/jiu_rep_2018_3_re-issued_english.pdf

this review. A summary of the findings will be released at the same time as this report.

Regarding the allegations that were brought in 2017, we received the letter that was sent by UNOPS to the Vice-Chair of STBP on 28 November 2017, summarizing the outcome and remedial management action plan. This management action letter was shared with the EC by the Vice-Chair and the EC was briefed by UNOPS as well.

The letter stated that UNOPS “wanted to formally inform you of the issues raised and the steps taken by UNOPS in this regard, in accordance with our administrative responsibilities as the Host of STBP”. Regarding the allegations it further stated that “The review has been completed and did not identify wrongdoing or misconduct to the level requiring termination, but rather established a firm process to address management deficiencies.” We note that we did not have access to the details of the investigation beyond this letter but were informed during the interviews that remedial actions were taken in line with the action plan described in the management action plan. We were informed that one of the recommendations (an additional pulse survey) was not conducted at the time.

To the extent we could verify, the existing formal processes were followed; the allegations that were brought, were investigated, remedial actions were taken and the STBP EC and Chair were informed about it. We do however note, that, when allegations involve the Executive Director, the sensitivity changes. In our view, the Board, or at least the (Vice-)Chair, should be informed at an early stage. We recognize this can become problematic as UNOPS might be in breach then of its rules around maintaining confidentiality on an investigation.

3 Conclusions

From the findings of our review of policy documents and interviews with EC members and UNOPS staff, we can draw several conclusions.

STBP is not a legal entity and as such depends on the host organization for most of its operational policies. This offers several advantages, but also means the Board does not have ultimate authority over the STBP operations. By coming to the UN for hosting the STBP initiative, the Board also accepts a UN trusteeship. As a result, all staff are UN personnel and the processes in the Standard Operating Model are built on UNOPS processes.

Being hosted by a UN entity, also brings limitations to the influence the Board has over STBP operations. In our view, the Board needs to be made aware of these limitations in anticipation of a new hosting agreement and assess to what extent its role and responsibilities can be negotiated or will be constrained.

STBP's multi-stakeholder Board is large compared to the size of the STBP operation. We were informed it was a deliberate choice to involve views from various stakeholders on strategic discussions and decisions. In practice, we expect this might complicate decision making as it is not possible to involve the full Board on all topics. As a result, the (Vice-)Chair and Executive Committee will have a greater responsibility.

Regarding the recruitment, appointment, performance evaluation, and termination of the Executive Director of STBP, the Board is involved ("consulted" or "no object"), but also here UNOPS Regulations and Rules are leading. When UNOPS or the UN decide to change its Operational Instruction governing Hosting Agreements, this will supersede the hosting terms that were agreed upon with STBP, which de facto could further limit the influence over the STBP operations and performance evaluation of its Executive Director (unless the donor agreement contains specific provisions regarding this matter).

The UN and UNOPS offer a very solid framework of policies and procedures regarding anti-harassment and anti-discrimination, but also for reporting as well as the investigation concerns. The STBP SOP Manual also foresees training and awareness initiatives when onboarding new team members. We have not had access to training material on anti-harassment and anti-discrimination, nor have we seen a specific "values charter" or code of conduct for STBP staff.

The UN policies do not allow for an independent external assessment of the effectiveness or efficiency of UN processes. As such, we cannot draw conclusions regarding the effectiveness or efficiency of UNOPS procedures from our own observations. However, reviews are regularly done by UN's own Joint Inspection Unit and made publicly available.

We were informed that UNOPS has mandated an independently hosted Pulse Survey to assess the STBP staff perception of the current situation. When these results are shared with STBP staff and the Board, it would offer a great starting point for a dialogue with the STBP team and, if needed, planning actions for improvement.

Alongside the Board decision in December 2019 to move to another host organization, several requirements were formulated as principles that should be dealt with in the new context. Based on our review, we note that when the host organization will be a UN entity, there might be little room to manoeuvre in the hosting terms, also given the fact that, ultimately the UN Regulations and Rules will prevail over hosting terms.

In responding to requests of internal and external stakeholders as well as media, the Board needs to be aligned with the host organization. In a situation where a) a new host organization is sought and b) negative media articles arrive making allegations about STBP leadership, the EC, and (Vice-)Chair have a prominent—but time consuming—role to play.

4 Recommendations

Based on our scope, findings, and conclusions, we have identified several recommendations in this section.

- **Hosted organization:** The strategic choice to be a (UN) hosted organizations offers various benefits, but also limits the influence of the Board over direct operations. For now, this seems to be the best situation. When, for instance, the initiative grows, the position could be reconsidered. We recommend benchmarking how other peer organizations have set up their governance (e.g., The Global Fund, Gavi or other (UN) hosted entities).
- **Role clarification:** The roles and responsibilities of Board, Executive Committee, and (Vice-)Chair as well as the limitations therein should be clear to all stakeholders involved. Here, a training could be considered which also addresses the responsibilities of the host organization.
- **Multi-stakeholder Board/role of the Executive Committee:** The size and diversity of the Board brings quality to the strategic discussions but can also complicate decision-making, resulting in more work/responsibility for the Executive Committee, especially in turbulent times. We suggest evaluating if the Executive Committee has enough capacity to fulfil these tasks or if it needs additional resources if they cannot be supported by the Secretariat (e.g., legal or public relations support).
- **Dealing with allegations:** The host organization offers a solid framework for reporting and investigating allegations of misconduct on which the Board should be able to rely. However, in the situation that the Executive Director of STBP is subject of an allegation, an escalation line to the Board (to be informed or consulted) should be considered. Since the potential reputational damage and media exposure is higher, individual Board members might be confronted with questions from stakeholders, partners and/or the media. The Board should be made aware of reported incidents, know which processes are triggered internally, where to refer media requests to, and also where to turn to when concerns are raised directly with them. For the Board Governance Manual/SOP Manual, adding a crisis communication protocol could be considered in this respect.
- **Regular updates in Board meetings:** We recommend putting ethics and compliance matters on the agenda of the Board meetings, so the Board regularly takes the pulse/is updated on developments. This is not limited to issues that have been raised, but also includes awareness activities, results from the Pulse Survey, and concerns that were brought to individual Board members.
- **Executive Director:** Decisions on performance evaluation, hiring, and termination of the Executive Director of STBP, are taken in conjunction with the host organization, with the host organization having a slightly stronger position. This means that the Board can never hire/terminate the Executive Director on its own. With the transition to a new host organization, we recommend assessing if the influence of the Board is not overruled by other UN policies that apply, and if/to what extent the Board can increase its influence in negotiating new hosting terms.
- **Pulse Survey:** The results of the Pulse Survey offer a great starting point to raise awareness for workplace conduct and can help to define action points. We recommend the Board is actively involved in this process (e.g., by participating in meetings/calls/focus groups).
- **Values charter:** The STBP policies are derived from the host organization's HR policies and UN Rules and Regulations. We recommend drafting an individual "values charter" for STBP. For instance, the results of the Pulse Survey or a dilemma game to address difficult situations employees (could) face in their work, could be used as a starting point for a dialogue on values. Although this is not a requirement, as it is covered by the hosting organization already, it could be a good and motivating exercise to work with the STBP team towards a values charter that re-affirms commitment to principles of ethical conduct and going forward can be used as a document to hold each other accountable.
- **Standard Operating Procedures (SOP) Manual:** The SOP Manual will change depending on the selected host organization. For the part on Human Resources and Recruitment, we suggest including references to individual HR policies and values that apply. In the current SOP Manual, reference is made to individual and detailed procedures, but no reference is made to policies about work conduct.
- **HR implications of hosting arrangement:** We recommend assessing the implications of a new hosting arrangement for the STBP staff. Since they will rotate out of a UNOPS employment contract, it might have implications for income, taxation, benefits, career path, work location, etc. As such, staff turnover as a business continuity risk should be considered.