STRENGTHENING STBP GOVERNANCE

TRACK 2/3: IMPROVING BOARD FUNCTIONING

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EXECUTIVE SUMMARY

This Paper (Track 2) is part of a three-track package aimed at strengthening the governance function of the STBP Coordinating Board.

The focus of Track 2 is on improving Board functioning, in particular on clarifying (i) the roles and functions of STBP governance bodies, (ii) the selection process for Board members, (iii) the selection process for Chairperson, and (iv) the implementation of Board procedures.

1. BACKGROUND

Following the first track of this study (Optimizing Board Constituencies), which focused on Board constituencies, voting rights, the Board's size and membership types, this paper aims to provide initial ideas for improving Board functioning. Although a detailed analysis covering all Board procedures is not possible in the scope of this study,[1] four key issues will be highlighted in this paper: (1) roles and functions of STBP governance bodies, (2) selection process for Board members, (3) selection process for Chairperson, and (4) implementation of Board procedures. Following a brief overview of the current status of these above issues, four corresponding ways to improve Board functioning are proposed. Finally, initial ideas to improve Board functioning is presented.

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[1] A detailed analysis of Board procedures was conducted in autumn 2011 for the Review of STBP's Manual of Procedures. Detailed proposals would need to go into similar "detail" on policies. The aim of this paper is to provide a general overview and suggest an initial direction for improvement.

2. CURRENT STATUS

Roles and Functions of STBP Governance Bodies

This section provides an overview on the substance of the Coordinating Board's roles and functions, as well as their delineation with other STBP governance bodies' functions.

STBP has two main bodies that deal with governance:

(1) The **Coordinating Board**, which is the highest decision-making body of STBP and "provides leadership and direction, monitors the implementation of agreed policies, plans and activities of the Partnership, and ensures coordination among Stop TB Partnership components,"[2] and

(2) The **Executive Committee**, which is composed of seven Coordinating Board members that "is broadly representative of the constituencies on the Board and shall act on behalf of the Board in between formal sessions."[3]

Other STBP bodies include the Executive Secretary, who is "responsible for developing the secretariat's work plan and for facilitating achievement of the aims and decisions of the Partners' Forum and Coordinating Board".[4] The Secretariat carries out various support functions for all of the above bodies, as can committees[5] and taskforces[6], which are founded by the Board. The Partners' Forum "is the assembly of the Stop TB Partnership and consists of an inclusive, consultative meeting of representatives of all the Partners."[7] Finally, Working Groups have their own governance structures.[8]

Selection Process for Board Members

Track 1 of this study (Optimizing Board Constituencies) focused on the composition of the Board. This section provides a brief overview on how (rotating) Coordinating Board members are currently being selected / elected.

The Review of STBP's Manual of Procedures and interviews showed that selection procedures for the following constituencies are at present unclear:

- *NGOs / Technical Agencies*: There are currently three seats for this constituency, two of which are reserved for The Union and CDC. This leaves one seat for other NGOs / TAs although 70% of STBP members are NGOs. The position of KNCV, as a founding member, has been unclear, following an agreement to alternate the third seat between Northern and Southern NGOs.
- *Regional Representatives:* A number of interviewees have voiced concerns that the selection process for the six regional seats, which are selected by WHO, is not transparent or inclusive enough.
- *High-burden Countries:* The above concerns also apply to the selection of high-burden representatives. It is in particular unclear who nominates and selects the candidates.

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[2] http://www.stoptb.org/about/cb/ (accessed 28 December 2011).
[3] http://www.stoptb.org/about/cb/excom.asp (accessed 28 December 2011).
[4] http://www.stoptb.org/about/secretariat.asp (accessed 28 December 2011).
[5] E.g. the Sub-Committee on Governance, Performance and Finance.
[6] This group is currently composed of the Time-limited Taskforce on STBP Working Groups and the TB and Human Rights Taskforce.
[7] http://www.stoptb.org/about/structure.asp (accessed 28 December 2011).
[8] See respective WG websites at http://www.stoptb.org/wg/ (accessed 28 December 2011).

Furthermore, a number of countries that currently fall under this category are emerging economic powers (and donors).

- *Foundations:* Also unclear is the selection process of foundations. So far, constituency elections, as defined in some sections of STBP's Manual of Procedures,[9] have not been held.
- The level of representation has been noted as variable. Not all institutions are represented at an adequately high level at Board meetings; some Board members appear to be participating on a personal capacity only.

Selection Process for Chairperson

The Chairperson of STBP *must* be elected from existing Board members (unlike the Chairs of UNITAID and the Global Fund). Other boards include the option to select (or recruit) external candidates.

Interview findings show that the selection process for STBP's Coordinating Board's Chairperson is considered clear, and has been implemented correctly in the past. In some years, there has been only one nominated candidate. In most years, there have been two. In addition to the high proportion of permanent and long-serving Board members, the "candidate pool" for Chairpersons has therefore been very limited.

Implementation of Board Policies

The Review of STBP's Manual of Procedures found that many Board procedures were not being implemented correctly (e.g. members continued to sit on the Board in a personal capacity despite the termination of an institutional affiliation; procedures in cases of vacancies were unclear; and term durations were not adhered to). Several interviewees noted that the Board operated in an *ad hoc* manner much of the time, as guiding documents were not very useful due to inconsistencies and gaps (discussed further in Track 3 of this study).

Several interviewees also noted that implementing e.g. rotation guidelines in a strict manner could, however, lead to the selection of unmotivated or unrepresentative members in particular for regional, corporate and NGO representatives. There appears to be a need to balance transparency / accountability in implementation with a certain degree of flexibility in order to ensure that the Board's overall effectiveness is not undermined.

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[9] The Review of the Manual of Procedures found that selection procedures for foundation representatives to the Board are covered in a conflicting manner in five different sections in the Manual.

3. ALTERNATIVE SCENARIOS

Clarifying the Roles and Functions of STBP Governance Bodies

There appears to be agreement among many previous and current Board members that "the role and focus of the Partnership and Board have become unclear."[10] Although the role of the Board has been on the "website since 2000…and is clearly stated",[11] the list of functions is extensive and delineation with other STBP bodies is not always clear. As already stated by a Board member in 2008: "Perhaps more clarity is needed on respective roles (of the Partnership)."[12]

Other institutions, such as GFATM, have faced similar issues. Aims of GFATM's recent governance reform process have included: limiting the Board's focus to strategic issues (and away from micro-management, i.e. reducing the number of functions and tasks), prioritizing meeting agendas, and increasing delegation of decision-making authority. GFATM is therefore aiming to focus the Board's role on strategic discussion and decision-making.

In practice, STBP's Executive Committee already plays an important role in the Partnership's decision-making structures.

Changing the Selection Process for Rotating Board Members and Chairperson

Rotating Members

The Review of STBP's Manual of Procedures showed that even where member constituencies are supposed to organize their own elections (e.g. foundations, corporate sector), this policy is not being implemented in practice. Other organizations, such as GFTAM, leave member selection to constituencies, and only demand that these procedures are made transparent and available, and that GFTAM is notified of the results. From an accountability perspective, leaving elections to constituencies would be beneficial. The Board and Secretariat would furthermore have efficiency gains (less time and resources for managing elections).

Chairperson

As noted above, GFATM and UNITAID allow for external candidates to become Chairperson of the board. The benefits of this include the possibility to recruit "high profile" candidates directly onto the board, to recruit a Chairperson with relevant and extensive experience in this role, to have a person on the Board who is neutral from a constituency, and to ensure that "new blood" is injected into the Board every few years. The costs are that an external Chairperson may not be as accountable as an existing constituency representative, may not have as much institutional memory, and may feel "unequal" to other Board members, resulting in tensions.

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[10] Interview from September 2011 on the Review of STBP Manual of Procedures.
[11] Espinal, Verbatim Report, p.26.
[12] Sommerfeld, Verbatim Report, p.32.

Ensuring that Board Policies are Implemented

Two main variables can improve the implementation of Board policies.

First, if the policies themselves are clear, consistent, and easily available (an issue discussed in detail in Track 3), there is less space to ignore them or to invent *ad hoc* policies to fill existing gaps. A review of STBP's guiding documents would thus result in improved board functioning.

Second, as noted above, these policies also need to be implemented correctly. As even the best procedural guidelines cannot describe all potential situations, it should be made clear who may interpret guidelines (and who is to take these interpretations into account in future guideline revisions).

4. INITIAL IDEAS FOR IMPROVING BOARD FUNCTIONING

- **1: Re-evaluate the functions and tasks of the Coordinating Board, Executive Committee, and other Committees**
    i. Reduce the number of Board member obligations to allow for more time for strategic discussion and decision-making (i.e. there are a significant number of sessions at the Coordinating Board that are for information only. The Board may wish to consider having fewer of these sessions in order to allow increased time for strategic decisions (these information sessions could, for example be presented to a committee instead of the Coordinating Board)).

- **2: Consider increasing constituency self-selection of Board members**
    i. For stack seats, reconsider constituency-led selection/election processes with the assistance of the Secretariat where appropriate.
    ii. Ensure that selection procedures and outcomes are made publicly available and are transparent.

- **3: Allow for a Chairperson to be recruited externally**
    i. Define clear selection criteria, roles and functions, accountability, term duration, voting rights (see also Track 3 ideas on TORs).

- **4: Ensure high-level member representation and institutional representation on Board**
    i. Ensure that all new Board members are aware that they represent an institution / constituency and are not on the Board in a personal capacity.
    ii. Ensure that an adequately high level of institutional representatives attend Board meetings.

- **5: Increase Secretariat's role in supporting Board members and meetings on procedure**
    i. Provide introduction or more extensive training for new Board members on procedures.
    ii. Ensure the Board is fully informed when procedures are updated.