Code of Good Practice for NGOs Responding to HIV/AIDS

SIGN-ON, IMPLEMENTATION & ACCOUNTABILITY

OPTIONS & RECOMMENDATIONS

Contents

Abbreviations

Code of Conduct	Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief
Code of Good Practice	Code Of Good Practice for NGOs Responding To HIV/AIDS
Federation	The International Federation of Red Cross and Red Crescent Societies
NGO	Non-Government Organisation
SCHR	Steering Committee For Humanitarian Response

1. INTRODUCTION - PURPOSE OF THIS PAPER

This paper has been prepared at the request of the Code of Good Practice Steering Committee. Its purpose is to:

- Review recent experience in developing and implementing inter-agency codes and guidelines among international non-government organisations
- Outline three options for Code endorsement, adoption and implementation and to recommend one of these options to the Steering Committee
- Consider in broad terms any implications for the Code of Good Practice Project in the light of options outlined and recommendation made.

2. BACKGROUND TO THE CODE OF GOOD PRACTICE

2.1 Origins of the Code of Good Practice[i]

The UN Millennium Declaration in 2000 highlighted the link between vulnerability to HIV/AIDS and development goals.[ii] The 2001 UN Declaration of Commitment on HIV/AIDS in 2001 set time-bound targets on addressing the AIDS pandemic.[iii]

NGOs have advocated nationally and internationally for governments and UN agencies to make the UN's Declarations, the commitments they contain and the goals that they set a reality. They have spoken up on behalf of marginalized and vulnerable communities and facilitated the participation of these communities in HIV/AIDS response.

As the extent and impact of the AIDS pandemic have grown, the number and range of NGOs specialising or expanding their role in HIV/AIDS has increased. This increased response is welcomed but presents the sector with new challenges. Firstly, the sector sees it as particularly important to ensure that lessons learned in the past two decades are not diluted but, rather, guide the allocation of resources and the scaling up of HIV/AIDS programmes.[iv]

Secondly, the number of NGOs entering the HIV/AIDS sector has, at times, led to questions about the quality and accountability of programmes they deliver. Some NGOs have lacked resources, technical skills or experience. This has implications for the quality of programming, monitoring and evaluation.

Thirdly, the increasing number of NGOs has occurred alongside changes in the global funding environment for HIV/AIDS. This has is seen as fragmenting the collective 'voice' on HIV/AIDS advocacy and response NGOs once had.

Strong consensus about the need to harness the growing global commitment to HIV/AIDS by supporting and strengthening the role of NGOs emerged at a Civil Society Consultation meeting in November 2002.

Participants at this meeting agreed to develop a voluntary Code of Good Practice for NGOs involved in HIV/AIDS response. A Steering Committee keen to support the initiative was formed. Its members provided project funding to undertake the work involved.[v]

2.2 Purpose of the Code of Good Practice

Through development of the Code of Good Practice the project aims to:

a) Outline and build wider commitment to the principles, practices and evidence base that underscore successful work by NGOs in the field of HIV/AIDS.
b) Assist "Supporting NGOs" (see below) to improve the quality and cohesiveness of their work on HIV/AIDS and their accountability to NGO partners and beneficiary communities
c) Foster greater collaboration between the wide variety of Supporting NGOs that are now responding to the HIV/AIDS pandemic
d) Reinvigorate the 'voice' of NGOs in the HIV/AIDS response by enabling them to commit to a shared vision of good practice in their programming and advocacy agenda.

2.3 Audience for the Code of Good Practice

The *Code of Good Practice for NGOs Responding to HIV/AIDS* is voluntary. Any NGO may sign on to the Code. The term NGO encompasses the wide range of organizations that are 'not for profit' and 'non – government' including community based organizations, faith based organizations, and organizations of affected communities including people living with HIV/AIDS, sex workers, women's groups, among many others, who are active in the HIV/AIDS response.

The Code of Good Practice is intended to support the work of any NGO undertaking HIV/AIDS work. However, given the diversity and complexity of the global pandemic and the wide variety of NGOs engaged in HIV/AIDS, this Code is focused on NGOs that provide any or all of the following:

- technical support
- financial support
- capacity development
- advocacy support

for NGOs that implement programmes in country.

This target audience for the Code is referred to as 'Supporting NGOs'. Supporting NGOs are likely to be international or national NGOs. This approach does not preclude any NGOs from becoming signatories to the Code if they wish.

2.4 Current mandate and status of the Code of Good Practice Project

The Code of Good Practice project is an inter-agency project based at the premises of the International Federation of Red Cross and Red Crescent Societies (the Federation). To date Steering Committee organizations have contributed $200k to fund the project. The project employs one person, the project Manager.

Further funding will be sought to support the project in August to December 2004. During this period the project will focus on production and distribution of the Code in five languages – English, Spanish, French, Portugese and Russian.

Mandate, status and structure of the Code of Good Practice project during this phase and afterwards have implications for sign-on and implementation.

2.5 Sign-on, implementation and accountability

The draft Code of Good Practice envisages that Supporting NGOs which ‘sign on’ to the Code will be held accountable to the principles it outlines and promote its utilization in their work with NGO partners. Consultation on the draft Code of Good Practice has also sought NGOs’ views on implementation and accountability.

The consultation process continues until early October 2004 and includes a panel discussion with satellite link at the Bangkok International AIDS Conference in July.[vi] It is envisaged that the final version of the Code of Good Practice will be launched on World Aids Day, 1 December 2004.

The draft Code of Good Practice also identified other initiatives by networks in the aid sector that offered useful lessons on implementation and accountability. These were:

- the *Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief* (Code of Conduct)
- the Sphere Project’s *Humanitarian Charter and Minimum Standards in Disaster Relief* (Sphere) and
- the *People In Aid Code of Good Practice in the Management and Support of Aid Personnel* (People in Aid).

These initiatives are examined in the following sections in order to identify options for progressing the Code of Good Practice.

3. CODE OF CONDUCT FOR THE INTERNATIONAL RED CROSS AND RED CRESCENT MOVEMENT AND NGOS IN DISASTER RELIEF

3.1 Origins and purpose of the Code of Conduct

The Code of Conduct, developed by members of the Steering Committee For Humanitarian Response (SCHR) and the Red Cross movement reflected fears that, when war or disaster occurred, the needs of those who had first claim on humanitarian organisations took second place. Ahead of them were political imperatives, media headlines and donor agendas. Then as now there was concern about a blurring of the 'boundaries between humanitarian and military action'[vii] and the independence of the humanitarian sector.

There was also concern that humanitarian agencies had no accepted body of professional standards to guide their work at a time when new agencies were coming into the humanitarian sector. Whether experienced or newly-created, humanitarian assistance agencies could make mistakes, be misguided or sometimes misuse the trust placed in them' [viii]

3.2 The Code of Conduct and its audience

The Code was first published as a 14-page booklet in 1994. Today it is available free from the International Federation of Red Cross and Red Crescent Societies (the Federation), its website and those of other organisations. In addition to ten principles addressed to NGOs and the Red Cross movement (see Annex 1), the Code of Conduct has two annexes which make recommendations to government and intergovernmental organisations. Hence, its potential audience also included donor governments, governments of disaster-affected countries, UN agencies and others.

The original intention had been to have states endorse the Code of Conduct too. However, though they welcomed the Code, states would not endorse it as they had not been part of the negotiation process.[ix] Nevertheless, the number and authority of NGOs that became its signatories meant that the Code of Conduct gathered momentum and authority within the sector. Its endorsement by NGOs became, in some cases, a donor requirement.[x] In other cases, it was a signal that NGOs had considered the issues the Code of Conduct addressed.[xi]

3.3 Secretariat and structure

At this time the SCHR comprised chief executives or senior directors from the largest humanitarian NGOs: the International Federation of Red Cross and Red Crescent Societies, Caritas Internationalis, Catholic Relief Services, the International Save the Children Alliance, the Lutheran World Federation, Oxfam and the World Council of Churches. The International Committee of the Red Cross (ICRC) was not part of the Steering Committee but participated in the preparation of the Code together with the Federation.[xii]

The SCHR has a single staff member based at the Geneva offices of the Federation. However, although the Code of Conduct originated in the SCHR, its effective secretariat, sign-on mechanism and all administration associated with it are located in the Federation, as described below.

3.4 HIV/AIDS and the Code of Conduct

The Code of Conduct makes no references to HIV/AIDS or health. Its signatories, however, include a number of agencies that deliver HIV/AIDS programmes including Code of Good Practice Steering Committee members:

- ActionAid
- IFRC
- World Council of Churches.

3.5 Signing up to the Code of Conduct

Draft texts were prepared and revised during 1992-93 by representatives of the eight SCHR members. Once the draft text was finalised, each member presented the Code to its governing body for approval. All members completed this process in 1994 and the Code was published in the middle of that year, bearing the names of the agencies that initiated and endorsed it. [xiii]

In addition to internal dissemination within the eight agencies involved in its preparation, 800 copies of the Code of Conduct were sent to European NGOs through the EC-NGO Liaison Committee in Brussels and 200 to US NGOs via InterAction. Copies were also disseminated to governments via their diplomatic missions in Geneva and New York.

The back page of the Code of Conduct contained a registration form for NGOs to notify their intent to abide by it. By the end of 1994 nineteen other humanitarian agencies had done so. Although the Code of Conduct originated in the SCHR, the Federation's Disaster Preparedness and Response Department continues to maintain the Code register and public record of NGOs that sign up to it. Agencies can now sign on using a form on the Federation website to (see Annex 2).

Signatories are asked to confirm that: "We would like to register our support for the Code of Conduct and will endeavour to incorporate its principles into our work." The Federation website lists agencies that have signed on:[xiv]

	AGENCY NAME	COUNTRY
102	Family AIDS Caring Trust	Zimbabwe
103	Family Rehabilitation Centre	Sri Lanka
104	Family to Family	Canada
105	Federation of Interfaith Orphanage and Allied Educational Relief Technical Training Institutions	India

3.6 Implementation of the Code of Conduct

The SCHR does not regard itself as responsible for Code "ownership" or implementation.[xv] Thus there is no recommended implementation process following sign-on. Although by the mid-1990s most of the larger agencies had signed up, the Code of Conduct was never promoted or used actively by senior managers.[xvi]

3.7 Accountability

The Code of Conduct is self-policing. "It is a voluntary code, enforced by the will of the organisation accepting it to maintain the standards laid down in the Code."[xvii] There is no provision within it for evaluation. The extent to which signatory agencies interpret and adhere to its ten principles is a matter for them and their personnel to determine. "To many observers the absence of a body responsible for monitoring adherence to the Code and with the powers to encourage or even enforce such adherence represents the principle weakness of the Code."[xviii]

There has been no revision of the Code since 1994. In 2004 the SCHR and the International Council of Voluntary Agencies plan a commentary on its use over the last ten years.[xix]

3.8 Main strengths and weaknesses of the Code of Conduct as a model

a) Strengths

The Code of Conduct was not the first in the humanitarian sector. It was, however, almost certainly the first to receive significant "marketing." This distribution was essential for the Code to gain currency. The authority and reputation of its first signatories undoubtedly added to the impact of distribution.

Distribution raised awareness within the humanitarian system of the issues the Code of Conduct addressed and sign-on by other agencies was a simple, no-cost process. They could signal their commitment to the Code and its principles by post or email to the International Federation of Red Cross and Red Crescent Societies. In 2004, ten years after its publication, three hundred humanitarian agencies from "north" and "south" have done so.

The Federation has remained the Code of Conduct's secretariat hence no other has been established. [xx]

The brevity of the Code and the simplicity of the sign-on process meant that the Code was endorsed by signatories in full.

b) Weaknesses

The weaknesses of the Code as a model include lack of involvement in its development by agencies outside countries of the anglophone and francophone "north." Lack of early engagement with organisations other than NGOs also limited the Code's intended impact outside the NGO sector.

Without any structure or forum to support the agencies that "endeavour to incorporate its principles into our work" the Code of Conduct inhibited its ability to influence the quality of programmes.

Similarly, with no means of verifying whether signatories comply with the Code, its contribution to accountability remains weak: sign-on remains literally a statement of principles and, potentially, a token gesture. There is no structure whereby a breach of the Code can be reported hence there is no transparency as far as the sector or beneficiaries are concerned.

After ten years, the Code has not been revised hence fails, for example, to mention HIV/AIDS.

Sign-on, implementation and accountability	***✓ Strengths of model***	***✗Weaknesses***
CEOs in major agencies endorsed the Code of Conduct before its publication.	The endorsement by major agencies added to the Code's credibility and to the willingness of other NGOs to sign on. Together with widespread dissemination, this helped build wider commitment to the principles and practices that underscored the Code.	There was "northern" involvement only in the Code of Conduct development. Lack of involvement by government or UN agencies in drafting meant that other potential target groups did not formally endorse the Code.
Sign up process is via a tear-off form or via the Federation website.	The process is very easy, especially if you have web access. The simple form means signatories endorse the *whole* Code or not at all.	Sign-on may simply be a token gesture. Anyone can do it.
The Federation maintains and publishes the register of signatories on its website.	This ensures a low-maintenance "home" for the Code of Conduct and transparency. It enables signatories to be seen to commit to a shared advocacy agenda.	There is no means of reporting a breach of Code to the wider aid community or of removing signatories from the register. The model does not address issues of transparency vis a vis beneficiaries.
There is no implementation process or support for signatories.	Model has no resource implications for signatories or for the group that initiated the Code.	Model does not assist agencies to improve the quality and cohesiveness of their work.
There is no accountability process or support for signatories.	Model has no resource implications for signatories or for the group that initiated the Code.	Model does not assist agencies to improve accountability to NGO partners and beneficiary communities.
There is no real or virtual forum for signatories.	Model has no resource implications for signatories or for the group that initiated the Code.	Model does not assist agencies to continue building wider commitment to principles, practices and evidence base Model does not help to foster greater collaboration between NGOs
Code of Conduct is ten years old in 2004	Despite minimal investment in terms of resources, the Code of Conduct has stood the test of time:	There has been no revision of Code – it does not mention HIV/AIDS – or independent evaluation of its impact.

4. SPHERE

4.1 Origins and purpose of the Sphere Charter and Standards

The Sphere project was founded in 1997 by the SCHR and the USA's InterAction NGO network. Members of the two umbrella organisations aimed to set out what people affected by disasters had a *right* to expect from humanitarian assistance and to improve the quality and accountability of humanitarian assistance. The Sphere project Phase 1 had four goals:

1. To develop a humanitarian charter for people affected by disasters, in a style similar to the *Red Cross and Red Crescent Movement and NGO Code of Conduct.*
2. To compile, primarily from existing material and current best practice, a set of minimum standards covering essential goods and services, implementation of assistance and stake-holder accountability.
3. To ensure that the resulting products were acceptable to the international humanitarian community and that a high degree of ownership was felt towards them.
4. To formulate and embark upon a strategy for the widest possible dissemination and adoption of the charter and implementation standards throughout the international humanitarian community. [xxi]

4.2 The Sphere Charter and Standards and their audience

The Sphere Charter and Standards are intended to be universal and applicable in any operating environment. They are designed for use in disaster response, disaster preparedness and humanitarian advocacy.[xxii]The Charter and Standards form a comprehensive Handbook which can be downloaded free from the Sphere website.[xxiii] The hard copy is published, sold and distributed internationally by Oxfam Publishing. The English version of the 2000 edition of the Sphere Handbook was the biggest-selling catalogue item in its catalogue, with approximately 30,000 copies sold. On this basis, the Handbook has been termed the most popular basic text in humanitarian assistance.[xxiv] In the first six months of its existence (October 2003 to March 2004), the English version of the 2004 edition of the handbook sold over 7,000 copies, and went for a second print run. The Handbook is regarded as particularly significant in providing a common reference point and 'language' to facilitate coordination between actors in the humanitarian field.[xxv]

The Sphere Charter and Standards have been revised twice. The 2000 edition of the handbook was available in 22 languages, including French, Spanish, Portuguese, Russian, Arabic, and other languages, including Vietnamese, Khmer, Thai, and Bahasa Indonesia. The 2004 edition is so far available in English, Spanish, French, Farsi and Japanese. An Arabic version will be available in September 2004.

4.3 Sphere secretariat and structure

The Sphere project has a thirteen-member management committee. The committee represents: the SCHR; InterAction whose membership comprises approximately 160 US NGOs; the VOICE network of ninety European-based NGOs; and ICVA, a global network of approximately seventy NGOs. All representatives on the Sphere management committee are senior directors or managers in their own agencies.

Sphere has three full-time staff in its project office at the Geneva headquarters of the Federation. The team comprises a Project Manager, Project Officer and Senior Project Assistant. Additional consultants are hired for specific projects, for example, training. In 2004 Sphere has an annual budget of approximately $US 850,000. A consultation process about the future of the project beyond December 2004 has recently been completed and its results are being considered by the Sphere Management Committee. The report on the consultation process, and details of decisions about the future as they are made, are available on the Sphere website. [xxvi]

4.4 HIV/AIDS and Sphere

Chapter 1 of the Sphere Handbook has a cross-cutting standard on the management and support of personnel. This includes a requirement to brief field staff on the prevention of HIV/AIDS. The Sphere standards are accompanied by indicators on humanitarian goods and service delivery in five key areas, including health. Chapter 5 of the Sphere Handbook includes a health standard on HIV/AIDS.

Agencies associated with Sphere include a number that deliver HIV/AIDS programmes. Code of Good Practice Steering Committee members associated with Sphere are:

Code of Good Practice Steering Committee	Sphere Project
ActionAid	Member of ICVA (which is represented on the Sphere management committee)
CARE US	CARE US is a Sphere pilot agency CARE International is a member of the Sphere management committee
International Federation of Red Cross and Red Crescent Societies	Sphere pilot agency Member of Sphere management committee
World Council of Churches	Sphere pilot agency Member of Sphere management committee

However, although Caritas India is a Sphere pilot agency and Caritas International a member of the Sphere management committee, the revised 2004 Handbook notes that members of Caritas Internationalis do not endorse Sphere standards on HIV/AIDS that relate to the use of condoms.[xxvii]

4.5 Signing up to the Sphere Charter and Standards

There is no formal Sphere sign-on process. At the London conference held to launch the preliminary edition of the Sphere Charter and Standards in December 1998, the project received public commitment to further collaboration and support from the International Director of Oxfam, the Director Generals of the International Federation of Red Cross and Red Crescent Societies and CARE, the Secretary General of Caritas International and the Coordinator for the World Council of Churches and Lutheran World Federation. [xxviii] These agencies were all founding members of Sphere.

At that time, over 200 organisations, including NGOs, academic institutions, United Nations and government agencies had contributed in some way to the Sphere project. It had received financial support from eight NGO networks and ten government donors. Senior representatives of these other organisations were also invited to speak at the conference – both for and against the Charter and Standards.

4.6 Implementation of the Sphere Charter and Standards

Phase 2 of the Sphere project aimed to encourage adoption and use of the Sphere Charter and Standards by relief agencies and donors.[xxix] It set itself five goals:

1. Dissemination of information about the Sphere Charter and Standards
2. Field-testing the applicability of Standards in a range of operational environments
3. Integrating gender and protection into the Charter and Standards
4. Development and promotion of training on the Sphere Standards
5. Development of mechanisms for handling complaints

Goal 4 on development and promotion of training aimed to ensure widespread awareness of the standards, allow technical content to be reviewed and amended, and help agencies begin to fulfil Charter and Standards.

International activities included [xxx]

- The establishment of an advisory group on the content and format of Sphere training
- A field trip to Angola to observe the potential and relevance of a training programme in a difficult environment.
- Development of training modules and materials to help agencies apply Sphere in the field throughout the programme cycle. Modules provided an introduction to Sphere and covered the Humanitarian Charter, Sphere and the project cycle and Sphere and disaster preparedness. Materials included, “Using the Sphere Handbook for Assessments, Analysis and Program Planning.” In 2004 training materials, module, case studies and videos are available to download free or purchase via the Sphere website.
- Half and one-day seminars for senior operational managers of NGOs, donor representatives, UN agencies and local government officers in Burundi, Canada, England, El Salvador, Ethiopia, Germany, India, Ireland, Kenya, Kosovo, Mozambique, Rwanda, Sarajevo and Sri Lanka.
- Inter-agency workshops, hosted by an NGO in cities where there was a concentration of humanitarian agencies. The host NGO handled logistics, leaving Sphere to provide funding, facilitators and content. Workshops examined local opportunities and applications for the Sphere Charter and Standards and discussed quality and accountability.
- A Training of Trainers workshop. Participants subsequently facilitated Sphere workshops within their own agencies or as independent consultants.
- A pilot programme, with approximately twenty agencies from “north” and “south” which began systematically incorporating the Sphere Charter and Standards into agency policy and practice. The pilot program included: dissemination of the Sphere Charter and Standards and training, programme practice, monitoring and evaluation, and human resources issues. The

agency implementation programme was accompanied by an extensive dissemination programme in accordance with Goal 1. This included distribution of the Sphere handbook, further development of the website, an e-mail newsletter, a video and presentations.[xxxi]

Following recommendations by pilot agencies in 2002 field-level institutionalisation of Sphere is continuing in five focus countries: Democratic Republic of Congo (DRC), El Salvador, Honduras, India and Nicaragua. In each country a Memorandum of Understanding with the Sphere Project has been signed by a committee of NGOs, government and other agencies that agree to work towards improved humanitarian assistance through the use of Sphere. [xxxii] This has enabled agencies at local or regional level to share experience and costs, "tailor" work to meet local needs and circumstances and advocate Sphere standards in the field. The Sphere secretariat in Geneva supports independent regional and local initiatives by funding, technical support and/or translation and dissemination of lessons learned, for example via a web-based newsletter, Sphere in Practice, on local and regional activities.

In El Salvador, for example, a group of thirteen agencies, including CARE and the Federation's El Salvador Delegation signed an agreement and raised $30,000. They jointly hired a technical coordinator, based in a host agency, to serve as a resource for institutionalisation work and began a local training of Sphere trainers. The Sphere Project hired a coach to assist this resource person and also agencies in Honduras and Nicaragua with training and advice. [xxxiii] A number of Sphere capacity-building days and Sphere co-ordination meetings have been held.

The Sphere group in Honduras has thirty agency members. The group recently hired a resource person for the Sphere Honduras secretariat which is based at the office of one of the group members. In Honduras Sphere has been adopted by the government body in charge of disaster and relief co-ordination. A Sphere training process is underway in fifteen municipalities. Trained staff from the Sphere Honduras group facilitated a workshop and are accompanying government officers to strengthen government training at municipal level. [xxxiv]

In the DRC, Sphere working groups have been formed in Kinshasa and Goma. A total of nine agencies in the east and west of the country have pooled resources with the Sphere secretariat in Geneva to finance the one-year pilot. The host agency in Kinshasa has been recruiting French speakers to train interagency groups in data collection methods and the use of the Sphere handbook to audit projects. Working in close collaboration with donors and UN agencies, Sphere members in the DRC have held training of trainer workshops and exchanged lessons between agencies, sectors and the DRC's eastern and western regions. [xxxv]

Sphere India has seventeen institutional members, with CARE India and Oxfam GB as Chair and Vice-Chair of the coalition. The Sphere India Secretariat was established in September 2003 at the office of one of its member agencies and Sphere India has its own website. During the Assam Floods of 2003, Sphere India sent a Joint Assessment Team to assess need. Sphere members in Orissa conducted joint assessments and some joint implementation activities during the floods there in 2003. Sphere India has also conducted workshops on rapid environmental assessment and emergency needs assessment.[xxxvi]

Sphere implementation is also being carried out by groups of agencies working in Burundi, Kenya, Afghanistan and the Pacific Islands.[xxxvii]

4.7 Accountability

One of the principal weaknesses of the NGO Code of Conduct was regarded as its lack of an accountability mechanism. Sphere's Goal 5 was the development of mechanisms for the handling of complaints. The Sphere project Management Committee commissioned research by a consultant who concluded that handling complaints and redress was part of a wider accountability process.

Published in 2000, *'Increasing accountability among humanitarian NGOs in disaster response'*[xxxviii] concluded that the humanitarian sector as a whole needed 'improved internal monitoring and room for joint, peer-based assessments and evaluations.' The report found experience of 'upward' and 'downward' accountability on which the project could draw, principally within self-regulation initiatives in national NGO networks, and at People In Aid.[1] The recommendations were not accepted by the Sphere Management Committee and the aim of addressing complaints was shelved.

An external evaluation of the Sphere Project itself, published in 2004, noted that while donor organizations were familiar with Sphere and praised it, there were "neither rewards for NGOs who use it more, nor negative consequences for those who do not use it at all."[xxxix] Sphere was nonetheless perceived to be an important and positive influence on humanitarian assistance. Some NGOs had adopted the Sphere Charter and Standards to a considerable extent, incorporating them into rights-based approaches, proposal writing, programming, and project implementation. In other agencies knowledge and use of the Sphere Charter and Standards remained more superficial. [xl] It was also difficult, given the context of humanitarian assistance to gauge Sphere's impact, a question the project is now addressing.

4.8 Main strengths and weaknesses of Sphere as a model

a) Strengths

Sphere consulted extensively among NGOs, UN and government agencies in both shaping and revising its Charter and Standards. This helped build "ownership" of the Charter and Standards before and during the process. Commitment to the project was given by major NGOs at the launch of the Handbook. This added to the credibility and authority of the Charter and Standards.

Distribution and sales of the Sphere Handbook were and remain wide in English and in numerous other languages, building support outside the circle of anglophone and francophone NGOs and governments.

Pilot implementation of the Charter and Standards took place in several countries. It took many forms. Implementation helped maintain awareness of the issues the Charter and Standards raised among different groups of agencies. Workshops and other training were available at no cost in the field.

Training materials, including the Sphere Charter and Standards themselves, remain free to download via the website. The Handbook, training and website are seen as the three key products of the project.[xli]

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[1] In the context of HIV/AIDS, UNAIDs defines "upward" and "downward" accountability as follows:
Upward: To donors, foundations etc. (financial level – accountable for the use of funds, achievement of results, etc.)
Downward: To those infected and directly affected by the disease in the countries (the individual level – helping people in need and making sure they benefit from investments).
(Clearing the common ground for the "Three Ones", 30.04.04)

Increasingly, agencies brought together by Sphere to implement the Charter and Standards have begun to use local and regional networks of NGOs, government and/or UN agencies to collaborate on training and implementation. Increasingly Sphere is being "embedded" through local Sphere secretariats based in pilot agency offices. These have resulted in joint workshops, publications, need assessments and programme delivery.

The Sphere Charter and Standards have been revised twice. Revision has enabled the document to fill gaps and to keep abreast of changes.

As with the Code of Conduct, Sphere has had a base at the Geneva headquarters of the International Federation of Red Cross and Red Crescent Societies. However, in the case of Sphere, human and financial resources are available to develop, support and manage Sphere's activities.

b) Weaknesses

Sphere's weaknesses as a model for the Code of Good Practice include its lack of a clear-cut sign-on mechanism. While this makes agency access to the Sphere Charter and Standards very easy, it makes it difficult for Sphere to enumerate which agencies have made a clear-cut commitment to Sphere standards and hard to gauge the depth, quality and effectiveness of their engagement.

Agencies that do adopt the Sphere Charter and Standards can also choose to dissociate themselves from certain parts, notably sections on protection from HIV/AIDS. That can inhibit Sphere's effectiveness in advocating the standards it promotes.

Sphere's intention to set up a complaints mechanism was shelved: there is no structure within which a breach of the Sphere Charter and Standards can be reported or redressed. Sphere has no means of measuring agencies' achievements in adopting the Charter and Standards or of verifying whether agencies comply with its standards hence its contribution to transparency and accountability are limited.

Although it has a small team of three staff, Sphere requires central and regional investment of financial and human resources by donors, the Sphere management committee and by agencies to support secretariats and organisations that adopt the Charter and Standards.

Sign-on, implementation and accountability	✓ *Strengths of model*	✗ *Weaknesses*
Many agencies were involved in developing the Sphere Charter and Standards	Together with widespread dissemination, involvement helped build understanding and wider commitment to the principles and practices that underscored Sphere among NGOs, UN and government agencies.	Process had resource implications for Sphere management committee agencies.
CEOs in management committee member agencies pledged support for the Sphere Charter and Standards at their launch.	Management committee members are an authoritative voice in the humanitarian sector. This voice added to Sphere's credibility and in turn encouraged other NGOs to pilot or use Sphere.	Management committee members may dissociate themselves from sections of the Handbook, e.g. protection from HIV/AIDS. This may weaken standards promoted as part of a shared advocacy agenda.
NGOs and donors that had reservations about Sphere were given a voice at the launch of the Charter and Standards.	This ensured wider debate about quality and accountability in the sector.	
Sphere has no formal sign-on process but widespread dissemination was followed by a pilot process that involved 20-50 agencies all over the world.	Agencies can "adopt" Sphere Charter and Standards informally. About 400 are thought to have done so.	It is difficult to verify with accuracy the number of agencies using Sphere informally.
Sphere has a secretariat and staff based at the Federation in Geneva. It has 3 full-time staff plus consultants.	This ensures a "home" for the Sphere Charter and Standards.	Model has resource implications for Sphere.
Sphere has a structured implementation process and training programme to support pilot agencies and local networks using the Charter and Standards. Increasingly pilot agencies are "going it alone" setting up local Sphere secretariats and programmes.	Model assists pilot agencies and others to improve the quality and cohesiveness of their work	Model has resource implications for pilot agencies and for Sphere.
Sphere maintains and publishes information on its website about pilot agencies and their implementation activities.	This enables pilot agencies to be transparently seen to commit to a shared advocacy agenda.	
There is no accountability process.	No resource implications for pilot agencies or for Sphere.	No means of reporting a breach of Sphere Charter and Standards to the wider aid community. Model does not assist agencies demonstrably to improve accountability to NGO partners and beneficiary communities.
Workshops all over the world offer an opportunity for agencies to meet and share experience. The website provides a virtual	Model assists agencies below) to continue to improve the quality and cohesiveness of their work.	Model has resource implications for Sphere and for agencies.

forum with training modules, materials, newsletter, etc.	Model enables greater collaboration between NGOs.	
Sphere Handbook has been revised twice since 1998 and widely translated. It addresses HIV/AIDS in humanitarian programmes and the workplace.	The Sphere Handbook has stood the test of time. Despite being free online, it is also the humanitarian sector's best-seller.	Independent evaluation notes difficulty of demonstrating the impact of Sphere.

5. PEOPLE IN AID

5.1 Origins and purpose of the People In Aid Code

People In Aid began life as a short-term British-based project by four NGOs - British Red Cross, International Health Exchange, RedR and Save the Children – plus the UK Department for International Development. It conducted research among expatriate field workers which revealed that stress among field staff was due to management issues as well as the strain of working in humanitarian assistance or development. [xlii]

Other research in the sector, including a major evaluation of humanitarian response in Rwanda in 1994, had found that uneven management of staff was among the barriers to effective programme delivery.[xliii] Though support for greater professionalism in the sector continued to grow, personnel issues were often addressed only when they became a problem. [xliv]

The People In Aid Code aimed to make better people management part of corporate and programme strategy. It drew on good practice in the sector and on international standards, including United Nations conventions. Its first edition reflected the belief that respect by agencies for 'the human rights and dignity of field staff'[xlv] as well as an awareness of professional obligation, contributed to the quality of field programmes.

5.2 The People In Aid Code and its audience

The first version of the People In Aid Code was developed in association with a steering group of British agencies small and large. The group included project founding members plus Action Health, Health Unlimited, MAF Europe, the Medical Foundation for the Care of Victims of Torture, the Overseas Development Institute, Oxfam, Returned Volunteer Action and Tearfund. In addition, People In Aid consulted a wider group of NGO and UN agencies informally and at a workshop attended by representatives of sixty aid organisations. These included European-based VOICE and ICVA and the USA's InterAction networks.

The revised People In Aid Code is global and intended for all agencies whether international or national. People In Aid began revising the Code in 2001 to reflect lessons learned, fill gaps and ensure the Code was seen to benefit any agency involved in development, humanitarian assistance or advocacy.[xlvi]
It aims to:

- Enshrine the principle that people are central to the achievement of development and humanitarian assistance objectives
- Improve the quality of assistance provided by international and host country staff
- Offer agencies a framework for effective human resources management, helping them assess and raise their performance.[xlvii]

The 32-page Code comprises an overall Guiding Principle followed by a set of seven principles with corresponding indicators (see Annex 3). It can be downloaded free from the People In Aid website[xlviii] or purchased in hard copy.

In 2004 the revised Code is available in English, French and Spanish. People In Aid plans further translations of the Code and is working increasingly with "southern"

NGOs to look at their human resource management needs and further internationalise its work.[xlix]

5.3 People In Aid secretariat and structure

People In Aid was funded solely by the UK Department for International Development until 1998. Code pilot agencies also contributed to costs in Years 2 and 3 of the pilot phase. People In Aid members pay membership fees ranging from $50 to £600 depending on where they are based and their agency's income. Members that receive support from People In Aid to implement the Code and audit their performance against it pay an additional sum. By 2003 People In Aid had an annual budget of approximately £225,000.

People In Aid was based at the London headquarters of the British Red Cross before moving to its own office. As a British-registered charity, it has fifteen board members of whom up to five may be independent trustees. People In Aid has three full-time staff, an Executive Director, Human Resources Service Manager and Communications Manager plus consultants.

5.4 HIV/AIDS and People In Aid

The People In Aid Code links aims and indicators in seven areas: staff health, safety and security; learning, training and development; recruitment and selection; consultation and communication; support, management and leadership; staff policies and practices; and human resources strategy.[l]

Principle 2 of the People In Aid Code focuses on policy. Case studies that illustrate practical application of this principle highlight the work of member agency Oxfam GB which has integrated an HIV/AIDS workplace policy and programme.[li]

HIV/AIDS is also part of a number of People In Aid's other policy and guidance documents:

- The "Policy Pot" offers policy development guidance on *Critical Illness* and *Safety and Security*, referencing internal and external documentation on HIV/AIDS.[lii]
- "Affinity Groups" bring together members with interests in particular areas and experts from the wider sector to discuss issues and learn from one other. One such group was the HIV/AIDS Affinity Group.[liii]
- "Preventing HIV/AIDS" offers advice on implementing appropriate policies and minimising the risk of infection during and after field assignments.[liv] .

The only Code of Good Practice Steering Committee member associated with People In Aid is ActionAid. The Australian Red Cross is a member of People In Aid. The British Red Cross was a founder member and pilot agency.

5.5 Signing up to the People In Aid Code

The first edition of the People In Aid Code was launched in London in 1997 at a high profile event. This was attended by the Princess Royal, the Minister for International Development, chief executives and senior directors from member agencies of People In Aid steering group and other representatives of NGO, UN, academic and employment sectors.

By the time of the launch, twelve chief executives in UK and Ireland-based agencies, including agencies that were not members of the People In Aid steering group, had committed their organisation to a three-year monitored pilot implementation process. Implementing the Code requires a written and public statement by the agency's Chief Executive or Chair.[lv]

Widespread international distribution of the Code, implementation materials and the People In Aid newsletter continued throughout the pilot and attracted other agencies. In 2004 People In Aid has approximately sixty paid-up member agencies all over the world. There is no requirement for members formally to implement the Code but in practice, the decision to do so normally follows a period of membership.

Members are listed on the People In Aid webpage. Member status depends on the extent to which agencies have implemented the People In Aid Code. This is discussed below in the section on kitemarking.

Member	Main HQ	People In Aid Code Status	Date Achieved
International Nepal Fellowship	Nepal	PEOPLE IN AID Member	2001
MOPAWI	Honduras	PEOPLE IN AID Member	2004

5.6 Implementation[lvi]

Responsibility for implementing the voluntary Code remains that of agencies themselves. Pilot agencies were asked to assign a named manager and People In Aid recommended he or she be supported by a team. The decision about where or which groups of field staff the pilot would cover was left to each agency. Decisions were based on agency capacity and size and/or the number of countries for which it recruited field staff.

People In Aid provided support to pilot agencies on request and to all pilots through a baseline survey, joint workshops, a resource centre, research and guidelines on issues of common concern. "Starting Points," a workshop on how to begin adopting the People In Aid Code, was held in September 1997. It focused on overcoming the barriers to organisational change that any new project faced. A second workshop, "Health, Safety and Field Staff" in 1998, encouraged agencies to consider a broader, evidence-based approach to occupational safety in the field.

A volunteer from the private sector offered a free "diagnostic" visit to agencies with no people management professional on their staff. Two agencies hired consultants to assist them in the implementation process.

Success factors identified by pilot agency Tearfund included:

- Endorsement of the People In Aid Code pilot project by the agency leadership
- Appointment of a Code "champion", a programme manager with field experience, from the Senior Management Team
- A pilot project team drawn from programmes, personnel and regional teams
- Allocating responsibility for implementing specific areas of the Code to key people

- Giving those people the time they needed to do a proper job[lvii]

In 2004 People In Aid has on its staff a Human Resources specialist and provides a package of services to members. Training materials include "Getting Started" a leaflet which provides answers to frequently-asked questions on:

- Background to the People In Aid Code
- Steps members will need to take to adopt it
- The costs involved
- The benefits of adopting the Code[lviii]

Non-members can access the People In Aid main website. Members also have access to a members-only site. People In Aid workshops and relevant workshops by member agencies and other organisations are listed in a quarterly newsletter.

In 2003 People In Aid summarised its most popular resources as:[lix]

- Handbooks on essential policy areas
- Guideline policies
- Training on topical Human Resource issues
- The quarterly newsletter in English, French and Spanish
- Research on topics of common concern such as insurance and salaries
- Group meetings by members on immediate priorities, for example HIV/AIDS
- Support for members implementing the Code
- A resource centre and information network

5.7 Accountability

Development of an appropriate accountability process paralleled the People In Aid Code pilot and was integrated into the implementation process (see Annex 4). The People In Aid steering group decided to use social audit. Social audit is used by not-for-profit organisations and ethical companies to measure and improve performance against social and ethical objectives. It is defined as a way in which individuals and organisations report on and are held responsible for their actions.

There is no pass or fail in a social audit: each organisation can move at its own speed to implement a continuous cycle of improvement. Social audit emphasises institutional learning, as well as training for individuals. It encourages organisations to start from "where we are", reviewing and building on existing monitoring, evaluation and quality systems when they measure performance. Most organisations already undertake monitoring activities. These should be investigated, used and adapted before new ones are introduced. Stakeholder participation in assessing performance is key: People In Aid encourages the agency to be accountable to staff and volunteers, who are central to the achievement of its agency's mission.[lx]

DFID provided People In Aid with additional funds for workshops on social audit, consultants' advisory visits to pilot agency headquarters and field offices, the appointment of an independent social auditor and the publication and launch by People In Aid of a report on the audited pilot process. Most pilot agencies involved their field staff in the process through surveys and meetings. People In Aid's consultants visited Kenya and Rwanda to seek the views of field staff on progress in implementing the Code by four pilot agencies working there.

At the end of the pilot's second year agencies "audited" their own performance against the Code's principles and indicators. At the end of the third year the external auditor visited pilot agencies. He interviewed the pilot manager and/or team responsible for implementation of the People In Aid Code and reviewed relevant documents (policies, questionnaire data, etc.). His role was not to pass judgement on the performance of individual agencies but to verify that agency reports gave a true and fair reflection of their implementation of the Code.[lxi] The auditor's opinions and the joint pilot findings were published by People In Aid in 2001.

In 2004 People In Aid has its own Handbook: "Evaluating the People In Aid Code: a Social Audit Manual." The manual can be used alone or in conjunction with People In Aid workshops. A set of slides complements the Manual and gives more detail of the processes involved.[lxii]

5.8 Kitemarking

People In Aid's full members receive discounts, information and support on Human Resource topics of concern to them. Approximately half of People In Aid's member agencies are using the Code in some way but may not yet have started to adopt the People In Aid Code formally.[lxiii]

At the request of its members People In Aid developed a kitemark system. A kitemark is a quality or reliability symbol. People In Aid awards kitemarks to recognise the achievements of those members that are formally implementing and externally auditing their performance against the People In Aid Code.

"Committed to the People In Aid Code" is awarded to member agencies which have begun to implement the People In Aid Code. A member agency can use this kitemark in its own literature, advertisements and funding applications when it has met three criteria:

- The agency's Chief Executive or Chair has made a written and public commitment to the People In Aid Code of Good Practice.
- The agency has assigned responsibility and appropriate authority for implementing the People In Aid Code to a named project manager and team.
- The agency has informed staff that it is committed to the People In Aid Code and is supporting this initiative.

Member	Main HQ	People In Aid Code Status	Date Achieved
CESVI	Italy	PEOPLE IN AID Committed	2004

"Verified Compliant with the People In Aid Code" certifies that an external social auditor has confirmed that the process of Code implementation and reports about it truly reflect the agency's performance (see Accountability, above).

Audit takes place at an agreed point once implementation is under way. Implementation is ongoing so the audit cycle (an updated progress report and social audit) should be repeated once every three years. Kitemarks indicate the year in which they were awarded.[lxiv]

Concern Worldwide was one of People In Aid's pilot agencies, audited in late 2000. The external auditor's report concluded: "The report submitted to People In Aid by Concern gives an accurate, balanced and complete view of the organisation's implementation of the People In Aid Code in general and in relation to Concern's international staff."

Member	Main HQ	People In Aid Code Status	Date Achieved
Concern Worldwide	Ireland	PEOPLE IN AID Verified	2000

5.9 Main strengths and weaknesses of People In Aid as a model

a) Strengths

People In Aid consulted extensively among NGOs, UN and government agencies in developing and revising the People In Aid Code. This helped build "ownership" of the Code and reflected the experience of those who had completed the audited pilot process. Commitment to the People In Aid project by both small and large NGOs plus a high profile launch helped publicise the Code and give it credibility, authority and a sense of "do-ability."

Distribution of the Code, implementation materials and the People In Aid newsletter built support for the Code outside the pilot agencies and outside the UK.

Pilot implementation of the People In Aid Code took place in several countries over a fixed period. Piloting by 12 agencies helped Code "champions" and teams work together to share experience and address common issues. People In Aid continues to support members with a structured implementation process.

People In Aid also has a structured accountability process based on social audit. This model emphasises continuous learning and the opportunity to build on existing monitoring systems. Use of social audit has enabled People In Aid and its members to report with credibility on the Code and its effectiveness to the wider aid community.

Agency implementation of the People In Aid Code is verified through the social audit process and level of commitment certified through a two-stage kitemarking system. This enables People In Aid to know which agencies have formally adopted the Code, enables agencies to have their work recognised and helps advocate Code use in the wider aid community.

Many implementation materials, including guidelines, specimen policies, benchmarking and other materials remain free to download via the website. Members also have their own section of the website. Increasingly, People In Aid is internationalising implementation of the Code and is starting to work with "southern" NGOs. It now has approximately 60 members, just under half of which are non UK-based.

The People In Aid Code was revised following the pilot. Revision enabled the document to fill gaps, keep abreast of changes and address more clearly the needs of host country personnel and "southern" agencies.

People In Aid had a base at the London headquarters of the British Red Cross Society before becoming an independent organisation with a membership structure.

b) Weaknesses

It is possible to be a paid-up member of People In Aid without adopting the People In Aid Code. That can inhibit People In Aid's effectiveness in advocating the principles the Code promotes.

People In Aid has no complaints process or means of providing redress if there is a breach of the Code by a member agency. The impact of the People In Aid Code has yet to be independently evaluated.

The implementation and social audit processes are potentially resource-intensive for agencies. There are also resource and legal implications in the establishment of an independent organisation by People In Aid.

Sign-on, implementation and accountability	*✓ Strengths of model*	*✗ Weaknesses*
Agencies outside the People In Aid steering group were involved in developing the People In Aid Code.	Together with widespread dissemination, involvement helped build understanding and wider commitment to the principles and practices that underscored People In Aid among NGOs, UN and government agencies.	Process had resource implications for People In Aid. There was "northern" involvement only in the development of the Code's first edition. First edition sometimes thought to be for expatriates only.
CEOs in steering group. member agencies pledged support for the People In Aid Code at the time of launch.	Management committee members included smaller agencies as well as larger ones with an authoritative voice in the humanitarian sector. This added to Code credibility and willingness by smaller NGOs to pilot or use the Code.	
People In Aid had no sign-on at the start although there was a pilot process. It now has a membership structure, open to organisations and individuals.	People In Aid had 12 UK and Irish pilot agencies. It now has nearly 60 members all over the world. Piloting and membership enable agencies to be seen to commit to a shared advocacy agenda.	Pilot agencies were all UK and Irish-based. Model has resource implications for People In Aid.
People In Aid is an independent membership organisation based in London. It has three full-time staff.	This ensures a "home" for the People In Aid Code.	Model has resource implications for People In Aid.
People In Aid maintains and publishes information on its website and in its newsletter about member agencies and their implementation activities.	This enables People In Aid to build wider commitment to the principles and practices of the Code.	Model has resource implications for People In Aid.
People In Aid has a structured implementation process and materials to support member agencies and others using the People In Aid Code.	Model assists member agencies and others to improve the quality and cohesiveness of their work	Model has resource implications for member agencies and People In Aid.
People In Aid has a structured accountability process and materials to support member agencies and others using the People In Aid Code.	Model assists member agencies and others to improve the accountability of their work. Social audit model used by People In Aid has resulted in external audit and reporting on pilot Code implementation to the wider aid community.	Model has resource implications for member agencies and People In Aid. No complaints process or means of providing redress if Code is breached by member agency.
People In Aid now uses a two-stage kitemark process to indicate whether members utilise the Code and/or have been verified compliant with it.	Provides evidence of commitment to shared advocacy agenda.	Model has resource implications for member agencies and People In Aid.
Workshops and members' forum	Model assists agencies to	Model has resource implications

offer an opportunity for agencies to meet and share experience. The website provides a virtual forum with model policy materials, newsletter, etc.	continue to improve the quality and cohesiveness of their work. Model enables greater collaboration between NGOs.	for member agencies and People In Aid.
People In Aid Code has been revised and has been translated into French and Spanish. It is now global in scope and applies to all staff. Code and other documents address HIV/AIDS in the workplace.	People In Aid has stood the test of time.	Impact of People In Aid Code has yet to be independently evaluated.

6. SUMMARY AND RECOMMENDATIONS

The consultant examined three possible models for sign-on, implementation and accountability in respect of the Code of Good Practice for NGOs Responding to HIV/AIDS to be launched in 2004. These were the *Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief*, Sphere's *Humanitarian Charter and Minimum Standards in Disaster Relief* and the *People In Aid Code of Good Practice in the Management and Support of Aid Personnel*.

Each Code had strengths and weaknesses as a possible model for the Code of Good Practice for NGOs Responding to HIV/AIDS. Four options are considered below and a recommendation made.

OPTION ONE: KEY FEATURES

Option One is based on the *Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief.*

In Option One **Sign-on** is a simple process. An agency signals its endorsement of or support for the Code of Good Practice by writing a letter or filling in a form in the Code manual or on a website. The names of agencies that have endorsed the Code of Good Practice are put in the public domain in order to demonstrate collective advocacy of the Code and the standards it promotes.

A secretariat provides administrative support to acknowledge endorsements and to maintain a register of signatories and website.

Such a secretariat may be located within the office of a core member agency, minimising costs to Steering Committee. The project's public face is its website.

Personnel required are likely to be less than one full-time post. Option One envisages that staff will, in practice, be part-time or shared with the agency that hosts the secretariat.

Implementation remains the responsibility of each signatory. The secretariat plays no part in the process.

Accountability too remains the responsibility of each signatory. Option One relies on signatories to use existing monitoring and evaluation systems to measure their achievements in implementing the Code and report to internal and external stakeholders, including donors, beneficiaries and other NGOs. There is no requirement for signatories to do so, however.

The cost of selecting Option One is low. It requires few resources in terms of personnel and the secretariat would share overhead and running costs with a host agency. Option One is the lowest-cost option.

Option One: Summary of advantages and disadvantages

Option One presents the Steering Committee and potential signatories with the simplest option. It supports the Code of Good Practice project in meeting two of its four purposes:

- Outline and build wider commitment to the principles, practices and evidence base that underscore successful work by NGOs in the field of HIV/AIDS.

- Reinvigorate the 'voice' of NGOs in the HIV/AIDS response by enabling them to commit to a shared vision of good practice in their programming and advocacy agenda.

However, because it lacks resources and mechanisms to assist in Code implementation and signatory accountability, Option One fails to support the project in meeting other purposes:

- Assist Supporting NGOs to improve the quality and cohesiveness of their work on HIV/AIDS and their accountability to NGO partners and beneficiary communities

- Foster greater collaboration between the wide variety of Supporting NGOs that are now responding to the HIV/AIDS pandemic

The experience of the NGO Code of Conduct suggests that Option One is likely to be valuable in flagging up issues of concern within the aid sector and in maintaining focus on them over a sustained period.

However, with no means to translate collective commitment and shared vision into action and accountability and no possibility of revising the document once written, the risk is that the Code of Good Practice remains a work of reference rather than a catalyst.

OPTION TWO: KEY FEATURES

Option Two is based on the Sphere project's *Humanitarian Charter and Minimum Standards in Disaster Relief.*

In Option Two there is no formal sign-on process. Any agency that supports the Code's aims is free to take part in piloting and other activities and to access supporting material from a secretariat or website. Any agency can adopt the Code or parts of the Code informally.

A secretariat is active in continuing to promote the Code, answer queries about it, develop and/or organise training activities. It plays an important role in liaising with NGOs implementing the Code all over the world. Such a secretariat can be located separately or within the office of another agency. The project's public face is its staff, consultants and website.

Personnel required will include a manager and additional staff and consultants to cover functions such as development, training, outreach and administration. A minimum of three staff is required. Secretariat staff are dedicated to the project rather than shared with a host agency.

Implementation remains the responsibility of NGOs that choose to use the Code. Nevertheless, supporting materials and training activities, such as workshops, are provided by the secretariat and its consultants to help NGOs do so. NGOs in the field, whether international or national, are encouraged to make the Code their own and to share costs and experience by linking up to establish joint training, local Code offices and to advocate use of the Code within other constituencies. These constituencies may include UN agencies and host government departments that share the Code's concerns.

Accountability is left to each agency. Like Option One, Option Two offers a self-policing model. It relies on agencies to use existing monitoring and evaluation systems to measure their achievements in implementing the Code and reporting to stakeholders but there is no requirement from the secretariat or peer agencies to do so.

The cost of Option Two reflects the need for a working secretariat with sufficient personnel resources to support members and networks implementing the Code at a global level.

Option Two: Summary of advantages and disadvantages

Option Two emphasises information and training globally and locally. It provides NGOs and networks with the tools to translate Code principles into action. The absence of a sign-on process makes access to training easy. This model has the potential to create a "big tent" with many NGOs inside it.

Option Two supports the Code of Good Practice project in meeting two of its four purposes:

- Outline and build wider commitment to the principles, practices and evidence base that underscore successful work by NGOs in the field of HIV/AIDS.
- Foster greater collaboration between the wide variety of Supporting NGOs that are now responding to the HIV/AIDS pandemic

However, because it lacks an accountability focus, Option Two would go only part of the way to:

- Assist Supporting NGOs to improve the quality and cohesiveness of their work on HIV/AIDS and their accountability to NGO partners and beneficiary communities.

Without a formal sign-on mechanism by which NGOs endorse or agree to implement the Code, Option Two risks limiting the extent to which the project could:

- Reinvigorate the 'voice' of NGOs in the HIV/AIDS response by enabling them to commit to a shared vision of good practice in their programming and advocacy agenda.

The experience of the Sphere Charter and Standards suggests that Option Two is likely to be valuable in focusing global attention on issues of concern. Option Two enables the Code of Good Practice to provide the sector not only with an authoritative source of reference but also a practical means to address these issues.

However, with no way of accurately knowing all the NGOs that support and use the Code and no means of verifying compliance with it or of investigating complaints, Option Two's contributions to quality and accountability may sometimes be hard to demonstrate.

OPTION THREE: KEY FEATURES

Option Three is based on the *People In Aid Code of Good Practice in the Management and Support of Aid Personnel*.

Sign-on has three levels, each indicating extent of agency commitment to the Code.

1. An agency becomes a member of the Code-sponsoring organisation.
2. The agency's executive director makes a written, public commitment to implement the Code and informs staff accordingly. In addition, an agency Code champion is nominated. A kitemark is awarded.
3. Implementation of the Code is verified externally through social audit. A second kitemark is awarded.

The secretariat promotes the Code, answers queries about it, develops and/or organises membership, training, research and benchmarking activities. It provides support to members implementing the Code and developing accountability to stakeholders. The secretariat may be located separately or within the office of a member agency. The organisation's public face is its staff, consultants and website.

Any agency that supports the Code's aims remains free to take part in open workshops and to access or purchase supporting materials from the secretariat and website.

Personnel required include a manager and additional staff and consultants to cover functions such as development, policy, training, outreach, accountability and administration. A minimum of three staff will be required. As with Option Two, staff will be dedicated to the project rather than shared with a host agency.

Implementation remains the responsibility of NGOs that choose to use the Code. Nevertheless, a core function of the secretariat, as discussed, is to develop and provide supporting materials and training activities, a newsletter and a website.

Accountability is demonstrated through a process based on social audit. Training and support is provided to enable NGOs to use it. Social audit enables implementing NGOs to build on monitoring, evaluation and accreditation systems already in place in their organisation.

The cost of Option Three reflects the need for a working secretariat with sufficient personnel resources to support members and networks implementing the Code internationally.

Option Three: Summary of advantages and disadvantages

Option Three emphasises accountability as well as implementation. It gives NGOs an opportunity to decide at which level they will endorse and support the Code

Option Three can support the Code of Good Practice project in meeting three of its four purposes:

- Outline and build wider commitment to the principles, practices and evidence base that underscore successful work by NGOs in the field of HIV/AIDS.
- Assist Supporting NGOs to improve the quality and cohesiveness of their work on HIV/AIDS and their accountability to NGO partners and beneficiary communities.
- Reinvigorate the 'voice' of NGOs in the HIV/AIDS response by enabling them to commit to a shared vision of good practice in their programming and advocacy agenda.

With less emphasis than Option Two on empowering local and regional networks, Option Three limits the extent to which it can assist the project to:

- Foster greater collaboration between the wide variety of Supporting NGOs that are now responding to the HIV/AIDS pandemic.

The experience of People In Aid shows that Option Three is likely to be valuable in enabling recognition of those advocating and adopting the Code of Good Practice for NGOs Responding to HIV/AIDS through use of kitemarks that indicate level of commitment to it. It also addresses the issue of accountability and integrates it into implementation.

Accountability has, however, remained a difficult issue for some agencies to accept *in practice*. Thus filling a "big tent" of members may be slower to achieve. Option Two offers no means of investigating complaints.

OPTION FOUR: RECOMMENDED OPTION

No one model outlined above offers the project an opportunity to fulfil all its purposes. Option Four is a hybrid of key features of each. It is the consultant's recommended option.

This option provides a two staged approach.

Stage one: Sign on as endorsement of the Code

Formal sign on by the head of the signatory NGO[2], reflecting endorsement of all the principles enshrined in the *Code of Good Practice for NGOs Responding to HIV/AIDS.*

Stage two: Commitment to implement the Code

Formal commitment by the signatory NGO's head of organisation to implement the Code of Good Practice and nomination of a Code "champion" within the organization.

[2] This means, for example, the Chief Executive, Executive Director, Secretary General or similar.

Accountability is demonstrated through a process based on social audit, incorporated within the implementation process. Training and support is provided to enable NGOs to use it. Social audit enables implementing NGOs to build on monitoring, evaluation and accreditation systems already in place in their organisation.

Support to signatory NGOs envisaged for Stage Two is subject to the securing of resources for an expanded secretariat (this is considered below under 'Supporting Implementation' and 'Costs').

Stage one: Sign-on proposal

- Sign-on is a simple process. An NGO can sign on to the Code by submitting a pro forma letter provided by the project. This letter confirms that the NGO endorses the Code and is signed by its head of organisation.[3]
- NGOs that wish to be listed as signatories in the first printed edition of the Code of Good Practice, to be launched on World AIDS Day December 1, 2004, will need to submit their letter by a designated date.
- The names of NGOs that have endorsed it are placed in the public domain in order to demonstrate collective advocacy of the Code of Good Practice and the principles it embodies.
- The project host agency's website should enable NGOs to sign on to the Code after that date and be listed as signatories to the Code on the website.

Rationale

The Code is a comprehensive document that reflects the diverse activities by NGOs responding to HIV/AIDS. It is not the project's expectation or intent, however, that signatory NGOs commit themselves to implement and deliver the entire range of activity reflected in the Code.

Nevertheless, endorsement of all the principles enshrined in the Code is essential to ensure it is an authoritative and credible expression of the NGO sector's voice. As such, sign-on indicates endorsement of the Code in full, i.e. NGOs will not be able to sign on to only parts of the Code, as this could undermine the work of other signatories and weaken the collective voice of NGOs the Code aims to promote.

A significant number of NGOs from "north" and "south" must therefore be prepared to endorse the Code by the time of its launch.

Sign on will require discussion within individual NGOs but the process of registration should be a simple one, modelled on the example of the NGO Code of Conduct. It is recommended that NGOs signal their endorsement by completing a form in the Code manual or on the website. The signatory NGO itself may use a strapline *'We endorse the Code of Good Practice for NGOs Responding to HIV/AIDS' in* printed materials and on its website.

[3] The "head of organisation" means, for example, the Chief Executive, Executive Director, Secretary General or similar.

The names of NGOs that sign on to the Code are placed in the public domain in order to demonstrate collective endorsement of the Code of Good Practice and the principles it embodies and to strengthen the Code's use as an advocacy tool.

Many NGOs are members of federations or networks. By separating Code sign-on from the commitment to implement, this option takes into account the complex organisational relationships that exist within federated or network structures. The two-stage process facilitates Code endorsement at federation level yet enables individual members to schedule implementation themselves. All signatories will, however, be strongly encouraged to implement those sections of the Code appropriate to their work. Implementation is discussed below.

Stage two: Implementation and accountability proposal

- **Implementation:** a signatory NGO's head of organisation makes a written commitment to implement the Code of Good Practice and nominates a Code "champion".
- Implementation remains the responsibility of the NGO that signs on to the Code of Good Practice. Nevertheless, it is proposed that a project secretariat assists signatory NGOs to do so. The secretariat and its role are discussed below.
- Signatory NGOs are further encouraged to share costs and expertise by establishing joint training with and advocating use of the Code by other NGOs, UN, donor and government agencies.
- **Accountability:** this is demonstrated through a process based on social audit. Training and support is provided to enable NGOs to use it. Social audit enables signatory NGOs to build on monitoring, evaluation and accreditation systems already in place in their organisation.

Rationale

The experience of People In Aid suggests that the most successful signatory NGOs in terms of implementation are likely to be those whose head of organisation has made a firm, written commitment to implementation and who have assigned responsibility for the task to a senior level Code "champion" (and team where possible).

The work of implementing NGOs can be recognised through a second-stage strapline "We are implementing the Code of Good Practice for NGOs Responding to HIV/AIDS." As previously discussed, because many national NGOs are members of federated structures or networks, the decision about when to implement the Code will be made at national level.

Experience in the sector suggests that implementation by individual NGOs will benefit from collective learning. For this reason we propose that the secretariat offers signatory NGOs assistance to facilitate effective implementation. This approach requires financial support for a second stage for the project.

The form that such assistance takes will depend on the findings of the mapping exercise described below. People In Aid and Sphere offer useful examples of possible activities, including workshops, baseline studies, resource centres, pilot programmes, expert advice, etc.

Implementation activities should involve government, donor and UN agencies where possible in order that links with national and international HIV/AIDS strategies, partnerships, frameworks and funding sources can be established and strengthened. Sphere offers useful experience in this context.

The *Code of Good Practice for NGOs Responding to HIV/AIDS* makes an explicit commitment to accountability. Many NGOs will have in place existing systems of monitoring, evaluation, quality assurance or accreditation. It is recommended that implementing NGOs utilise existing systems wherever possible to measure their own performance in the context of the Code of Good Practice.

The Code, like other frameworks in HIV/AIDS, underlines the need for “downward” accountability to NGO partners and beneficiaries. For this reason, social audit, with its emphasis on accountability to all stakeholders, is considered particularly appropriate. People In Aid offers useful experience in this context.

Supporting implementation by signatory NGOs

- **A secretariat** promotes the Code of Good Practice, answers queries about it, and maps, develops and/or organises assistance to signatory NGOS. The secretariat assists signatory NGOs in implementing the Code and developing accountability to stakeholders. Its staff, consultants and website are the project’s public face.

- **Personnel required** include a manager and additional staff and consultants to cover functions such as development, policy, outreach, accountability and administration. A minimum of four staff will be required. Staff will be dedicated to the project rather than shared with a host agency.

The secretariat will play a key role in the “marketing” of the Code, will design and maintain a website, respond to queries and begin to develop ways to help signatory NGOs implement the Code. In respect of implementation and accountability, it is envisaged that the secretariat will:

- Map existing mechanisms and support already available to signatory NGOs
- Identify unmet needs for assistance. These will vary according to type of signatory NGO, e.g. international NGO with in-country offices, member of network or federated structure, national NGO, etc.
- Explore options for collaboration in using the Code with in-country and regional partners.

Subject to the findings of this mapping exercise, a needs-led approach is likely to prioritise:

- Flexibility, in order to address the different needs of signatory NGOs
- Opportunities for joint activities by signatory NGOs in the same country or region
- Collaboration with existing programmes and mechanisms that assist implementation or that enhance quality and accountability.

Rationale

It is recommended that the project retain and expand its secretariat. Experience from the sector and the findings of consultation on the draft Code show that the secretariat’s support will be needed to promote the *Code of Good Practice* and assist signatory NGOs to implement it.

This has cost implications that are considerable by comparison with the current project which has a single member of staff. The experience of Sphere and People In Aid is that investment in small teams of staff and consultants have affected thinking, practice and advocacy in the NGO sector and beyond. Without significant investment, the Code of Good Practice is likely to remain a work of reference rather than a catalyst for change.

A strong theme emerging from consultations is that NGOs consider that they will need support to effectively implement the Code and that mere 'sign on' would be insufficient to realize the project's purpose.

Cost implications

- **The cost** of Option Four reflects the need for a working secretariat with sufficient personnel resources to support members and networks implementing the Code at a global level.

Suggested posts are: project manager, marketing manager, implementation manager and office manager. In addition a consultant will be needed for website design and maintenance.

It is recommended that a one-year project budget be prepared and presented to Steering Committee members, trusts and statutory donors. This budget will reflect the secretariat's costs in promoting the Code, mapping current services for agencies in HIV/AIDS and start-up support for implementation and accountability activities. It is recommended that all project products and services in this first year be offered free to signatories and implementing agencies in order to maximise the speed and ease with which the Code is established.

ANNEX 1

CODE OF CONDUCT FOR THE INTERNATIONAL RED CROSS AND RED CRESCENT MOVEMENT AND NGOS IN DISASTER RESPONSE PROGRAMMES

The Code of Conduct

Principles of Conduct for The International Red Cross and Red Crescent Movement and NGOs in Disaster Response Programmes

1: The Humanitarian imperative comes first
The right to receive humanitarian assistance, and to offer it, is a fundamental humanitarian principle which should be enjoyed by all citizens of all countries. As members of the international community, we recognise our obligation to provide humanitarian assistance wherever it is needed. Hence the need for unimpeded access to affected populations is of fundamental importance in exercising that responsibility. The prime motivation of our response to disaster is to alleviate human suffering amongst those least able to withstand the stress caused by disaster. When we give humanitarian aid it is not a partisan or political act and should not be viewed as such.

2: Aid is given regardless of the race, creed or nationality of the recipients and without adverse distinction of any kind. Aid priorities are calculated on the basis of need alone
Wherever possible, we will base the provision of relief aid upon a thorough assessment of the needs of the disaster victims and the local capacities already in place to meet those needs. Within the entirety of our programmes, we will reflect consideration ns of proportionality. Human suffering must be alleviated whenever it is found; life is as precious in one part of a country as another. Thus, our provision of aid will reflect the degree of suffering it seeks to alleviate. In implementing this approach, we recognise the crucial role played by women in disaster prone communities and will ensure that this role is supported, not diminished, by our aid programmes. The implementation of such a universal, impartial and independent policy can only be effective if we and our partners have access to the necessary resources to provide for such equitable relief, and have equal access to all disaster victims.

3: Aid will not be used to further a particular political or religious standpoint
Humanitarian aid will be given according to the need of individuals, families and communities. Not withstanding the right of NGHAs to espouse particular political or religious opinions, we affirm that assistance will not be dependent on the adherence of t he recipients to those opinions. We will not tie the promise, delivery or distribution of assistance to the embracing or acceptance of a particular political or religious creed.

4: We shall endeavour not to act as instruments of government foreign policy
NGHAs are agencies which act independently from governments. We therefore formulate our own policies and implementation strategies and do not seek to implement the policy of any government, except in so far as it coincides with our own independent policy. We will never knowingly - or through negligence - allow ourselves, or our employees, to be used to gather information of a political, military or economically sensitive nature for governments or other bodies that may serve purposes other than those which h are strictly humanitarian, nor will we act as instruments of foreign policy of donor governments. We will use the assistance we receive to respond to needs and this assistance should not be driven by the need to dispose of donor commodity surpluses, nor by the political interest of any particular donor. We value and promote the voluntary giving of labour and finances by concerned individuals to support our work and recognise the independence of action promoted by such voluntary motivation. In order to p protect our independence we will seek to avoid dependence upon a single funding source.

5: We shall respect culture and custom
We will endeavour to respect the culture, structures and customs of the communities and

countries we are working in.

6: We shall attempt to build disaster response on local capacities
All people and communities - even in disaster - possess capacities as well as vulnerabilities. Where possible, we will strengthen these capacities by employing local staff, purchasing local materials and trading with local companies. Where possible, we will work through local NGHAs as partners in planning and implementation, and co-operate with local government structures where appropriate. We will place a high priority on the proper co-ordination of our emergency responses. This is best done within the countries concerned by those most directly involved in the relief operations, and should include representatives of the relevant UN bodies.

7: Ways shall be found to involve programme beneficiaries in the management of relief aid
Disaster response assistance should never be imposed upon the beneficiaries. Effective relief and lasting rehabilitation can best be achieved where the intended beneficiaries are involved in the design, management and implementation of the assistance programme. We will strive to achieve full community participation in our relief and rehabilitation programmes.

8: Relief aid must strive to reduce future vulnerabilities to disaster as well as meeting basic needs
All relief actions affect the prospects for long term development, either in a positive or a negative fashion. Recognising this, we will strive to implement relief programmes which actively reduce the beneficiaries' vulnerability to future disasters and h help create sustainable lifestyles. We will pay particular attention to environmental concerns in the design and management of relief programmes. We will also endeavour to minimise the negative impact of humanitarian assistance, seeking to avoid long term beneficiary dependence upon external aid.

9: We hold ourselves accountable to both those we seek to assist and those from whom we accept resources
We often act as an institutional link in the partnership between those who wish to assist and those who need assistance during disasters. We therefore hold ourselves accountable to both constituencies. All our dealings with donors and beneficiaries shall reflect an attitude of openness and transparency. We recognise the need to report on our activities, both from a financial perspective and the perspective of effectiveness. We recognise the obligation to ensure appropriate monitoring of aid distribution ns and to carry out regular assessments of the impact of disaster assistance. We will also seek to report, in an open fashion, upon the impact of our work, and the factors limiting or enhancing that impact. Our programmes will be based upon high standards of professionalism and expertise in order to minimise the wasting of valuable resources.

10: In our information, publicity and advertising activities, we shall recognise disaster victims as dignified humans, not hopeless objects
Respect for the disaster victim as an equal partner in action should never be lost. In our public information we shall portray an objective image of the disaster situation where the capacities and aspirations of disaster victims are highlighted, and not j just their vulnerabilities and fears. While we will co-operate with the media in order to enhance public response, we will not allow external or internal demands for publicity to take precedence over the principle of maximising overall relief assistance. We will avoid competing with other disaster response agencies for media coverage in situations where such coverage may be to the detriment of the service provided to the beneficiaries or to the security of our staff or the beneficiaries.

Annex II
Recommendations to donor governments

Annex III
Recommendations to intergovernmental organisations

ANNEX 2

CODE OF CONDUCT REGISTRATION

Non-govermental Organisations who would like to register their support for the Code of Conduct and their willingness to incorporate its principles into their work should fill in the form below and return it to:

The Disaster Preparedness and Response Department
The International Federation of Red Cross and Red Crescent Societies
PO Box 372
1211 Geneva 19
Switzerland.

Tel +41 (022) 7304222
Fax +41 (022) 7330395
email: codeofconduct@ifrc.org

We would like to register our support for the Code of Conduct and will endeavour to incorporate its principles into our work.

(PLEASE TYPE OR PRINT)

Agency Name

Address

Telephone

Fax

Email address

Web page /site URL

Name and Signature

Position in organisation

Date

ANNEX 3

PEOPLE IN AID PRINCIPLES

Guiding Principle

People are central to the achievement of our mission.

Our approach to the people who work for us is fundamental to the achievement of our mission. We recognise that the people who work for us merit respect and proper management, and that the effectiveness and success of our operations depend on the contributions of all salaried and contract staff, and volunteers.

Principle One
Human resources strategy

Human resources are an integral part of our strategic and operational plans.

Our human resources strategy is central to our organisational strategy. Our human resources strategy is long-term and encompasses every part of the organisation.

Principle Two
Staff policies and practices

Our human resources policies aim to be effective, fair and transparent.

We recognise that our policies must enable us to achieve both effectiveness in our work and good quality of working life for our staff. We do not aim to respond solely to minimum legal, professional or donor requirements

Principle Three
Managing people

Good support, management and leadership of our staff is key to our effectiveness.

Our staff have a right to expect management which prepares them to do their job so we can, together, achieve our mission. Our management policies, procedures and training equip our managers to prepare and support staff in carrying out their role effectively, to develop their potential and to encourage and recognise good performance.

Principle Four
Consultation and communication

Dialogue with staff on matters likely to affect their employment enhances the quality and effectiveness of our policies and practices.

We recognise that effective development, implementation and monitoring of human resources policies and practices rely on appropriate consultation and communication with the people who work for us. We aim to include all staff, whether salaried or contract, and volunteers in these processes.

Principle Five
Recruitment and selection

Our policies and practices aim to attract and select a diverse workforce with the skills and capabilities to fulfil our requirements.

Our recruitment and selection process tells candidates about our agency. How we recruit and select our staff significantly influences how effective they are in fulfilling our objectives.

Principle Six
Learning, training and development

Learning, training and staff development are promoted throughout the organisation.

We recognise the importance of relevant training, development and learning opportunities, both personal and professional, to help staff work effectively and professionally. We aim to instil a culture of learning in the organisation so that we and the staff can share our learning and develop together.

Principle Seven
Health, safety and security

The security, good health and safety of our staff are a prime responsibility of our organisation.

We recognise that the work of relief and development agencies often places great demands on staff in conditions of complexity and risk. We have a duty of care to ensure the physical and emotional well-being of our staff before, during and on completion of their period of work with us.

ANNEX 4

CODE OF GOOD PRACTICE STEERING COMMITTEE

- ActionAid, London
- CARE USA
- Global Health Council
- GNP+
- Grupo Pela Vidda
- Hong Kong AIDS Foundation
- ICASO
- Ivoirian Network of PLWHA, Côte d'Ivoire
- International Federation of Red Cross & Red Crescent Societies
- International Harm Reduction Association
- International HIV/AIDS Alliance
- World Council of Churches

ANNEX 5

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