

## Code of Conduct for CCM Members Enforcement

### FREQUENTLY ASKED QUESTIONS

#### 1. Why has the Global Fund decided to create a Code of Conduct for CCM Members?

In 2015, the Global Fund Board approved an “[Ethics and Integrity Framework](#)” that calls for all members of the Global Fund ecosystem to be held to a Code of Conduct. Codes of Conduct already exist for the Board, Global Fund Staff, Implementers, and even Suppliers. CCMs play a critical role in Global Fund governance and program oversight, so it’s important that CCM members demonstrate high ethical standards – a Code of Conduct sets out these standards. At the Global Fund, Codes of Conduct require Board approval, so the CCM Code will also be put forward for Board approval in May 2018, after consultation with CCMs. CCMs will be highly recommended to adopt the Code for at least 1 year after Board approval, and it will become mandatory thereafter.

#### 2. How can I sign a Code of Conduct if I already work for a different employer?

The Code of Conduct is consistent your existing obligations as a CCM member and pertains to your actions as a CCM Member. If you can be on the CCM and fulfill CCM member functions, then you can also be expected to abide by the CCM’s rules of engagement as you fulfill your role. Signing a Code of Conduct is similar to signing a confidentiality agreement—you can commit to keeping information relating to one organization confidential while working for another. The Global Fund Ethics Office is available to answer any questions regarding the Code of Conduct.

#### 3. When I sign the Code of Conduct, what am I committing to?

You are committing to the highest standards of ethics and integrity in your role as a leader in the public health community. This means you commit to (1) fulfil your duty of care as a CCM member, (2) act accountably, (3) communicate transparently, (4) and conduct yourself with integrity. These values appear in all Global Fund codes of conduct. The Code explains what each of these phrases mean in the CCM context.

You are also committing to hold other members of the CCM, Implementers, and the Global Fund Secretariat Staff to the same standards. So, if you see an issue, or have a question, you are committing to speak up about it, first within the CCM, and if the matter is not resolved, to the Global Fund. If you see serious misconduct, like fraud or corruption, in relation to Global Fund Grants, you are reconfirming your duty to report this to the Global Fund. This duty applies to everyone in the Global Fund ecosystem.

#### 4. How have CCMs recommended bringing the Code of Conduct to life?

CCMs have recommended the following ways to bring the Code of Conduct into force:

- i. **Train:** Train CCM members on the Code. Design the training to account for local languages and weak internet connection.
- ii. **Certify:** Once trained, CCM members should sign that they have read, understood, and commit to abide by the Code.
- iii. **Ethics Committee or Official:** CCMs should appoint member(s) to oversee Code of Conduct enforcement, conflict of interest management, and potentially medical ethics.
- iv. **Embed into Eligibility Requirement 6:** Incorporate the above requirements into the CCM Guidelines by expanding the Eligibility Requirement that presently relates to conflict of interest management.

## 5. How does this Code impact CCM conflict of interest management?

Managing conflict of interest is a big part of acting with integrity, so the Code of Conduct reinforces your obligation to comply with your Conflict of Interest Policy. During consultations, CCMs have expressed the need for additional support in conflict of interest management. As a result, all trainings will include deeper dives on conflict of interest management, including sharing of best practices and working through case studies.

Also, the following adjustments will likely be proposed on a differentiated basis for certain CCMs (e.g., High Impact) and/or certain CCM leadership roles (e.g., Chair, Vice Chair, Oversight Committee members, PR selection committee members, Ethics Committee/Official):

- i. **Disclose Conflicts:** The Global Fund will provide standard disclosure forms for members to report information relating to themselves, associated persons' (e.g. spouse, siblings, parents, children) and associated institutions (employment, directorship, affiliation) regarding roles and affiliations as well as ongoing audits, reviews, investigations, legal disputes, administrative and criminal sanctions. These forms will be reviewed by ethics officials on the CCM and submitted to the Global Fund's Ethics Office.
- ii. **Map Affiliations:** PRs are presently required to submit to the Global Fund "Implementation Arrangement Maps"—organograms of all implementers involved in a grant. CCM members will be requested to plot themselves onto the maps, demonstrating their affiliations with implementers as per forthcoming Global Fund guidance. These Maps will be submitted to the Global Fund Country Team.

Eligibility Requirement 6 of the CCM Guidelines will likely be also adjusted to require CCMs to update their Conflict of Interest Policy to reflect the new procedures or requirements. Adjustment will also likely include clarifications that Oversight Committee members may not be affiliated with grant implementers.

## 6. What happens if someone accuses me of violating the Code of Conduct?

A Code of Conduct can only be enforced if everyone keeps each other mutually accountable to it. Therefore, talking about potential Code of Conduct violations should be encouraged and—very importantly—retaliation for raising concerns in good faith is a prohibited practice.

Ideally, if someone has concerns that you are violating the Code, they should raise it with you directly so that you can consider the matter and either provide clarification, seek advice, or adjust your actions. However, there are many good reasons why someone may choose not to address you directly. For example, they may fear retaliation due to the nature of the power balance between you, or they may not be sure if their concern is real, or they may wish not to ruin relations with you. They should be encouraged to raise concerns with a neutral member or committee who can broker the matter constructively.

The CCM is a self-governing body that already manages most concerns on its own. The Code of Conduct is a tool that should enable CCs to ensure that all members are aware of and understand their ethical obligations. If concerns are raised, CCM's should follow due process by verifying facts, and giving opportunities for all parties to be heard. Finally, it should match the CCM response fairly to fit the nature and scale of the problem. The Global Fund's Ethics Office is a resource for CCMs. It provides confidential advice in managing ethics-related challenges.

The Global Fund plans to redraft ER6 to obligate CCMs to enforce the Code of Conduct vis-a-vis their own members. Under this redraft, if Global Fund determines that the CCM is unable to adequately manage serious, chronic or large-scale violations of the Code, it will deem the CCM to not be in compliance with ER6.