

Setting Up a National Partnership Secretariat

Organizational and legal aspects (draft)

Background

A National Partnership to Stop TB is a coalition of partners who agreed to jointly contribute to the fight against tuberculosis. All partners agree on the national strategy for TB control, that is spearheaded by the Ministry of Health's National TB Programme (NTP). Each partner brings specific expertise, experience and resources that contributes to the expansion of TB control. The added value of the National Partnership is the better coordination and creation of a momentum to upgrade the NTP to become a true national response that invites especially new input from non-traditional partners.

The National Partnership does not replace or overshadows the NTP, but rather provides the supportive framework for all national and international interested parties. The National Partnership is established as a result of the process of developing the partnerships and on the basis of the agreed Terms of Reference¹. The National Partnership requires a formal political recognition to ensure that its actions are not marginalised or even ignored.

The organization

All partners in the partnership maintain their own identity and participate in the partnership with the strength of that identity. The National Partnership is therefore more a place where positive synergies in support of TB control are forged, than a site where restrictions and regulations for partners are created.

In order to avoid that the Partnership is just a happy gathering of partners without direction or agenda, a basic management structure must be created. Such structure is the solid foundation for the partnership and will be the focal point for the coordination and control of its activities. It must be realized that most partners have already overburdened agendas and have in reality little time and energy to spare for the organization of the partnership.

A dedicated secretariat is essential as the pivotal point of the partnership. The secretariat supports the Partnership and assists partners. The staff of such secretariat is deployed specifically for the duties of the secretariat and have clear job descriptions.

The hosting of the secretariat is crucial, as the host organization will provide the legal umbrella under which the partnership will operate. This can be done as a special project of the host organization. The legal aspects of any arrangements are mentioned below.

It is important that the host organization understands that the function of the secretariat is to support the partnership and not to own it. While strong leadership is needed for the Partnership, it is counterproductive if any person or agency would take the Partnership as its own product and not as a shared resource. On the other hand charismatic leadership of the Partnership is a key to success. It is therefore important that the site for the Partnership Secretariat is chosen with great care and consideration.

¹ See "The Power of Partnership" STB Partnership/WHO 2003; "National Partnerships; the development process" STB Partnership 2004

As the Partnership is not a separate entity, the secretariat must function in the same spirit: to support to the work of the partners and not to be an implementing agency.

As the secretariat is only tangible presence of the Partnership, the hosting organization must be fully involved on its own right in the Partnership. A secretariat on “neutral ground” would not be able to go that extra mile if it would be called to do so. The host organization must feel that a good secretariat also adds value to its own work.

However in order to ensure the appropriate independence of the secretariat within the host organization, it is essential that the secretariat has its own separate funding. If the host pays the bulk of the secretariat’s functions, a sense of “bought ownership” by the host can creep in the perceptions by outsiders, which could potentially discourage new partners to join the partnership.

Thus neutral funding for the secretariat’s function is a vital issue, that must be addressed by all partners. Partners may contribute to the functions of the secretariat by means of financing, equipment or secondment of staff. But in any case secure funding for the secretariat is a must, and donor agencies need to be approached for this purpose. But before active resource mobilization is started it is important that the clear vision and purpose as well as the work plan of the partnership and its secretariat are well described. But the formulation of this requires already an active secretariat. The Global Stop TB Partnership is prepared to provide the initial seed money to kick start the national partnership and its secretariat.

The position of the executive secretary, who heads the secretariat is important. He/she must have the trust of the other partners and must have good communication and diplomatic skills in addition to a formal and informal recognition of his/her capabilities in the fight against TB. Sometimes a retired charismatic leader in TB control can be an excellent option for this position. But it is also important that the executive secretary is comfortable to function in the host organization. As the partnership is in most cases at least in the beginning not a legal entity and therefore cannot hire or fire staff, the staff of the secretariat (including the executive secretary) are either employed by the host organization or are seconded by other partners to the secretariat.

For the host organization it is important to acknowledge that they provide accommodation (in the widest sense of the word) for the partnership secretariat. This implies that the secretariat staff has a separate line of authority from the rest of the organization, but follows the administrative rules and regulations of the host organization. The host can identify the secretariat as a separate project within its organization, with its own budget and function. But clearly such delicate relationship must be supported by a Memorandum of Understanding between the host organization and the National Partnership. The funds for the secretariat are separately accounted for and are subject to annual external audit for the partners.

In any case it is likely that the host will incur expenses that are related to the fact that it hosts the partnership secretariat. These costs are either related to the actual office accommodation and are in connection with specific activities that require the input and support of the host organization. Programme Support Costs (PSC) can therefore be included for the benefit of the host in exchange of the hospitality and support that is being provided to the secretariat. Once the Partnership is successful in mobilizing its own resources, these funds are administered through the host’s accounting system and are thus automatically subject to the PSC. Alternatively an annual fee for the hosting services can be agreed upon.

Some legal considerations

Although it is theoretically possible to organize the Partnership as a separate stand-alone NGO, this is not without complications. It requires in most countries quite an elaborate and expensive legal registration process. It is therefore easier if during the start-up it can be organized as a component or project within a registered institution or organization. It can be decided later on, if and when the partnership grows, whether a separate legal entity would be add significant value over an hosting arrangement.

Hosting the secretariat in an institution or organization, that is already established, has some implications that need attention. Guided by the Memorandum of Understanding, the host organization's legal identity serves the legal framework for the secretariat. The host may opt to second some its own staff to the secretariat and may make some of its facilities available to the partnership secretariat.

Using the host's legal identity the importation of equipment, financial and other liabilities are for example covered by the host. Also contracts for staff working for the Partnership and/or the Partnership Secretariat are guided by the host's rules and regulations. Contracts that are initiated by the Partnership, are administratively handled by the secretariat under the legal framework of the host. Thus those contracts must be issued in line with the legal requirements of the host. All these details must be carefully mentioned in the Memorandum of Understanding.

Setting up the Secretariat: step-by-step

Steps	Description	Result	Decision
1	Agree on the need for a secretariat	Agreement to have the secretariat	Consensus
2	Agree on the TOR for the secretariat (including staff establishment, equipment etc.)	Agreement on TOR and practical details	Consensus
3	Select small Committee of the Partnership to guide the set up of the secretariat	Ad Hoc Committee (AHC) on Secretariat	Consensus
4	Ensure funding for secretariat	Explore partners contributions and/or seed funding from Global Stop TB Partnership	Chair of Partnership
5	Agree on job description of the Executive Secretary (Exe Secr)	Job description available	AHC and consensus
6	Select and appoint Executive Secretary when MOU with host is concluded	Exe. Secretary selected and appointed	AHC
7	Select host institution/organization	Host institution / organization identified	AHC
8	Negotiate with host on the terms for hosting the secretariat	Terms clear and agreed	AHC
9	Draft Memorandum of Understanding with the host	MOU endorsed by Partnership and ready for signature	AHC
10	Register the secretariat and its function as part of the host establishment	Secretariat position and function within host organization assured	Host
11	Select additional staff for secretariat	Additional staff available	Exe Secr
12	Draft work plan and budget for secretariat	Secretariat work plan	Exe Secr