

ACT ALLIANCE OBSERVER AGREEMENT

Between the ACT Alliance Observer Organisation and the ACT Alliance

1. Parties to the agreement

This is an Agreement between [please print the full name of the ACT Alliance Observer member]:

_____, a church/church-related organisation (hereinafter referred to as the “ACT Observer”) and the ACT Alliance.

This agreement represents the expressed commitment of these two parties to work collaboratively to advance the ACT Alliance global mission of working together “for positive and sustainable change in the lives of people affected by poverty and injustice through coordinated and effective humanitarian, development, and advocacy work”¹.

It outlines the roles and responsibilities of the ACT Observer and the ACT Alliance.

2. Responsibilities of parties

2.1 ACT Observers commit themselves to:

- 2.1.1 Adhere to the vision, mission and commitments of the ACT Alliance, as summarised in the Founding Document.
- 2.1.2 Adhere to the Code of Good Practice for the ACT Alliance (including the ACT Code of Conduct and other codes applicable to all observers which may be adopted by the Governing Board in the future).
- 2.1.3 Pay the annual observer fee and any other financial obligation as set by the Governing Board.
- 2.1.4 Recognise that the General Secretary of the alliance is the prime spokesperson for the alliance and that all communications regarding the alliance are carried out in compliance with the ACT Communications Policy and the ACT Advocacy Policy and Procedures.
- 2.1.5 Adopt risk management strategies that ensure that all development and humanitarian funds are used for their intended purpose, used efficiently and economically and never knowingly used for supporting individuals or entities involved in illegal activities or for financial gain.
- 2.1.6 Cooperate with any investigation into an alleged breach of any mandatory ACT policy or code.
- 2.1.7 Ensure that ACT stakeholders have access to timely, relevant and clear information about the Observer and its activities.
- 2.1.8 Participate with the right to speak but without voting rights in the appropriate ACT Alliance national and regional forums, and in the ACT General Assembly, but not in advisory committees.

Note: ACT Observers are **not** allowed to co-brand with the ACT Alliance

¹ ACT Alliance mission statement, Founding Document 2009, see: : <http://actalliance.org/documents/act-alliance-founding-documents/>

2.2 ACT Alliance commits to:

- 2.2.1 Provide information on ACT's activities (Annual Report) and access to photos.
- 2.2.2 Invite observers to ACT events, forum meetings and the ACT General Assembly.
- 2.2.3 Allow observers to contribute to ACT appeals (however, observers cannot access ACT appeal funds).

3. Settlement of disputes and complaints

When a dispute arises between the parties to this Observer Agreement regarding its interpretation and application, all good faith efforts shall be made to resolve the dispute amicably. In the event this proves impossible, the parties shall consult together with a view to its expeditious settlement, including by reference of the dispute to the governing bodies. It is expected that all ACT observers will attempt to resolve any compliance issues within the alliance as soon as an issue arises, especially if observers are working in a partner relationship with ACT members or observer organisations.

4. Observer status suspension or exclusion

ACT observer status may be terminated through:

- An observer informing the secretariat that they wish to terminate their membership in the alliance.
- An observer not meeting their obligations as an Observer organisation.
- An observer no longer fulfilling the criteria for the said status.²

Observer status can be suspended or excluded by ACT governance in line with agreed procedures as outlined in the ACT Membership Disciplinary Policy. Disciplinary measures shall be carried out within the framework of this agreement.

5. Additional requirements

Individual ACT observers may require additional and specific agreements with the ACT Alliance. These will be negotiated directly with the secretariat, signed by both parties, and appended to this Observer Agreement.

6. Date of effect

This agreement will come into effect on the date of signature of both parties and continues in effect until either:

- I. It is terminated by both parties upon written notice to the other party.
- II. The terms of agreement are revised by the Governing Board.

The terms and conditions of this agreement are approved by the ACT governance and cannot be changed without action by the Governing Board. Should there be changes to the terms of agreement, a revised Observer Agreement would need to be prepared and signed.

² As outlined in the ACT Founding Document (p. 6), see: <http://actalliance.org/documents/act-alliance-founding-documents/>

An organisation whose observer status to the alliance has been approved by the ACT Governing Board but, has not signed an observer agreement within a six (6) month period after notification of said approval, will not be considered as an observer of the alliance. The approval will be considered ineffectual. The organisation will therefore not benefit or participate in alliance activities, including participation in the national, sub-regional, regional and global forums and in ACT structures.

For the ACT Alliance Observer

Name of the ACT Alliance Observer Organisation:

Name of authorised representative:

Position: _____

Date: _____

Signature: _____

For ACT Alliance

Name of ACT Alliance General Secretary:

Position: ACT Alliance General Secretary

Date: _____

Signature: _____

Annex 1

ACT ALLIANCE CODE OF GOOD PRACTICE

1. INTRODUCTION

The ACT Alliance as a membership-based organisation is committed to providing high-quality humanitarian, development and advocacy programmes and to working in an open and accountable way.³ The Alliance was founded with clear respect for the independence of its members. At the same time, the ACT Alliance has a vested and collective interest in the performance of individual members or group of members.

ACT Alliance members are bound together by several core values that are grounded in our Christian faith and which guide our work. We have a responsibility to be accountable to those individuals and communities with whom we work, to those who support us and to each other.

2. PURPOSE AND SCOPE

The *ACT Code of Good Practice* is an organisational level commitment to continuous improvement and movement toward best practice principles. It complements the *ACT Code of Conduct*⁴ which serves as a guide for individual ACT staff to make ethical decisions in their professional lives and at times in their private lives.

The Code of Good Practice for the ACT Alliance sets out common values, principles and commitments that will shape the humanitarian, development and advocacy work of ACT members. It outlines the minimum professional and ethical standards required from all ACT members.

The Code of Good Practice provides principles for all ACT members focusing in four key areas:

- i. *Overarching principles* - the fundamental principles that guide our work as an alliance.
- ii. *Organisational principles* – the principles that promote professional management, leadership and support in ACT member organisations to guide how we work. They provide the foundations for effective and accountable programming.
- iii. *Programmatic principles*⁵ – the principles that guide our actions in ACT member programmes addressing capacities and promoting justice and equality in line with ACT policies and guidance.
- iv. *Relational Principles* – the principles that support ACT members working together and promote collaboration, cooperation and partnership among alliance members

³ ACT Alliance Founding Document, February 2009

⁴ ACT Code of Conduct for the prevention of sexual exploitation and abuse, fraud and corruption and abuse of power: <http://actalliance.org/about/standards-and-policies/>

⁵ The programmatic principles will be reviewed every three-five years to embrace new developments and in some cases, new scientific evidence, so that the Code becomes established as a credible and accurate reflection of sound programmatic practice for the ACT Alliance.

3. ACT ALLIANCE PRINCIPLES

i. Overarching Principles

Each member of the ACT Alliance commits to...

1. Acting in ways that respect, empower and protect the dignity, uniqueness, and the intrinsic worth and human rights of every woman, man, girl and boy;
2. Working with communities and individuals on the basis of need and human rights without any form of discrimination, ensuring that the capacities and capabilities of communities are considered at all times, and especially targeting those who suffer discrimination and those who are most vulnerable;
3. Speaking out and acting against those conditions, structures and systems which increase vulnerability and perpetuate poverty, injustice, humanitarian rights violations and the destruction of the environment;
4. Working in ways that respect, strengthen and enable local and national-level capacity;
5. Not using humanitarian or development assistance to further a particular religious or political partisan standpoint⁶;
6. Upholding the highest professional, ethical and moral standards of accountability, recognising our accountability to those with whom we work, to those who support us, to each other, and ultimately to God;
7. Meeting the highest standards of truthfulness and integrity in all of our work; and
8. Endeavouring not to act as instruments of government foreign policy.

ii. Organisational Principles

1. Commit to responsible and transparent governance and management including upholding the highest ethical standards and being accountable to all stakeholders
2. Develop and maintain the organisational capacity necessary to support development and humanitarian programmes in terms of mobilisation of resources⁷ and creating management conditions to achieve strategic objectives;
3. Commit to act in ways that will protect God's creation, restore the environment and respect human rights;
4. Promote gender equality as a common value and gender mainstreaming as a method of work;
5. Take responsibility and hold ourselves accountable for ensuring the safety, dignity and security of our staff and volunteers;
6. Make a 'core commitment' to mainstream protection in all work, at a minimum, ensuring mechanisms are in place to prevent and respond to sexual exploitation and abuse and other forms of gender-based violence;

⁶ See end of document for Appendix – ACT Alliance Non-Proselytism Statement, adopted by the ACT Alliance Governing Board, June 2016.

⁷ Such as: staffing, infrastructure, technology, and finances.

7. Make a concerted effort to engage with churches and their local ministries, recognizing their role in providing religious and spiritual care as well as essential humanitarian and development assistance to local communities;
8. Manage financial resources in an efficient, transparent and accountable manner; and
9. Reflect in communication and fundraising materials the dignity, resilience and initiative of affected communities.

iii. Programmatic Principles

1. Uphold high ethical, human rights and programmatic standards in all of our work (as relevant) such as the Universal Declaration of Human Rights⁸, Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief⁹, Sphere Standards¹⁰, the Principles of Partnership,¹¹ the ACT Code of Conduct¹², and all other ACT Alliance policies and codes¹³.
2. Listen to, and incorporate into all stages of programmatic work, the perspectives of those women and men whose lives are affected by crises, poverty, exclusion, rights deprivation and injustice and support them as they claim their human rights and work to improve their situation and overall wellbeing.
3. Address the root causes of poverty, rights deprivation, injustice, and exclusion in appropriate ways, including working for relevant changes within both formal and informal institutions.
4. Work to ensure that appropriate and timely support reaches the most deprived men and women within communities.
5. Proactively seek equal and meaningful participation of women and men from the communities with whom we work in initiatives and decisions that affect their lives and livelihoods, making a concerted effort to include those who are disproportionately excluded in their society.
6. Promote an integrated, community-based approach to our work, creating a link between development and humanitarian assistance and related advocacy work, recovery, reconstruction, and disaster risk reduction.
7. Use work approaches that develop community capacity, strengthening existing community capacity and prioritise the use of local resources (human, material, cultural, etc.).
8. Enable the active participation of communities in determining appropriate self-protection and risk reduction measures.
9. Work to foresee and understand the impact of our work on existing and potential conflicts and inequalities, incorporating “Do no harm” principles in our work and where appropriate, grasping opportunities to support peace.

⁸ See: <http://www.un.org/en/universal-declaration-human-rights/index.html>

⁹ See <http://www.ifrc.org/en/publications-and-reports/code-of-conduct/>

¹⁰ See Sphere Standards 2011 version <http://www.sphereproject.org/>

¹¹ See <http://actalliance.org/about/standards-and-policies/>

¹² See the “ACT Code of Conduct for the prevention of sexual exploitation and abuse, fraud and corruption and abuse of power”, revised January 2011 at <http://actalliance.org/documents/act-alliance-code-of-conduct/>

¹³ For all ACT policies and guidelines see: <http://actalliance.org/about/standards-and-policies/>

10. Ensure the people that we work with have access to information about ACT, our programmes, our budget, funding sources, how they can give feedback or complain, and participate in our work.
11. Ensure rigorous, high-quality standards in all our work, having effective systems for planning, monitoring and evaluating.
12. Use moral and ethical business practices when relating and cooperating within ACT and with external actors such as other NGO, UN agencies, the private sector and the military.
13. Work in a complementary and collaborative manner with other national and international development and humanitarian institutions and agencies.

iv. Relational Principles

1. Nurture and sustain partnerships to support more effective, fair and satisfying ways of working together with an emphasis on greater sharing of power, learning, and knowledge;
2. Commit ourselves to being transparent with, listening to, learning from, and sharing experiences with other members in order to improve the quality of our work and draw on the rich diversity of our alliance.
3. Build relationships, strengthen effectiveness and work collaboratively, adopting complementary strategies in our work.
4. Recognise and value the unique gifts that each of us has been given.
5. Build and sustain transparent and accountability-based relationships to support coordinated and effective humanitarian, development and advocacy responses.
6. Strengthen the capacity of churches who are responding to the developmental needs of their communities, paying particular attention to enhancing the capacity of ecumenical organisations and to support programmes undertaken by multi-faith groups.

4. IMPLEMENTATION

Implementation of the principles is the responsibility of each ACT member signatory and as such, each member organisation should institute a system to self-evaluate its efforts and progress towards each principle.

An ACT Peer Review system will be facilitated by the ACT Secretariat to assess the level of implementation of the principles and to serve as a shared learning experience for alliance members. The ACT Secretariat will provide assistance to help implement parts of the Code where possible and as appropriate, supported by ACT's Global Working Groups.

5. COMPLIANCE AND SANCTIONS

All ACT Alliance members must adhere to the Code of Good Practice and its Appendix. It is expected that all ACT members will see the mutual benefits of following the good practices set out in this Code, and will attempt to resolve any compliance issues among and between each other especially if members are working in a partner relationship. Alternatively, such complaints can be addressed at the ACT forum level, if forum members have agreed to a common complaints mechanism.

If the issue cannot be resolved at the country level, formal complaints from one (or more) ACT member organisation(s) about the conduct of other ACT member organisation(s) can be submitted to the ACT General Secretary. S/he will refer such complaints to the ACT Complaints Advisory Group which reports to the Governing Board. The group will present the findings and conclusions of any investigation to the Governing Board. The Governing Board will then decide on the necessary disciplinary action (if any) based on the defined ACT disciplinary procedures outlined in the ACT Complaints Policy and Disciplinary Procedures.¹⁴

6. ORGANISATIONAL COMMITMENT

An ACT member organisation endorsement of the Code and its Appendix means that the ACT Voting Member supports ALL principles, even if the organisation is not involved in all areas of sectoral work.

The representative of the ACT Voting Member Organisation, whose signature appears below, has read, understood and is in agreement with the content of this Code of Good Practice and its Appendix. The ACT Voting Member Organisation also accepts the consequences of non-adherence to any of the above provisions under this Code and of non-adherence to its Appendix below.

Full name of ACT Observer Organisation: _____

Name of Signatory:

Position: _____ **Signature:** _____

Date: _____ **Place:** _____

¹⁴ For details of the policy and supporting complaints and investigation guidelines please refer to <http://actalliance.org/documents/act-alliance-complaints-handling-policy/>

Appendix to Code of Good Practice

ACT ALLIANCE NON-PROSELYTISM STATEMENT

The Cambridge Dictionary defines proselytism as: “to try to persuade someone to change their religious or political beliefs or way of living to your own”. It is this understanding of proselytism that forms the basis for this ACT Alliance Non-Proselytism Statement.

ACT Alliance members are bound together by core values expressed in the Alliance Founding Document. Through these core values the ACT Alliance and its members affirm that

- All persons are created in the image of God
- God is known through Jesus Christ and revealed through the Holy Spirit and Scriptures
- God stands beside the poor and oppressed
- The Church is called to manifest God’s gracious love for all people and work towards a reconciled human community as one body of Christ
- The earth and all it contains are God’s gifts and are to be protected and shared in good stewardship

ACT Alliance’s humanitarian, development and advocacy engagement is a witness to God’s unconditional love for the world. ACT Alliance affirms its overall rights-based approach where poor and marginalised communities are at the centre. ACT Alliance affirms the freedom of religion or belief as expressed in the Universal Declaration of Human Rights and freedom of religion as a human right as well as the International Covenant on Civil and Political Rights including its affirmation of everyone’s right to freedom of thought, conscience and religion.

ACT Alliance does not use humanitarian or development assistance or advocacy programmes to further a particular religious or partisan political standpoint. This means that ACT Alliance and its members

- Reject the use of any aid, either to an individual or to a community, to advance religious or partisan political standpoints
- Reject the use of their programmes to advance religious or partisan political standpoints
- Reject the use of manipulation, coercive techniques, force or exploitation of people’s vulnerability to advance religious or partisan political standpoints
- Are truthful and transparent about their identities and motivation when asked and offer information about the goals of their organisations and programmes if requested
- Advance through their engagement and programmes, where necessary, with tolerance of differences in belief and protection of those whose human rights are not respected

In keeping with that, we celebrate when people’s lives are enriched by faith, but we reject any attempt to misuse humanitarian or development assistance or advocacy programmes to manipulate either an individual or a community towards a particular religious belief. We believe such attempts lack integrity, result in poor development and dishonour the One who is our motivation.

Breach of this Code of Good Practice, including the appendix, is subject to disciplinary action as outlined in the Membership Disciplinary Policy and ACT Complaints Policy.