



WATER SUPPLY AND SANITATION COLLABORATIVE COUNCIL

Annex 9: Terms of Reference for the Host Agency of the WSSCC

Annex 4

**UNOPS HOSTING TERMS / TOR
FOR THE
WATER SUPPLY AND SANITATION COLLABORATIVE COUNCIL
(WSSCC)**

Revision November 2017

Table of Contents

Background and Context.....	3
General Principles.....	4
Governance	4
WSSCC Executive Director.....	5
Workplans and Budgets	5
Trustee Functions	6
Financial Management.....	5
Audits.....	5
Human Resources	7
Procurement and Contract Management.....	8
Grant Management	8
Reporting	9
Fees and Direct Costs.....	9
Periodic Review; Procedures for Updating the Hosting Terms	9
Privileges and Immunities	9

Background and Context

1. The 'Water Supply and Sanitation Collaborative Council' (WSSCC) is an unincorporated, membership-based, public-private partnership which was established in 1990 and mandated in name by United Nations General Assembly resolution A/RES/45/181¹. Its mission is “to ensure sustainable sanitation, better hygiene and safe drinking water for all, with focus on the poorest and most marginalized members of society”. WSSCC² remains the only part of the UN devoted solely to supporting the sanitation and hygiene needs of the most vulnerable people around the world³.
2. The WSSCC manages the Global Sanitation Fund (“GSF”), which was established in 2008 to improve access to sanitation and hygiene for large numbers of people living in developing countries. The GSF provides funding to support national programmes implementing collective behaviour change approaches, while also supporting emerging movements and enabling environments at the local and national levels to improve sustainable access and use of sanitation and good hygiene behaviour for millions of people.
3. WSSCC operations are managed by the Secretariat of the Council (“Secretariat”), based in Geneva, which supports country-driven processes and programmes, facilitating local solutions for hygiene access. Accordingly, reference to the Secretariat throughout this document pertains to the personnel assigned to serve within the WSSCC Secretariat as led by the Executive Director. Council activities are implemented based on regularly-reviewed Strategic Plans (SP)⁴ and Annual Work Plans (AWP).
4. The Council is governed by the WSSCC Steering Committee (“Steering Committee”), which is comprised of members, including democratically-elected members representing regions in which WSSCC operates, civil society representatives and UN agencies partnering with WSSCC’s principled objectives. The Steering Committee also includes key donors⁵.
5. All of WSSCC operations are financed through a central multi-donor Trust Fund for which general principles of trust or fiduciary law apply. The incoming funds are stipulated in respective Donor Contribution Agreements, allocated, and accounted for; funds are spent and reported against respective WSSCC programmes.⁶
6. The WSSCC accepts members to join its cause, with representation from 150 countries in 2016.
7. The United Nations Office for Project Services (“UNOPS”) hosts the WSSCC Secretariat, providing administrative, financial and operational services to ensure efficient and effective use of resources. These hosting services include but are not limited to financial management, human resources, procurement, grant management, project management support, and general administration services (including travel management support).
8. These terms (“Hosting Terms”) are to serve as the basis of UNOPS’ responsibilities and duties to WSSCC Donors, and hence are attached to all Contribution Agreements signed between UNOPS and Donors.
9. The WSSCC 2017-2020 Strategic Plan focuses on how the Council will contribute to the 2030 agenda for sustainable development, highlighting ways in which the Council will aim to address cross-cutting themes in the Sustainable Development Goals which affect access to sanitation and hygiene for the most vulnerable populations. At the core of WSSCC’s strategy is the principle of Leave No One Behind in achieving safe sanitation and hygiene.

¹ Legally, WSSCC is an unincorporated public-private partnership, not a separate legal entity.

² Henceforth WSSCC is also referred to as ‘the Council’.

³ For more details about WSSCC mission and vision please refer to <http://wsscc.org/who-we-are/>

⁴ From January 2017, WSSCC’s work is grounded in the 2017-2020 Strategic Plan.

⁵ In 2017, key Donors included Sweden, the Netherlands, Switzerland, Australia, Norway and Finland.

⁶ The 2017-2018 WorkPlan and Budget has established 19 work programmes.

General Principles

10. The general principles that will guide the hosting terms and the provision of the UNOPS services are as follows:
- a) The Steering Committee acts on behalf of the donors and stakeholders to review the development and implementation of the WSSCC strategy and its associated operating modalities. The Steering Committee endorses the policy and strategies of the WSSCC. In the interest of the Council, the Steering Committee advocates the interests of WSSCC, encouraging political commitments on sanitation and hygiene and promoting the principles and values of the Council with partners, potential donors and other stakeholders, including UN system organisations with relevant thematic mandate⁷.
 - b) The Donor Accountability Group convenes annually and deliberates on emerging issues in response to the WSSCC annual reports and other agenda points.
 - c) The Secretariat of the WSSCC is responsible for managing the implementation of all WSSCC activities and execution of the budget in accordance with the approved Annual Workplans. Led by the Executive Director, the Secretariat is composed of designated departments including: Policy, Advocacy and Operationalisation (PAO); the Global Sanitation Fund (GSF); Evidence and Learning (EL); External Relations, Communications and Country Coordination (ERCCC), and the Secretariat's Directorate (DIR).
 - d) The Directorate of the WSSCC Secretariat provides the thematic and strategic direction, management oversight, financial allocation and directs the resource mobilisation efforts of the Council.
 - e) UNOPS provides the hosting services for WSSCC, including efficient, flexible, and accountable managerial and administrative support to enable WSSCC to implement its strategy and meet its mission.
 - f) The WSSCC Secretariat, in close coordination with UNOPS, works to ensure a diverse set of donors are engaged to support the Council's activities.

Governance

11. The overall WSSCC governance structure and terms are stipulated in the related WSSCC Governance document.⁸ This includes principles and terms related to Members, Steering Committee, Executive Director etc.
12. UNOPS and the Council have established tailor-made 'standard operating procedures' (SOP) covering all operational workflows and principles of WSSCC's work. The WSSCC SOPs are consistent with (a) the principles outlined above, (b) the organizational directives and administrative instructions of UNOPS, including but not limited to the internal and external auditing procedures contained therein.
13. UNOPS is represented ex-officio in the WSSCC Steering Committee.
14. A matrix of responsibilities has been developed to clearly identify all key internal workflows within the provision of hosting services, inclusive of roles and responsibilities, as segregated

⁷ At least one UN entity with substantive mandate is constituted as partner on the WSSCC Steering Committee.

⁸ This WSSCC Governance Document constitutes core principle document, and is attached to each Donor Contribution Agreement, as Annex 2.

between UNOPS Geneva⁹ and the Secretariat to ensure clear accountability, control and oversight structures.¹⁰

15. All activities of the Council are undertaken in accordance with (a) UNOPS Rules and Regulations, (b) these Hosting Terms, and (c) the WSSCC SOPs, with any conflict relating to interpretation resolved in order of priority.

WSSCC Executive Director

16. The WSSCC Executive Director provides overall management and leadership to the WSSCC Secretariat, being responsible for the administration, guidance and direction of the Council's work. Moreover, s/he provides assistance to the Steering Committee on setting policies and strategies for the Council. In managing the WSSCC activities, the Executive Director follows UNOPS Financial Regulations and Rules, and is responsible for the execution of the Council's strategy in accordance with the Steering Committee-approved annual work plans and budgets.
17. The WSSCC Executive Director may obtain the relevant delegations of authority from UNOPS to allow him/her to execute the Council's strategy in accordance with the approved workplans and budgets.
18. The WSSCC Executive Director reports on substantive matters to the Steering Committee Chair¹¹ and on administrative matters to UNOPS.
19. Working with the UNOPS Geneva Office Director, the Steering Committee Chair provides inputs on key performance indicators of the WSSCC Executive Director in alignment with the UNOPS Staff/Personnel Performance Evaluation system and framework. The Steering Committee Chair will provide inputs to the performance evaluation of the WSSCC Executive Director in accordance with the applicable UNOPS HR policies and regulations. UNOPS will formally administer the recommendations following the performance review, and align them to UNOPS HR policies and procedures.
20. The UNOPS-appointed Executive Director is selected in accordance with UNOPS Organizational Directives and Administrative Instructions, with appointments made in consultation with the Steering Committee. The UNOPS Selection Panel shall include the WSSCC Steering Committee Chair (or a Representative nominated by the Chair) as a full voting member. Any decision to renew, not to renew, or to terminate the WSSCC Executive Director's appointment will be recommended by the Steering Committee; action in this regard is subject to UNOPS HR policies and procedures.

Workplans and Budgets

21. The WSSCC Secretariat prepares annual work plans and budgets to allocate WSSCC resources in line with WSSCC strategy. These workplans and budgets are submitted in a timely manner for review and approval by the Steering Committee.

⁹UNOPS Geneva includes a designated WASH portfolio team, central management and support service structure. These are independent from WSSCC reporting lines, providing oversight layer for all WSSCC operations.

¹⁰ This roles matrix is attached to the SOP Manual

¹¹ This includes annual performance evaluation through the Chair (see clause 19) and bi-annual travel plan review / approval through Chair or designated/delegated person.

22. Endorsement by the Steering Committee of the workplans and budgets provides the Secretariat with the authority to utilise funds in accordance with those documents' details, subject to availability of funds.
23. UNOPS shall establish budgets in its financial management system to reflect the budgets authorised by the Steering Committee, ensuring funds are disbursed in each maintained programme in accordance with the approved workplans and budgets.
24. UNOPS continually reviews financial management of the WSSCC accounts and makes recommendations on the measures which would improve the effectiveness and efficiency of operations, including advice on multi-year (contractual) commitments and other actions impacting cashflow status.
25. UNOPS monitors the level of resources available in the WSSCC accounts and makes recommendations to the WSSCC Executive Director and the Steering Committee as appropriate on the need to raise sufficient funds to replenish accounts.
26. The WSSCC Secretariat undertakes travel in support of completing the objectives in its workplan and in accordance with UNOPS applicable travel policies and WSSCC SOPs. UNOPS ensures travel entitlements are disbursed and processed in accordance with its rules and maintains overview of expenditures to ensure spending against appropriate budgets for the Council.

Trustee Functions

27. UNOPS maintains full fiduciary responsibility and accountability for the receipt, custody and disbursement of all contributions provided by donors under respective contribution agreements, as requested by the Council.
28. UNOPS provides WSSCC with a financial system software which carries out financial activities and workflows associated with its project(s). Funds received for WSSCC are committed and maintained in a separate central ledger account for WSSCC to reflect all advances from proceeds and contributions from donors, as well as all expenditures made against these contributions according to the budget.
29. Accounts for WSSCC programmes are established and administered by UNOPS in accordance with the applicable UNOPS Regulations and Rules pertaining to the receipt and administration of funds. In addition, the following provisions apply:
 - a) UNOPS will not absorb gains or losses on currency exchanges, which will increase or decrease the funds available for WSSCC programmes; and
 - b) UNOPS will invest funds received in accordance with UNOPS's investment policy and will credit and account for all interest and other earnings on deposits of WSSCC funds. UNOPS investment policy will be shared with the Steering Committee who will endorse the level of investment risk to be undertaken.

Financial Management

30. In accordance with the Contribution Agreements concluded for the benefit of WSSCC, UNOPS is responsible for the effective, transparent and efficient management of WSSCC

funds in accordance with its own Financial Regulations and Rules and highest international accounting standards¹².

31. UNOPS is responsible for the following financial management activities:
- a) Maintaining a financial management system to reflect transactions related to the implementation of WSSCC workplans;
 - b) Monitoring expenditures to ensure that funding is spent for the intended purpose in accordance with signed agreements and the Council workplans;
 - c) Preparing certified financial reports and statements (see further details on reporting under clause 47);
32. UNOPS, in coordination with the WSSCC Directorate and financial focal points, provides advice on allocation of funds to ensure a sustainable cashflow is maintained within the Council.

Audits

33. UNOPS is responsible for standard audit exercises of WSSCC in line with its applicable policies, requirements and practices. More explicitly, UNOPS may:
- a) Undertake internal audits as per corporate policy to ensure compliance and best practices in line with UNOPS standards;
 - b) Identify and contract appropriate audit services;
 - c) Receive and comment on audit reports;
 - d) Follow up on the implementation of audit observations/recommendations including formalization of management responses and timely closure of audit items.

Human Resources

34. Management of all personnel in WSSCC is undertaken in accordance with UNOPS Organizational Directives and Administrative Instructions.
35. Accordingly, all personnel supporting WSSCC hold UNOPS staff (fixed-term) or ICA¹³ contracts. All such personnel are considered UNOPS-supervised project personnel.
36. In line with staffing tables endorsed by the WSSCC Steering Committee the WSSCC Executive Director may a) request UNOPS to create and abolish posts and positions within the Secretariat¹⁴ and b) determine the appropriate contract modality for such posts/positions, in accordance with, and subject to, the applicable UNOPS Regulations and Rules, and with the advice of UNOPS.
37. Performance assessment of personnel within the Secretariat is the responsibility of the WSSCC Executive Director and those individuals with delegated supervisory authority within the Secretariat to review supervisees in accordance with applicable UNOPS Regulations and Rules.

¹² UNOPS is a IPSAS compliant UN entity.

¹³ 'Individual Contractor Agreement' (ICA)

¹⁴ The ultimate authority to create Staff (Fixed-Term) positions remains with the UNOPS (Deputy) Executive Director.

Procurement and Contract Management

38. UNOPS provides procurement and contract management services to the Council in accordance with the applicable UNOPS Regulations and Rules and in line with the principle of “best value for money”.
39. Equipment and materials purchased by UNOPS with funds provided by the Council will legally remain the property of UNOPS unless otherwise agreed, or until such time as UNOPS, as per instructions by the Secretariat, transfers such property to a local recipient or implementer.

Grant Management & Administration¹⁵

40. UNOPS provides grant management services for WSSCC in line with its SOPs and roles matrix, with special focus on the multi-country portfolio of the Global Sanitation Fund (GSF).
41. As such, UNOPS enters into and administers a) grant support agreements with NGOs or other (non-for profit) entities (“Grantees”); b) inter-agency agreements with UN entities; c) project cooperation agreements with national governments; and d) other relevant implementation agreements with partner organizations or recipient of funds from the Council to achieve strategic goals. UNOPS ensures that adequate provisions are in place to retain its full fiduciary responsibility for the provision of grant funds to respective Grantees/Implementing Partners.
42. In line with the established WSSCC SOPs and related grant management provisions (as approved by the Steering Committee), UNOPS is responsible for facilitating open, competitive call for proposal (CFP) exercises. In line with applicable UNOPS grant support principles, grant proposals are formally evaluated and the most suitable grantee selected. In certain cases, as endorsed by the Steering Committee, the WSSCC Executive Director may directly select a grantee (below US\$ 100,000) on behalf of the Steering Committee.
43. UNOPS awards engagements and issues relevant Agreements with selected WSSCC Grantees/Implementing Partners, including GSF Executing Agencies, ensuring the appropriate terms, provisions, responsibilities and milestone schedules are applied.
44. Subject to the availability of funds, UNOPS disburses funds to Grantees/Implementing Partners or other funding recipients for the implementation of agreed activities in a timely manner and in line with the terms of the respective agreements, following certification of received milestones by the WSSCC Secretariat (see below clause 47 d);
45. The WSSCC Secretariat has the following responsibilities related to Grantees/Implementing Partners:
 - a) Screen and evaluate grant and project proposals for the relevant WSSCC programmes, in accordance with established UNOPS processes;
 - b) Finalize pertinent terms of references (TOR) or grant activity descriptions and budgets for issuance of agreements;
 - c) In cooperation with UNOPS, monitor compliance with the agreements and take necessary actions to address non-compliance or underperformance;
 - d) Receive and review Grantee/Implementing Partner milestones/deliverables, including financial and narrative reports, and certify acceptance with provided outputs and reports for related payments.

¹⁵ Any grant management and administration services carried out by UNOPS are in accordance with the applicable UNOPS Regulations and Rules and Administration Instruction(s) on Grant Support.

Reporting

46. The WSSCC Executive Director, through the support of UNOPS, shall provide to all Donors and the Steering Committee¹⁶
 - a) An annual result-based narrative report
 - b) Financial Reports, as often as required per the Contribution Agreement, with respect to funds provided by Donors.
47. UNOPS ensures reporting to donors is in compliance with the terms of the signed Contribution Agreement.
48. Financial reports are prepared and submitted in accordance with UNOPS standard requirements and formats. Narrative reports will include a general description of the progress of activities and specific notes on the results, impact and sustainability of the results. Reporting shall be done in accordance with the 2017-2020 Strategic Plan Results Framework, and the WSSCC Governance Document.

Fees and Direct Costs

49. In accordance with its pricing policy, and as per cost principles agreed with Donors, UNOPS applies the following standard, transparent cost structure:
 - a) Direct Costs are applied, which are detailed in the budget and include all direct costs relevant for specific implementation support (Locally Manged Direct Costs, "LMDC") and other standard, corporate allocable charges (Centrally Managed Direct Costs, "CMDC").
 - b) Indirect Costs are applied, as management fee (expressed as percentage against actual expenditures). This represents the standard corporate UNOPS overhead. The current management fee agreed with Donors for WSSCC is 7%.

Periodic Review; Procedures for Updating the Hosting Terms

50. Should either the Steering Committee or UNOPS determine that this hosting arrangement should be amended or brought to an end, the Steering Committee and UNOPS will provide sufficient notice and cooperate to ensure a smooth transition for WSSCC to another hosting arrangement.
51. Should any revision to the Hosting Terms be considered necessary, a review will be undertaken by UNOPS in consultation with the WSSCC Executive Director and the Steering Committee. The results of any such review, including but not limited to any proposed amendments or updates to the Hosting Terms, will be mutually agreed upon between UNOPS and WSSCC, and be presented to the Steering Committee for formal endorsement.

Privileges and Immunities

52. Nothing in or relating to the Hosting Terms will be deemed as a waiver, express or implied, of any of the privileges and immunities of the United Nations, including UNOPS.

¹⁶ Through the standing Finance Sub-Committee.