



DFAT / NGO COMMITTEE FOR DEVELOPMENT COOPERATION

A Joint Committee of the Department of Foreign Affairs and Trade and Australian Non-Government Organisations

167th COMMITTEE FOR DEVELOPMENT COOPERATION MEETING

24 October 2022 – 10:00 – 1.50pm

Meeting held in-person at ACFID House, 14 Napier Close, Deakin and online via Teams

Participants

- Mr Aedan Whyatt (DFAT) – Chair
- Ms Selvi Vikan (DFAT)
- Ms Christina Munzer (DFAT)
- Mr Tim Church (DFAT)
- Ms Ellen Shipley (UnitingWorld)
- Mr John Morley (Plan International Australia)
- Mr Andrew Hartwich (The Fred Hollows Foundation)
- Ms Jessica Waite (International Women’s Development Agency)

CDC Secretariat and Observers

- Ms Jocelyn Condon (ACFID)
- Ms Emily Moreton (ACFID), minute taker
- Ms Liz Nannelli (DFAT)
- Ms Tina Angel (DFAT)
- Ms Shani Field (DFAT)

Agenda

1. Welcome, Introduction, Apologies and conflict check- Chair

Acknowledgement of Country

- The Chair opened the meeting with the Acknowledgement of Country as follows “I would like to pay my respect and acknowledge the traditional custodians of the land on which this meeting takes place, and also pay respect to Elders both past and present. I extend this respect to any Aboriginal or Torres Strait Islander people here today.”

Welcome

- The Chair welcomed everyone to 167th CDC meeting and noted that this meeting is a policy focused discussion.

Note the observers, and Secretariat:

- Ms Jocelyn Condon (ACFID)
- Ms Emily Moreton (ACFID), minute taker
- Ms Liz Nannelli (DFAT)
- Ms Tina Angel (DFAT)



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- Ms Shani Field (DFAT)

Conflict Check

- The Chair asked all meeting participants to declare any conflicts of interest.
 - No attendees declared any conflicts of interest.

2. Endorsement of the 166th CDC Minutes - Chair

The minutes of 166th CDC have been circulated.

- The Chair moved that the CDC accept the 166th Minutes.
 - The 166th Minutes were accepted by the CDC.
 - Ms Shipley endorsed, seconded by Mr Morley.

3. Update on Action Items

- The Chair noted the update on the use of logos was shared with ANCP NGOS in a recent ANCP Bulletin.
- Ms Nannelli confirmed that the link to the ACFID Code and DFAT Accreditation mapping has been added to the Accreditation page on DFAT's website.
- Ms Condon noted that the review of the Conflict of Interest Policy (Action Log Item 2) could be marked as complete, and will be discussed at agenda item 8.
- Mr Church asked to what extent is the requirement to display DFAT/Australian Aid logos cascaded to downstream partners. Mr Morley noted that it is usual sector practice to acknowledge all funding partners, particularly for programs with blended financing. However, it was noted that in some situations including donor logos can create security concerns, e.g. LGBTQI work in Indonesia.

4. Update from DFAT

Government priorities

- The Chair provided an update on the new Australian Development Policy:
 - The Terms of Reference is available on DFAT's website and written submissions to the review are due the end of November.
 - DFAT's Development Policy team are organising consultations, including roundtables in Australia and overseas, coordinated by DFAT posts. ACFID have been actively involved in this process.
 - Conscious of the need to ensure an inclusive process where a wide range of voices are heard, and are trying to balance meaningful consultations within timeframes that will allow the policy to be actioned in a timely way.
 - ACFID and IDCC have been invited to nominate for an independent expert advisory group to support the policy review.
- Ms Shipley welcomed the inclusion of a consultation discussion with ANGOs as part of the upcoming ANCP Annual Reflections workshop.
- Mr Morley asked if and how non-ANCP ANGOs will have the opportunity to participate in consultations and noted the need to include a variety of perspectives.



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- The CDC discussed the relationship between the new Development Policy and ‘Partnerships for Recovery’. The Chair noted that the thematic issues in ‘Partnerships for Recovery’ are still key issues for DFAT, but the new policy will supersede ‘Partnerships for Recovery’.
- Ms Condon noted that civil society had not been specifically identified as a theme for discussion in the ANCP Reflections consultation session on the new development policy and asked what plans there were to incorporate civil society in the policy review process.
- The Chair confirmed that there is a strong desire from NPQ to see civil society reflected in the Development Policy. The three themes chosen for the ANCP Reflections workshop (climate change, gender and First Nations) reflect whole of Government priorities and commitments.
- Ms Vikan noted that there is an opportunity to bring civil society into other thematic area discussions.
- Mr Morley noted recent visits by US officials which highlighted civil society strengthening as a key issue. There is an opportunity to bring in other civil society actors beyond ANCP ANGOs into the Development Policy discussions. Previously there were other programs beyond ANCP that could be drawn upon, e.g. DLP, PLP.
- Mr Shipley agreed, noting the risk to DFAT of ANCP alone driving civil society engagement, and noted the value in bringing in other civil society voices, e.g. Pacific church leaders.
- Ms Vikan noted that civil society engagement was a theme in the ANCP evaluation findings. Some aspects of civil society engagement are within the remit of NPQ, but others are DFAT-wide and will be shaped by the new Development Policy. In discussions with the Development Practice Committee, NPQ is focusing on what levers are held within ANCP.
- The Chair agreed that civil society strengthening should be part of a whole development program and not just be through ANCP and that DFAT can draw on the good practices and learn from existing partnerships. USAID’s localisation agenda was noted and DFAT is considering how they might align or learn from this approach. There are increasing conversations with other partners in the Pacific, e.g. Pacific Islands Association of NGOs (PIANGO).
- The Chair noted that the Federal Budget on 25 October will include additional funding to the Pacific.
- Mr Morley asked if DFAT are expecting any shift in geographical priorities, including Government’s approach to NGO engagement in Afghanistan?
- The Chair noted the focus remains on SE Asia and the Pacific. He said the Afghanistan Desk remains engaged in active conversations with their international partners around ways to engage in Afghanistan.

ANCP Annual Reflections – Ms Vikan

- Ms Vikan provided an update on the ANCP Annual Reflections workshop on Nov 7-8:



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- the workshop will be a face-to-face event, with a virtual option, to enable better dialogue and opportunities to network, reflecting ANCP NGO consultation in the design of the workshop.
- There will be a mix of policy and program discussions, with engagement from DFAT colleagues.
- A special session will be held to get sector input on the new Development Policy. This is the start of the conversations on civil society.
- The MEL team is planning more strategic engagement on learning through the workshop.
- Ms Shipley noted that this was a positive step towards a more partnership-based approach.
- Ms Vikan confirmed that the ANCP program is moving towards a partnership approach and multi-year funding. She also confirmed the workshop would focus on the thematic areas of climate change, First Nations, and gender equality and that DFAT teams were very interested to learn from NGO experience working first hand in these areas.
- Mr Morley and Ms Shipley welcomed the focus on First Nations policy and programs. Ms Shipley noted that the Uniting Church has had a First Nations Council since 1986 and international partners have consistently sought input on their programming.
- Mr Hartwich noted that it would be good to have engagement from DFAT posts at the workshop, given they often work in partnership with ANCP partners. Mr Morley observed that there are different levels of engagement with ANCP partners by DFAT posts depending on the scale and scope of Australia's aid program in each context. The Chair said the evaluation reflected ANCP NGO feedback on this and DFAT is looking to see how to facilitate more structured dialogue between Posts and ANCP partners.
- Ms Vikan confirmed that input from the CDC at the workshop would be welcomed, with the NGO representatives to nominate a presenter.
- An Assessors workshop is planned for February 2023.

Action: Explore a best practice session at the next assessor workshop and/or annual reflections and discuss with M&E team how best to take this forward.

DFAT Safeguards Policy Review - Ms Vikan

- Ms Vikan advised DFAT's work in response to the Safeguards Policy review continues:
 - DFAT appreciates the patience of our partners as it develops a coherent, contemporary safeguard approach for the department
 - There have been significant changes since the last meeting, with a new Government, new Minister and new Secretary.
 - The new Government and its priorities are being considered as part of DFAT's response.
 - Work is being done to amalgamate the three policies into one.
- The Chair noted that the Safeguards Policy review was linked to a stocktake of enterprise level functions across the Department, with analysis about what is to be applied across the Department, and what is more specific to the development program. It isn't expected that the delay indicates significant change in direction, but is more about testing assumptions.



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- Ms Shipley reaffirmed that NGO partners are awaiting the outcomes of the Review, and that it would be beneficial for DFAT to provide an update on when to expect the review to be finalised. Ms Shipley noted that ANCP partners will need time to adapt to any changes, particularly in working with local partners and also noted implications for accreditation, should any changes arising from the revised safeguards policy require NGOs to also update their own policies to align.
- Ms Waite agreed with Ms Shipley and confirmed that an updated timeline would be helpful. There needs to be enough time for the implications of any policy changes to be addressed as part of the Accreditation process as well as time to genuinely embed with partners. It is important to allow scope for deep learning and engagement with partners on these issues, rather than approaching it as a compliance exercise.

Action: DFAT to provide an update on the status and expected timeline of the Safeguards Review to ANCP partners, through regular ANCP communication channels.

Spot Checks – Ms Vikan

- Ms Vikan gave an update on the Spot Check pilot:
 - Spot checks are still seen as an important part of the assurance framework for the ANCP.
 - There have been delays from the contractor for the 2022-23 spot checks. Once these are resolved, DFAT will provide an update to the CDC.
 - There are some potential improvements to be made to the process to ensure the process is meaningful for both DFAT and the NGO. Spot Checks to date have been more like a mini-accreditation which was not the initial intent.
- Ms Shipley suggested that a letter confirming the outcomes of the spot check would help NGOs demonstrate they have passed the spot check when engaging with DFAT funded managing contractors.
- Mr Church asked whether the spot check was designed to be pass/fail and whether a managing contractor or other party should have access to accreditation outcomes.
- Ms Shipley noted that it would be useful if there was some process for DFAT or ANGOs to share the outcome of the spot check with managing contractors or other donors, so that they do not need to duplicate due diligence checks already undertaken. This is particularly useful is an ANGO is well into their five-year accreditation cycle.
- Ms Vikan agreed to consider the option of providing a letter to NGOs who have undergone a spot check, how this letter would be framed, and the weight put on it.
- Mr Church noted that any letter should clearly state the purpose of the spot check process and suggested the letter could be a letter of no objection.
- Ms Condon asked if the CDC would have any visibility over any potential changes to the spot check policy and process as a result of the pilot.
- Ms Vikan confirmed the CDC would be engaged, and at this stage no changes are anticipated.
- Mr Morley suggested that spot checks could also be a useful chance to take a critical friend approach, rather than seeing it purely as a compliance check, and also to seek to target NGOs at the mid-point of their accreditation cycle, when a review of processes might be most helpful.



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Action: DFAT to consider if and what could be provided in a letter to ANGOs who have undergone a spot check and share with the CDC any decision made.

5. ANCP Independent Evaluation update – Ms Vikan

- Ms Vikan provided an update on the ANCP Independent Evaluation
 - DFAT met with the Development Practice Committee on Friday 21 October to discuss final iteration of the evaluation report.
 - A partnership approach which focuses on greater dialogue between DFAT and ANGOs is a strong theme in the draft evaluation report. The evaluation team has been asked to include examples of what this approach looks like in practice in their final report.
 - Other key recommendations include reviewing accreditation tiers to reduce the burden particularly on smaller NGOs, and a shift to multi-year funding. DFAT will consult with the sector about how to implement these changes.
 - Utilising risk informed programming practices to support locally led programming - there is a need to better understand what a risk sharing approach would look like.
 - DFAT considering ways to report on outcomes and a more evaluative approach, not just monitoring.
 - The final report will be provided by 28 October. A management response is being developed and will be published online by the end of the year, along with the final report. The DPC remains heavily involved in this process on behalf of the sector.
- Ms Shipley asked if it is expected that recommendations would be implemented in the next financial year.
- Ms Vikan noted recommendations have been grouped into what is within the remit of NPQ and what is in the remit of the broader department. Some recommendations could be actioned faster, for example streamlining business processes and moving towards multi-year funding. Others, including embedding a partnership approach may take longer. Timeframes will be included in the management response.
- Mr Morley highlighted the importance of sequencing and identifying clear priorities in the management response. It will be important to adopt a partnership approach when working through the recommendations. Some changes could be tested through an iterative process as pilot projects, for example, risk sharing.
- Ms Waite noted the likely impact of some recommendations on accreditation and the need for greater flexibility in how certain criteria are met/assessed, including those related to risk sharing.

Accreditation Reviews Summary – Ms Nannelli

- Ms Nannelli advised CDC members the 2022 accreditation round, which closed on 30 September 2022, received 5 applications, with two ANGOs applying for the first time at Base level and three ANCP NGOs seeking to upgrade their accreditation from Base to Full.



6. ACFID Code of Conduct Review – Ms Condon and Ms Moreton

- Ms Moreton shared an update on the progress of the ACFID Code of Conduct Review.
 - The ACFID Code is reviewed periodically to ensure it remains relevant, coherent, useful and credible for ACFID members and external stakeholders.
 - The current review of the Code began in August 2022 and is nearing the end of the first round of consultations with ACFID members and other key stakeholders. NPQ participated in this consultation round.
 - A Discussion Paper was released in August 2022 which outlined key questions focused on the Review objectives.
 - Key issues that have been raised through the review consultations include locally-led development and humanitarian action, climate change, racial justice and anti-racism, and alignment with other standards.
 - There is significant feedback around the relationship between the ACFID Code and DFAT Accreditation, as well as international standards such as the CHS, and ways to create greater efficiencies for ANGOS.
 - The next phase of the review will include finalising a series of recommendations about potential changes to the Code, which will be drafted in early 2023.
- The overlap of the timeframes with the planned Accreditation refresh is a valuable opportunity to progress meaningful changes that would reduce duplicative reporting and create efficiencies for ANGOS. Ms Condon noted the findings of the ANCP evaluation, in particular the recommendations surrounding the need to provide a lower level of accreditation to base ANCP agencies, and that this intent should be picked up in the scope of the accreditation review. She further noted that the previous review of the ACFID Code had done significant work on providing a tangible framework for signatories to demonstrate their compliance and that this opportunity represents a clear avenue to reduce unnecessary compliance burden. She further noted ACFID’s intent to create as much coherence as possible in the areas where the intent of ACFID’s code requirements and the ANCP accreditation requirements overlap. Ms Condon sought the committee’s reactions to the proposition that the ACFID Code could be used as the starting point for base accreditation and that DFAT could then consider what else would be needed.
- Mr Church noted that much of this would depend on the risk appetite of the Government of the day.
- Mr Morley noted that significant work has been done by ACFID and NGOs to create a verifiable standard, and that the compliance burden would be substantively reduced by seeking the same evidence. Responding to Mr Church’s question, he further noted that this is not to be conflated with accepting ACFID’s verification of the organisation, and the Code compliance process would not replace an OR.
- Ms Waite noted some areas currently under accreditation, such as A, D and E, were around due diligence, of particular relevance to DFAT, whereas B and C were sector driven and around good practice, which could be of more relevance to the Code.
- Ms Vikan noted that DFAT would likely not accept ACFID’s verification of the high-risk due diligence parts of accreditation such as CTF, PSEAH and CP, but that the review could consider options for adopting the ACFID Code requirements for other parts of accreditation where there was not a clear reason for the difference – such as those covering MEL, development approaches, partnership and others.



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- Ms Condon further clarified that the compliance assessment conducted by ACFID is second-party, in that the secretariat assesses signatory responses to questions, and no site visits are conducted. The suggestion is that if the ACFID Code is adopted as the benchmark for some aspects of the accreditation criteria, the OR would verify compliance against the standards set out in the Code. She further noted that this would be a welcome change for ACFID's members.
- Ms Munzer noted that there has been agreement at the CDC level for some time now that there is need to reduce compliance duplication and highlighted that it would be good to see some tangible progress on the issue of duplicative reporting and improving alignment between the Code and Accreditation, noting that this has been a longstanding conversation.

Action: ANCP team to ensure the scope of the upcoming ANCP accreditation review includes consideration of the use of ACFID's Code as the standard for base accreditation, excepting areas DFAT deems high risk.

Action: ACFID to provide an update on the Code Review to the next CDC meeting.

7. Review of Trends – Accreditation tracking spreadsheet – Ms Moreton

- The CDC discussed the accreditation tracking spreadsheet and possible trends in accreditation outcomes and subject tos. The following points were raised:
 - There is some inconsistency in the timeframes allowed for subject-tos for the same criterion. Ms Shipley and Ms Waite noted that this may reflect the scope of the action requested by the assessors. Some actions, e.g. policy updates, may be done in a few months, but other actions, e.g. strengthening the practice of implementing partners, may need a longer period. In addition, the time allowed may also reflect the time of year, e.g. December-January holiday period.
 - CDC members agreed the spreadsheet is a valuable tool which allows the CDC to identify areas where NGOs are not meeting accreditation requirements, to ensure consistency in decisions, and as a way of connecting organisations needing support with those doing something well.
 - The data could be analysed in other ways, e.g. comparison of Base/Full, as needed and should be used to inform learning priorities.
 - The spreadsheet should continue to identify NGO strengths, which could in turn be shared, de-identifying the data. Suggestions for how these could be identified included:
 - o discussing with assessors how they could highlight strengths in their reports;
 - o recording any strengths identified by the CDC in OR discussions;
 - o DFAT to identify strengths where these are identified in Desk Assessments.
 - Ms Shipley asked if assessors get to see the tracking. The Committee agreed there was value in sharing summary data with assessors as part of broader conversations around consistency in timeframes and the type of information that should be captured in ORs.

Decision: ACFID to maintain the tracking spreadsheet, with DFAT providing additional information from Desk Assessments on areas of strength where relevant. The spreadsheet will be provided as a reference document for each CDC meeting.



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Action: ACFID to update the tracking spreadsheet to include the CDC meeting number in addition to the date the OR was reviewed by the CDC.

8. Conflict of interest paper – Ms Condon

- Ms Condon gave an overview of the CDC Conflict of Interest Policy:
 - At CDC 160 the Committee endorsed a conflict-of-interest policy to guide the work of the committee thereafter with regards to managing the identification and response to real or apparent conflicts that arise with the discussions and decision-making of the CDC.
 - This policy was due for revision in June 2022 and is presented for the review of Committee members.
- Ms Shipley noted that the policy was developed in response to a particular issue at a point in time. It continues to serve its purpose in reminding the CDC about Conflicts of Interest. Reviewing it on a two-year cycle remains a sensible idea.
- Mr Church suggested that the last sentence at point 4 “The removal of participants(s)...” be amended to reflect that this action is taken ‘in the interests of fairness and equality’.
- Mr Hartwich noted that point 4 should also be amended to refer to ‘stepping out of the meeting’ rather than ‘stepping out of the room’ to reflect the move to virtual meetings.

Decision: The Committee agreed the Conflict of Interest policy would be next reviewed in 2024.

Action: ACFID to make minor amendments to the CDC Conflict of Interest policy based on the Committee’s feedback.

9. CDC membership

- Ms Moreton updated the Committee on the election process being run by ACFID for the two elected NGO representatives:
 - These positions are currently held by Ms Waite and Mr Hartwich.
 - Re-nomination is possible without limitation.
 - Mr Hartwich informed the Committee that he has chosen not to re-nominate and hoped to see some diverse candidates apply.
 - The election results will be announced in early November, with the new representatives beginning their two-year term on 30 November 2022.
- The Chair thanked both Mr Hartwich and Ms Waite for their participation in the CDC and acknowledged their contribution to the CDC to date.
- Ms Nannelli noted that the two-year terms for Mr Church and Ms Munzer are concluding. DFAT will review the Terms of Reference for these positions and will update the Committee on any changes to CDC membership.

10. Other issues for NGO Representatives to table – Chair

- Mr Hartwich asked if there are any updates on the Government and DFAT’s engagement in Myanmar.



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- The Chair took this question on notice, and acknowledged that there has been a focus on the release of Sean Turnell.

11. Next CDC Dates and Meeting close - Chair

- The Chair advised CDC members that the next CDC is planned for February 2023.
- CDC members noted that it would be preferable to meet in person.
- The Chair agreed and stated it was more positive face-to-face.
 - Thanked ACFID for hosting, and the CDC members for their preparation and input to the meeting.

1.50pm Meeting Closed.