

Local Fund Agent Communication Protocol

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Introduction

The Global Fund is a 21st-century financing vehicle which brings together stakeholders involved in the fight against AIDS, tuberculosis and malaria for effective investment. The Global Fund is a partnership, relying on the expertise and contribution of all sectors in order to ensure that funds reach the men, women and children it is intended to serve.

Local Fund Agents (LFAs) are an integral part of the Global Fund model. LFAs are independent organizations contracted by the Global Fund on a country-by-country basis to undertake an objective examination of and provide independent professional advice and information relating to grants and implementers in each country where the Global Fund finances grant implementation activities.

LFAs do not act as the Global Fund's representative in a country and do not speak for the Global Fund.

While the LFA's primary focal point within the Global Fund is the Country Team, led by a Fund Portfolio Manager, LFAs need to interact from time to time with other teams, as described in the LFA Manual¹. Similarly, the Global Fund regularly interacts not only with in-country LFAs and their expert focal points but also with the Central Coordinating Teams of LFAs, when applicable.

Efficient and effective communication is key for (i) facilitating the work of LFAs and (ii) successfully maintaining the relationship between the Global Fund and LFAs, both of which are crucial for ensuring the accountability and effectiveness of Global Fund grants.

In performing their role, LFAs are required to interact with Principal Recipients, other program implementers, Country Coordinating Mechanisms and various additional stakeholders. These interactions must comply with the parameters established in this document and occur in such a

¹ Section B available at the LFA website: <https://www.theglobalfund.org/en/lfa/guidelines-tools/>

way as to preserve the independence of LFAs which is critical to their oversight role.

Likewise, a clear and realistic understanding of an LFA's role on the part of external parties including Principal Recipients, other program implementers and Country Coordinating Mechanisms is essential for LFAs to be able to perform their work effectively. The Global Fund and LFAs alike take every opportunity to clarify this role to Principal Recipients, other implementers, Country Coordinating Mechanisms and other key external parties.

This protocol describes the principles which govern the communication between LFAs, the Global Fund and other key actors during the lifecycle of a Global Fund grant. The parties are required to comply with this protocol, as amended from time to time, for the duration of their obligations under their respective Framework Contracts with the Global Fund. LFAs shall ensure that their respective authorized agents or representatives, such as sub-contractors and/or consortia members, also comply with this protocol when performing services for or on behalf of LFAs.

This communication protocol covers the following aspects:

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This protocol does not cover communication related to audits and investigations conducted by the Office of the Inspector General, which are described in separate documents.² It also does not cover communication of LFAs in relation to any other contracts which LFA organizations may have with the Global Fund.

² Please refer to the Office of the Inspector General's stakeholder engagement model available on <https://www.theglobalfund.org/en/oig/communications/>

A. General Principles

1. Communication is a collective responsibility of the Global Fund, LFA and other relevant stakeholders.
2. Regular frank, open, transparent and respectful communication is essential.
3. Early communication between the Country Team and the LFA of planned activities or changes in priorities is critical.
4. In-person, telephone and virtual (e.g., Zoom, MS Teams,) discussions are usually preferable to long email exchanges. However, agreements reached orally are to be confirmed in writing, by a confirmatory email, summary notes or a more formal document, as appropriate. The Country Team and the LFA should agree on who is responsible for drafting and sending to the other party such confirmation emails/notes/documents.
5. The Global Fund and the LFA try to streamline the use of email as a means of communication.³
6. The Global Fund Country Team and the LFA should discuss and agree on the preferred methods⁴ and frequency of communication. Regular calls and virtual meetings including all relevant experts of the LFA and the Country Team are highly recommended.
7. Recording virtual meetings/calls can only be done with the explicit prior consent of all parties involved in the meeting/call.
8. The LFA must ensure that it complies in all communications, be it with Principal Recipients, Country Coordinating Mechanisms or other stakeholders, with the confidentiality provisions in the LFA Framework Contracts.
9. The LFA's focal point within the Global Fund is the Country Team, led by a Fund Portfolio Manager. Relevant communications concerning a specific portfolio should be addressed to or copied to the relevant Country Team. However, the LFA may need to interact from time to time also with other teams, as described in the LFA Manual. In addition, an open line of communication between LFA experts and Country Team technical specialists should be facilitated. The modalities of this direct communication between technical LFA and Country

³ For example:

- a. The use of email headers, specifying the country, component and subject matter of the email;
- b. Sending one email per grant rather than a single email covering several grants;
- c. Reserving "to" for recipients who must take action;
- d. Reserving "cc" for recipients who are copied for information only;
- e. The use of email groups;
- f. Indicating the true level of urgency of the message.

⁴ This may include exploring the use of various communication tools to facilitate Country Team and LFA communication.

Team experts should be agreed between the Country Team and the LFA. The Fund Portfolio Manager and the LFA Team Leader should at all times be included in such communications between the technical specialists.

10. The Global Fund and the LFA plan LFA services and activities on grants together to foster better coordination and responsiveness. In doing so, the Global Fund, usually through the Fund Portfolio Manager in collaboration with the Country Team technical specialists, communicates its priorities for the period ahead in a timely manner. This includes early notice of any changes to the agreed service schedule to ensure the required LFA resources are available to provide the requested services.
11. The LFA is expected to involve the relevant LFA experts in discussions with the Country Team on planning and scoping of LFA services and proactively input and make suggestions on the scheduling of LFA services (including the type of LFA services required, LFA experts to be involved and the timing of service delivery).
12. Deadlines for LFA deliverables are to be agreed upon jointly by the Country Team and the LFA before the start of the service together with the prioritization of deliverables.
13. The LFA is required to respect agreed deadlines and to proactively plan and track the timeliness of submissions of LFA deliverables. When agreed timelines cannot be met, the LFA should proactively and timely inform the Country Team of the reasons for the delay and discuss and agree a revised deadline.
14. The LFA is required to be proactive in following up on key deliverables like disbursement requests with Principal Recipients before the requests are due.
15. There may be situations when the LFA does not receive information/documentation it had requested from the Principal Recipient or other implementers and which it requires to perform a Global Fund requested service. In such cases, the LFA proactively informs the Fund Portfolio Manager either by copying the latter in follow-up email communications with the relevant Principal Recipient/implementer or in a separate communication to the Fund Portfolio Manager requesting the Global Fund Country Team to follow-up with the Principal Recipient/implementer, particularly in cases of repeated delays.
16. The Global Fund strives to communicate with the LFA and Principal Recipients or other key stakeholders, e.g. technical partners or other program implementers, when discussing issues relevant to the work of the LFA at the same time, in multilateral discussions, in order to avoid misunderstandings and ensure that information is shared. Where this is not possible, the Global Fund strives to ensure that the LFA is kept informed of all agreements or amendments arising out of any bilateral discussions with the Principal Recipients or other stakeholders that are relevant to the work of the LFA. The Country Team copies the LFA in communications with the Principal Recipient or other stakeholders or provides a briefing to the LFA on the matters discussed, including when the discussion has been informal.

17. LFAs should proactively and timely update the Country Team on important issues which may affect grant implementation. Such communications should be clear, specific, concise and relevant and include the LFA's analysis and recommendations on actions for the Global Fund to take.
18. The Global Fund generally notifies the Principal Recipient and the LFA at the same time on the timing and purpose of upcoming country visits.
19. The LFA proactively assists the Country Team with the planning of country visits by suggesting agenda items and highlighting pertinent matters for the Country Team to address or be aware of during the mission. This may include the preparation of a briefing note for the Country Team, as necessary. The Country Team in turn clarifies the expected role of the LFA during the Country Team country visit, including which meetings certain members of the LFA team are expected to attend and which role they are to play during such meetings.
20. The Global Fund and the LFA ensure that contact information⁵ is made available and updated regularly.
21. The Country Team and the LFA provide notice of upcoming absences from the office and designate a replacement contact for the period they are away.
22. The Global Fund ensures that the LFA has copies of the latest versions of all relevant grant-related documents, including the Grant Agreement, Implementation Letters, Performance Letters, etc. The LFA is expected to be proactive in requesting these documents from the Global Fund when it does not already have them.
23. All grant-related documents are to be clearly marked with the date and version number so that the latest version is identifiable.
24. If the LFA chooses to include its name and brand or employee names and other identifying information on the deliverables, these materials form an integral part of the deliverable and may be reproduced and used by the Global Fund for all purposes for which the deliverables may be used by the Global Fund in accordance with this Protocol.
25. The Global Fund keeps the LFA informed of developments or changes in its policies, procedures, guidelines or tools. This is to be done as early as possible and with explanations regarding the changes. The Global Fund LFA Coordination Team is responsible for coordinating this communication.
26. The Global Fund provides regular performance feedback to the LFA, through its Performance Evaluation Tool (PET) but also in its regular communication with the LFA team throughout the year. Likewise, the LFA should proactively seek feedback on its services

⁵ For example, email addresses, telephone numbers

from the Country Team in its striving for continuous service improvement. Providing timely positive comments and feedback is as valuable as constructive criticism.

27. Any concerns or complaints regarding the quality of LFA services are directed to the LFA of the concerned portfolio. Where the issue persists or cannot be resolved at that level, the Global Fund raises the issue with the Central Coordination Team of the LFA, where applicable. The LFA works to resolve the issue and updates the Global Fund on progress in this regard. Joint discussions between the LFA and the Global Fund on mechanisms to resolve the quality issues are crucial.
28. In the cases where an LFA encounters issues or difficulties in its dealings with Global Fund counterparts⁶, it should bring this to the attention of the relevant Regional Manager or Department Head⁷ and/or the Manager of the Global Fund LFA Coordination Team.
29. Global issues which affect the LFA beyond a particular portfolio may be raised with the Manager of the LFA Coordination Team at the Global Fund, who then coordinates the Global Fund response to the issue in question.

B. Sharing of LFA Reports and Findings

30. LFAs report only to the Global Fund.
31. As a principle, the Global Fund does not share or publish reports, findings, recommendations or communications that have been prepared by the LFA for the Global Fund ("LFA Information") with any third parties (including but not limited to Principal Recipients and Country Coordinating Mechanisms), unless the Global Fund has obtained the prior written consent of the LFA to make such LFA Information available to specified persons or the public at large, as the case may be⁸.
32. In the context of a change of LFA service provider in a country/for a portfolio, sharing of key LFA reports with the incoming LFA by the incumbent is critical for the successful transition to the new service provider. Therefore, it is expected that as a general practice the incumbent LFA, if requested by the Global Fund, should not withhold its consent, in accordance with the relevant Framework Agreement for LFA Services, to share the following LFA reports with the new LFA service provider: LFA review of (i) *Progress Updates (PUs)*, (ii) *Progress Updates and Disbursement Requests (PUDRs)*, (iii) *Final PUs*, and (iv) *Financial Closure Reports (FCRs)*.

⁶ This may include members of Country Teams or other Global Fund teams the LFA interacts with

⁷ For High Impact Departments.

⁸ An exception to this principle may be made when disclosure is mandated by a dispute resolution process, other legal requirements or by the Office of the Inspector General.

33. Confidentiality is important to enable the LFA's independent and frank reporting to the Global Fund. LFA reports often contain sensitive information on grant performance and management. Expanding the audience that receives the report beyond the Global Fund may compromise the safety of LFA team members and the ability of the LFA to communicate openly and transparently. Also, LFA findings in the reports may be misinterpreted or incorrect conclusions be drawn in the absence of a full understanding of the role of the LFA, the Terms of References (ToR) of the related LFA service and the specific context/purpose for which the service was provided. Lastly, LFA reports contain recommendations which may not necessarily reflect the position of the Global Fund.
34. However, the Global Fund may use LFA Information to prepare its own communications to Principal Recipients and other stakeholders. In doing so, the Global Fund ensures that the confidentiality of the LFA's work is maintained, including removing any direct or indirect reference to the LFA in the report.
35. The Global Fund sends Performance Letters⁹ to Principal Recipients and Country Coordinating Mechanisms at key grant milestones and as soon as feasible following the delivery of LFA reports. These Performance Letters explain the decisions made by the Global Fund, the rationale for these decisions and key issues, recommendations or challenges for the Principal Recipient to address. The letters should not directly or indirectly reference the LFA or compromise the confidentiality of information provided to the Global Fund by the LFA, particularly if sensitive in nature.
36. The LFA should receive a copy of the Performance Letters¹⁰. In subsequent verification work (e.g., next Progress Update and Disbursement Request), the LFA may be requested to verify the Principal Recipient's responses to the action points described in the Performance Letter.
37. The LFA should refer requests made by third parties, including the Country Coordinating Mechanism, with respect to sharing assessments, review recommendations, updates on grant implementation or other LFA reports, to the Global Fund¹¹. The Global Fund follows up with any third parties on such requests, as necessary.

Sharing LFA information from joint assurance assignments with other stakeholders:

38. From time to time, LFAs may be requested to undertake assurance assignments jointly with other entities (e.g. Partners, such as bilateral or multilateral development organizations). As a result, the report (or parts of it) from such assignments may need to be shared with parties beyond the Global Fund. Before the start of such joint assignments, the division of

⁹ The Country Team determines the appropriate language for the Performance Letter (English, French, Spanish, etc.).

¹⁰ Performance Letters are also copied to Country Coordinating Mechanisms.

¹¹ Note: As reflected in grant agreements, a Principal Recipient has the obligation to report to and update the Country Coordinating Mechanism on grant progress and any other issues relating to the Country Coordinating Mechanism fulfilling its oversight role.

responsibility and accountability for the results of the assignment, including the modalities of sharing the report or parts of it need to be discussed and agreed between the Country Team, the LFA and the other parties involved in the assignment. This includes a clear agreement on which specific parts of the assignment report can and cannot be shared with parties beyond the Global Fund. For LFA Information which cannot be shared, and which is exclusively for the attention of the Global Fund, the LFA agrees with the Country Team to prepare a separate document in addition to the assignment report or a separate section within the report.

Sharing LFA information with Global Fund oversight bodies:

39. The Global Fund may communicate LFA Information, in full or in part, on a confidential and on an as-needed basis with Global Fund oversight bodies¹² for the limited purpose of carrying out specific engagements. This can be done without requesting the prior consent from the LFA, as these users are considered internal to the Global Fund.
40. In addition, the Global Fund may also communicate LFA Information, in full or in part, on a confidential and on an as-needed basis with external auditors as part of their Global Fund related duties¹³.
41. In all cases, the Global Fund manager accountable for making available LFA Information to the Global Fund oversight body requests the prior approval of the Manager of the Global Fund LFA Coordination Team.
42. The LFA Information which is made available to the oversight body should be limited to what is directly relevant to the specific assignment and that body's mandate. As such, upon detailed review of the LFA Information and before communicating the information to the respective Global Fund oversight body, the accountable manager removes any LFA comments it considers sensitive or observations which are not material to the Global Fund oversight body's work, marks the documents as confidential as per applicable policy, and considers using appropriate technical measure to limit risks of leaks or misuse.
43. The accountable manager ensures that the members of the Global Fund oversight body which receive the LFA Information are subject to appropriate confidentiality undertakings and/or Code of Conduct provisions. Careful consideration should be given to potential conflicts if members are associated with firms which could be perceived as competitors to the LFA(s) in question, or if they or their constituency have a specific interest in the country or entities concerned by the LFA Information. Upon request from the accountable manager, the Legal and Governance Department advises on the suitability of confidentiality

¹² For example, Independent Evaluation Panel (ex-TERG), TRP, GAC, Global Fund Board Committees, the Evaluation Unit, and other similar bodies which may include either employees or third-parties subject to appropriate confidentiality undertakings. While the OIG fulfills a similar oversight function, other policies in place regarding confidentiality, namely the applicable codes of conduct and disclosure policies, govern information sharing with the OIG.

¹³ The performance of external auditing activities is exclusively subject to the applicable legal requirements and professional standards.

undertakings and the Ethics Officer advises on conflicts of interests and associated mitigation measures.

44. Making LFA information available to consultants or contractors engaged by the Global Fund or by the Global Fund oversight bodies to enable the work of the latter, if carried out under standard contractual terms or terms providing equivalent confidentiality undertakings, is not considered a use external to the Global Fund.
45. In all cases, the manager accountable for making LFA Information available to consultants and contractors in this context requests the prior approval of the Manager of the Global Fund LFA Coordination Team. This agreement will be granted following consideration of potential conflicts of interests and mitigating actions performed by the accountable manager and in accordance with applicable Global Fund ethics and sourcing policies, notably with respect to firms which could be perceived as competitors to the LFA(s) in question, or if the firms have a specific interest in the country or entities concerned by the LFA Information.
46. The accountable manager is required to ensure that the individuals receiving/viewing/working with the LFA Information do so under terms:
 - Specifically acknowledging the confidentiality of the LFA Information;
 - Limiting the use of the LFA Information specific to the engagement;
 - Prohibiting contacting LFA employees or firms about the engagement or the content of LFA reports without prior Global Fund approval;
 - Prohibiting citing, quoting or making reference to specific elements of LFA Information in their deliverables, unless these deliverables are intended for internal Global Fund use only. Anonymization or aggregation of LFA information must prevent direct attribution of information to LFAs in any deliverables. For the avoidance of the doubt, references to information which can be inferred to have originated from the LFA, due to it being country or entity specific but being characterized as Global Fund information is permissible.
47. The Legal and Governance Department reviews contractual provisions for alignment with these principles, upon request from the Manager of the Global Fund LFA Coordination Team.

C. LFA Communication with In-country Stakeholders

48. When interacting with in-country stakeholders, including grant implementers, the LFA should explain its role and functions as and when appropriate, as it is important for such

parties to have a clear understanding of the scope and limits of the LFA functions and work.

49. To effectively perform its role, the LFA needs to maintain professional working relations with the Principal Recipients, other grant implementers and key stakeholders, without compromising its independence or obligations to the Global Fund.
50. The LFA should give the Principal Recipient advance notice of its intention to meet with program staff and/or review program records and sites unless the Global Fund has authorized the LFA to undertake a special ad-hoc site visit and/or special investigation.
51. As part of its assurance work the LFA may also perform unannounced visits to program sites and/or implementers, as agreed beforehand with the Country Team.
52. The LFA should always ensure that communication with the Principal Recipient, the Country Coordinating Mechanism and other stakeholders is respectful of the hierarchies and level of staff they interact with (e.g. by sending staff of appropriate seniority to interact with senior government staff).
53. The LFA is encouraged to proactively seek information from in-country stakeholders and make use of available opportunities to meet relevant in-country stakeholders (such as through Country Coordinating Mechanism meetings) to gain contextual information, for example, relating to the latest health sector developments or capacity-building initiatives.
54. The LFA should make active use of the experience and knowledge of development actors in the country, for example, by conducting interviews and accessing available evaluations and reports.
55. The LFA should accompany the Global Fund to meetings with stakeholders during country visits, if requested to do so.
56. The Country Team supports, as necessary, the interactions and communication between the LFA and in-country stakeholders. This may include i) introducing the LFA to key stakeholders in country and explaining its role and functions; and ii) reminding grant implementers of their contractual obligations to collaborate effectively with the LFA by providing the latter timely and unrestricted access to relevant information, documents and implementation sites in accordance with the terms of the grant agreements.

D. LFA De-briefs Following Assessments and Grant Performance Reviews

57. After completing key assessments and/or other reviews, the LFA may, depending on the nature of the review/assessment, undertake a verbal de-brief with the Principal Recipient

(and sub-recipients, as applicable) before sending the final report to the Global Fund. This allows the LFA to share its key findings with the Principal Recipient and to give the Principal Recipient an opportunity to comment on any discrepancies or inaccuracies in the LFA's findings.

58. Unless explicitly instructed to do so by the Global Fund, the LFA should not make recommendations to the Principal Recipient on grant-related issues nor instruct the Principal Recipient to take specific grant-related actions. Instead, the LFA should communicate all such recommendations to the Global Fund. The Global Fund then communicates its decisions and any relevant recommendations to the Principal Recipient, copying the LFA.
59. Where necessary, the LFA should seek guidance from the Fund Portfolio Manager on the extent of information that should be shared with the Principal Recipient during the verbal de-brief. For critical LFA services it is recommended that the Country Team participates in the LFA de-brief of the Principal Recipient to have timely information on key issues.
60. In exceptional cases, the LFA may seek direction and a decision from the Fund Portfolio Manager before organizing a debrief (e.g., where the LFA recommends that a nominated Principal Recipient lacks the necessary capacity and systems to be the Principal Recipient for a new grant).
61. When scheduling the debriefing meeting with the Principal Recipient, the LFA forwards the invitation to the Country Coordinating Mechanism's nominated representative, to allow the Country Coordinating Mechanism to be better informed on grant issues identified by the LFA, and therefore better equipped to undertake any remedial/support action at an early stage. It is recommended that the Country Coordinating Mechanism nominates a dedicated Country Coordinating Mechanism member(s), ideally a member of the CCM Oversight Committee, to attend de-brief meetings with the Principal Recipient.
62. The submission of the LFA's work to the Global Fund should not be unreasonably delayed (i.e., by more than a few days) as a result of organizing the debrief. The LFA ensures that it schedules the de-brief with the PR and/or CCM with sufficient notice to allow their availability. In case of the PR and/or the CCM being unavailable within a reasonable timeframe, the LFA notifies the Country Team and agrees on next steps, e.g., whether to submit the LFA report without a de-brief.
63. The LFA debriefs do not replace the Principal Recipient's responsibility to report progress or issues to the Country Coordinating Mechanism.

E. LFA Attendance at Country Coordinating Mechanism Meetings¹⁴

64. The Country Team engages with the Country Coordinating Mechanism to facilitate that the LFA is informed of and receives invitations to Country Coordinating Mechanism meetings on a regular basis, as well as copies of Country Coordinating Mechanism meeting minutes.
65. The LFA should agree with the Global Fund Country Team the frequency of its attendance of these meetings.
66. Regular attendance by the LFA Team Leader or other key experts ensures the LFA is up to date with and can brief the Global Fund on the latest Country Coordinating Mechanism developments. It also helps the Country Coordinating Mechanism to obtain a better understanding of the LFA role.
67. As an observer, the LFA should not participate in decision-making and/or voting processes, speak in the name of the Global Fund or purport to represent the views of the Global Fund.
68. The LFA should refrain from discussing any issues with the Country Coordinating Mechanism that are outside the ambit of its role and responsibilities and its instructions from the Global Fund and should refer such issues to the Global Fund.
69. Following a Country Coordinating Mechanism meeting, the LFA should update the Global Fund about what was discussed at the meeting, particularly any discussions and decisions that relate to or may impact grant implementation (e.g., donor activities, health sector decisions impacting grant implementation, public-private sector engagement, etc.).
70. It is recommended that the Global Fund, through the Fund Portfolio Manager and in collaboration with the LFA team, initially introduces the LFA and presents the LFA role to a full Country Coordinating Mechanism meeting to foster understanding of the LFA role and its boundaries. The presentation may need to be repeated in the event of changes in Country Coordinating Mechanism membership or the selection of a new LFA for the country.
71. The LFA alerts the Country Coordinating Mechanism and the Global Fund, as appropriate, to address cases where the Country Coordinating Mechanism may be operating under a misconception of the LFA role.
72. Country Coordinating Mechanisms are encouraged to review any existing Country Coordinating Mechanism Governance Manuals/Tools to ensure the LFA role is correctly represented in order to avoid false expectations.

¹⁴ The provisions of Section E apply also to other meetings which LFAs may have with in-country stakeholders, e.g., program implementation meetings as part of ongoing monitoring of grant implementation.