BOD/2019/06 DOC 09
Meeting of the Board of Directors
June 11-13, 2019
Stockholm, Sweden
For Decision

CREATION OF A PRIVATE SECTOR CONSTITUENCY

Please note: Board papers are deliberative in nature and, in accordance with the GPE Transparency Policy, are not public documents until the Board has considered them at the Board meeting. It is understood that constituencies will circulate Board documents among their members prior to the Board meeting for consultation purposes.

Recommended by: Governance and Ethics Committee (GEC)

Committee Consideration:

- The Committee was broadly supportive of the creation of a private sector constituency, noting its prior consideration of the issue, with an effective date of July 1, 2019;
- There was general agreement that, to avoid disruption in the newly started Committee mandates, the participation of the private sector constituency in Board Committees should be examined in the context of the 2020 governance review;
- The GEC further noted that eligibility requirements for the private sector constituency as sufficiently enshrined in the GPE Charter and other key documents, and that the self-governing principles should be upheld for the private sector as for all other Board constituencies.

Board Policy Reference: BOD/2018/06-20

1. Objective

1.1 The purpose of this paper is to present the deliberations and recommendation of the Governance and Ethics Committee pertaining to Section 2 of the June 2018 Board decision on splitting of the Private Sector/Private Foundations seat (BOD/2018/06-20).

2. Recommended Decision

BOD/2019/06-XX—Splitting of the PS/PF Seat: The Board of Directors:

1. Approves the creation of a Private Foundations constituency, and a separate Private Sector constituency to replace the combined Private Foundations and Private Sector constituency with an effective date of July 1, 2019;

2. Notes that expectations of private sector members are outlined in the GPE Charter and other key GPE documents*;*

3. Approves the modifications to relevant governance documents and policies as set out in Annex 2.

3. Background

3.1 Following the June 2018 Board decision, the GEC was requested to, in the first instance, *"identify the implications of a proposed addition of a Private Sector constituency on Board and Committee structures and consequential changes to relevant policies and procedures including constituency categories and Committee composition, in order to successfully incorporate a Private Sector constituency into GPE governance while maintaining the Partnership's balanced decision-making structures and processes.*"

3.2 At its October 2018 meeting, the GEC decided to postpone any decision and to consider the potential creation of a private sector constituency in synchronicity with the private sector strategy. The private sector strategy was endorsed by the Strategy and Impact Committee at its February 2018 meeting, for recommendation to the Board in June 2019.

3.3 At its May 2019 meeting, the GEC reexamined the question. It decided to postpone any consideration of the participation of the private sector constituency in Board Committees, in an effort to minimize disruption in the work of Board Committees who had just initiated their 2019-2020 terms on April 1, 2019. The GEC is recommending instead that implications of the creation of a private sector constituency on Board Committees be considered as part of the 2020 Governance Review, in time for the 2020-2021 Board and Committee mandates.

3.4 With regards to the eligibility requirements for the private sector constituency, the GEC noted that expectations of the private sector as a member of the Global Partnership for Education, as well as parameters for that engagement, are sufficiently outlined in a number of GPE policies and guidelines most significantly: the GPE Charter (last revised 2018); GPE Policy on Conflicts of Interest (last revised 2017); GPE Contributions & Safeguards Policy (2017); GPE Corporate Engagement Principles (2016); GPE 2020 Strategic Plan (2016) and the Avoiding Conflicts of Interest: Guidelines for Business Engagement (April 2016).

3.5 Further, the GEC considered that the self-governing principle for Board constituencies should also apply in the case of the private sector constituency, in a spirit of fairness and equity across Board constituencies.

ANNEX A: RELATED BOARD DECISIONS

BOD/2018/06-20—Splitting of the PS/PF Seat: *The Board of Directors:*

1. Recognizes and values the role the Private Sector has played in the GPE partnership and can continue to play.
2. Requests the GEC to:
    a. Further explore the addition of a Private Sector constituency as the 20th constituency to the GPE Board of Directors, comprised of a Board Member and Alternate Board Member, with an effective date of January 1, 2019.
    b. Identify the implications of a proposed addition of a Private Sector constituency on Board and Committee structures and consequential changes to relevant policies and procedures, including constituency categories and Committee composition, in order to successfully incorporate a Private Sector constituency into GPE governance while maintaining the Partnership's balanced decision-making structures and processes.
    c. In coordination with the development of the Private Sector Engagement Strategy, develop expectations of Private Sector representatives, including elements such as financial or in-kind contributions to GPE, and criteria of eligibility of inclusion in a potential Private Sector constituency.
    d. Report their recommendations on these matters back to the Board for decision in December 2018, with an effective date of January 1, 2019.
3. Requests the Secretariat to update the procedures for the upcoming nomination and election of Board Members, Committee Chairs, and Committee Members to include the potential addition of a Private Sector constituency, and the Board Chair to indicate to the existing Private Sector/Foundations constituency the need to prepare for upcoming elections in light of such.
4. Notes that a comprehensive and open constituency review will be completed in time for the 2020-21 Board and Committee terms and that this review should consider a broad range of options to further strengthen the partnership.

ANNEX B: AMENDMENTS TO CHARTER

Composition and Selection

4.2.3 The Board is composed of up to 40 ~~38~~ members (one Board member and one alternate Board member per constituency) who represent the 20 ~~19~~ constituencies of the Global Partnership for Education, and a chair independent of all partner organizations. Each Board or alternate Board member shall have one vote whether participating in Board or GPE committees.

4.2.4 The 40 ~~38~~ members shall consist of the following:

a) *Twelve representatives from the developing country constituency category* with an evidence-based education sector plan (comprehensive or transitional), including a multi-year costed implementation plan, of good quality that is embedded in the country's national development strategy through broad-based consultation, divided on a geographical basis, including at least three from Africa.

b) *Twelve representatives from the donor constituency category* contributing financial and other support to the Global Partnership for Education.

c) *Six representatives from multilateral agencies or regional banks constituency categories*: four representative of United Nations agencies, and two representatives of multilateral and regional development banks.

d) *Six representatives from civil society organizations partners (CSOs) constituency category*: two representing international/northern CSOs; two representing CSOs from developing country partners; and two representing members of the teaching profession and

e) *Four ~~Two~~ representatives from the private sector/foundations constituency categories*.