

CONFLICT-RESOLUTION PROCEDURES

June 2016

CONFLICT-RESOLUTION PROCEDURES¹

1. INTRODUCTION

1.1 The local education group (LEG), as a key coordination mechanism for education sector policy dialogue, lies at the heart of the Global Partnership for Education (GPE) and its country-centered operational model. For optimal support to the country in the interest of education progress and results, it is important for LEG members to collaborate effectively.

1.2 At times, the collaboration between GPE partners at country level breaks down, calling for a clear and consistent method for addressing disagreements.

1.3 The procedures in this document conceptualize key challenges around conflict resolution in a multi-stakeholder partnership, and set out steps for resolving conflicts.

2. KEY CHALLENGES

2.1 GPE processes involve different stakeholders with their own organizational objectives, accountabilities and legal obligations, which may to various degrees or under various circumstances supersede the collective interests of the partnership. Individual LEG members, the agencies they represent, their interactions and context shape the content and effectiveness of collaboration. However, GPE partners are expected to adhere to the principles and accountabilities set out in the GPE charter.

2.2 The multiplicity of viewpoints, experience and expertise inherent in a partnership constitutes a strength, but may also lead to conflicting interests and opinions between GPE partners. GPE is based on a Theory of Change that sets collaboration and partnership as major drivers of education sector results. Therefore, it is paramount that such conflicts are resolved effectively.

2.3 Key aspects of the GPE operational model that may lead to conflict include but are not limited to:

- a) LEG objectives, leadership, membership and roles and responsibilities.
- b) The appraisal and endorsement of an education sector plan.
- c) The focus, organization, roles and mechanisms of a joint sector review.
- d) The selection of a grant agent for a GPE grant
- e) The choice of components, activities, design and delivery modalities of a GPE-financed program.

¹ Approved by the Board of Directors on June 14, 2016 (BOD/2016/06-09).

- f) The negotiation of roles, responsibilities and decisions related to the grant development and implementation process.

2.4 Considering the complexity of the partnership, conflict is bound to happen from time to time between GPE partners, including any LEG member, their agency representatives outside the country or the Secretariat. When resolved consistently and constructively, conflict will be followed by effective negotiation and may result in healthy exchange of viewpoints, learning and, ultimately, improved trust, processes, actions and outcomes. To that end, a clear, thoughtful and transparent conflict-resolution process is required.

3. APPLICABILITY

3.1 The general principles and process outlined below apply to the resolution of disagreements around GPE processes at country level, including any that involve the Secretariat or agency partners' headquarters. The intent is both to provide clarity around how to resolve disagreements, and to ensure mutual accountability for finding workable solutions in the best interest of the country and, in a broader sense, for the promotion of GPE goals and objectives.

4. GENERAL PRINCIPLES FOR CONFLICT RESOLUTION

4.1 The following general principles for conflict resolution should be applied at each level of the conflict-resolution procedures set out in section 5 below:

- a) Address the conflict at the lowest possible level of intensity, beginning with the individuals/agencies directly involved, and escalate to the next level only if a resolution cannot be found.
- b) Generate and document valid and useful information about the issues, and work to develop a common definition of the problem.
- c) Allow and expect parties to the conflict to state their positions clearly.
- d) Develop options for resolution, taking into account context, and weigh these in a transparent process based on agreed criteria, with due attention to the GPE principles as set out in the charter and the strategic plan goals and objectives.
- e) Once resolved, parties to a conflict agree to support the resolution and seek to ensure each other's success.

4.2 Parties to the conflict should agree up front on the coverage of costs incurred by the conflict-resolution procedures, and on who will be responsible for documenting the process.

5. CONFLICT-RESOLUTION PROCEDURES

5.1 The following procedures for conflict resolution include progressively escalating levels of resolution. It is expected that most conflicts will be resolved at Levels 1 or 2, and a limited number at Level 3. Only rare cases, if any, are expected to be elevated for consideration by the Governance, Ethics, Risk and Finance Committee (GERF), Level 4. Finally, the GERF decision may be appealed with the Board of Directors, Level 5, whose decision would be binding and irrevocable.

5.2 Level 1: Self-led (a) or mediated (b) private meeting among disagreeing parties

Unless able to resolve the conflict bilaterally (Level 1.a), parties to the conflict should work together to mutually agree to a mediator (Level 1.b). The mediator should be someone with mediation skills who is considered neutral by all parties. If the coordinating agency (CA) is not party to the disagreement, the CA representative may be the mediator. Alternatively, a mutually agreed-upon mediator could be a LEG member representing another partner, or a non-LEG member if so decided.

In the event that agreement is not achieved through Level 1.a or 1.b, the resolution process will move to Level 2.

5.3 Level 2: Structured mediation with participation from the LEG

The mediator should be agreed upon by all parties to the conflict (see Level 1). The LEG should agree on whether the full LEG or a subset of the LEG should be involved in the mediation meeting. Depending on the nature of the conflict, a subset of the LEG could be appointed to avoid undue expansion of tension to the broader group or to protect other parties from having to make difficult choices that may incur risks. (For example, a government partner may decide not to weigh in on a conflict between two donors because of perceived risk related to future funding.)

Once the participants and mediator are agreed to, the mediator should facilitate presentation of:

- a) Ground rules for the discussion, building on the principles outlined in section 4.1 above and on respectful collaboration.
- b) Criteria for resolution, including whether agreement will be made by consensus, vote or an agreed-upon authority.
- c) Definition of the problem, including identifying common ground.
- d) Statements of position by parties to the conflict.

The above should be formalized and constitute a facilitated discussion leading to a documented decision.

If a resolution cannot be found among partners at country level, the resolution process will move to Level 3.

5.4 Level 3: Involvement of the Secretariat and/or agency headquarters of the parties involved

LEG members and/or the government and/or the CA may ask the parties to the conflict to request intervention by their respective headquarters. A self-led or mediated process could be agreed to, as in Level 1.a and 1.b. In the event that a mediated approach is selected, the Secretariat or a GPE partner considered neutral by all parties may be asked to mediate. The mediator should facilitate presentation of the elements cited in Level 2 above. The process should be documented and the decision communicated to the LEG.

If a resolution cannot be found at this level, the resolution process will move to Level 4.

5.5 Level 4: Presentation of the Conflict to the GERF

All documentation from the different levels of mediation that have been applied should be collected and annexed to a brief paper prepared by the Secretariat. The paper should lay out in neutral terms (1) the nature of the disagreement; (2) an overview of the unresolved issue; (3) the positions of each party and their respective desired solutions; and (4) the actions that have been taken to seek a resolution. Parties to the conflict, at the discretion of the chair of the GERF, may present their case to the committee orally or submit a written statement.

The GERF's decision will be documented in its meeting summary. The GERF may defer any decision to the Board.

5.6 Level 5: Appeal of the GERF decision to the Board of Directors

Should any of the parties to the conflict not accept the GERF decision, they may send an appeal to the Chair of the Board of Directors, including all documentation described in Section 5.5. The Chair will determine whether the case may be presented to the Board and whether it may be done orally or via a written statement.

Should the Board chair reject the appeal to the Board, the GERF's decision is final.

Should the Board Chair accept the appeal to the Board, the Board's decision on the appeal will be documented in its meeting summary and is final.

Ultimately, if the dispute involves GPE funding, the GPE Board may determine not to approve an allocation or to cancel an existing allocation. If a Grant Agent is involved, the relevant provisions as outlined in the Financial Procedures Agreement would apply.

OFFICE LOCATIONS

Washington

1850 K Street NW
Suite 625
Washington, DC 20006
USA

Paris

66 Avenue d'Iéna
75116 Paris
France

Brussels

Avenue Marnix 17, 2nd floor
B-1000, Brussels
Belgium

MAILING ADDRESS

Global Partnership for Education

MSN IS 6-600
1818 H Street NW
Washington, DC 20433
USA

www.globalpartnership.org

