



Grant Aid Policy

“Helping the world’s least developed countries through a hand up rather than a handout”

1. Introduction

The Overseas Aid & Development Commission (the Commission) is a non-statutory, non-governmental committee of the States of Guernsey to distribute grants and emergency and disaster relief overseas. The Commission’s mandate is:

“To distribute funds voted by the States for aid and development overseas by making contributions to ongoing programmes and to emergency and disaster relief.

To develop programmes relating to the collection and distribution of funds involving the private sector.

To carry out the duties and powers above in accordance with policies set out by the Policy & Resources Committee.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.”

The objectives of the Commission are to manage and administer the budget approved by the States of Guernsey for overseas aid. The Commission’s President is a member of the States of Deliberation and the six Commissioners are appointed by the States of Deliberation.

2. Background

Guernsey has been contributing to overseas development projects through the award of Grant Aid to approved charities and agencies since 1980. The underlying approach adopted by the Commission, on behalf of the States of Guernsey, is,

“To support projects which will help to provide the basic needs of the world’s least developed countries or to help the indigenous population to provide those needs.”

Basic needs includes medical and health facilities, educational programmes and facilities, housing, water and sanitation provision and the means of sustaining a living, e.g. through agriculture, horticulture or through training in sustainable employment skills.

The Commission supports projects which will generate a lasting and sustainable improvement in the living conditions for the communities receiving the aid. This ethos underpins the Commission's overriding object to offer a "hand up" to some of the world's least developed areas rather than a "hand out".

The Commission is cognisant that in supporting a charity or NGO's project or programme, it is effectively entering into a formal relationship with that charity or NGO which goes much wider than a simple financial relationship. It is important that neither party undermines the reputation or public trust in the other. Where a charity or NGO has publicly espoused negative views about Guernsey, it may be in neither the charity's or NGO's nor in Guernsey's interest to enter into a formal (including financial) relationship.

3. The Applicant Charity

The Commission's general policy is to only consider applications from:

- Charities registered with one of the Charity Commissions in England and Wales, Scotland, Northern Ireland or the Crown Dependencies
- Approved humanitarian agencies (e.g. UNICEF, UNHCR, etc.)

The Commission is unable to consider applications from charities or NGOs registered in other jurisdictions.

4. Good Governance and Financial Management

The Commission requires all charities applying for an award to demonstrate that they have appropriate governance structures. This is to ensure that the money it receives is used for the expressed charitable purposes and projects are delivered without malicious actors using the charity as a vehicle for any form of financial crime, including money-laundering and terrorist financing, and other criminality, especially in respect of the sexual exploitation and abuse of children and vulnerable adults.

The charitable sector is large and carries out a diverse range of activities and are heavily reliant on, trust and the honesty and integrity of its staff and volunteers. Charities enjoy high levels of public trust and confidence, so appearing to be associated with a charity can give a criminal enterprise a veneer of respectability. However, when this trust is breached the impact often reaches far beyond the particular charity. As has been seen following the revelations about sexual exploitation and abuse within Oxfam in 2018, all charities

undertaking work in the development aid sector have been placed under a new spotlight. It is also very hard to rebuild public trust and confidence and the donations which follow.

Many charities are small or medium and often rely on a small number of finance professionals, or on volunteers, to supervise the funds and assets of the charity and these arrangements may lack the scrutiny and division of duties possible in larger charities. The reliance of charities on cash-based fund raising may make the sector attractive to both opportunist and organised fraudsters. Further, the ethos of charities, built on voluntarism and pursuit of a common and shared goal, may create a degree of trust amongst individuals and staff which allow the unscrupulous to operate with less suspicion.

The Commission's requirements in regards the good governance of a charity as a fundamental building block in any funding relationship it may enter into with the charity. The governance measures, financial control and safeguarding policy requirements set out below outline the practices and procedures the Commission expects each charity applying to it for funding to have in place.

The requirements set out below should be regarded as the minimum standards a charity must have in place to be eligible for a financial award from the Commission.

Governance Measures

In late 2018, the Guernsey Policy & Resources Committee issued guidance for locally-registered charities – *Non-Profit Organisations: Guidance Paper on Governance Measures* – setting out the requirements for charities to demonstrate appropriate governance measures. The Commission's due diligence checks on a charity or NGO before approving any award reflects the standard in this guidance, appropriate governance measures in the following areas,

- the charity's constitution
- risk mitigation
- identification of donors, especially where these are from overseas or for a significant amount (i.e. £1,000 or more)
- identification of beneficiaries
- identification of other partners, including other charities or NPOs
- financial controls
- financial probity and transparency.

(a) *Combating Financial Crime*

The Commission also closely follows the best practice guidance set out in the FAFT Best Practices paper, *Combating the Abuse of Non-Profit Organisations (Recommendation 8)*¹. The Commission requires charities applying for financial support to have in place appropriate financial controls, including:

¹ <http://www.fatf-gafi.org/media/fatf/documents/reports/BPP-combating-abuse-non-profit-organisations.pdf>

- Segregation of duties where possible;
- Regular bank reconciliations checks;
- Multiple signatories for all bank account activity;
- Restricting full access to all areas of the accounting system;
- Regular review of and spot checks on payroll records to ensure consistency with staff movements;
- Reconciliation of supplier statements, invoices and creditor balances;
- Documented authority thresholds for the approval of and payments to suppliers;
- Random checks to ensure expenditure below key thresholds is legitimate;
- Procedures to address any employee/trustee connections with suppliers; and
- Proper controls including a full documentary audit trail, for monitoring expenses.

(b) Safeguarding

The Commission is committed to ensuring that any charity receiving funding, has in place appropriate policies and procedures to ensure that the Inter-Agency Standing Committee² (“the IASC”) six core principles in relation to the prevention of sexual exploitation and abuse are fulfilled. These core principles aims to promote good practice to share and promote best practices on preventing, investigating, and responding to sexual exploitation, harassment, abuse and assault. The IASC’s principles are:

- (i) Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment;
- (ii) Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally³;
- (iii) Exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited. This includes exchange of assistance that is due to beneficiaries;
- (iv) Sexual relationships between humanitarian workers and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work;
- (v) Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, s/he must report such concerns via established agency reporting mechanisms; and

² <https://interagencystandingcommittee.org/>

³ Mistaken belief in the age of a child is not a defence.

- (vi) Humanitarian workers are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their codes of conduct.

In assessing whether an applicant charity's policies and procedures are sufficiently robust, the Commission may refer to the CHS Alliance Prevention of Sexual Exploitation and Abuse (PSEA) Handbook. This handbook provides a useful current overview of the minimum standards a charity should have in place.

(c) Due diligence procedure

As part of the Commission's rigorous compliance checks, prior to the release of any award, the charity will be required to complete a detailed charity registration form. The completed form will inform the Commission's compliance checks to ensure that all funds received and transferred to overseas development aid is properly accounted for and that the charity has appropriate measures in place to mitigate the risk of its funds (from any source) being used unlawfully, including through the payments of bribes, for financing terrorism or for money laundering purposes.

The Commission will contact charities whose applications have been shortlisted for possible funding and invite them to complete its enhanced due diligence questionnaire. The Commission will then review the completed questionnaire before reaching a final decision on whether or not the charity should receive funding for the particular project.

Any charity considering applying for funding is strongly advised to ensure that its governance measures, financial controls and safeguarding measures satisfy the minimum standards required by the regulatory authority for the jurisdiction in which it is registered and that it has undertaken similar compliance checks for any overseas partner it will be working with to deliver the proposed development aid project.

5. The Location of the Project

As indicated above, the Commission was established to,

“To support projects which will help to provide the basic needs of the world's least developed countries or to help the indigenous population to provide those needs.”

As a general rule, the Commission will give priority for funding to countries at the lower quartile of the UN Human Development Index. Where the country is outside of the lower quartile, the Commission requires the charity to provide additional reasons why this project should be supported over one in a least developed country.

Applications for projects from the BRIC countries (the Federal Republic of Brazil, the Russian Federation, the Republic of India and People's Republic of China), the CIVETS

countries (Colombia, Vietnam, Egypt, Turkey and South Africa) and other countries with emerging economies will not generally be supported unless the charity can demonstrate exceptional reasons for funding.

The Commission does not accept applications for projects in European countries.

6. The Project

The primary purpose of Grant Aid awards is to fund projects that make a sustainable and enduring improvement to the basic needs of very poor communities without the an on-going reliance on year-on-year overseas aid funding. The Commission does not provide Grant Aid to support the core funding for the charity's administration or day-to-day operation, salaries of staff employed by the charity, including any of the charity's staff who may be working on the project either in the local area or within the charity's organisational basis, staff training or development.

The Commission is mindful that many charities work with local partner agencies in the project country. An application may include wages for locally employed staff where key to the delivery of the project. This may include those taken on to assist with a construction project, to provide training and outreach, especially where this work is linked to enabling the local community to become more self-sufficient. The Commission recognises that staff employed by a local partner agency often are key to the successful delivery of a project because of their local knowledge and understanding of cultural issues, etc.

7. The Grant Aid Award

(a) *Level of awards*

The maximum amount of a Grant Aid award is £40,000 for an individual project. There is no lower threshold for Grant Aid awards.

(b) *Number of applications per annum*

As a general rule the Commission limits the number of applications a single charity may make in a particular funding year to two applications.

(c) *Period of an award*

The Commission's general policy is to fund annual projects, i.e. the project should be commenced and completed within the twelve months following the making of the award.

(d) *Payment of awards*

It is the Commission's general policy is to pay annual awards in two instalments. The first instalment will be released three to four weeks before the project is due to commence subject to receipt of the completed agreement form which will be sent to the charity when the Commission confirms that an award has been approved and will generally be for 50 percent of the Grant Aid award.

The second instalment will be made on receipt of the interim report, subject to the Commission being satisfied that the project is being delivered in accordance with the approved application proposal.

8. Evaluation of Applications

Each project is considered on its own merits and balanced against the various criteria. No weighting is applied to any of the individual criteria and there is no scoring system. When deciding which projects should be funded, the Commission reviews all applications and, where the application has satisfied the general procedure, the projects are assessed against the criteria set out below.

The procedure is in four parts:

- (i) *Charity or agency* – including compliance with Charity Commission regulations, proportion of income spent on campaigning and governance; where previous awards have been made - compliance with the Commission's own monitoring and reporting requirements.
- (ii) *Project location* – including position on UN Human Development Index, the political situation in the country, whether the country is subject of any UN or other international sanctions, the country's human rights record, etc.
- (iii) *Project objectives* – including projects objectives, how it will benefit the community, how many people will benefit, directly or indirectly, from the funding, the sustainability of the project, without reliance on further overseas aid funding, the reasonableness of the time frame for delivering the project, whether the needs of the beneficiaries have been fully identified, whether all logistical issues have been considered and planned for, whether the project has been well thought out, etc.
- (iv) *Project budget* – including assessing the proposed spending on the project, the cash flow projection, the level of detail, the cost-effectiveness of the project, whether the proposed spending appears to support the objectives of the project, the level of any administrative costs, including travel expenses and monitoring and evaluation costs, etc.

The Commission may take account of issues which may have wider public concern to Guernsey and any advice from the Policy & Resources Committee's External and Constitutional Affairs team regarding any sanctions regime which may be in place in the project country.

9. Notification of Decisions

Due to the large number of applications received, the Commission is unable to consider all applications at the same time. The Commission will advise the charities of its decision as soon as it is able following determination. In some cases, the Commission may defer an application to request additional information or clarification of some aspect of the application.

(a) *Successful applications*

Where an application is approved the charity will be asked to confirm that the project is still able to proceed as set out in the application and the anticipated start date. The charity is also required to sign a simple agreement which sets out the amount of the award, the purpose for which the award is made and the reporting requirements. The Commission will not release the Grant Aid award until the signed agreement has been received.

(b) *Unsuccessful applications*

Where an application is rejected the Commission will use its best endeavours to provide feedback to the unsuccessful applicants. In some cases, the reason for refusing an application is simply because the Commission's budget is not able to support all applications that satisfies the general criteria and may merit funding. The Commission will, in general terms, advise the charity as to any aspects of the unsuccessful application which were unclear, lacking in detail or not within the general funding criteria.

10. Monitoring and Evaluation of Grant Aid Awards

The monitoring and evaluation of Grant Aid awards is a fundamental aspect of the Commission's work. The Commission will set out the reporting time frame when confirming a Grant Aid award and this will be adjusted as necessary depending on the nature of the project receiving funding. The Commission requires two reports to be submitted.

The first obligatory report is the Interim Report. This report must be submitted about six after the release of the Grant Aid award by the Commission. This report will serve to trigger the release of the second instalment of the Grant Aid award, subject to the

Commission being satisfied that the project is progressing in accordance with the approved application.

The second obligatory report is the Final Report. This report must be submitted within two months of completion of the project or no later than fourteen months after the payment of the first Grant Aid instalment, whichever is the sooner.

The Commission recognises that local circumstances may have an impact on the feasibility of reporting within the above general timescales. It is therefore happy to accept reports outside the general timescales, subject to the charity contacting the Commission's Secretary prior to the date on which the report is due and setting out the reasons for the delay.

(a) *Interim Report*

The interim report must provide a concise overview of the progress of the project and include reference to the overall objectives of the project and the spending against the approved budget. Where feasible, the interim report/s must also address how the delivery of the project is benefiting the community.

(b) *Final Report*

The final report must provide a concise overview of the full delivery of the project and this must reflect to the overall objectives of the project and the final costs against the approved budget. It must also address how the project has and will continue to benefit the community and include reference to both direct and indirect beneficiaries. If the number of beneficiaries is different from the approved application, the report must explain why the differences have arisen.

(c) *Other reporting requirements*

In addition to the obligatory reporting requirements set out above, the Commission requires funded charities to notify it of any material changes in circumstances, without delay, which may impact on how the project is delivered. Such reports must clearly outline,

- What has changed;
- What steps the charity has taken to mitigate the change in circumstances;
- How the charity proposes to overcome the change in circumstances;
- What impact the change of circumstances will have on the costs of the project;
- and
- The length of any delay to the overall project timetable.

Where the change in circumstances will have an impact on the approved project budget a revised budget must be included with the report.

Further, the charity must ensure that no further money is spent on the project until it has received confirmation from the Commission that the revised project has been approved. The Commission reserves the right to require a charity to return all or part of the Grant Aid award where it is satisfied that it would be appropriate and reasonable to do so.

(d) *Non-compliance with the reporting requirements*

As stated above, the reporting is a fundamental requirement for all Grant Aid awards. Therefore, non-compliance is viewed very seriously by the Commission. The Commission has a range of sanctions available to it, including:

- Agreeing a revised reporting deadline with the charity where it is satisfied that non-compliance was due to factors outside the reasonable control of the charity;
- Issuing a warning notice to a charity, advising that a breach has occurred and may be taken into consideration when considering future applications over a specified period;
- Requiring the charity to return some or all of the Grant Aid award; or
- Automatically rejecting future applications from the charity for a specified period.

Where the Commission believes some action must be taken, the charity will be provided with reasons for the Commission's decision and given an opportunity for the decision to be reviewed.

(e) *Return of unspent balances*

If the project is achieved under budget the Commission requires all unspent balances to be returned to the Commission without delay and in any case no later than the date for submission of the final report, i.e. generally no later than twelve months after the original award was made.

(f) *Non-delivery of approved projects*

If for any reason a charity is unable to proceed with a project for which funding has been granted, the charity must notify the Commission's Secretary without delay. The charity must also ensure that no further monies from the approved award are spent. The Commission will require a report explaining:

- Why the project cannot proceed as approved;
- How far the project had progressed; and
- How much of the Grant Aid award has been spent and on what.

The report must also address whether the problems are such that the project is unlikely to be able to proceed at all or the anticipated length of any delay in completing the project. The report must include a comparative budget, showing how much money and on what has already been spent against the approved budget.

As a general rule, the Commission will require a charity to return any unspent balances without delay. The Commission will re-release any returned money, if, during the funding year, the charity is able to confirm with the Commission that the situation has further changed and the project can now proceed as originally approved.

(g) *Non-compliance with funding agreements*

In addition to the above internal sanctions which the Commission may impose for non-compliance with its audit, financial management and reporting requirements, the Commission may also notify the Charity Commission with which the charity is registered of the breach and its actions to rectify the position. In these circumstances the Commission will have pre-warned the charity of its intention to do so and will copy the report to the charity.

11. UN, EU and other international sanctions

The Commission is very mindful that sanctions imposed by the UN, the EU and other international bodies are not applied lightly and are only applied after careful scrutiny and debate. Such sanctions will have also been widely publicised through the international media and have been the subject of wide public and political debate.

The Commission is also very conscious that there may be what could be best described as “unintended consequences” following the imposition of sanctions. Such unintended consequences can include a significant impact on the daily lives of country’s population, particularly the poorest and most vulnerable members of the population. As a result there may be a heightened need for humanitarian aid.

The Commission is also mindful that such sanctions may be varied or removed and indeed imposed between the date on which the Commission may consider a Grant Aid application and the commencement of the project. For this reason it will not automatically refuse applications where UN, EU or international sanctions may be in force and requires the charity to explain how such sanctions may impact on the need for and the delivery of the project when submitting their application. The application must show a clear understanding of the scope and impact of any sanctions and on the community which will benefit from the proposed project.

The Commission will always take the advice from the Policy & Resources Committee’s External Relations and Constitutional Affairs Team and the Director of Financial Crime Policy. This is not just in relation to reputational risks, but also to see if there are priority

areas of Guernsey policy in relation to developing a mature international identity which can be supported through grants for overseas aid. The final decision whether or not to accept an application will always rest with the Commission, however the advice from the above will be central to informing the Commission's decision.

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