Bhutan Civil Society Accountability Standards 2023

Implementation Guide

Disclaimer: The following document is to help CSOs implement BCAS 2023 provisions. It is also intended to sensitize the Integrity Focal Person on the provisions of BCAS 2023.

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1. The Four Broad CSO Accountability Standards

a) Open Organization

b) Responsive Leadership

c) Responsive Decision Making

d) Well-Handled Resources

5.1 Open Organization

An open organization is an organization that is transparent about who it is, and what it does and shares its experiences, successes and failures with the public.

5.1.1 Conflict of Interest (CoI)

Conflicts of Interest (CoI) occur when the public official's personal or private interest competes with the interest of the organization or company. Therefore, implementation of declaration and management of conflict of interests in an organization is very important. For this, an organization has to develop a proper guideline on CoI. Organizations may refer to the Model Guideline on Managing Conflict of Interest in the Public Sector. Some of the areas where CoI needs to be enforced are in tendering and procurement of goods, works and services, recruitment and selection, promotion and use of funds etc.

For this, a CSO shall submit official adoption of ACC CoI Guidelines endorsed by the Executive Director along with the records of CoI declared and managed in the relevant financial year.

5.1.2 Procurement Rules or Procedures Policy

A CSO shall institute Procurement Rules or Procedures Guidelines which will ensure uniformity of procurement procedures, enhancing transparency in procurement through adhering to the standard procurement procedures. The guidelines shall also ensure fair and equal access to the suppliers, consultants and contractors for the supply of goods, services or works.

The document should be endorsed by the board. Or if the organization is following Royal Government of Bhutan procurement procedures, the organization shall have an official adoption of the document endorsed by its board.

To ensure full rating to this standard, the respective organization shall submit an endorsed copy of the guidelines.

5.1.3 Human Resource Management

A CSO shall have guidelines for Human Resource Management to ensure fair, transparent, efficient and coherent implementation of HRD programs and services. The HRM guidelines shall include provision requiring the respective organization to conduct Integrity Vetting for recruitment and promotion of their staff as per the Integrity Vetting Rules 2022.

Integrity Vetting refers to the process of assessing, against official documented records, the integrity of a person before selection, recruitment, promotion, nomination or appointment in a public or private office and/or to take part in the National Parliament or Local Government or entering into a public contractual relationship. Integrity vetting aims to facilitate recruitment and promotion of individuals with an immaculate integrity track record based on the information available with the ACC. Based on the integrity vetting report provided by the ACC, the agencies should then take appropriate decisions as per the Integrity Vetting Rules 2022.

To ensure full rating for this standard a CSO shall submit:

a. List of shortlisted board members, advisor, executive director, administrative officer, finance officer and officer level staff for recruitment submitted to ACC for integrity vetting: For this the CSOs should submit the copies of integrity vetting report for recruitment as MoV.
b. List of officer level staff due for promotion submitted to ACC for integrity vetting: For this the CSOs should submit the copies of integrity vetting report for promotion as MoV.

c. No recruitment and/or promotions: If no recruitment and/or promotions were held in the reporting year, the CSOs should submit a note signed by the HoA stating that no recruitment and/or promotions were held.

5.1.4 Annual Audit

A CSO shall be audited annually by the Royal Audit Authority (RAA) or RAA-empaneled or certified external audit.

For this, a CSO shall submit its audited report of the corresponding year of BCAS 2023 Assessment.

5.1.5 Asset Declaration Rules

Asset Declaration (AD) is an important tool to hold public officials accountable. It is a means to anchor ethics and integrity in the public sector, thus promoting responsibility, accountability and transparency in governance. The objective of AD is to detect and prevent illicit enrichment, promote public trust through accountability and facilitate management of conflicts of interest. Therefore, CSOs should ensure that covered persons file their assets and liabilities without fail and manage properly as per the AD Rules.

The MoV are as given below:

a. Official adoption of ACC's Asset Declaration Rules

b. Implementation evidences which may include but is not limited to the following:

- Designated Asset Declaration Administrator (ADA): For this, the CSOs shall submit the copy of office order designating the ADA as MoV.
- Served notification to the staff for filing of assets and liabilities: The ADA of respective CSOs should serve notifications to the staff when it is time for filing of assets and liabilities as per the AD Rules. For this, the CSOs shall submit the copies of notifications as MoV.
- Submit necessary AD reports: The ADA shall submit the necessary AD reports to the HoA for onward submission to the ACC within the 2nd week of June. For this, the CSOs shall submit the copies of the AD report as MoV.
- Included AD as a necessary condition for issuance of No Objection Certificate (NOC) to the staff: The Head and management of the CSOs

should include AD as a necessary condition for issuance of No Objection Certificate (NOC) to the staff. For this, the CSOs shall submit the copies of office order for insertion of AD in the NOC and few samples of the NOC as MoV.

5.1.6 The Gift Rules

The purpose of the Gift Rules is to prohibit solicitation of gifts, restrict giving and acceptance of gifts, specify prohibited sources and exceptions to prohibitions on acceptance of gifts and prescribe conditions on the use of exceptions to prohibitions on acceptance of gifts etc. Therefore, implementation of declaration and management of gifts by the head and staff of the CSOs is very crucial.

The MoV are as given below:

a) Issued office order by the head to implement declaration and management of gift: The Head of the CSO shall issue an office order to implement the declaration and management of gifts. For this, the CSOs shall submit the copies of office order for the implementation of declaration and management of gifts as MoV.

b) Implementation evidences which may include but is not limited to the following:

- Sensitized on the gift rules to the staff: The CSOs should sensitize the Gift Rules to the staff. For this, the CSOs shall submit the evidences of sensitization program as MoV (e.g., the copies of office order for sensitization on Gift Rules, participants list and pictorial evidence of the sensitization)
- Designated Gift Disclosure Administrator (GDA): The Head of the CSO shall designate a GDA. For this, the CSOs shall submit the copies of office order for the designation of GDA as MoV.
- Constituted Gift Administration Committee (GAC): The CSOs shall constitute the GAC to take decisions on gifts pertaining to the Head and other responsibilities given in the Gift Rules. For this, the CSOs shall submit the copies of office order for the constitution of the GAC as MoV.
- Maintain gift register: The CSOs shall maintain a gift register with record of the gifts received and presented by the respective organization. For this,

the CSOs shall submit the copies or pictorial evidence of gift register as MoV.

5.1.7 Model Public Service Code of Conduct

The objectives of the model code are to spell out the standards of integrity and conduct to be complied with during public service delivery, help them meet those standards and inform the public of the conduct and what is entitled to expect of public servants. In this context, the CSO shall develop a code of conduct with reference to the model code and shall also be aligned to the roles and functions of the respective CSOs and implement it.

The MoV are as given below:

a. Official adoption of ACC's Model Public Service Code of Conduct document.
b. Implementation evidences which may include but is not limited to the following:
    - Developed code of conduct specific to the thematic area, roles and functions or mandates of the respective CSOs: The CSOs shall develop a code of conduct specific to their roles and functions by referring to the Model Code. For this, the CSOs shall submit the copies of the code of conduct they developed as MoV.
    - Sensitized the code of conduct to the staff: After developing the code of conduct, the CSOs shall sensitize the staff on the code of conduct for its proper implementation. For this, the CSOs shall submit the copies of office order for sensitization on code of conduct, participants list and pictorial evidence of the sensitization as MoV.
    - On the other hand, if the CSOs developed or already have a code of conduct, the CSO shall make necessary revisions to ensure alignment to the model public service code of conduct.

5.2 Responsive Leadership

Responsive Leadership means that the organization ensures that its management and governing body are accountable for their actions and conducts. In other words, it means that the leadership provides a clear vision and ethical values for the organization to enable it to effectively achieve its goals and mandate.

5.2.1 Governing Body

A CSO shall ensure it is governed by a board of trustees, or directors referred to as the "Board", which consist of a chairperson, a secretary and a treasurer elected among themselves. This is to promote accountability transparency and enhance the management of the organization.

For this, the CSO shall submit an updated list of their respective board members with their following details

- CV
- Tax Clearance
- Security Clearance
- CID Copy
- Passport Copy (if board member is foreigner)
- Board commitment

5.2.2 Nomination of Trustees

CSOs shall elect its trustee democratically by the members for a specified term in their respective Articles of Association (AoA). To ensure transparency, the CSO shall have procedures for nomination and election of the trustees.

For this, the CSO shall submit minutes of the board meeting endorsing the new trustee's appointment.

5.2.3 Tax Clearance Certificate by Trustees

It is significant to ensure that the trustee shall be in no arrears of taxes or other dues to the government for a substantial period in a substantial time.

For this, the CSO shall submit a Tax clearance certificate of the respective trustee members/board members

5.2.4 Board Meetings

CSOs shall conduct quarterly board meetings to ensure effective and transparent management of the organization and maintain clear records and minutes accordingly.

For this, the CSO shall submit the minutes of the meeting endorsed by the board. If the minutes contain any confidential matter which the organization feels should remain within its walls, the organization shall submit the dated agenda and participant list endorsed by the board.

5.2.5 Recruitment of Head of CSO

The selection and recruitment of the head of the organization shall be based on fair and open competition. A CSO shall have a transparent guideline for the recruitment of the Head of the CSO. It is to ensure transparency, integrity and effective management of the organization in general.

For this, the CSO shall submit the following MoV:

- Vacancy Announcement for the Head of the Organization
- Appointment order of the Head of the Organization
- Terms of References for the Head of the Organization

5.2.6 Tenure of Head of Organization

The Head of the organization shall have a well-defined tenure of office either reflected in their AoA or specified in the Terms of Reference of the Head of the Organization.

For this, the organization shall submit:

- Appointment order of the Head of the Organization
- Specified tenure term of the Head of the Organization in ToR/AoA

5.2.7 Remunerations and Benefits of the Head of the Organization

The remuneration and benefits of the Head of the Organization shall be based on the fixation approved by the board of the CSO during board meeting and shall be documented clearly in the Service Rule Book.

For this, the CSO shall the endorsed remunerations of the Head of the Organization.

5.2.8 Integrity Focal Person

An Integrity Focal Person in an organization is necessary to drive, facilitate and promote integrity measures in the organization. Therefore, the respective CSO shall designate an IFP focal person.

For this, the CSOs shall submit the copies of office order appointing designated official as Integrity focal person.

5.3 Responsive Decision-Making

Responsive Decision-Making means that an organization ensures that its decisions are responsive to feedback from the people affected by its work, partners, volunteers, and staff.

5.3.1 Participation in Decision-Making Processes

It is to strengthen transparency and accountability by ensuring that every member of the organization is included in the planning, implementation, monitoring and evaluation of the organizational plans and programs.

For this, the CSO shall submit minutes of discussions other than the board meetings (in-house meeting minutes, coordination meeting minutes, monthly, weekly meeting minutes), which evidence the staff of the organization has been in the consultation and discussion of any important matter pertaining to the respective organization.

5.3.2 Records of the Progress of the Expenditure

A CSO shall maintain its proper records of expenditure at all times for proper records of the expenditures.

For this, the CSO shall submit records of its detailed expenses.

5.3.3 Procurement Rules/Procedures

A CSO shall ensure effective and efficient implementation of its Procurement Rules or Procedures Guidelines which will ensure uniformity of procurement procedures,

enhancing transparency in procurement through adhering to the standard procurement procedures.

To ensure full rating to this standard, the respective organization shall submit the evidences of the implementation of the guidelines during procurement of goods, services or works.

5.4 Well-Handled Resources

This means that an organization handles its resources responsibly and sensibly to reach its objectives and serve the community.

5.4.1 Service Rules

A CSO shall have a Service Rule Book which defines all service categories of its employees, their Terms of Reference (ToR), remunerations and benefits. The Service Rule Book must be endorsed by the Department of Labor under the Ministry of Industry, Commerce and Employment (MoICE).

For this, the CSO shall submit an endorsed copy of the Service Rule Book (Endorsed by Dept. of Labor and Board Members of the respective organization).

5.4.2 Performance Evaluation

A CSO shall institute a performance evaluation mechanism and evaluate the performance of its Human Resource. This is to enhance accountability and transparency in the organization.

For this, the CSO shall submit performance evaluation mechanism/guidelines along with the implementation evidences.

5.4.3 Labour Rights

A CSO shall respect the labor rights as per the Labor and Employment Act of Bhutan 2007 and ensure that its staff and volunteers are safe. A CSO shall also promote a fair working environment.

For this, the CSO shall submit a separate guideline for workers safety or a specified clause or section in its Service Rule Book(endorsed) ensuring safety of its workers.

5.4.4 Service Delivery Standards for Payments

A CSO shall have a clear service delivery standard for any payments made to any of its employees, contractors, suppliers and consultants within the Turn Around Time (TAT) endorsed by the board.

For this, the CSO shall submit a copy of set standards of payments with specified TAT along with evidences of implementations (e.g., staff salary disbursement, payment of utility bills, calling for tender, etc…)

5.4.5 Records of Properties

To ensure transparency, A CSO shall maintain proper records of the organization's properties. The inventory will be inclusive of its fixed asset, movable and immovable properties. The list must be endorsed by the board.

For this, the CSO shall submit an endorsed copy of its stock register containing the list of its properties.

5.4.6 Integrity Focal Person

An Integrity Focal Person in an organization is necessary to drive, facilitate and promote integrity measures in the organization. For this, ACC has developed an SoP specifically for Integrity Focal Person which needs to be adopted by the CSO officially.

For this, the CSOs shall submit official adoption of SoP for Integrity focal person and ensure the adherence to SoP.

5.4.7 Other Integrity Measures

Besides the above activities, CSOs are encouraged to proactively take up other integrity promotion and anti-corruption measures in their respective organization.

The MoV are as given below:

a) A proactive activity taken up by the CSO: For this, the CSOs should submit the evidence of conducting other integrity measures as MoV.

ANNEXURES

Assessment Criteria

- Complete MoVs (Endorsed Guidelines and Implementation Evidences)- 02
- Incomplete MoVs (Either endorsement or implementation evidence is missing)- 01
- Non-submission, delayed submission and irrelevant MoVs- 0