



Minutes of WASH Cluster Discussion on harmonization approach (Contractors Vs. Direct implementation)

Venue	UNICEF Conference Room
Date and time	October 29 th , 2019, 4:00pm to 5:30
Duration	1.5 hours
Participants	MA-UK, CDN-ZOA, SCI, SI, Oxfam, IRW, (CCCM) UNHCR, and WASH Cluster (UNICEF)
Chair/Co Chair	WASH Cluster Chair: Jeffrey Silverman, jsilverman@unicef.org WASH Cluster Co-Chair: Lae Yee Win, laewin@unicef.org WASH Cluster Co-Chair: Lei Yee Nway, lnway@unicef.org

	Agenda Item	Summary of Discussion	Action Points
	Agenda	<ul style="list-style-type: none"> Review lesson learn and good and bad practices so far from the use of contractors Vs. direct implementation Challenges around using contractors and the mis-use of funds and / or corruption – and what would be the approach to deal with this concern. In which camp types could one approach be taken over another (ex. Protracted camps Vs. New displacement camps, etc.) Harmonization of approaches, common views, and agree on a common plan/way forward. AOB 	
1.	This meeting was an open discussion, and when as followed:	<ul style="list-style-type: none"> 	
2.	The WASH Cluster shared background from the Yangon level discussion, meeting minutes reviewed:	<p>There was meeting held in Yangon and the minutes was shared by WC. SI, Oxfam and SCI had participated in the meeting. The meeting comes out with the approaches and ways forwards, and to consider the modality depending on the type of camps. New displacement camps have issue on TA and difficult to work with Direct Implementation approach.</p> <ul style="list-style-type: none"> Implementation of construction activities has been, and continues to be challenging, in everyone’s areas of operations due to lack of land availability, landowner issues, blockages from stakeholder trying to lead the activities driven by their interest etc. (meeting focusing on Sittwe camps) Two approaches are currently ongoing for the construction and maintenance of the WASH infrastructures: direct implementation and use of contractor 	

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		<ul style="list-style-type: none"> Given the nature of the context, there are some specific risks related to the use of contractors. These risks are understood by all. Ideally, all WASH Cluster actors working in the same restricted area (same context constrains, same close economy and power dynamics) would be using the same approach, since having different approaches is very problematic for the organizations in the field. OXSI are successfully doing direct implementation in their camps where they are the WASH lead SCI said that piloted direct implementation and they can share a document of lesson learnt. Moreover, they share the willingness to pilot direct implementation in one of the 2 camps they will take over from DRC (the smallest one) from the 1st of November. In the other camp, they proposed to move ahead with contractors. General understanding that direct implementation has advantages in quality construction and minimizes other risks (eg, corruption, child labor exploitation, extortion etc.). In the light of SCIs initiative of piloting the direct implementation, Oxfam and SI are willing and available to technically support SCI on this, by sharing SI construction and support team set up, tools and any other information needed. Oxfam and SI are also recommending SCI to communicate to the communities since the beginning the intention to shift to principled approach and direct implementation, in order to avoid engaging with practices that later on can be difficult to correct and can led to further blockages. 		
<p>3.</p>	<p>WASH Cluster presented the comparison of pros and cons using between two approaches.</p> <p>Contractor Vs Direct Implementation</p> <p>Just a few top issues but others can be added</p>	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p><u>Use of Contractors:</u></p> <p>From CCCM</p> <ul style="list-style-type: none"> Faster Prone to corruption of CMC, Others Rights of IDPs not respected Possible higher quality <p>From WASH</p> <ul style="list-style-type: none"> Possible lower quality if not monitored correctly Challenging for some WASH actors to ensure that contractors fall into the NGOs procurement processes </td> <td style="width: 50%; vertical-align: top;"> <p><u>Use of Implementation with Community / Cash for work:</u></p> <p>From CCCM</p> <ul style="list-style-type: none"> Slower with possible delays Less prone to corruption Potential to respect more rights of IDPs Community Ownership Injection of cash into the community <p>From WASH</p> <ul style="list-style-type: none"> Higher quality of workmanship Easier to maintain and repair in the future </td> </tr> </table>	<p><u>Use of Contractors:</u></p> <p>From CCCM</p> <ul style="list-style-type: none"> Faster Prone to corruption of CMC, Others Rights of IDPs not respected Possible higher quality <p>From WASH</p> <ul style="list-style-type: none"> Possible lower quality if not monitored correctly Challenging for some WASH actors to ensure that contractors fall into the NGOs procurement processes 	<p><u>Use of Implementation with Community / Cash for work:</u></p> <p>From CCCM</p> <ul style="list-style-type: none"> Slower with possible delays Less prone to corruption Potential to respect more rights of IDPs Community Ownership Injection of cash into the community <p>From WASH</p> <ul style="list-style-type: none"> Higher quality of workmanship Easier to maintain and repair in the future
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<p>4.</p>		<ul style="list-style-type: none"> WC has discussed with CCCM cluster about shelters construction which are done through contractors bi-laterally, and during the last CCCM Coordination meeting held on Oct 29th. Where Camp Management Agency mentioned 		

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	<p align="center">Meeting minutes</p>	<p>that direct implementation is difficult for them for shelter construction. Different organizations have different procurement policy and some organizations are not allowed to work with direct implementation approach.</p> <ul style="list-style-type: none"> • For the organizations who need to shift from one approach to another, they need a transition period. It is also important to consider about Human Resources capacity and other resources as well to work direct implementation. We need to apply TA for construction materials supply and transport and it will be an extra burden for organizations. • But in General, the CCCM partners felt that moving the Direct implementation was a way to go but would take time to transition. • It was also reported that the education Cluster (where construction of Child Friendly Spaces and schools) are using contractors and it would be difficult for them to transition. • Direct implementation is cost effective and IDPs will have more job opportunities • There are [protection concerns and opportunity for mis use of fund using both Modalities, if there is not proper monitors and accountability and oversight on the projects. 		
<p>5.</p>	<p align="center">Discussion outcomes</p>	<table border="1"> <tr> <td data-bbox="676 740 1329 1408"> <p>Way Forward</p> <ul style="list-style-type: none"> • It was discussed that when using the contractors, we should make sure that quality control/ assurance is monitors on the contract development, and monitoring of activities., as well as, before payment of contract are finalized. • It is also important to make sure for the sites where there is more than one WASH partner, to follow the same modality. • SCI will be taking over the WASH activities from DRC. The 1st proposal from October 2019 to March 2020. • SCI has implemented through contractors for WASH facilities construction and it is not possible for SCI to use direct implementation approach during this 5-months period because of HR capacity in hiring new additional staff and for other procurement reasons. • SCI will design DI approach in next proposal and try to shift to DI where possible. </td> <td data-bbox="1329 740 2007 1408"> <p>Action Points:</p> <ol style="list-style-type: none"> 1. WASH Cluster SOPs to be development with guidance notes for the following: <ul style="list-style-type: none"> • “On the Use of Contractors” • “On the use and approaches of direct implementation for infrastructure construction: <p>That should include, things such as: where and when scenarios, quality control assurance, accountability masseurs, handover of infrastructures and sustainable approaches for M/O, Do No Harm principles, Proper Handover /construction completed guidelines, ensuring that there is contractor transparency, Approaches for cash for work, etc. As well as, to “Ensure that there is Contractor Transparency” in procurements and contract process. These will be developed through a Task force of interested actors and share with other WASH partners for review, before approval by the WASH SAG.</p> </td> </tr> </table>	<p>Way Forward</p> <ul style="list-style-type: none"> • It was discussed that when using the contractors, we should make sure that quality control/ assurance is monitors on the contract development, and monitoring of activities., as well as, before payment of contract are finalized. • It is also important to make sure for the sites where there is more than one WASH partner, to follow the same modality. • SCI will be taking over the WASH activities from DRC. The 1st proposal from October 2019 to March 2020. • SCI has implemented through contractors for WASH facilities construction and it is not possible for SCI to use direct implementation approach during this 5-months period because of HR capacity in hiring new additional staff and for other procurement reasons. • SCI will design DI approach in next proposal and try to shift to DI where possible. 	<p>Action Points:</p> <ol style="list-style-type: none"> 1. WASH Cluster SOPs to be development with guidance notes for the following: <ul style="list-style-type: none"> • “On the Use of Contractors” • “On the use and approaches of direct implementation for infrastructure construction: <p>That should include, things such as: where and when scenarios, quality control assurance, accountability masseurs, handover of infrastructures and sustainable approaches for M/O, Do No Harm principles, Proper Handover /construction completed guidelines, ensuring that there is contractor transparency, Approaches for cash for work, etc. As well as, to “Ensure that there is Contractor Transparency” in procurements and contract process. These will be developed through a Task force of interested actors and share with other WASH partners for review, before approval by the WASH SAG.</p>
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	<ul style="list-style-type: none"> • It was agreed that improved coordination between WASH partners, especially in particular locations (such as Sittwe Camps) should be balance out the modalities used and to coordinate with the WASH Cluster where any new WASH construction activities are planned and implemented. • There is a need for guidance notes and or SOPs for the use of the different modalities, and for which scenario they might be used. • Capacity building for the partners who use contractors on the approaches used for moving to direct programming. • There will be a need to continue the use of contractors, in hard to reach locations (such as new displacement sites), areas where there are short TA or hard the access, and or for projects with short funding durations. • CCCM explained that method and approach the CMAs are creating for camps groups (Youth, Men, Women’s, etc. and the request for the WASH partners to coordinate and utilize these groups, and to see if in the future we can have these groups look at WASH issues and concerns and to come up with solution that they can implement, around Solid waste management, drainage, etc. 	<ol style="list-style-type: none"> 2. WASH Cluster to organize a capacity building for WASH partners on the use of and approaches for “Direct Implementation”. 3. WASH Actors to coordinate with the CCCM/CMAs in development of groups in the camps, and/or in utilizing the existing groups (Youth, Men’s, Women’s, etc.) where possible. And to coordinate in the future to possible have them and/or newly formed groups to look at issues and concerns in the camps around WASH, and to come up with the appropriate solutions that they can target on their own.
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Attendance Sheet

No	Name	Organization	Designation	Email
1	Jezeer Hameed	MA-UK	AM	Jezeer.hameed@mauk-myanmar.org
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