

Charter of the Pacific Ombudsman Alliance

1. Intent

The intent of the Pacific Ombudsman Alliance (the Alliance) is to provide a service delivery and mutual support organisation for Ombudsman and allied institutions of countries that are members of the Pacific Islands Forum. The Alliance does not have any legal powers in relation to Ombudsman activities in any nation.

2. Charter

This Charter provides the governance framework for the operation of the Alliance, comprising the Membership, Board and Secretariat.

The Alliance is constituted in accordance with this Charter by agreement of the foundation members of the Alliance, as listed in the Schedule to this Charter, commencing on 29 October 2008.

3. Principles

The Alliance is based on the following principles:

- Integrity
- Accountability
- Simplicity
- Flexibility
- Respect
- Sustainability

4. Objects

The principal objects of the Alliance are to:

- Strengthen cooperation within the community of Pacific Ombudsman and allied institutions in order to broaden the POA's scope of influence.
- Foster integrity in the delivery of government services, by supporting the creation and maintenance of strong Ombudsman and allied institutions
- Develop culturally appropriate best practice resources and training support to address common issues faced by the Pacific Ombudsman community
- Provide mutual support to help members meet their obligations and responsibilities and improve their service delivery and effectiveness
- Support the development of legislation or refinement as appropriate and programs that recognise the right of citizens to transparent and accountable government services through effective complaint and oversight mechanisms
- Enable the national Ombudsman institutions of the Pacific Islands Forum nations to provide a common or consistent approach in dealings with international complaint and oversight bodies

- Foster and promote the work of Ombudsman and allied institutions throughout the Pacific.

5. Membership

The foundation members of the Alliance are listed in the Schedule to this Charter and are full members of the Alliance. The Board or a meeting of the Alliance may admit other organisations to be full or associate members of the Alliance, and may remove an organisation as a member of the Alliance.

To be eligible for membership of the Alliance an institution must be created by an enactment of a legislative body or be provided for in the constitution and have a role to protect any person or bodies of persons against maladministration, violation of rights, unfairness, abuse of powers, corruption or any injustice caused by a public authority.

There may be only two full members per country. Any additional country members shall be associate members.

A member shall be represented in the activities of the organisation by the person or officer listed in the Schedule. With the agreement of the Board or a meeting of the Alliance, a member may be represented at a meeting of the Board or Alliance by an authorised alternate.

The Board may decide the rights or obligations that attach to Associate Membership, and the way in which an Associate Member may participate or be represented in the activities of the Alliance. The Board or a meeting of the Alliance may admit or remove a person or organisation as an Associate Member of the Alliance.

Meetings of the Alliance

The members of the Alliance shall meet at least once each year, either at a face-to-face meeting, or by an electronic medium. A meeting of the Alliance may coincide with other regional meetings of Ombudsmen and stakeholders, to enhance the opportunity for cooperation and collaboration among members.

A meeting of the Alliance may alter this charter, or may vary or rescind any decision of the Board.

6. Board of Governance

Appointment of the Board

The first meeting of the Alliance shall appoint a Board from among the full members of the Alliance. The Board shall comprise at least five and no more than seven members. The Alliance shall seek to ensure that it appoints as members of the Board people who can adequately represent the interests of members.

A country may have no more than one elected member of the Board. At least one member must be a representative of the Non Ombudsman Smaller Island States Working Group. The Alliance shall seek to ensure there is adequate gender representation on the Board. The Board may invite the Vice-President of the Australasian and Pacific Ombudsman Region (APOR) of the International Ombudsman Institute to be a non-voting ex-officio member of the Board. The Alliance may appoint to the Board a member that provides secretariat services to the Board.

The Board shall hold office for two years, unless a meeting of the Alliance:

- earlier decides to appoint a new Board, or
- determines to extend the term of the Board until the next meeting of the Alliance.

A member may resign from membership of the Board, or may be removed from the Board by a meeting of the Alliance.

A meeting of the Alliance shall appoint a new Board upon the expiration of the term of office of the Board, and upon a vacancy occurring in the Board.

The Board shall elect from among its members a Chair and a Vice Chair. The Chair shall be responsible for arranging and presiding at meetings of the Board and for the general supervision of the activities of the Secretariat and the Alliance. The Vice Chair may preside at a meeting at which the Chair is not present.

Role of the Board

The Board will:

- Provide leadership, oversight and strategic direction
- Ensure that Alliance activities are legal, ethical, financially prudent and appropriate for the Pacific

Each Board Member will:

- Display commitment to the objectives of the Alliance and be diligent in supporting the Alliance
- Advocate for good complaint handling, systemic improvement to public administration and other related principles such as transparency, integrity and accountability.
- Distribute and promote information about the Alliance and its activities
- Seek opportunities to raise resources, and to engender national and regional support for the Alliance

Responsibilities of the Board

To be consultative: Board members will consult with Alliance members, government organisations, staff, donors and other stakeholders to broadly represent the best interests of the Alliance.

To be strategic: The Board will focus on higher level strategy and will:

- Promote the principles and objects of the Alliance

- Set the long term strategic direction for the Alliance
- Develop the three year Strategic Plan to include the mission statement, strategic vision and the transition program
- From 2009/2010 start to strategically define Alliance programs and services, commencing with a strategic plan 2009-2012
- Approve the structure, function and the membership of working groups that report to the Board
- Consider and endorse activity plans, ensuring that the activity plans fit within the strategic directions endorsed by the Board
- Ensure that the Alliance is focused on getting results
- To liaise with APOR to ensure consistency and achievement of the objectives of the Alliance

To be accountable: The Board will:

- Ensure that the Alliance's legal, ethical and financial obligations are met
- Approve financial reports and performance monitoring including any necessary reporting to donor agencies.
- Develop and manage transparent Board meeting procedures and rules
- Report to Alliance members at an annual members' meeting, and electronically throughout the year
- Regularly self monitor Board performance
- Ensure the integrity of the Secretariat, and may recommend to the employer of Secretariat staff that staff be taken off Alliance work where this would be in the best interests of the Alliance.

To oversight operations: The Board will:

- Establish performance expectations, clearly outline expectations, delegate activity responsibilities and monitor and evaluate the results
- Oversight the administration of grants made to support the activities of the Alliance.
- Endorse staff appointments and oversee the Alliance Secretariat
- Develop and implement appropriate monitoring and evaluation procedures for Alliance activities
- Oversight the development and implementation of risk management practices

Board meetings and decisions

The Chair may call meetings of the Board, as needed. At least one face-to-face meeting of the Board shall be held each year.

The quorum for a meeting of the Board shall be half plus one of the members of the Board.

A decision of the Board shall be reached by consensus of the members, or by a majority of the Board members present at a meeting.

Working Groups

The Board may at any time establish working groups. A member of the Board shall be allocated responsibility for each working group. The working group is to perform the activities outlined in the decision of the Board which established it, and is at all times accountable to the Board. The Board will set the term of operations for all working groups.

A Non Ombudsman Small Island State Working Group will be an initial Working Group within the Alliance, with modification as deemed appropriate by the Board.

7. Secretariat

The Secretariat is appointed by and accountable to the Board of the Alliance.

The Secretariat is responsible for coordinating and implementing the activities of the Alliance, including:

- Providing support to Alliance members in accordance with the annual work plan
- Undertaking or providing technical assistance on activities and projects determined by the Board or the Board's delegate(s)
- Facilitating and monitoring complementary projects and activities conducted by donor and other agencies
- Developing grant documentation and a draft annual work plan for consideration by the Board
- Arranging and preparing for Board meetings and annual members' meetings
- Providing a report on financial matters to the Board as required and at least every six months
- Preparing the Annual Report and other accountability reports
- Other support or duties as required by the Board.

Initially the Secretariat is to be located within and attached to the Commonwealth Ombudsman. This is an immediate cost effective approach and can be reviewed once the Alliance has established itself.

8. Transition from Network to Alliance

Initial activity targets for the Alliance to 30 June 2009 are:

- Establish the Alliance Governance Framework to include a Charter, the Board, Secretariat and Members
- Establish a Non Ombudsman Small Island State Working Group through collaboration between the Pacific Island Forum Secretariat Governance Officer and Alliance representatives
- Finalise and endorse the strategic and action plans that Network members have worked on for the past two years with activities that include:
- Establish a communications service, including trials for a sustainable website or similar service
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- Review training needs and produce training materials
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- Establish a legal/technical advisory service
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- Maintain and build liaison with other professionals in the field with an aim to foster sustainable improvements to governance

This Charter was adopted by the undersigned foundation members of the Alliance on 29 October 2008

[Original contains Ombudsman and Representative Signatures on a separate page.]

Schedule – Foundation Members of the Pacific Ombudsman Alliance

Members attending the foundation meeting of the Alliance, 28 and 29 October 2008	Representative present
1. Commission for Public Relations, Tonga* 2. Commonwealth Ombudsman 3. Komesina O Sulufaiga (Ombudsman) of Samoa 4. Office of the New South Wales Ombudsman/APOR 5. Office of the Ombudsman, Cook Islands 6. Office of the Ombudsman, Solomon Islands 7. Office of the Ombudsman, Vanuatu 8. Office of the Ombudsmen, New Zealand 9. Ombudsman Commission of Papua New Guinea 10. Government of Nauru 11. Government of Niue 12. Government of Palau	1. Commissioner's representative 2. Ombudsman 3. Ombudsman 4. Ombudsman/Vice Pres of APOR 5. Ombudsman 6. Ombudsman 7. Ombudsman 8. Chief Ombudsman 9. Chief Ombudsman Representatives appointed by their respective Governments
Members not attending, represented by the above at the foundation meeting of the Alliance: 13. Solomon Island Leadership Commission 14. Government of the Federated States of Micronesia 15. Government of Kiribati 16. Government of the Marshall Islands 17. Government of Tuvalu	Chairman Representatives appointed by their respective Governments

*Now in transition to Office of the Ombudsman, Tonga

**APOR: Australasian and Pacific Ombudsman Region, International Ombudsman Institute