

MEMORANDUM OF UNDERSTANDING (MOU) – GUIDANCE AND TEMPLATE



Guidance

This guidance and template have been prepared to help facilitate the development and documentation of a broad understanding between partners in the Caritas Confederation. There are different kinds of partnership relationships which may be established between various parties, and these are outlined in the Caritas Partnership Principles and Modus Operandi (hereinafter, “the Modus Operandi”). This Memorandum of Understanding (MoU) guidance and template have been designed to reflect partnership between Caritas Member Organisations, but may be adapted to reflect other partnership relationships.

The expectation is that only one MoU of this type will be established per partnership relationship, and that other types of agreements (e.g. projects, grants etc.) within the partnership and including additional stakeholders will be developed within the framework of the partnership MoU. In certain instances, a Member Organisation might determine that a MoU of this type should be developed bilaterally with individual dioceses or other stakeholders; in such cases, it is recommended that this MoU be adapted accordingly.

The MoU template is designed to reflect the mutual understanding of the parties to the agreement, and assumes agreement and consistency with the values and guidance outlined in the Modus Operandi and shared understanding of the broader identity of Caritas organisations under the mandate of the affiliated Episcopal Conference.

Prior to using the MoU template, a joint listening process (see the Modus Operandi and related reference documents) must be undertaken between the parties involved which leads them to the decision to form a partnership. Following this, it is expected that the parties involved will utilise this guidance and template in the development of any new MoUs, as well as in the review/revision of existing MoUs.

Changes or additions to the template to better reflect the shared understanding of the partners are encouraged, but with a view towards ensuring that a similar and consistent approach, which appropriately reflects partnership values and principles, is applied to Member Organisations’ work with Church partners throughout the Confederation.

The parties involved shall review and approve the draft MoU. The purpose of the review and approval process is to ensure that the final MoU, including any adjustments arising from the consultative partnership process, meets the needs of the national Caritas and the local Church, while remaining consistent with the Modus Operandi.

The only way to achieve the intended purpose of the MoU is for the partners to work together to develop it—the process itself being just as important as the document that is created. The process is an opportunity for the parties to reflect on why each has entered into the partnership, their expectations for the partnership, and their ideas for how they would like to work together. By the end of the process, the parties should have a clear and deep understanding that will serve as the basis for successful collaboration. While we acknowledge the responsibility to care for our common home and the need to work efficiently, it is encouraged to undertake a combination of in-presence and online reflection and listening in the development of a partnership.

Developing a Memorandum of Understanding

What is it?

It is a document that helps make clear each partner’s broad and mutual understanding of their strategic relationship, including intentions and expectations, as well as how they will work together. It is recommended that a MoU should be used by all parties entering into a partnership. It is a statement of mutual intent and commitment between organisations at the institutional level. The MoU does not substitute project and grant agreements or contracts; these are more specific to one or more pieces of work, cover more project specific details and bear financial and legal implications.

The template below is intended to be used as a model which can be adapted according to the needs and terms of the partnership.

When do you use it?

A Memorandum of Understanding should be developed at the beginning of a relationship and serves as an important foundational building block for the partnership. It is subsequently used as a “health check” for the partnership, during reflections or other gatherings, comparing the actual partnership against the standards and commitments in the MoU.

Typically, the MoU is to last for the duration of the partnership; however, regular listening and reflection is needed. The MoU may be revised if:

- An existing MoU has not been reviewed/ revised in more than five years (though more frequently is better);
- An existing MoU is less than five years old but is not considered useful and/or is not being applied;
- A partnership is new, or if it has existed but without any MoU having been established;
- A partnership is facing particular challenges.

How to develop/revise it

The process for developing or revising a MoU should include one or more in-person events (in combination with online exchange, if necessary), which can be as simple as identifying the stakeholders who will be involved (including a facilitator, if necessary), determining the number of days needed, scheduling and preparing for the event/s, and then implementing the event/s by discussing, adapting and agreeing each section of the MoU template. Before ending an in-person event, the partners should determine together the next steps needed to finalise the process.

It is difficult to estimate the amount of time needed to complete the MoU development process because the spirit of partnership requires that each partner take the time to listen carefully and move forward only at a pace

with which all parties are comfortable. The process, which should result in a stronger relationship and a deeper understanding between the partners, will only result in a quality MoU if participants have had the opportunity to contribute and feel that their views have been heard and taken into consideration.

Who should participate in the process?

It is important that the relevant staff actively participate in the process of developing the MoU. The size of the group can vary depending on the context, but the partners should discuss and decide together on the participants. The MoU should be signed by the appropriate authorities.

Template

Memorandum of Understanding

Memorandum of Understanding between <insert names (and relevant abbreviations) of parties involved>.

Preamble

This Memorandum of Understanding (MoU) between <insert names> establishes the broad mutual understanding of the organisations regarding their strategic relationship, developed with the purpose of supporting each other in the fulfilment of their shared vision for addressing people's needs and the underlying causes of suffering and injustice in <insert country name>.

The parties to this MoU recognise the independence of each organisation and enter this agreement in a spirit of mutual trust, respect, and a shared commitment to the social teachings of the Church.

This MoU is therefore a statement of the general relationships and mutual intent to which the organisations commit themselves. Within the framework of this MoU, it is possible that specific projects will be designed and implemented. In such cases, separate agreements will also be developed that stipulate the particulars of those projects, including roles and responsibilities, targets, management and reporting standards, deadlines, etc. The parties to this MoU will work together to ensure that any such agreements will be developed in keeping with the spirit and principles articulated in this MoU.

1.0 Organisations to the Memorandum of Understanding

Explanatory note: Identify each organisation to which the Memorandum of Understanding (MoU) applies and their relationship to one another, and to the country in which they are operating.

The Organisations to which this Memorandum of Understanding applies are <insert names>, hereinafter called (<insert abbreviations>), each a "Partner" and together referred to as "the Partners".

<Insert MO name> is present in <insert country name> at the invitation of the Catholic Bishops Conference of <insert country name> and works with the Church of <insert country name> as the partner of preference.

<Insert MO name> is also in <insert country name> with the approval of the government of <insert country name> and abides by its laws and regulations and may work in partnership with government agencies for the accomplishment of specific projects.

This MoU does not preclude any of the Partners from working with other Church entities, agencies of other faith traditions or secular agencies engaged in humanitarian relief, development efforts and advocacy. However, information about these other partnerships will be shared, and as new partnerships are considered, they will be discussed by the Partners in an open, transparent and respectful manner. Where necessary, consultations between the Partners should take place before establishing partnerships with other agencies.

2.0 Identity of the Organisations

Explanatory note: *Include the mission statement of each partner organisation. If they do not have an official mission statement, this may be omitted.*

<Insert MO names> affirm that they are independent Catholic organisations with a shared vision. The Partners commit to work together in fulfilment of that vision, while affirming and maintaining their separate identities.

Mission statements should be included here.

3.0 Vision and Values

***Explanatory note:** This section confirms that the partners share a common vision and certain core values, based on Catholic Social Teaching and guided by the Caritas Partnership Principles and Modus Operandi, which should be discussed together to ensure a common understanding and agreement.*

The Partners recognise that they share a vision, as well as certain core values and principles, based on Catholic Social Teaching, and commit themselves to a relationship guided by these values, as stated in the Caritas Partnership Principles and Modus Operandi.

4.0 Operating principles

***Explanatory note:** Operating principles are more function-oriented than partnership principles. Operating principles guide the actions, and by defining them it is easier to understand how the partners intend to work together, for example, geographical, sectoral and other areas of collaboration. The template includes suggested principles that might prove useful. They can be utilised as they are, or adapted depending on the partners' preferences. It is recommended that the partners keep in mind that a MoU is designed to be long-lasting, and, as such, it might be best to keep the language general, in order to capture the overall intent as opposed to specific details that might quickly become outdated. For example, under the "fundraising" principle, if the partners are aware of a funding opportunity that they will pursue, they might consider including those details; however, that information is likely to become outdated more quickly than the rest of the MoU. What is most important is that the partners develop principles on which they agree and which are useful for clarifying the way they will work together.*

The following principles form the basis for how the Partners will operationalise this MoU. Partners may elaborate on sectoral and other details as appropriate.

Structure: The Partners will utilise and strengthen already existing local structures or may jointly establish new structures at the national, diocesan or parish levels if deemed necessary. The Partners recognise and respect other stakeholders to which each organisation is accountable (e.g., board of directors, communities, donors, etc.). Roles and responsibilities of relevant staff (at all levels) of all parties to be clearly specified here, including recruitment processes and processes in the case where contracts are broken or not respected. Modalities of staff induction may be included in the MoU.

Capacity strengthening: The Partners work together, each according to their means, for the development of the people of <insert country name>, while enhancing their respective capacities and that of the Catholic Church as a whole in <insert country name>. The Partners' approach to capacity strengthening goes beyond a specific project activity and is based rather on a shared commitment to ongoing joint action, in accordance with the Caritas Internationalis Management Standards

(CIMS) process. The partners agree to facilitate and promote the strengthening of each other's capacities through the CIMS process, and to engage in joint and mutual organisational self-assessment and planning processes, in which they identify their strengths, prioritise areas needing improvement, and create and implement their own action plans.

Programme interventions and reporting: Prior to the development of new proposals and/or the selection of new programme sites or partners, the Partners will consult with each other, according to the procedures set out in the Caritas Partnership Principles and Modus Operandi. The Partners commit to apply partnership principles as they work together through all stages of the project cycle, from planning through to evaluation and reporting, in keeping with the strengths of each Partner and in such a way as to ensure complementarity and accountability to each other, the donors, project participants and other stakeholders. Reporting conditions, frequency and content (what, when, to whom) to be clearly specified here.

Fundraising: The Partners agree to work together to identify potential funding opportunities, including private and public resources, optimising the use of local assets, for achieving their shared vision. The Partners review and determine together whether they will jointly pursue a funding opportunity or income-generating activity. The Partners are transparent in their fundraising efforts, and approach donors, especially Church donors, together when appropriate. Transparency is maintained through dialogue, consultation, and sharing of information, including reports, budgets, etc. each organisation adheres to relevant donor rules, regulations, and reporting requirements when agreeing to accept private or public resources.

Financial management: The Partners maintain independent financial systems in accordance with internal and donor requirements, but report to each other through an agreed process when collaborating on joint projects. They agree to uphold the minimum financial management standards required to ensure adherence to internal and donor regulations, Caritas Internationalis Management Standards, as well as full accountability to and transparency with each other, the programme participants and the donors.

Solidarity: The Partners acknowledge that they are part of one human family in an interconnected world, and that loving our neighbour has global dimensions. A partnership is far more likely to thrive, and to survive problem periods, when based on genuine mutual appreciation and trust. The Partners actively build mutual trust by fully and transparently sharing information, successes and problems with each other and by periodically reviewing and seeking ways to nurture and strengthen their partnership. The Partners find mutually agreeable solutions to situations beyond the control of any of the parties (e.g., social/political conflict, natural disaster, etc.) that affect the achieving of their shared vision.

Safeguarding: The Partners commit to creating and maintaining appropriate policies, protocols and mechanisms aligned with the Caritas Internationalis Management Standards. These measures aim to prevent abuse, exploitation, and harassment - including of a sexual nature - of all individuals, especially children and vulnerable adults. Additionally, the Partners must adhere to the CI Code of Conduct and other relevant policies.

Communication: The Partners understand that open communication is critical to any relationship and agree to develop and foster an approach to communication that is respectful and collaborative, through country fora or other similar mechanisms. Each Partner maintains equal responsibility for the communication process, and advocates for open communication with other institutions at all levels. Conditions, frequency and content (what, when, to whom) to be clearly specified here.

Decision-making: The Partners use consultative and collaborative methods to make decisions affecting the partnership. Decisions that could affect one or more Partners are discussed jointly, and every effort is made to achieve mutually acceptable outcomes.

Conflict resolution: The Partners enter into this MoU in a spirit of trust and intend that all unforeseen matters or issues that arise, as the relationship evolves, will be resolved in a spirit of mutual understanding. In the event that there is a conflict, it shall be resolved according to the procedures established in the Caritas Partnership Principles and Modus Operandi.

5.0 Partner contributions

Explanatory note: *This section confirms that each partner will contribute as they are able to the partnership, with the understanding that together they will be able to achieve more towards their shared vision. Contributions are recognised not only in terms of material resources, but also experience, expertise, understanding and values.*

The Partners are committed to sharing their respective experiences and expertise and promoting a learning culture within and between their organisations, in order to develop a collaborative institutional relationship and better serve the people of <insert country name>.

Each Partner agrees to contribute, according to their means, physical, material, structural, social, intellectual and spiritual resources to this partnership, including mutual participation in country fora, partner meetings, and strategic planning processes from all sides.

6.0 MoU oversight

Explanatory note: *It is important to ensure that the MoU remains effective, appropriate, and beneficial to all parties. The partners must decide together on what methods they will apply to ensure the health of the partnership, including regular review of the MoU. The individuals identified to provide MoU oversight should be dedicated to ensuring the health of the partnership, understand and apply Catholic Social Teaching and the Caritas Partnership Principles and Modus Operandi, and be willing and able to participate*

in the kinds of decisions needed to ensure a strong and effective relationship.

The Partners commit to working together to ensure that the MoU remains relevant and mutually beneficial. Therefore, the Partners will engage in substantive review of this MoU at least every <insert number> years. They will do this by <insert methods to be applied to MoU oversight>.

7.0 Conditions, objectives, outcomes and period of the Memorandum of Understanding

Explanatory note: *Conditions, objectives and expected outcomes of the partnership should be stated here. The Partners should also specify a period for which the MoU will last. While partnerships may grow and change, they will continue to exist until they are no longer useful. It is best practice that the parameters and conditions of any partnership are reviewed and revised periodically to ensure the health and effectiveness of the relationship. It is recommended that no longer than five years pass between reviews.*

*Period of the Memorandum of Understanding:
From (DATE) to (DATE).*

(Maximum) Date for review:

This MoU is effective from the date of its signature and remains in effect for the period specified, or until changed or terminated by any of the parties through mutual consent.

8.0 Modifications to the MoU

Explanatory note: *This section allows the partners to stipulate the conditions for allowing changes to be made to the MoU. If the partners would like to determine additional conditions, they should be included here. At a minimum, it is important to ensure that changes will be made together, in writing, and only with the formal approval of the heads of each partner organisation.*

Changes to the MoU may be requested by any Partner at any time but must be reviewed and approved by the heads of each Partner organisation, who share ultimate responsibility for ensuring the MoU remains relevant and useful to all Partners. Any such modifications must be made in writing.

9.0 Withdrawal from the Memorandum of Understanding

Explanatory note: *While it is important to state that any partner may choose to withdraw from the MoU, the values, process and procedures involved in forming the MoU, as indicated above and detailed in the Caritas Partnership Principles and Modus Operandi, are intended to prevent withdrawal from the MoU before its expiry or renewal date. Any indication that the MoU is either not working or is no longer wanted must be treated with the utmost seriousness.*

Any Partner may withdraw from the MoU by giving <insert number> month(s) written notice to the other Partner.

10.0 Effective Signatures and Date

for <insert organisation name(s)>

Name of Representative

Signature of Representative

Title of Representative

Date

for <insert organisation name(s)>

Name of Representative

Signature of Representative

Title of Representative

Date
