

# Canadian HIV/AIDS Black, African and Caribbean Network (CHABAC)

## General Membership Terms of Reference

### 1.0 Vision

To end the HIV/AIDS epidemic among the African, Caribbean and Black population in Canada.

### 2.0 Mission

The Canadian HIV/AIDS Black, African and Caribbean Network (CHABAC) works to strengthen the response to HIV/AIDS epidemics and associated stigma and discrimination among African, Caribbean and Black communities in Canada.

### 3.0 Core Principles

CHABAC has 10 guiding principles, that are the foundation though which our vision and mission will be achieved.

**MIPA:** CHABAC embraces the principle of MIPA (the Meaningful Involvement of People Living with HIV/AIDS) into all aspects of the work it undertakes. We support and understand the rights and responsibilities of people living with HIV, including their right to self-determination and meaningful participation in decision-making processes that affect their lives. We endorse the MIPA Code of Good Practice<sup>1</sup> that defines the involvement of PLWHIV and affected communities as a specific expression of the right to active, free and meaningful participation in all aspects of the HIV/AIDS response. The Code recognizes that involving PLWHIV and affected communities in the HIV response makes a powerful contribution to combating the spread of HIV/AIDS in Canada by enabling individuals and communities to draw on their lived experiences; thus contributing to reducing stigma and discrimination and to increasing the effectiveness and appropriateness of the HIV/AIDS response.

**Transparency and Accountability:** CHABAC is committed to ensuring its structure and function, decision making processes, and utilization of resources are clear and transparent to members. CHABAC will regularly monitor and evaluate its activities against its vision, mission and guiding principles. Further, we will actively seek opportunities to share challenges and successes with stakeholders.

**Anti-Oppression Framework:** CHABAC will work to eliminate the impacts of multiple structural and systemic sources of oppression based on race, gender, sexual orientation, gender identity, faith, disability, age, legal status and other dimensions of difference that harm individual and community responses to HIV /AIDS for African, Caribbean and Black people in Canada.

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<sup>1</sup> This code can be accessed from: <http://www.hivcode.org/search-the-code/guiding-principles/meaningful-involvement-of-plhiv.html?keywords=mipa>

**Harm-Reduction Framework:** CHABAC will support efforts to decrease the adverse health, social and economic effects of behaviours that damage the health of the person involved and of their community, rather than focusing on cessation. These efforts will be made in recognition of the link between these behaviours and HIV infection.

**Social Justice:** CHABAC will incorporate a social justice philosophy to inform its work and activities; utilizing practices and tools based on the promotion of human rights and social determinants of health. The interconnected influences of social, economic, political and environmental circumstances on HIV/AIDS for African, Caribbean and Black people living in Canada are important realities CHABAC will address.

**Diversity, Inclusion and Accessibility:** CHABAC strives to be community-driven, and so will aim to involve diverse African, Caribbean and Black people, allies and stakeholders as members of the Network. This includes a commitment to supporting the inclusion of Francophone and Anglophone members from across Canada, enabling the inclusion and full and effective participation of persons with disabilities and the accessibility of information to people with different knowledge bases, literacy levels, etc. CHABAC is committed to fostering community-based shared understandings that value diversity through the use of language that is non-stigmatizing, respectful, and inclusive.

**Capacity Building and Leadership Development:** CHABAC will use and support individual and community-based models of capacity building and leadership development with organizations on the ground and regional hubs, thus ensuring sustainable growth for the future of the Network.

**Collaboration and Partnerships:** CHABAC will strive to collaborate with diverse stakeholders including all levels of government, researchers, AIDS service organizations, health, social and settlement agencies, faith-based, development, and community-based organizations. These efforts will be made with the recognition that partnerships are essential both for building the Network and facilitating the sharing of information and expertise which accurately document the reality of African, Caribbean and Black people living in Canada.

**Advocacy:** CHABAC will strategically advocate with, and on behalf of, African, Caribbean and Black people living in Canada on a variety of issues related to HIV and AIDS including, but not limited to the following: securing/ ensuring adequate financial and human resources; informed policy decision-making; scaling up prevention, treatment, care and support; and research involving communities represented by the Network.

**Overall Representation of African, Caribbean and Black people:** CHABAC will strive to ensure the accurate and positive representation of African, Caribbean and Black people in all of its communication, activities and planning processes. Images of African, Caribbean and Black people will be empowering and positive representations of our communities and lived experiences.

#### **4.0 Supporting Organization**

The Interagency Coalition on AIDS and Development (ICAD) currently provides administrative support to CHABAC and supports the coordination of the Network through a National HIV Voluntary Sector Response Fund (NHVSRF) grant from the Public Health Agency of Canada (PHAC). ICAD is an ex-officio member of the CHABAC Steering Committee. CHABAC and ICAD share a commitment to CHABAC becoming an autonomous body, governed by ACB communities.

## **5.0 Membership**

### **5.1 Membership Structure**

CHABAC's membership structure strives to ensure that a full spectrum of experiences and perspectives are brought to the table. Consequently, CHABAC strives to achieve representation from across Canada. In addition, CHABAC also strives for representation from African, Caribbean or Black communities in Canada including people living with HIV/AIDS; women; youth (25 years or younger); lesbian, gay, bisexual, transgender and queer individuals (LGBTQ); Francophone people; health, social, settlement, faith-based and development organizations mandated to work with African, Caribbean and Black communities; and researchers. There is no limit to the number of members CHABAC may have, recognizing that there many individual and organization who work or are interested to work with ACB communities in Canada.

There are two (2) types of Members within CHABAC as described below:

1) Individual Member

Any person who supports the goals and objectives of CHABAC may be an Individual Member. This includes people living with HIV. Full membership rights and privileges shall be accorded to Individual Members.

2) Organizational Member

Open to any not-for-profit organization, association or institution (incorporated or unincorporated) which supports the goals and objectives of CHABAC. Full membership rights and privileges shall be accorded to Organizational Members.

CHABAC shall be operated without purpose of monetary gain to any of the Members, and any surplus of CHABAC shall be used solely for the purposes of CHABAC and the attainment of its objectives.

### **5.2 Membership Benefits**

There are no fees attached to membership in CHABAC. Benefits of Individual and Organizational Membership include:

- ⇒ 2-year membership, renewable
- ⇒ Stand for election to the Steering Committee
- ⇒ Nominate members to the Steering Committee
- ⇒ Membership in any committee
- ⇒ Attend, speak and vote at all meetings of CHABAC
- ⇒ Networking with CHABAC Members from across Canada
- ⇒ Regular email updates via the CHABAC email distribution list

### **5.3 Membership Criteria**

CHABAC Members must meet the following criteria:

- ⇒ A willingness to commit to the mission, vision and guiding principles of CHABAC.
- ⇒ Knowledge of and commitment to keep current with HIV/AIDS-related issues within African, Caribbean and Black communities.

- ⇒ Must be either:
  - Member of African, Caribbean and Black community; or
  - An ally; or
  - Affiliated to an agency/institution/organization that delivers HIV/AIDS programs and services to or works with African, Caribbean and Black communities in Canada.
- ⇒ A dedication to the elimination of the factors that drive the epidemic, e.g. sexism, homophobia, racism, transphobia, systems of belief, and other factors that increase vulnerability to HIV/AIDS.
- ⇒ A commitment and desire to work with others, and recognition of the importance of the issue of HIV/AIDS in African, Caribbean and Black communities in Canada.

#### **5.4 Member Recruitment**

CHABAC invites all interested parties to sign-up as members, and will also undertake targeted recruitment to identify potential members.

The Membership Committee will coordinate the recruitment process for new CHABAC members. The Committee will:

- ⇒ Identify existing and upcoming gaps in CHABAC's membership (e.g. due to member turnover, or to ensure representation), and present them to the Steering Committee.
- ⇒ Request names and contact information of appropriate potential members from the Steering Committee and circulate membership recruitment notices through various means and outlets.
- ⇒ In the case of targeted recruitment, contact the identified individuals, provide them an orientation on CHABAC and membership requirements, and invite them to sign up, if interested.
- ⇒ Ensure that all new members receive an orientation, which includes a welcome letter, along with the list of current members, and any relevant organizational documents.

#### **6.0 Resignation of Membership**

A Member of CHABAC can resign at any time by providing notice (i.e. via email or otherwise) to the Membership Committee. A resignation shall be effective from the time it is received by the Chair (or co-Chair) of the Membership Committee, or at the time specified in the resignation letter, whichever is later.

#### **7.0 Accountability**

CHABAC members are accountable to each other; to the staff, Board and/or membership of their own organizations; to the community; and to funders, where applicable. Organizational members are at the table as organizations, thus they are expected to represent their organization and to bring an organizational commitment to CHABAC.

Consistent representation (i.e. ideally the same person) by organizations is preferred. Organizational members will be requested to identify an alternate for their representative, if possible. In the case of representation by an alternate, it is expected that the alternate will come to the meeting well briefed and with the required documentation, and that the alternate be the same person, whenever possible. It is expected that alternates are for “one off” situations and not to fill permanent positions.

If a member of CHABAC fails to honour the vision and role of CHABAC, does not fulfill their membership responsibilities and/or consistently does not abide by the CHABAC Terms of Reference, their membership can be terminated. To terminate a member, two-thirds of the Steering Committee must vote for termination. In the case of organizational members, CHABAC reserves the right to request an alternate organizational representative or to terminate the organization’s membership.

## **8.0 Code of Conduct**

1. We will keep member and community interests in mind when expressing a viewpoint.
2. We will endeavour to speak from one’s knowledge and experience.
3. We will respect the dignity, values, ideas and opinions of each CHABAC member.
4. We encourage responsive and attentive listening.
5. We are committed to positive and constructive forms of interaction.
6. We will focus on issues, not personalities.
7. We will express ourselves at meetings even if our view differs from other CHABAC members and make it comfortable for others to do so.
8. We recognize that differing viewpoints are healthy in the decision-making process. We have the right to disagree, but will do so without being disagreeable. Once CHABAC takes action, members will not create barriers to implementing the action.
9. We function as a team. CHABAC members will bring issues to the attention of the full membership, not to other individual members.
10. We will conduct ourselves with courtesy towards each other during meetings.
11. We will respect confidentiality.
12. We will refrain from speaking for CHABAC unless we are authorized to do so and when expressing a viewpoint, we will keep the best interest of CHABAC, its members and the communities it serves in mind.
13. We will not disclose or discuss differences of opinions of CHABAC members outside of CHABAC meetings.
14. We will support majority decisions, even if one’s view is a minority one.
15. We will complete tasks between meetings and come to meetings prepared.
16. We will inform ourselves about meetings we miss by reading minutes and/or having discussions with other CHABAC members.

## **9.0 Decision Making & Quorum**

CHABAC strives for consensus (i.e. “you can live with the decision/idea”). If the group cannot achieve consensus members must agree on a process to deal with the outstanding issue (e.g. vote, continue discussion, do further research, table the issue to another meeting, etc.).

A minimum of fifty percent plus one of the voting CHABAC members is required for quorum/decision making.

## **10.0 Frequency of Meetings**

CHABAC members will meet once a year either in-person or using available information and communication technologies as funding allows or other opportunities arise.

## **11.0 Steering Committee and Co-chairs**

CHABAC is led by a Steering Committee of a maximum of twelve (12) voting members and five (5) ex-officio members. The Steering Committee shall have two (2) rotating Co-chairs; who will each serve for a two-year term, with staggered start dates.

Co-chairs will be elected from the CHABAC Steering Committee and must have served on the Steering Committee for at least one year. Steering Committee members can nominate themselves or other members. Each nomination must be seconded by another CHABAC Steering Committee member. Members will be asked to vote for their preferred candidate at the annual in-person meeting.

The two (2) Co-chairs must be from different regions in the country. At least one of the Co-chairs must identify as African, Caribbean and/or Black.

The role of the Co-chairs is to:

- chair meetings,
- speak on behalf of the Steering Committee;
- demonstrate leadership: keep/monitor work moving;
- call meetings;
- be an ambassador for the Steering Committee: a promoter and an advocate;
- have signing authority as relevant;
- be a contact person, as required;
- facilitate communication between Steering Committee members and decision making amongst Steering Committee members;
- be visionary;
- bridge communities;
- liaise with funders and sponsors as appropriate;
- take lead in ensuring development and long-term support for the Steering Committee; and
- ensure implementation of decisions from the Steering Committee.

## **12.0 Confidentiality**

### ***12.1 Definition and Guiding Principles***

The Canadian HIV/AIDS Black, African and Caribbean Network (CHABAC) respects the right to privacy. CHABAC is governed by the Personal Information Protection and Electronic Documents Act (PIPEDA) and other relevant legislation.

Any information acquired in circumstances, whether through the performance of duties or occasionally and/or inadvertently obtained, where there was confidence and trust that the information would remain private is considered confidential. This includes, but is not limited to, information on health or HIV status, sexual orientation, mail or e-mail address, or telephone number of persons connected to CHABAC directly or indirectly. Information related to the business of CHABAC which is not intended for public consumption, for example financial records, shall also be considered confidential.

The obligation to maintain confidentiality applies to the duration of an individual's relationship with CHABAC and continues indefinitely after the relationship with CHABAC has ended.

References to CHABAC members in the Confidentiality section refer to individuals, regardless of whether they are an organizational or community representative on CHABAC.

### **12.2 Acceptable Information Sharing and Declaration**

Confidential information should only be shared with those who need access to it. All CHABAC and CHABAC committee terms of reference shall include a confidentiality clause. CHABAC and CHABAC committee members shall be oriented to the ToR. It is understood that by agreeing to serve under the ToR, members are affirming their commitment to confidentiality. If a member identifies an inability to serve under the Terms of Reference, the member shall be terminated from CHABAC or the CHABAC committee.

### **12.3 Breach**

It is a breach of confidentiality to:

- Discuss any confidential information where it may be heard by individuals who are not authorized to have access to that information.
- Provide confidential information or records to unauthorized individuals.
- Leave confidential information in written form or displayed on a computer terminal in a location where it may be viewed by unauthorized individuals.

Violation of confidentiality is a serious offence and will not be tolerated.

A first violation shall result in both a verbal and written warning. In a case involving a CHABAC member, a Steering Committee co-chair or designate shall meet with the CHABAC member in question to discuss the violation and review the Protocol. In a case involving a CHABAC Steering Committee member, a Steering Committee co-chair or designate shall meet with the committee member in question to discuss the violation and review the Protocol. In a case involving a Steering Committee Co-chair, the other co-chair or designate shall meet with the co-chair in question to discuss the violation and review the protocol. A detailed record of the meeting shall be made and kept on file in a locked drawer in the CHABAC office. Records shall be kept for the length of time required by law.

A second violation, in a case involving a CHABAC member, shall result in a recommendation from the co-chair to CHABAC that the member be removed from membership indefinitely. In a case involving a CHABAC Steering Committee member, a second violation shall result in the termination of the committee and general membership indefinitely. In a case involving a Steering Committee co-chair, a second violation shall result in the termination of the committee and general membership indefinitely.

### **12.4 Limits of Confidentiality**

There may be some circumstances where CHABAC or CHABAC committee members will be required to share confidential information without consent. Such situations may include: the need for immediate medical attention, life-threatening situations, criminal acts or indications that a child is at risk.

If such a situation arises, the Co-chairs should discuss the matter with support from ICAD.

A determination should be made of the most appropriate action to be taken in order to protect the safety of the persons involved. All actions taken should be documented and kept on file.

When disclosure is required by law or by order of a court, or where disclosure is authorized by the appropriate person, no more information shall be revealed than is required.

## **13.0 Conflict of Interest**

### **13.1 Definition**

All members of CHABAC are expected to use good judgement, act honestly and in good faith with a view towards the best interests of the Network. Conflict of interest occurs when:

- a member's status with CHABAC or a member's personal, organizational or other interest interferes, or could be perceived to interfere, with a member's ability to act in the best interests of CHABAC. This includes situations that result in a member or a member's organization, family, friends or business associates gaining benefit.
- CHABAC advice could have an impact on the benefits received by a member or a member's organization or other organizations partnered with or financially affiliated with the member's organization.

It is the responsibility of CHABAC members to recognize, disclose and deal with any actual, potential or perceived conflict of interest.

### **13.2 Disclosure and Resolution**

Any member may declare or raise the issue of conflict of interest during CHABAC meetings. Any members who perceive themselves to be in actual, potential or perceived conflict must declare such conflict to CHABAC. When this occurs, CHABAC will discuss and recommend the appropriate steps to be taken based on the particular circumstances involved. These steps include deciding if a conflict of interest does exist, and allowing the Co-chair(s) the ability to limit input, discussion, or participation in consensus building, of a CHABAC member related to the conflict of interest.

### **13.3 Governing policy**

CHABAC is governed by ICAD's Conflict of Interest Policy, available at [http://icad-cisd.com/pdf/ICAD/ICAD\\_CONFLICT\\_OF\\_INTEREST\\_POLICY\\_September\\_2010.pdf](http://icad-cisd.com/pdf/ICAD/ICAD_CONFLICT_OF_INTEREST_POLICY_September_2010.pdf)

## **14.0 Harassment**

Harassment occurs when a member engages in any demeaning or offensive behaviour, verbal or non-verbal, which causes the work environment to be stressful, degrading or discriminatory for some members. CHABAC is committed to ensuring an environment that supports an atmosphere of respect, dignity, self-worth and human rights of every individual.

CHABAC is governed by ICAD's Anti-Discrimination Policy, available at [http://icad-cisd.com/pdf/ICAD/ICAD\\_Anti\\_Discrimination\\_Policy\\_September\\_16\\_2010.pdf](http://icad-cisd.com/pdf/ICAD/ICAD_Anti_Discrimination_Policy_September_16_2010.pdf)



**15.0 Media and Public Relations**

Communications with the media and public will be conducted so that all information originates from an authoritative source within CHABAC. CHABAC’s official spokespersons are the Co-chairs. A CHABAC Communications plan is in development and shall apply once finalized.

**16.0 Authorship**

Any reports, research or other documents prepared for CHABAC shall be co-authored by CHABAC and any organization that has provided funding or part-funding for the document. Legal ownership rests with the funding organization until CHABAC becomes a legal entity. All efforts will be made for CHABAC documents to reflect the CHABAC identity.

Documents will acknowledge the contributions of specific CHABAC members who contributed substantively to a document (e.g., members of an advisory committee or working group, reviewers, etc), as well as external consultants.

**17.0 Amendments**

Any CHABAC member may propose an amendment to the ToR. The proposed amendment(s) will be considered by the Steering Committee in consultation with the general membership of CHABAC.



**Acknowledgement**

I, \_\_\_\_\_, have read, understood and agree to abide by the Terms of Reference.

\_\_\_\_\_  
Member signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
CHABAC Co-chair signature

\_\_\_\_\_  
Date