



TERMS OF REFERENCE

Prevention of Sexual Exploitation and Abuse (PSEA) Risk Assessment International Consultant

A. GENERAL INFORMATION

Title: **Risk Assessment and Response Strategy for Prevention of Sexual Exploitation and Abuse (SEA), United Nations Botswana.**

Type of Contract: **Individual Contract – International**

Direct Supervisor: Resident Coordinator's Office (RCO) Team Leader

Duty Station: Gaborone, Botswana

Estimated Start Date: April 2022

End date: June 2022

B. DESCRIPTION OR BACKGROUND

The United Nations (UN), along with Non-Governmental Organization (NGO) alliances and other international organizations, have issued directives from the highest levels endorsing standards of **Zero Tolerance for SEA** (particularly through the United Nations Secretary-General's Bulletin on Special Measures for the Protection from Sexual Exploitation and Sexual Abuse 2003/13). As the Secretary-General (SG) has made clear, sexual exploitation and abuse is not confined to peacekeeping or humanitarian settings alone, it also occurs in development settings.

The United Nations SG's report on Special measures for protection from sexual exploitation and abuse: A new approach from Feb 2017 calls for new efforts to end abuses committed by those serving under the United Nations flag in any capacity and "bring this scourge to heel". The strategy emphasizes, for the first time, a system-wide approach focusing on: *putting victims first, ending impunity, engaging civil society and other external partners, and raising awareness on the issue.*

As part of this system wide approach, The UN SG has asked Agencies, Funds and Programs (AFP) to adopt new measures and strengthen existing ones to better prevent, detect, report and take action against personnel who commit these abuses. All UN AFPs must have dedicated strategies and protocols for SEA and place top priority on their enforcement.

To ensure the Botswana UN Country Team¹ (UNCT) is advancing its PSEA efforts in an effective and coordinated manner, the RC led the establishment of an Inter-Agency Team on PSEA (IAT-PSEA) in early 2021. The Group is led operationally by the RCO Gender Adviser, with oversight of the RC, who is ultimately accountable to report to the SG on PSEA actions in Botswana. The IAT-PSEA is composed of PSEA focal points from different UN entities and serves as the primary body for coordination and oversight on protection from sexual exploitation and abuse by international and national personnel of the UN and specific associated entities. The IAT has developed a 2021 PSEA Work Plan representing the UN's collective commitments. The Work Plan follows the Country level checklist on the minimum

¹ UNCT is a leadership team made up of all heads of UN entities operating in Botswana, and currently comprises over 20 people.

actions required for PSEA and encompasses activities around 4 strategic areas: (i) COVID-19 response; (ii) Preventive Action; (iii) Risk Mitigation and Response Measures and (iv) Governance of the IAT- PSEA.

Under the Prevention area, one of the key activities prioritized for 2021 is the development and follow up of a country Risk Assessment on SEA as part of the UN system wide responsibility. According to the UN Misconduct Risk Management Tools (2019), the Risk Management process helps UNCT to address SEA more effectively in three ways:

- Enables UNCT to be proactive in addressing SEA. By anticipating future threats, the UN agencies are better able to take mitigating actions to reduce or remove threats.
- Supports UNCT to make better informed decisions on SEA. For example, by providing a good understanding of risks and why they happen, UNCT leadership is better able to decide how to prevent SEA. Similarly, by identifying which risks are a priority, UNCT leadership can decide where to focus attention and the agencies' resources.
- Provides a concrete way to hold UNCT leadership and managers accountable on SEA by clearly identifying who is responsible for addressing specific risks and what actions they must take.

Planning and risk management are core management functions. It is instrumental to align the understanding of objectives and related risks at different levels in the Organization, provide management with the necessary tools to identify the risks that may affect the functioning of their operations, understand the root causes of risk and design adequate response strategies to prevent and mitigate them.

Risk management supports better decision-making on conduct and discipline issues. By understanding which forms of misconduct their personnel are most likely to engage in and why, the UNCT can take more informed decisions about how to prevent misconduct and the capacity building initiatives needed to tackle potential existing gaps. Once the risks of misconduct in the organization are identified and recorded in the risk registry, they will contribute to the development of a work plan, describing how the organization will prevent and mitigate the risks of misconduct by its personnel, reinforce internal control systems where needed, to prevent and mitigate these risks, implement a continual improvement cycle that will be informed by the risk register, provide information to update the register itself and enforce UN standards of conduct when misconduct occurs.

The risk register describes the main risks to the successful achievement of the UNCT's annual workplan and how these risks will be mitigated and managed. Information from the existing PSEA Work Plan can be lifted and included into a broader workplan for the 2022-2026 period, covering all forms of misconduct.

The risk assessment should capture key elements from the most relevant UN Risk Assessment Tools and be adapted to the specific country context of Botswana. It is important for the assessment to be aligned with the UN Comprehensive Country Analysis (CCA) developed in 2021, and the new 5 year UN Sustainable Development Cooperation Framework (CF), so that the risk management plan is aligned with opportunities identified by the CF's results framework and the Business Operation Strategy for the next 5-years.

The UNCT in Botswana includes 22 UN Entities, both resident and non-resident. Most of the UN agencies with physical presence in Botswana are hosted at the UN House, while the others - FAO, UNESCO, UNHCR and UNICEF occupy different offices in the city of Gaborone. UNHCR is the only one with an office outside Gaborone, in the refugee camp. According to available information, the UN in Botswana counts on 167 staff. Of the total 167, 121 are national (66 female and 55 male) and 46 are international (23 female and 23 male).

C. PURPOSE

The UN is recruiting an international consultant to conduct a risk assessment in respect of sexual exploitation and abuse, making full use of existing risk management tools of the UN, duly adapted to the country context. The

assignment should include a full risk assessment matrix including its scope, context, criteria for risk assessment, as well as a management plan for the next 5-years (2021-2026) for treatment and monitoring of SEA, based on identified potential risks. Furthermore, the process of undertaking the assessment should be duly participatory and an opportunity for internal capacity building of different UN inter-agency groups, in particular of the IAT-PSEA and of the Gender and Human Rights Thematic Group.

D. SCOPE OF WORK

Under the guidance of the Botswana Inter-Agency Team on PSEA and in line with the most relevant PSEA training and capacity assessment tools and guidelines, and with the Risk Management Toolkits created to follow up on the implementation of the UN Sexual Exploitation and Abuse Action Plan, the consultant will deliver a Risk Assessment and an integrated 5-years plan, including the following task and sections:

1. Develop the SEA Situation Analysis and identify SEA-related risks and causes
2. Create the SEA Risk Profile in Botswana, which describes all the forms of potential misconduct of UN personnel in the country, the underlying risk factors, and an assessment of which risks and causes are most severe. This can be used as a visual dashboard – a Risk Register - to explain which risks are most severe and should be the focus of the UN attention in Botswana;
3. Create the SEA Risk Treatment Logframe through which, for each risk, mitigation treatment options are recommend, a timeline for treatment, the expected effect from the treatment, who is responsible for the treatment and the status, within the UNCT. This document/section serves as a useful management tool to discuss progress in implementing the risk assessment management plan;
4. Based on the result of the RA develop a UNCT PSEA strategy for the next 5-years, including proposal of procedures of internal complaint and victim assistance mechanism;
5. As part of the process, conduct a 2-days inter-agency training on Protection from Sexual Exploitation and Abuse by UN, NGO and IGO personnel, in line with the existing training package developed by ECHA/ECPS UN and NGO Task Force on Protection from Sexual Exploitation and Abuse.

E. WORKING DAYS AND EXPECTED DELIVERABLES

1. The consultancy is of **maximum 30 working days** and conducted within a two calendar months period, and **preferably** ending not later than end June 2022. The following table provides a summary of deliverables:

| Deliverables/ Outputs | Review and Approvals Required |
|--|-------------------------------|
| 1. Provide an inception report, which includes the work methodology to be followed to ensure the achievement of the objectives | RC/Inter-Agency Team on PSEA |
| 2. Develop the Situation Analysis and identify SEA-related risks in Botswana | RC/Inter-Agency Team on PSEA |

The UN has a zero tolerance to Sexual Exploitation and Abuse of beneficiaries. Protection from Sexual Exploitation and Abuse (PSEA) is everyone's responsibility and all staff are required to adhere to the Code of Conduct, that enshrines principles of PSEA, at all times (both during work hours and outside work hours). Familiarization with, and adherence to, the Code of Conduct is an essential requirement of all staff, in addition to related mandatory training. All staff must ensure that they understand and act in accordance with this clause.

| | |
|---|------------------------------|
| 3. Develop the Risk Profile in Botswana, which describes all forms of potential misconduct of UN personnel in the country, the underlying risk factors, and an assessment of which risks and causes are most severe, including the sample risk register | RC/Inter-Agency Team on PSEA |
| 4. Create the SEA Risk Treatment Logframe | RC/Inter-Agency Team on PSEA |
| 5. Conduct a virtual 2-days inter-agency training on Protection from Sexual Exploitation and Abuse by UN, NGO and IGO personnel, in line with the existing training package developed by ECHA/ECPS UN and NGO Task Force on Protection from Sexual Exploitation and Abuse | RC/Inter-Agency Team on PSEA |
| 6. Develop a UNCT PSEA strategy for the next 5-years (including a monitoring plan with key performance indicators to track progress towards the outcomes), including a proposal of procedures of internal complaint and victim assistance mechanism | RC/Inter-Agency Team on PSEA |
| 7. Facilitate a UNCT validation session of the RA and the UNCT Strategy on PSEA | RC/UNCT |
| F. INSTITUTIONAL ARRANGEMENTS | |
| <ol style="list-style-type: none"> 1. The International Consultant will be supervised directly by the Team Leader of the RCO, to whom he/she will be directly responsible to reporting to, seeking approval/acceptance of outputs from, in consultation with the UN RC and the IAT-PSEA; 2. The Consultant is expected to liaise and meet regularly as needed with the RC and IAT-PSEA as well as with relevant UNCT entities, for the substantive approach of each service in the course of performing the work; 3. The Consultant is responsible for identifying and setting up all meetings and/or relevant documentation needed for the assignment with support from the RCO and the IAT-PSEA 4. It is required that the consultant applies a participatory process, aiming to strengthen capacity and to ensure ownership of the process by the IAT-PSEA and other UN staff 5. The assignment can be performed remotely or in person, or using a hybrid methodology. For all remote engagements, the consultant will agree to use one of the validated platforms used by the UN staff. (e.g. Teams, Zoom) | |
| G. DURATION OF THE WORK | |
| The task is expected to take a total of 30 working days, spread over two months' time | |
| H. DUTY STATION | |

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This international consultancy can be home-based or involve a period of travel to Gaborone, Botswana. The consultant should state their preference for home based or Botswana based. In either case, the consultant should explain how their overall methodology is adapted to being home based or including travel. If travelling, the consultant should also explain how many days they expect to be in Gaborone.

Travel: In the case of international travel, payment of travel costs including tickets, lodging and terminal expenses must be agreed upon, between the respective business unit and Individual Consultant, prior to travel and will be reimbursed using an F10 Form. In general, the UN should not accept travel costs exceeding those of an economy class ticket. No DSA payments are included. Should the IC wish to travel on a higher class he/she should do so using their own resources.

I. QUALIFICATIONS OF THE SUCCESSFUL CONTRACTOR

Academic Background:

Degree in relevant field (e.g. Social Sciences, Psychology)

Additional Gender or Social Development studies relevant for the task would be an advantage.

Experience:

- At least 5 years' experience of working with development or humanitarian organisations.
- Experience in conducting risk assessments on Sexual Exploitation and Abuse, preferably in NGOs or the UN system.
- Ability to work independently and deliver quality results against tight deadlines.

Required Language:

- English

J. SCOPE OF BID PRICE AND SCHEDULE OF PAYMENTS

- a) The payment will be in the *Lump Sum Amount* base:
 - a. 20% after the validation of the deliverable #1 and #2
 - b. 40% after the validation of the deliverables #3, #4 and #5
 - c. 40% after the validation of the deliverables #6 and #7
- b) The IC payments are closely linked to deliverables;
- c) The contract price is fixed regardless of changes in the cost components.²
- d) If the bidder chooses to work in Botswana, the cost of Travel, Lodging and Terminal Expenses will be considered separately, based on economy fares and reasonably priced UN approved lodgings.

K. RECOMMENDED PRESENTATION OF PROPOSAL AND OTHER RELEVANT INFORMATION

² the budget for this assignment remains fixed irrespective of the changes in the implementation modalities or timeframes.

Applications should be submitted to the following email address: procurement.bw@undp.org indicating the following reference “**Consultancy on Risk Assessment & Response Strategy on PSEA**” by **07 March 2022, at 12:00 Noon, Botswana time**.

The Candidate must provide the following documents:

- a) Duly accomplished **Letter of Confirmation of Interest and Availability** using the template provided by UNDP;
- b) **Personal CV**, indicating all past experience from similar projects, as well as the contact details (email and telephone number) of the Candidate and at least three (3) professional references (will only be contacted after seeking candidate’s permission);
- c) **Brief description** of why the individual considers him/herself as the most suitable for the assignment, and a **methodology** on how they will approach and complete the assignment;
- d) **Financial Proposal** that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided.

L. CRITERIA FOR SELECTION OF THE BEST OFFER

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The criteria which shall serve as basis for evaluating offers is the:

- a) Combined Scoring method – where the qualifications and methodology will be weighted a max. of 70%, and combined with the price offer which will be weighted a max of 30%;

| Criteria | Weight | Max. Point |
|---|--------|------------|
| Technical | 70% | 70 |
| Academic Background | | |
| Degree in Social Science, Sociology, Psychology or related fields | | 10 |
| Additional Gender or Social Development studies relevant for the task | | 5 |
| Professional Experience | | |
| 1. At least 5 years' experience of working with development or humanitarian organisations | | 15 |
| 2. Experience in conducting risk assessments on Sexual Exploitation and Abuse preferably for NGOs and/or UN | | 30 |
| 3. Ability to work independently and deliver quality results against tight deadlines. | | 10 |
| Language | | |
| Fluency in English | | |
| Financial | 30% | 30 |

M. ANNEXES to the TOR

Secretary General' Bulleting, Special Measures for Protection from Sexual Exploitation and Sexual Abuse (2003) - ST/SGB/2003/13: <https://pseataaskforce.org/uploads/tools/1327932869.pdf>

A/RES/ 62/2014 – UN Comprehensive Strategy on Assistance and Support to Victims of Sexual Abuse by UN staff and Related Personnel (2007) - <https://undocs.org/A/RES/62/214>

UN Misconduct Risk Management Tools (2019) – https://conduct.unmissions.org/sites/default/files/misconduct_risk_mngt_tools_consolidated_vf_24_09_2019.pdf

The Inter-Agency misconduct disclosure scheme - <https://www.schr.info/the-misconduct-disclosure-scheme>

More, including training materials here:

<https://pseataaskforce.org/>

https://psea.interagencystandingcommittee.org/resources?f%5B0%5D=type_of_publication%3A326

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This TOR is approved by: **RCO Team Leader**

Signature:

Name and Designation: **Helen Andreasson, Strategic Planner & RCO Team Leader**

Date of Signing: 14 February 2022

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