

UNICEF-Turkey
TERMS OF REFERENCE (ToR)
SHORT TERM INTERNATIONAL INSTITUTIONAL CONSULTANCY

DEVELOPMENT OF CHILD-SENSITIVE CASE GUIDELINES AND A VISIBILITY & ACCESSIBILITY STRATEGY FOR THE OMBUDSPERSON OF TURKEY	REF: PRO/TURA/2017/Z
<p><u>Links with the Country Programme Priorities:</u></p> <p>OUTCOME 2 - Advocacy for qualified data, information and strengthening children's rights By 2020 child rights monitoring systems will be based on concrete data in terms of policy development, reporting and advocacy and remedial actions for children and application procedures to these will be facilitated.</p> <p>OUTPUT 2.B –Building the capacities of the relevant human rights monitoring mechanisms in order to make monitoring of child rights violations and remedial actions more effective with reference to the best international practices by the end of 2020.</p> <p><u>Links with the Rolling Work Plan (2017-2018):</u></p> <p>Activity 1.2. – Develop guiding principles, workflows and other tools on cases involving children and women as well as on how to reach out these groups.</p> <p>Activity 2.1. – Developing / revising materials and guidelines to provide a better access and visibility for children and young people and to increase the applications by the children.</p>	

I. BACKGROUND

General Comment No. 2 titled "The Role of Independent National Human Rights Institutions in the Protection and Promotion of the Rights of the Child" of The United Nations Committee on the Rights of the Child draws attention to the importance of independent monitoring of children's rights and outlines the standards for institutions established for this purpose.

The issue of establishing an independent monitoring mechanism responsible for children's rights in Turkey was discussed for a long time. Finally in 2012, it was decided to establish the Ombudsperson Institution (KDK) through Law number 6328, where one of the five deputy ombudspersons would specifically be responsible for women's and children's rights.

Since 2012, there has been a strong on-going cooperation between KDK and UNICEF to ensure the compliance of KDK practices with international standards. Within the framework of this cooperation, several activities have been carried out, including the preparation of child-friendly documents, development of application methods suitable for different age groups and building the capacity of staff working in the field of child rights. Lastly, a 2017 – 2018 Rolling Work Plan has been signed between the two institutions to further enhance the realization of children's rights through independent monitoring institutions as well as children's right to access effective remedies when their rights are violated by State institutions.

Although there is a deputy ombudsperson specifically in charge of women's and children's rights in KDK, not all applications on issues involving children are delivered to the unit in charge of women and children's rights as they are often directed to other units in charge of specific thematic areas (such as social security, human rights etc.). To ensure a consistent response, there is a need to develop specific principles of operation that will be used by both the unit responsible for women and children's rights and other units to ensure that child-friendly procedures will be followed by all units of KDK.

Visits to various organizations are carried out by KDK and the institution often organizes activities to introduce its mandate to children. Although the number of complaint applications from children and young people has increased over the years as a result of these efforts, it has not yet reached the desired level. A recent study conducted in this regard identified the need for a more inclusive and accessible structure to address the limitations that still exist for children to access redress mechanisms.

In this context, UNICEF Turkey is seeking a short-term international consultancy for the purpose of a) analyzing the current ‘modus operandi’ of managing complaints and developing intra-institutional workflows and other relevant tools required for ensuring the protection of children's rights in all child related cases referred to KDK and b) (ensuring a better visibility of the institution vis-à-vis children and adolescents) through development of a strategy as well as recommending appropriate tools and materials.

This collaboration falls within the scope of the rolling work plan signed with KDK for 2017 – 2018.

II. MAIN OBJECTIVES OF THE CONSULTANCY

The assignment has two objectives. The first is to identify the main principles for managing cases referred to KDK involving children; develop assessment and referral criteria; design intra-institutional and departmental workflows and tools; and introduce the tools to the technical staff and thus, **ensure the full compliance to child-sensitive procedures within the institution.**

The second objective of the assignment is to develop strategies and tools which will increase the visibility of KDK among **children, young people and their families (including refugees)**, raising their level of awareness on KDK and facilitating the process of their applications to KDK. **Raising awareness among children and young people on the application process to independent human rights institutions aims to ensure a meaningful increase in the number of complaint applications received from children and young people.**

For this purpose, the Consultancy Team is expected to carry out the following main duties:

- 1- ***A quick comparative analysis of the current working principles, practices and pathways utilized by KDK in terms of child-sensitiveness with best practices globally.***
- 2- ***Development of main principles, assessment/ referral criteria and workflows for all units of KDK to follow for all cases involving children.***
- 3- ***Supporting the national working group (to be established by KDK and UNICEF) on the development of guidelines, tools and training materials.***
- 4- ***Development of an institutional strategy to increase the outreach of KDK (to children, young people and their families), and to increase visibility and accessibility of KDK among children and youth (primarily the most vulnerable ones such as refugees).***
- 5- ***Recommending tools to be developed which will facilitate the visibility and accessibility of KDK to/for children, within the framework of the developed strategy and supporting the national consultancy team and/or the working group on the development of the tools.***

Details on the assignment are outlined in the following section titled ‘Scope of the Work, Expected Deliverables and Tentative Work Calendar’.

III. GENERAL PRINCIPLES

The Consultancy Team will work under the supervision of the Justice for Children and Child Rights Monitoring Specialist of UNICEF in Turkey in accordance with the standards, rules and procedures of UNICEF.

The Consultancy Team is also expected to be in constant contact with the personnel of UNICEF and KDK as well as other persons deemed necessary by both institutions.

Moreover, a 'working group' will be formed by KDK to guide the working process with the participation of intra-institutional unit representatives and other related stakeholders. Throughout the consultancy period, the Consultancy Team is expected to provide constant guidance to these groups where necessary.

The Consultancy Team should comply with the ethics and visibility rules of UNICEF and KDK while preparing the documents, implementing the activities and particularly seeking and incorporating the opinions of children in the process. While writing reports terminology, ethical rules and publication and citation guidelines of UNICEF should be followed. Necessary guidelines will be provided by UNICEF.

All documents to be produced shall respect gender equality and be in line with the UN Convention on the Rights of the Child and other human rights instruments. Additionally, the Consultants are also expected to take full account of the principles stated in the General Comment No. 2 of UNCRC during their terms of office.

The intellectual property rights of all documents and related materials shall separately appertain to UNICEF and KDK and the documents and materials should not be used by a consultant and/or a third party with another purpose. To use the documents and materials by giving reference will be object to the written permission of the parties.

IV. ESTIMATED DURATION & COST OF ASSIGNMENT

- **Duration:** the assignment will cover a **5-month period (October 2017 – February 2018)** and payments will be made upon the delivery of outputs. It is estimated that 180 person/days will be required for the completion of tasks. In case of any unexpected delay in the estimated time frame (approval process, force majeure etc.) the duration of the assignment may be extended subject to the same conditions and mutual will of the parties.

- **Estimated Cost of Consultancy:** The consultancy will be priced in US dollars (USD). Applicants are required to present a detailed financial proposal that specifies, in USD and on the basis of the programme and deliverables shown below: the number of working days anticipated for each deliverable, the daily rates, the sum for each deliverable and its breakdown, the incidental expenses foreseen for each deliverable, and the total sum demanded. Travel and accommodation expenses may only cover those items identified by UNICEF and shall not exceed the pre-determined limits of UNICEF's daily allowance rate. Other costs related to administrative tools, communications, etc. shall be covered by the consultant(s).

- **Reservations:** UNICEF reserves the right to terminate the contract and/or withhold all or a portion of payment if the rules and the regulations regarding confidentiality, ethics and

procedures of UNICEF and the partners are not followed, the performance is unsatisfactory, or work/deliverables are incomplete, not delivered or fail to meet the deadlines.

In addition, UNICEF reserves the right to work with multiple Consultancy Teams for the same assignment, if necessary. Where this is the case, all Consultancy Teams are expected to work in cooperation and coordination as required by the defined objective.

In case of submitting a proposal as a team with the participation of more than one expert, UNICEF will evaluate each team member separately and as per the rules will sign a separate contract with each team member.

V. LOCATION

There is no pre-determined location for providing the consultancy services and most of the required work can be conducted home/office based.

In the beginning of the consultancy period, the (selected members) of the Consultancy Team will travel to Ankara (and to other provinces if necessary) in order to gather detailed information on the current system in Turkey. Another visit will be needed towards the end of the consultancy to present the developed outputs. **Therefore, estimated duration for the visits are 10-15 days (in total).**

The travel arrangements shall be subject to the approval of UNICEF, and the travel, accommodation, food and other expenses of the Consultant(s) will be reimbursed to the Consultant(s) by UNICEF upon approval of invoices and supporting documents regarding accommodation and travel expenses. Travel and accommodation expenses may only cover those items identified by UNICEF and shall not exceed the pre-determined limits of UNICEF's daily allowance rate.

The consultant(s) will be responsible for travel arrangements and must ensure that they are made in line with UNICEF policy on entitlements for consultant travel. It should be noted that travel booked directly by the consultant(s) cannot be reviewed by UNICEF Travel Administrators / Travel Focal Points for reasonableness pre or post booking. The consultant(s) must travel on UNICEF approved airlines.

VI. SCOPE OF THE WORK, EXPECTED DELIVERABLES AND TENTATIVE WORK CALENDAR

The detailed scope of the work and expected deliverables are as follows:

A. Development of principles, workflows and tools for KDK to be used in the cases concerning children (Case-Management Component)

A.1. A quick and comparative analysis of the current principles and pathways of KDK in terms of child-sensitiveness and effectiveness with best practices throughout the world

In the initial phase of the consultancy, the consultant(s) is expected to make a quick analysis of the current system, workflows and tools available in the KDK. For that purpose, the consultant(s) are expected to conduct a study visit in Turkey (for an estimated period of 8-10 days) and gather the information that they deem necessary to complete the task.

Moreover, the consultant(s) is expected to compare the Turkish system with good practices (at least 3 different systems) throughout the world. **It is important to keep in mind that good examples should, to the extent possible, be selected amongst those countries with similar ombudsperson systems as well as a similar socio-political structure.**

A.2. Identification of main approaching principles; development of assessment/ referral criteria and workflows for all units of KDK managing cases where children are involved

Following the analysis of the current system with best practices, the next step of the consultancy will be the identification of intra-institutional procedures and principles to be followed by KDK officials at various levels in child-related cases.

The principles, criteria and workflows to be developed should respond including but not limited to the following questions:

- *What are the minimum principles that KDK officials at various levels need to consider for cases involving children (main approaching principles)?*
- *Which questions should KDK officials ask about the child in such cases (assessment criteria) and in which circumstances should they refer the case to other units (inside or outside KDK) (referral criteria)?*
- *What is the recommended intra-institutional workflow for the implementation of these principles and criteria?*
- *What method and workflow should be followed when required to contact the children?*
- *What should be done to ensure a meaningful and realistic participation of children in these case-based processes?*
- *What should be the principles of ensuring systematic participation of children (i.e. through child advisory boards etc.)?*
- *What are the additional principles, criteria and workflows that KDK's unit responsible for the women and children's rights should consider?*
- *What are the minimum standards and procedures to be carried out to follow up the case?*
- *What are the steps to be taken to facilitate children's applications to KDK?*
- *What kind of tools & guidelines should be developed & used in order to increase the internal capacity of KDK staff on these issues?*

The consultant(s) are expected to present a full report that includes a detailed analysis as well as concrete recommendations on the above as well as some example tools including but not limited to guidebooks, workflow charts and other materials (checklists, monitoring forms, etc.).

A.3. Supporting the national the working group on the development of guidelines, tools and training materials

As mentioned above, the Consultant(s) is expected to provide regular support the working group to be formed.

In line with the key tasks of the consultant drawn under section 2 above, this support will particularly focus on the development of the guidelines, tools and capacity building strategy and materials for the KDK staff.

B. Development of a strategy to enhance outreach, visibility and accessibility of KDK for children and young people (OVA Component)

The detailed description of the assignment and expected deliverables are as follows and **it should be noted that this component has two main sub-components closely interrelated in respect of all stages:**

- **Visibility:** the *Visibility sub-component aims to increase the knowledge and awareness level of children and young people on this matter through methods which will stimulate their interest and facilitate KDK's access.*
- **Accessibility:** *Accessibility sub-component aims to empower children and young people to apply to KDK and facilitate the application process in line with their age.*

B.1. Development of an institutional strategy to increase the outreach, visibility and accessibility of KDK among children and youth (primarily the most vulnerable ones such as refugees).

The Consultancy Team (in collaboration with the national team and/or the working group) will develop an institutional strategy and a set of recommendations to enhance the outreach efforts as well as the visibility of KDK for children and young people and facilitate their access to KDK.

At the stage of strategy and proposal development, it is particularly necessary to take into account of following criteria:

- *Identifying the needs through the analysis of the current situation and the tools (in terms of both visibility and accessibility);*
- *Prioritizing access especially to vulnerable and disadvantaged groups;*
- *Specific needs of children from different age groups;*
- *Use of creative methods which will stimulate the interest of children and young people and engage them in the process;*
- *Systematically benefit from the opinions of children and young people during (and after) the process and include children in visibility / accessibility activities;*
- *Identification of potential places where the visibility activities can be carried out.*

As mentioned above, the Consultancy Team is also expected to provide regular support to the working group and others that would work on similar tasks.

B.2. Recommending tools to be developed which will facilitate the visibility and accessibility of KDK to/for children, within the framework of the developed strategy and supporting the national Consultancy Team and/or the working group on the development of the tools.

At this stage of the assignment, the Consultancy Team is expected to inform the working group on global best practices and good examples from the world concerning visibility and outreach, and recommend various tools and materials to be developed within the framework of the communication strategy to be approved by KDK.

These tools should contain the following elements as a minimum requirement but should not be limited to these:

- *Visibility materials (posters, brochures and presentations).*
- *Principles & modules on communicating with children and adolescents and how to better introduce the mandate and modus operandi of KDK to different age groups.*
- *Communications and other materials specific to children – including innovative digital tools.*
- *Child- friendly decision writing principles - samples of decisions.*

- *Tools to facilitate the applications to be made by children and young people (forms, web tools etc.)*

As mentioned above, the Consultancy Team is also expected to provide regular support to the working group and others that would work on similar tasks.

The methodological approach (qualitative / quantitative research, document analysis, etc.) planned to be used by the Consultancy Team at all stages of the assignment needs to be specified in the technical proposal to be submitted.

Within the scope of the work detailed above and **considering the different components of the work as a whole**, the Consultancy Team is expected to complete the following tasks and submit the relevant deliverables in line with the following tentative work calendar:

Expected Deliverables

1. To conduct a study visit to Ankara (8-10 days) to better understand and analyze the current system in Turkey and prepare a brief study visit report including a quick SWOT analysis on the management of child complaints.
2. To prepare a comparative analysis report including global best practices throughout the world on child-sensitive case management and working principles as well as visibility and access to children, young people and their families.
3. To develop two guidelines on child-sensitive case-management tailored to KDK inclusive of:
 - o *Guiding principles, procedures and suggested child-sensitive workflows for the cases delivered by the specific department of the KDK directly responsible for handling complaints.*
 - o *Guiding principles, procedures and suggested child-sensitive workflow for the cases delivered by the other departments of the KDK*
4. To propose a strategy and recommendations for better outreach, visibility and access to children, young people and their families – with a specific focus on the most vulnerable (including guiding principles, suggested tools and a monitoring framework).
5. *To facilitate a workshop in Ankara to present and discuss implementation of the developed outputs with the working group and others.*

Tentative Work Calendar

Summary of the Task (as detailed above)		DELIVERABLES	ESTIMATED DATE OF DELIVERY & WORKLOAD
1	Study visit to Ankara	Study Visit Report and SWOT analysis	October 2017 (30 person-days)
2	Comparative Analysis on Best Practices	Report on Comparative Analysis and Best Practices	November 2017 (40 person-days)
3	Guidebooks on Child-Sensitive Case Management	Developed & Finalized Guidebooks	January 2018 (50 person-days)

4	Propose a Corporate Strategy	Developed & Finalized Strategy Document	January 2018 (50 person-days)
5	Workshop in Ankara	Facilitation of Workshop & presentation of the outcomes	February 2018 (5 person-days)
6	Final Report	Final Report (detailing the process, deliverables, achieved results, further recommendations etc.)	February 2018 (5 person-days)

VII. APPLICATIONS

In light of the principles mentioned above, applicants are expected to submit their technical and financial proposals and CVs to UNICEF in compliance with the format attached to this ToR.

Applicants are expected to provide detailed information on how they will conduct the work in their technical proposal.

Technical proposals are expected to explain the methodology to be utilized to perform the work in detail and should contain brief information on (including but not limited to) the below matters:

- I. *Cover Page*
- II. *Table of Contents*
- III. *List of Tables and Figures*
- IV. *Abbreviations Used*
- V. *UNICEF Request for Proposal for Services (RFPS) Form (signed by the applicant)*
- VI. *Introduction*
 - *Profile of the Institution*
- VII. *Proposal Description*
 - *Background and General*
 - *Description of Deliverables*
 - *Case-management component*
 - *OVA Component*
- VIII. *Work Plan*
 - *Description of Work Packages*
 - *Tentative Work Schedule*
 - *Success Indicators*
 - *Associated Risks & Back-up Plan*
- IX. *Qualifications of the Experts*
 - *CVs of the proposed technical team (please use the standard format provided)*
 - *Relevant education and professional experience of the proposed technical team*
- X. *Bibliography*
- XI. *Appendices*
 - *Short descriptions of the relevant work (ongoing and/or completed)*
 - *Professional references of the institutional consultant*
- XII. *Financial Proposal – including costs for incidentals (Must be submitted in a separate sealed envelope. Please use the standard format provided)*

*** Proposals must be submitted in accordance with the instructions described in the RFPS form.**

VIII. QUALIFICATIONS AND SPECIALIZATION REQUIRED FOR THE ASSIGNMENT

Professional qualifications:

A mix of knowledge, skills, and expertise is needed to complete the assignment. The minimum number of professionals and the desired qualifications needed from the institutional consultant to complete this assignment are as follows:

1. Team leader/coordinator

- a. PhD in Social Sciences (Law, Public Administration, Social Work etc.)
- b. Minimum 5 years of experience in managing complex projects
- c. Proven track record in delivering results
- d. Knowledge of and experience in human rights, child rights and independent human rights institutions
- e. Experience in working with universities, international organizations, civil society organizations, judicial bodies and/or public authorities

2. Case-management Experts (at least 2 experts)

- a. At least masters degree in Social Sciences (Law, Public Administration, Social Work etc.)
- b. Sound knowledge on case management procedures of independent human rights (or similar) institutions
- c. Knowledge of and experience in child rights and independent human rights institutions

3. Communication and Visibility Expert

- a. At least five years of work experience in Communication sector
- b. Sound experience and knowledge in development of child-sensitive procedures and child rights
- c. Experience on development of child-friendly documents particularly on children's rights and/or human rights

Further Relevant Experience (to be considered as an additional asset for the team members)

- Work experience on public administration and independent human rights monitoring bodies, particularly on Ombudsperson Institutions
- Professional or academic experience in other child-related fields
- Familiarity with Turkish public administration and Turkish language

Skills and Personal Traits (applicable to all experts)

- Respect for diversity
- Strong analytical, organizational and communicational skills
- Ability to work closely with national and international actors and working group within a tight schedule to facilitate the coordination of the process
- Computer literacy

Language:

Members of the Consultancy Team need to be proficient in English.

IX. CRITERIA FOR JUDGING THE PROPOSALS

Proposals submitted in response to this call will be evaluated in terms of technical quality and financial offer. Technical quality will be evaluated using the criteria outlined below:

	NON-COMPLIANT	POOR	FAIR	GOOD	VERY GOOD	EXCELLENT
	<i>The proposal fails to address the criterion or cannot be assessed due to missing or incomplete information.</i>	<i>The proposal inadequately addresses the criterion or there are serious inherent weaknesses.</i>	<i>The proposal broadly addresses the criterion but there are significant weaknesses.</i>	<i>The proposal addresses the criterion well but with a few shortcomings.</i>	<i>The proposal addresses the criterion very well but with a small number of shortcomings.</i>	<i>The proposal successfully addresses all relevant aspects of the criterion; very few minor shortcomings</i>
Proposal Description - Background & Context - Case management Component - OVA Component	0	1-9	10-15	16-21	22-27	28-30
Work Plan - Work Package - Work Schedule - Success Indicators - Associated Risks & Back-up Plan	0	1-3	4-5	6-7	8-9	10
Professional Qualifications - Professional Background - Professional Experience - Relevant Prior Work	0	1-9	10-15	16-21	22-27	28-30

The financial proposals will be opened only for the technical proposals that reach or exceed fifty (50) points out of maximum seventy (70) points. Thirty (30) points will be awarded to the institutional consultant that presented the lowest fee for the services requested. The remaining financial offers will receive proportional points ($[\text{lowest bid}/\text{bid}] \times 30$ points). The purpose of the evaluation of Consultants' Financial Proposals is to verify that the costs itemized in the financial proposals adequately cover the services offered in the Institutional Consultants' Technical Proposals.