

**Consultancy Assignment: SAFE GUARDING BENEFICIARIES AND STAFF**

**Aim: CARRY OUT AN AUDIT OF CURRENT AND HISTORICAL POLICY AND PRACTICE**

**Ref No: SGBS/001/2018**

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Windle International is a humanitarian education organization providing education in Kenya, Uganda, Sudan and South Sudan. Windle International Kenya is seeking for suitable consultant to carry out an audit of the current and historical policy and practice in safe guarding beneficiaries and staff.

## **TERMS OF REFERENCE**

### **1. Purpose**

The purpose of these Terms of Reference is to enable all members of Windle International to review the nature and extent of existing policies and procedures as well as monitoring and management of prevailing policies and practices with respect to safeguarding and protection. The consultant is invited to verify and 'test' the effectiveness of these policies and practices by holding confidential discussions with third parties, to be determined by the consultant. In the event that weaknesses or deficiencies are identified, the consultant should report these to the relevant Country Director who will consider what further steps may be appropriate. The consultant is not expected to conduct detailed investigations to verify the truth or extent of any reported abuse.

### **2 Background**

- a. In February 2018, the press in the UK ran a series of stories about allegations of harassment, sexual abuse and the use of prostitutes by the staff of a range of international NGO's of which the most high profile were Oxfam and Save the Children. The allegations were broad in scope and sometimes focussed on sexual abuse and harassment between staff within the organisation, often including an element of powerful and senior men demanding sexual favours from more junior female staff. Sometimes the allegations were externally focussed and looked critically at the way NGO staff treated beneficiaries, with stories that vulnerable and needy people were provided with material support (food, shelter, education) in return for sexual gratification. The Department of International Development (DFID) was highly critical and has said that unless there are significant improvements in staff management, adherence to policies or compliance with what is regarded as best practice, then funding for international NGO's will be cut off. DFID has since asked all the charities which are receiving funding directly or indirectly from UK Aid to confirm that there are effective policies and practices in place to ensure that harassment and sexual abuse is being effectively managed. Many

international NGO's are also registered charities and, as such, they are registered with and are regulated by the Charity Commission. Following DFID's lead, the Charity Commission has also set in motion a series of investigations and reviews of the way in which UK registered charities fulfil their obligations towards safeguarding and protection. With the exception of Oxfam (which is subject to a statutory inquiry) these investigations do not target specific charities, but are designed to test the rigour and effectiveness of current policies and practices with respect to safeguarding and protection within the charity sector.

- b. The members of Windle International are dedicated to expanding access to, and improving the quality of, education for conflict-affected communities in East Africa. Currently, we work in Kenya, Uganda, Sudan and South Sudan. Windle International is itself a charity registered in the UK and regulated by the Charity Commission. Windle International Kenya (WIK) and Windle International Uganda (WIU) are registered as international NGO's with their respective regulatory authority and have their own boards; but because they are also a member of Windle International they also have to comply with regulatory conditions derived from WI's status as a UK registered charity. It is for this reason that the current investigations in the UK have the potential for a direct impact on the policies and financing of both WIK and WIU. The third member of Windle International is Windle Trust International which manages programmes in Sudan and South Sudan. These are countries where we have programmes but do not yet have their own boards and financing. Like WI, Windle Trust International is registered in the UK and has a board of trustees accountable to the Charity Commission.
- c. In Kenya and Uganda a significant proportion of our work is in the direct provision of schooling in refugee camps or settlements. For example, in Kenya we run all of the secondary schools in all of the refugee camps in partnership with the Government of Kenya and UNHCR. In Uganda, we provide a broader range of educational support to refugee settlements, including early years and primary schooling as well as secondary and vocational education. This means we are employing hundreds of teachers and associated staff and are directly responsible, in safeguarding and protection terms, for the well-being of thousands of children and young adults, who may be at risk of harm. If any of these teachers were to be face allegations of sexual violence, harassment, bullying or an abuse of their power by students, it would jeopardise Windle's reputation for integrity, fairness and accountability not just in one country but in all the country's where we work, and with major funding partners. In addition to the direct operation of schools, in both Uganda and Kenya we provide scholarships for refugees or individuals from conflict-affected communities as a way of increasing access to post-secondary, undergraduate or Masters education. In Sudan and South Sudan, our programme is significantly different; we do not directly run schools but we do run scholarship programmes – and we recognise that the often desperate search for a scholarship leaves vulnerable children and young adults in a position of powerlessness and potentially vulnerable to exploitation and harassment.

- d. Each member of WI has its own policy on safeguarding and protection; its own disciplinary and grievance policies; its own whistle-blowing policies and its own code of conduct. These policies and internal rules have been developed over several years and there has been no co-ordinated or regular attempt to ensure that they are consistent with each other and based on a core set of principles. In addition, each member of WI is responsible for organising its own staff awareness and training programmes so as to ensure that the commitments made in the policy statements are turned into practice. Similarly, each organisation is responsible for monitoring, auditing and reporting on compliance with these policies and codes – whether through operational management systems or through formal reporting to our individual Boards.

### **SPECIFIC RESPONSIBILITIES:**

The consultant is tasked to:

- e. Review all relevant policies of each member of WI to
  - i. identify the core principles that should be common to all members of WI;
  - ii. identify gaps and weaknesses that should be remedied by individual members;
  - iii. investigate the controls and mechanisms that are in place to achieve a strong and resilient culture to challenge exploitation, bullying or harassment and assess the effectiveness of such mechanisms in practice
  - iv. assess the extent to which existing policies are understood and applied by staff in head offices and those in regional offices or settlement settings and by students and teachers in the schools where we are responsible for education
  - v. investigate whether breaches or alleged breaches of policy are reported to senior managers or to the relevant boards
- f. Conduct private interviews with individuals or groups of students and individual or groups of teachers to explore whether there have been any allegations of sexual violence or harassment; bullying or bribery in the last five years. In the event that such allegations are reported, to investigate what steps were taken to
  - i. report the allegations;
  - ii. assess whether the allegations were true or not;
  - iii. improve staff awareness and training
  - iv. remove, re-train or transfer staff whose behaviour was found to be inconsistent with our standards and expectations
- g. To draw conclusions and make recommendations to WI and to the individual members of WI where appropriate as to how it can improve
  - i. The policy framework in which we operate to ensure compliance with core principles and a consistency of policies
  - ii. Staff awareness and training so that there is a deep and ingrained culture of respect and commitment to safeguarding and protection and an equally deep culture of not abusing the power that comes from holding a particular position or authority

- iii. Our reporting and accountability systems at all levels from Boards to senior management teams
2. Reporting and Timing
    - a. The consultant is expected to visit Kenya, Uganda and South Sudan and whilst there to review all necessary policies, board papers and other reports as well as meeting with senior managers and privately with a cross section of staff in head office and any regional office that is visited. The consultant should also arrange to meet a random selection of students to explore past and current practices in one location to be selected by the consultant.
    - b. The consultant will be paid for 20 days work which shall include report writing. The consultant's final report should comprise individual reports on each organisation (WIK, WIU, and WTI) plus an over-arching report on improving the policy framework and the creation and implementation of effective monitoring and reporting mechanisms.

If you wish to apply for any position, please send your resumé with a covering letter **quoting the relevant reference number** to: [applications@windle.org](mailto:applications@windle.org) **on or before 23<sup>rd</sup> April 2018**

**For other employment opportunities visit [www.windle.org](http://www.windle.org)**

WI is an equal opportunity employer.