

Terms of Reference

for the development of a harmonised TDHIF safeguarding policy and a harmonised reporting & whistleblower protection policy and key elements of a safe procedure, including safe reporting channels

1. Background

The Terre des Hommes International Federation (TDHIF) is a network of ten autonomous Terre des Hommes organisations working for the rights of children and to promote equitable development without racial, religious, political, cultural or gender-based discrimination.

The TDHIF International Secretariat, based in Geneva, Switzerland and with an office of representation in Brussels, Belgium ensures coordination among the Terre des Hommes organizations, and representation at international and European level.

The TDHIF General Assembly in 2010 decided to include "Keeping Children Safe" (KCS) to its Rules and Regulations by which the TDH organizations commit to achieve the highest possible level of protection for children with whom they come into contact and adhere to the "Keeping Children Safe" general principles.

In the past two decades all TDH organisations have realised this commitment through developing a child safeguarding policy along internationally recognized standards and implemented procedures in our work accordingly. The TDHIF and all its TDH member organisations have been certified twice by the global network Keeping Children Safe as organisations that meet the International Child Safeguarding Standards.

Since TDH is working in various countries and contexts that are highly precarious and risky, we saw the need to not only protect children but also adults at risk that we work with as well as our own staff from any possible harm caused by our own staff members, operations and programmes. In addition, there is an increased external demand from donors for quality safeguarding policies.

To take up this responsibility, several TDH organisations have developed quality safeguarding¹ policies and started to adapt their procedures accordingly. Yet, for a better collaboration there is a need to agree on common harmonised quality standards for safeguarding and to have a harmonised 'Safeguarding Policies'.

While TDHIF and all TDH organisations pursue a 'do no harm' approach and aim at improving on programmes, we also want to be accountable and implement good governance structures. For this reason, our stakeholders can use various channels to give feedback, raise concerns, express dissatisfaction or discontent about misconduct of TDH.

¹ Safeguarding refers to the responsibility of organisations to make sure their staff, operations, and programmes do no harm to children and adults at-risk nor expose them to abuse or exploitation. This term covers physical, emotional and sexual harassment, exploitation and abuse by staff and associated personnel, as well as safeguarding risks caused by programme design and implementation. It also covers harm caused to staff in the workplace. Ref.: CHS Alliance: PSEAH Implementation Quick Reference Handbook, revised 2020, p. 2.

Today, TDHIF wants to harmonise the reporting & whistleblower protection policy of its member organisations and set-up an effective and safe mechanism that can be adapted by each TDH member, in line with EU and Swiss legislation, e.g. the EU Directive on the Protection of Whistleblower.

2. Objectives

Overall Objective: Ensure common and quality safeguarding standards for TDHIF and all its member organisations with an effective and safe reporting & whistleblower mechanism in place.

Specific Objectives:

Objective 1: Development of a **harmonised ‘Safeguarding Policy’ for TDHIF** including principles and quality standards and a **self-assessment tool** that ensures compliance of each TDH organisations’ safeguarding policy.

Objective 2: Development of a harmonised **‘Reporting & Whistleblower Protection Policy’** mechanism that aligns with relevant EU, Swiss laws (e.g. EU Directive on Whistleblower Protection) is proposed to the TDHIF.

Objective 3: Development of **key harmonised principles for safe reporting procedure** including proposals for **safe reporting channels** in line with the EU-Whistleblower Directive, EU General Data Protection Regulation (GDPR) and Swiss law.

3. Deliverables

To Objective 1:

a. **Harmonised TDHIF Safeguarding Policy with quality standards** that all TDH MO agree to.

The minimum requirements for Safeguarding policy are:

- ✓ Definition of safeguarding and forms of harm and violence in this context
- ✓ How to conduct safeguarding risk assessments of projects and programmes, and to formulate mitigation strategies of safeguarding risks;
- ✓ safeguarding standards in all organisational functions (HR, Logistics/procurement, Communications (online& off-line), Fundraising, Project Management, etc.)
- ✓ requirements of human resources such as a designated staff member for safeguarding matters;
- ✓ Code of Conduct expressing safeguarding measures;
- ✓ Safe and effective reporting & whistleblowing mechanisms with reference to the reporting & whistleblower protection policy;
- ✓ principles and key procedures for a timely, fair and safe resolution of reported cases of safeguarding violations;
- ✓ principles of survivor-centered approach and support.

- b. Self-assessment tool with quality standards of safeguarding that can be applied by each MO, including guidance.

To Objective 2:

- c. Harmonised 'Reporting & Whistleblower Protection Policy' for TDHIF that aligns with all relevant EU and Swiss laws, especially EU Directive on Whistleblower protection, EU General Data Protection Regulation (GDPR).

To Objective 3:

- d. Key harmonised principles for safe reporting procedures, e.g. about triaging incoming reports according to agreed categories, timeline for responses, mandatory information sharing within TDHIF etc.
- e. Proposal of alternative options and recommendations how to set-up safe reporting & whistleblowing channel that can be applied by TDHIF and member organisations, ensuring all relevant laws are considered

4. Outcomes

To Objective 1:

- Each MO complies with the 'TDHIF Safeguarding policy' which means that all relevant procedures in their work include quality safeguarding standards.
- Higher awareness of all TDH staff members and partner organisations on 'safeguarding' leading to preventing harm and violence more effectively.

To Objective 2 and 3:

- Higher accountability and quality response to reports of misconduct

5. Methodology and sharing of tasks

First, the **consultant** drafts a plan of action with the timeframe, milestones and the involvement of the TDHIF Working Group Safeguarding (WG) and potential other focal points at TDH, the taskforce of the WG and the Secretary General (SG) of TDHIF. This will be approved by the taskforce and the SG.

The consultant works in close collaboration with a taskforce of the TDHIF Working Group 'Safeguarding'. The members of the WG provide relevant TDH policies, such as child safeguarding policies, PSEAH policies, duty of care and safeguarding policies and procedures, whistleblower protection policies as key sources of material.

The **taskforce** of the WG proofreads all deliverables, the **WG** is consulted and agrees to the deliverables as well as the **senior management** of each TDH MO. The formal approval will be done by the **International Board of TDHIF**. TDHIF and all TDH members are responsible for the outcomes under 4., not the consultant.

6. Time Frame Estimate

Objective 1: Eleven working days

(2 days review of all relevant TDH (and others) documents and exchange with the task team, 2.5 days writing the policy, 2 rounds of amendments = 2 days, development of a self-assessment tool and guidance, incl. one round of feedback = 2 days, presentation to General Secretary and IB = 0.5 day)

Objective 2: Eight and a half working days

(2 days review of all relevant TDH (and others) documents on reporting & whistleblower protection, and exchange with the task team, 2 days = gather and review relevant EU and Swiss laws (e.g. Whistleblower Protection, GDPR); 2 days writing the policy, 2 days = 2 rounds of amendments, presentation to General Secretary and IB = 0.5 day)

Objective 3: Ten and a half working days

(2 days review existing principles for safe reporting procedure and exchange with relevant TDH staff members and WG task team; 1 day = write key principles for safe reporting procedures for TDHIF and TDH members, 1 day = include amendments from WG/taskforce team, 3 days = review and assess alternative options for safe reporting in line with EU and Swiss laws; 2 days = draft different options and give recommendations about safe reporting for TDHIF and TDH members, 1 day = one round of amendments; 0.5 day = presentation to SG and IB)

In total maximum working days: 30 days

7. Application

Please submit the following to **Tanja Funkenberg**, t.funkenberg@tdh.de by **31 January 2023**.

- ✓ Description of the company, including references to previous similar projects, experiences in the subject, proven track record in the subject.
- ✓ CV of lead consultant(s) proving relevant qualifications in safeguarding and policy writing as well as with reporting and whistleblower policies, safe reporting procedures and related laws in the context of international development and humanitarian aid work. It could be two consultants that collaborate, one consultant who is qualified to cover the safeguarding subjects linked to development and humanitarian aid work and a second consultant who is qualified to cover the legal aspects, especially EU Directive on Whistleblower Protection, EU General Data Protection Regulation (GDPR) and relevant Swiss laws.
- ✓ Timeline for implementation with milestones
- ✓ Three professional references
- ✓ Quotation for the assignment
- ✓ Police clearance certificate when selected for the assignment

Further requirements:

- ✓ Work experience with international non-governmental organisations in the field of development or humanitarian aid, work experience with an international child-rights organisation is an advantage.
- ✓ Fluency in English language in speaking and writing.

Terre des hommes is part of the 'Keeping Children Safe' coalition and will require all contracted personnel to abide by its [Child Safeguarding Policy](#) and live up to and sign its Code of Conduct.