**TERMS OF REFERENCE**

**On conducting workshop and contributing to the needs baseline assessment report on HR processes in National Agency on Corruption Prevention**

**Beneficiaries:**

Direct beneficiary: National Agency on Corruption Prevention

Indirect beneficiary: civil society, experts, international partners, other major actors in fighting corruption in Ukraine.

# **Background Situation:**

In accordance to the Law of Ukraine on Prevention of Corruption, the National Agency on Corruption Prevention (NACP) is a central executive body with special status, which ensures shaping and implements the state anti-corruption policy. The National Agency is responsible and controlled by the Parliament of Ukraine and accountable to the Cabinet of Ministers of Ukraine. It has become operational on 15 August 2016.

According to the law, NACP is entrusted with the following functions that make it a corruption prevention watchdog and analytical entity (non-exhaustive list):

• managing conflict of interest situations and monitoring ethical behaviour of civil servants;

• verifying assets declarations and running the Unified State Register for Declarations (online, free-access database);

• assisting government bodies in conducting corruption risk assessments, preparing and implementing anti-corruption programmes;

• organizing anti-corruption learning and in-service training for civil servants;

• conducting public outreach and awareness-raising campaigns;

• analysis of status of corruption, prevention and prosecution in Ukraine, producing the National Report on Anti-corruption;

• coordinating adherence to international standards;

• drafting relevant laws and regulations;

• operationalizing the National Anti-Corruption Strategy through the relevant State Programme.

The Agency is a collegiate body consisting of five commissioners. One of the commissioners is elected as the NACP chairperson for a period of 2 years. The personnel of the Agency are all civil servants (with the exception of the commissioners who are political appointees) according to the Law of Ukraine on Civil Service.

The current structure of the NACP consists of (NACP Decision from 05 April 2016 № 1) 5 functional departments:

* Department of Anti-Corruption Policy;
* Department of Political Corruption Prevention;
* Department of Financial Control and Lifestyle Monitoring (internal territorial division);
* Department of Monitoring Conflict of Interest Legislation and Other Limitations on Corruption Prevention (internal territorial division);
* Department for Organization of Work on Prevention and Detection of Corruption;

and 8 supplementary units:

* Department of Organizational and Personnel Provision (including the HR unit);
* Administrative Department;
* Office on Accounting and Reporting;
* Sector on Corruption Prevention and Detection in NACP;
* Sector of Internal Audit;
* Sector of Regime and Secret Work;
* Legal Support Unit;
* Group of Advisers as an independent unit of the Agency.

All supplementary units are supervised by the NACP chairperson and Chief of Staff simultaneously, including the Department of Organizational and Personnel Provision. The department is responsible for supporting the work of NACP commissioners, arranging meetings, performing HR work, implementing international protocol, and providing access to public information.

The functional department support the areal work of NACP commissioners. They have the dual chain of command: appointed NACP commissioner and the Chief of Staff.

The law allows NACP to create regional branches, however, due to budget restrictions they have not been established yet.

On December 31, 2017, the NACP composition looks as follows:

|  |  |
| --- | --- |
| **Indicators** | **Staff** |
| Foreseen number of staff | 311 |
| Factual number of staff | 257 |
| * men
 | 124 |
| * women
 | 133 |
| Number of persons on leading positions | 62 |
| * men
 | 36 |
| * women
 | 26 |
| Number of persons obtaining specialist positions | 195 |
| * men
 | 88 |
| * women
 | 107 |

By the end of 2017, the National Agency filled in 82,6% from its foreseen total staff. The functional departments were completed as follows: Department of Anti-Corruption Policy – 73%, Department of Political Corruption Prevention – 83%, Department of Financial Control and Lifestyle Monitoring – 84%, Department of Monitoring Conflict of Interest Legislation and Other Limitations on Corruption Prevention – 89%, Department for Organization of Work on Prevention and Detection of Corruption – 78%.

The selection process for the remaining positions is ongoing, but a high staff turnover can be observed. During 2017, 60 employees left the NACP, including due to the transfer to other state bodies – 19, own initiative – 16, agreement of both parties – 22, non-passing the probation period – 1, termination of contract – 2.

The stability, sustainability and institutional memory are important to the National Agency. Due to this, in autumn 2017 NACP leadership requested the EU Anti-Corruption Initiative in Ukraine (EUACI), the largest EU technical assistance program on anti-corruption, to contribute to the strategic planning of HR processes at the Agency. The first stage of this assistance is the production of the needs baseline assessment on HR. The assessment aims to analyse the current situation and assist NACP with further development of HR strategy and other activities to promote the strategic development of the NACP in terms of HR.

As a result, in September 2017 the EUACI together with the EU Advisory Mission to Ukraine has launched the Human Resources Management Assessment Project.

1. **Objective:**

The EUACI, as requested by NACP, has to prepare the baseline assessment on HR in NACP, a concrete analytical note, including conducting a comprehensive analysis on the state of play in the field of HR management, identifying strengths and weaknesses of HR processes in the Agency. The assessment report will have to outline detailed and practical recommendations for the Agency in terms of mid- and long-term HRM strategies. The recommendations should be in line with good European standards and smart practices in the EU.

1. **Scope of work and timelines:**

The assignment will have the following phases:

1. Conducting the workshop “Human Resources Management and Leadership” based on good European practices (experience of German and France state agencies is preferable) - Timeline: May-June 2018
2. Contributing to the selection of the methodology applicable to conducting complementary interviews – Timeline: May - June 2018
3. Jointly with the EUAM international HR expert conducting complementary interviews in the framework– Timeline: June 2018
4. Jointly with the EUAM international HR expert drafting of the f baseline assessment report -Timeline: June 2018
5. Incorporating EUACI and NACP comments into the report. – Timeline: June 2018
6. Finalizing the baseline assessment report and submitting it to EUACI – First half of July 2018.
7. Participating in the public presentation of the report findings and recommendations at NACP – Timeline: July 2018.

 **Methodology of the Human Resources Management Assessment Project is as follows:**

**Methodology of workshops:**

In the framework of the Human Resources Management Assessment Project, the EUACI together with the EUAM international adviser-trainer have already conducted two workshops: “Employment conditions, recruitment procedures and selection” and “Strategic workforce planning with regard to business/organizational needs”. One more workshop on “Status of Code of Conduct/Code of ethics referring to employees’ rights and duties.” is expected to be held in May. Target audience of workshops: Heads of departments/units/sections (up to 25 people).

The fourth workshop on “Human Resources Management and Leadership” may cover, but not necessary has to: application of leadership styles in NACP: leadership and operation levels, analysis of discrepancies in leadership perception between subordinates and managers, responsibility between HRM Department and supervisors, number of human resources management processes, number of hierarchical levels in each department, formula for the workload estimation/ number of available employees etc.

**4. Timeline and Outputs**

The assignment will be implemented between mid-May-July 2018. The intended commencement date is the date of signature of the contract by both parties. The total time of engagement: 20 working days.

**Outputs:**

* Workshop “Human Resources Management and Leadership”
* Baseline Assessment Report on HR needs in the NACP, including recommendations for its enhancement
* Public presentation of the report with its findings and recommendations at NACP

**5. Team composition and qualifications**

An international or Ukrainian HR expert is foreseen.

**Key qualifications** of the consultant include:

* Academic degree – MA degree or higher in HR, economics or others related field;
* At least five years of work experience with government HR processes (experience of working in the HR Departments in the EU state agencies or on improving HR processes at the EU state agencies will be considered as an asset);
* At least three years of experience of conducting HR trainings for government agencies;
* Proven experience of drafting HR -related documents and analytics (report writing on HR issues for international organizations or donors will be considered as an asset)
* Fluency in both written and spoken English (Knowledge of Russian and/or Ukrainian will be considered as an asset)

**6.** **The application package of the candidate should include:**

* CV of the candidate;
* One page describing the methodology to be applied in the HRM project, indicating time availability;
* Samples of reports\analysis\papers\trainings;
* Budget.

**7. Monitoring and evaluation**

The performance of the Contractor will be judged upon reaching the purpose of this contract as well as obtaining its results, as indicated in the section ”Outputs” herein respectively. Moreover, the performance of the Contractor will be judged upon successful implementation of all the specific activities indicated in Section ”Scope of work” of the present document.

**8. Special requirements**

By signing the contract, the Contractor agrees to hold in trust and confidence any information or documents ("confidential information"), disclosed to the Contractor or discovered by the Contractor or prepared by the Contractor in the course of or as a result of the implementation of the contract, and agrees that it shall be used only for the purposes of the contract implementation and shall not be disclosed to any third party. The Contractor also agrees not to retain copies of any written information or prototypes in its own archive and for its own use.

**9. How to apply**

The proposals shall be submitted by **16:00 Kyiv time, on 15 May 2018** by e-mail to **barjam@ukraine-aci.com**

Bidding language: **English**.

1. **Clarification questions**

Questions for the Request for Bid should be addressed to no later than 14 May, 2018 16:00 Kyiv time to halkok@ukraine-aci.com.