

Safeguarding Review – Terms of Reference

1. Safeguarding Review summary

Purpose of Review	Review, assess and strengthen Mary MacKillop Today's Safeguarding policies and practice.
Consultancy dates	4 – 19 March 2024
Consultancy location	Remote
Date review report to be finalised	31 March 2024
Dates for dissemination of review findings and recommendations	April 2024
Training (as required)	April 2024

2. About Mary MacKillop Today

Mary MacKillop Today is the flagship organisation of the Sisters of Saint Joseph, founded to combine and continue the works of the Sisters in bringing education and life-long learning to those on the margins of society. We stand with the marginalised poor, rural and remote peoples, in Australia and internationally, so they can realise their potential and participate fully in their communities. We seek to empower and transform lives through self-determination, access to education and the learning of practical life skills.

Mary MacKillop Today has offices in Australia and Timor-Leste and implements programs through partner organisations in Fiji and Peru. Mary MacKillop Today works in four key sectors: education, health, financial inclusion and livelihoods. Our work is funded by generous donations from individuals, trusts and foundations as well as funds secured through the Australian NGO Cooperation Program (ANCP).

3. About the Consultancy

Context

As a learning organisation, Mary MacKillop Today seeks to critically examine the work we do to better understand the individuals we serve and continually strengthen our engagement approach. Mary MacKillop Today is committed to continuous improvement of our safeguarding policies and practices. As part of this, Mary MacKillop Today seeks to conduct periodic meta reviews to assess the effectiveness of our current safeguarding practices, highlight areas of programming that need improvement, and provide recommendations on how we can support our partners and staff to ensure best practice and safe programming. An external organisational review was conducted in November 2023 as part of ongoing efforts to enhance our practices. The process highlighted both strengths and areas for improvement. This Consultancy will address some of the recommendations made as a result of the organisational review and strengthen Mary MacKillop Today's work in safeguarding and protection of children and vulnerable adults.

Terms of Reference

The consultancy work is expected to be carried out remotely. This review should cover the last five years, from 2019 to present.

The purpose of this Consultancy is to:

a) Conduct an independent assessment of the degree to which Mary MacKillop Today's Safeguarding Policy is being implemented.

This will involve:

1. Establishing the extent to which our Safeguarding Policy is being implemented by Mary MacKillop Today Australia, Mary MacKillop Today Timor-Leste, and our partners in Fiji and Peru.
2. Assessing the quality of assessment of the Safeguarding Policy implementation by Mary MacKillop Today
3. Assessing the quality of the project materials and tools that design, monitor, and report on Safeguarding.
4. Assessing the risk management surrounding the Safeguarding Policy and its implementation
5. Assessing our partners' Safeguarding Policies, including Mary MacKillop today's assessment of alignment to our Safeguarding Policy and the required DFAT standards
6. Assessing the Focal Point's and Safeguarding Committee's Terms of Reference

Note that Mary MacKillop Today's Safeguarding Policy is currently used as an exemplary policy by ACFID and is reviewed annually. We do not foresee there being any large changes required to the policy but wish to focus on implementation of this policy.

b) Gain recommendations to strengthen Safeguarding within our programs

Provide recommendations to strengthen our Safeguarding Policy, the implementation of our Safeguarding Policy, and the assessment of our policy implementation in line with DFAT,

ACFID, and ACSL (Australian Catholic Safeguarding Limited) compliance requirements and to ensure best practice.

This will include making recommendations on how to build technical expertise across Mary MacKillop Today offices and in-country partners and ensure Mary MacKillop Today's processes, tools and documentation enable and reflect a sound approach to Safeguarding.

c) Deliver Safeguarding training to our staff and key partner staff based on their understanding of Safeguarding and recommended actions from (b)

1. Establish the Safeguarding knowledge of our staff and key partner staff
2. Prepare and deliver Safeguarding training to our staff and key partner staff on Safeguarding relevant to their understanding and context. This training will then be used to update staff on Safeguarding and train new staff.

Deliverables

- Review Plan (3 pages) outlining:
 - o Overview of methods and tools
 - o Timeframe
 - o Stakeholder engagement plan
 - o Risk assessment
 - o Ethics considerations
- Consultation data (brief report including methods and outcomes)
- Report addressing:
 - o the implementation of Mary MacKillop Today's Safeguarding policy
 - o recommendations to strengthen mainstreaming of Safeguarding within our programs
 - o Safeguarding training needs of our staff and key partner staff
- Presentation of report to Mary MacKillop Today (Australia & Timor-Leste teams)
- Dissemination Plan and Key Informant Engagement Strategy for sharing of the consultancy findings and recommendations.
- Training of Mary MacKillop Today staff and partners in Safeguarding as appropriate

Methods

- **Desk review of:**
 - o Safeguarding Policy
 - o Partners' Safeguarding Policies (2 Fiji partners, 3 Peru partners)
 - o Implementation assessment documents (partnership management tool, incident report register, other documents as required)
 - o Safeguarding Committee's and Focal Points' terms of reference and meeting minutes as required.
 - o Project documents (including project designs; progress reports; and project evaluations) for up to seven Mary MacKillop Today projects encompassing all countries in which Mary MacKillop Today works.
 - o External compliance requirements (DFAT, ACFID, and ACSL).
 - o Current Safeguarding Training presentations

- **Stakeholder consultation:**

The Consultant will be required to select the consultation, data collection tools and analysis methods to be used to gain the information required to undertake each phase of the consultancy. It is highly desirable for consultants to measure multiple outcomes and gather data from multiple sources (triangulation). The Consultant will also work with Mary MacKillop Today to refine the scope of the review, ensuring an appropriate timeframe and stakeholder engagement plan is developed. The following approaches must be upheld throughout:

- **Participatory:** the process must capture the voice of all relevant stakeholders and ensure that opportunities for genuine participation and feedback are provided.
- **Strengths-Based:** the process should identify the assets, resources, relationships and knowledge that exist among Mary MacKillop Today and partner staff.
- **Inclusive:** the process must effectively identify and address through appropriate strategies any barriers to participation in this review process. The Consultancy Proposal must demonstrate understanding of barriers to participation.
- **Capacity Strengthening:** The Consultant(s) will involve Mary MacKillop Today staff in all phases of the consultancy; and provide training to staff as required. The process should empower and build the skills of Mary MacKillop Today staff in Australia and Timor-Leste and enable them to better collaborate with partners in Fiji and Peru.
- **Accountable:** It is expected that the Consultant will regularly provide feedback on the findings of the review to key stakeholders in accessible formats to enable final input. An outline of how Mary MacKillop Today staff will be involved in the data collection and analysis, and how the information in the review will be disseminated to them and other stakeholders should be outlined in the Consultancy Proposal.
- **Ethical:** The Consultancy Proposal must adequately address potential risks, safeguarding issues and ethical considerations of the review. It must also be in compliance with the ACFID Code of Conduct and the ACFID Guidelines for Research and Evaluation Ethics and be conducted in line with Mary MacKillop Today's guidelines and policies on Safeguarding and ethical standards.

- **Dissemination of Findings & Recommendations:**

MMT is committed to sharing our monitoring, evaluation and learning data with all key stakeholders including Mary MacKillop Today staff and partners. More specifically, it is the right of primary stakeholders to access their own data and/or data collected through a process that directly impacts them so that they can:

- Understand how effective Mary MacKillop Today's Safeguarding approaches have been with funds used;
- Hold MMT accountable; and
- Understand how the information they have shared with the review or has been used and presented.

It is expected that the Consultant will work with Mary MacKillop Today’s teams in Australia and Timor-Leste to disseminate the review findings and recommendations in a format that is accessible to the following key stakeholders: Mary MacKillop Today and partner staff. A preliminary list of the primary intended users of the review results has been provided below.

Primary Intended User/s	How they will use the review results
<i>Mary MacKillop Today Australia Staff</i>	<i>Policy strengthening, better informed practices and projects and increased accountability to stakeholders (especially project participants); report impact and effectiveness to current and potential donors; and report to the MMT Board.</i>
<i>Mary MacKillop Today Timor-Leste Staff</i>	<i>Policy strengthening, better informed practices and projects and increased accountability to stakeholders (especially project participants); report impact and effectiveness to local stakeholders and relevant authorities and donors.</i>
<i>Mary MacKillop Today Partner Organisation</i>	<i>May wish to learn from the strengths and gaps within Mary MacKillop Today’s work to inform their own policies and practices.</i>

Roles & Responsibilities

The Consultant will lead the activities set out above, in consultation with Mary MacKillop Today and our partners. Travel will not be necessary for this assignment.

Mary MacKillop Today will:

- Compile all Mary MacKillop Today documents relevant to the desk review.
- Work with the Consultant to develop a consultation plan and assist with consultations as appropriate.
- Review preliminary findings and recommendations with the Consultant before finalisation of the Review Report.
- Disseminate findings and recommendations from the review to stakeholders, especially partner organisations, with support from the Consultant as required.
- Implement recommendations from the review.

Confidentiality

All discussions and documents relating to this ToR will be treated as confidential by the parties.

Project Governance

The consultancy will be managed by Mary MacKillop Today’s International Programs & Quality Director, with support from the Safeguarding Focal Points in Sydney and Dili and Design, Monitoring, Evaluation and Design Specialist. The Consultant(s) will send all correspondence and reports to the International Programs & Quality Director, with support from the Safeguarding Focal Points in Sydney and Dili who will disseminate to the rest of the team in Timor-Leste and Sydney. Regular meetings will also be scheduled with the Consultant/s at key intervals throughout the consultancy.

4. Products & Timeline

Product	Details	Date Due
Compliance Checks	<ul style="list-style-type: none"> • Child Safeguarding Screening • Reference Checks 	26 February 2024
Consultancy Contract	<ul style="list-style-type: none"> • Contract signed • Sharing of relevant Mary MacKillop Today documents 	4 March 2024
Review Plan	<p>The Consultant will draft a 3-page Plan which at a minimum will outline the:</p> <ul style="list-style-type: none"> • Overview of methods and tools, • Timeframe, • Stakeholder management plan, • Risk assessment, • Ethics considerations and • Budget <p><i>A kick-off meeting between the consultant and Mary MacKillop Today will be scheduled to review the review plan prior to the commencement of the review itself.</i></p>	To be advised by the consultant.
Review conducted and recommendations made	The Consultant will undertake the review and make recommendations	To be advised by the consultant.
Final Review Report	<p>The Consultant(s) will submit:</p> <ol style="list-style-type: none"> 1. Final review report (in English) with actionable recommendations (refer to template in Appendix A), 2. A summary of the review findings in a format accessible to key stakeholders (especially partner organisations) 3. A Dissemination Plan and Key Informant Engagement Strategy for sharing of the review findings and recommendations in a format that is accessible to project participants and their communities, Mary MacKillop Today partner staff, Mary MacKillop Today staff (especially the Timor-Leste team if evaluation is in Timor-Leste), 	To be advised by the consultant.

	and government and civil society partners.	
Dissemination of review findings and recommendations	The Consultant/s must work with Mary MacKillop Today staff to disseminate the review findings and recommendations in a format that is accessible to key stakeholders, especially partner organisations.	April 2024
Training of staff	Training needs are to be identified and addressed through the review process. Up to 2 days of training are to be provided by the consultant, as required.	April 2024

5. Consultancy Timeframe

It is expected that the Consultancy will be completed by **April 2024**. The Consultant will determine the time required for each phase with consideration of the required consultancy products, methods and timeframe listed above. The specific deadlines will be negotiated with Mary MacKillop Today based on the proposed timeframe in the Consultancy Proposal. Any extension of the Consultancy must be approved by Mary MacKillop Today and is subject to availability of funds.

6. Budget

Budget and Payment

The budget for this evaluation is **AUD 9,500** (inclusive of tax and reimbursable expenses).

The Consultant(s) will be required to submit a detailed budget that includes a fee per day for the consultant services, as well as all expenses that derive from the work of the consultancy. The Consultant(s) must consider:

- The payment for this consultancy includes insurance, tax, and any other costs associated with the service.
- The expenses from transport, food, accommodation, and travel (if required) are assumed by the Consultant.
- If the final products of the consultancy are not adequate or accepted by Mary MacKillop Today, the Consultant will reimburse the total value or partial value of the expenses in proportion to the final products presented.

The Consultant will be responsible for their own insurance arrangements (including workers compensation, superannuation guarantee charge, public liability, professional indemnity and/or personal sickness and accident cover), vaccinations, health and security preparedness.

Conditions of Payment

Unless otherwise agreed, payment will be made in AUD. The Consultant will be required to report to Mary MacKillop Today in line with the Consultancy Agreement. Payment will be phased based on the delivery and approval of key Consultancy Products:

- 40% upon the receipt and approval of the Review Plan
- 60% upon the receipt and approval of the Final Review Report

7. Selection Criteria

- Proposed methods
- Previous relevant and quality experience conducting similar assignments (including case studies)
- Availability of personnel
- Written and oral communication skills (English professional proficiency required; conversational Tetun desirable)
- Value for money (cost compared to competitors considering the methods being proposed and outcomes that would be achieved)
- Confirmation that the deliverable timeframes can be met
- Identification of risks related to the implementation of this consultancy and Mary MacKillop Today's approach to gender equity and diversity.

The Consultancy is open to Australian and/or International Candidates.

8. How to Apply

Expressions of Interest (EOI) are due **19 February 2024 by midnight AEDT**. EOIs will be assessed on a rolling basis. Please send all expressions of interest Tessa Henwood-Mitchell, Mary MacKillop Today International Programs & Quality Director (tessa.henwood-mitchell@marymackilloptoday.org.au) and Belinda Pratten, Mary MacKillop Today Operations Director and Safeguarding Focal Point (belinda.pratten@marymackilloptoday.org.au). Should you have any questions, please contact via email.

All Expressions of Interest should include:

- Up to date CV with details of two relevant referees, for each consultant involved.
- Proposal addressing the Selection Criteria above (no more than 8 pages).

Mary MacKillop Today is an Equal Employment Opportunity (EEO) employer and strongly encourages people from all backgrounds, abilities and identities to apply for any vacancies.

9. Safeguarding

Mary MacKillop Today is committed to ensuring the safety, wellbeing and protection of children and vulnerable adults in our work, and therefore undertake recruitment screening

of all consultants. Any person working with or coming into contact with children in the course of their work with Mary MacKillop Today must be willing to undergo a criminal record check or submit a statutory declaration (or local equivalent) disclosing any criminal charge or conviction, and will be requested to provide a minimum of 2 referees. All Consultant(s) must also sign Mary MacKillop Today's Safeguarding Code of Conduct and comply throughout the consultancy. Any breach of the Safeguarding Policy or Code of Conduct may result in suspension or termination of the consultancy. The Lead Consultant is responsible for ensuring all personnel involved in the delivery of the activity have been appropriately screened and do not pose an unacceptable risk to children or vulnerable adults, or present a risk of terror financing or financial wrongdoing.

Appendix A: Review Report Template

Executive Summary

- Background
 - Review Design
 - Limitations of the study
 - Recommendations
 - Key Conclusions
1. Background and purpose of the review
 - a. Introduction
 - b. Purpose, objectives, and scope of the review
 2. Gender Equity and Diversity Policy
 - a. Process of review
 - b. Consultation summary
 3. Review Methodology
 - a. Limitations on data collection
 - b. Data Collected
 4. Review Findings
 5. Discussion & Recommendations
 6. Conclusion
 7. Bibliography
 8. Appendices
 - a. Review tools/ instruments
 - b. Interviews with staff
 - c. Project documentation reviewed
 - d. Specific technical recommendations