

Updated Advert for Independent International Consultant to
Investigate Allegations
29 September 2021

1. Background

The South Sudan NGO Forum (SSNGOF) is a networking body of National and International NGOs operating in South Sudan. The SSNGOF is currently funded by ECHO, EU, SIDA, SDC and some of its members. Concern Worldwide (Concern) is the current host agency of the SSNGOF Secretariat. The SSNGOF Secretariat currently has around 15 national staff members and 7 international staff members. All international staff are on Concern consultancy contracts, with employment under Republic of Ireland legislation and are subject to all Concern policies, including Concern's Code of Conduct. Secretariat national staff are on local Concern contracts, with employment under Republic of South Sudan legislation and are subject to all Concern policies, including Concern's Code of Conduct. The NGO Forum Secretariat shares the same building with Concern in Juba.

The SSNGOF is governed by the Statutes of Operation (April 2020). There are two Steering Committees (SC) of the SSNGOF; one for national organisations and one for international organisations. Each committee has 10 members, with the INGO SC having 9 elected members plus the Country Director of the host agency (Concern). The committees have separate bi-monthly meetings but every quarter they also have Joint Steering Committee (JSC) meetings. The function of the host agency is to work with the SSNGOF Secretariat to implement the SSNGOF activities and support the SSNGOF in implementing the decisions of the Steering Committees and the Annual General Meetings.

On September 7, 2021, the chairs of the Joint Steering Committee received a formal allegation from one staff against another staff that requires independent investigation.

With the leadership of the SSNGOF Joint Steering Committee, the South Sudan NGO Forum is commissioning an independent investigation into allegations.

2. Requirements for Application

Professional qualifications

We seek a consultant with significant track record at international level working with NGO global policies and procedures.

The ideal candidate for this consultancy will bring:

- Strong written communication skills, including experience in preparing clear, concise, and comprehensive reports.
- High level of integrity, detail, thoroughness, and accuracy.
- Extensive experience in conducting professional interviews (for example, as legal advisors, human resource specialists, counsellors etc).
- Ability to gather and synthesise relevant information.
- Knowledge about policies in relation to human resources and protection.
- Investigation experience in discrimination, harassment, retaliation, employee misconduct, or sexual misconduct complaints.

- Experience in applying mediation practices to manage dynamic and challenging conversations.
- Understanding and experience working in international development contexts.
- Self-motivated and able to work independently while being a team player.

Required qualifications:

- A Master's degree in a field related to one or more of the following: law, social science, psychology or public administration or an equivalent combination of education, training and experience.
- Minimum five (5) years of experience in areas that include investigations, employee relations, interpreting policies, and/or collective bargaining agreements.

Please be clear and specific about how your background is relevant.

The South Sudan NGO Form Disqualification Criteria

To ensure that the investigation is carried out without prejudice and the possibility of interference, the Independent Consultant must not be a staff of a member of the South Sudan NGO Forum or wider membership of the NGO Forum.

The Independent Consultant must be based in a country other than South Sudan.

The Independent Consultant must not be party to any conflict of interest that impacts his/her impartiality with regards to the South Sudan NGO Forum, Concern Worldwide, the complainant or the subject of the complaint. The consultant must have no material, personal or professional interest in the outcome of the complaint and no personal or professional connection with any witnesses, the complainant or the subject of the complaint.

3. Relevant Documentations

The reported allegations will be shared by the Chairs of the Joint Steering Committee with the appointed independent investigator subject to the investigator signing a pledge of confidentiality.

The Chairs of the Joint Steering Committee will share the received allegations with the selected investigator subject to the investigator signing a pledge of confidentiality.

4. The Investigation Process

The investigator will report to the chairs of the Joint Steering Committee.

The host agency Concern will not be part of the investigation which will be carried out independently by the selected consultant. Concern role will be limited to:

- Advertising for the independent investigator.
- Sharing the detailed allegations with the investigator, subject to agreement of the complainants.

Chairs of the Joint Steering Committee:

- Selecting the independent consultant based on the criteria above.
- Supporting the independent investigator by reviewing the investigation report template to be proposed by the investigator.

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- Conduct a quality check on the draft final investigation report.

The objectives of the Investigation are to:

- Ascertain the facts of the allegations based on evidence obtained.
- Ascertain if any breaches of the signed Concern's Code of Conduct have taken place in relation to the allegations reported.
- Recommend a course of action based on the findings.
- Provide a written final investigation report to the chairs of the Joint Steering Committee.

5. Tasks / Methodology

The following steps should be completed:

1. Obtain and review relevant documents in relation to the allegations including:
 - Organization chart for the SSNGOF
 - Statutes of Operation of the SSNGOF (April 2020)
 - Memorandum of Understanding between SSNGOF and Concern (January 2021)
 - Code of Conduct signed by subject of the complaint
 - Employment contract of the subject of the complaint
 - HR file for the subject of the complaint (reference check, orientation checklist, signed acknowledgement of policies, any safeguarding training, signed Code of Conduct, performance reviews, any disciplinary notes, etc.)
 - Receive and review the allegations that have been submitted to the chairs of the Joint Steering Committee.
2. Conduct formal interviews with the following individuals (subject to signing pledges of confidentiality):
 - Complainant
 - Other persons relevant to the allegations made
 - The subject of complaint.

The subject of complaint will be interviewed last to ensure information gathered during other interviews can be factored into the questions put to the subject of complaint.
3. Review any additional documentation as required (official emails, Skype messages, WhatsApp messages relevant to the allegations). The investigator may submit written requests for additional documentation to the chairs of the Joint Steering Committee.

The investigation process will be conducted in line with the investigation principles as listed in Annex 1.

6. Deliverables

A final investigation report will include the following:

- A detailed account of the actions and findings of the investigator including steps taken prior to interviews (planning and preparation), limitations on the investigation, and factual findings and supporting evidence.
- Recommendations on further actions to be taken by SSNGOF Steering Committee chairs and/or Host Agency.

7. Timeframe

The time period for the investigation to be completed is 2 weeks.

#	Activity description	Date completed	Responsible person
1	Signing of pledge of confidentiality by the JSC chairs		NNGO SC Chair and INGO SC Chair
2	Terms of Reference drafted		JSC chairs
3	Terms of Reference approved		JSC chairs
4	Procurement process finalized		JSC chairs
5	Signing of pledge of confidentiality by the investigator		JSC chairs
6	Review of all documents pertinent to the case		Independent investigator
7	Conduct interviews		Independent investigator
8	Submit draft final investigation report to JSC chairs		Independent investigator
9	Review and provide feedback on draft report		JSC chairs
10	Finalize investigation report based on feedback from JSC chairs		Independent investigator
11	Briefing by JSC chairs with JSC on top line findings from the final investigation report and recommended actions		JSC chairs and JSC
12	Briefing by JSC chairs with the NGOF secretariat staff		JSC chairs
13	Sharing of the final investigation report to the NGOF donors		JSC chairs

Interested Applicants should submit their technical and financial proposals, professional references (minimum 3) and CV to hr@southsudanngoforum.org by **6th October 2021 at 5pm local time**.

Annex 1: General Guidelines

Core principles of an investigation

- **Thoroughness:** investigations must be conducted in a diligent, complete and focused manner.
- **Confidentiality:** complainants, witnesses and the subject of allegations have a right to confidentiality other than in certain, exceptional circumstances.
- **Competent, responsible, independent investigators:** people conducting investigations and preparing reports should be responsible, independent and have received training.
- **Impartiality:** investigations must be conducted in a fair and equitable way. Investigators must be free of any influence that could impair their judgement.

- Objectivity: evidence to support and refute the allegation, must be gathered and reported in an unbiased and independent manner
- Timelines: investigations must be conducted and reported in a timely way
- Accuracy and documentation: investigation reports and their conclusions must be supported by adequate documentation.

Investigation Report

The investigation report should:

- observe the principles of good report writing i.e. be clear, concise, written in plain language and be grammatically correct
- bear testimony to the core principles of an investigation
- address evidence to support and refute the complaint (where such exists)
- describe the methodology (process) as well as findings (content)
- evaluate evidence against specific stipulations in Concern Code of Conduct
- separate fact from opinion
- provide sufficient evidence to back conclusions and recommendations
- be produced according to agreed timeframes

The report should include:

- Name and title of investigators
- Name (or case reference number) of subject(s)
- A statement to the effect that the report is confidential and is not to be copied or disclosed without due authorization
- Date
- State the scope of the investigation (how many complainants, witnesses, subjects etc.)
- Give brief contextual information
- State any impediments to the investigation e.g., lack of co-operation by complainants, subject or unwillingness to be interviewed by any witnesses.

Agreed by:



1. Repent Taban, NNGO SC Chair

2. Rosalind Crowther, INGO SC Chair

