

The HAP Standard Review Process

Working Group on Handling Complaints of Exploitation and Abuse Terms of Reference

Since its adoption in January 2007, the *HAP Standard in Humanitarian Accountability and Quality Management* ("the Standard") has been used by NGOs and their partners, donors and host governments, communities and other civil society groups to measure, validate and improve the quality and accountability of humanitarian action. For the Standard to maintain its relevance and continue to drive improvements in the sector, a review process started at the end of 2008. Learning from application of the Standard to date, emerging good practice, the need to develop explicit indicators on prevention of and response to sexual exploitation and abuse, changing expectations of relevant stakeholders and other system-wide developments will be reflected and incorporated in the HAP 2010 Standard and a new edition of *The Guide to the HAP Standard*.

Purpose of the Working Group:

As a result of the findings from Save the Children UK's report *No One to Turn To* and HAP's report *To Complain or not Complain* as well as discussions with HAP members, a technical Working Group on Handling Complaints of Exploitation and Abuse will be formed to review of the HAP 2007 Standard.

The Working Group on Handling Complaints of Exploitation and Abuse will review the HAP 2007 Standard from the perspective of prevention and response to exploitation and abuse by humanitarian workers. The Working Group will focus on the most egregious form of abuse that results from a lack of accountability, sexual exploitation and abuse. However, all types of complaints on exploitation and abuse will be considered, including fraud and corruption. The Working Group will develop explicit indicators, which identify the requirements and means of verification on prevention and investigation of staff misconduct for the HAP 2010 Standard.

The Working Group will directly inform the HAP 2010 Standard draft that the Steering Committee will recommend to the HAP Board for approval.

Main Tasks and Responsibilities:

With support and guidance of the Lead Agency Focal Point and the HAP Complaints Handling Officer and other colleagues from the HAP Secretariat, the Working Group's main responsibilities are to:

- review relevant materials and findings that identify effective prevention and response mechanisms and means to improve protection from sexual exploitation and abuse;
- examine relevant feedback and input received throughout the Standard Review consultations;
- develop consensus around areas that require change based on evidence collected;
- develop relevant indicators and evidence-based justifications for the proposed changes to the HAP Standard for the final Workshop in April 2010

(this will include options for making the Standard and all six Benchmarks more explicit on prevention and response of sexual exploitation and abuse, specific reference to HAP 2007 Standard Benchmark on complaints handling, draft requirements and means of verification, etc);

- provide input and advice into other activities of the Inspectorate project as appropriate.

The Working Group's activities will become part of the main activities and timelines for the HAP Review process (see Appendix 1).

Specific Questions for Consideration:

Questions will be developed together with the Working Group, in accordance with the ToR for the Standard Review Process (Feb 2009 version).

Expected Outputs:

The following outputs will be delivered:

- Prepare a brief progress update to be included in the Standard Review progress report for the Board meeting in October 2009.
- Draft indicators and evidence-based justifications for the proposed changes to the HAP Standard for the Steering Committee at the final workshop in April 2010;
- Review and recommend changes and additions to the *HAP Guide to the Standard* and the *BSO Guidelines on receiving and investigating allegations of sexual abuse and exploitation by humanitarian workers* by April 2010.
- Make relevant contributions to a final report summarising the process and outcomes of the review.

Time Commitments

It is expected that between August 2009 and June 2010, Working Group members will:

- participate in meetings held through e-mail or phone (at least three teleconference meetings will be held during the review process. One in late 2009, one directly after a regional consultation that focused on prevention and response to sexual exploitation and abuse and one in March or April 2010);
- provide timely feedback and response to the Working Group lead focal point and the HAP Complaints Handling Officer as per the main responsibilities above;
- attend relevant regional consultations where circumstances allow.

It is estimated that members will dedicate around 14 days as a member of the Working Group, an average of 1.5 days per month up to a maximum of 3 days per month if attending a regional consultation and in preparation for the April 2010 workshop. Members may also be invited to attend an in-person Working Group meeting.

Composition of the Working Group:

The Working Group will be composed of individuals with skills and experiences relevant to complaints handling, prevention of and response to sexual exploitation and abuse and issues such as fraud and corruption. Working Group participants are requested to volunteer their time to inform and contribute to the HAP 2007 Standard Review process.

The Working Group will have no more than 10 members, excluding the HAP Complaints Handling Officer and other HAP Secretariat staff who will provide management support. The Working Group will be balanced in terms of individuals and

members with respect to gender, location and language of origin and agencies will be represented with respect to sector, size, location and secular and faith based agencies.

The Working Group will have one lead agency focal point. The focal point's main duties and responsibilities are outlined in Annex 2.

The Working Group on Handling Complaints of Exploitation and Abuse will report regularly to the Steering Committee and the HAP Policy Services Coordinator who manages the Standard Review process.

Working Group members are encouraged to and may be asked to lead or participate in the further development of the Inspectorate project after April 2010.

Annex 1

HAP 2007 Standard Review Process

Main activities and timelines

1. Planning, research and preliminary consultation, *January-June 2009*

Preliminary consultation with member agencies and other key stakeholders to identify major suggestions and recommendations for revision will take place during this period, alongside a review of latest developments related to humanitarian accountability and quality management. The Steering Committee, Reference Group, and technical working groups will be established and inter-operability options will be explored, with the Sphere Standards and the People In Aid code in particular.

2. Steering Committee meeting, *May 2009*

The Steering Committee will oversee the process. The first meeting is to reach agreement on the scope of the review, key elements for consideration and working arrangements. They will also make decision on setting up technical working groups.

3. Field consultations and testing, *July 2009 – January 2010, locations tbc*

Consultations with beneficiaries and staff will take place at least at three locations chosen based on the following criteria: beneficiaries and agencies have first hand experience with implementing the Standard; high risk of recurring emergencies; HAP members, partners and other agencies committed to the Principles of Accountability have expressed an interest in the review process; potential for working jointly with the Sphere Handbook revision, ECB Project activities, or other relevant processes.

A host agency and a local facilitator, who has first-hand experience of disasters or has been a recipient of aid, will work closely with the HAP team. A planning meeting will take place on location at the start of the consultation process. Member-led consultations at other locations will be encouraged.

The evolving draft or specific changes to the benchmarks (the requirements and means of verification) will be tested through agency-led self-assessments or HAP-facilitated reviews which will be considered as progress towards (re-)certification where appropriate. The focus here will be on the criteria of measurability and affordability.

4. Regional workshops, *Sept 2009 – January 2010, tbc*

Findings from the consultations and the field-testing will be presented and analysed to feed into the evolving HAP 2010 Standard draft; feedback on the draft will be sought from the Reference Group and the Steering Committee after each workshop.

5. Final workshop and Steering Committee meeting, *March 2010*

A synthesis of outcomes from all processes to date will be prepared, presented and discussed alongside the last draft version of the HAP 2010 Standard. The Steering Committee will decide what proposal to submit to the HAP Board.

6. Prepare final draft, *early April 2010*

Based on earlier feedback from the Final Workshop and a last consultation with the Reference Group, the proposed HAP 2010 Standard will be edited by the Policy Coordinator with the support of, and to reflect recommendations from, the Steering Committee. The Standard will be presented for approval to the Board in May 2010.

Work on the revision of the Guide will take place alongside the Standard Review process and will be completed by September 2010.

Review of the HAP Standard and the Guide

Milestones January 2009-Sept 2010	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S
Steering Committee formed		■																			
Initial consultation with members		■	■																		
Steering Committee meeting					■																
Complete different ToRs, consolidate overview paper					■	■															
Prepare communication materials					■																
Reference Group and technical working groups formed						■															
Broad consultation on the Standard						■															
Field-based consultations / testing						■	■	■	■	■	■	■	■	■	■						
Regional workshops									tbc		tbc		tbc								
Reference Group/ Steering Committee feedback									■		■		■								
Steering Committee meeting / final workshop														■							
Final draft preparation																■					
Draft ready for Board and GA																	■				
Start implementation of new communication plan																	■				
Prepare relevant materials & edit Guide																	■	■	■	■	
Guide launch; start promotion																					■
Quarterly update to Steering Committee			■				■				■			■	■						■
Progress report										■											
Final report on process and outcomes																■					

As of end March, locations specifically suggested for HAP Secretariat-led field consultations and regional workshops were: Bangladesh, Cambodia, Kenya, Lebanon, Myanmar, Pakistan, Senegal, South Sudan, Thailand. Zimbabwe. Other ECB Phase II countries and locations where HAP worked in the past will also be considered. Locations other than South Sudan will be confirmed in July 09, based on further consultation with members and a joint planning session with Sphere.

For more details, visit <http://www.hapinternational.org/projects/standard/hap-standard/review.aspx>

Annex 2

The HAP Standard Review Process

Working Group on Handling Complaints of Exploitation and Abuse

Main Tasks and Responsibilities of the Lead Agency Focal Point:

Together with the support of the HAP Complaints Handling Officer the lead agency focal point will:

- establish a Working Group of 8-10 individuals with skills and direct experience in complaints handling, prevention of and response to sexual exploitation and abuse and fraud and corruption;
- organise and chair at least three Working Group teleconference meetings;
- collect and provide feedback back on:
 - how the HAP Standard has been applied in prevention and response to abuse and exploitation;
 - the impact of the implementation of the HAP Standard with regards to prevention and response for beneficiaries, agencies and agencies' partners;
 - ways to improve the HAP Standard and certification process for agencies and their partners;
- organize and oversee two inter-agency consultation meetings (at field level and/or Head Office).
- attend a regional consultation if circumstances allow;
- identify other appropriate means to collect feedback and lessons learnt from the applications of the Standard from agencies;
- present the indicators and evidence-based justifications for the proposed changes to the HAP Standard to the Steering Committee at the final Workshop in April 2010;
- prepare regular progress briefings for public dissemination;
- document activities of the Working Group (date, location contributors).

The Working Group's activities will become part of the main activities and timelines for the HAP Review process (see Appendix 1).