

TERMS OF REFERENCE

- A. Job Title:** **National consultant** on capacity and training needs assessment
B. Duty Station: Chisinau, Republic of Moldova
C. Project reference: Strengthening the corruption prevention and analysis functions of the National Anticorruption Center (NAC)
D. Contract type: Individual Contract (IC)
E. Duration of assignment: October – December 2015 (up to 29 working days)

F. Background:

The National Anticorruption Centre of the Republic of Moldova is a central public administration institution. The Centre has the following responsibilities: prevention, investigation and counteraction of corruption and corruption related offences and crimes, as well as acts of corruptive behavior; carrying out anticorruption expertise of draft normative acts and other legislative initiatives presented in the Parliament, ensuring the assessment of corruption risks within public authorities through training and consultation, monitoring and analysis of data on corruption risks assessment and coordinating the development and implementation of integrity plans, integrity testing activities and establishing bi- and multilateral relations with similar agencies abroad.

NAC has a well-defined mandate for the prevention of corruption and is the institution responsible for the coordination of the implementation of the National Anticorruption Strategy (2011 - 2015). The Centre has the organizational, functional and operational independence granted by law and is independent in developing its work plan and in fulfilling its duties. The NAC is organizationally and institutionally qualified to lead on corruption prevention measures across the public sector and beyond.

The institution has managed to achieve particular results under its mandate – an increase in the imposition of sentences for corruption crimes, in the duration of sentencing to real jail time, in deprivation from the right to hold certain positions for public servants with the corrupted behaviors, and a significant increase of active corruption reporting by civil servants. NAC has visibly developed the collaboration with the civil society, achieved more transparency and openness, and pro-actively implements activities aiming at better informing the larger public on the consequences and costs of corruption, available tools for curbing, including reporting through a hotline and other means. In its public awareness activities NAC targets the young generation in particular. Though the improvements in the corruption prevention activity of NAC are visible and recognized and corruption prevention and analysis are priorities for NAC according to its Strategic Plan, the capacities of the institution in these areas are still underdeveloped for the effective implementation of the function as highlighted also in the 2014 NAC Annual Report. The institutional development of the NAC has suffered from a series of re-organizations that have not allowed sufficient time to consolidate certain processes and operating procedures.

The General Division for Preventing Corruption (GDPC) carries out the mission to prevent corruption and to develop strategic policies with the aim to curb this phenomenon, and performs several core functions: assists other organizations in carrying out corruption risk assessments; performs the review of legislation in order to identify vulnerabilities that may facilitate corruption (anticorruption proofing), deals with awareness raising and training activities, performs integrity testing and develops cooperation between the Centre, similar

structures abroad and international organizations. The Directorate has 40 officers. While measurable achievements can be traced in all the functions that are carried out, there is a visible need to step up in the promotion of socially oriented preventive measures: public awareness, including through education and application of innovative tools, public trust, and public demand and support. At the same time, it is necessary to intensify the process of increasing transparency in some areas which are of crucial importance for the fight against corruption, such as the public procurement, declarations of incomes and assets, incompatibilities and corruption risk assessment in public institutions and elaboration and implementation of integrity plans.

The Corruption Analysis Unit is a structural subdivision within the central apparatus of the NAC established in 2013 as a result of the institutional reform, in view of consolidating the function that was scattered across various departments in the previous structure. Currently it comprises 10 staff members and is subordinated to the Director of the Centre. The mission of the division is to conduct multilateral analysis of the models, trends and criminal situation on corruption offences, corruption related offences, as well as on acts of corrupt behavior. The division performs strategic and operational analysis. Considering its novelty and the broadness of understanding of the corruptin phenomenon, the unit is in need of capacity development.

Strengthening the corruption prevention and analysis functions of the National Anticorruption Center (NAC) project is implemented by UNDP in partnership with the NAC and funded by the Government of Norway aiming at enhancing the corruption prevention and analysis functions of the NAC. The project intends to engage an international consultant and a national consultant, which will work as a team to carry out the capacity and training needs assessment of the General Division for Preventing Corruption (GDPC) and Corruption Analysis Unit (CAU) of the NAC using the ***UNDP Methodology for Assessing the Capacities of Anti-Corruption Agencies to Perform Preventive Functions***¹ and based on the conducted analysis of the capacity assets and gaps, will design a comprehensive capacity building programme.

G. Objective:

The main objective of the assignment is to develop an effective and comprehensive Capacity Development and Training Plan for the NAC corruption prevention and analysis units.

H. Strategy:

The national consultant will work in a team with an international consultant and will support him or her in the process of developing and delivering the capacity assessment report. The consultants will apply UNDP Methodology for Assessing the Capacities of Anti-Corruption Agencies to Perform Preventive Functions. The assignment will consist of two stages. The first stage related to the first mission of the international consultant (tentatively scheduled to take place on 5 – 16 October 2015) will involve the review of relevant background documents, materials, and reports prior to and during the mission, focus group discussions involving officials and staff members, and in-depth interview with key officials and heads of units. It may also include interviews and/or focus group discussions with key external partners to discuss possible solutions based on their familiarity and knowledge of the NAC. A functional and skills assessment questionnaire will also be rolled out to identify critical success factors as well as learning needs for various positions in the units. The second stage related to the second mission of the international consultant, which will be undertaken at least two weeks after the first mission, will involve the presentation of the capacity assessment report, its validation, and discussion of the recommendations for the capacity development/training plan. The capacity development/training plan will be submitted to the NAC after the second mission.

I. Scope of work and expected outputs:

The consultancy will have two major outputs:

- (1) Training needs and capacity assessment report;
- (2) Capacity Development/training plan.

In order to achieve the objective, the national consultant shall:

¹ The methodology can be downloaded at:
http://europeandcis.undp.org/uploads/public1/files/Methodology_for_Assessing_the_Capacities_of_Anti_Corruption_Agencies_to_Perform_Preventive_Functions.pdf

- Support the international consultant in preparation of the mission; collect background documentation related to the assignment for the desk review, including the legal acts reflecting the mandate and functions of the NAC and its Corruption Prevention and Corruption Analysis Units, National Anticorruption Strategy, NAC Institutional Development Plan, NAC progress reports for the past years, and other, as relevant for the assignment; support international consultant with the analysis of the relevant legal and strategic documents; provide translation/interpretation where necessary;
- Support international consultant in identifying the focus group(s), developing the questionnaires for individual and focus groups interviews; arrange focus group sessions and individual interviews to evaluate the needs; arrange meetings with relevant stakeholders for the international consultant;
- Participate in all meetings and related activities together with the international consultant and provide him/her with the necessary substantive and logistical support;
- Provide inputs for the draft Capacity and Training Needs Assessment Report;
- Support international consultant in presenting the draft assessment report to NAC and UNDP Moldova; arrange necessary discussions with the focus group(s) and other identified stakeholders and factors in the received feedback;
- Provide inputs to the draft/final Capacity Development/training Plan;
- Perform other tasks necessary for the successful implementation of the assignment.

I. Deliverables:

#	Deliverable	Deadline
1.	Support the international consultant in preparation of the mission provided; background documentation related to the assignment for the desk review collected	5 October 2015 (up to 3 working days)
2.	International consultant supported with the analysis of the relevant legal and strategic documents, in organizing/arranging and participation in focus group sessions, individual interviews, meetings with relevant stakeholders	22 October (up to 14 working days)
3.	Inputs for the draft Capacity and Training Needs Assessment Report provided	28 October 2015 (up to 2 working days)
4.	Inputs for the draft Capacity Development/Training Plan provided	12 November 2015 (up to 2 working days)
5.	International consultant supported in presenting the draft assessment report	28 November (up to 6 working days)
6.	Inputs to final Capacity and Training Needs Assessment Report and Capacity Development/Training Plan provided	5 December 2015 (up to 2 working days)

Deliverables and timeline can be amended or specified for the purpose of the assignment.

Payment will be made upon the successful completion of the task assigned and submission of the assessment report.

J. Organizational Setting:

This is a part-time consultancy. The expert will work in a team with an international consultant and in close collaboration with the management and staff of the National Anticorruption Centre. The expert will work under direct supervision of UNDP Project manager for administrative issues.

K. Inputs:

The National Anticorruption Centre and UNDP Moldova will provide the expert with the necessary information and materials for the fulfilment of tasks, and will provide support in facilitation of the meetings where necessary.

L. Qualifications and skills required:

I. Academic Qualifications:

- Master's Degree or equivalent (5-year university education) in Law, International Public Law, International Relations or other relevant field;

II. Years and sphere of experience:

- At least 3 years of professional experience in consultancy in the area of capacity development;

III. Competencies:

- Proven experience in the anticorruption field;
- Proven extensive knowledge on the phenomenon of corruption, efficient mechanisms for its combating and prevention;
- Past experience in working with anticorruption agencies will be an asset;
- Practical experience in conducting capacity development and training needs assessment; knowledge of the UNDP Methodology for Assessing the Capacities of Anti-Corruption Agencies to Perform Preventive Functions is a strong advantage;
- Demonstrated experience in drafting capacity development/training plans for civil servants;
- Effective communication and strong analytical skills;
- Previous successful experience in development assistance or related work for a donor organization, in particular UNDP, governmental institutions, NGO/think-tank or consulting firm is a strong advantage;
- Knowledge of English, Romanian and Russian;
- Working knowledge of one or more additional languages relevant for Moldova, including Bulgarian, Gagauzian, Romani, Ukrainian or sign language is an asset;

IV. Personal qualities:

- Proven commitment to the core values of the United Nations; in particular, is respectful of differences of culture, gender, religion, ethnicity, nationality, language, age, HIV status, disability, and sexual orientation, or other status;
- Responsibility, flexibility, punctuality.

The UNDP in Moldova is committed to workforce diversity. Women, persons with disabilities, Roma and other ethnic or religious minorities, persons living with HIV, as well as refugees and other non-citizens legally entitled to work in the Republic of Moldova, are particularly encouraged to apply.