



## TERMS OF REFERENCE

### FOR ENGAGEMENT OF INTERNATIONAL CONSULTANT

<b>Review of Public Service Act, protocols and guidelines to ensure the Protection from Sexual Exploitation and Abuse (PSEA), sexual harassment, and workplace violence in Guyana, in addition to the development of relevant protocols, guidelines and mechanisms for the public sector of Guyana</b>	
<b>Hiring Office:</b>	<b>United Nations Population Fund (UNFPA) Sub-Regional Office for the Caribbean/ Guyana</b>
<b>Purpose of consultancy:</b>	<p>Gender equality is enshrined under Article 29 of the Constitution of Guyana which prohibits all forms of discrimination based on sex.<sup>1</sup> A number of laws have been enacted since 1995 directed at protecting women’s rights:</p> <ul style="list-style-type: none"> <li>▪ The Married Persons Property Act (1995, amended in 2014)</li> <li>▪ The Medical Termination of Pregnancy Act (1995)</li> <li>▪ The Domestic Violence Act (1996)</li> <li>▪ The Prevention of Discrimination Act (1997)</li> <li>▪ Termination of Employment and Severance Pay Act (1997)</li> <li>▪ The Representation of the Peoples Act (2001)</li> <li>▪ The Combating of Trafficking in Persons Act (2005)</li> <li>▪ The Persons with Disability Act (2010)</li> <li>▪ The Right of Persons in Common Law Union (Amendment) Act (2012)</li> <li>▪ The Sexual Offences Act (2010, amended 2013)</li> </ul> <p>While it is commendable that legislation and policies exist to address various forms of violence, it is also observed that there is a need to for updating in line with international human rights frameworks, such as addressing inconsistencies on the age of the child, expanding definitions of violence, and including protection from sexual exploitation, sexual harassment and workplace violence.</p> <p>Attention is drawn to:</p> <ul style="list-style-type: none"> <li>• Need for international best practices to guide the strengthening of laws and policies, inclusive of interventions to address PSEA and Sexual Harassment.</li> <li>• Need for an analysis of the harmonization of Guyana’s laws with international conventions to identify and to address gaps.</li> </ul>

<sup>1</sup> Summit Report Regional Gender Equality Strategy and Beijing +25 Summit Herdmanston Lodge, Guyana (March 5-6, 2019)

In 2010, a National Task Force for the Prevention of Sexual Violence (NTFPSV) came into force, reconstituted as a national plan of action for domestic violence and sexual offences, that directs the medical practitioners, police officers, the judiciary and prosecutor.<sup>2</sup> There is a need for this mechanism to include to a greater degree of protection from sexual exploitation and abuse, sexual harassment and workplace violence as part of its mandate. More importantly, however, is the need for the public sector to address protection from sexual exploitation and abuse, sexual harassment and workplace violence via legislation, policies and guidelines.

Various agencies have estimated that Guyana has one of the highest rates of domestic violence among the Commonwealth Caribbean. As per a 2021 study conducted by the Gender Equality Observatory for Latin America and the Caribbean,<sup>3</sup> Guyana recorded the highest rates of gender-related killing of women at the hands of their intimate partner or former partner in the Caribbean (2.0 per 100,000 women). The Health and Life Experiences Study of 2019<sup>4</sup> highlighted that Guyanese women experienced IPV at significantly higher rates than the global average of 1 in 3 women: 55% of all women aged 15-64 have experienced at least one form of violence<sup>5</sup> and 4 in 10 have experienced physical and/or sexual violence from a partner in their lifetime<sup>6</sup>; 38 per cent have experienced physical and/or sexual violence, and more than 1 in 10 have experienced physical and/or sexual violence from a male partner in the past 12 months. The most significant risk factor for non-partner sexual violence (NPSV), including rape, attempted rape, unwanted sexual touching and sexual harassment, is being young: the 15–24 age group reported statistically higher rates of NPSV of every type<sup>7</sup>.

Gender-Based Violence (GBV) remains a serious issue across ethnic and socio-economic groups. The European funded Spotlight Initiative to address family violence noted the following: “Patterns of family violence and sexual violence are deep-rooted in the social fabric of Guyana, enabled by a culture of tolerance of violations of personhood; fear of reprisals by survivors who report these crimes to the authorities; inadequate enforcement of existing laws; the need for economic survival especially by women who have no alternative route to economic security outside of the homestead; beliefs that connect family values to the preservation of a male head in the household irrespective of the brutalities that may be endured by the occupants; practices that undermine the fundamental core of social justice; and knowledge of, and access to services that would alleviate the pain and suffering to which mostly women are vulnerable<sup>8</sup>”

<sup>2</sup> Government of Guyana. (2019) Beijing Plus 25 Review.

<sup>3</sup> 29 countries and territories of the region, reported to the Gender Equality Observatory for Latin America and the Caribbean the latest official data

<sup>4</sup> The Guyana Women’s Health and Life Experiences Survey 2018 is the first report to provide a comprehensive examination of the nature and prevalence of violence against women and girls in Guyana.

<sup>5</sup> Caribbean Women Count: Ending Violence and Women and Girls Data Hub (n.d.). <https://caribbeanwomenscount.unwomen.org/countries.html?country=1>

<sup>6</sup> Spotlight Initiative. (n.d.). Guyana Country Programme Document

<sup>7</sup> Guyana Women’s Health and Life Experiences Survey Report. (2019). <https://www2.unwomen.org/-/media/field%20office/iii%20caribbean/attachments/publications/2019/guyana-womens-health-and-life-experiences-survey-report-2019.pdf?la=en&vs=4309>

<sup>8</sup> Spotlight Initiative. (n.d.). Guyana Country Programme Document

	<p>It is worth noting that Guyana hosts refugees and migrants from Venezuela, including significant numbers of indigenous people, as well as Guyanese returnees from Venezuela, which has increased the pressure on GBV service providers and host communities in hard to reach hinterland regions of Guyana along the border with Venezuela as well as in urban/peri-urban locations in the coastland<sup>9</sup>. Migrants from Venezuela have been particularly affected by unemployment, and some of them are exchanging sex for money to survive. This increases their vulnerability of becoming victims of human trafficking, exploitation, and other forms of GBV.<sup>10</sup> As for October 2022, Guyana hosted 24,500 refugees and migrants from Venezuela, as well as 206 refugees and asylum seekers from other nationalities, including Cubans and Haitians.</p> <p>In light of the foregoing, the United Nations Population Fund (UNFPA) recognizes the critical need to strengthen protection from sexual exploitation and abuse, sexual harassment and workplace violence efforts within the public sector in Guyana, via legislation, policies, guidelines, and mechanisms. UNFPA is committed to supporting the required assessment, capacity development, workplan development, implementation of required legislation/policies/guidelines, establishment Standard Operating Procedures (SOPs), training, and complaint mechanisms. UNFPA seeks to provide support to the Government of Guyana, through the Ministry of Human Services and Social Security, the Ministry of Public Service, the Ministry of Legal Affairs, and the Ministry of Home Affairs, through UNFPA’s EQUAL SRHR programme funded by Canada.</p>
<p><b>Scope of work:</b> <i>(Description of services, activities, or outputs)</i></p>	<p><b>Goal:</b> Build the capacity of the public sector in Guyana to strengthen protection from sexual exploitation and abuse, sexual harassment, and workplace violence, in line with international standards and best practices.</p> <p><b>Expected Outcome:</b> Government framework for protection from sexual exploitation and abuse, sexual harassment, and workplace violence, is updated and in line with international standards and best practices. Public servants are also equipped with the skills, knowledge, policies, procedures, and mechanisms, to adequately prevent, mitigate risk and respond to instances of sexual exploitation and abuse, sexual harassment, and workplace violence, thereby improving the national response to sexual exploitation and abuse, sexual harassment, and workplace violence.</p> <p><b>Expected Outputs:</b> The International Consultant to be recruited will be expected to undertake the following tasks (in support of the Ministry of Human Services and Social Security [the lead Government partner on this initiative], as well as the Ministry of Public Service, the Ministry of Legal Affairs, and the Ministry of Home Affairs in Guyana):</p>

<sup>9</sup> Regional Response Plans for Refugees and Migrants 2023-2024 Guyana 2-pager | R4V. (s. f.). <https://www.r4v.info/en/document/rmrp-2023-2024-guyana2-pager-22>

<sup>10</sup> UNAIDS. (2020). Guyana community organization serves sex workers on the edge during COVID-19. <https://reliefweb.int/report/guyana/guyana-community-organization-serves-sex-workers-edge-during-covid-19>

- (1) Key personnel within the Ministry of Human Services and Social Security, the Ministry of Public Service, the Ministry of Legal Affairs, the Ministry of Home Affairs, the Guyana Police Force, the Guyana Immigration Department, the Guyana Defence Force, as well as the Civil Defence Commission, are sensitized on protection from sexual exploitation and abuse, sexual harassment, and workplace violence; to allow the Government Ministries/Departments/Agencies a full understanding of protection from sexual exploitation and abuse, sexual harassment, and workplace violence.
- (2) Completed review and assessment of the Public Service Act, protocols, guidelines, and relevant regulations as well as the provision of proposed amendments to said act, protocols, guidelines, and relevant regulations, for the entrenchment of protection from sexual exploitation and abuse, sexual harassment, and workplace violence.
- (3) Stakeholder engagements completed with the public sector on the development of protocols/ guidelines/ standards for protection from sexual exploitation and abuse, sexual harassment, and workplace violence.
- (4) Specific and relevant protocols/ guidelines/ standards developed for the public sector to effectively address protection from sexual exploitation and abuse, sexual harassment, and workplace violence.
- (5) Targeted training of public servants on protection from sexual exploitation and abuse, sexual harassment, and workplace violence, completed; inclusive of training on tools, protocols/ guidelines/ standards for addressing protection from sexual exploitation and abuse, sexual harassment, and workplace violence.
- (6) Trainer of Trainers identified and trained [from within the Ministry of Human Services and Social Security, the Ministry of Public Service, and the Ministry of Home Affairs] to continuously cascade training of public servants on protection from sexual exploitation and abuse, sexual harassment, and workplace violence; inclusive of training on tools, protocols/ guidelines/ standards for addressing protection from sexual exploitation and abuse, sexual harassment, and workplace violence. Additionally, training material and tools on the prevention of sexual exploitation and abuse, sexual harassment, and workplace violence, incorporated into the Public Service Training Center, as part of efforts to sustain the intervention beyond the UNFPA EQUAL SRHR programme end date.
- (7) Completed assessment on issues, gaps, and existence of/quality of complaint and feedback mechanisms for addressing protection from sexual exploitation and abuse, sexual harassment, and workplace violence.
- (8) Establishment of in-country program and network for addressing protection from sexual exploitation and abuse, sexual harassment, and workplace violence in the public sector in Guyana, including the development of the Terms of Reference, workplan, and other relevant documents.
- (9) Establishment/Strengthening of inter-agency and public sector complaint and feedback mechanisms alongside information sharing and reporting mechanisms, for addressing protection from sexual exploitation and abuse, sexual harassment, and workplace violence
- (10) Development of monitoring and evaluation tools to assess the effectiveness of training. These monitoring and evaluation tools will be applied during sensitization and training sessions of public servants. Similarly, the development of monitoring and evaluation tools to assess the implementation of the national framework for protection from sexual exploitation and abuse, sexual harassment, and workplace violence. The findings from the application of the monitoring and evaluation tools will be shared with UNFPA and relevant

	<p>partners for further review and assessment, as part of efforts to strengthen the effectiveness of the intervention.</p> <p>As part of the support to the Ministry of Human Services and Social Security, the Ministry will guarantee the sustainability of this initiative in Guyana.</p>												
<p><b>Duration and working schedule:</b></p>	<p>The contract of this consultancy will be for a period of nine (9) months, in 2024. The following deliverables are expected of this consultancy in keeping with UNFPA’s services delivery guidelines:</p> <table border="1" data-bbox="500 512 1513 1587"> <thead> <tr> <th data-bbox="500 512 574 575"></th> <th data-bbox="574 512 1253 575"><b>Deliverables</b></th> <th data-bbox="1253 512 1513 575"><b>Completion Date</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="500 575 574 674">1</td> <td data-bbox="574 575 1253 674"><i>Inception Report</i></td> <td data-bbox="1253 575 1513 674">Within 7 days of commencement</td> </tr> <tr> <td data-bbox="500 674 574 1308">2</td> <td data-bbox="574 674 1253 1308">Completion of preliminary sensitization of key personnel within the Ministry of Human Services and Social Security, the Ministry of Public Service, the Ministry of Legal Affairs, the Ministry of Home Affairs, the Guyana Police Force, the Guyana Immigration Department, the Guyana Defence Force, as well as the Civil Defence Commission; to allow the Government Ministries/ Departments/ Agencies a full understanding of protection from sexual exploitation and abuse, sexual harassment, and workplace violence. Such sensitization would have included emphasis on root causes, dynamics, standards, and cross cutting approaches for accountability, cultural change, the survivor centered approach. Such sensitization would have also addressed the UN Government framework [CAPSEAH] and its application at national level, the UN implementing partner protocols, and the global Inter-Agency Standing Committee standards and policy framework.</td> <td data-bbox="1253 674 1513 1308">4 weeks</td> </tr> <tr> <td data-bbox="500 1308 574 1587">3</td> <td data-bbox="574 1308 1253 1587">Completion of rapid review and risk assessment of the Public Service Act, protocols, guidelines, and relevant regulations as well as the provision of proposed amendments to said act, protocols, guidelines, and relevant regulations, for the entrenchment of protection from sexual exploitation and abuse, sexual harassment, and workplace violence.</td> <td data-bbox="1253 1308 1513 1587">2 weeks</td> </tr> </tbody> </table>		<b>Deliverables</b>	<b>Completion Date</b>	1	<i>Inception Report</i>	Within 7 days of commencement	2	Completion of preliminary sensitization of key personnel within the Ministry of Human Services and Social Security, the Ministry of Public Service, the Ministry of Legal Affairs, the Ministry of Home Affairs, the Guyana Police Force, the Guyana Immigration Department, the Guyana Defence Force, as well as the Civil Defence Commission; to allow the Government Ministries/ Departments/ Agencies a full understanding of protection from sexual exploitation and abuse, sexual harassment, and workplace violence. Such sensitization would have included emphasis on root causes, dynamics, standards, and cross cutting approaches for accountability, cultural change, the survivor centered approach. Such sensitization would have also addressed the UN Government framework [CAPSEAH] and its application at national level, the UN implementing partner protocols, and the global Inter-Agency Standing Committee standards and policy framework.	4 weeks	3	Completion of rapid review and risk assessment of the Public Service Act, protocols, guidelines, and relevant regulations as well as the provision of proposed amendments to said act, protocols, guidelines, and relevant regulations, for the entrenchment of protection from sexual exploitation and abuse, sexual harassment, and workplace violence.	2 weeks
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	4	Completion of stakeholder engagements with the public sector on the development of protocols/ guidelines/ standards for protection from sexual exploitation and abuse, sexual harassment, and workplace violence. [This intervention would have acknowledged that there should be only one country-wide guideline. Specific organisations may have their own operational procedures, reporting and response mechanisms, as well as relevant policies including a code of conduct and a complaint feedback mechanism].	8 weeks
	5	Development of specific and relevant protocols/ guidelines/ standards developed for the public sector to effectively address protection from sexual exploitation and abuse, sexual harassment, and workplace violence.	2 weeks
	6	Completion of targeted training of public servants on protection from sexual exploitation and abuse, sexual harassment, and workplace violence; inclusive of training on tools, protocols/ guidelines/ standards for addressing protection from sexual exploitation and abuse, sexual harassment, and workplace violence.	4 weeks
	7	Completed identification and training of Trainer of Trainers (ToTs) [from within the Ministry of Human Services and Social Security, the Ministry of Public Service, and the Ministry of Home Affairs] to continuously cascade training of public servants on protection from sexual exploitation and abuse, sexual harassment, and workplace violence; inclusive of training on tools, protocols/ guidelines/ standards for addressing protection from sexual exploitation and abuse, sexual harassment, and workplace violence. Additionally, training material and tools on the prevention of sexual exploitation and abuse, sexual harassment, and workplace violence, incorporated into the Public Service Training Center, as part of efforts to sustain the intervention beyond the UNFPA EQUAL SRHR programme end date.	4 weeks
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<p><b>Place where services are to be delivered:</b></p>	<p>The International Consultant engaged will be expected to work on-site, utilizing own computer. Internet, telephone and other equipment, as needed, will be made available at the UNFPA Guyana Liaison Office to support the Consultant in undertaking this assignment.</p> <p>UNFPA and the Ministry of Human Services and Social Security will facilitate work that the International Consultant may need to conduct from the UNFPA Guyana Liaison Office, from the Ministry of Human Services and Social Security, from the Ministry of Public Service, from the Ministry of Legal Affairs and from the Ministry of Home Affairs [including the Guyana Police Force, the Guyana Immigration Department, the Guyana Defence Force, and the Civil Defence Commission].</p>										
<p><b>Delivery dates and how work will be delivered (e.g. electronic, hard copy etc.):</b></p>	<p>The International Consultant will be expected to submit the following deliverables in English, in soft copies, to UNFPA and the Ministry of Human Services and Social Security for review and approval, according to the duration and working schedule. The International Consultant will be expected to interact both physically and virtually, as needed, with stakeholders, UNFPA staff, staff of the Ministry of Human Services and Social Security, the Ministry of Public Service, the Ministry of Home Affairs, and the Ministry of Legal Affairs, as well as members of CSO networks in Guyana and members of the UN PSEA Network.</p> <p>All documents produced as a result of the consultancy will be the property of UNFPA, the Ministry of Human Services and Social Security, and the EQUAL SRHR programme.</p>										
<p><b>Monitoring and progress control, including</b></p>	<p>The International Consultant will work closely with the UNFPA Liaison Officer for Guyana, who serves as the project manager for the EQUAL SRHR programme in</p>										

<p><b>reporting requirements, periodicity format and deadline:</b></p>	<p>Guyana, UNFPA’s Global PSEA Focal Point within the UNFPA PSEA Unit, as well as the respective focal points within the Ministry of Human Services and Social Security, the Ministry of Public Service, the Ministry of Legal Affairs, and the Ministry of Home Affairs, as well as other key stakeholders.</p> <p>The International Consultant will be expected to maintain fluid communication. To this end, virtual and physical meetings will take place throughout the consultancy. Importantly, the design, monitoring and implementation of this initiative will involve the Ministry of Human Services and Social Security, the Ministry of Public Service, the Ministry of Legal Affairs and the Ministry of Home Affairs [including the Guyana Police Force, the Guyana Defence Force, and the Guyana Immigration Department].</p>
<p><b>Supervisory arrangements:</b></p>	<p>The International Consultant will report to the UNFPA Liaison Officer for Guyana, with a dotted line reporting relationship to UNFPA’s Global PSEA Focal Point within the UNFPA PSEA Unit [to ensure that the International Consultant is aware of and familiar with some of the ongoing inter-agency initiatives to enhance work with governments on protection from sexual exploitation and abuse, sexual harassment, and workplace violence, including the Global Cooperation Framework (which provides an assessment tool and methodology), the adaptation of the implementing partner common assessment tool for implementing partners, and the CAPSEAH framework led by FCDO, as well as to ensure that the approach developed is aligned with UNFPA standards and the survivor-centered approach].</p> <p>The International Consultant will be required to complete all tasks in a structured manner and according to the timeline specified in the working schedule.</p>
<p><b>Expected travel:</b></p>	<p>The International Consultant may be required to travel to the EQUAL SRHR target Administrative Regions in Guyana; Regions # 1 (Barima – Waini), # 3 (Essequibo Islands – West Demerara), # 4 (Demerara – Mahaica), # 7 (Cuyuni – Mazaruni), # 8 (Potaro – Siparuni), and # 9 (Upper Takatu – Upper Essequibo), to fulfill the deliverables of the Consultancy.</p> <p>International and local travel arrangements will be made by UNFPA in accordance with its Travel Policy.</p>
<p><b>Required expertise, qualifications and competencies, including language requirements:</b></p>	<p>The ideal International Consultant will need to possess a record of accomplishment, having supported the delivery of protection from sexual exploitation and abuse, sexual harassment, and workplace violence interventions.</p> <p>The ideal International Consultant will need to meet the following requirements:</p> <p><b>1. EDUCATION</b> An Advanced University degree in Social Science, Public Health, gender, legal advice as it related to gender and GBV, and development or related technical field is required.</p> <p><b>2. WORK EXPERIENCE</b> At least seven (7) years’ experience in programming in relevant areas, such as, gender, social work, GBV service provision to GBV survivors, protection from sexual exploitation and abuse, sexual harassment, and workplace violence interventions, as well as project development and implementation.</p>

	<p>Technical experience in the elimination of violence against women and girls and knowledge and experience in the delivery of protection from sexual exploitation and abuse, sexual harassment, and workplace violence interventions is essential. Experience in providing policy advice to the government officers and/or designing and developing programmes.</p> <p>Working experience in the Caribbean region, especially Guyana, will be an asset. Previous experience with the UN and specifically UNFPA will be an asset.</p> <p><b>3. LANGUAGE</b> Excellent oral and written communication skills in English</p> <p><b>4. COMPETENCIES</b> Excellent analytical and writing skills and results oriented. Competence in basic IT packages, particularly MS Word and MS Excel, would be an asset.</p>									
<p><b>Inputs/ services to be provided by UNFPA or implementing partner</b></p>	<p>UNFPA and the Ministry of Human Services and Social Security will support the International Consultant in the execution of the activities.</p> <p>The International Consultant will be required to complete all identified mandatory courses in order to undertake this consultancy.</p>									
<p><b>Other relevant information or special conditions, if any:</b></p>	<p>Payment of Consultancy fee will be made in accordance to the following schedule:</p> <table border="1" data-bbox="500 1010 1484 1675"> <thead> <tr> <th data-bbox="500 1010 581 1077"></th> <th data-bbox="581 1010 1393 1077"><b>Deliverables</b></th> <th data-bbox="1393 1010 1484 1077"><b>%</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="500 1077 581 1144">1</td> <td data-bbox="581 1077 1393 1144"><i>Inception Report</i></td> <td data-bbox="1393 1077 1484 1144">15</td> </tr> <tr> <td data-bbox="500 1144 581 1675">2</td> <td data-bbox="581 1144 1393 1675">Completion of preliminary sensitization of key personnel within the Ministry of Human Services and Social Security, the Ministry of Public Service, the Ministry of Legal Affairs, the Ministry of Home Affairs, the Guyana Police Force, the Guyana Immigration Department, the Guyana Defence Force, as well as the Civil Defence Commission; to allow the Government Ministries/ Departments/ Agencies a full understanding of protection from sexual exploitation and abuse, sexual harassment, and workplace violence. Such sensitization would have included emphasis on root causes, dynamics, standards, and cross cutting approaches for accountability, cultural change, the survivor centered approach. Such sensitization would have also addressed the UN Government framework [CAPSEAH] and its application at national level, the UN implementing partner protocols, and the global Inter-Agency Standing Committee standards and policy framework.</td> <td data-bbox="1393 1144 1484 1675">30</td> </tr> </tbody> </table>		<b>Deliverables</b>	<b>%</b>	1	<i>Inception Report</i>	15	2	Completion of preliminary sensitization of key personnel within the Ministry of Human Services and Social Security, the Ministry of Public Service, the Ministry of Legal Affairs, the Ministry of Home Affairs, the Guyana Police Force, the Guyana Immigration Department, the Guyana Defence Force, as well as the Civil Defence Commission; to allow the Government Ministries/ Departments/ Agencies a full understanding of protection from sexual exploitation and abuse, sexual harassment, and workplace violence. Such sensitization would have included emphasis on root causes, dynamics, standards, and cross cutting approaches for accountability, cultural change, the survivor centered approach. Such sensitization would have also addressed the UN Government framework [CAPSEAH] and its application at national level, the UN implementing partner protocols, and the global Inter-Agency Standing Committee standards and policy framework.	30
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	11	Development of monitoring and evaluation tools to assess the effectiveness of training. These monitoring and evaluation tools will be applied during sensitization and training sessions of public servants. Similarly, the development of monitoring and evaluation tools to assess the implementation of the national framework for protection from sexual exploitation and abuse, sexual harassment, and workplace violence. The findings from the application of the monitoring and evaluation tools will be shared with UNFPA and relevant partners for further review and assessment, as part of efforts to strengthen the effectiveness of the intervention.	25
	12	<b><i>Final Report</i></b>	
<p>The International Consultant will be paid based on the submission and acceptance of the deliverables that are reflective of UNFPA’s inputs. All payments will be made in keeping with the signed contract.</p>			