

TERMS OF REFERENCE

Individual national consultant Review and Update the Probation Officers manual

1. Summary

Title	Consultant – Probation manual of Department of Social Development
Purpose	To Update the current Probation manual of the Department of Social Development (former Welfare) in line with international standards and in line with expectations of the newly approved Child and Family Welfare Policy and Justice for Children Policy and provide initial training for the Officers at national and regional level based on the revised manual.
Type of Contract	National individual consultant contract
Expected fee	TBD in line with UNICEF standard rates
Location	The consultant/s will be working from their respective place of residence with meetings and field work undertaken during the period.
Duration	5 months spread over 7 months
Start Date	March 2016
Reporting to	Child Protection Specialist, Child Justice
Budget Code/PBA No	Grant SC/14/277
Project and activity codes	Activity 6.3

1. Background

Each day, the safety and well-being of some children across the country are threatened by child abuse and neglect. Resulting in some children coming into contact with the law. Intervening effectively in the lives of these children and their families is a shared responsibility for Social Welfare and other stakeholders. For this reason, the Government of Ghana is taking concrete steps to reform, improve and make relevant the overall child protection system and thereby more effectively prevent and address issues of violence, abuse and exploitation of children. A significant step for the strengthening of the child protection system has been the Child and Family Welfare Policy, approved by the Cabinet in February 2015, and the Justice for Children Policy.

The key objectives of these Policies are to establish the framework for protecting all children from violence, abuse, exploitation and neglect as well as improve children's access to justice both within the formal and informal systems. To this end, the role of the Department of Social Welfare and specifically the work of the Probation Unit becomes critical for several reasons.

The Department of Social Development is the first instance Institution for receiving individual claims for social welfare assistance, as well as the providers of a range of probation services. The changing landscape of social welfare issues i.e. juvenile administration, family courts and adoption issues reflects increased recognition of the complexity of issues facing children and families. The recent child protection baseline research into the situation of children in Ghana and the current Child Protection Policies (Child and Family Welfare Policy and Justice for children's policy) are new innovations geared towards systems reform efforts as

these policies place serious obligations on social welfare service providers. In spite of the obligations placed on them, various gaps have been identified with respect to the quality of probation services provided.

An indispensable precondition to effective probation services is an effective working relationship between the judges and the probation officers. Probation officers have the responsibility of writing Social Enquiry Reports that informs the final outcomes of decisions regarding a child who has committed an offence contrary to the law. The Juvenile Justice Act makes it mandatory for an SER to be submitted to the court regarding juvenile offender.¹ Furthermore, SER are to be submitted to the Court regarding adoption as laid out in the adoption rules.² They also have responsibility for supervising children placed on probation and help prevent delinquency. Yet, there are huge challenges that come with probation service in terms of the quality of services they deliver.

There are many Children in the probation officer's caseload who lack the social and personal resources needed to properly reintegrate back into community. Many children have the tendency to become delinquent because of situational factors and the backgrounds of their families. The competence of the probation officer is judged by his ability to understand the causes of the delinquent behavior of children who come into contact with the law, by his ability to determine how such behaviors can be modified or controlled, and by their ability to render whatever assistance is appropriate in restoring children to their families thereby affecting outcomes of decisions determined by Judges.

Currently the Probation service is guided by a probation manual. The manual which was developed in 2006, is so outdated and does not reflect the current/changing dynamics of children coming into contact with the law. The said manual has never been reviewed. Neither does the manual reflect the aspirations of the policies guiding the system strengthening agenda. The lack of training for the Probation officers has further led to instances where Judges disagree with the recommendations of probation officers in making their decisions regarding children. This has huge implications for all other services being provided for children in contact with the law.

It is essential that Probation Officers generally understand their obligations and duly deliver social services to their constituents (rights-holders) in an effective and timely manner. Amongst other duties, this entails the understanding of juvenile delinquency, abuses against children, child maltreatment and the roles and responsibilities of various practitioners in its prevention, identification, investigation, and treatment responses to issues confronting all categories of children in contact with the law.

A carefully designed manual will serve as valuable resource for building knowledge, promoting effective practices, and enhancing community collaboration for improved probation service. The manual to be reviewed and updated should be comprehensive in scope while also succinct in presentation and easy to follow, addressing changing trends relevant to the requirements of probation services.

Based on the above, it is proposed to review and update the current probation manual to meet international standards and reflect the aspirations of the forthcoming Justice for Children's Policy. The manual should provide guidance and describe the basic stages of the probation services/ procedures and steps necessary to

¹ Section 24(1) Juvenile Justice Act 2003, Act 653

² Section 12(1) of Adoption Rules 2003, CI 42

accomplish each stage: intake, initial assessment or investigation, family assessment, case planning, service provision, evaluation of family progress, reporting and case closure. Best practices and critical issues in case management should be underscored throughout the manual.

As part of the manual, a section should be set aside for detailed records/recording of cases. The recording/documenting of cases should describe the situation of the child, what is being done about it, and the suggested plan for assisting the child and social reintegration. The case record is expected to serve as a protection to the client, as a possible research tool, and as a way to develop skill and to gain new knowledge in emerging trends.

2. Justification

In partnership with the department of Social Development a consultant will be contracted by UNICEF to review and update the current probation manual to meet international standards. The manual should be completed with a training plan for the Probation unit and an initial training delivered based on the manual.

This assignment is directly contributing to the implementation of the Child and Family Welfare Policy and forthcoming Justice for Children Policy. The assignment and expected deliverables directly relates to the expected result of Government of Ghana/ UNICEF's 2015-2016 work plan, specifically activity 6.5. The assignment requires specific technical skills and practical and theoretical understanding of child protection issues in the context of roles, responsibilities and practices of probation services. It will require full-time work for the period outlined herein.

3. Specific Tasks

In close collaboration with the Department of Social Welfare and UNICEF Child Protection Programme, the consultant will undertake the following activities:

- 1. Prepare a detailed inception report articulating the understanding of TOR, proposed methodology and work plan for undertaking the assignment.**
- 2. Prepare a capacity gap analysis report outlining the current short-comings in terms of capacity and resources of probation officers. Methodology for developing such capacity gap analysis report should involve review of current probation manual and other relevant reference documents, meetings with the department of Social Development and selected number of probation officers at national and regional level to understand capacity and resource gap that exist in the delivery of services. This process should also involve desk review and interviews with selected juvenile Judges, Family and juvenile courts and observations visits to selected probation offices in the regions. Recommendation is such capacity gap analysis should also include recommendations of ICT/resource support that will enable the probation officers to undertake their work efficiently, effectively and sustainably.**
- 3. Hold consultative meeting with critical stakeholders such as Probation Officers, Magistrates and Panel Members as part of reviewing the current probation manual and identify areas**

requiring major changes and in line with international standards and National Policy aspirations

4. Develop a draft probation manual in line with international standards and in line with recently approved Child and Family Welfare Policy and Justice for Children Policy. The manual should entail forms needed to undertake required investigation, case management and submission to the courts. It should also help establish reporting mechanisms and allow for monitoring and evaluation of services.
5. Hold consultative meeting with Probation Officers, Magistrates and Panel Members on the draft manual and incorporate inputs.
6. On the basis of point 4, finalise the manual and submit both soft and hard copy to UNICEF for further sharing with the Department of Social Development
7. Conduct initial training for Probation Officers (based on a number to be decided and agreed upon in consultation with the Department of Social Development) based on the manual for purposes of revising such areas as needed. The training should be for Master trainers in Probation services. Who identifies the officers to be trained? How are they selected? Are they coming from all regions? They will continue with the training all other Probation Officers, monitoring and continuously improve the services for children. The training which will be financed by UNICEF may be done in a selected region to be decided by the Department of Social Development.
8. Finalise and submit Probation Manual. Also submit detailed report on training conducted. Also submit a detailed report on training conducted

It should be noted that apart from input from stakeholders, technical input will also be sought from external sources mention them in the form of peer-review of the draft and final documents.

4. Expected Deliverables Please consider my comments above and see how you can reflect same in below table.

Activities	Deliverables	Time frame
1. Prepare a detailed inception report articulating your understanding of TOR, proposed methodology and work plan for undertaking the assignment. Suggested to be done as part of selection process of candidates	A detailed inception report that outlines, methodology, and work plan for undertaking the assignment submitted to the DSW and UNICEF.	2 weeks after signing contract
2. Prepare a capacity gap analysis report outlining the current short-	Capacity gap analysis completed and report submitted.	3 weeks

<p>comings in terms of capacity and resources of probation officers. Methodology for developing such capacity gap analysis report should involve review of current probation manual and other relevant reference documents, meetings with the department of Social Development and selected number of probation officers at national and regional level to understand capacity and resource gap that exist in the delivery of services. This process should also involve desk review and interviews with selected juvenile Judges, Family and juvenile courts and observations visits to selected probation offices in the regions. Recommendation is such capacity gap analysis should also include recommendations of ICT/resource support that will enable the probation officers to undertake their work efficiently, effectively and sustainably.</p>		
<p>4 Hold consultative meeting with critical stakeholders such as Probation Officers, Magistrates and Panel Members as part of reviewing the current probation manual and identify areas requiring major changes and in line with international standards and National Policy aspirations</p>	<p>Consultative meetings held and areas requiring major changes identified.</p>	<p>2 week</p>
<p>5 Develop a draft probation manual in line with international standards and in line with recently approved Child and Family Welfare Policy and Justice for Children Policy. The manual</p>	<p>Draft Probation Manual submitted for review and feedback</p>	<p>3 weeks</p>

<p>should entail forms needed to undertake required investigation, case management and submission to the courts. It should also help establish reporting mechanisms and allow for monitoring and evaluation of services.</p>		
<p>6 Hold consultative meeting with Probation Officers, Magistrates and Panel Members on the draft manual and incorporate inputs.</p>	<p>Consultative meetings held on draft manual</p>	<p>3 weeks</p>
<p>4 On the basis of point 4, finalise the manual and submit both soft and hard copy to UNICEF for further sharing with the Department of Social Development</p>	<p>Manual finalized and TOT undertaken based on the manual</p>	<p>2 weeks</p>
<p>5 Conduct initial training for Probation Officers (based on a number to be decided and agreed upon in consultation with the Department of Social Development) based on the manual for purposes of revising such areas as needed. The training should be for Master trainers in Probation services. Who identifies the officers to be trained? How are they selected? Are they coming from all regions? They will continue with the training all other Probation Officers, monitoring and continuously improve the services for children. The training which will be financed by UNICEF may be done in a selected region to be decided by the Department of Social Development.</p>	<p>Initial training conducted</p>	<p>2 Weeks</p>

3 Finalise and submit Probation Manual. Also submit detailed report on training conducted. Also submit a detailed report on training conducted	Probation Manual and detailed training report submitted	3 weeks
	Total duration	5 months

5. Reporting

The consultant will work closely with the Department of Social Development in collaboration with UNICEF Child Protection, justice for children Programme. Formal supervisor will be the Child Protection Specialist – Justice for Children.

6. Proposed Payment Schedule

20% upon completion of workplan, deliverable 1

40% upon completion of deliverable 2, 3, and 4

40% upon completion of deliverable 5, 6 and 7 and 8

7. Expected background and Experience

The Consultant must possess the following qualifications and experiences:

- A Master’s Degree in social science, law, governance, public administration or other relevant field.
- Minimum of eight (8) years’ experience with focus on Social Welfare Services, Probation work or other related fields.
- Excellent understanding and experience in child protection and justice for children, including juvenile justice and probation services.
- Excellent process planning, organizing and facilitation skills including in relation to development of manuals and capacity building
- Extensive experience in developing manuals, analysis and report writing.
- Excellent writing and presentation skills and excellent command of the English language.
- Strong communication and team work competencies.

General Conditions: Procedures and Logistics

- UNICEF will not provide any material or logistics support other than transport and DSA during official field trips needed to undertake this assignment All trips must be based on work and travel plan authorized by supervisor.
- Consultant will be provided a working space within the Department of Social Development

- The consultant should provide his/her own stationery and office materials/ consumables – computer, data storage devices, paper etc.
- The consultant will have access to transport along with Security Radio when in the field on official travel.
- The consultant/s will not be entitled to payment of overtime. All remuneration must be within the contract agreement.
- Payments will be based on the successful completion of deliverables.
- The consultants will be entitled to DSA for official travel necessary for the assignment for travel outside of Accra. Assumption here is that consultant will be based in Accra. You want consultant to work from home place, what if he/she is based in Kumasi and needs to travel to Accra for any meeting?
- UNICEF will cover the cost for travel of the internationally recruited consultant at economy ticket from place of residence/recruitment to Accra, Ghana. While in country, the consultant will be paid DSA at UN rate for Accra (other than for days spent outside of Accra for undertaking possible field travels delete this, not necessary as this is a national consultant

Policy both parties should be aware of:

- Under the consultancy agreement, a month is defined as 21 working days, and fees are prorated accordingly. Consultants are not paid for weekends or public holidays.
- Consultants are not entitled to payment of overtime. All remuneration must be within the contract agreement.
- No contract may commence unless the contract is signed by both UNICEF and the consultant or Contractor.
- For international consultants outside the duty station, signed contracts must be sent by fax or email. Signed contract copy or written agreement must be received by the office **before Travel Authorisation is issued. Not necessary**
- Consultants will not have supervisory responsibilities or authority on UNICEF budget.
- Please consult with HR on other provisions as many are set by UNICEF rules.

Application Procedure:

Interested individuals who meet the minimum requirements should please submit their application (indicating the title of the consultancy in the subject line) with a copy of their CV and P11 form to, 'hrghana@unicef.org' by Wednesday 16 March 2016

Candidates are also required to indicate their fees for the services to be provided in Ghana cedis. The fee should be expressed as a monthly rate.