TERMS OF REFERENCE FOR NATIONAL BASELINE RESEARCH

FOR THE PROJECT
"Data for Monitoring the Safety of Imprisoned Children – Data MOSAIC" funded by the European Commission's Citizens, Equality, Rights and Values (CERV) programme

Terre des hommes Romania is seeking a qualified external researcher for a National Baseline Research part of *"Data for Monitoring the Safety of Imprisoned Children – Data MOSAIC"* funded by the European Commission's Citizens, Equality, Rights and Values (CERV) programme and implemented in Romania by Terre des hommes (Tdh) Romania.

1.   Presentation of Terre des hommes

Terre des hommes (Tdh) is the leading Swiss child relief agency. Founded in 1960, we are committed to improving the lives of millions of the world's most vulnerable children. Through our innovative protection and health projects, we provide assistance to over three million children and their families in almost forty countries each year. In Europe, Tdh intervenes directly or indirectly in many countries, relying on teams based in Budapest, Albania, Greece, Kosovo, Romania, Moldova and Ukraine. Every year thousands of children and their families benefit from projects implemented either at a national or regional level.

In Romania, Terre des hommes (Tdh Ro) has been active since 1992. For the past few years, the delegation has been working on three main intervention areas: (1) Strengthening child protection and juvenile justice systems, (2) Protection of children affected by migration and/or trafficking, and (3) Social inclusion of minorities.

2.   Context

Title: Data for Monitoring the Safety of Imprisoned Children – Data MOSAIC

Context

Funded by the European Commission's Citizens, Equality, Rights and Values (CERV) programme, the **Data for Monitoring the Safety of Imprisoned Children – Data MOSAIC** project is implemented by Penal Reform International in partnership with Terre des Hommes / Tierra de Hombres, the Social Activities and Practice Institute (SAPI), Universidade NOVA de Lisboa and with the support of child justice authorities in Bulgaria, Ireland and Romania.

Over the next two years, the Data MOSAIC team will map current practices and promising approaches to monitoring and tackling violence against children in prisons across the EU, develop a data collection tool and guidance on the basis of identified gaps, needs and child-friendly, human rights-based practices. At the national level it will conduct in-depth research and pilot a tailored data collection tool in detention facilities in the three focus countries, Bulgaria, Ireland and Romania.

This project is aimed at preventing violence against children (VAC) by filling the data gap and building improved data collection systems on VAC at a national and regional level. Specifically, the project targets children in contact with justice systems who are deprived of their liberty. This group is inherently vulnerable, faced with specific risks of violence, as underscored both in the EU Directive on Procedural Safeguards and by the UN in noting the "significant

risk of violence that arises simply from being deprived of one's liberty. The more overcrowded the facility, and the lower the staff-to-child ratio, the greater the risk of violence becomes, and possible sources of violence in institutional settings are numerous. Violence occurs at the hands of staff working in the institutions, adult detainees where children are not separated, other child detainees, and also in the form of self-harm." Facilitating processes and systems that can protect detained children from violence is urgently needed, which is why this project specifically chose them as a target group. The project additionally focuses on understanding and addressing violence against certain, often marginalised groups, such as girls and children with an LGBTQ+ identity, in line with the European Commission's call for systematic collection and reporting of data on gender-based violence.

3. Objectives of the Research

The National Baseline Research's objective is to map out and assess **current tools and practices in data collection on violence against children** (VAC) in Romanian detention and education centers (Craiova, Braila, Tg. Ocna Tichilesti and Buzias) to identify **gaps**, **needs** and **good practices**. The National Baseline Research should:

1. Offer a **brief overall understanding of the phenomenon of VAC in juvenile detention** in Romania, including the main types of violence and their scale
2. Present **how data on VAC in detention is collected** in Romanian juvenile detention settings
3. Present **how data on VAC in detention is acted upon** in Romanian juvenile detention settings
4. Identify potential best practices in data collection on VAC in detention in Romanian juvenile detention settings

While data collection is strongly interlinked with understanding the phenomena of VAC in Romanian detention and education centers, its reporting, response and prevention, **the focus of the research should have data collection at its core**.

4. Scope of the Research

The national research should offer evidence-based support for more effective policies and measures to prevent VAC and protect and support victims. More specifically, the research will serve as a basis for the development and drafting of the data collection tool and guidance document. Juvenile justice actors will later be trained on the usage of this tool. Ultimately, it will lead to increased capacity of national criminal justice agencies and juvenile justice institutions to collect and use comprehensive and comparable data on VAC in detention to improve monitoring, reporting and prevention of VAC and increase accountability and child-friendly practices.

The national research will also feed into the broader EU study conducted during the project.

6. Preliminary Research Questions

The main preliminary research questions are included below. However, it is anticipated that questions may be further defined or adjusted as the research methodology on the EU level is finalized.

Research Question I: What are the **existing formal practices** and **available data on VAC** in detention in Romania?

1. What are the **formal policies and guidelines at national and local detention center level** aimed at **data collection, reporting, responding to** and **preventing** VAC in detention? This includes:

- What data is collected
  - o what is the working definition of VAC in detention, and what types of violence does it encompass?
  - o what policies and tool(s) guide data collection on VAC?
  - o Are there any specific policies or tools for children belonging to vulnerable groups?
- How is violence reported

- o how and what information regarding incidents is reported?
- o who collects and reviews violence reports?
- What are the measures put in place to respond and prevent
    - o what are the protocols to respond to violence?
    - o what are the responses for both the aggressor and the victim?
    - o Are there any measures to ensure the safety of girls, LGBTI+ children, children with disabilities and children belonging to minority groups, such as Roma?
- What are the various existing mechanisms, including external monitoring bodies and internal inspection mechanisms?
- Are there any policies to ensure that security measures are not harming children or risking their safety? Is there a legislative framework that requires staff to report to the law enforcement authorities in case a threat to children`s safety occurs in prison either by staff, families or peers?

2. What data related to safety of children and prevention/responses to violence in detention are available at national, ministry and detention facility level?

- What information related to violence against children in detention is submitted at national level, for example to national institutions for data collection and analysis (such as the National Statistical Institute)?

3. What seems to be missing from a policy and guideline perspective at national and local detention level regarding **data collection, reporting, responding to** and **preventing** VAC in detention? This includes:

- Gaps
- Needs
- Opportunities for better alignment with national and international standards / guidance

Research Question II: How are **data collection, reporting, responding to** and **preventing** VAC in detention **put in practice at local detention center level** in Romania?

1. How are the policies and guidelines at national and local detention center level aimed at **data collection, reporting, responding to** and **preventing** VAC in detention being put in practice in reality? This includes:

- How does the application of these elements look in practice
- What do the staff and the children think of their usefulness and impact
- What are the main gaps between theory and practice
- Why do these gaps occur

2. What are the ad-hoc, informal or unstructured practices in detention centers regarding **data collection, reporting, responding to** and **preventing** VAC? When the following elements are completely missing, what is the perspective of staff and children for potential solutions?

- What and how data is collected
    - o what is the working definition of VAC in detention and what types of violence does it encompass?
- How is violence reported
    - o how and what information regarding incidents is reported?
    - o who collects and reviews violence reports?
    - o what is the perspective of children on reporting violence?
- What are the measures put in place to respond and prevent

o what are the protocols to respond to violence? what are the responses for both the aggressor and the victim?

o are there any measures to ensure the safety of girls, LGBTI+ children, children with disabilities and children belonging to minority groups, such as Roma?

o What is the perspective of staff and children on the usefulness and impact of these practices?

3. What are the best practices and what is missing at the detention center level in regard to **data collection, reporting, responding to** and **preventing** VAC in detention?

- What are the good aspects of the center's approach on **data collection, reporting, responding to** and **preventing**? Example: What data collected is useful for protecting the safety of and managing the risk of violence towards children in detention?
- What are the missing or negative practices in the center's approach on **data collection, reporting, responding to** and **preventing**? Example: What data do you think is needed but not yet collected? How could they be collected? By whom or on what does it depend on to introduce the collection of such data?

7. Methodology

Interested applicants are invited to propose their methodology for conducting the research. Ideally, a mixed-method approach will be followed balancing suitable desk reviews (for Research Question I) and qualitative methods with detention staff and children from the five detention and education centers (for Research Question II) to draw on different sources and triangulate information. The qualitative methods should include interviews with key detention staff Craiova, Braila, Tg. Ocna Tichilesti and Buzias, Focus Group Discussions with detention staff and in-person FGDs with children in the five detention centers.

The research methodology should keep in mind the following **underlying principles:**

- **equality and non-discrimination** of any individual involved in the data collection and consultation process;
- **participation and inclusion of different diversity groups** to the extent possible, while ensuring that participation and inclusion does not cause any harm or distress to the individual;
- **transparency and accountability** throughout the research and assessment process towards all organizations and individuals involved;
- **confidentiality** must be preserved and names and personally identifiable information should not be collected or, if they are necessary, they should be duly coded and encrypted;
- **informed consent and assent:** should be sought from all participants, including providing them with information on the objective of the research and how data will be used as well as ensuring the opportunity to ask and confirm questions before agreeing to participate;
- **child safety:** whenever children are involved, the researcher(s) and anyone affiliated with the research (assistants, translators) must sign the Tdh Child Safeguarding Policy and Code of Conduct and adhere to its principles.

8. Deliverables

During the contract, the Researcher will provide as deliverables (all of them **in English**):

1. **INITIAL (INCEPTION) REPORT – in 1 week within contract start - comprising:**
- **Context analysis** based on project basic documents and meetings with Tdh implementation team: Initial project (annex to the grant agreement), subsequent agreed changes, Internal Tdh regulations
- **Data collection and analysis plan, methodology and instruments**
2. **DE-BRIEFING and presentation of findings from the field – in 3 weeks (after previous stage) - comprising:**
- **Data collection report**
- **Short review** indicating the first findings, provisional conclusions etc.
3. **PRELIMINARY REPORT – in 1 weeks (after the previous stage) - comprising:**

- **Narrative report** (min. 15 - max. 25 pages);
- **Summary table with the main findings** (**situation analysis:** Research Question I and II, sub-questions 1 and 2), **main conclusions and recommendations** (**analytical:** Research Question I and II, sub-questions 3)
- **Short review and PPT**
 4. FINAL REPORT – in 1 weeks (after the previous stage) - comprising:
- **Executive summary** (max. 3-4 pages) (available in Romanian and English);
   o **Narrative report** (max. 25 pages);
- **Summary table with the main findings, main conclusions and recommendations**
   o **Annexes:** Containing the technical details of the research, questionnaires when the case, protocols of interviews, tables or graphics, secondary review references, persons and institutions contacted, a PowerPoint presentation of the findings and recommendations (available in Romanian and English), transcription of relevant selection of interviews, focus groups, observations

After each stage, a feedback meeting is organized with Tdh and feedback is incorporated in the research document. The researcher is also expected to be available for regular and brief check-in calls, as necessary, throughout the assignment to share updates on the progress.

9. Chronogram

We estimate that the researcher will require around 6 weeks. The intermediary stages upon the Final Research Report are flexible, but it should be submitted by the first week of August, the latest. The final schedule will be mutually agreed considering Tdh`s timeline and the suggestions made by the Researcher in the Technical Offer.

Deliverables to be provided: Provisional Calendar:	Week 1	Week 2	Week 3	Week 4	Week 5	Week 6
1. **INITIAL (INCEPTION) REPORT**	▓					
2. **DE-BRIEFING**		▓	▓	▓		
3. **PRELIMINARY REPORT** (design)					▓	
4. **FINAL REPORT** (delivered)						▓

10. Roles and responsibilities

Tdh will designate a Research Manager (the project coordinator) who will be the main focal point vis-à-vis the researcher. The key roles and responsibilities of the Tdh Research Manager will include:
▪ Managing the administrative tasks of the process (from advertising to contract closure) and internal liaison within the project team.
▪ Sharing all key project documents for the desk review and facilitating access to key individuals (detention staff and detained youths) selected for data collection.
▪ Consolidating and sharing team feedback on the deliverables (reports). Communication will mainly take place via e-mail, and online chat and conferencing platforms (MsTeams, Zoom etc).
▪ Acting as a focal point for the researcher in case of any queries and sharing updates if any. Communication will generally take place in Romanian (no separate translation services will be provided by Tdh and the broader project team).

Roles and responsibilities of the **researcher:**

▪ To deliver the assignment as per the signed contract, Terms of Reference and the Technical and Financial Offer and relevant annexes, including Tdh policies where applicable (e.g. those related to Data Protection and Child Safeguarding). To submit all required deliverables as per the agreed deadlines.

▪ To ensure that all the underlying principles (described in the methodology section) are respected throughout the research.

▪ To ensure that the Research Manager is regularly informed in case of any questions and issues (particularly, delays and blockages) that may emerge during the assignment and may require mutual discussion/planning.

▪ To be available for quick updates, whenever requested, on the progress of the assignment.

▪ To generally ensure the confidentiality of the process as well as the information and documents received from the Research Manager and the people involved at any stage in the research.

▪ To immediately inform the Research Manager in case of any risk of not being able to comply with any of the above points.

▪ To stay in touch with the European researcher and ensure a proper alignment with the European level study

11. Profile of the consultant/researcher (team): qualifications and experience

Tdh will accept applications from individuals, teams, academic entities, NGOs and companies as long as they are officially registered with a European tax number (i.e. are able to issue an invoice) and have evaluation, research, impact study or similar and/or consultancy as their object of activity, which can be proven by legal documentation.

Required experience and skills:
• At least 3 quality research prepared for 3 different projects. Examples can be annexed unless confidential. Previous experience in conducting research or evaluations of projects in the area of access to justice and/or child justice is a significant asset.
• Proven skills in using quantitative and quality data collection and analysis methods.
• Strong understanding of diversity and inclusion incl. age, gender and diversity sensitivity aspects.
• Strong writing skills and ability to convey technical and complex information in a structured, logical, clear and concise manner for different audiences.
• Full written and oral proficiency in English for data collection and production of quality reports. Knowledge of the local language in the implementing countries is an asset, but not strictly required.
• Strong computer proficiency to prepare quality written reports with clean data visualization and presentation of findings.
• Master's degree (or higher) in social sciences, economics, public policy, law, research and evaluation, management or other related field(s) from an accredited university.
• Capacity to issue invoices with tax registration in Europe (UK and Switzerland included).

Contract awarding criteria:	No. of points
Technical Offer – best approach: The Technical Offer will contain: Methodology and tools proposed, showing understanding of the objective of the study and the Terms of Reference (ToR); A chronogram showing details for the realization of each of the research phases. The best Technical Offer will be granted with 50 points out of the total score of 100.	**50 points**
CV and expertise corresponding to the required criteria	**25 points**
Financial Offer –demonstrating congruence with the technical approach submitted The Financial Offer with will be granted with 25 points out of the total score of 100. Prices will be expressed in Euro and should be inclusive of all expenses, charges, taxes incurred by the Contractor in fulfilment of its obligations. Additional costs for logistics, transportation, accommodation, per diem etc. will not be covered separately by Tdh.	**25 points**
TOTAL possible	**100 points**

The points thus received will indicate the hierarchy of the bidders and the one that will be contracted. The Technical Offer will be evaluated by a Commission of 2 representative staff from Tdh Romania. All bidders will be informed by email over the results of the selection.

12. Budget

The proposed budget for the research will be provided by the consultant in the Financial Offer. Upon the review of the Financial and Technical Offers, Tdh may choose to negotiate the final price with the preferred researcher in light of the Financial Offer and Tdh's available budget. Tdh may also consider the combination of the quality and competitiveness of the Technical and Financial offers. Half of the payment will be made at the beginning of the research, with the other half being paid after its conclusion.

13. Application procedures

Questions relating to the assignment, the project or the application process can be submitted to the Research Manager, Mihai Enache at mihai.enache@tdh.ch . Answers that may concern all applicants will be shared with everyone as deemed necessary.

Interested applicants shall submit their application via e-mail to the following e-mail address: mihai.enache@tdh.ch .

The e-mail should have the subject-line: **Data MOSAIC National Baseline Research**. The deadline for submission is **June 8th** (23:59).

The application package shall include:

• Technical Offer – max. 10 pages;
- o Expression of interest
- o Methodology and tools proposed, showing understanding of the objective of the study and the Terms of Reference (ToR);
- o A chronogram showing details for the realization of each of the research phases. The schedule proposed should include time for briefing and debriefing with Tdh representatives as far as possible.

The Technical Offer will be developed by the bidder on its own design, but it will not exceed 10 pages.

The Technical Offer will mention on the first page the following information: Company/NGO name, Address, Phone number, email, registration number, legal representative name and function, contact person (if different) name and function, phone number and email, if different. The Technical Offer will be signed and stamped on the last page by the legal representative, mentioning the company/NGO, name of the legal representative, date, signature.

• Financial Offer – with a detailed line-item budget, indicating costs in EUR. The indicated prices should be 1) NET amounts to be received by the consultant plus 2) all local taxes.

• Up-to-date CV of the researcher(s) – max. 3 pages/CV;

• Example of previous work carried out (if any, unless confidential or if it can be anonymized);

• Contacts of 3 professional references;

• Confirmation of legal registration (e.g. tax number, EU VAT number) of the applicant for providing research services and the ability to issue an invoice.

• Declaration of impartiality (in the applicant's format).

Applications – incl. all annexes – must be in English. Other languages will not be accepted.

Applications must be submitted as a single application package. Documents sent separately will not be accepted. If Thd does not confirm the receival of the application package within 2 days, please resend it.

The assessment of the applications will last until the **11th of June**. During the research process, Tdh Romania, may ask for clarifications and check the references provided.