

# Terms of Reference

## Due Diligence Harmonisation in Ukraine Consultancy – Call for Tenders

### 1. Background and Rationale

ActionAid is a global federation working towards a world free from poverty and injustice.

The humanitarian response in Ukraine, spanning across Ukraine and neighbouring countries since the beginning of the full-scale invasion by the Russian Federation in early 2022, is one of the most significant humanitarian interventions to date. Local organisations have been at the forefront, delivering essential support to their communities and rapidly scaling up their capacities.

Almost three years into the response, however, many local organisations express frustration due to high thresholds and Due Diligence requirements to receive funding from international agencies. This contributes to a general sense of exclusion from decision-making spaces. The labour-intensive and often repetitive nature of passing donors' and international agencies' Due Diligence processes—frequently without adding value—has been cited as one of the main frustrations. This has sparked an ongoing debate about Due Diligence processes in Ukraine and beyond, among both local and international actors.

Concerns from local organisations include:

- **A strong polarisation of funding:** National organisations with higher capacities often receive funding from multiple donors simultaneously, while small-scale, grassroots, and locally rooted actors receive less or no funding.
- **Focus on procedural compliance:** Some local actors tend to prioritise creating policies and procedures to meet minimum standards, sometimes without perceiving the added value or enhancing their capacity organically.
- **Burnout among local actors:** First responders in their communities often lack financial or capacity support to operate sustainably, effectively, and healthily.
- **A sense of exclusion:** There is frustration over the perceived unwillingness or incapacity of international agencies to adapt, differentiate, and/or provide capacity strengthening, with local actors feeling excluded from shaping the localisation agenda that appears dominated by international agencies.

International agencies have tried to address these challenges with limited success. Some organisations have focused on Due Diligence certification and passporting, harmonising processes with other actors, and adapting global tools to the Ukrainian context. However, they have not always managed to address key issues:

- **High compliance requirements:** Due to large budgets and concerns related to capacity and financial risks, international NGOs often require extensive

compliance follow-up, for which local organisations sometimes lack resources or awareness.

- **Complex legal environment:** Navigating Ukraine's legal landscape and the prevalence of high-capacity local actors poses unique challenges for global policies developed for other contexts.
- **Duplication of efforts:** Several Due Diligence initiatives at both the Ukraine and global levels have not always been coordinated, resulting in duplicated efforts.
- **Practicability of new tools:** While many global initiatives propose harmonised Due Diligence tools, the practicality and buy-in from decision-makers remain uncertain.
- **Lack of data and evidence:** Due to limited data on Due Diligence processes, advocating with senior decision-makers, HQs, and legal and compliance teams has been challenging.

Since early 2024, the **Due Diligence Task Force**—a group of eight international and local organisations under the NGO Platform—has been working to streamline Due Diligence discussions in Ukraine. Key outputs to date include:

- A **harmonised vocabulary** defining key terms, such as ‘certification’ and ‘passporting’.
- A **pilot comparative exercise** that analysed various Due Diligence tools, forming the hypothesis that more than 80% of the content is identical.
- A **database of local partner organisations** in Ukraine that Task Force members have collaborated with.
- A **strong informal network** within Ukraine, enabling members to frequently exchange information, share Due Diligence results, and update each other—significantly reducing the workload for local partners in some cases.

The main purpose of this consultancy is to build upon the work done by the Due Diligence Task Force, deepen networks, engage more stakeholders at both the Ukraine and global levels, and increase the buy-in of senior decision-makers to adapt some of their processes, tools, and practices.

This assignment is co-commissioned by **ActionAid** and the **NGO Platform**, funded by the **Disaster Emergency Committee (DEC)**.

- **The Humanitarian NGO Platform (NGOP)** in Ukraine unites over 100 international and local agencies and has been a key platform for advancing debates on localisation and locally led responses in Ukraine. It has established various platforms for local and international members to discuss and make progress on Due Diligence.
- **ActionAid** has been a co-founder and co-chair of the Due Diligence Task Force (DDTF) under the NGOP, as well as a co-chair of the Partnerships Working Group. As an agency committed to supporting a locally led response, driven by women-led and youth-led actors, ActionAid has prioritised adapting Due Diligence procedures to the Ukrainian context since the beginning of the response.

## 2. Purpose and Objective of the Consultancy

Based on the hypothesis that there is an overlap of at least 80% among all Due Diligence processes of different agencies, the overall objective of the consultancy is to support ActionAid's and the NGO Platform's in the Due Diligence Task Force (DDTF) through in assessing evidence on the topic of Due Diligence harmonisation, certification, passporting, and simplification, drive the dialogue with other relevant actors both in Ukraine and on the global level (incl. Start Network, Humentum, Collaborative Cash Delivery and others), to lobby decision makers among the donor and INGO community present in Ukraine, and raise awareness for a more locally led response.

The specific objectives for this assignment include conducting:

- A) An in-depth situation review and engage relevant stakeholders on the ground;
- B) Analyse existing Due Diligence processes of NGOP member agencies;
- C) Contribute to capitalisation and learning by developing relevant reports, liaise with other initiatives, and engage decision makers; and
- D) Contribute to the work of the DDTF and Partnerships WG and support the work on capacity strengthening in relation to Due Diligence processes.

## 3. Deliverables

- A) Situation review and stakeholder engagement (15%).
  - Assess the Due Diligence context in Ukraine (incl. legal environment, country-specific rules and issues) through a literature review; consultations with donors, INGOs and local organisations mapping of reports and analyses at country level to triangulate information and avoid duplication.
    - **Output:** Inception report.
  - Produce mapping of Due Diligence related initiatives involving INGOs at country level.
    - **Output:** 1 Ukraine Due Diligence mapping that is updated on a regular basis.
  - Engage DEC and NGO Platform member agencies and their local partners, as well as colleagues from the CCD, Christian Aid, Philanthropy in Ukraine (PIU), and the Start Network's Pooled Fund, on a regular basis to raise awareness on this area, providing recommendations, and increase the buy-in from INGOs for increased impact.
    - **Output:** Participation rate in consultations of 80% of DEC members present in Ukraine and 50% of NGO Platform members.
- B) In-depth analysis of Due Diligence processes (40%).
  - Sensitise the NGO community to take part in the Due Diligence comparative assessment.

- **Output:** Information sessions to ensure NGOs can address their concerns and are willing to share information.
    - Conduct an in-depth comparative review of Due Diligence procedures of DEC and NGO Platform member agencies (including grassroots and newly formed small organisations).
      - **Output:** Comparative assessment of Due Diligence processes of at least 50 organisations.
    - Produce a findings database accessible to participating agencies.
      - **Output:** Online database to provide an overview to participating agencies on the differences and similarities of their procedures.
      - **Output:** 1 summary finding report to be published among participants.
- C) Capitalisation and Learning (30%).
- Produce a recommendation and learning report and ensure the dissemination of this report through engagement of NGO Platform members, as well as DEC members at the UK level.
    - **Output:** Final report on learning from this process to be shared at the country level.
    - **Output:** At least 15 online meetings held at the UK level with DEC members to get feedback on the findings, and discuss potential follow-up actions, and considerations or challenges.
    - **Output:** Hold one event/presentation of preliminary findings at the Humanitarian Networks and Partnerships Weeks, online or in person in Geneva in March 2025.
  - Strengthen relations with head offices/HQs to ensure high level buy-in.
    - **Output:** 10 meetings with head office-based compliance teams of DEC member agencies with clear takeaways identified.
  - Strengthen linkages with other international initiatives (such as CCD, Humentum, Start Network, Philanthropy in Ukraine, and others) working on Due Diligence processes and tools.
    - **Output:** TBC
  - Facilitate a SMT level learning event in Kyiv to ensure findings are disseminated.
    - **Output:** Learning event is facilitated in Kyiv.
  - Link with DEC members' and other global initiatives (incl. NGO networks/alliances, global initiatives such as CCD, Start Network, HLA, ICVA, CHSA etc.) to increase awareness on work done in Ukraine and ensure capitalisation on the learning from this at the global level.
    - **Output:** 20+ consultations to be held with global/non-UA actors/networks.
  - Produce a findings and summary report with recommendations for local organisations outlining different tools, approaches and ideas.
    - **Output:** 1 local organisation-focused recommendation report is published in Ukrainian.
- D) Support the work of the Due Diligence Task Force and Partnership Manager WG (15%).
- Support the NGOP in structuring the Partnership Manager WG and its work (i.e. leading it together with another NGO representative).

- **Output:** TBC.
- Support the development and implementation of appropriate country-level support tools (e.g. partner registry on the NGO Platform website, Due Diligence comparison database, joint tools database).
  - **Output:** TBC.
- Take part in regular meetings and support the work of the DDTF and the Partnership Manager WG in any other way possible.
  - **Output:** TBC.

## 4. Timeline

The timeline for the assignment is six months, with the tentative start date of December 1, 2024. A detailed timeline will be agreed upon with the selected party and will factor in the proposed work plan, travel schedules (for applications with staff not based in Ukraine full-time) as well as key external and advocacy events.

## 5. Payments

The payment will be done by bank transfer in Euro, upon acceptance of deliverables agreed on between the consultant and ActionAid in the work plan. Payments will be done in four tranches:

- Tranche 1: 10% initial payment upon signature of the contract.
- Tranche 2: 30% in the last week of Month 2, upon acceptance of relevant deliverables.
- Tranche 3: 30% in the last week of Month 4, upon acceptance of relevant deliverables.
- Tranche 4: 30% upon acceptance of the final report.

## 6. Requirements for Consultants

This service contract is open to applications of individuals and enterprises, both from within and outside Ukraine.

Applications from teams with diverse background (e.g., collaborations between international and Ukrainian experts) are strongly encouraged.

The individual/team should bring to the role:

- Advanced degree(s) in international development, political science, or a related field.
- 10+ years of on-the-ground experience in partnerships, Due Diligence and risk assessments, preferably in conflict or post-conflict settings.
- 5+ years of experience in strategic management/leadership roles for donor agencies, INGOs or local CSOs.
- A strong understanding of Due Diligence processes and approaches from different perspectives (such as donors, INGOs, local partners etc.).

- A strong understanding of the humanitarian and development context in Ukraine. Previous in-country experience in Ukraine is considered a strong asset.
- Significant technical understanding of audit, compliance, financial management and other technical processes related to Due Diligence.
- A strong understanding of, and commitment to, the work of local civil society in the HDP Nexus, localisation principles, priorities and current debates, and a genuine believe in locally led humanitarian response.
- Proven experience in advocacy and a track record in engaging effectively with senior stakeholders/decision-makers.
- Excellent analytical and research skills for synthesising complex information.
- Exceptional interpersonal, communication and networking skills; tact, patience, diplomacy, and appropriate assertiveness.
- Proficiency in English; knowledge of Ukrainian or Russian is an advantage.
- High level of integrity and ability to work independently under pressure.
- Ability and willingness to be based in Kyiv at least for parts of the assignment, with frequent travel within Ukraine and to the United Kingdom. Applications that include some team members' continued presence in Ukraine will be preferred.
- A strong buy-in and sense of ownership, as well as the readiness to commit significant time and effort to the exercise.

## 7. Application

**Proposals from candidates without existing regional or thematic experience (i.e., without experience directly related to Due Diligence work), as well as proposals that are not tailored to the assignment, will not be considered!**

Please submit your complete application with the subject 'Due Diligence Consultancy' to the hands of Jasper Kiepe, Head of Programmes, and Oleksandra Buglak, Deputy Director, NGO Platform, at [ukraine.submissions@actonaid.org](mailto:ukraine.submissions@actonaid.org).

The deadline for submissions is **November 30, 2024, 23:59 UTC**.

Please submit PDFs only. Applications will be reviewed on a rolling basis, so interested parties are encouraged to apply early.

The application should include:

1. A cover letter outlining relevant experience and interest in the topic.
2. A proposal outlining the methodology/approach to the assignment.
3. A working plan for six months including a detailed schedule for the first three months. The work plan should outline when parties will be present in Ukraine (for non-Ukraine based applications).
4. CVs of all involved team members including professional references.
5. Examples of similar past work and references of contact focal points.
6. A detailed budget breakdown (EUR preferred) that should include all local and regional travel expenses.

Shortlisted candidates will be invited to an online discussion with the selection panel (composed of a representative from ActionAid, the NGOP, and other relevant stakeholders). The final selection of candidates will be based on their relevant

experience, the proposed methodology, and on the competitiveness of their financial offer.

Inquiries related to this assignment can be directed to Jasper Kiepe ([jasper.kiepe@actionaid.org](mailto:jasper.kiepe@actionaid.org)) and Oleksandra Buglak ([deputy@ngoplatformua.org](mailto:deputy@ngoplatformua.org)). Interested parties are strongly encouraged to reach out.

*This document is non-contractual and may be modified to reflect the changing needs of the service. Candidates may be required to sign a Non-Disclosure Agreement. Due to high volumes of applications received, we can only correspond with short-listed applicants. Should you not have received feedback on your application within two weeks of the closing date, please consider your application as unsuccessful. ActionAid International will not consider unsolicited candidates from recruitment agencies. ActionAid reserves the right to modify, re-announce, or withdraw any of our vacancies at any time.*