Terms of Reference

Independent Consultant

February
2018

Purpose of work

The International Aid Transparency Initiative (IATI) works to ensure that transparent, good quality information on development resources is available and used to help achieve sustainable development. The IATI community is a vibrant, diverse mixture of data publishers and users, advocates for transparency, technical specialists and general open data enthusiasts from all over the world and all kinds of organisations, working together to publish and improve the quality and support the use of IATI data.

The IATI vision is for "Transparent, good quality information on development resources and results is available and used by all stakeholder groups to help achieve sustainable development outcomes". To realize this vision, the IATI mission is as follows: "The IATI community works together to 1) ensure transparency of data on development resources and results; 2) ensure the quality of IATI data is continually improved and responds to the needs of all stakeholders and 3) facilitate access to effective tools and support so that IATI data contributes to the achievement of sustainable development outcomes".

Since 2013, IATI has been hosted by a consortium, the IATI Secretariat, coordinated by UNDP and comprised of UNOPS, Development Initiatives, and the governments of Ghana and Sweden. In 2015, an independent evaluation of IATI recommended a review of long-term institutional arrangements for IATI to support IATI's renewed vision and strengthen its sustainability. In 2016 the Members' Assembly mandated that the Governing Board develop recommendations for long-term institutional arrangements. Additionally, they recommended that these changes occur during a two-year extension of the current arrangements and that this transitional period end by August 2018.

With the direction of the Members' Assembly, the Governing Board commissioned a study on IATI's institutional arrangements, including its governance structures, membership and funding. The consultants' report postulated that the core functions[1] of the IATI Secretariat should be retained irrespective of the future organization of the initiative. The Board presented a summary review of four

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[1] Core functions of the IATI Secretariat include: a) Overall management of IATI, including implementation of the annual workplan; b) Financial management, including the collection of contributions and all disbursements and safeguarding the integrity of funds; c) Technical development and support, including IATI Standard maintenance and upgrades, support to partner countries, members and others; d) Communications and outreach, including improving and maintaining the website, TAG newsletter, etc.; e) Supporting the board and Assembly, including Members' Assembly and Board meetings and advising the board on strategic planning, including the development and implementation of the annual workplan and fostering a strategic vision for the initiative.

potential models for a new secretariat headed by an Executive Director, as well as a range of recommendations on other related issues (including legal status, funding structure, Board structure) and a high-level transition plan for the new arrangements. The four potential models are:

1. Hosted Secretariat in single large, international institution;
2. Hosted Secretariat in smaller or less-political organization for greater independence;
3. Standalone, independent Secretariat incorporated as a new legal entity;
4. Independent Secretariat supported by shared service platform;

The Governing Board took into account the consultants' findings and recommendations, along with the suggestions of IATI members, and presented the key factors to be taken into consideration in making a decision on the future secretariat arrangements at the 2017 Members' Assembly.

The Governing Board reached consensus on some of the consultants' recommendations, but felt that it could not present clear recommendations to members on a number of interrelated issues, including the secretariat's structure, leadership, legal status and location, the Governing Board's structure and working methods, and the funding structure.

Plenary discussions at the Members' Assembly revealed support from several members for the consultants' positions regarding the future secretariat's structure and leadership. But these discussions also revealed concerns about the potential costs and legal implications of the proposed options, and potential loss of legitimacy of an independent secretariat. These discussions confirmed that additional information and analysis was necessary to achieve consensus. The Members' Assembly mandated an independent Working Group (WG) to prepare a report assessing the options presented by the consultants based on the proposals outlined in the Governing Board's paper and the principles agreed to at the assembly. The current secretariat arrangements were extended for one year, to enable this assessment and the transition to new arrangements and is expected to start from August 2018 and be completed by August 2019.

Objectives

The overall objective of the consultancy is to gather and analyze additional information to provide a clear recommendation on future institutional arrangements for IATI and a transition plan. The Working

Group will review and prepare this plan which then will be proposed to the Governing Board and thereafter the 2018 Member's Assembly. This Consultant will analyze the roles and functions performed by the Secretariat, and propose how these roles could either be fulfilled or devolved under different institutional arrangements. Such an analysis will include implications of various options outlined in previous assessments.

The core functions of the Secretariat are such:
- Management of IATI, including financial management
- Support to the Governing Body and Members Assembly
- Communication and Outreach
- Technical development of the IATI standard and support to data producers as well as users.

More specifically, the Consultant will analyze in depth, both the previously-identified and any other viable options of meeting the secretariat functions. The analysis should focus on the benefits, value-for-money, political and reputational risks, financial and legal implications, ability to deliver on IATI's mission, and trade-offs associated with each of these options for the future hosting arrangements.

This analysis will inform the Working Group's report and recommendations to be made in the next Members Assembly meeting in June 2018 on the following:

- The best model for meeting the functions of the IATI secretariat;
- The best option for the legal status of IATI
- The implications for Governing Board arrangements (in terms of size, membership, voting procedures) to support the secretariat function;
- The implications for financial contributions and sustainability of the secretariat function
- The process of establishing the executive leadership of the secretariat;
- The best geographic location of the secretariat;
- The transition process

This analysis of different options will be guided by IATI's vision, mission and the principles agreed to at the Members' Assembly as follows:

- **Legitimate**. IATI is a multi-stakeholder initiative, which derives its legitimacy from the commitment of all its members and the value of the data it produces. Its legitimacy is enhanced by its role in global processes and the United Nations system.

- **Accountable**. IATI's Governing Board needs to be accountable to its members, and IATI's Secretariat needs to be accountable to the Governing Board. This accountability should be facilitated by clear lines of reporting and responsibility, including the appointment of an Executive Director.

- **Useful**. IATI is not interested in transparency or standardization for its own sake. The Board believes that IATI's value is primarily derived from the use of the data it produces and recognizes that this may require making a priority of particular use cases.

- **Sustainable**. IATI's funding model needs to be adequate to the task, and scale with the number of members and the demands placed on the Secretariat. IATI membership should be structured to encourage participation, and IATI data should be free to use and re-use.

At the same time, the Consultant will need to undertake a range of fact-finding work, testing the scenarios using real world examples to ensure accurate estimation of the practical realities and implications of the different models.

In conducting this assessment, the Consultant will also want to consider relevant background information:

- o Guidance document developed by the Working group on discussions and questions related to the institutional arrangement identified by the IATI community (to be shared with the Consultant after contracting);
- o Raw data from interviews undertaken and the report prepared by the previous consultant;
- o Institutional arrangements of similar multi-stakeholder initiatives;
- o The analysis and factors presented in the Governing Board paper (these factors being: costs; predictability and stability of funding; financial management; legal status, role of IATI; agility and innovation);
- o The principles agreed to at the Members' Assembly (as outlined above);

- o Views from members at the Members' Assembly and through consultations [the Secretariat will provide audio files or transcripts].
- o Additional consultations with IATI constituencies, external experts, Board Members and other stakeholders as necessary.

Deliverables

The Consultant will need to:

1. Understand the essential background.

2. Within two weeks of commencing the work, agree with the Working Group on which options to be explored, based on a) Options 1-4 proposed to the Members Assembly, b) a consideration of whether the roles and functions of the current Secretariat should continue to be provided by the Secretariat or could be unpacked and delivered in a different way and c) any other options, as informed by best practice, that may be considered.

3. By a date in April to be agreed with the working group, provide a concise report presenting a value proposition against the agreed options including:
   - o An assessment of the ability to deliver on IATI's vision, mission and the principles above;
   - o Secretariat structure and establishment of executive leadership;
   - o Potential geographic/institutional location;
   - o An estimate of costs, both ongoing and transitional
   - o Legal status and implications for membership and members' contributions;
   - o Any potential risks and mitigation measures;
   - o Implications for the Board structure and working methods.

4. Participate in a detailed face-to-face discussion with the Working Group in mid-April (date and location to be determined) to develop a recommendation for the Governing Board and participate in a teleconference meeting with the Governing Board in late April 2018 (date to be determined).

5. Finalise a report of the assessment and recommendation for the Members' Assembly by 30 May 2018.

Duration

- A total of 35 working days between 10 March - 30 May 2018.

Management and Contact

- The consultant will be managed by Timothy Takona and Isaora Zefania, Co-Chairs of the Working Group and members of the Governing Board, working closely with other members of the Working Group as necessary.
- The Secretariat and Working Group's communications focal points will provide support regarding access to IATI documents, and scheduling/facilitating coordination with constituencies and other stakeholders.
- The administration of the contract will be handled by Development Initiatives on behalf of and as part of the IATI Secretariat.

This TOR will be reviewed on a bi-weekly basis via email and teleconference to ensure that the workplan is being met and to make any necessary revisions.

Contact us

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To find out more about our work visit:
www.aidtransparency.net
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