



OECD **GUIDELINES** FOR MULTINATIONAL ENTERPRISES

CALL FOR INTELLECTUAL SERVICE PROVIDERS ('EXTERNAL CONSULTANTS')

OECD Guidelines for Multinational Enterprises – National Contact Point Peer Reviews

The OECD is seeking submissions from consultants to support the OECD Secretariat in delivering the peer reviews of National Contact Points (NCPs) for the OECD Guidelines for Multinational Enterprises.

Deadline for submissions: **Friday 16 September 2016**

TERMS OF REFERENCE (TOR)

Drafting peer review reports of National Contact Points for the OECD Guidelines for Multinational Enterprises

BACKGROUND

National Contact Points (NCPs) for the [OECD Guidelines for Multinational Enterprises](#) (the Guidelines) are offices established by governments that have adhered to the [OECD Declaration on International Investment and Multinational Enterprises](#). NCPs have the mandate of furthering the effectiveness of the Guidelines by undertaking promotional activities and handling cases related to non-observance of the Guidelines ('specific instances').

During the 2011 revision of the Guidelines, NCPs agreed to reinforce their joint peer learning activities, and in particular, those involving voluntary peer reviews. Peer reviews have been carried out to date for the Netherlands, Norway, Japan, Denmark and Belgium.

Over the period 2016-18 the OECD secretariat is coordinating a series of NCP peer reviews as follows:

2016		2017		2018	
Jan – June	July – Dec	Jan – June	July – Dec	Jan – June	July – Dec
	Italy	Chile	Argentina	Austria	Australia
Switzerland		Germany	Canada		United Kingdom

In addition, three NCPs (Brazil, France and the United States) have committed to a peer review to be scheduled in the period 2016-18.

Peer reviews are aimed at assessing the functioning and highlighting the achievements of individual NCPs, as well as providing recommendations for improvement. They also constitute an opportunity for learning for all NCPs, including those involved in the peer review.

The objectives of the peer review are to:

- Identify the NCP's strengths and positive results as well as any gaps and possibilities for improvement
- Note existing institutional arrangements and assess their adequacy vis-à-vis the NCP's mandate
- Assess performance of the NCP against the mandate, and against the core criteria for functional equivalence (visibility, accessibility, transparency and accountability), as outlined in the Procedural Guidance, which is part of the Decision on the Guidelines, including:
 - information and promotion
 - handling enquiries
 - dealing with specific instances in a manner that is consistent with the principles for handling specific instances (impartial, predictable, equitable and compatible with the Guidelines)
 - reporting
- Make recommendations for improvement
- Serve as a learning tool for NCPs

The overarching goal is to promote functional equivalence of all NCPs, and to ensure that the network of NCPs operates to its full capacity in helping implement the Guidelines.

The peer review team is made up of representatives of two to four NCPs (peer reviewers), one of whom is designated as lead reviewer, and at least one member of the OECD Secretariat. Other NCPs may join as observers but will not constitute part of the peer review team.

Peer reviews are carried out in accordance with a core template agreed by the OECD Working Party on Responsible Business Conduct, to assess conformity of an NCP with the core criteria of visibility, accessibility, transparency and accountability, and with core obligations as set out in the Procedural Guidance).

Peer reviews include an on-site visit to the NCP (2 – 2.5 days). The agenda for the on-site visit will typically contain the following components:

- Planning meeting of the peer review team
- Two days of interviews to cover the following groups:

- The NCP secretariat and (where relevant) individual NCP members
- Any advisory or oversight body to the NCP
- Business organisations and individual companies involved in specific instances
- Trade Union representatives
- Civil society representatives
- Representatives of other Ministries and public agencies with a focus on policy coherence in implementing the Guidelines
- Wrap-up meeting of the peer review team

DESCRIPTION OF TASKS

The OECD is seeking submissions from consultants to support the OECD Secretariat in delivering peer reviews. The consultants would be asked to perform the following tasks among others, under the instructions of the OECD Secretariat:

1. Reviewing materials about the NCP undergoing the peer review including, but not limited to, previous annual reports to the OECD, publications, specific instances and related materials, NCP website, relevant government regulations establishing the NCP and other internal NCP documentation
2. Reviewing materials submitted by the NCP for the peer review including responses to the questionnaire
3. Reviewing questionnaire responses submitted by stakeholders
4. Drafting an initial review report (approx. 15-25 pages) based on the above materials
5. Drafting a list of questions for participants in the on-site visit
6. Participating in the on-site visit
7. Updating the initial review report to reflect views of the peer reviewers and information and inputs from the on-site visit
8. Liaising with the peer reviewers and the NCP undergoing the peer review to produce a final draft for submission to the Working Party on Responsible Business Conduct

DELIVERABLES

The main deliverables are:

- Initial peer review report
- List of questions in advance of the on-site visit
- Updated review report following on-site visit
- Final peer review report

The peer review report will typically contain the following sections:

- Executive summary
- Institutional arrangements
- Promotion of the guidelines
- Handling specific instances
- Proactive agenda
- Policy coherence

TIMELINE AND PROCESS

Typically a peer review would cover a period of 3-4 months. For example:

October 2016:

- Review of materials
- Drafting of initial review report
- Preparing questions for the on-site visit

November 2016:

- On-site visit
- Drafting updates to the initial review report

December 2016/January 2017:

- Liaising with peer reviewers and the NCP to produce final report

ESTIMATED BUDGET

Depending on its complexity, a peer review would require approximately 25 working days by the consultant (including travel days).

For the next peer review, the consultant would need to be available over the period October 2016 to January 2017.

The consultant is expected to submit a proposal using a daily fee format. **Any travel required for this work will be funded separately by the OECD as required and paid according to OECD rules and procedures, and should therefore not be estimated as part of the proposal.**

PROFILE

The consultant should be able to demonstrate the following:

- Advanced university degree in law, economics or business or equivalent experience in the areas of responsible business conduct, corporate governance, corporate social responsibility or business and human rights
- At least five years' relevant professional experience
- Knowledge of the OECD Guidelines for Multinational Enterprises and related Decision, including the Procedural Guidance for NCPs
- Practical experience in assessing, analysing and reporting on corporate responsibility
- Practical experience in stakeholder consultation
- Practical experience with peer review processes
- Diplomatic skills and experience in dealing with a wide range of stakeholders
- Ability to organise and summarise and present complex material clearly for both specialised and non-specialised audiences using different written media
- Excellent knowledge of English or French including a proven high level of drafting ability - working knowledge of the other

- Knowledge of Spanish would be an advantage

BIDS SHOULD INCLUDE:

1. CV
2. Letter of motivation listing qualifications (education, experience, competencies, communication skills and languages) as requested above
3. Information on availability to perform the tasks (starting in October 2016)
4. Daily fee in EURO

MANAGEMENT

All peer reviews will be managed by the OECD Secretariat. The consultant will work under the authority of, and is expected to work closely with, the OECD Secretariat and provide regular progress updates.

DEADLINE

The deadline for submissions is **Friday 16 September 2016**

Please send submissions to:

Bridget MCGEEHAN: Bridget.MCGEEHAN@oecd.org

Only shortlisted applicants will be contacted for an interview.