



Provision of Consultancy Assignment for Preparation and Implementation of Antifraud and Bribery Program for PASS

TERMS OF REFERENCE

INTRODUCTION AND BACKGROUND

The Private Agricultural Sector Support Trust is a not for profit organisation, registered under Trustees Incorporation Act. The Trust was registered to promote investment in agricultural sector by creating access to financial and business development services. The Trust provides technical services on business development comprising of performing feasibility studies and project write-ups as well as appraisals. It also guarantees loans agribusiness entrepreneurs take from banks for agribusiness projects. Subject to type and size of the loan, borrowers pledge different types of assets to secure the loans as collateral. PASS Trust guarantees part of loans taken in the range of 20 % to 60% and on special arrangement for loans to youth and women the guarantee may be increased up 80% as may be required.

Following the compliance review conducted by external consultants from December 2019 to June 2020, the management of PASS Trust, with the support of Board of Trustees, prepared a work plan for implementation of the reviewers' recommendation for the gaps identified during the review. The exercise has brought up some lessons learned to further strengthen Board's oversight functions on internal controls and compliance to PASS policies and procedures.

Among others, the consultants raised two main issues in the area of fraud that have led the management to seek for a consultant who would assist management to prepare the Antifraud and Bribery Program ("the Program"). As a matter of policy, PASS has zero tolerance to Fraud and Bribery, as it is reckoned by the Trust such acts amounts to violation of human rights.

PASS staff and Board, to a large extent are aware of Conflict of Interest and they normally make declarations in cases its is thought that any of their involvement may amount to conflict of interest. However, the Management and the Board of trustee is committed to create this program and leading to creating at least four key policies which would provide guidance on implementation of this proposed program.

The purpose of this program is to create a Permanent awareness on anti -fraud and bribery to Staff and all stakeholders of the Trust.

ASSIGNMENT OBJECTIVES

The main objective of this program is to build an integrity culture in PASS Trust and would involve the consultant carrying out, at minimum, the following strategic tasks:

- Set a policy statement for the Trust on the Antifraud and Bribery activities;
- Set the Level of tolerance on Fraud and Bribery at "Zero Tolerance";
- Preparation of at least four key policies and train the Board and staff on implementation of these Policies; and
- Develop a strategy for continuous awareness and sustainability of the Program to the board, staff, key suppliers and other stakeholders on this program

Further details of the approach and modalities of the work will be discussed with the selected consultant while on site.

THE PROPOSED PROGRAM AND DELIVERABLES

The program will contain five (5) areas that are intended to be addressing the identified gaps and assisting PASS in developing the Program, which would provide a certain level of firewalls and ensure that PASS achieves its Policy Statement of Zero Tolerance. These are as follows:

1. Risk Assessment

A risk assessment is the combined effort of identifying and analysing potential (future) events that may negatively impact individuals, assets, and/or the environment (i.e. risk analysis); and making judgments "on the tolerability of the risk on the basis of a risk analysis" while considering influencing factors (i.e. risk evaluation).

The Key elements of assessment for the Program are expected to require the Consultant to do the following:

- a) Review the nature of the business and type of organization and their inherent risks;
- b) Review policy statements- looking at what we have in the existing Policy and propose a suitable Policy statement for the Program
- c) Review of Code of Conduct and other relevant policies and procedures
- d) Obtain stakeholders views on the history, perceptions and risks of fraud and bribery in the organization including anonymous survey of Founder members, donors, employees, customers and other stakeholders.

This task under this program will be to a large extent a desk review.

2. Reports and Documentation

As regard to reporting, the Consultant will be required to compile the following key reports:

- a) Report of suggested changes to existing documentation, policies and procedures
- b) Any new documentation that may be instrumental in implementation and sustainability of the Program.

The reports envisaged will require the Consultant to keep in mind that the four minimum policies will be part of the Consultant deliverables and constitutes the key documents for this Program.

- Anti-Fraud and Bribery Policy
- Conflict of Interest Policy
- Whistle Blowing/Speak up Policy- we have might be review
- Gift and entertainment Policy

3. Presentation of risk assessment findings to Management

This would involve the following:

- a) Presentation of findings and suggested changes and documentation to Management;
- b) Incorporation of Management comments to suggested changes and compilation of final suggested changes documentation; and
- c) Submission of final documentation to management.

4. Training

The training will be mandatory to all PASS Staff and Board members (especially at entry point) and will involve at minimum the following:

- a) Discussions of Corporate values and expected behaviours (Code of conduct, other policies and procedures)
- b) Identify possible suspected misconduct or non-compliance on the same. It is envisaged that this would include the following;
 - o Discussion of organization handling process, roles and responsibilities; and
 - o Reporting Suspected Misconduct or Non-compliance (Discussion of process, methods, rights and obligations and expectations).
- c) For sustainability of the Program, PASS are proposing to have internal trainers, will be trained through a training of trainer (TOT) program to be designed by the Consultant and discussed with PASS Management pre-training delivery. The training will be used to train staff within PASS who will continue as “Champions” of the Program.

5. Program for Evaluation and Validation (Monitoring)

The Consultant shall prepare and discuss the M&E framework and plans for the Program.

DURATION OF THE ASSIGNMENT

The consultant is expected to complete the assignment in 60 days from the day of signing the contract.

SUBMISSION:

Interested Consultant will be required to submit Technical and Financial proposals electronically as per this ToR Guidelines.

To submit your application, log onto <https://pass.or.tz/tenders> and click the **APPLY NOW** button to upload and submit your proposal. Unfortunately, due to the large volume of proposals we receive, we will not be able to respond to each individual proposal/bidder, only the shortlisted/awarded bidders will be contacted.

As PASS Trust commitment to Inclusive Green Growth (IGG) strategy and paperless office, we will only accept electronic submissions and not physical submission. The deadline to receive the proposals shall be on **10th April 2021**.

MANAGING DIRECTOR