

Terms of Reference

Consultancy to Develop a Standardized Toolkit on Age Assessment for Unaccompanied children

August 2019

1. Summary: Save The Children is seeking a consultant, with a proven background in developing standardized toolkits in the area of child protection and with the experience in child friendly approaches to conducting age assessments. The toolkit will consist of a practical guide as well as a training package and will primarily be designed for use by relevant government authorities.

2. Background and rationale for assignment:

The process of age assessment is a complex procedure with possible far-reaching consequences for applicants undergoing the assessment, which can wrongly decide a person is an adult and should be further treated as such. It is also a very sensitive procedure that could grant access or exclude children from benefitting from the rights EU Member states have recognized to persons who are underage.

In spite of the multiple rights concerned and the high number of unaccompanied children arriving and applying asylum in Europe, at present time there is no common regulation regarding the procedure, and age assessment methods and processes differ across Member States which causes that reliable multidisciplinary and rights-compliant age assessment processes are not always guaranteed. Many countries do not have formal age assessment procedures or rely on inefficient procedures or guidelines, including on assessing the age based on physical appearance only, often failing to identify children. The lack of age assessment procedures or guidelines have on occasion led to accommodating adults with children increasing the risks for children. For this reason, European Asylum Support Office (EASO) has developed and then updated a publication¹ providing guidance on standards and methods to use to comply with international obligations on the treatment of children.

As highlighted in the publication mentioned above, children face multiple challenges during the age assessment process including intrusiveness and the lack of accuracy. Medical age assessment procedures (in many cases, clavicle or wrist x-rays) as the most intrusive procedures have been proven as unreliable¹, and raise ethical concerns.

Save the Children, between many other actors, strongly recommends using the least invasive approach. According to IOM, some form of medical methodologies are being carried out by most Member states (Italy, France, Germany, Spain among others). Only 3 European countries use non-medical procedures only (evaluation of existing documentation, interviews that provide a narrative about an individual's life and circumstances, psychosocial evaluation).

Due to the lack of harmonized procedures and low level of use of non-medical procedures, Save the Children wishes to draw from multi-sectoral age assessment methods and develop a standardized and child-centered toolkit for the age assessment process. Spain will be used as case study and the toolkit will be piloted in one of its region.

In the particular case of Spain, Save the Children has been developing advocacy actions to make the Spanish government adopt by law a new age assessment procedure, as the CRC has repeatedly²

¹ EASO, Practical Guide on Age Assessment, 2018 Version

² CRC Communications n. Dictamen 11/2017

expressed its concern on the lack of adequate procedural guarantees or multidisciplinary focus in the country, as only medical and x-ray based methods are used.

3. Objectives

Development of a toolkit:

Guide:

- Overarching principles, relevant legal framework and policies on age assessment (with a child rights and child protection crosscutting approach) – including if relevant, strategic litigations and jurisprudences
- Review of best practices across Europe (and other countries if deemed relevant)
- Protocol and roles of different actors to be involved (+ Spanish declination: role of different actors)
- Different steps (detailed) of a holistic age assessment
- Models of interviews and other relevant forms and templates

Training package on how to conduct age assessment (1 day) – subject to changes in terms or relevant staff identified in phase 1, for example:

- Social worker
- Psychologist

The initial toolkit will be elaborated in English but will be translated in Spanish.

4. Major Tasks and Expected Deliverables

Week 1

Prepare draft work plan outlining timeline, methodology, key definitions, preliminary list of key resources and source materials, desk review and the list of stakeholders for interviews or focus group discussions.

Week 2

Desk review, guide draft structure and template for standardized training package.

Week 3 - 4

Field visits, interviews and meetings with relevant actors

Week 5

Draft of the guide

Week 6

Draft of training package

Week 7-8

Revision of toolkit

The CRC has declared that “in case of absence of identity documents States must carry out an integral assessment of the physical and psychological development of the child, which should be carried out by pediatricians and specialists or other professionals who know how to take into account different aspects of development at the same time. States should refrain from relying on medical-based methods, analyzing bones and examining teeth, which may be inaccurate, and have wide margins of error, and they can also be traumatic and give rise to unnecessary judicial proceedings. ”

5. Methodology

Phase 1: Desk review of age assessment existing tools and procedures in Europe, including those developed by:

- The different members of Save The Children
- The council of Europe
- EASO
- FRONTEX
- Other existing platforms
- Relevant UN agencies as UNICEF and UNHCR

Phase 2: Interviews and meetings with:

- Members of Save The Children
- European and Spanish governmental actors
- European and Spanish NGOs
- Relevant UN agencies as UNICEF and UNHCR

6. Supervision

The consultant will be supervised by a reference group, comprised of Save The Children experts on Child Protection. They will provide technical input into the consolidated package of materials and provide contributions to help shape it and feedback on key inputs. Weekly calls will be organized.

7. Duty Station

The consultant will be expected to work from home, with travels to Madrid (and possibly other parts of Spain during week 3). When possible, interviews will be conducted through Skype.

8. Qualifications/Specialized knowledge

- At least 5 years of progressively responsible professional work experience in Child Protection, with proven experience developing tools and training material on unaccompanied minors programming
- Excellent written and visual communication skills including ability to present complex processes and issues clearly to a heterogeneous audience and in an actionable manner.
- Strong technical understanding of unaccompanied minors' vulnerabilities and programming in humanitarian action.
- Fluency in English and Spanish.
- Advanced university degree in International Relations or Protection preferred.
- Knowledge of Save The Children preferred.

9. Deadline for Submissions

Interested candidates are requested to submit (1) a letter of interest, outlining your relevant background and experience, (2) a) an example of a candidate-authored guide and training package on Children on the Move (if co-authored, candidates are asked to specify their contribution) and b) a proposed methodology by August 20th To Sandrine Lerenard at Sandrine.lerenard@savethechildren.org