



INTEGRITY PACT TRAINING

Guidance for trainers

Notes and tips for trainers and capacity building officials organizing training exercises on Integrity Pacts using the guide: <u>Integrity Pacts in The Water Sector: an Implementation</u> <u>Guide for Government Officials.</u>

By Juanita Olaya, Impactools Version 1, September 2017

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These trainer notes refer specifically to material in the general publication: <u>Integrity Pacts in The Water Sector: an Implementation Guide for Government Officials</u>, referred to hereafter as "the Guide".

The notes are aimed at trainers with basic anti-corruption expertise and with knowledge on contracting processes. To freshen up knowledge of these topics, please refer to:

- Guides and resources from Transparency International (www.transparency.org)
- The Water Integrity Global Outlook 2016 (www.waterintegritynetwork.net/wigo)
- The water integrity tool portfolio, including training manuals on general water integrity promotion and procurement processes (<u>www.waterintegritynetwork.net/tools</u>)

A note to trainers

The term "integrity pact" doesn't always refer to the same tool or approach. The scope of the approach can vary depending on implementation settings and there has not yet been a conclusive evaluation pointing to optimal settings.

It is our responsibility as trainers to ensure that future implementations of integrity pacts are optimized in line with lessons learned from experience. A commitment to quality, transparency, accountability, and participation must remain at the core of our work and that of the partners we train.

More information

www.waterintegritynetwork.net / info@win-s.org

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1 WHO CAN DELIVER TRAININGS: PROFILE AND REQUIRED SKILLS

An anti-corruption expert with specific knowledge of contracting processes or a public sector contracting expert with experience in the implementation of Integrity Pacts (IPs) would be ideal candidates to deliver training on IP implementation. It is also highly desirable that a trainer be familiar with the specificities of water management and infrastructure projects.

For more information on brushing up on the basic knowledge required to deliver strong and convincing training on IPs in the water sector, or to get information about trainers and specialized consultants, please send your questions to: <u>info@win-s.org</u>.

2 PREPARING AN INTEGRITY PACT (IP) TRAINING

Two very important elements determine the whole structure, content, and mode of delivery of an IP training: the target audience and goals. Both need to be clear and specific.

2.1 Identifying and knowing the audience

Integrity pacts are a specific type of anti-corruption tool and it is unlikely that an audience will be expert enough to dive into the content directly. Any training will have to be adapted to the needs of the audience and include material and practical training on, for example, specific water infrastructure development processes and risks, collective actions mechanisms to fight corruption, or procurement processes.

Tips to define or get to know the audience:

- Be as specific as possible in defining who could receive training: what level of seniority? What level of expertise? Do they have to have previous knowledge about corruption or not?
- Establish participation requirements that will be used for the invitations or during planning

It may not be possible to limit trainings to specific profiles of participants and control participation, especially for more general trainings. In such cases, it helps to take the time to get as much information as possible about participants and build in enough flexibility in the programme to adapt along the way to different levels of expertise or different backgrounds. Before the training, it could help to, for example:

- Ask participants to write a statement of interest and/or
- Ask for a CV of the participants, know where they work and/or,
- Request preparation work: to identify and bring a specific case or situation they want to work on.

There is no golden rule about whether it is best to deliver training for homogeneous or heterogeneous groups. This ultimately depends on training goals. Heterogeneous groups can contribute a lot to the training by bringing in different perspectives. However, there may be more work required to level their knowledge and it may be difficult to delve into certain topics in detail. Homogeneous groups generally allow for more detailed and specific training but will lack the different perspectives that can enrich the exchange of experience and knowledge.

2.2 Setting training goals

It's important to make goals:

- Realistic
- Measurable (it's important to know in advance how the training will be evaluated as successful or not)
- Simple

Generally, anti-corruption trainings have goals that fit in a range from general awareness raising (focused more on information transfer), to sector or issue-specific training, to action-oriented and practical training (focused more on skill development). It's important to place the training goals in this range and be specific about desired results: what should participants learn? What should they do with the knowledge? What is the next step for participants? Which actions should they take?

Examples of training goals:

- To raise awareness among public sector officials in the water management sector in country X about tools to fight corruption in public contracting processes.
- To motivate and empower water management officials at the local level in municipalities of district Y to implement integrity pacts in water management contracts.
- To motivate and empower the Boards and management of water supply and sanitation utility Z to incorporate integrity pacts in their contracting processes.

Each goal leads to a distinct and more or less specific training.

2.3 Scheduling the training

There is not an ideal training duration. The chosen type and length of training will depend on goals, context and conditions, audience.

An average time that seems to work well for standard trainings is 1.5 days. Longer trainings tend to be less productive towards the end but could be useful if the material is voluminous and the goals very specific. If this is preferred, it is important to leave time open for other activities/work and keep length of sessions reasonable enough to sustain engagement over a longer period.

It helps to determine ideal times to deliver the training together with the hosting organization and well in advance, considering whether participants will be exempted from work during that time or not.

It is the reality for all adult training that both time and attention are limited. Most often, participants need to attend their office business at the same time as the training. This has a big impact on scheduling.

It is also important to keep in mind context and culture. Habits or rules regarding out-ofoffice hours for government officials, praying times, weekend days or holidays must be taken into account.

2.4 Logistics

Underestimating logistics can be problematic down the line. Even if organizers take care of most aspects, it helps to keep an eye on:

- The choice of venue
 - » What kind of settings are possible and what kinds of exercises do they allow?
 - » Is it accessible for all participants and will it make them feel comfortable?
 - » Is all the needed equipment available or should it be planned for separately (flipcharts, com[puter, powerpoint, beamer, ...)
 - » Can there be food or refreshments?
- The distribution of materials before and during the training. Digital and paper copies of the material (including agenda, exercise templates and instructions, handouts) should be available.

• Language and translation options

3 DEFINING THE CONTENT OF THE TRAINING

3.1 Including relevant background information

In training on integrity pacts, some background information is crucial because it helps frame and answer the first and most basic question of the training: why an integrity pact? Any training on integrity pacts will therefore require that some information be incorporated on:

- How is public procurement managed?
- What is corruption and how does it occur
- Basic corruption prevention mechanisms, the logic of prevention, how these mechanisms work, their advantages and limitations.
- Corruption in public contracting: how does it happen, what are key risks and examples? What kind of specific preventive tools exist?
- Access to information: relevance and features.

The length and depth to which these topics need to be incorporated in the training depend on the background and experience of the participants.

Generally, the more the training is meant for awareness-raising purposes (rather than specific skill development), the more basic and background knowledge should be provided in the training. Still, from experience with trainings on integrity pacts, participants tend to rather quickly express the need to understand the "how" of implementation and the demand for practical skills is almost always there. It is therefore advisable to prepare practical exercises even if only very basic.

If background knowledge among participants is too low, it may be worth considering splitting the training in two parts, one general on corruption and combating corruption and then one on integrity pacts specifically.

3.2 Adapting training contents and methodology to the audience and goals

It may be necessary to make adaptations to the methodology up to the last minute and once the training has started. It helps to warn participants at the beginning of training about the possibility of last-minute changes.

In line with the profile of the audience and the training goals:

• Decide on how active the training shoud be. What amount of exercises would be feasible? Is their space/equipment available for this? How experienced and receptive might the audience be to active training? How mixed or senior is the audience? Be prepared to adapt this as the training goes.

Action-oriented trainings will require a more active and participatory methodology (with exercises, role-plays, or even presentations from participants) than trainings meant for awareness-raising but the latter should also be sufficiently active to keep the audience

engaged and interested throughout. From experience, active learning is effective and can reinforce empowerment.

- Determine whether guest speakers or trainers could enhance the content (for example, a presentation from the local anti-corruption agency? A testimony from the private sector? An exchange with an IP expert? A regulator, especially in procurement, could bring valuable insight to a discussion on IPs. For example, Rwanda and Uganda are countries where procurement regulators exist.)
- Include elements that are relevant for the local environment (local regulation, special corruption characteristics and patterns, ...).
- Determine the depth of information needed and speed at which sections can be examined.
- Include or exclude sections of the handbook according to training goals and priorities.
- Develop particular exercises to emphasize particular features. For example, if the participants only include public officials and if you realize their interaction with private sector or civil society organizations has not always been fluid, consider including an exercise or role play on multi-stakeholder discussions to help them experiment with how it works.

3.3 Sequencing the content

From experience, the sequence outlined below works well for different types of audience but the final training outline can and should always be adjusted to the specific needs of the training.

1. Background knowledge and basics on procurement and (anti-)corruption

Getting participants acquainted with the topic and levelling knowledge, making sure more expert partners still get insight while others do not disconnect.

2. Basics on integrity pacts

Guide chapter 2, subsections 2.1 to 2.5, excluding at this point section 2.6 on how to select processes to apply an IP.

Explaining what an IP is and how it works, making sure to connect with the basics already addressed in first part of the training.

It is helpful to skip section 2.6 at this point because this section can effectively be merged in the more detailed section on IP design. The selection of processes may still be hard to deal with and there is not yet enough information to think constructively about which projects the IP is best for. It is generally enough to give examples of project.

3. IP monitoring

Guide chapter 5 on Monitoring, subsections 5.1 to 5.7.

Introducing monitoring as the most important component of the IP.

It is not impossible to follow the actual order of the Guide and deal with this topic later in the training but the topic is key and comes up as a question again and again. It's practical to deal with it upfront and make sure to have it covered from the start. If participants leave early or if the training has to be adjusted halfway through, it will then not be left out.

4. Design of the IP and its implementation

Guide chapter 3, chapter 2 subsection 2.6, and chapter 4 excluding subsections 4.2 and 4.6, and if needed chapter 5 subsection 5.5.

Presenting the process of IP design, from scoping to follow-up through the bid process.

It can help to actually start with subsection 4.1, which provides an overview of what is needed to implement an IP. This introduction makes it easier to then go through the content on identifying a contracting process, designing an IP, defining and engaging the proper stakeholders, designing the documents, defining roles in implementation, etc.

5. General implementation issues and impact evaluation

Guide chapter 4 subsections 4.2 on communication and 4.6 on costs, and chapter 6.

4 DELIVERING THE TRAINING

4.1 Background knowledge and basics on procurement and (anti-)corruption

Most important messages:

- Corruption risks in public contracting arise even in the most regulated settings
- The logic of corruption prevention is in part to set the stage for desired behaviour to actually happen
- Briefly show a wide array of available prevention instruments. Most of them can be used again as part of an IP processes.
 - It is useful for participants to end up with a corruption risk "map" of the contracting processes they are concerned with. This will be useful later when they examine processes to implement IPs, and can be an interesting exercise.
 - Pay attention to the composition of the group. Talking about corruption may be difficult for participants to do depending on culture, context and especially if staff at different levels is present (managers and staff for example) or when different stakeholders are present (a mixed group of CSO, business and government representatives). This requires special care and preparation. Bringing in a local expert to the workshop that can credibly talk about those risks for the group can also help.
 - Build working groups in ways that encourage people to speak up.
 - Use exercises with role-plays that force people to change positions.

Suggested exercises:

- Have participants recognize different forms of corruption in procurement processes (usually more subtle forms like conflicts of interest and collusion tend to be side-lined)
- Have participants identify corruption risks in their own contracting processes

Guide chapter 2, subsections 2.1 to 2.5, excluding at this point section 2.6

Most important messages:

An IP is both a document (with legal consequences) and a process. It's important to describe the structure and key elements for both aspects.

The document

- Signatures of parties
- Commitment to avoid certain forms of corruption (bribery, collusion, conflicts of interest etc.)
- Rights & obligations for signatories
- Monitoring process (system)
- Sanctions
- Other aspects (regulating process)

The process

- Identifying a suitable project (contracting process) for an IP
- Building consensus for an IP
- Transparency, stakeholder involvement & accountability measures along the way
- Building & implementing a monitoring system
- Defining & signing the IP document
- Implementation
- Dispute resolution processes

 Multi-stakeholder involvement often comes across as difficult for all stakeholders (there is distrust or communication is difficult). This is a hard issue that cannot be resolved in one workshop. It is most likely to be one of the main impeding factors to IP implementation.
Depending on your knowledge of the local dynamics, or the support of local trainers, you may find ways to suggest possibilities of dialogue or bring examples.

- A trainers' own experience ("I have seen functioning groups of...") will come in handy.
- Role plays or exercises adapted to the local culture can also be used to start dealing with this issue.
- Professionals familiar with conflict management techniques, or community organizers possess knowledge and skills that can be useful during or after the training in supporting these approaches. You could consider involving them in the training.

2) A frequent question trainers will hear is: why repeat the law, especially if it is not fulfilled anyway? Check the Guide (page 36) for some elements to respond to this question. Also bear in mind that local context (the characteristics and history of the enforcement system, the rule of law,) will qualify your answer.

4.3 IP monitoring

Guide chapter 5 on Monitoring, subsections 5.1 to 5.7.

Most important messages:

- The monitoring system is the most essential element of an integrity pact. Without one the IP is simply another document that can be ignored.
- There are different types of monitoring systems that can be implemented. One suitable for the local context can be designed. Whichever system is designed, **it needs to be accountable**, **legitimate and credible**.

When discussing the selection of the monitor, make sure to cover these basic questions:

- Who selects the monitor?
- How is the monitor selected?
- Who can be selected as monitor?
- How can the independence of the monitor be maintained?

 $\sqrt[3]{2}$ The structure of chapter 5 of the Guide puts key questions in an effective systematic order.

Make sure to connect the monitor's functions (subsection 5.1) with the monitor's requirements (section 5.2), so participants see and make sense of the requirements.

In countries or settings where there are whistleblowing systems and Ombudsmen or similar institutions and roles, it is useful to distinguish them and the monitor.

In addition to personal or institutional characteristics of the monitor itself, it's important to emphasize the need for transparency and accountability in the selection *process*. You can then make a connection between this process and the credibility and legitimacy of the monitor.

The actual details of the monitoring agreement (subsection 5.5) can be discussed at this point or later when dealing with IP design and implementation. However, discussing a legal document during the training can be very arid (and isn't always suitable for the audience). If the audience is up for it, go through the elements as described in the Guide. Another option is to connect to the topic of the selection of the monitor to make sense of the basic elements of the agreement:

- Signatories
- Contents
- To whom is the monitor accountable to
- Elements to balance out risks (for example potential conflicts of interest)

There are useful examples of monitoring agreements in the Guide annexes.

Suggested exercises:

- When discussing the types of monitoring systems that can be used (subsection 5.3), it can be effective to conduct an active discussion with participants and draw a table that compares each possible system with its advantages and limitations (or positives and negatives).
- It is also possible to invite participants to describe actual systems and both their negative and positive aspects.

There will hardly be a perfect system, but this will allow you to identify possibilities with the participants and see how to address weaknesses and build up strengths.

Guide chapter 3, chapter 2 subsection 2.6, chapter 4 excluding subsections 4.2 and 4.6.

Part A on the IP process

Start with Guide chapter 4, subsections 4.1 and 4.3

Most important messages:

Again, it's not only about the document. The design phase of the IP process is about both the document and the process.

Implementing an IP is a process that requires negotiation and buy-in from different types of stakeholders. It has practical implications related to:

- Identifying and designating and IM implementing organization to run the process; this requires a Memorandum of Understanding to set the basics
- Developing and validating an IP document
- Identifying and designating a monitor
- Adhering to and following through with the agreement

Reducing an IP to a document will reduce its effectiveness. Discussing material from section 4 before section 3 helps to emphasize the importance of the process and supports the idea that crafting and signing the document is part of the process

Subsection 4.1 outlines what it takes to implement and IP. This overview helps participants better understand the different elements to be considered for IP design.

The need to generate buy-in (see Guide subsection 4.3, p 64) can be a sensitive issue that should be addressed early on and with diplomacy. Be mindful of whether different levels of hierarchy from one organizations are in the room and make sure all feel empowered.

Examine with the participants the different implementation arrangements and discuss strengths and limitations of each. Be aware that you will need to make different emphasis depending on the type of participants you have:

- If government officials only, you may need to discuss the roles and possibilities of civil society.
- If civil society only, you may need to go about how to reach out to businesses and how to persuade and involve government.
- If business only, you will need to discuss how to make an arrangement that is credible for other actors and involve civil society and government.

There is a good description of the roles different actors could play in implementing IPs on p 62 of the Guide.

Be mindful of local content: it has an influence on the description of strengths and weaknesses of different actors. For example, if in country X part of the trouble is the closeness (i.e. revolving doors) between the government and private sector, the IP will be less credible if it is initiated by the government or a business without civil society involvement. This is not an easy conversation to have. Trainers play an important role in making sure participants see the advantages of strengthening the credibility of the process.

There are examples in the Guide annexes of Memorandums of Understanding that can be used as guidance or working documents.

Part B on the contracting process

Guide subsection 2.5 and 2.6

Most important message:

There are various options for IP implementation that may be locally relevant, and there is no right or wrong approach. Though a more holistic approach has benefits, an IP can be implemented for different contracting processes and at different phases of the project cycle.

Suggested exercises:

It can be helpful to involve participants in thinking through contracting processes they will actually be facing. Alternatively, you could discuss advantages and disadvantages of undertaking IPs in processes that have already taken place but be sure to complete the information if the group does not bring up all issues.

Part C on designing the IP process

Guide chapter 4

Most important message:

- The process should emphasize transparency, accountability, and participatory measures.
- Start early.

Start with sections 4.5 to 4.7, relating the process before, during and after the IP. Make sure you connect back to previous elements of the training, particularly to the:

- Concepts discussed during the "basics" section on corruption prevention
- Monitoring system

There is a lot of details that can be discussed in this part and different specific tools can be emphasized (public hearings or other consultation mechanisms for example). It is worthwhile spending the time on these topics, although this will require additional preparation. There are many tools to promote transparency, accountability, and participation, and they are not all in the Guide (for example community monitoring efforts, and social accountability tools). There is general information available on many such tools on the WIN website: www.waterintegritynetwork.net/tools.

It can be helpful to invite a local expert with practical experience in implementing tools to share his/her perspective.

Part D on designing the IP document

Guide chapter 3

The contents of this section may vary depending on the legal system of the particular country the training is taking place in.

If you are not a lawyer it may be difficult to go through all the important details of this section, especially if local context is less familiar. One options is to bring in a lawyer as guest speaker. Be mindful however that this will require the guest learning, understanding, and making and presenting a legal analysis of the IP that is locally relevant.

A frequent question, and one which varies most from culture to culture, is whether the IP should be mandatory or voluntary. Be sure the advantages and disadvantages of both are discussed and guide the group to think about these issues. Also, make sure not to confuse this with the fact that once it is signed, the IP is mandatory for those who signed it.

Another topic that can vary a lot from country to country is the extent to which government agencies can legally participate as IP signatories, and the extent to which IP sanctions can be applied to government officials. This is also a common excuse for not getting involved. The legal discussion on this issue can be very complicated and nuanced. It can help to focus the discussion on general mechanisms under which the government can show commitment and can commit. It also helps to show (particularly to government officials) how the IP can be a source of protection and strength for them. For example, the IP can contain rules of behaviour that would otherwise (socially) be difficult to manage without it, like the impossibility to accept a lunch or dinner invitation from bidders. In this case, the IP helps officials to say "no".

There are examples of IP documents to be used as reference or working documents in the Guide annexes.

4.5 General implementation issues and impact evaluation

Guide chapter 4 subsections 4.2 on communication and 4.6 on costs, and chapter 6.

Communication on contracting issues is a crucial aspect that is often left out. Contracting officials also have generally had little training on communication skills. There will not be enough time during an IP training for a communication training, but make sure to emphasize this issue well enough to raise awareness. There are case studies, cartoons and other materials you could use to emphasize this point. Project management guides and materials offer useful advice on this that can also be brought up.

Suggested exercises:

Ask the group to tentatively fill out the budget form to identify the costs of an IP. This will be particularly helpful if the workshop takes place with participants of the same country. The item of the IP with most costs is the monitor. Budgets with different results should be re-examined.

5

5.1 Evaluation

After the training, conduct an evaluation by gathering input from the participants. The best and easiest way is to do this immediately before the participants leave the training room. The actual questions may vary, but it is necessary to asses at least the following:

- Were the stated initial goals achieved (refer back to measurement options developed when setting the goals)?
- What specific aspects worked well and what didn't work well (for future adjustments)?

It helps to be brief and to the point. Other examples of evaluation formats include: tests on content, open questions, or multiple selection questions determining rates of satisfaction.

5.2 Follow-up

Follow-up is almost indispensable, particularly for action-oriented training. Many questions will arise after the training when professionals go back to their normal duties. Often, these questions or doubts may actually hinder action. Specific, targeted help and answers after the training will multiply the impact of the training.

Training organizers should consider what structure can be established for follow-up. There are different formats possible in a range of budgets, for example:

- Assigning an expert to provide online or on-site help.
- Identifying and undertaking a follow-up training sessions after a certain period of time.
- Identifying and undertaking a follow-up training session on a special subject identified during the training.
- Providing support and mentoring during implementation.