

# Policy briefing on beneficial ownership transparency reforms and gender

October 2021 – Research consultancy opportunity

## About Open Ownership

Open Ownership (OO) is driving the global shift towards transparency over who owns and controls companies. OO enables beneficial ownership (BO)<sup>1</sup> disclosures which are accurate, well-structured, complete, and machine-readable. We support governments to make high-quality BO data available, and work with governments, businesses, and citizens to use the data. This reduces risks such as corruption and tax evasion, and builds trust and development opportunities.

Our multidisciplinary team works closely with technical and policy implementers, advising them on all aspects of BO implementation. To support our donor-funded technical assistance programmes, we have developed a broad range of implementation tools and products, including the [Beneficial Ownership Data Standard \(BODS\)](#) and the [Open Ownership Principles of effective beneficial ownership disclosure \(OO Principles\)](#).

## Background

OO has found a number of instances where beneficial ownership transparency (BOT)<sup>2</sup> reforms interact with issues connected to gender equality, yet there is extremely limited research on this topic. As a nascent policy area, the link between BOT and gender is underexplored. To date, no comprehensive exploration of how BOT reforms interact with gender – whether the positive impact of data use or potential negative unintended consequences of data publication – has taken place. OO is seeking a short-term contractor, either an organisation or independent consultant, to conduct research to produce a policy briefing on the topic.

For instance, there are cases where BO data is used to help monitor gender equality (e.g. to assess how many and which businesses are owned by women) as well as to enforce and assess certain gender equality policies (e.g.

preferential procurement of female owned businesses). However, little work has been conducted on the privacy and data protection issues that collecting and using gender disaggregated BO data – especially when this data is collected over time and made public – may create (i.e. the implications of collecting gender data as part of BO disclosures). One example of gender-sensitive risk mitigation to disclosure of BO data is that the UK protection regime (the process by which certain information in a BO declaration can be protected from publication in the cases of risks of serious bodily harm) was expanded to include instances where the publication of personal data was undermining restraining orders against stalkers and perpetrators of domestic violence.

<sup>1</sup> A beneficial owner is defined as the natural person that can be found at the end of an ownership chain of a legal entity. Often there is just a single link between a beneficial owner and a company, but sometimes it can include long and complex ownership chains of multiple legal entities. A beneficial owner is a person that ultimately has the right to some share of a legal entity's income or assets, or the ability to control its activities.

<sup>2</sup> Beneficial ownership transparency reveals how companies and other legal entities or arrangements, such as trusts, are owned and controlled by their beneficial owners. This typically involves governments implementing legal requirements for companies to disclose their beneficial owners, collecting this information in a central register and publishing certain personal details of beneficial owners. Access to this data is at minimum for other government users, but often also the general public.

There are also interactions between the misuse of anonymously owned companies and women beneficial owners. For instance, it appears to be common practice in Armenia for husbands that are the true owners of companies to declare their wives as beneficial owners in order to hide assets, but the implications of this for gender equality are not clear.

Another example is the role of women in the extractives industry. A key driver of BOT has been transparency in the extractives industry and national resource management. Women are disproportionately exploited within the extractives and natural resources sectors, often doing menial jobs for little pay, but little work has been done to explore what impact BOT reforms could have on them.

## Purpose of the contract

In order to inform both OO's own work and the wider work of BO reformers and advocates around the world, we are seeking a contractor to conduct research and synthesise their findings in a policy briefing that explores how BOT interacts with gender equality.

The selected contractor will bring an established track record of research on gender and the importance, and risks, of gender data to national and international policy. Familiarity with governance, transparency, and open data policy areas would be an advantage, but the OO team will provide a full briefing on what BO data is and how it is generally used.

## Scope of work

The aim is to research and write a policy briefing which will explore how BO reforms interact with gender. This should include how BOT reforms could positively contribute to gender equality, as well as how BOT could negatively affect gender equality.

The research should both focus on real world cases, including country examples where possible (some have been mentioned in the background), as well as highlighting potential future use cases for gender data collected as part of BO disclosures, and assessing potential challenges and risks associated with the collection of gender data along with other personal data. This should discuss the opportunities and risks of gender information within BO disclosures being available only to government authorities and being openly available to the public. Due to the intersectional nature of the subject, the contractor is free to propose to address other social equality issues where relevant and appropriate.

The research findings should be written up into a policy briefing, which should distil key considerations for implementers working on BOT reforms. The briefing should also identify questions where future research would better enable OO to support government implementers in working through these issues.

The contractor will develop an annotated outline which will be discussed and agreed with OO before proceeding. The briefing will go through one or two rounds of internal reviews and independent external review. The contractor is expected to respond to these comments in order to produce a final draft. Design, copy editing, and coordinating publication production are not the responsibility of the contractor, but the contractor is expected to make suggestions for graphics where relevant. The contractor may be asked to respond to queries from the designer or copy editor in order to finalise the publication. OO will welcome contractor suggestions for external reviewers.

We expect the briefing to be based on existing desk research and existing information. The contractor is free to supplement this with information from interviews.

The contractor will report to the OO Policy and Research Manager.

## Expected deliverables

- Policy briefing: approximately 5,000-8,000 words based on an agreed outline, including responding to internal and external reviewer comments
- Present research to OO staff to discuss findings and implications for future research, advocacy and country work

## Contractor profile

We welcome applications from contractors with:

- Exceptional research skills, with a track record in gender issues
- Excellent written skills (English), particularly communicating to policy audiences
- Familiarity with the research landscape and current debates around the opportunities and risks of (mis) use of sensitive personal data
- The ability to self-organise and work autonomously in a remote organisation
- Willingness to work flexibly to deliver the best results
- A track record of relevant research outputs
- Familiarity with governance, transparency, and open data policy areas would be an advantage, but the OO team can provide a full briefing on what BO data is and how it is generally used

We want to hear all voices, and particularly encourage individuals of diverse and marginalised communities to apply.

Please note that OO is a fiscally sponsored organisation and the contract will be executed in the name of our fiscal sponsor Global Impact, a US non-profit, on behalf of OO.

## Assignment details

The work should be completed by 31 January 2021 for which a maximum budget of **USD 15,000** is available, including daily fees and other expenses incurred by the contractor.

## Application process

To apply, qualified contractors should send:

- An expression of interest of no more than two pages, which outlines their interpretation of the brief, what additional things they would add, and a budget that includes an estimated breakdown of days and/or any other anticipated costs
- A CV summarising relevant professional experience and publications

Terms of Reference. If you do not hear back from us within 10 working days, this means we are not taking your application forward.

Please send the above to [recruitment@openownership.org](mailto:recruitment@openownership.org). Applications for this work will be reviewed on an ongoing basis with interviews scheduled accordingly. When a contractor is appointed, we will remove the advertisement. All applications will be reviewed against this