

## Terms of Reference

### Mid-Term Evaluation cum Strategic Direction Setting of UNDP's Portfolio on SDG 16+– Peace, Justice and Strong Institutions

Assignment:	Mid-term Evaluation for Pillar 1 and 2 of the SDG 16+ portfolio on Peace, Justice and Strong Institutions.
Reports to:	UNDP Regional Advisor – Access to Justice and Rule of Law
Type of Contract:	Individual Contract
Application Deadline:	31 <sup>st</sup> August 2020
Language(s) Required:	English

#### 1. Background and Context.

In line with the Sustainable Development Goals (SDGs), United Nations Sustainable Development Framework (UNSDF) and UNDP's Country Programme Document (CPD), UNDP has developed a Portfolio, (for the duration 2019-2022) prioritizing SDG 16 – Peace, Justice and Strong Institutions, to implement its Governance and Peacebuilding projects, and to ensure a cohesive approach across multiple projects working towards achieving this common goal. The Portfolio aims to address governance deficits and strengthen the effectiveness of key institutions to deliver people-centered services. It also aims to build the space, capacity and trust for excluded and vulnerable groups to participate and inform policy- and decision-making, so that it meets their specific needs and interests.

The portfolio is being implemented under three main thematic pillars; namely 1. Legislative and Oversight Commissions, 2. Access to Justice and Rule of Law and 3. Accountable and Effective Service Delivery, with the common objectives of upholding the rights of excluded and vulnerable groups, and strengthening inclusive service delivery to bridge the gap between the state and its citizens. Under the first service line, the portfolio is supporting Parliament, the Human Rights Commission (HRC), National Police Commission (NPC) and Right to Information Commission (RTIC) to enhance service delivery and outreach, while service line two of the portfolio is contributing to improving the ability of justice sector institutions to deliver people-centered services. Service line three is contributing to improve the ability of the public sector and local governments to provide equitable and effective services to citizens across the country. strengthen service delivery and bridge gap between government/state and citizens. These three service lines are linked with the Country Programme Document (CPD), which is jointly endorsed by the Sri Lankan Government and UNDP.

Since the formal inception of the Portfolio in 2019, Sri Lanka has undergone many contextual changes both on the political as well as socio-economic fronts. The April terror attacks in 2019 have put strain on inter-communal relations and social cohesion. Most recently, the COVID-19 pandemic crisis and resulting limitations, have unfolded in a period when Parliament has also been dissolved beyond the constitutionally permissible timeframe, thereby further exacerbating the democratic functioning of key Governance institutions including the Executive, Legislative and Judiciary. The economy of the country has also suffered and is expected to experience negative growth in the year 2020, with the poorest and most marginalized households most impacted by the economic downturn, increasing their vulnerability to falling back into a poverty trap.

In this context UNDP, in consultation with national and international partners, has taken immediate measures to re-programme funding to respond to the COVID1-9 context. Some examples include the digitalization of courts to facilitate remote hearings, increasing connectivity at the district level to promote business continuity, procurement of medical supplies to support local governments respond to the pandemic.

Given the changed context, UNDP Sri Lanka has planned to evaluate its Portfolio in order to strategically assess the results achieved under the Portfolio over 2019-2020, against the current country context using evidence-based information to analyze relevance, effectiveness, efficiency, impact and sustainability in order to generate timely findings, lessons learned and importantly, thematic-specific recommendations which will inform strategic re-alignments that UNDP makes to the Portfolio to align and contribute to the new government priorities and corresponding state architecture for the remaining duration of Sri Lanka's Country Programme and UN Sustainable Development Framework until 2022.

## **2. Purpose of the Mid-term Evaluation cum Strategic Direction Setting**

While an evaluation of the Portfolio is mandatorily required at the mid-term of implementation, UNDP has decided to advance the evaluation to 2020 given the very rapid country context changes. An ultimate purpose of the proposed exercise is to identify best practices and achievements to-date which the Portfolio should continue to build on, in-line with strategic country requirements and Government priorities. Covering the portfolio progress from January 2019 to August 2020, the mid-term evaluation cum strategic direction setting exercise will assess progress towards output-level objectives vis-a-vis relevance, effectiveness, efficiency, impact and sustainability of results achieved so-far. Secondly, it will also identify strategic and subject-specific recommendations under each of the three thematic pillars where re-alignment is required in-line with the new normal COVID-19 context, and the changed socio-economic and political situation of Sri Lanka. The evaluation scope and methodology will be further finalized at the inception stage with stakeholder consultations and following an evaluability assessment.

## **3. Evaluation criteria and key questions.**

The Mid Term Evaluation cum Strategic Direction Setting shall be guided by the following quality criteria and key questions as per UNDP corporate guidance:

### **1. Strategic:**

- a. To what extent is the support provided through the Portfolio helping Sri Lanka to achieve commitments under SDG 16? Are there any other SDGs to which the Portfolio's achievements are significantly contributing? What improvements to the Portfolio design are needed to ensure better alignment with national SDG commitments, especially under SDG 16?
- b. Within a new political and institutional context which is coping with an ongoing pandemic, what changes are required to the Portfolio's Theory of Change and key assumptions? What strategic new opportunities relevant to the three pillar areas have arisen to which UNDP should consider responding through the Portfolio?
- c. How strategic has UNDP's approach been to achieve planned results under each of the Pillar areas vis-à-vis other development partners?

2. **Relevance:**

- a. To what extent were the strategies adopted and achievements under each of the three pillars relevant to national and local contexts, needs and priorities?
- b. What strategic re-alignments are required under reach of the thematic pillars, in terms of work already on-going /work that needs to be under-taken, to equip UNDP to better meet the needs on the ground in the changed country context given the new normal COVID situation and the socio-economic-political changes? Recommendations should take into consideration linked initiatives by Government and other development partners.
- c. To what extent has analysis of cross cutting themes such as **climate change & environment, women's rights and gender equality, human rights, and anti-corruption** informed ongoing work under the three pillars and what changes are required to improve their mainstreaming across the pillars?

3. **Effectiveness:**

- a. To what extent did the Portfolio reach out to the targeted beneficiaries and reach planned results, under each of the three pillar areas?
- b. How far have output level objectives been achieved? A rating scale is to be provided at out-put level to measure this.
- c. How effective has the partner-selection process been under each pillar area to achieve planned results?
- d. Propose any adjustments in the portfolio necessary to enhance the effectiveness of partnerships forged and results achieved.
- e. Has the portfolio approach enabled the CO to promote integrated approached across the three governance pillars and with other thematic areas of the CO including climate and environment as well as partnerships and engagement.

4. **Efficiency:** the extent to which the Portfolio was efficiently managed, implemented and has delivered cost-efficient results

- a. Has the Portfolio used the most-effective methods to achieve the planned results under each of the three pillar areas? What changes are needed?
- b. What examples are available of best practices in cost-efficiency, and what improvements are needed?
- c. Have sufficient financial and human resources been allocated under each of the pillar areas to facilitate planned results? What changes are needed to enhance the efficiency of the portfolio?

5. **Impact:**

- a. To what extent are the out-put level achievements so far in-line with the outcome level-results planned under each of the pillar areas? What changes, if any, need to be made to ensure this?
- b. Were there any positive or negative impacts observed so far? To what extent have vulnerable groups (including female headed households and people with disabilities) been positively or negatively impacted by work undertaken under the three pillars?
- c. What strategic changes/re-alignment are required to achieve high-level results under the three pillar areas moving forwards? What new partnerships need to be explored?

**6. Sustainability: and National Ownership:**

- a. What key national institutional capacities have been strengthened and what strong partnerships/networks have been established under each of the pillar areas to ensure continuity of results beyond the lifespan of the Portfolio?
- b. What are the immediate/long term risks which may prevent the project from sustaining planned results under each of the three pillar areas?
- c. What measures need to be taken (including establishing alternative strategic partnerships) in order to overcome the above-mentioned risks, and achieve improved long-term sustainability?

**7. Management and Monitoring:**

- a. How effective are the Governance and management arrangements of the Portfolio? Is the Project Board providing the required quality assurance and oversight of implementation decision-making?
- b. How effective are the Portfolio's results framework, monitoring and reporting plans and other monitoring mechanisms in regularly measuring change?
- c. Are gender-responsive changes and sex-disaggregated indicators being measured across the three pillars?
- d. Propose any modifications to the management and management arrangements to ensure achievement of higher quality results.

**4. Methodology.**

The evaluation should be conducted in-line with the principles outlined in the United Nations Evaluation Group (UNEG) "Ethical Guidelines for Evaluations."<sup>1</sup> The rationale behind key methodological decisions, including sample selection and data collection tool development and administration, and their limitations (including an analysis of how such limitations would affect key findings and conclusions) should be systematically elaborated in the proposed evaluation methodology. To ensure accuracy and credibility of the findings, data should be triangulated as far as possible with the use of multiple primary and secondary data collection methods and sources, including but not limited to desk reviews, document analysis, key informant interviews /focus group discussions with rights-holders and thematic experts (these could be conducted virtually subject to the country context exigencies) and case studies. The methodology should outline the strategies to answer the evaluation criteria and key questions above, including proposed strategies to assess gender related aspects.

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<sup>1</sup> Available at: <http://www.unevaluation.org/document/detail/100>

## 5. Key Deliverables

Key deliverables	Details of expected deliverables	Percentage of total contract	Indicative Timeframe
1. Consolidated Inception Report	The Inception Report should include a Rapid Evaluability Assessment (REA), and should be carried out following preliminary discussions with UNDP as well as relevant desk review of documentation available. The scope covered, final methodological choices in the context of the COVID-19 crisis, evaluation schedule, and data collection plan and draft tools (questionnaires/surveys/interview questions etc.) should be included in the Report. The inception report should be developed and consolidated with the report provided by the independent consultant assigned to evaluate Pillar 3 of the portfolio.	25%	By 2nd week 2 <sup>nd</sup> Oct 2020
2. Presentation of Preliminary Findings	Following data collection and analysis, a consolidated presentation of preliminary findings is to be conducted together with the Consultant assigned for Pillar 3 for feedback and approval from UNDP and other relevant stakeholders.	25%	BY 3rd week 8 <sup>th</sup> Oct 2020
3. Consolidated Draft Evaluation Report and Evaluation Brief	A consolidated draft Report (including the strategic recommendations for the portfolio recalibration) to be submitted for review and feedback. A draft Two-Page brief summarizing evaluation findings and recommendations should also be submitted. The consultant to work in close collaboration with the Consultant assigned to Pillar 3 in consolidating the draft evaluation report	20%	BY 5 <sup>th</sup> Week 22 <sup>nd</sup> Oct 2020
4. Consolidated Final Evaluation Report	The consolidated final Report incorporating all feedback received from UNDP is to be submitted. The Report is considered final upon confirmation of approval from the Evaluation Manager.	20%	By 6 <sup>th</sup> week 29 <sup>th</sup> Oct 2020
5. Presentation of Findings	A presentation of final findings is to be conducted together with the consultant assigned to evaluate the pillar 3 of the portfolio as a knowledge dissemination/learning event to UNDP and relevant stakeholders.	10%	By 7 <sup>th</sup> Week 3 <sup>rd</sup> November 2020

## **6. Evaluation ethics.**

The evaluation consultant should have both personal and professional integrity and abide by the [UNEG Ethical Guidelines](#) for evaluation and the [UNEG Code of Conduct for Evaluation in the UN system](#) to ensure that the rights of individuals involved in the evaluation are respected. The evaluator must act with cultural sensitivity and pay attention to protocols, codes and recommendations that may be relevant to their interactions with women. As part of the Inception Report, the evaluator will develop a specific protocol for the conduct of the evaluation and data collection in line with respecting do no harm, diversity and gender equality. All data collected through the evaluation is property of UNDP and must be provided to the organization, if requested, in a word format. The evaluator must explicitly declare their independence from any organizations that have been involved in implementing any aspect of the SDG 16 portfolio

## **7. Management and Implementation Arrangements.**

The Mid-term evaluation cum Strategic Direction setting exercise will be facilitated by UNDP. The focal point for leading this evaluation from UNDP will be the designated representative of the Resident/Deputy Resident Representative. Two stakeholder groups – Evaluation Management (EMG) and Evaluation Reference (ERG) – will be established and engaged systematically at key milestones of the evaluation process to facilitate the conduct of a transparent and participatory evaluation.

Key donors and partners shall be invited to the presentation of preliminary findings, and their feedback shall be incorporated into the final inception report. The inception and finals report will be finally approved by the Resident/Deputy Resident Representative.

## **8. Duration of Assignment**

The contract will be supervised and financed by UNDP. Considering the ongoing COVID-19 crises, the contract duration and requirements may change based on the measures imposed by the government, which may further impact data collection by restricting access to district beneficiaries and stakeholders. The evaluator must demonstrate flexibility given such shifting conditions.

## **9. Evaluation Consultant and required competencies.**

The independent Individual Consultant is required to evaluate the Pillar 1 (Legislative and Oversight Commissions) and Pillar 2 (Access to Justice and Rule of Law) using the stipulated evaluation criteria. The consultant is required to work in close collaboration with the independent Individual Consultant assigned to evaluate the Pillar 3 (Accountable and Efficient Service Delivery) of the portfolio

Given that subject-specific knowledge under Pillar 1 and Pillar 2 is required, the consultant would need to demonstrate strong technical knowledge and expertise in the areas specified. Additionally, the consultant should demonstrate expertise in monitoring, evaluation, statistical analysis, and communication of data, with proven experience conducting research, evaluation and complex data gathering as well as experience working with institutions specific to pillars 1 and 2. The consultant should also have a strong understanding of gender equality and sensitivity as well as language capability to produce high quality reports in English and interact comfortably with local audiences

In addition, the following requirements are desirable:

1. Strong networks on the ground with government, parliament, independent institutions justice sector institutions, and civil society partners
2. Substantive experience working on legislative and justice related initiatives in Sri Lanka or in peacebuilding contexts, will be an added advantage.

**Profile of the Consultant:**

The midterm evaluation cum strategic direction setting mission will be led by UNDP's Regional Advisor on Access to Justice & Rule of Law based at the Regional Hub in Bangkok to whom the Consultant (including the consultant assigned for pillar 3) would report.. A UN advisor and reconciliation specialist based in Sri Lanka will also inform the strategic direction setting of the portfolio Lanka

**REQUIRED QUALIFICATIONS OF the CONSULTANT**

• **Education:**

- Minimum education of master's degree in Law or Law related discipline.
- Qualifications, including specialized trainings or certifications program on evaluation and results-based management.

• **Professional experience:**

- At least 7 years of experience in designing and leading program evaluation on Legislative and Justice sector in a peacebuilding context, including with programming in relation to gender equality,
- Experience in conducting and managing evaluations of projects in Sri Lanka and/or South Asia highly desirable.
- Proven knowledge and understanding of M&E methodologies, including qualitative and quantitative data analysis skills and participatory data collection approaches.
- Proven ability to produce high-quality reports and manage diverse perspectives in communications and consultations with relevant stakeholders and beneficiaries.
- Knowledge of national and local justice and governance systems and legal and policy frameworks and previous experience engaging with UN agencies, donors and high-level government stakeholders, law enforcement, and CSOs are preferred.
- Demonstrated capacity to work as a team.
- Excellent written and spoken English and representational capacities.
- Fluency in either of the national languages Sinhala or Tamil.

**10. SUBMISSION OF APPLICATION AND DEADLINE**

Interested candidates are requested to submit an electronic application containing the items listed below to [consultants.lk@undp.org](mailto:consultants.lk@undp.org) no later than **31 August 2020**. The financial proposal should provide professional fees as a lump sum amount for each deliverable, as well as travel-related costs. The submission package should include:

- Cover letter outlining relevant experience (s)
- Curriculum Vitae
- Proposed preliminary evaluation methodology based on the criteria and context noted above.
- Financial proposal specifying proposed fee based on each deliverable, and travel-related costs\* as per the following template:

**Required corporate competencies of consultancy:**

- Comprehensive knowledge on the UN's norms and standards; and human rights-based approach.

- Demonstrates integrity by modeling the UN's values and ethical standards.
- Displays cultural, gender, religious, race, nationality and age sensitivity and adaptability.
- Fulfills all obligations to gender sensitivity and zero tolerance for sexual harassment.

#### FINANCIAL PROPOSAL

All Inclusive Lump Sum Fee: LKR ( \_\_\_\_\_ )

Amount in words: (LKR \_\_\_\_\_ )

Note: Payments will be based on invoices on the achievement of agreed milestones, i.e. upon delivery of the services specified in the TOR and certification of acceptance by the UNDP. The applicant must factor in all possible costs in his/her "All-Inclusive Lump Sum Fee" including his/her consultancy and professional fee, travel (economy class flights is required to and from the Duty Station) honorarium, board and lodging, and any other foreseeable costs in this exercise. No costs other than what has been indicated in the financial proposal will be paid or reimbursed to the consultant. UNDP will only pay for any unplanned travel outside of this TOR and Duty Station on actual basis and submission of original bills/invoices and prior agreement with UNDP officials. Daily per-diem and costs for accommodation/meals/incidental expenses for such travel shall not exceed established local UNDP DSA rates.


For an Individual Contractor who is 65 years of age or older, and on an assignment requiring travel, be it to arrive at the duty station or as an essential duty required travel under the TOR, a full medical examination and statement of fitness to work must be provided. Such medical examination costs must be factored into the financial proposal above. A medical examination is not a requirement for individuals on RLA contracts.


#### PAYMENT FOR SERVICES

Payment will be made upon completion of the following milestones verified by the B&HR Specialist

- **Deliverable 1:** Consolidated Inception Report: 25% of the total contract upon the submission of inception report in 2 weeks from the contract starting date.
- **Deliverable 2:** Presentation of Preliminary Findings: 25% of the total contract value upon completion of the presentation of preliminary findings of the evaluation in 4 weeks from the contract starting date.
- **Deliverable 3:** Consolidated Draft Evaluation Report and Evaluation Brief: 20% of the total contract value upon submission of the consolidated draft evaluation report in 6 weeks from the contract starting date.
- **Deliverable 4:** Consolidated Final Evaluation Report: 20% of the total contract value upon submission of the Consolidated final Evaluation report in 8 weeks from the contract starting date
- **Deliverable 5:** Presentation of Findings: 10% of the total contract value upon completion of the final collective presentation on findings in 9 weeks from the contract starting date.

***UNDP is committed to achieving diversity within its workplace, and encourages all qualified applicants, irrespective of gender, nationality, disabilities, sexual orientation, culture, religious and ethnic backgrounds to apply. All applications will be treated in the strictest confidence.***

**Prepared by**   
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 and knowledge Management Specialist

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