Annex 2: Terms Of Reference

Excerpts of the terms of reference:

TERMS OF REFERENCE

CONSULTANCY ON END TERM EVALUATION OF:
(i) THE KENYA APRM DONOR SUPPORTED PROGRAMME AND
(ii) EVALUATION OF THE IMPLEMENTATION OF THE FIRST APRM
NATIONAL PLAN OF ACTION

1. BACKGROUND AND CONTEXT

The African Peer Review Mechanism (APRM) is an instrument voluntarily adopted by Member States of the African Union as an African self-monitoring mechanism. Its mandate is to ensure that the policies and practices of participating states conform to the agreed political, economic and corporate governance values, codes and standards contained in the Declaration on Democracy, Political, Economic and Corporate Governance approved by the AU summit in Durban, South Africa on July 9th 2002. It requires African states to subject themselves to self-assessment by their own citizens, followed by external review through a panel of distinguished African leaders, called the African Peer Review Panel of Eminent Persons. The four core thematic areas of the APRM are: (i) Democracy and Political Governance; (ii) Economic Governance and Management; (iii) Corporate Governance; and (iv) Socio-Economic Development.

Kenya acceded to the African Peer Review Mechanism (APRM) in March 2005, in Abuja, Nigeria and was among the first four African states along with Ghana, Rwanda and Mauritius to volunteer to be peer-reviewed. The APRM process was guided by an independent multi-stakeholder National Governing Council (NGC) comprising a majority of non-state actors (NSAs) but also representatives of key line Ministries. This was meant to ensure that the APRM process was independent, participatory and all inclusive. In the course of the self-assessment exercise, Kenya engaged in a long and rigorous national consultative process, and the survey of ordinary Kenyans, using five methods: (i) Open forums in all the provinces, and with many interest groups, e.g. youth, women, farmers, businessmen, pastoralists; (ii) A national survey of households conducted by the Kenya National Bureau of Statistics; (iii) Focus Group Discussions; (iv) Expert panel interviews; and (v) Desk Research instrument.

This process culminated in the development of a comprehensive Kenya Country Self Assessment Report and a National Programme of Action (NPoA). The APRM Self-Assessment Report was validated by a wide cross section of stakeholders drawn from every district in the country.

Subsequently, Kenya hosted a team of external reviewers led by a member of the APR panel of eminent persons, Dr. Grace Madue. The team traveled to all the provinces in the country and met with, and gathered views from, various stakeholder groups in Government, private sector and civil society. On the basis of these interactions, and borrowing heavily from the Country Self Assessment, the team developed the Country Review Report of the Republic of Kenya. This Report was called as the APR Heads of State Forum in Bahrain, the United Arab Emirates on 30th June 2006 and Kenya President H.E. Mwai Kibaki was subjected to review by his peers. Importantly, the APRM Country Review report identified a number of overarching issues, which relate to areas of deficiency or shortcomings in the Kenyan systems that are of a recurring or cross-cutting nature. The APRM Country Review Report called for these more gradual problems, seemingly interlocked, to be given a holistic, and perhaps more urgent approach because of the wider impact they have on the quality
of governance in the country. In the post-election crisis, these same issues brought civil conflict, which threatened to tear the country apart.

The overarching issues identified in the APRM Country Review Report 2006 are as follows: (i) Managing Diversity; (ii) Poverty and Wealth Distribution; (iii) Land; (iv) Corruption; (v) The Constitution; (vi) Gender Inequality; (vii) Youth Unemployment, and; (viii) Transformative Leadership

2. OVERALL OBJECTIVE OF THE EVALUATION

The overall objective of this evaluation is to review the extent to which the projects objectives and outputs have been realized, identify strengths and weaknesses in implementation, and provide recommendations for future success of similar projects.

Participation of stakeholders in the evaluation should be maintained, reflecting opinions, expectations and vision about the contribution of the project towards the achievement of its objectives.

3. SPECIFIC OBJECTIVES

More specifically, the evaluation will undertake a review of the following criterion:

a. Effectiveness

• To what extent have the project's objectives been realized?
• To what extent was the project implemented as envisaged by the project document in terms of planned activities and management? If not, why?
• Were the project activities adequate to realize the objectives?
• What has the project achieved? Where it failed to meet the outputs identified in the project document, why was this?
• Have any significant developments taken place since the project started, if so, explain how they affected the project goal and activities and evaluate the impact on the project?
• Assess the level of public involvement in the project and comment on whether public involvement has been appropriate to the goals of the project.
• How has the project engaged with civil society (CSO's, NGO's and citizens) and has their engagement been systematic. Will the engagement be sustainable?

b. Relevance

• Assess the realization of the project's outputs and outcomes. The efficiency and effectiveness of these actions given the available funding will be considered
• Were the objectives of the project in line with defined needs and priorities as described in the "Sustaining the Dialogue" programme.
• Should another project strategy have been preferred rather than the one implemented to better reflect those needs and priorities? Why?
• Were risks appropriately identified by the projects? How appropriate are/were the strategies developed to deal with identified risks?
c. Sustainability

- To what extent has the project established processes and systems that are likely to support the continued implementation of the project?
- Are the involved parties willing and able to continue the project activities on their own (where applicable)?
- Are the project outcomes likely to be sustainable? If not, why not? Which remedial actions would have been good to take?

d. Project design and performance: assessment/efficiency

- Was the project design appropriate? If not, why not?
- To what extent did the project include gender at its inception and how did this translate into practice?
- Was the project, including its finances, human resources, monitoring, and oversight and support managed efficiently?
- What was the role played by the implementing agency(ies) and, where applicable, the executing agency in leveraging resources, internal or external, and expanding partnerships with other actors to support and expand this project?
- Describe and assess efforts of UNDP in support of the implementing agency
- Assess the appropriateness of current formal and informal communication channels between national stakeholders, implementing and executing agencies, including recommendations for improvement
- Review the roles and responsibilities of the various agencies and institutions and the level of coordination between relevant players. In particular, the capacity and performance of the implementing agency.
- Assess the level to which the Logical Framework Approach (LFA) and performance indicators as developed at the inception phase have been used as project management tools, and review the implementation of the projects monitoring and evaluation plans.
- Assess the strength of the log-frame process as a whole. Make recommendations as to how to improve future performance for similar projects in terms of effectiveness and efficiency in achieving impact.

e. Impact

- To what extent have the realization of the project objectives(s) had an impact on the specific problem the project aimed to address and on the targeted beneficiaries? Kindly highlight the impact the project had on females and males respectively.
- To what extent the project has caused and is likely to cause changes and effects, positive and negative, foreseen and unforeseen, on country?
- Is the project likely to have a catalytic effect? How? Why? Please provide examples
- Have the needs of project beneficiaries been met by the project? If not, why not?
- Assess the likelihood of continuation of project outcomes after completion of donor funding, and describe the key factors that will require attention in order to improve prospects for sustainability of project outcomes.
- Describe the main lessons that have emerged in terms of efforts to secure sustainability; knowledge transfer; and the role of M&E in project implementation. In describing all lessons learned, an explicit distinction needs to be made between those lessons applicable only to this project, and lessons that may be of value more broadly.
4. METHODOLOGY

It is envisioned that the consultant will develop a methodology premised on the following:

- Extract the main performance targets and indicators from the relevant documents, and measure progress against those targets and indicators, (both qualitative and quantitative)
- Analyse the pattern of growth of the programme around the agreements and AWP’s
- Assess the extent to which the work plans accurately interpreted and supported the main agreement documents
- Include in the analysis all activities that were carried out by the programme and funded by either GoK or development partners directly.
- Review the M&E system of the program and make recommendations for an M&E Framework and M&E tools.
- Focus Group Discussions/meetings with key staff involved in management and implementation of the programme; key staff of other government MDAs, Development and other key stakeholders including the private sector, media, civil society, and citizens.
- Conduct a media review including the determination of the actual outreach of the programme via media channels
- Propose recommendations for future targeted results for the programme
- Prepare a draft report and discuss it with stakeholders including the GoK and Development Partners
- Prepare a final report, and present the major highlights of the report to the NEPAD Kenya Secretariat

See Annex 1 below for the reporting format

5. EXPECTED OUTPUTS

CONSULTANCY OUTPUT 1:

1. An end term evaluation of the Kenya APRM donor supported programme

Following the Peer Review of 2005, Kenya developed the “Sustaining the Dialogue” programme, which looks specifically at ensuring that the dialogue that was created with citizens throughout the APR is sustained and that Kenyans have a structured platform from which to monitor, evaluate and influence public policy and programmes on a regular and continuous basis. The overall Objective of the programme APRM “Sustaining the Dialogue Programme “Improved governance through providing Kenyans with a structured platform from which to monitor, evaluate and influence public policy and programmes”. The “Sustaining the Dialogue Programme” seeks to respond to several challenges observed during the APRM self-assessment, namely: (i) Challenges in participatory development; (ii) Challenges in representative democracy; (iii) Challenges in making service providers more accountable to citizens.

Details of this programme can be found in the NEPAD/APRM “Sustaining the Dialogue” programme document and the APRM strategic plan (2009-2012).