

TERMS OF REFERENCE

For Partner National Personnel remuneration survey in the UNHCR Malawi

1. Background

UNHCR has issued a Guidance Note on Partner Personnel, effective 1 January 2017 (Annex I) to inform its Partners on the revised UNHCR policies, obligations and resource contributions related to Personnel who are employed by Partners under UNHCR -funded Partnership Agreements.

Partners are the sole responsible entity for the recruitment, employment, establishment of contracts, management, and dismissal of their Personnel and for payment of salaries and other entitlements including insurance, social security, termination benefits, end-of-service entitlements, and other forms of employment compensation applicable under national labor laws.

The remuneration systems and salary scales are distinctly different among Partners and diverse in areas where they operate. The current level of UNHCR contributions in UNHCR-funded projects in Malawi has evolved through unstructured increments/adjustments annually based on ad-hoc negotiations with partners.

UNHCR can use either local rates for the UNHCR contribution towards National Personnel costs established through UN Country Teams (not the UN staff salary scale) or, alternatively, a survey commissioned by the UNHCR Country Office in consultation with Partners. Since there are no local rates established through the UN Country Team, UNHCR Malawi will conduct a remuneration survey for Malawi through comprehensive local labor market research, involving various comparators that will be identified from the international and national humanitarian non-governmental and not-for-profit organizations. The remuneration scales should be established based on the local labor market and be consistent with the prevailing levels of pay for similar services, similar contract conditions and comparable work in the local labor market. It is therefore necessary to gather information on local conditions of employment in a structured manner to support construction of Partner National Personnel cost remuneration scales.

A standard categorization of the Partner National Personnel functions (whether employed by International or National Partners) in line with the UN functional classification is introduced for consistency amongst various types of Partners and Personnel. This functional categorization should guide the survey.

National Personnel Category	Positions
A	Support (Guards, Helper, Driver, casual labour etc.)
B	Junior Assistants (Clerks, Data Entry, Secretaries, etc.)
C	Senior Assistants (Senior Finance Assistants, Programme Officers, Nurse, Social Workers, etc.)
D	Senior Officer (Senior Programme Officers, Doctors, Engineers, etc.)
E	Managers (Team Leaders, Senior Managers, Deputy Directors, Directors, Presidents, etc.)

The remuneration scales must be designed to be comprehensive, and inclusive of the value of typical allowances, benefits and taxes that are found in the local labour market and required by Malawi employment legislation. The value of the typical allowances should be included in the remuneration scales such that these scales are broadly competitive with the total remuneration values for the position.

The remuneration scale should be set at the gross level and may include an additional lump sum for participation in national social insurance programmes that are mandatory. The process for establishing the remuneration scale must be simple and transparent.

In this context, UNHCR Malawi would like to engage the services of a reputable and technically qualified contractor with extensive expertise in labour market analysis, management and organizational development to undertake the salary survey process.

UNHCR Malawi would hereby like to solicit proposals from interested contractors to conduct a salary survey and support UNHCR in establishing a reasonable remuneration scale for Partner National Personnel based on the latest prevailing market rates and aligned with UNHCR regulations.

2. Objectives:

In accordance with the established UNHCR policies and Guidance Note 07/FP/S2-3 on Partner Personnel (Annex A) and based on the current level of the UNHCR contribution towards Partner National Personnel costs within UNHCR Malawi (to be shared during survey), the selected contractor will conduct an independent survey for the purpose of recommending a new remuneration scale for UNHCR Partner National Personnel engaged under UNHCR-funded Partnership Agreements (in line with the established standard categorization) and corresponding to prevailing local market rates for similar work of comparable quality, complexity and difficulty.

3. Scope of Assignment

- a) The selected contractor shall be guided by the requirements specified in Annexes I and II. There is no direct linkage in approach or amount between the Partner National Personnel salary scale and the UN/UNHCR national staff salary scales;
- b) UNHCR shall provide to the contractor a list of its current funded Partners in the given Country Operation(s) as well as Partner Personnel Lists which are annexed to the Partner Agreements.
- c) The selected contractor shall review UNHCR Country Operation's existing contributions for Partner National Personnel costs, job descriptions, existing job categories and salary structure.
- d) The contractor shall suggest to UNHCR a list of organizations, both local and international civil society organisations, and positions/jobs which may be considered as Comparators, for the purpose of establishing Partner National Personnel remuneration. The list shall be subject to final approval by the UNHCR Country Office.
- e) Knowledge of the local market and ability to identify and reach out to appropriate Comparator employers are critical deliverables of the selected contractor. Where the Comparators are Partners of UNHCR, or known to UNHCR, UNHCR shall assist the selected contractor in determining the right contact persons in order to carry out the survey. An entry conference with Partners may be facilitated by UNHCR for the contractor to explain the methodology and approach.
- f) The selected contractor shall collect and analyse the following information from each of the agreed Comparators:
 - i. Job descriptions of the positions similar to those identified in the standard categorization for the purpose of job matching on the nature, complexities and responsibilities of each position in the existing Partner Personnel categorization.
 - ii. The salary structures and associated benefits (including typical allowances and benefits package both monetary and non-monetary) of the selected Comparator organizations for existing Job Descriptions in compliance with standards defined by the Malawi labour law.
 - iii. Information on the Comparator employer (size, number of employees, length of time present in the location, etc.).

- g) Before the final results of the survey and remuneration scale will be concluded, the selected contractor shall present a draft analysis report to UNHCR Malawi. Consultations will be conducted with UNHCR and any relevant audience including UNHCR-funded Partners.
- h) The contractor shall make final recommendations on the proposed remuneration scale and shall prepare a Final Report, incorporating comments from UNHCR and NGOs, containing all of the items listed in Section 4 below.
- i) The selected contractor shall maintain complete confidentiality of all data and documents provided by selected Comparator employers and by UNHCR. Data from Comparator employers will be shared with UNHCR only.

4. Deliverables

Based on the established UNHCR policies and within the time frame specified, the contractor is expected to submit a report which includes, but not limited to, the following outputs:

- a) Details and summary of data collected from the Comparators showing TOR matches and the evaluation of their remuneration packages;
- b) The minimum and maximum remuneration values of all job matches obtained from the Comparators;
- c) A report on final survey findings with comparison and analysis of the survey results, and with recommendations related to remuneration packages;
- d) A report on relevant local labour conditions and laws;
- e) A summary table of Comparator practices on remunerations compared to UNHCR Country Office contributions towards Partner National Personnel Costs;
- f) A proposal with options for a revised remunerations scale for Partner National Personnel;
- g) A comparison with other UNCT Service Contractor salary scales for similar contractual modalities (where applicable);
- h) All completed questionnaires together with relevant remuneration scales and all relevant documentations and correspondence received from the respective comparators; and
- i) As and when required by UNHCR, the contractor shall conduct a presentation of the process and the results to any relevant audience that UNHCR may organize.

5. Institutional Arrangements

The work of the contractor engaged shall be supervised by the UNHCR Project Control Officer and Programme Officer. As such, submission of the above- mentioned reports shall be made through them. The confirmation of acceptability of report contents, the authorization of disbursement of payments, and evaluation of performance shall all be undertaken by these UNHCR personnel. They may bring in other parties within UNHCR, (i.e. Implementing Partnership Management Committee, IPMC), and Partner organizations, to assist in the review of the outputs, as and when deemed necessary.

6. Expected duration of Assignment

The task is expected to be completed within **3 weeks** from the date of signing of the contract. The contractor is required to prepare and submit the entire plan in a way that allows the achievement of all deliverables within **4 weeks** period.

7. Duty Station

The selected contractor shall not be required to be present at the UNHCR Country Office and may work independently with coordinated visits to UNHCR and the Partners. As and when agreed by UNHCR, the contractor should visit Comparators in the course of undertaking the assignment.

8. Qualification/Experience

The successful contractor shall meet the following minimum criteria:

- Experience in the field of human resource management.
- Past experience in undertaking salary surveys for non-profit organizations will be an asset.
- Familiarity with labour market issues.
- Ability to render consulting services in the most professional, effective and efficient manner.
- Fluency in English.
- Excellent writing and presentation skills (all required reports shall be written in English).
- Familiarity with the UNHCR rules and regulations and experience within the UN system would be an advantage.

9. Recommended Presentation of Proposals

The Proposal shall be presented in the following manner:

Mandatory criteria	
Registration documents: the bidder shall provide copies of the registration documents issued by the government licensing authority, such as: company registration certificates, certificates of incorporation, tax certificates etc.	Pass/Fail
Audited financial statements: for a period covering the past 2 years (2019-2020) to confirm financial capacity of the company.	Pass/fail
Technical criteria	
Company profile highlighting the qualifications that meet the minimum criteria stated in Section 8 above, and at least three (3) references	10 points
Statement why the company is the most suitable contractor for the work	5 points
Brief methodology on how he/she/company will approach and conduct the work (with the methodology clearly explained)	25 points
Brief CV for key personnel conducting the survey provided	10 points
Detailed work plan and timeline	20 points
Total:	70 points

Financial proposal shall be submitted separately from the Technical Proposal.

- The Financial Proposal containing the final and all-inclusive total price offer (professional fees, all envisaged travel costs, living allowances, insurance, etc.) for the full range of services required, broken down into all major cost components associated with the services. The total price shall be in a fixed lump-sum amount, and milestone payments corresponding to outputs shall be indicated in the proposal.

10. Payment terms

Payment under the contract will be output based and will be made upon the satisfactory completion of the assignment. However, upon its discretion, UNHCR could provide advance payment at the rate agreed with the contractor at the time of signing the contract.

11. Confidentiality

It is expected from the selected contractor to maintain the highest level of confidentiality on the information provided before, during and after the completion of the assignment. The company shall practice the highest standard of professional and ethical values and norms in providing this consultancy service.

12. Basis of Contract Award

As per the bid evaluation explained under section 2.5.2 of the RFP cover letter, the qualified most responsive proposal in response to this RFP, will be awarded the contract.

13. Annexes to this TOR

- I. UNHCR Guidance Note 07/FP/S2-3 Partner Personnel issued on 1 January 2017
- II. The list of current UNHCR-funded Partnership Agreements with Partner Lists.