Untitled-3

***TERMS OF REFERENCE***

**International Expert: Parliament Committee System Development, Bhutan**

**Contracting Agency**: United Nations Development Programme (UNDP) Bhutan

**Coordinating Agency**: National Assembly of Bhutan

**Place**: Thimphu, Bhutan.

**Expected duration**: 20 days over a period of six weeks, including a two-week mission to Bhutan (September-October 2015)

1. **BACKGROUND**

In Bhutan, UNDP was the first agency to be asked to support the Parliament since the inception of new democracy in close partnership with the Secretariats of both houses. A new phase of UNDP’s partnership with the Parliament of Bhutan commenced in 2014. The project, running from 2014 until 2018 has the aim of developing “Strengthened institutional capacity and legislative, oversight and representational role of the National Assembly and National Council of Bhutan to build and sustain democracy and development with the full participation of the people of Bhutan”.

The project prioritizes the strengthening of the committee system as a priority for the development of oversight and legislative capacities of the Parliament. The Parliament exercises its powers and functions through plenary sessions, work of Standing Committees, Ad-hoc/Select/Special committees. The Standing Committees are formed to undertake specific business of the house and continue to remain in office irrespective of the completion of work. The Ad-hoc Committees (can also be termed as select or special committee) are mostly formed temporarily to perform such specific functions as are assigned to them and cease to exist after completion of their task. Lastly the Joint Committees are established representing members from both the houses of the parliament. The National Council (House of Review) has seven standing committees. The National Assembly on the other hand has ten standing committees and is governed by the Committees Act of the Kingdom of Bhutan, 2004.

1. **OBJECTIVES**

The objectives of the assignment are:

1. Committees’ (especially legislative committees’) oversight and general practices are improved based on sharing experiences and good practices from other parliaments;
2. Committee secretaries are better able to conduct their work effectively in accordance with international best practice; and
3. A plan for continuous development of the committee capacities and practices is developed.
4. **SCOPE OF WORK**

The above objectives are to be achieved through three main deliverables:

**3.1. Meeting immediate capacity development needs of parliamentary committees**

1. **Conduct a two to three day training** for Committee Secretaries (and other participants as might be deemed by the National Assembly and National Council Secretariats[[1]](#footnote-1)) on best practice in legislative  development with a view to improve parliamentary committees’ oversight practices and overall committee practices and procedures. The training should be interactive and based on best experiences and practices across the Asia-Pacific regional and globally. The training programme, materials and supporting knowledge products will be developed and prepared by the expert in close consultation with the National Assembly and National Council Secretariats, and UNDP Bhutan. However, it should cover at least the following:
   1. Sustainable systems, processes and tools including oversight hearings (inquiries) used by committees to conduct oversight of government performance, programmes and budget execution as per international best practices;
   2. Public hearings and consultation processes (including with national/local government agencies, media, civil society organizations, community groups, individual citizens, experts, and vulnerable groups); and
   3. Good practices for work planning with practical exercises and examples from other parliaments, including joint discussions and development of improvements to current work planning with staff taking part in the session.

3.2. In-depth technical advisory session with Hon. Chairpersons of Committees

1. Conduct a capacity needs assessment and comprehensive functional, structural, procedural and performance review of the committee system against international standards, focusing on: the number and composition of committees, their functions, roles, responsibilities, powers, proceedings, the frequency of committee meetings, the support infrastructure, staff capacity, Standing Orders, privileges, quality and accessibility of committee reports, level of public and press awareness of and engagement with committees; and other matters relevant to the effective execution of their roles.
2. Conduct consultations and interviews with relevant stakeholders within the framework of the committee assessment exercise, including a one day high-level seminar with the Chairpersons of the Committees, as deemed appropriate by the National Assembly and National Council. The high level seminar will focus particularly on law-making, and discuss with the participants and share best practice on:
   1. Mechanisms for legislative committees to manage and process information that support more effective and objective legislative decision-making, including legislative and public hearings ways to measure/assess policy implementation against national development goals;
   2. Scrutiny of draft legislation prepared by the Government; law-making vs. policy-making; and exercise of legislative initiative;
   3. Impact assessment and assessment of legislations against cross-cutting requirements (e.g. gender, sustainable development, etc).
   4. Mechanisms for legislative committees to develop a structured way of organizing work for effective oversight and mechanisms; and
   5. Further in-depth assessment of the topics under 3.1, as deemed appropriate by the participants.

**3.3 Develop a report and recommended action plan for the way forward for improving the committee system.** The report should be 10-12 pages long and include at least the following:

1. Recommendationsto ensure the structures and procedures of the committees so that they are fit for purpose, including **a detailed action plan for the National Council and National Assembly Secretariats towards improved committee performance in line with international parliamentary standards.**
2. Concrete, clear and specific recommendations for required actions towards meeting international parliamentary performance standards for the committees, and proposed roles and responsibilities of different parties
3. The report must be prepared, discussed with the management in each house and finalized together with the parliamentary leadership. Materials will be made available in advance of the mission to support the development of the report.
4. **OUTPUTS AND SCHEDULE**

The precise dates of the assignment will be agreed with the consultant prior to signature of the agreement. The two-week mission to Bhutan is expected to take place in September/October, depending on consultations with the Parliament and the expert. A break up of the proposed days is provided in the table below.

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| --- | --- |
| **Task** | **Number of days required** |
| Set up meeting with UNDP, National Assembly and National Council to clarify the purpose of the assignment and way forward.  Review the relevant documentation which will be provided in advance by UNDP and the Parliament Secretariats.[[2]](#footnote-2)  Conduct a remote survey of workshop participants’ needs and requirements as feasible.  Submit detailed workshop plan, questions for needs assessment and background materials for the workshops (for disseminating with participants). | 5 |
| Preparatory meetings with National Assembly, National Council and UNDP Bhutan  Capacity needs assessment and review of the committee system including consultations with committee chairs, members and clerks, the Secretary Generals of both houses and other relevant parliamentary stakeholders | 6 |
| Training | 3 |
| High-level seminar with legislative committee members | 1 |
| Debriefings with National Assembly, National Council and UNDP | 1 |
| Develop and submit the final report | 4 |
| **Total** | **20** |

1. **REMUNERATION AND EXPENSES**

The UNDP office of Bhutan shall pay the consultancy fee to the consultant as agreed between both the parties by contract agreement. All travel and local expenses shall also be included in the contract agreement. Initial payment of 30% will be made upon the submission and approval by UNDP Bhutan and the Parliament of Bhutan of the workshop plan, questions for needs assessment and background materials for the workshops (for disseminating with participants). The remainder will be paid upon the delivery of the training and completion of all previously outlined activities, including the approval of the final report (3.3.).

1. **INSTITUTIONAL ARRANGEMENTS**

The Expert shall work in close consultation with the National Assembly, National Council and UNDP Bhutan and other relevant key agencies. The Expert shall be reporting to UNDP Bhutan and the National Assembly and National Council of Bhutan. The Expert will be expected to submit reports as required and agreed in the work plan and time schedule.

1. **QUALIFICATIONS AND EXPERIENCE**
2. Master’s Degree in International or Public Law or a related social science discipline;
3. A minimum of 12 years direct relevant experience in the area of parliamentary development and with parliamentary committees;
4. Experience in planning and leading training sessions and facilitating high-level seminars;
5. Senior management level experienced within a parliamentary administration, or extensive experience as a parliamentarian, preferred;
6. Extensive knowledge and experience with public consultation tools and process and public hearings;
7. Previous experience providing support to parliamentary committees in a developing country context including experience in conducting a capacity needs assessment and review of parliamentary committee system; and
8. Fluent English and demonstrated excellent report drafting skills utilizing MS office software.

**9. RECOMMENDED PRESENTATION OF OFFER**

Please submit the below preferred documents with you Presentation of Offer:

1. Duly accomplished **Letter of Confirmation of Interest and Availability**;
2. **Personal CV or P11**, indicating all past experience from similar projects, as well as the contact details (email and telephone number) of the Candidate and at least three (3) professional references;
3. **Brief description** of why the individual considers him/herself as the most suitable for the assignment, and a methodology on how they will approach and complete the assignment.
4. **Financial Proposal** that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs.

The proposal should be submitted in electronic format by 24th August 2015 to [procurement.bt@undp.org](mailto:procurement.bt@undp.org) .

**10. CRITERIA FOR THE SELECTION OF BEST OFFER**

The criteria which shall serve as basis for evaluating offers will be:

Combined Scoring method – where the qualifications and methodology will be weighted a max. of 70%, and combined with the price offer which will be weighted a max of 30%

| **Criteria** | **Weight** | **Max. Point** |
| --- | --- | --- |
| **Technical**   * Academic background * Experience in the area of parliamentary development and with parliamentary committees; * Experience in planning and leading training sessions and facilitating high-level seminars; and * Previous experience providing support to parliamentary committees in a developing country context. | 70 | 10  30  10  20 |
| **Sub-total A. (Technical)** |  | **70** |
| Financial | 30 | 30 |
| **Sub-Total B.(Financial)** |  | **30** |
| **Total (A+B)** |  | **100** |

1. Resources allowing and based on discussions with the Parliamentary Secretariat, it may be possible to invite parliamentary practitioners and/or MPs from the Asia-Pacific region to conduct this component of the project. If so, it may also be appropriate to invite MPs to attend the sessions for greater impact. [↑](#footnote-ref-1)
2. Including, The Constitution of the Kingdom of Bhutan, Rules of Procedure, UNDP Project Document and previous parliamentary assessments. [↑](#footnote-ref-2)