

**TERMS OF REFERENCE**  
**Organizational Diagnostic of Supreme Court**  
**2 May – 31 July 2018**

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## **I. Background and General Information**

Support for Reform of the Justice Sector in Indonesia (SUSTAIN) is a 5-year project with the overall objective of enhancing public trust in the judicial system through support to the Government of Indonesia in strengthening the rule of law. The specific objective is to increase the transparency, integrity and accountability of the judiciary and the quality of justice services delivered to the people.

This programme accordingly provides technical supports to the Supreme Court with the aim of achieving strategic results that directly linked to the Blueprints for reform of the Supreme Court. More specifically, SUSTAIN focuses on four sectors: (1) internal and external oversight of the judiciary, (2) enhanced skills and knowledge of judges and court staff, (3) improved human resource organization and management policies and (4) enhanced case management system designed to increase transparency, quality of case data and decisions and timeliness of case handling.

One of the tasks mandated by SUSTAIN Project Document activity result 3.3 is to assist Supreme Court in providing Technical Expert advisor and support to the Supreme Court on the implementation of its Blue Print for reform 2010-2035. Under this activity on sub activity 3.3.2 SUSTAIN tasked to support Supreme Court in organization restructuring process, in particular on the organization diagnostic. Supreme Court's organization diagnostic will take closer look on the overview of the organization, and providing recommendations to be included in an action plan to strengthen the Supreme Court's performance.

Based on the Presidential Instruction No. 13/1998, each ministries and bodies are required to conduct organizational diagnostic to have the right function, right size, and right process in optimized services to all citizen.

## **II. Objectives**

The objectives of the consultancy are:

1. To provide overview of the organization, including analysis on tasks, organizational structure, and effectiveness and efficiency of each team at Bureaus, Bodies, and Echelon 1 Working Unit in 4 (four) court jurisdiction.
2. To provide recommendations to be included in an action plan to strengthen the Supreme Court's performance.

## **III. Expected Output/s**

The task should achieve the three following results:

### **3.1 Provide an overview of the Organisation**

- ✓ Tasks, organisational structure and responsibilities for each post.
- ✓ Analysis of the relevance, effectiveness and efficiency of Supreme Court tasks.
- ✓ Analysis of Supreme Court's organigram and whether it conforms to the tasks assigned, and whether it is effective.
- ✓ Draw up a comprehensive assessment of the skills of the teams in place.
- ✓ Examine the current transfer, promotion, and selection procedure and propose possible improvements.

### **3.1 Prepare recommendations to be included in an action plan to strengthen the Organisation's performance**

- ✓ Clarify the tasks, role and functions

- ✓ Propose a re-organisation
- ✓ Develop a restructuring plan
- ✓ Assess the cost of restructuring
- ✓ Develop revised terms of reference for each post
- ✓ Propose developments to the relevant Human Resources Regulations by identifying the blocking factors caused by the current Regulations

### 3.2 Reports

The consultant will submit the following reports:

- ✓ A preliminary report (10 pages) to be submitted one week after the beginning of the audit detailing the methodology and initial observations on the Supreme Court.
- ✓ A draft final report (60 pages excluding annexes) describing the general situation of the Supreme Court in terms of operations, resources and procedures, as well as the first recommendations. This will be presented to the steering committee at a one day feedback workshop to share points of view and make any corrections to the draft final report
- ✓ A final report (60 pages excluding annexes) comprising an overview of the situation, accompanied by proposals for recommendations to improve the performance of the Supreme Court. This will incorporate any corrections.

## IV. Scope of Work

The Consultant shall perform the following tasks:

1. Describe precisely the organisational structure of Supreme Court, the tasks and levels of responsibility entrusted to each of the services which participate in the implementation of tasks that are assigned to it.
2. Analyse the decision-making procedures within Supreme Court
3. Analyse the institutional environment of Supreme Court
4. Look at the human resources policy and assess its adaptation to Supreme Court's functions and responsibilities.
5. Check staff transfer, promotion, and selection procedures and whether job profiles are correct.
6. Assess whether the human resources are adequate and the resources allocated to each of the Organisation's services/sections with regard to the responsibilities and tasks to be carried out.
7. Check whether staff are complying with procedures in the performance of their duties.
8. Analyse the channels for transmitting information and administrative, financial and accounting documents.

## V. Methodology and Activities

The consultant will need to take into account the availability and reliability of any assessments/checks/controls/organizational analysis already carried out by internal bureau/bodies of Supreme Court, and/or other parties, including (but not limited to) individual consultants or firm.

### 5.1 Information and Data gathering

On the information and data gathering, the consultant shall perform activities related with information gathering through desk research, interview, document studies (roadmap, blueprint, annual plans, annual reports, financial reports, etc.), interviews with key personnel, and any other means of individual or group assessment. Collection of information, desk research, and interviews.

### 5.2 Organization analysis,

The consultant is required to perform analysis and diagnosis of the Supreme Court's resources, analysis and diagnosis of the Supreme Court's decision-making process, and procedures

### 5.3 Diagnostic Approach

The approach should consider two main factors: (1) operational capacity perspective, and (2) Organization Effectiveness, which consists of analysis of the appropriateness of the following:

- Functions

- Process
- Organizational Structure (using Mitzberg approach)
- Practical Governance in the organization

## 6 Price

The Consulting Firm is required to submit:

- Technical proposal consisting of:
  - Draft outline of the important areas of HRIS development;
  - List of previous/ongoing clients with similar assignment;
  - Work plan and scheduling (time line);
- Financial proposal outlining lumpsum fee (for Jakarta only), including implementation plan
- Present both proposals in a bidder exposé session arranged by SUSTAIN/UNDP

If required, EU-UNDP SUSTAIN will provide:

- Return airfare on economy class (most economical and direct route) for one (1) consultant for each business trip required during the process
- A lumpsum covering accommodation, local transport, meals and terminal allowances based on HACT rate for one (1) consultant for each business trip required during the process (stay at the venue that has been procured by UNDP). Payment modality is reimbursement.
- The frequency of business trips will be defined more specifically with the appointed consulting firm

## 7 Criteria

The engaged Consultants, based in Jakarta, must be able to satisfy the following criteria:

1. Be a registered company in Indonesia by providing evidence of legal documents such as valid business permit, Tax Payer Identification Number, and other supporting documents.
2. Long - experience and excellent business track in IT architectural and business process for Private and/ or Public Sector

The Consulting firm must submit the CVs of the consultants appointed for the project, with the following minimum requirements:

### **Lead Consultant (1):**

- a) At least 10 years of experience in conducting organizational evaluation, audit, and or diagnostic in public sector, government bodies, internal organization, and or large – scale multinational companies.
- b) Advance degree in Human Resources, Management, or other related subject or related field.
- c) Experience in managing complex project
- d) Experience in working across all levels of an organization and managing multiple stakeholders.
- e) Working knowledge of English

### **Consultant (3):**

- a) At least 3 years of experience in conducting organizational evaluation, audit, and or diagnostic in public sector, government bodies, internal organization, and or large – scale multinational companies.
- b) Advance degree in Human Resources, Management, or other related subject or related field.
- c) Experience in managing complex projects
- d) Experience in working across all levels of an organization and managing multiple stakeholders.
- e) Working knowledge of English (both written and spoken)

## VI. Duration of assignment

**The assignment must be completed within the following period:**

10 May 2018 until 31 July 2018

**VII. Terms of Payment**

The payment shall be paid upon submission of the deliverables in several phases:

**Deliverable and Schedule of payments**

| <i>Deliverable</i>   | <i>Target Date</i> | <i>Payment milestone</i> |
|--|--------------------|--------------------------|
| A preliminary report (10 pages) to be submitted one week after the beginning of the audit detailing the methodology and initial observations on the Supreme Court.   | 30 May2018         | 30%                      |
| A draft final report (60 pages excluding annexes) describing the general situation of the Supreme Court in terms of operations, resources and procedures, as well as the first recommendations. This will be presented to the steering committee at a one day feedback workshop to share points of view and make any corrections to the draft final report | 20June 2018        | 30%                      |
| A final report (60 pages excluding annexes) comprising an overview of the situation, accompanied by proposals for recommendations to improve the performance of the Supreme Court. This will incorporate any corrections.  | 20 July 2018       | 40%                      |

\*The whole report will be delivered in Bahasa Indonesia but Executive Summary, Conclusion, and Recommendations must be delivered in bilingual, Indonesia and English.

All the above payments are subject to the reviewed deliverables by the SUSTAIN Sector Coordinator HRM Reform and OD; and approved by the SUSTAIN Chief Technical Advisor/Program Manager.

**VIII. Schedule of Activities**

Will be agreed with the consultant after the award.