

TERMS OF REFERENCE

Assignment Title	Specialist on code of conduct and corruption risk management in public administration
Type of Contract	Individual Contract (International)
Start/End Dates	14 October 2019– 13 March 2020
Working Days	29 fee days delivered over 5 Months
Supervisor(s)	LEAP Project Manager
Duty Station	Nay Pyi Taw, homebased, and in-country missions in Myanmar

A. BackgroundUNDP Country Programme (2018-2022)

Myanmar has embarked on a major transition towards democracy, open economy and peace.

The first UNDP Country Programme was delivered from 2013-2017. As a key development partner of the government of Myanmar, UNDP will implement a new UNDP Country Programme for the period 2018-2022, which will deliver on a large and relevant programme portfolio that is responsive to the main development challenges the country is facing. The UNDP Country Office in Myanmar is a key interlocutor and advisor to government across its portfolio and aims to expand its programming at the region/state and township levels in order to ensure stronger people focused institutions at all levels of government, as part of the effort to support Myanmar's democratic transition, build and sustain peace, and promote more sustainable and inclusive development.

In the areas of democratic governance and peace, the new UNDP Country Programme Document is being implemented through the Governance and Sustainable Peace Team, including the following projects:

- Support to Effective and Responsive Institutions Project (SERIP)
- Support to Accountability and the Rule of Law Project (SARLP)
- Leadership, Effectiveness, Adaptability and Professionalism (LEAP) in Myanmar's Civil Service Project

Country Context and UNDP's Support to Public Administration

Myanmar is witnessing a rapid and unprecedented change in its political and governance landscape. The 2008 Constitution established seven Regions and seven States, in addition to a Union territory organized around the capital city, Nay Pyi Taw. Region and State governments are composed of a unicameral and partially elected Region and State Parliaments or "Hluttaw", an executive led by a Chief Minister and a cabinet of Region and State ministers and Region and State judicial institutions. The roles of the Region and State Governments as set out in the 2008 Constitution and subsequent amendments include some rights to enact laws, region and state budgets, tax collection, expend funds and manage projects.

Despite commitments to decentralization, in practice Myanmar's governance structures remain heavily centralized with existing administrative structures and practices, and accountability and decision-making processes predominantly organized around strong central agencies, with some devolution. A whole of government approach is needed to embed horizontal co-ordination and integration in the process of policy design and implementation and help recalibrating systems that currently are sector-based silos, to promote inter-sectoral dialogue and policy making.

UNDP supported the Government of Myanmar in developing its national policy on Civil Service Reform (CSR), which culminated in the launch of the CSR Strategic Action Plan for 2017-2020. The Plan is intended to transform the civil service and mainstream in its regulations and procedures a new culture and the principles of integrity, meritocracy, accountability, inclusiveness and responsiveness.

Via the LEAP project, UNDP has supported the review of the Civil Service Regulations and Systems and has contributed to determine benchmarks for the Union Civil Service Board (UCSB), custodian of civil service management issues in Myanmar, to consider while modernizing the human resources management system of the country. Specific focus was put on selection, promotion, transfer and performance management and training systems for civil servants. To foster leadership and support for managing change, specific activities addressed to Senior Executives are envisaged. UNDP has also been supporting the development of a new Code of Values for Civil Service Personnel in Myanmar. In tandem, UNDP has been providing assistance to the Anti-Corruption Commission (ACC) of Myanmar in strengthening its institutional capacity. UNDP engaged actively in corruption prevention activities and is supporting the establishment of corruption prevention units (CPU) in the ACC under the SARL project and in all Government Ministries and States and Regions. It has also supported the development of the Code of Conduct of the ACC, which is an underpinning tool contributing to the effectiveness and accountability of the Agency.

UNDP is looking for a Specialist on code of conduct and corruption risk management in public administration that will foster integrity in Myanmar civil service by 1) Proposing enhancement to the Civil Service CoC focusing on its application aspects; 2) Designing a specific learning curricula for corruption prevention units focal points; 3) Conducting ToT.

B. Objectives of the Assignment

The aim of the assignment is to contribute to build a solid integrity framework in Myanmar Civil Service acting at cultural and organizational level, integrating a corruption risk management perspective in Myanmar civil service practices and regulatory frameworks. The assignment will include the provision of quality technical advice to the Union Civil Service Board, the two Central institutes for Civil Service in Upper and Lower Myanmar and the Anti-Corruption Commission.

C. Scope of Work

1) Propose amendments to the Myanmar Civil Service Code of Conduct:

- Review the current Civil Service CoC adopted by the UCSB and the CoV produced by the project;
- Propose amendments to the CoC to integrate a corruption risk management perspective and reduce discretionality in application of the norms;
- Working jointly with the ACC and the UCSB, introduce amendments to use the CoC as a management tool for corruption prevention and to foster good practices and behaviors in the civil service;
- Present the proposed draft to the ACC and UCSB for adoption.

2) Design and propose a specific learning curricula for corruption prevention units focal points:

- Working in close cooperation with the ACC and focal points of the CPU, and in coordination with LEAP and SARL project team, design a specific curricula addressed to build capacities on corruption risk management for corruption prevention unit focal points and civil servants that are particularly exposed to corruption risks (e.g. Procurement, Personnel department, etc). The content of the curricula will be aligned with the content of the corruption prevention online curricula that SARL project is developing.
- Design contents of the modules and syllabus;
- Define and draft guidelines for ToT including training methodology to be adopted by ACC to train the CPU
- Present the proposed curricula in a workshop with ACC and line ministries where CPU have been established;

3) Upon approval of the training modules and curricula conduct ToT modelling session:

- Conduct ToT modelling the learning curricula proposed for the CPU focal points

D. Deliverables

Based on the details mentioned in Section C) Scope of Work, the deliverables include:

#	Deliverables	Working Days	Target due dates
1	<ul style="list-style-type: none"> • Paper containing proposed amendments to the CoC; 	Tot of 7 fee days Home-based	<ul style="list-style-type: none"> • 25 October 2019
3	<ul style="list-style-type: none"> • Workshop with ACC and UCSB to present and validate amendments to the CoC • Workshop and focus group discussions with ACC and line ministries CPU focal points to design learning curricula on corruption risk management 	Tot of 5 fee days Nay-Pyi-Taw and CICS in Yangon area and/or Mandalay area	<ul style="list-style-type: none"> • 8 November 2019
4	<ul style="list-style-type: none"> • Learning curricula for the CPU focal points designed in line with content of corruption prevention e-learning content developed by SARL, including contents of the modules and syllabus • Learning methodology and guidelines for ToT drafted for the corruption risk management curricula addressed to CPU focal points 	Tot of 7 fee days Home-based	<ul style="list-style-type: none"> • 29 November 2019
5	<ul style="list-style-type: none"> • 2 days Workshop to present the new learning curricula and conduct trainings on learning methodology to UCSB, ACC and CPU focal points based on the guidelines TOT 	Tot of 5 fee days Nay-Pyi-Taw and CICS in Yangon area and/or Mandalay area	<ul style="list-style-type: none"> • 13 December 2019

6	<ul style="list-style-type: none"> Upon approval of the learning curricula, conduct ToT to ACC experts/ professors/civil servants in charge of the training in the CPU 	Tot of 5 fee days (Nay-Pyi-Taw and CICS in Yangon area and/or Mandalay area)	<ul style="list-style-type: none"> 28 February 2020
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E. Duration of Assignment and Duty Situation

The assignment will include **29 fee days** to be carried out in the period of **14 October 2019– 13 March 2020**. The primary duty station in Myanmar will be Naypyitaw. The assignment will include in-country missions to targeted Regions and States.

F. Institutional Arrangements

1) Reporting line:

The international experts will report to UNDP's Project Manager for LEAP Project and will work closely with other UNDP team members, especially with the SARL project and related experts that take the overall lead on anti-corruption efforts across UNDP's work in Myanmar.

2) Logistical arrangements:

- For all international travel:
- Candidates are requested to include international travel costs from probable point of departure in the financial proposal and arrange the flight. The travel cost should be based on the economy class fares, with most direct routes.
- UNDP will provide support for the visa process and pay for the visa fee, when needed, based on the actual receipt.
- UNDP will provide terminal charges at the applicable UN rate.
- UNDP does not consider travel days as working days.

For all in-country travels:

- When in-country missions are requested by UNDP, UNDP will arrange and cover costs related to all domestic travel – such as transportation(s) between the agreed in-country duty stations and living allowances - in accordance with UNDP's regulations and policies.
- UNDP will facilitate security clearances required to travel in-country (if applicable).

Other logistical matters:

- The Contractors will arrange for his/her accommodation in the agreed duty station.
- The working language of this assignment is English. Interpretation/translation from and to Myanmar language will be provided by UNDP as and when required.
- The Contractors are expected to use their own computer.

G. Qualifications

Education:	Master's degree in Economics, Public administration/public affairs, Law or a related area. A specialization on corruption prevention would be highly desirable.
Experience:	<ul style="list-style-type: none"> • Minimum 5 years of professional experience high-level/academic teaching activities in corruption prevention, public management, organizational studies for public administrations • Extensive experience in developing learning curricula, assessing training needs, creating training materials for capacity building activities and technical assistance to national Public Administrations in the field of corruption risk prevention; • Excellent track record in research and analysis on public management and corruption prevention in public administration; • Extensive experience as adviser to, or interlocutor with, ministers and senior civil servants, and other key stakeholders, especially in the design and development of policies, as well as implementation planning. • Excellent negotiation skills and in presentations at high level and academic international conferences, organising and leading seminars, managing workshops and conducting training sessions.
Language Requirements:	Excellent command of written and spoken English

H. Schedule of Payments

The international experts will report directly to UNDP's Project Manager for LEAP Project and will work closely with other UNDP team members.

Deliverables will be approved in a timeframe not exceeding 15 working days, and payments can be received within 10 days of deliverable approval. Other logistical arrangements are stated at the above the section - Institutional Arrangement.

I. Recommended Presentation of Offer

- a) Duly accomplished Letter of Confirmation of Interest and Availability using the template provided by UNDP;
- b) 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;
- c) Brief description of why the individual considers him/herself as the most suitable for the assignment.
- d) Financial Proposal that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided. If the candidate is employed by an organization/company/institution, and he/she expects his/her employer to charge a management fee in the process of releasing him/her to UNDP under Reimbursable Loan Agreement (RLA), the candidate must indicate at this point, and ensure that all such costs are duly incorporated in the financial proposal submitted to UNDP.

J. Evaluation criteria

- Individual consultants will be evaluated based on the *cumulative analysis* of the technical evaluation (weight: 70% Desk review) and financial criteria (weight: 30%). Only candidates obtaining a minimum of 70 point from the technical evaluation would be considered for the financial evaluation.
- Financial Evaluation: All technically qualified proposals will be scored out of 30. The maximum points (30) will be assigned to the lowest financial proposal.

Criteria	Points (total: 100 points)
Master's degree in Economics, Public administration/public affairs, Law or a related area. A specialization on corruption prevention would be highly desirable.	10
Minimum 5 years of professional experience high-level/academic teaching activities in corruption prevention, public management, organizational studies for public administrations	20
Extensive experience in developing learning curricula, assessing training needs, creating training materials for capacity building activities and technical assistance to national Public Administrations in the field of corruption risk prevention;	20
Excellent track record in research and analysis on public management and corruption prevention in public administration;	20
Extensive experience as adviser to, or interlocutor with, ministers and senior civil servants, and other key stakeholders, especially in the design and development of corruption prevention/integrity policies, as well as implementation planning.	15
Excellent negotiation skills and in presentations at high level and academic international conferences, organising and leading seminars, managing workshops and conducting training sessions.	15