

## TERMS OF REFERENCE

<b>Location:</b>	Bangkok, Thailand
<b>Position Title:</b>	Gender Equality Consultant
<b>Type of Contract:</b>	Individual Contract
<b>Languages required:</b>	English and Thai
<b>Contract period:</b>	15 October 2020 - 30 April 2021 ( for the maximum of 60 working days)

## BACKGROUND

Gender equality and non-discrimination are not only fundamental human rights, but a necessary foundation for a peaceful, prosperous and sustainable world. Sustainable Development cannot be achieved until women and LGBTI people have equal access to decent work opportunities and are able to reach senior management and leadership positions. The case for gender diversity in businesses and organizations has gained momentum across the globe. Board diversity initiatives are a growing area within good corporate governance practices, globally and in the Asia Pacific region.

Compelling research and advocacy have generated awareness and acceptance of the business case for greater gender diversity across all levels, and especially in senior management positions. In addition to diversity, there is also a great need for creating equal, fair, inclusive and safe workplace practices for all. As a result, many companies worldwide have created D&I initiatives, sexual harassment policies as well as undertaken trainings and other proactive measures.

Businesses are increasingly recognizing the importance of ensuring equality and diversity practices at the workplace. The business case for gender equality and diversity is gaining recognition in the private sector, from being important to their bottom line as greater diversity also implies unique and different perspectives and ideas, to directly relating to a company's reputational risk in the industry.

Despite this growing recognition, many businesses still struggle to find a holistic set of solutions that can help them advance gender equality and diversity in the workplace and Thailand still faces many barriers in improving workplace practices and ending gender-based discrimination. In 2017 the Committee on the Elimination of Discrimination against Women (CEDAW) recommended to Thailand that the State party: (a) Create more opportunities for women to gain access to formal employment, in particular by promoting the equal sharing of domestic and family responsibilities between women and men and providing sufficient and adequate childcare facilities; (b) Ensure that the rights of women in the informal employment sector are effectively protected, including by ensuring adequate coverage of labour and social security protections; (c) Combat all forms of discrimination on the basis of sex and gender in the workplace, including with regard to recruitment and promotion, and ensure that the retirement age of women in all sectors is the same as that for men; (d) Ensure that sexual harassment is prohibited by law and adopt further measures to prevent sexual harassment in the workplace, including by developing a system for filing confidential complaints and ensuring that victims have effective access to redress.

Led by the Regional Hub—the Bureau for Asia and the Pacific, United Nations Development Programme (UNDP)—the Sustainable Development Services (SDS) Programme for Private Enterprises is a collective

effort involving private sector companies to establish and achieve standards that promote gender equality, diversity and inclusion.

The Sustainable Development Services- Gender Equality, Diversity and Inclusion Programme offers an innovative approach to help increase employee satisfaction, realize the potential of all workers (regardless of their sexual orientation and gender identity) and have a more inclusive, healthier and equal work environment. Through UNDP's support, private companies will have a strengthened internal workplace framework based on ILO conventions, [UN Standards of Conduct for Business - Tackling Discrimination against Lesbian, Gay, Bi, Trans, & Intersex People](#), [UN Guiding Principles on Business and Human Rights](#), international regulations on human rights and women's rights, the Women's Empowerment Principles, and sustainable business practices. The SDS programme will also enable private companies to learn about other good practices in the industry, from across the Asia Pacific region and beyond, and to foster greater accountability towards its own gender equality, diversity and inclusion goals.

The SDS programme enables private companies to cover a range of topics relevant to its ambition of improving workplace practices and ending gender-based discrimination. This includes: internal and external communication policies; recruitment, selection and hiring processes; promotion process; training process; reviewing pay and wage gaps; prevention and treatment of sexual harassment and gender-based harassment; work-life balance policy; crisis management and workforce protection; supply chains and broader inclusion issues.

The SDS programme includes a four-step approach which focuses on conducting an in-depth assessment, reviewing, designing and implementation of an action plan and monitoring and evaluation framework. The programme will be rolled out in close collaboration with a cross-functional team established within the private sector company. UNDP will provide technical assistance to private companies who undergo the process through duly trained Gender Equality consultants.

To roll out the SDS programme in specific countries in the Asia Pacific region, UNDP is seeking an individual consultant to act as a Gender Equality Consultant and lead the roll out of the SDS programme in Thailand.

## DUTIES AND RESPONSIBILITIES

Under the overall guidance of Asia-Pacific Regional Gender Team and the Deputy Resident Representative of UNDP Thailand Office, the consultant will undertake the following:

### **Development of the Gender Equality, Diversity and Inclusion Minimum Standard Guideline Handbook;**

- Based on relevant UN human rights treaties, conventions, guiding principles and standards of conduct, and the SDS assessment and manual, draft a minimum standard for the 12 pillars of the SDS programme with an enhanced focus on the rights and inclusion of LGBTI workers, including but not limited to recommended actions, indicators and relevant local laws and regulations for each pillar.
- Conduct consultations with selected private sector companies to identify needs and key concerns against the 12 pillars of SDS programme.
- Submit the draft Handbook for UNDP to review

- Submit final Handbook with UNDP's comments incorporated

#### **Roll out of the SDS programme;**

- In close collaboration with UNDP, present the Minimum Standard Guideline Handbook to private sector companies and engage with up to two private sector companies interested in the SDS programme.
- Support the companies during the implementation process of the SDS Gender Equality, Diversity and Inclusion Programme.
- Support the establishment of Gender Equality Committees (GECs) within the assigned companies. The GEC's responsibility is to complete the assessment and oversee the implementation of the SDS Programme according to the programme standards.
- Support and advise the companies to mainstream the gender perspective within the strategic structure of their own organizational management system.
- Conduct trainings as required for senior management and staff of companies/organizations in gender-related concepts and gender mainstreaming tools.
- Provide support to the Gender Equality Committee of each company/organization during the quantitative and qualitative information gathering phase, and collect documents, policies and procedures, as well as quantitative and qualitative complimentary information from key personnel to build the gendered organizational diagnosis.
- Review the private company's assessment and staff opinion survey, analyzing the characteristics of its personnel, policies and working conditions, to detect existing gaps and identify whether there are procedures and practices that may generate inequalities, unfairness and/or discrimination on gender grounds. The Review phase should be carried out in close coordination with the Gender Equality Committee, determining in particular:
  - Whether the company is in compliance with existing legislation with regard to fairness and gender equality
  - Differences in human resource practices addressing women, men and people of any gender.
  - Discriminatory practices based on sexual orientation and gender identity (SOGI) that occur during recruitment, training, or performance evaluation.
  - The life-work balance problems workers face.
  - ⊖ The degree to which the company adheres to gender equality and non-discrimination principles in its public communication, publicity and information to clients-
  - ⊖ The degree to which the companies have crisis management plans and workforce protection policies that consider the specific needs of women and LGBTI people.
- Submit the draft analysis report to UNDP Thailand and Bangkok Regional Hub for their review and feedback.
- Support the company/organization during the Design Phase and coordinate with UNDP staff in Bangkok Regional Hub and Country Office to formulate an Action Plan and set of measures to close gender gaps under each of the key areas.
- Monitor progress in the implementation of the Action Plan, support the company in the identification of bottlenecks and corrective action required to improve the programme.
- Support the internal M&E, whose goal is to determine progress in complying with the requirements of the SDS programme, allowing the company time to make adjustments and

eliminate any non-conformities identified. The Gender Equality Consultant prepares an internal monitoring report / internal evaluation report.

- Identify and document good practices, measures or actions designed and implemented by the companies/organizations supported during the implementation.

### Expected Outputs and Deliverables

The Consultant will work under the overall supervision of the Regional Gender Advisor Team Leader and Deputy Resident Representative of UNDP Thailand. The consultant will be responsible to deliver;

Deliverables/Outputs		Estimated Duration to Complete	Target Due Dates
<b>Output 1</b>	1. Draft Handbook 2. Final Handbook on Minimum Standard Guidelines for Gender Equality, Diversity and Inclusion.	15 days	7 <sup>th</sup> November 2020
<b>Output 2</b>	1. Document outlining the objective of Gender Equality Committee (GEC), its roles and responsibility. 2. Presentation and facilitation of trainings conducted for GES and senior management on SDS programme and gender concepts. 3. Completed assessment and survey form including collection of relevant policies and information required for the Gender Gap Assessment Report	9 Days	15 <sup>th</sup> December 2020
<b>Output 3</b>	1. Gender Gap Report Analysis with gender perspective. The document presents information disaggregated by sex, gathers quantitative and qualitative information regarding gender equality and analyses information by crossing policies and procedures, quantitative and qualitative information. UNDP approves this document before presenting it to the company/organization. 2. Presentation in digital format (e.g., Power Point, Prezi) of the Gender Gap Report Analysis	14 days	6 <sup>th</sup> January
<b>Output 4</b>	1. Gender Equality Policy Action Plan document integrating at least one measure per critical area, according to the gender gap assessment report. Each measure of the Action Plan contains detailed activities, timeframes, responsible units and resources for adequate execution, monitoring and evaluation. The Action Plan also contains sensitization activities and/or diverse mechanisms across the different levels of the organization.	10 Days	1 <sup>st</sup> February
<b>Output 5</b>	1. Coordinate with UNDP and private sector company to provide gender training sessions for upper management and key personnel during implementation of action plan 2. Provide advisory and technical support for roll out of Action Plan via Action Plan Progress Report No. 1		

	containing the results achieved, bottlenecks and required corrective measures	7 days	31 <sup>st</sup> March
<b>Output 6</b>	<ol style="list-style-type: none"> <li>1. M&amp;E report for the action plan identifying nonconformities and containing recommendations and suggested corrective actions</li> <li>2. Presentation of the action plan implementation progress for upper management and key personnel after the implementation of action plan (if applicable)</li> </ol>	5 days	20 <sup>th</sup> April

#### **Institutional Arrangement**

Under the overall supervision of UNDP's Asia-Pacific Regional Gender Equality Team Leader and Deputy Resident Representative of UNDP Thailand, the consultant will report directly to and work closely with UNDP Asia-Pacific's Gender Team and UNDP Thailand's Project Manager - Gender Equality & Social Inclusion.

#### **Duration of the Assignment**

The duration of assignment will be from 15 October 2020 - 30 April 2021 (60 working days)

#### **Duty Station**

The consultant is expected to be home-based in Thailand with possibility of travel. The consultancy will be home based and any days required at UNDP Thailand office will be discussed between UNDP and the consultant.

### **COMPETENCIES**

- Strong command on written and spoken of English and Thai.
- Ability to perform tasks in timely manner and under pressure, to tight deadlines.
- Ability to communicate verbally and in writing with a wide range of partners persuasively and collaboratively.
- Ability to work independently and as part of a team seamlessly using a range of modern means of communication as required.

### **REQUIRED SKILLS AND EXPERIENCE**

#### **Education**

- Postgraduate and/or master's degree in human resources, business administration, economics, engineering, law and/or other legal sciences and the broad social sciences or other related disciplines.

#### **Experiences**

- Minimum of 5 years of work experience in the areas of organizational change, and/or total quality management systems, and/or organizational performance improvement consultancy, and/or strategic planning, and/or human resources management in Thailand;
- Minimum 1-year experience in reporting and analysis of figures and statistics, and/or action plan elaboration;

- Minimum 3-year experience working on issues related to gender (including LGBTI perspectives) and workplace equality;
- Familiar with the current laws and regulations governing Thailand business sector.

**Language Requirements:**

- Excellent command of writing and speaking Thai and English.

**Price Proposal and Schedule of Payments**

Consultant must send a financial proposal based on **Lump Sum Amount**. The total amount quoted shall be **all-inclusive and include all costs components required to perform the deliverables** identified in the TOR, including professional fee, anticipated mission travel costs, living allowance and any other applicable cost to be incurred by the IC in completing the assignment. The contract price will be fixed output-based price regardless of extension of the herein specified duration. Payments will be done upon completion and approval of the deliverables/outputs and as per below percentages:

**Payment Schedule**

<b>Deliverables/ Outputs</b>	<b>Payment (% of total contract amount)</b>
1. Final Handbook on Minimum Standard Guidelines for Gender Equality, Diversity and Inclusion.	20%
2. Facilitation of GES training and SDS presentation	15%
3. Gender Equality Committee ToR	
4. Completion of SDS assessment and survey	
5. Gender Gap Report Analysis including digital presentation version	20%
6. Gender Equality Action Plan	20%
7. Action Plan Progress Report	15%
8. M&E Progress report	10%

In general, UNDP shall not accept travel costs exceeding those of an economy class ticket. Should the IC wish to travel on a higher class he/she should do so using their own resources.

In the event of unforeseeable travel not anticipated in this TOR, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective business unit and the Individual Consultant, prior to travel and will be reimbursed.

Travel costs shall be reimbursed at actual but not exceeding the quotation from UNDP approved travel agent. The provided travel allowance shall not exceed UNDP DSA rates.

**Recommended Presentation of Offer**

Interested individual consultants must submit the following documents/information to demonstrate their qualifications. Please group them into one (1) single PDF document as the application only allows to upload maximum one document

- **Personal CV or P11**, indicating all experience from similar projects, as well as the contact details (email and telephone number) of the Candidate and at least three (3) professional references;
- **Letter of Confirmation of Interest and Availability and Financial Proposal** that indicates the daily rate/fee of the candidate, in US dollars, using the template provided in Annex III.

Incomplete proposals may not be considered. The shortlisted candidates may be contacted, and the successful candidate will be notified.

### Criteria for Selection of the Best Offer

#### Evaluation Method and Criteria

Individual consultants will be evaluated based on the following methodology:

#### Cumulative analysis

The award of the contract shall be made to the individual consultant whose offer has been evaluated and determined as a) responsive/compliant/acceptable; and b) having received the highest score out of set of weighted technical criteria (70%), and financial criteria (30%). Financial score shall be computed as a ratio of the proposal being evaluated and the lowest priced proposal received by UNDP for the assignment.

The criteria which shall serve as basis for evaluating offers as follows:

#### Technical Criteria for Evaluation (Maximum 70 points)

- Criteria 1: Relevance of Education – **Max 10 points**
- Criteria 2: Minimum of 5 year of work experience in the areas of organizational change, and/or total quality management systems, and/or organizational performance improvement consultancy, and/or strategic planning, and/or human resources management in Thailand- **Max 20 Points**
- Criteria 3: Minimum 1-year experience in reporting and analysis of figures and statistics, and/or action plan elaboration – **Max 15 Points**
- Criteria 4: Minimum 3-year experience working on issues related to gender (including LGBTI perspectives) and workplace equality – **Max 15 Points**
- Criteria 5: Familiar with the current laws and regulations governing Thailand business sector - **Max 10 points**

Only candidates obtaining a minimum of 49 points (70% of the total technical points) would be considered for the Financial Evaluation.