



### Terms of Reference:

#### Human Rights Consultant- Development of the South African Global Fund Request for Funding (1 April 2022-31 March 2025)

**Location:** South Africa

**Application Deadline:** 02<sup>nd</sup> November 2020

**Category:** Individual Consultant (Local)

**Type of Contract:** Individual Contract

**Languages Required:** English

**Starting Date:** Upon signature of the contract by both parties.

**Expected Duration of Assignment:** 90 days, which will be spread over the 12 months

**Title:** Human Rights

#### 1) Background:

The South African National AIDS Council (SANAC) brings together government, civil society and the private sector to create a collective response to HIV, TB and STIs in South Africa. SANAC released the fourth National Strategic Plan (NSP) for HIV, Tuberculosis (TB) and Sexually Transmitted Infections (STIs) in 2017. This five-year plan (2017–2022), guides the multi-sectoral implementation of strategies to mitigate the impact of HIV, TB and STIs. International donors such as Global Fund (GF) support the implementation of TB and HIV programmes in SA, amongst others. The GF grant is coordinated through the Global Fund Country Co-ordinating Mechanism (GF CCM), which is a SANAC-hosted body set up to raise funds from the Global Fund to Fight AIDS, TB and Malaria (Global Fund). As part of its function, it oversees the development and submission of a request for funding proposal to the Global Fund (GF) every three-year cycle.



Based on the Global Fund Board's decision in November 2019 on the funding available for the period 2022-2025 .South Africa has been allocated US\$536,766,626 for HIV, tuberculosis and building resilient and sustainable systems for health (RSSH). The allocation amounts for all countries have been determined according to a methodology approved by the Global Fund Board, primarily based on disease burden and income level. South Africa is classified as an upper-middle-income country.

A technical team comprising of in-country and external TB and HIV experts is being identified to assist in the development of the funding request. Additional technical assistance for the HIV Funding Request Steering Group is required to ensure that all elements of the HIV components are consistent and sound.

SA is one of the twenty countries that have been prioritised to remove human rights-related barriers in the context of HIV. As an upper middle-income country, the GF strongly encourages SA to strengthen transition preparedness, incorporate human rights considerations into grant and programme design.

## **2) Purpose of the consultancy**

In conjunction with the SA GF CCM, and the SANAC Secretariat team, the consultant will serve as a Human Rights consultant of the next joint HIV, TB & Resilient and Sustainable Systems for Health (RSHH) Request for Funding to be submitted to the Global Fund. The funding request/ proposal should be in accordance with the GF Allocation Letter, which stipulates that South Africa have been invited to submit a request for funding for 536,766,626 USD over three years (1 April 2022 to 31 March 2025).

The Human Rights consultant will work in collaboration with the support writers, the expert consultants and technical working groups (TWGs) to develop the human rights piece in the RFF. The RFF Application Form comprises five main sections; namely:

### **1. Country Context**

Applicants provide information on the current epidemiological situation and outline the constraints and barriers. They also provide an assessment of the country's current response to the disease.

### **2. Funding Request**

In this section, the country will prioritize the interventions and programs to be included in the Global Fund grant(s) and referenced in the attached Programmatic Gap Table(s), Funding Landscape Table(s), Performance Framework and Budget.

### **3. Operationalization and Risk Mitigation**

After defining and costing the interventions to be funded, countries detail how these interventions will be implemented, and by whom. They also cover risk mitigation measures that will be put into place.



4. *Funding Landscape, Co-financing and Sustainability*

Articulation of the current funding landscape and the anticipated future funding. This allows reviewers to understand the total commitments to the disease, both from the country and from other donors. In this section, countries also outline their commitments to co-financing and sustainability.

5. *Prioritized Above Allocation Request*

Applicants are encouraged to include a prioritized request for additional funding beyond the allocation with their application. The total amount should represent at least 30 to 50 percent of the funding request. The prioritized above allocation request will be reviewed by the Technical Review Panel and technically strong interventions will be registered as unfunded quality demand.

The human rights consultant is to work closely with the lead writer, other writing team members, GF CCM RFF subcommittee, the CCM Secretariat, Technical Support Unit (TSU) and SANAC Secretariat, and other stakeholders to participate in HIV/TB and Key Populations stakeholder consultations participating in the development of the RFF development process. During the consultations, the human rights consultant is expected to fully understand the direction and intention of consultations where evidence will be reviewed; priorities identified and aligned with the NSP priorities; and details of programme content and implementation arrangements finalised.

The consultant will write the human rights piece and bring to the programme design process previous experience from developing and writing successful integrated, multi-sectoral, proposals involving several stakeholders for institutional donors. It is desirable that the consultant also brings a good understanding of issues relating to human rights. Particularly bringing in context new approaches and intervention backed up by relevant human rights statistics; assessments; surveys and other literature.

Regular briefing of the CCM and its RFF Subcommittee will be an integral component of the RFF development process. The successful candidate will need to meet all the requirements as set out in this RFP. Prospective bidders must be able to provide adequate information proving that he/she will be able to satisfy the CCM's set requirements. The request for funding (RFF) has to be a full review that contains a comprehensive overall review of the human rights program's approach and strategic priorities.



The role of the human rights consultancy is to work closely with the RFF lead writer; GF CCM RFF subcommittee, the CCM and the CCM Secretariat, to participate in consultations and in technical working groups (TWGs) in order to review evidence, identify priorities and the details of the human rights programme content and implementation arrangements to be included in the RFF. The consultant will also receive guidance from special TWG that will work closely with many stakeholders in developing the content of the RFF that focuses on human rights TB/HIV integration and those prioritised requisite investments necessary for RSSH that pertain to the TB and TB/HIV integration interventions.

### **3) Scope of work**

The consultancy will support the lead writer to develop a set of human rights programmes for the RFF and Matching Fund application for programs to remove human rights-related barriers. It will also provide an opportunity to review the findings of the baseline assessment to inform their development and inform further plans for the development of a five-year plan for the country. The consultancy is expected to work with many stakeholders, attending and preparing for consultations, assisting with the development of presentations and communication pieces on progress, ongoing development and refinement of the RFF document.

The main deliverable is a timeously completed high quality human rights piece that forms part of the GF RFF for HIV, TB and RSSH (1 April 2022 to 31 March 2025) after all relevant consultations have taken place. The Human rights component will form a part of the Request for Funding document and must be written in excellent English, with references as footnotes, all annexes formatted and labelled appropriately, must include an abbreviations list and all the relevant detail as set out by the CCM and GF Secretariat. This will include working with other consultants to ensure that all the attachments (Programmatic Gap Table(s), Funding Landscape Table(s), Performance Framework and Budget, Sustainability Plan) are cohesive and aligned to what is in the main document.

The main aspects of this TA assignment will include:

- 1) Key stakeholder consultations, specifically regarding human rights challenges to an effective HIV response and possible initiatives to address those challenges, building upon the findings of the baseline assessment report; human rights mid-term assessment report these consultations will be undertaken as part of the broader consultation process that is already ongoing in South Africa and in alignment with the GF Request for Funding subcommittee plans;



- 2) Supporting and working with the HIV writing team in country to develop a robust set of human rights programs for the HIV funding request and matching fund application, informed by the consultations ; and
- 3) Participating in any meeting with the communities to report on the RFF and Matching Fund application development process and the programs included in the application, as part of the overall consultation process.

**Scope of work and more detailed deliverables:**

- Analysis of the baseline assessment report; mid- term human rights assessment report and other relevant documentation to support development of the RFF and Matching Fund application;
- Assessment of the current human rights grant and develop an optimized approach on the GF intensive support effort to scale up investments into implementation, monitoring and evaluation of programmes to address human rights-related barriers;
- Analyse and understand the core programs to address barriers amongst local partners;
- Assessment on the inclusion of information derived from communities' engagement in development of the HIV funding request and matching fund application.
- Leverage on the results from the mid-term human rights assessment and grant evaluations for human rights to inform the human rights piece.
- Review of all relevant documents that will be used to inform the Human Rights part and the relevant section in the main RFF document including:
  - The GF Allocation letter
  - GF policies and guidance documents for applicant
- Follow all guidance described above to develop the request for funding.
- Participate in CCM meetings, GF Request for Funding subcommittee meetings, dialogues/consultations and technical working group meetings to be able to accurately capture the comprehensive overall picture being built up as well as the details necessary for the human rights section in the main RFF document. This includes guiding the discussions to ensure optimal alignment of programmes with the human rights plan and implementing the guidance given by the GF on the development of removal of barriers to human rights;
- With the assistance of the country team and the lead writing team, work under the guidance of the GF RFF subcommittee that is responsible for ensuring adequate dialogue and processes to be followed.



- Lead discussion about which programs and approaches to remove barriers should be included in the HIV/TB main allocation and the matching fund application, noting that country dialogue and processes include multiple stakeholders that include civil society including key populations, government, private sector and provinces.
- Through consultations with the relevant stakeholders, and based on the initial findings of the baseline assessment, develop a proposed set of programs for inclusion in the HIV/TB funding request and the draft matching fund application;
- Use the information in the human rights evaluation, baseline assessment and NSP- Goal 5 to develop a concise section on human rights in the main RFF document.
- Work with the other technical working groups to ensure alignment between the human rights approach and the programme content, as per GF policy direction.
- Prepare presentations and communication pieces to various stakeholders.

#### **4) Qualifications and experience**

- Post graduate degree in public health, development studies, economics, social sciences or other relevant field.
- Extensive and demonstrable knowledge of the HIV and TB epidemics and human rights including community responses.
- Extensive knowledge and experience of the funding landscape for HIV, TB and RSSH in SA, including knowledge of the contribution of various government departments and other funders including PEPFAR and the Global Fund.
- Strong understanding of HIV and TB programming, including the need to focus on gender issues, key populations and human rights to meet GF requirements.
- At least five years' experience with the participatory strategic planning processes.
- Demonstrable experience in leading or being a major contributor to the writing of human rights strategic documents
- Previous experience in contributing to the development of GF requests for funding focusing on removing barriers to human rights especially in the new format for 2017-2019 applications.
- Proven record of accomplishment of delivering similar projects timeously to a high standard under tight deadlines.



#### **Other Competencies**

- Strong analytical programming skills
- Strong communication and facilitation skills
- High proficiency in Microsoft Office Packages
- Proficiency in oral and written English.
- Ability to work under pressure
- Knowledge of the HIV and TB stakeholders in the country and be well acquainted with influential role players in those sectors.
- Knowledge of HIV and TB and the social determinants of disease including gender and human rights related issues.

#### **5) Timelines and commitment:**

- The GF Request for funding will be developed over a period from November 2020 to August 2021
- The level of effort expected is to be a maximum of 90 days, which will be spread over the 12 months with some initial work in preparation for the GF CCM meeting in early November 2020, then preparation for consultations starting in Mid-November 2020 and then more intense work over April, May and June.
- Note that work will be remunerated based on actual time worked substantiated by high quality documents as proof of work done by the consultant, meeting attendance and participation, as approved by SANAC secretariat procurement procedures.
- It must be noted that a significant amount of travelling within SA will be expected from the successful bidders.

#### **6) Supervision**

The consultant will be supervised by the SANAC Technical Support Unit and the CCM Secretariat at SANAC, who will work closely with the consultant to discuss the work and the review drafts and the final product.



## 7) Proposal Format

A detailed proposal in response to this ToR is due on **02<sup>nd</sup> November 2020** containing all the information required to evaluate the bid against the requirements stipulated in these terms of reference document. Please send your proposals to [bid.pretoria@undp.org](mailto:bid.pretoria@undp.org) the following should be attached to the proposal as annexures:

- i) Annexure A: Technical Proposal demonstrating ability to complete the assignment and produce a quality document as per scope of work detailed above
- ii) Annexure B: Summary of past experience. The proposal should show the range of similar assignments undertaken and the size of these assignments, three letters of reference or other means of verifying past experience
- iii) Annexure D: All-inclusive financial proposal indicating consultancy fee (South African Rand) and a breakdown of expenses (unit price together with any other expenses) related to the assignment. The proposal must incorporate all the costs travel, V.A.T, etc. for the service provider to achieve the required deliverables

## 8) Criteria for Selection

The selection of the best offer will be based on the least costly technically qualified proposal:

- Technical proposal demonstrates clear process and methodology for delivering high quality products in line with the ToR (50%).
- Demonstrated record of accomplishment / knowledge in the area of HIV and TB programming, including the need to focus on Gender issues, Key Populations and Human Rights (25%)
- Demonstrated track record in delivering similar projects with relevant qualifications and references (25%)