

*Terms of reference*



#### GENERAL INFORMATION

**Title: Legal and Policy Review to Inform Development of Inter-Agency Data Sharing Protocol for VAWG data accessibility and use**

*Type of Consultancy: Individual Consultancy*

*Project Name: Spotlight Initiative Jamaica*

*Reports to: UNDP Officer in Charge, Programmes Unit*

*Duty Station: Jamaica*

*Expected Places of Travel (if applicable): Not Applicable*

*Duration of Assignment: 30 Days non-consecutive over a 3 month period*

#### REQUIRED DOCUMENTATION FROM CONTRACTOR

X	Letter of presentation highlighting main qualifications and experience relevant to this TOR
X	Detailed CV or P11 form
X	Technical Proposal
X	Completed financial proposal

#### I. BACKGROUND

The 2030 Agenda for Sustainable Development places gender equality at its core to achieve the SDGs, with the elimination of violence against women and girls as a crucial component. In September 2017, the EU and the UN launched an ambitious joint partnership to eliminate all forms of violence against women and girls worldwide. The Spotlight Initiative (SI) aims at mobilizing commitment of political leaders and contributing to achieving Sustainable Development Goals (SDGs). The Initiative aims at ending all forms of violence against women and girls, targeting those that are most prevalent and contribute to gender inequality across the world. Jamaica is one of the countries in the Caribbean to benefit from this transformative initiative.

The overall vision of the Spotlight Initiative in Jamaica is that women and girls realize their full potential in a violence-free, gender-responsive and inclusive way. The Spotlight Initiative will directly contribute to the achievement of three of the Sustainable Development Goals (SDGs): Goal 5 on Gender Equality, Goal 3 on Good Health and Well-being and Goal 16 on Inclusive and Peaceful Societies. The program will contribute

to the elimination of Sexual and Gender Based Violence (SGBV) through the creation of a broad partnership with Civil Society, Government, Private Sector, Media, among others; and, build a social movement of women, men, girls, boys and other vulnerable people as champions and agents of change at the national, subnational and community levels. A specific focus will be on reaching and including in the program women and girls who are often isolated and most vulnerable to sexual & gender-based violence (SGBV) and harmful practices (HP) due to intersecting forms of discrimination. The program will also seek to address the Sexual and Reproductive Health and Rights (SRHR) needs of all women and girls in all their diversity using a life-cycle approach. The SI involves six pillars premised on implementation SDG target 5.2 under the principle of “*leaving no one behind*”.

The UNDP Jamaica’s Country Programme Document (CPD) aligns with the National Strategic Action Plan on the Elimination of Violence Against Women and Girls (NSAP-GBV). Based on local VAWG data, four parishes - (Clarendon, Westmoreland, St. Thomas and Kingston and St. Andrew) will be targeted under the Spotlight Initiative.

This consultancy falls under Pillar 1 – Legislative and Policy Framework and is intended to support the Government of Jamaica in ensuring its legislative and policy frameworks are evidence- based, aligned with international human rights standards; tracking and monitoring family violence, including violence against women and girls. For these objectives to be achieved, robust data management is required. There are however several users and producers of VAWG data used to inform projects, programmes and policies geared towards servicing the needs of women and girls vulnerable to violence.

Consequently, it is necessary to strengthen the institutional capacity of partner agencies to ensure cohesion and effective management of data as it relates to VAWG. An inter-agency data sharing protocol is therefore aimed at establishing guidelines on access to and use of VAWG data amongst stakeholders. The inter-agency data sharing protocol is expected to support information sharing, protect confidentiality and privacy, keep data secure, improve policy outcomes for women and girls and reduce duplication of efforts amongst various stakeholders.

## II. SCOPE OF WORK, ACTIVITIES, AND DELIVERABLES

### Scope of Work

This consultancy seeks to develop an inter-agency data sharing protocol by conducting a review of the legal and policy issues affecting inter-agency data sharing and proposing recommendations for the establishment of an ethical data sharing protocol system, in which data is accessible to authorized users and can be used to inform decision making. The consultant shall:

1. Conduct a review of:
  - (a) all national laws and policies which impact inter-agency sharing of VAWG data including but not limited to existing data-sharing agreements, laws governing privacy and confidentiality of sensitive information (copies of laws and policies will be provided by STATIN); and
  - (b) international best practices governing the sharing of VAWG data across multiple agencies. This should also include reviewing the effect of the new Data Protection Act, and the implications of existing legislation protecting respondent confidentiality (such as the Statistics Act) on the ability of agencies to share data in a format that can facilitate active/targeted interventions.
2. Conduct stakeholder consultations with major data producers such as the Statistical Institute of Jamaica (STATIN), as well as, key data users and producers within the national health, justice, social protection and security sectors. The Consultant will also engage relevant UN agencies and civil society organisations and participate in UN Women’s user/producer dialogues.
3. Develop recommendations for the the establishment of an ethical data sharing protocol system, with legally enforceable standards and in which data is accessible to authorized users and can be used to inform decision making. Recommendations must include data custodian arrangement.

#### Expected Outputs and deliverables

Deliverables/ Outputs	Estimated number of working days	Proposed Completion deadline	Percentage payment
Deliverable 1: Inception Report outlining detailed implementation strategy/plan for executing the consultancy (including risks register and stakeholder consultation plan)	3 days	1 Week after contract signing	-
Deliverable 2: Stakeholder Consultation Report to include best practices and existing gaps	10 days	3 weeks after contract signing	40%
Deliverable 3: Draft Inter-Agency Data Sharing Report on : (a) all national laws and policies as well as international best practices governing inter-agency sharing of VAWG data ;and (b) recommendations for the the establishment of an ethical data sharing protocol system, with legally enforceable standards and	14 days	5 weeks after contract signing	40%

in which data is accessible to authorized users and can be used to inform decision making. (c) recommendations for custodian arrangements for data housing.			
Deliverable 4: Final Inter-Agency Data Sharing Report	3 days	8 weeks after contract signing	20%
Total	30 days		100%

<b>III. WORKING ARRANGEMENTS</b>
<p><b>Institutional Arrangement</b></p> <p>a) Consultant will report directly to the Officer in Charge, Programmes Unit, working closely with the Spotlight Programme Officer, Spotlight Technical Advisor and UNDP Jamaica Programme Team and Spotlight RUNOs</p> <p><b>Duration of the Work</b></p> <p>a) The consultant is expected to be engaged for 30 days over a period of 3 months.  b) The anticipated start date for the consultancy is February 2021  c) UNDP and relevant partners will review and provide comments on deliverables within 5-10 business days of receipt of the deliverable.  d) Payment for deliverables can only be made upon submission and approval of an invoice. Payment usually take 5-7 consecutive working days to be processed.</p> <p><b>Duty Station</b></p> <p>a) Jamaica</p>

<b>IV. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS</b>
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Individuals interested in this assignment should be able to demonstrate previous experience leading or coordinating research to inform the development of policies, protocols and programmes specific to eliminating violence against women and girls and family violence.

Academic Qualifications and years of experience:

- Minimum Bachelor’s Degree in Gender Studies, Public Policy, Law or any related discipline (Mandatory).
- A minimum of five (5) years experience conducting legal and policy reviews with the possession of a relevant Bachelor’s degree **OR** a minimum of two (2) years of experience with possession of a relevant Post-Graduate degree.
- At minimum 2 years of experience in the development of Inter-Agency Data Sharing Protocols or similar policies.
- Proven professional experience in and knowledge of Family Violence against Women & Girls and family violence.
- Knowledge of Jamaican laws generally and detailed knowledge of laws related to data protection and use of sensitive personal information

III. Competencies and special skills requirement:

- Strong interpersonal and communication skills both oral and written in English;
- Experience using various survey methodology, quantitative and qualitative
- Sound understanding of the types of organizations that are involved in producing data on VAWG.

**V. EVALUATION METHOD AND CRITERIA**

Individual consultants will be evaluated based on the following methodology:

Cumulative analysis

*Using this weighted scoring method, the award of the contract will 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 a pre-determined set of weighted technical and financial criteria specific to the solicitation.*

*\* Technical Criteria weight; 70%*

*\* Financial Criteria weight; 30%*

*Only candidates obtaining a minimum of 50 points during the technical evaluation would be considered for the Financial Evaluation*

<b>Criteria</b>	<b>Weight</b>	<b>Maximum Point</b>
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<u>Technical</u>	70	70
Relevance of Education/ Degree Minimum bachelor's degree in Gender Studies, Public Policy, Law or any related discipline.	<i>Pass/Fail</i>	<i>Candidates will be given a 'Pass' mark provided they have met the requirement as it pertains to the relevant educational qualifications.</i>
<i>A minimum of five (5) years of experience conducting legal and policy reviews with the possession of a Bachelor's degree OR a minimum of two (2) years of experience with possession of a Post-Graduate degree</i>	20	<i>15 points will be allocated for the possession of the minimum years of experience (re: Bachelors/Masters) in the required disciplines. One point will be allocated for each additional year up to a maximum of twenty points.</i>
<i>At minimum 2 years of experience in developing data sharing protocols or similar policies</i>	20	<i>15 points will be allocated for the possession of the minimum two years of experience in legislative review and drafting. A point will be awarded for each additional year up to a maximum of 20 points. Consultants must clearly demonstrate their experience and involvement in the legislative review. Where possible, sample work should be provided.</i>
Proven professional experience of Family Violence against Women & Girls and family violence.	5	<i>5 points will be allocated based on experience shown. Candidates CV should outline any relevant work experience for this criteria.</i>
Knowledge of Jamaican laws generally and particularly laws related to data protection and use of sensitive personal information	15	<i>Full points will be allocated where the consultant is knowledgeable of Jamaican laws and particularly laws related to data protection and use of sensitive personal information as demonstrated in technical proposal.</i>
Assessment of Technical Proposal  Technical Proposal should detail the consultant's approach to work based on the TOR. Points will be awarded based on: <ul style="list-style-type: none"> <li>▪ Clarity (2 points)</li> </ul>	10	<i>Candidates will be allotted a maximum of 10 points based on the fluidity of their technical proposal.</i>

<ul style="list-style-type: none"> <li>▪ Specificity (2 points)</li> <li>▪ Language (2 points)</li> <li>▪ Feasibility (2 points)</li> <li>▪ Approach to work (2 points)</li> </ul>		
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**Application Procedure:**

Qualified and interested candidates are requested to submit the following to demonstrate your interest and qualifications by explaining why you are the most suitable for the post:

- **Cover Letter** explaining why you are the most suitable candidate for the advertised position.
- **Completed P11 form** (Personal History Form) (available on UNDP website) **and/or CV** including past experiences in similar projects and contact details of referees.
- **Technical Proposal**-should include (a) detailed proposed strategy/methodology, work plan timeline; risks/limitations; (b) detailed profile of the expertise of the consultant, especially as it relates to scope of work;
- **Financial Proposal (using template provided)**-specifying a total lump sum amount for the tasks specified in this announcement. The financial proposal shall include a breakdown of this lump sum amount for the specified tasks (e.g., costs related to data collection, capacity building events, public information session/launch, travel, and any other costs, including the number of anticipated work days). Overall, the financial proposal should include costs to deliver the work plan.

Incomplete applications will not be considered. Please make sure you have provided all requested documents. UNDP retains the right to contact references directly. Due to the large number of applications we receive, we are able to inform only the successful candidates about the outcome or status of the selection process.

UNDP is committed to achieving workforce diversity in terms of gender, nationality and culture. Individuals from minority groups, indigenous groups and persons with disabilities are equally encouraged to apply. All applications will be treated with the strictest of confidence.

UNDP does not tolerate sexual exploitation and abuse, any kind of harassment, including sexual harassment, and discrimination. All selected candidates will, therefore, undergo rigorous reference and background checks.

Approval



Signature

Name Denise Antonio, Resident Representative

Date

13-Jan-2021

