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## **TERMS OF REFERENCE (ToR)**

### **Recruitment of Short Term Individual National Consultant for Ethiopian FCS Commission to support legal and policy document preparation – Senior Consultant**

#### **GENERAL INFORMATION**

<b>Services/Work Description:</b>	Recruitment Short Term Individual Consultant for Ethiopian FCSC Commission (FCSC) To support legal and policy document preparation.
<b>Project/Program Title:</b>	Capacity Development Project to Support the Civil Service Reform
<b>Post Title:</b>	Individual National Consultant for Ethiopian FCS Commission to support legal and policy document preparation – Senior Consultant
<b>Consultant Level:</b>	<b>B</b>
<b>Duty Station:</b>	Addis Ababa
<b>Duration:</b>	3 Months
<b>Expected Start Date:</b>	up on the signing of the contract

#### **I. BACKGROUND/PROJECT DESCRIPTION**

The Federal Civil Service Commission (FCSC) was Re-established as a Federal institution in 2014 E.C(2021/22) with proclamation no 1263/22 with the objectives: -

1. Generate, and upon approval implement the human resources management and civil service policies, strategies and laws that will enable the executive institutions of the federal government to fulfill their legal mandate efficiently and effectively; and monitor, support and inspect their implementation,
2. Establish and modernize the systems and structural capabilities of the executive institutions of the Federal Government, and monitor and support their implementation,
3. Provide integrated capacity building support to federal executive institutions.

The Federal Government of Ethiopia has introduced successive public-sector improvement initiatives in the past few decades. However, preliminary studies and observations revealed that such efforts were far from meeting their targets of improving the operational effectiveness and efficiency of the public sector to the desired level.

It has been found that the reform programs were top down, lacking the required ownership from the side of lower-level leadership and employees. The other finding demonstrated in this study was related to the fact that the process owners in the implementation endeavors were assigned not based on merit. In addition, it has been found that the essence and strategies of the reform efforts were modelled on those of other countries and put into implementation in Ethiopia for all the sectors without doing the required adjustment and customization on the ground. In addition, the reform efforts were not able to offer incentives related to both the implementation and post-implementation phases.

It has been concluded, therefore, that because of the pitfalls in the reform efforts just mentioned, the desired targets of the reform efforts were not met. The individual consultant will prepper policy documents based on the new Civil Service Road Map for different sectors and will work on the amendment of the existing civil service proclamations which will serve all civil service Bureaus across the country. The preparation of Legal and policy documents will be vital for informed decision making regarding the reform initiatives in Ethiopia too.

To tackle the problems, the Commission is undertaking several activities to realize the change initiated in our country. The goal is to make the citizen satisfied by providing effective and efficient services in the deteriorating service delivery in government institutions. To achieve this goal, it is important to make civil service delivery units more systematic and translate their mandates on legal bases to have uniform implementation systems across the civil service Bureaus of the country. To this end, all civil servants will be competent in terms of knowledge, skills, and behaviors.

The civil service is a key tool for government policy implementation. In this regard, the public service sector must be strong enough to execute its mission. Thus, having a clear policy direction and be guided in this way is indispensable. Therefore, it is important to hire a consultant who can formulate the policy to guide the civil service, develop legal framework, assist, and offer technical assistance to relevant experts working in this area.

Therefore, this term of reference is intended to guide recruitment and deployment of IC that will develop policy and legal frameworks and offer technical assistance to relevant CSC experts working in this area.

## **II. OBJECTIVE OF THE CONSULTANCY**

The objective of this consultancy appointment is to formulate and develop a policy document based on the major policy pillars of the civil service that are mentioned in the FCSC's Road map for different sectors. The preparation of these policy document will serve the regional Civil Service Bureaus across the country to maintain uniformity and alignment in the policy implementation process. Thus, hiring this consultant is instrumental in shaping the sector's policy and legal frameworks and building the capacity of experts of the commission working in this area. The consultant will bring his/her previous acquired experiences in developing and writing successful policy and legal frameworks.

## **III. FUNCTIONS/KEY RESULTS EXPECTED**

In this assignment, the consultant is expected to gain a comprehensive understanding of the Ethiopian Civil Service Sector by reading the legal frameworks around the civil service, and reform activities undertaken to scale up the civil service. He/she needs also to review the various national documents, project / program progress and reports, studies, etc., to have a clear picture that inform the consultancy assignment,

Based on this and in consultation with Implementing Partner and key stakeholders, the consultant is expected to undertake the following specific activities:

- a) Undertake desk review of the current Ethiopian civil service system, structure and the reform strategies and civil service legal issues,
- b) Review relevant documents to inform the preparation and finalization of the proposal.
- c) Prepare a full draft project proposal to address the objectives of the assignment, concept note and other working documents.
- d) Facilitate meetings with relevant stakeholders to discuss and maintain full understanding and ownership of the consultancy assignment,
- e) Define the full picture of the problem that can lead to policy formulation,
- f) Identify key policy issues,
- g) Narrate the policy elements and details under each policy issues
- h) Prepare a draft comprehensive civil service policy document based on identified policy issues,
- i) Prepare draft legal framework instruments that help implementation of the policy,
- j) Facilitate and present the draft documents on workshops and collect pertinent inputs that help enrich the draft,
- k) Develop the final policy and legal framework document
- l) Provide advice and support to relevant experts and management teams working in the area.

#### **IV. REPORTING RELATIONSHIP**

The successful consultant will work under the guidance of the FCSC and UNDP. He/she shall submit the required report to both FCSC and UNDP. The consultant will closely liaise with the Governance Unit within UNDP and with the responsible expert of the Federal Civil Service Commission. The consultant shall also cooperate and closely work with FCSC. The Responsible director within the Federal Civil Service Commissioner and the UNDP Governance team leader will provide an overall guidance to the assignment.

The national senior consultant will be engaged for this assignment. A contract will be signed with the individual consultant. The selected senior consultant will work as a team with FCSC staff / focal person for the assignment. As a result, all responsible staff in the FCSC will assume joint responsibility for a timely and quality delivery of the assignment. UNDP's Democratic Governance and peacebuilding Unit and FCSC will be the primary focal point and as such they will manage the overall financial and contractual arrangement with the consultants.

#### **V. DURATION OF THE ASSIGNMENT**

The assignment will be implemented over a period of 3 months starting from the signing of the contract. Contractual/professional fees will be made upon submission of deliverables as per the following millstones, and approval of the same by UNDP and FCSC.

## **VII. PAYMENT MILESTONES AND AUTHORITY**

The successful consultant shall receive his/her payments upon certification of the completed tasks satisfactorily, as per the following schedule:

<b>Payment tranche</b>	<b>Deliverables</b>	<b>Approval should be obtained</b>	<b>Portion</b>
1 <sup>st</sup> tranche	Upon submission and approval of Inception Report with detailed methodology and work plan	UNDP	20%
2 <sup>nd</sup> tranche	Upon submission and endorsement of draft legal policy frameworks.	UNDP	40%
3 <sup>rd</sup> tranche	Upon submission of the final policy documents on those areas of legal and policy formulation.	UNDP	40%

Note that final payment is dependent on the completion of all the tasks as well as hand-over notes and submission of all the deliverables.

## **VIII. EXPECTED DELIVERABLES**

Key deliverables of this assignment are summarized as follows:

- Inception Report that includes methodology/tools and a clearly defined work schedule for the assignment
- submission and endorsement of draft legal policy frameworks, report with recommendations and report incorporating comments, inputs, Validation Workshop, which will be organized by FCSR and UNDP (workshop could be through virtual meeting or in person)
- submission of final and policy document for the Civil Service commission and UNDP

## **IX. REQUIRED QUALIFICATION AND EXPERIENCE**

A master's degree in Law, HRM, Public Policy studies, public management, social studies, or related fields.

- Above 5 -years work experience with demonstrable capability in legal and policy document preparation, research activities; social studies and policy -based programs
- Strong understanding of the Ethiopian civil service policy, laws, systems, and structures
- Ability to work as a team with stakeholders
- Ability to work with electronic based data capture, monitoring, and evaluation tools
- Excellent written and oral communication skills both in Amharic and English
- Be ready to assume work as soon as possible.

**Competencies:**

- Fluency in English and Amharic.
- Sound communication skills both verbal and writing.
- Assessment, analytical, statistical, and planning skills
- Flexibility and adaptability to work in/with a varied team across multiple office and cultures

**X. CRITERIA FOR SELECTING THE BEST CANDIDATE**

Qualified Individual Consultant (IC) is expected to submit both the **Technical** and **Financial Proposals**. Only applicants who fulfil the qualifications will be shortlisted and contacted. Consultant will be evaluated based on **cumulative analysis** as per the following scenario:

- Responsive/compliant/acceptable; and
- Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation. In this regard, the respective weight of the proposals is:
  - Technical Criteria weight is **70%**.
  - Financial Criteria weight is **30%**.

**Evaluation Criteria:**

Criteria	Weight	Max. Point
<b>Technical Competence (based on CV, Proposal, and Interview (as required))</b>	70%	100
<b>Criteria (a):</b> A Master's degree in Law, HRM, Public Policy, Management, public management, social studies, or related fields and relevant skills in the Preparation of draft legal framework instruments that can help implementation of the Civil service reform policies.		20
<b>Criteria (b): Understanding the scope of work and organization of the proposal:</b> In-depth understanding of the Scope of Work (SoW); comprehensiveness and appropriateness of the methodology/approach, organization & completeness of the proposal		40
<b>Criteria (c): Individual competencies (experience in similar assignments):</b> Relevant working experience in legal and policy formulation in the public sector / civil service reforms.		40
<b>Financial (Lower Offer/Offer*100)</b>	30%	30
<b>Total Score</b>	<b>Technical Score * 70% + Financial Score * 30%</b>	

**Evaluation Legend:**

Weight per Technical Competence	
Weak: below 70%	The individual consultant/contractor has demonstrated a <b>WEAK</b> capacity for the analyzed competence
Satisfactory: 70-75%	The individual consultant/contractor has demonstrated a <b>SATISFACTORY</b> capacity for the analyzed competence
Good: 76-85%	The individual consultant/contractor has demonstrated a <b>GOOD</b> capacity for

	the analyzed competence
Very Good: 86-95%	The individual consultant/contractor has demonstrated a <b>VERY GOOD</b> capacity for the analyzed competence
Outstanding: 96 -100%	The individual consultant/contractor has demonstrated an <b>OUTSTANDING</b> capacity for the analyzed competence.

## X. CONFIDENTIALITY AND PROPRIETARY INTERESTS

The Individual Consultant shall not, either during the term or after termination of the assignment, disclose any proprietary or confidential information related to the consultancy service without prior written consent. Proprietary interests on all materials and documents prepared by the consultants under this assignment shall become and remain properties of the FCSC and UNDP.

## XI. HOW TO APPLY

Interested consulting firms with required qualification and experience must submit their applications online as per the following email: [procurement.et@undp.org](mailto:procurement.et@undp.org)

**This TOR is approved by:**

**Name:** Cleophas Torori

**Designation:** DRR- Programme

**Signature:**  DocuSigned by:  
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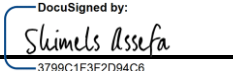
**Date Signed:**

**This TOR is approved by:**

**Name:** Shimels Assefa

**Designation:** Team Leader, Democratic

Governance & Peace building Unit

**Signature:**  DocuSigned by:  
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**Date Signed:**