



## TERMS OF REFERENCE

### FOR INDIVIDUAL CONTRACT

<b>POST TITLE:</b>	<b>Junior Facilitator for the Academy on Business and Human Rights for Japanese Companies (B+HR Academy), their suppliers and partners in Thailand (National Consultant)</b>
<b>AGENCY/PROJECT NAME:</b>	<b>UNDP/Promoting Responsible Business Conduct in target countries where Japanese companies operate, with a particular focus on promoting human rights due diligence in global supply chains and leveraging the UN Guiding Principles on Business and Human Rights for a just recovery (JSB project)</b>
<b>COUNTRY OF ASSIGNMENT:</b>	<b>Thailand</b>

### **BACKGROUND**

The *United Nations Guiding Principles on Business and Human Rights* (UNGPs), adopted by the UN Human Rights Council in 2011, are the most authoritative guidelines on how to "prevent and address human rights abuses in business operations." As part of its overall work on human rights, UNDP has supported the implementation of UNGPs by countries and corporations worldwide. The Business and Human Rights (B+HR) program was first piloted in Asia in 2016, where UNDP was soon recognized as the convener on B+HR discourse through its support to Asian governments in developing policies and through peer learning activities, including its annual regional B+HR forums for Asia.

UNDP has since scaled up its work by creating a Global Initiative on Business and Human Rights. As part of this process, UNDP is cooperating with the Government of Japan on the JSB project. Funded by the Japanese Supplementary Budget (JSB) approved in 2021, one of the JSB project's outcomes is to build the capacities of Japanese companies, their suppliers and partners in driving a a just recovery in 17 target countries, including **Thailand** . The project will strengthen responsible business practices in Japan and in **Thailand** through improving the ability and understanding of **Thailand** authorities, Japanese businesses and corporations from other countries, suppliers and partners to carry out Human Rights Due Diligence (HRDD).

Achieving this objective will require UNDP to provide training and support to Japanese companies, their suppliers and partners on how to carry out HRDD. Accordingly, **UNDP Thailand** intends to recruit an individual consultant to support and facilitate the operation of **the so-called 'Business and Human Rights Academy', (B+HR Academy)**, a training course for Japanese companies and their suppliers which is designed to have a combination of general training sessions and guidance sessions to specific companies.



The B+HR Academy will focus on mitigating the most immediate and salient human rights risks in Japanese companies' supply chains in **Thailand** . It will take place in the period October 2022 – April 2023.

- a) **Training seminars for companies on the key components of HRDD**, including identifying, preventing, mitigating and accounting for how companies address their human rights impacts. The Expert will conduct (a minimum of) **two (2) training seminars** for Thailand , which will consist of a maximum of five modules, provided in the UNDP HRDD training guide, to be covered over a a period of **two (2) days** for each training (the exact duration will be decided by country offices following the execution of the mapping study that will precede this activity). The HRDD training will be conducted by the Expert in person in Thailand. The training kickstart the B+HR Academy, which will be conducted in the period October 2022.

The HRDD training will be conducted by the Expert, along with an international consultant to be separately recruited and a UNDP staff member (another expert from other relevant UN agencies may be included if agreed with the JSB global coordination team). The Expert is expected to reflect the findings of the mapping study on human rights risks facing Japanese companies, which will precede the B+HR Academy, in devising the HRDD training. The Expert will be able to use UNDP's aforementioned [HRDD training guide](#) as a basis to carry out the HRDD training; should they propose to use other training materials, these will have to be approved by the BHR Global Advisor supervising their work.

- b) **Group and one-on-one guidance sessions** provided to companies. The guidance sessions will aim to introduce companies in more depth to elements of human rights due diligence, answer their questions on the implications of introducing policies and practices to carry out HRDD, and offer them confidential guidance to support them in the journey towards implementing more responsible practices. The guidance sessions will be conducted either individually by the Expert, or jointly with the international consultant/s and UNDP staff member mentioned previously. The guidance sessions can be conducted online, allowing the Expert to be home-based. Each consultant will be expected to provide up to 40 hours of guidance sessions for companies in Thailand (October 2022 – April 2023).

## SCOPE OF WORK

The Junior Facilitator will work under the guidance and supervision of Project Manager – Business and Human Rights, UNDP Thailand, with support from the JSB global coordination team. He/ she will also have to coordinate directly with Business and Human Rights expert who will lead the B+HR Academy.

Specific results to be achieved by the Junior Facilitator are listed below.

1. **Assist the development of curriculum for HRDD training to Japanese companies:**
  - Extract and analyse key findings, including quantitative data from UNDP's study on human rights risk mapping of Japanese companies and suppliers in Thailand



- Explore relevant case studies to be included in the training curriculum and presentation
- Incorporate feedback by BHR Expert, UNDP Thailand and JSB global coordination team to the curriculum.

**2. Facilitate group discussions and workshops at HRDD trainings in Thailand:**

- In accordance with the curriculum agreed under point 1, facilitate HRDD trainings in person, especially for group discussions and workshop sessions together with the BHR expert in Thailand for up to **50 persons**. The training (as was noted above), delivered either in one continuous training session, or over a few training sessions (to be agreed with UNDP Thailand)
- After the training on HRDD, the junior facilitator is expected to develop a content of the applications for companies to apply for one-on-one guidance sessions. The application content should be based on the selection criteria from UNDP’s risk mapping study.

**3. Provide guidance to companies:**

- The junior facilitator will support BHR Expert in providing online group and/or one-on-one guidance to selected 20 companies attending the B+HR Academy. Each session will be 45-60 minutes long (with translation into Japanese)
- The junior facilitator will prepare key findings based on participants’ applications for one-on-one guidance for the BHR expert to review before the session. This information should include, e.g., how companies should mitigate their human rights risks, improve their human rights practices to add value to their business, integrate human rights considerations and practices across their operations, and provide ongoing coaching to support a change of culture in the companies in question.
- The junior facilitator will prepare meeting summary of the one-on-one guidance sessions to share and to be reviewed by the BHR Expert, UNDP team and participating companies.
- In total, the junior facilitator will be expected to provide support in a total of 40 hours of guidance sessions over the course of four months.

**4. Develop communication content and materials of the trainings and one-on-one guidance:**

- The junior facilitator will develop key messages and other advocacy materials of the B+HR Academy in Thai and English.
- The junior facilitator will create and design social media content (infographics, videos, posters, banners, flyers and other media works).
- The junior facilitator will support the visibility of the B+HR Academy through website and social media.

**OUTPUT AND DELIVERABLES**

Deliverables No.	Deliverables/ Outputs	Number of working days	Target Due Dates	Review and Approvals Required
1.	Submit workplan and Key findings and data		4th week of November 2022	Project Manger – Business and Human



	from UNDP's study on Risk Mapping of Japanese companies and suppliers for HRDD curriculum development	20 working days		Rights, UNDP Thailand , JSB global coordination team
2.	Deliver and facilitate group discussion and workshop sessions of the 1 <sup>st</sup> HRDD trainings in person	15 working days	3rd week of December 2022	Project Manager – Business and Human Rights, UNDP Thailand , JSB global coordination team
3.	Deliver and facilitate group discussion and workshop sessions of the 2 <sup>nd</sup> HRDD trainings in person	15 working days	3rd week of January 2022	Project Manager – Business and Human Rights, UNDP Thailand , JSB global coordination team
4.	Support online/in-person guidance sessions for 10 companies	20 working days	4th week of February 2023	Project Manager – Business and Human Rights, UNDP Thailand , JSB global coordination team
5.	Support online/in-person guidance sessions for the remaining 10 companies	20 working days	4th week of March 2023	Project Manager – Business and Human Rights, UNDP Thailand , JSB global coordination team
6.	Submit communication content and materials of the trainings and one-on-one guidance:	15 working days	3rd April 2023	Project Manager – Business and Human Rights, UNDP Thailand , JSB global coordination team

The consultant will use his/her own equipment and software.

#### INTELLECTUAL PROPERTY

All information and production of report to the assignments as well as outputs produced under this contract shall remain the property of the UNDP who shall have exclusive rights over their use. The



products shall not be disclosed to the public nor used in whatever format without written permission of UNDP in line with the national and International Copyright Laws applicable.

## **INSTITUTIONAL ARRANGEMENTS**

The consultant will work under the overall guidance of will be done by **the Deputy Resident Representative of UNDP Thailand**. The national consultant will also have to report directly to and work closely with **the Project Manager – Business and Human Rights, UNDP Thailand and JSB global coordination team**. Each deliverable shall be presented to Project Manager – Business and Human Rights, UNDP Thailand and JSB global coordination team for review and approval.

The consultant is expected to source and manage the required office space, IT equipment, asset insurance and other administrative/logistics services for implementation. The consultant will use his/her own equipment and software to complete the assignment.

## **DURATION OF ASSIGNMENT, DUTY STATION AND EXPECTED PLACES OF TRAVEL**

### **Duration**

The assignment shall be completed within a maximum of **110 working days**. It is estimated to commence on **1<sup>st</sup> November 2022** and the assignment will be completed by **30 April 2023** at the latest.

### **Duty Station**

The consultant will be home-based with possible travel within **Thailand**.

The travel cost is separate from the lump sum payment and will be borne by UNDP. Travels will be authorized by UNDP as and when required. Travel and reimbursement will be administered in compliance with UNDP Duty Travel Policy and reimbursed in actual amount but not exceeding quotation from UNDP approved travel agent/ UNDP daily allowance rate.

## **DEGREE OF EXPERTISE AND QUALIFICATIONS**

### **Required Skills and Experience**

The consultant should possess the following expertise and qualifications:

#### **Qualifications:**

- University degree in Social Science, Political Sciences Business, Development or Mass Communication, Behavioral Sciences, International Studies or any related field.

#### **Competencies and Experience:**

- At least 3 years of experience in training experience on human rights (including BHR) issues;



- 1+ years of work experience of providing advice to companies on business and human rights;
- Demonstrated understanding of corporate impacts on human rights, risks created throughout corporate supply chains, and business and human rights issues in Thailand ;
- Ability to work independently, against tight deadlines;
- Experience working with UNDP and/or UN system an asset

**Skills:**

- Demonstrable training facilitation skills;
- Excellent written and verbal communication skills;
- Ability to relate well with a diverse range of stakeholders at local, national and international levels;
- Strong planning and management skills;
- Strong initiative and can work with minimum supervision.

**Language:**

Proficiency in English and Thai . Working-level Japanese is an advantage.

## REQUIRED DOCUMENTS

### Required documents

Interested candidates must submit the following documents/information to demonstrate their qualifications.

- a. Duly accomplished **Letter of Confirmation of Interest** and Availability using the template provided by UNDP.

It shall include **the Financial Proposal** that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided. If an Offeror is employed by an organisation/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 Offeror must indicate at this point, and ensure that all such costs are duly incorporated in the financial proposal submitted to UNDP. The consultant should also indicate any travel and related costs for meetings etc;

- b. **Curriculum Vitae with a list of relevant projects/ assignments;**
- c. **Brief description on how the candidate best fits with this assignment**

**\*\*Failure to submit the above-mentioned documents or Incomplete proposals shall result in disqualification.**

**\*\*Please group all your document into one (1) single PDF document as the application system only allows to upload maximum one document.**

**The short-listed candidates may be contacted, and the successful candidate will be notified.**



## CRITERIA FOR SELECTION OF THE BEST OFFER

### Evaluation Method and Criteria

Only candidates who are responsive and compliant will be evaluated. Individual consultants will be evaluated based on the following methodology:

#### Combined Scoring method:

The award of the contract shall be made to the candidate 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%)**.

- The technical criteria consist of qualification review (education, experience, language) [max. 100 points]
- **Financial score** shall be computed as a ratio of the proposal being evaluated as the lowest priced qualified proposal received by UNDP for the assignment will be based on a maximum 30 points.

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

- **Criteria 1:** Education – Max 10 points;
- **Criteria 2:** Training experience on human rights (including BHR) issues – Max 15 points
- **Criteria 3:** Working experience of providing advice to companies on business and human rights – Max 15 points
- **Criteria 4:** Demonstrated understanding of corporate impacts on human rights, risks created throughout corporate supply chains, and business and human rights issues in Thailand – Max 20 points
- **Criteria 5:** Excellent command of English and Thai. Ability in Japanese is a plus. – Max 10 points

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

For those passing technical evaluation above, offers will be evaluated per the Combined Scoring method:

- a) Technical evaluation (70%)
- b) Financial evaluation (30%)



The application receiving the Highest Combined Score will be awarded the contract.

#### 9) CONSULTANT PRESENCE REQUIRED ON DUTY STATION/UNDP PREMISES

None

Partial

Intermittent

Full-time

#### 10) PAYMENT TERMS

Candidates shall quote a **lump-sum “all-inclusive” fee** for the completion of each deliverable. The term “all-inclusive” implies that all costs (professional fees, communications, consumables, etc.) that could be incurred by the consultant in completing the assignment are already factored into the lump-sum submitted in the proposal. Payments shall be done upon verification of completion of deliverables and approval by the IC’s supervisor.

The lump-sum price is fixed regardless of changes in the cost components.

- First Tranche – 10% upon submission and approval of Deliverable 1 (“workplan and Key findings and data from UNDP’s study on Risk Mapping of Japanese companies and suppliers for HRDD curriculum development”)
- Second Tranche – 20% upon submission and approval of Deliverable 2 (“First HRDD General training session -Group 1”)
- Third Tranche – 20% upon submission and approval of Deliverable 3 (“Second HRDD General training session -Group 2”)
- Fourth Tranche – 20% upon submission and approval of Deliverable 4 (“One-on-one Guidance sessions – 10 companies”)
- Fifth Tranche – 20% upon submission and approval of Deliverable 5 (“One-on-one Guidance sessions – remaining 10 companies”)
- Sixth Tranche – 10% upon submission and approval of Deliverable 6 (“Communication content and materials of the trainings and one-on-one guidance”)





**This TOR is approved by:**

*Sukanya*

**Signature**

**Sukanya Thongthumrong, Integrated Programme Analyst**

**UNDP Thailand**

**Date of Signing**

3 October 2022