



Terms of reference

GENERAL INFORMATION

Title: National Consultant to Revise Public Service Complaint Handling Regulation

Project Name: SP4N-LAPOR!

Reports to: National Project Manager for SP4N-LAPOR!

Duty Station: Home based

Expected Places of Travel (if applicable): on request basis and please refer to the travel plan

Duration of Assignment: 35 working days within four (4) months from November 2022

REQUIRED DOCUMENT FROM HIRING UNIT

✓	TERMS OF REFERENCE
(5)	CONFIRMATION OF CATEGORY OF LOCAL CONSULTANT, please select:
	(1) Junior Consultant
	(2) Support Consultant
	(3) Support Specialist
	(4) Senior Specialist
	(5) Expert/ Advisor
✓	APPROVED e-requisition

REQUIRED DOCUMENTATION FROM CONSULTANT

✓	CV / P11 with three referees
✓	Copy of education certificate
✓	Completed financial proposal
✓	Completed technical proposal

Need for presence of IC consultant in office:

☐ partial

X intermittent: the works doesn't require a full attendance of the staff, but advisory and consultation on regular basis during the contract.

☐ full time/office based

Provision of Support Services:

Office space: ☐ Yes ☒ No

Equipment (laptop etc): ☐ Yes ☒ No

Secretarial Services ☐ Yes ☒ No

If yes has been checked, indicate here who will be responsible for providing the support services: SP4N-LAPOR! Indonesia Project

I. BACKGROUND

The United Nations Development Programme (UNDP) in Indonesia is initiating a new programme with the Korean International Cooperation Agency (KOICA) to support the Government of Indonesia in strengthening the capacity of government to handle civil petitions that can improve public service provision over time. In doing so, UNDP and KOICA established a tripartite collaboration with the Ministry of Administrative and Bureaucratic Reforms (KemenPAN-RB) to develop a comprehensive and integrated national strategy on the public service complaint handling management system. This joint collaboration is also intended to capacitate respective agencies responsible for the management and operation of LAPOR!.

LAPOR! is an online citizen complaint handling management system and was designed to increase public participation in the supervision of programs and government performance as well as the provision of public services. LAPOR! is an integrated online system that is easily accessible through various online platforms including 1) text messaging 1708 (based on Indonesia's Independence Day on 17 August), 2) mobile application (LAPOR!) on Android and Blackberry – IOS still under development, (3) the internet (www.lapor.go.id), 4) Facebook (facebook.com/LayananPengaduanOnlineRakyat), 4) Twitter (@LAPOR1708 or #LAPOR), 5) YouTube (@LAPOR1708), and 6) Instagram (@LAPOR1708).

SP4N-LAPOR! project aims to enhance the e-governance system in the government of Indonesia by strengthening of the national complaint handling system (SP4N-LAPOR!). In achieving the objective, there are three main outputs that expected to be achieved: 1) developed masterplan and roadmap for a comprehensive national complaint handling system (SP4N-LAPOR!); 2) Enhanced institutional capacity on complaint handling of national and subnational governments through invitational and local trainings; and 3) Increased government and public awareness on SP4N-LAPOR!, and citizen participation to improve the system, with particular attention to women, youth, Persons with Disabilities (PwDs) and other marginalized groups of the population through Workshops and Promotions. This project will conduct benchmarking with other e-governance success story to accommodate public complaint and aspiration to improve the quality of public service, such as E-People in the Republic of Korea.

Through these online platforms, citizens can submit their petitions and complaints to uncover issues internally or in-service provision in highlighting existing challenges. KemenPAN-RB is the responsible agency for the management of daily operations and administration of LAPOR!. Up until March 2017, SP4N-LAPOR! had attracted more than 560,000 users and continues to receive, on average, 460 daily reports through the platform. To this end, SP4N-LAPOR! has become the forerunner of national integrated complaints management systems.

With support from UNDP and KOICA, the Ministry of Administrative and Bureaucratic Reforms (KemenPANRB-RB) has developed the national public complaint handling system (SP4N-LAPOR!) roadmap for 2020-2024 which has been adopted into the ministry regulation number 46 of 2020. The roadmap serves as a legal basis for the implementation of SP4N-LAPOR! by sub-national governments. The roadmap also guides the subnational officials for forming the regional policy priorities and securing the regional budget in the implementation of SP4N-LAPOR!. In line with this, the project focuses on supporting the government, especially KemenPAN-RB with developing a comprehensive and integrated national strategy to develop a clear direction for SP4N-LAPOR!.

Recently, KemenPAN-RB has renewed the Memorandum of Understanding (MOU) with other agencies as national partner in managing SP4N-LAPOR! As of 2021, there are five official national agencies, namely KemenPAN-RB, the Executive Office of the President (KSP), Ombudsman RI, Ministry of Home Affairs (Kemendagri), and Ministry of Communication and Informatics (Kominfo), with the role as leading institutions in managing national public complaint handling management system. Following this new MOU, the five leading institutions are also renewing the service agreement specify the role and function of each institution to manage the public service complaint handling system.

With many progress in the management of SP4N-LAPOR!, the mechanism of SP4N-LAPOR! interoperability and management have changed. Therefore, adjustment in the regulation of SP4N-LAPOR! is required. One of SP4N-LAPOR! legal basis is the Ministerial Decree PAN-RB (PermenPAN-RB) no 62/2018 on complaint handling management of public services. To align the new focus of Roadmap SP4N-LAPOR! and the new role between five leading institutions of SP4N-LAPOR!, this existing Ministerial Decree PAN-RB no 62/2018 is suggested be revised. This adjustment will update the aspect of governance, management, and business process of SP4N-LAPOR! following several changes on those aspects.

Building on that background and further consultation with KemenPAN-RB, UNDP-KOICA for SP4N-LAPOR! project have expressed its commitment to continue support KemenPAN-RB in providing strategic support for the development of SP4N-LAPOR!, through the provision of **an expert for Drafting the Revision of SP4N-LAPOR! Regulation (PermenPAN-RB No 62/2018)**. The national consultant will provide substantive support and input in revising the existing regulation pertaining the improvement of public service complaint handling management system. Given the context is about improving the existing regulation, the national consultant will consult and coordinate with KemenPAN-RB and other SP4N-LAPOR! key partners as peer reviewers, as required.

II. SCOPE OF WORK, ACTIVITIES AND DELIVERABLES

The overall objective of this consultancy service is to provide: (1) review of the relevant documents; (2) drafting the revised PermenPAN RB; (3) advisory service by providing substantive inputs and facilitating several meetings.

For this purpose, the selected consultant is required to coordinate, collaborate, and engage with the Administrative and Bureaucratic Reforms (KemenPANRB), and other SP4N-LAPOR! Leading institutions as required, as well as with SP4N-LAPOR! Project through UNDP Indonesia (SP4N-LAPOR! PMU) as lead/coordinating Agency in Indonesia, for providing review to the Consultant's outputs.

Under the direct supervision of National Project Manager of SP4N-LAPOR!, overall objective of this consultancy service is to revise the existing PermenPANRB No.62 which consist of:

- a. Provide a work plan with detailed timeline to complete all deliverables, present it to the key partner in a kick-off meeting.
- b. Carry out a review of the relevant documents and regulations to understand the context, existing policies and regulation of SP4N-LAPOR!. These will include the existing regulations on public service and public complaint handling (ministerial decree including PermenPANRB No.62/2018 or UU No 25/2019), roadmap of public service complaints management system (PermenPANRB No 46/2020), academic paper, and other relevant documents such as public complaint management regulations in Kemendagri and Kominfo, as well as PermenPANRB No.8/2022 on formulation of ministerial decree. UNDP will provide the documents (or the regulations can be accessed via <https://jdih.go.id/>).
- c. Lead and facilitate consultation meetings, a FGD, and a stakeholder hearing to obtain feedback. The consultant must coordinate with key partners on the target participants of each meeting.
- d. Revise the existing PermenPANRB No.62/2018 including the required attachment of the regulation and ensure the alignment of this regulation with other public service complaint handling management regulations across SP4N-LAPOR! leading institutions.

According to the scope of work above, the major outputs for this assignment will be:

1. Detailed workplans and the first draft of the revised regulation by incorporating feedback from consultation meetings with the key partner/relevant stakeholders.
2. Final draft of revised PermenPANRB No 62 by incorporating feedback from consultation meetings and FGD or stakeholder hearing with the key partner/ relevant stakeholders.
3. Activity report including minutes meetings, report summarizing inputs gathered through meetings/FGDs, and slide power point presentations to be attached as annexes.

Expected Deliverables	Estimated Numbers of Working Days	Indicative Submission/Timelines Deliverables
<p>1st payment will be made upon submission of the following output/s:</p> <ol style="list-style-type: none"> 1. Final workplan with detail timeline. 2. First draft of revised PermenPANRB (in Bahasa) by incorporating feedback and input from the first consultation meeting, FGD/ stakeholder meeting. The draft includes the proposed outline and attachment of the regulation. 3. Minute of relevant meetings which mentions the substance agreement between stakeholders on the draft of regulation (such as the aspects, the legal wording, and the articles) and slide power point presentations as an annex. 	20 working days	05 January 2023
<p>2nd payment will be made upon submission of the following output/s:</p> <ol style="list-style-type: none"> 1. Final draft of revised PermenPANRB (in Bahasa) by incorporating feedback and input from the second consultation meeting, FGD/ stakeholder meeting. The draft includes the proposed regulation of each chapter/article and the detailed attachment of the regulation. 2. Minute of relevant meetings which mentions the substance agreement between stakeholders and slide power point presentations as an annex. 	10 working days	20 February 2023
<p>3rd payment will be made upon submission of the following output/s:</p> <ol style="list-style-type: none"> 1. One final activity report including one-page report summary (in English and Bahasa) including the summary of output. 	5 working days	10 March 2023

III. WORKING ARRANGEMENTS

Institutional Arrangement

The selected consultant is required to coordinate, collaborate, and engage with the Ministry of Administrative and Bureaucratic Reforms (KemenPANRB), and other SP4N-LAPOR! Leading institutions as required.

SP4N-LAPOR! Project Management Unit (PMU) UNDP Indonesia as project assurance, will provide review to the Consultant's outputs. Besides, UNDP/SP4N-LAPOR! PMU will facilitate the selected consultant to coordinate with other line ministries, if required.

The selected consultant has responsibility to submit the expected deliverables according to the agreed timeline, obtain technical clearance from KemenPANRB, and seek approval from SP4N-LAPOR! PMU through UNDP Indonesia on each deliverable. **It is important to keep the active response of the selected consultant for any request/feedback from the Ministry and/or PMU.** Further, the selected consultant will present report results/outputs to the audience as required/asked.

The selected Consultant will work closely with the Deputy of Public Services and Legal Bureau KemenPANRB including other SP4N-LAPOR! key partners as required. All deliverables should be submitted in English unless requested differently as stated in the deliverables.

Duration of the Work

The assignment will be delivered within four (4) months in partial scheme with total of 35 days. The payment will be made to the consultant at each payment schedule, upon technical clearance National Project Manager, SP4N-LAPOR! Project UNDP Indonesia.

Duty Station

The consultant will be based at home.

Travel Plan

There is no foreseen travel plan for the duration of the assignment and if there is a travel/mission, PMU SP4N-LAPOR! Project will assist it under the supervision/request from PMU. UNDP will provide all the travel expense using agreed rate prior any travelling.

IV. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

Academic Qualifications

- Master's degree in law, public policy, public administration/management.

Years of experience

- At least 10 years of working experience in relevant fields (governance, administrative and bureaucratic reforms, law enforcement)
- Experience in developing policy papers/draft regulations (such as a draft ministerial decree or ministerial regulation), institution's plan such as Technical Action Plan (Renaksi), Government/Local Government Mid Term Planning (RPJMD/RPJMN), Annual Workplan (RKT), or academic paper/urgent manuscript (*naskah urgensi*).
- Experience with public complaint handling management.
- Experience working with the Government of Indonesia and with International Organization will be an advantage.
- Previous experience in conducting gender sensitive research is strongly desired.

Competencies and skill requirements

- Sound familiarity with government administrative procedure and mechanism, public service management, and public complaint handling management.
- Fluency in English with excellent communication and writing skills.
- Strong motivation & ability to work & deliver under short deadlines.
- Focuses on impact & result for the client & responds positively to critical feedback.
- Able to work independently with little or no supervision.

V. EVALUATION METHOD AND CRITERIA

Individual consultants will be evaluated based on the following methodologies:

Cumulative analysis

When using this weighted scoring method, the award of the contract should 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 criteriaspecific to the solicitation.

* Technical Criteria weight; 70%

* Financial Criteria weight; 30%

Only candidates obtaining a minimum of 70 point would be considered for the Financial Evaluation

Criteria	Weight	Maximum Point
<u>Technical (70%)</u>	100%	100
Criteria A: qualification requirements as per TOR:	70%	
<ul style="list-style-type: none"> Master's degree in law, public policy, public administration/management. 		15
<ul style="list-style-type: none"> At least 10 years of working experience in relevant fields (governance, administrative and bureaucratic reforms, law enforcement) 		15
<ul style="list-style-type: none"> Experience in developing policy papers/draft regulations (such as a draft ministerial decree or ministerial regulation), institution's plan such as Technical Action Plan (Renaksi), Government/Local Government Mid Term Planning (RPJMD/RPJMN), Annual Workplan (RKT), or academic paper/urgent manuscript (naskah urgensi) 		15
<ul style="list-style-type: none"> Experience with public complaint handling management. 		15
<ul style="list-style-type: none"> Experience working with the Government of Indonesia and International Organization will be an advantage. 		5
<ul style="list-style-type: none"> Previous experience in conducting gender sensitive research is strongly desired. 		5
Criteria B: Brief Description of Approach to Assignment	30%	
<ul style="list-style-type: none"> Understands the task and applies a methodology appropriate for the task? 		10
<ul style="list-style-type: none"> Important aspects of the task addressed clearly and insufficient detail? 		10
<ul style="list-style-type: none"> Is planning logical, realistic for efficient projectimplementation? 		10