TERMS OF REFERENCE
Technical Capacity and Institutional Needs Assessment Of Key Stakeholder Agencies

Output 1.3.: Capacity enhanced for the role-out of the forthcoming National Plan of Action on Child Labour (NPA), including costing and design of a monitoring framework.

Activity 1.3.1.: Conduct a capacity mapping among MOLISA departments and targeted provinces for the oversight and implementation of the NPA.

Output 1.4.: Staff of project partners, implementing and collaborating partners have improved knowledge and understanding of child labour prevention in line with national and international standards on child labour.

Activity 1.4.1.: Conduct a technical capacity needs assessment of project partners, implementing and collaborating agencies including a desk review on related available studies and training or advocacy materials.

Output 1.5.: Strengthened capacity for child labour monitoring and enforcement and capacity to respond to hazardous child labour.

Activity 1.5.1.: Review and assess the labour inspection system with respect to child labour including consultation and needs assessment with the labour inspection department, and other relevant ministries (such as MPS and MARD), to assess capacity for inspection of hazardous work for minors and outreach to the informal sector.

1. Background and Justification

Child labour in Viet Nam

The National Child Labour Survey conducted in 2012 shows that there are 1.75 million children in child labour in Viet Nam, of whom over 32.4% work excessively long hours (more than 42/week). Of Viet Nam’s 1.75 million child labourers, an overwhelming majority (85%) live in rural areas and 15% in urban areas. Sixty percent of child labourers are boys and 40% are girls. The largest number of children in child labour fall in the 15-17 age group (58%), followed by the 12-14 age group (almost 27%) and alarmingly nearly 15% in the 5-11 age bracket.

The vast majority of child labour is in the agricultural sector with 1.18 million children or 67% of all child labourers. The manufacturing-construction and services sectors attract 276 thousand (15.8%) and 293 thousand (16.6%) children, respectively.

About 1.31 million children are identified as children at risk of hazardous work, accounting for 75% of child labourers. Out of the group of children at risk of hazardous work, 39.3% are girls, nearly 85% live in rural areas and 61.0% are in the 15-17 age group.

The ILO support to combating child labour in Viet Nam

Since 2000, the International Labour Organization (ILO) has carried out a series of projects and programmes for the prevention and elimination of child labour to support the Government of Viet Nam to fight against this problem.
These projects have made significant progress in understanding the nature of the problem and specific characteristics of child labour and its worst forms, the types of interventions that are effective, those that are not, and why so, new knowledge about the situation of the number of child labour sectors has been generated, laws and policies regarding child labour were reviewed and revised, and the worst forms of child labour is becoming more visible in national policy to combat child labour. These projects have also built the capacity of the concerned stakeholders, especially in the area of awareness-raising and direct interventions to children.

Over the years, these projects have also engaged with new partners in Government, workers’ and employers’ organizations, other international and government agencies, private businesses, community-based organizations, NGOs, the media, parliamentarians, the judiciary, universities, religious groups, and children and their families who are willing to take action in combating child labour.

Currently, in partnership with MOLISA as the key Government partner of Viet Nam, ILO is implementing the project, titled “Technical Support for Enhancing National Capacity to Prevent and Reduce Child Labour in Viet Nam” (ENHANCE). The overall goal of the project is to build a comprehensive and efficient multi-stakeholder response for the prevention and reduction of child labour in Viet Nam. Through achieving this goal, the project will contribute to support Viet Nam in implementing the international commitments on fundamental principles and rights at work.

The Project’s overall objective is to build a comprehensive and efficient multi-stakeholder response for the prevention and reduction of child labour in Viet Nam. Placing capacity building for sustainable solutions at the heart of its interventions, the project will provide support to further improve specific aspects of national legislation on child labour, particularly with regard to hazardous work; support to specific agencies to strengthen capacity to implement the national laws and policies through child labour monitoring and enforcement. The project also targets to provide supports in policy development in relation to core labour standards, especially child labour standards obligations so that these form an integral part of Viet Nam’s evolving international trade integration. The project will heighten awareness among a cross-section of society about the nature of child labour and the national laws against it, in order to galvanise social attention to the issue. It will introduce a range of traditional and innovative communications approaches to target three levels of society including the general public, national policy makers and decision makers and influencers of public opinion; and government and social partners and communities within the selected provinces. The project will also develop intervention models in urban and rural locations to provide both a sectoral focus on child labour in the identified sectors, as well as area-based coverage to reach all children in child labour, regardless of the sector. These models will encompass both direct service provision to children at risk or engaged in child labour, including education, vocational training, counselling and support to family livelihoods.

The assessment needs

The areas of interventions to be carried out within the framework of the ENHANCE project are very comprehensive, while some aspects are new to the project partners and implementing agencies. Previously ILO projects provided training to thousands of partner agency staff on the prevention and elimination of child labour, due to the staff movements of key trained staff and retirement, there is a need to provide such training to newly assigned staff. The capacity gaps of newly assigned staff therefore needs to be strengthened through building capacity for them to equip them with knowledge and skills on child labour related topics so that they can be involved
in implementing the project activities effectively. Furthermore, it is expected that through improved understanding, where possible, they can lead efforts to mainstream the prevention and elimination of child labour into other national target programmes such as the national programme for child protection, poverty reduction programme, and/or youth employment programme, vocational training programme etc.

In this context, the project will conduct a mapping of stakeholder institutions that are working for and with children, and/or responsible for the application and enforcement of labour and child labour standards at different levels, from the central to the project target local level. The mapping is then followed by a technical and institutional capacity analysis and assessment of the mapped stakeholders, in order to review the project stakeholders’ knowledge and understanding about child labour fundamentals, including the interventions and action against child labour, their capacity in implementation and monitoring of programmes/initiatives, especially in implementation and monitoring of the National Plan of Action on the Prevention and Elimination of Child Labour, capacity in execution and enforcement of laws, particularly in the area of hazardous child labour, and collaboration with each other in taking action against child labour, their capacity building needs, their attitude and commitment in tackling child labour etc. The information from the assessment will provide the ENHANCE project with information to effectively design various target capacity building initiatives such as training subject and content, and training materials or knowledge and experience sharing programmes etc.

Moreover, the assessment will be helpful for the Comprehensive Monitoring and Evaluation Plan (CMEP) as it can be used to provide a baseline and eventually end-line information on the Outcome indicators: OTC 3. Implementation plan of NPA including M&E framework available; OTC 4. % of relevant staff trained who demonstrate improvements in knowledge of national legislation and ILS after training; and OTC 5. Number of CL cases including HCL as defined by national law detected/addressed by government agencies.

A qualified, experienced and relevant research institution, herein after called the Contractor, will be selected throughout a bidding process, and sub-contracted, with technical support of the ENHANCE project, to conduct this assessment.

2. Objectives of the Assessment

The objective of the assessment is to analyse and identify the strengths and weaknesses/gaps, opportunities and threats in technical and institutional capacity of the key stakeholder organizations in order to effectively design the project stakeholders’ capacity building programme to ensure their effective and proactive involvement in action against child labour.

3. Scope of the Assignment

The assessment will focus on the following areas regarding the technical and institutional capacity of the stakeholder agency/institution:

Main functions/responsibilities and resource profile
  ● Describe the organisation main mandate, programmes of relevance, and resource profile

1 The analysis will be structured like a SWOT analysis with strengths and weaknesses (or gaps) referring to within the organization or network, and opportunities and threats refer to the external environment (political support from the government or not, etc.)
**Staffing**
- Describe whether the staff of the assessed institution are drawn from a diverse background (including education background) and experiences and bring a broad range of skills.
- Describe composition of the staff with detailed information on their gender balance and the level of involvement in the assignment (e.g. part-time or full-time, and paid/voluntary).

**Partnerships and collaboration**
- Describe partnership/collaboration that the organization has built and maintained in a sustainable manner.
- Describe further whether the established partnership / collaboration constitute a mutually beneficial collaboration in implementing the pipeline programmes such as the NPA.

**Current programmes/services implemented by the organizations**
- List down name of activities/programmes/services, including the time frame and the gender/age/ethnicity disaggregated profile and number or beneficiaries; and
- Describe how the institution operates the activities/programmes/services.
- Identify any current existing policies/programmes that have a close linkage with child labour interventions.

**Technical capacity**
- Knowledge and perceptions about child labour: The relevant experiences and tools that the informant organization has regarding protection of children and child labour.
  Describe the level of knowledge and understanding about child labour related issues, including the national and international child labour laws and policies, application and enforcement; major challenges and obstacles encountered in the prevention and elimination of child labour in Viet Nam.
- Enforcement of laws/standards system, particularly in the area of hazardous CL.
- Project design, monitoring and evaluation: Describe the level of understanding and experience in design, monitoring and evaluation and reporting projects/programmes, including the NPA on child labour, period 2016-2020.
- Initiatives/action against child labour: Any actions/activities/projects, including survey/research regarding child labour/child protection or child rights that the institution carried out or took part in.
- Collaboration and networking: The view of the institutional collaboration, coordination and networking between agencies in fighting against child labour.
- Mainstreaming child labour: Identify the institution experience in mainstreaming child labour/child protection activities into its work, where possible, and how they do it.
- Direct interventions: Describe the knowledge and understanding of the assessed institutions on interventions/services provided to child workers in order to protect, prevent, and remove them from child labour and its worst forms.
- Training attendance: Describe any training courses related to child labour that the concerned staff of the institution attended; if the training were effective and the participants were able to apply what they were trained; knowledge gaps in child labour related issues.
- Training materials: Review of the availability of training materials related to child labour, and identify gaps and needs of improvement.
- Support/assistance, in terms of capacity, are needed, in order to improve their work and technical expertise to address child labour, as well as to implement the National Plan of Action to eliminate child labour.

4. Reporting

A draft report outline will be shared with the ENHANCE project for inputs and agreement before drafting the report.

Assessment Report in English and Vietnamese language will be produced by the Contractor and must include: assessment methodology; data analyses and discussion about the problems encountered with the data collection and analysis, and assessment findings; recommendations and conclusion. The assessment will focus on the three major areas as mentioned above, include: 1) Capacity for implementation and monitoring of the NPA; 2) Knowledge and understanding of international and national laws/standards on child labour; and 3) Capacity in enforcement of laws/standards, particularly in the area of hazardous CL. The assessment tools/questionnaires/guidelines will be included in the Annex of the Report.

Draft report in English and Vietnamese language will be sent to the ENHANCE project for technical inputs, and also for sharing with the project PMU and other relevant partners for comments.

5. Geographical Focus

The assessment will be conducted with the engagement of the concerned and relevant stakeholders from the central to local grass-root levels in interviews as the assessment informants. The specific stakeholders will be identified through the above mentioned mapping exercise.

The Table below lists the locations that the ENHANCE project targets for its operation, in addition to the central level (The activities at the central level will mainly focus on technical and institutional capacity building and advocacy/awareness raising).

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<thead>
<tr>
<th>Location</th>
<th>Name of the district</th>
<th>Name of the commune</th>
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<tbody>
<tr>
<td>Ha Noi Capital</td>
<td>Chuong My</td>
<td>(To be filled in latter)</td>
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<tr>
<td></td>
<td>Gia Lam</td>
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<td>Hoai Duc</td>
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<td>Thach That</td>
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<tr>
<td>Ho Chi Minh City</td>
<td>Tan Phu</td>
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<td></td>
<td>Binh Tan</td>
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6. Assessment Approach

The Contractor will be required to submit a technical proposal, including the proposed assessment methodology and tools that are designed in a way to ensure the assessment analyses and findings will capture all the issues listed in the Scope section.

Selection of stakeholders: A mapping of stakeholder institutions that are working for and with children, and/or responsible for the application and enforcement of labour and child labour standards at different levels, from the central to the project target local level will be conducted to ensure a comprehensive review of stakeholders, including their activities/programmes concerning, directly or indirectly, child labour in Viet Nam. The ENHANCE project will work with many groups of stakeholders who all will play a role in eliminating child labour; these stakeholders, among others, will be selected for assessment interviews, at the minimum (1) at the central level will include key decision makers in related Government ministries, members of the national assembly, law application and enforcement/inspection agencies, the media, workers’ and employers’ organisations, social and mass organisations, academic training and research institutions and NGOs, relevant business associations/enterprises etc.; and (2) at the project local level will include representatives of the provincial, district and commune people’s committees, related Government bodies such as labour, education, law enforcement and inspection, vocational training, health, employers, workers, the mass media, teachers, concerned local business enterprises/associations social and mass organizations, community establishments and groups, children and parents etc. Results of the mapping of policies, programmes and institutions related to child protection and child labour will be used for selection of the informant agencies/organizations, and the Contractor will consult and discuss and get an approval of the ENHANCE Team prior to proceeding with the interviews.

At this stage, among the others stakeholders that will be identified at the mapping, the concerned and relevant departments/units of following ministries/agencies/organization will be selected to conduct assessment interviews at the minimum:

- MOLISA concerned departments and targeted provinces for the oversight and implementation of NPA;
- Law execution and enforcement bodies;
- Education and training sector;
- Workers’ and employers’ organizations;
- Relevant business enterprises;
- Social and political mass organizations;
- Relevant NGOs (international and local)…
Development of assessment tools: the Contractor will be required to design a set of appropriate assessment tools which include structured questionnaires, including semi-structured questionnaires/guidelines to be used for interview and/or in-depth interviews/discussions with each group of stakeholder to identify their strength, weakness, opportunities and threats, both institutionally and technically. The draft questionnaires will be shared with the ENHANCE project, as well as with the project management unit (PMU) and other relevant partners for comments and inputs. With the inputs/comments, the Contractor will be responsible to revise and finalise these tools prior to conducting the interviews. The assessment tools will be applied flexibly, depending on the circumstances of the interviews, to extract relevant and necessary information.

Interviews with the key mapped agencies and stakeholders: The technical capacity assessment will be done through meetings, discussions and in-depth interviews with the key partners and stakeholders that are selected from the stakeholder mapping exercise (the meetings and interviews may be conducted with all the mapped agencies/institutions, depending on the number of the institutions and available timeframe) at the national level and at the project target sites to get the adequate and relevant information to respond to the issues listed in the Section 3 on Scope of the Assessment. The interviews will be done in a relaxed and informal manner to stimulate open exchange of information and create the atmosphere of mutual trust and understanding.

Analyse data and information, and formulate recommended strategies and interventions required to bridge the defined gaps/needs in technical capacity: Based on the data/information collected, the Contractor is required to analyse the capacity of each organisation and provide some recommended strategies and interventions necessary to bridge the defined gaps/needs in technical capacity and in institutional capacity.

Presentation of preliminary findings and recommendations to ENHANCE team and PMU: Draft of key findings and recommendations of the stakeholder assessment will be prepared and presented to the ENHANCE team and PMU, to get inputs for finalization of the report.

7. Time frame
This proposed activity is estimated to be completed within a period of 3 months from the date of the Service Contract signing. One week, after the signature of the Service Contract, the Contractor is required to submit the Work-plan.

8. Submission of Proposal
The interested and relevant research institutions and/or associations are invited to submit their proposal to the ILO-ENHACE project with the following details:

**Completed proposal with following details:**

- Detailed Technical and Institutional Needs Assessment methodology to be applied, including process for initial stakeholder mapping;
- Types of data collection tools/questionnaires/guidelines that will be utilised;
- Detailed budget estimations

**Demonstrated experiences and capacity:**
Evidence of similar assessment/study work done and/or published by the institution/association.

All proposals must be submitted in English to the ENHANCE Project CTA through email at ogasawara@ilo.org with copy to oanh@ilo.org by 5:00pm on 15 July 2016. Proposals submitted after the deadline will not be accepted. Only short-listed candidates will be contacted.

9. Evaluation of Proposal

All the proposals will be evaluated in accordance with ILO regulations and criteria. The proposals will be scored against the below criteria. The scoring will be tabulated and the proposals will be ranked based on the numerical scores received. Detailed screening results will not be released. Only shortlisted candidates will be invited for interviews/presentation of their proposal for final selection if need be.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Value of Criteria</th>
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<tbody>
<tr>
<td><strong>1. Technical Proposal</strong></td>
<td>65</td>
</tr>
<tr>
<td>• Research institution/association relevant experience and capabilities</td>
<td>20</td>
</tr>
<tr>
<td>• Proposed Staff Qualifications and Management Approach</td>
<td>10</td>
</tr>
<tr>
<td>• Assessment methodology; and</td>
<td>35</td>
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<tr>
<td>• An example of the type of questionnaires/guidelines to be applied for interview of each assessed stakeholder group</td>
<td></td>
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<tr>
<td><strong>2. Financial Proposal</strong></td>
<td>20</td>
</tr>
<tr>
<td><strong>3. Evidence of similar assessment work done and published in Viet Nam</strong></td>
<td>15</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100</strong></td>
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