

# Call for Expression of Interest for ILO Technical Assistance- C190/Violence and Harassment Project- Independent final evaluation

## Terms of Reference

Title of Project	Strengthening Action against Violence and Harassment with Focus on Sexual Harassment in the World of Work in Nepal (C190/VAH Project)
TC CODE	NPL/20/50/JPN
Administrative Unit	ILO Country Office (CO) Kathmandu
Technical Backstopping Units	DWT-Delhi ILO Decent Work Technical Support Team for South Asia, New Delhi (DWT-New Delhi)
Donor	Government of Japan, Ministry of Health, Labour and Welfare
Implementation Partners	Department of Labour; Employer Organization (FNCCI and NBI); Trade Union Federations (GEFONT, NTUC, ANTUF); CSOs (Zonta International, Fightback, FWLD/National Coalition for the Ratification of C190) and other stakeholders.
Type of Evaluation	Independent Final Evaluation
Timing of Evaluation	November 2021- December 2021
Project budget	USD 120,000
Project duration	(1 July 2020 – 31 December 2021)

## Introduction

These terms of reference are a call for interest for a national consultant to conduct an independent final evaluation of the Government of Japan-funded project Strengthening Action against Violence and Harassment with Focus on Sexual Harassment in the World of Work in Nepal, which is scheduled to end in December 2021.

The evaluation will assess to what extent the project objectives have been achieved by reviewing interventions, with a view to understanding what worked, and what did not work (and why this was the case), and the lessons learned. The evaluation process also examines if the best approach was taken, and if it was optimally executed. The evaluation will structure its enquiry around the OECD DAC pillars of a project's relevance, coherence, efficiency, effectiveness, sustainability and contribution to broader impact, as well as the suitability of project design to ILO's strategic and national decent work programme frameworks.

This evaluation will be an independent final evaluation, conducted by external, independent evaluator selected in consultation with the Chief Technical Advisor from DWT in Delhi. Key stakeholders, ILO constituents, partners and the donor will be consulted throughout the evaluation process.

## Project Background

The Project was designed to contribute to Outcome 6 of the ILO Programme and Budget 2020-21: Gender equality and equal opportunities and treatment for all in the world of work, and specifically to Output 6.3: Increased capacity of member States to develop gender-responsive legislation, policies and measures for a world of work free from violence and harassment.

The ILO Kathmandu Office has been supporting national efforts in achieving the Sustainable Development Goals (SDGs) through the implementation of the Decent Work Country Programme (DWCP) 2018-2022 which was formulated in collaboration with the tripartite constituents and in alignment to Nepal's development priorities. DWCP has two priorities, each of which has five outcomes. This project contributes to the priority area 2 (Strengthening institutional capacities, enhancing social dialogue, and applying fundamental conventions and other international labour standards), and outcome 2.1 (the government and social partners have promoted fundamental principles and rights at work to protect workers especially from unacceptable forms of work).

With the adoption of the new Convention and Recommendation on violence and harassment in the world of work, the call to prevent and address violence and harassment, particularly against women, has grown within Nepal. The United Nations in Nepal, together with development partners<sup>1</sup> also issued a Statement on Combating Violence against Women on 4 October 2019. Review progress made so far and taking further steps to prevent and address gender-based violence in the world of work, therefore has been a priority in Nepal.

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<sup>1</sup> Embassy of Australia, Embassy of Finland, Embassy of France, Embassy of Norway, Embassy of Switzerland, and Embassy of the United Kingdom.

The study conducted by the ILO in 2019 to review laws, policies and practices in preventing and addressing gender-based violence in the world of work in Nepal, and consultations with various stakeholders identified the following problem areas:

- Deep-rooted mindset and patriarchal social norms and attitudes that perpetuate discrimination including gender-based violence, and social stigma attached to reporting violence and harassment
- Limited awareness and understanding about the issue among the key stakeholders
- Inadequate policy and regulatory environment to support the implementation of the SH Law and to address violence and harassment in the world of work in general
- Weak institutional capacity of constituents in the areas of implementation and reporting, data collection and monitoring.
- Limited coordination among relevant institutions to effectively prevent and respond to violence and harassment through the implementation of the Sexual Harassment at Workplace Act 2015 (SH Act).
- Limited data on the prevalence and forms of violence and harassment in the world of work.

This project sought to address problems related to the inadequate policy and regulatory environment as well as the limited institutional capacity and coordination as mentioned above. The project also promoted awareness of C190 and R206 to work towards possible ratification.

The development objective of this project was to contribute to the elimination of violence and harassment, especially sexual harassment in the world of work and promotion of gender equality.

The project had the following immediate objectives:

- strengthening the policy and regulatory environment to support the effective implementation of the SH Law in Nepal
- strengthening the institutional capacity of relevant stakeholders in implementing the SH Law and preventing and responding to gender-based violence in the world of work
- strengthening collaboration and partnerships among relevant stakeholders to effectively prevent and address gender-based violence and promote gender equality and sound industrial relations in the world of work.

A number of activities were carried out by the ILO to achieve the above immediate objectives in close collaboration with project partners such as the Department of Labour, Trade Unions and employers' associations. The ILO tripartite constituents formed the C190 Action Group in February 2021 and provided direction to the project and also implemented

their projects. The C190 Action Group facilitated coordination across various stakeholders to ensure the project's maximum impact were achieved and to ensure sustainability of the project.

The direct beneficiaries of the project were the ILO's tripartite partners, civil society organisations (e.g. women's rights organisation and coalition), and private sector (e.g. research organisations). The ultimate beneficiaries of the project are women and men workers; employers; government representatives and women and disadvantaged groups.

## Purpose, Scope and Clients

### Purpose

This evaluation is being conducted as the final, independent evaluation ahead of the project's end on 31 December 2021. This final evaluation is being carried out with the following objectives:

- Determine (i) the relevance of the project's interventions; (ii) the efficiency of the project's implementation and (iii) its effectiveness; (iv) the impact that the project has had on development progress in the areas of its operation; and (v) the degree of sustainability of the project's interventions.
- Identify gaps and limitations in project implementation and offer recommendations for improvement to support the design of future projects in the country.
- Identify good practices and lessons learnt to be taken advantage of in future similar initiatives.

Recommendations will be used to improve the implementation of future projects and programmes; to enhance accountability; and to generate learning both for the ILO and key stakeholders.

### Scope

The evaluation will take into account all activities undertaken between the design of the project and the beginning of the final evaluation. It will consider all interventions, including those delivered in coordination and collaboration with civil society organizations.

The evaluation is expected to integrate the ILO's cross-cutting issues, namely international labour standards; social dialogue and non-discrimination (including disability inclusion) at all stages of the methodology and all deliverables (including the final report). The evaluation is also expected to give specific attention to the project's relevance to the ILO's programme and policy frameworks at the national and global levels, including the national Decent Work

Country Framework, the national United Nations Sustainable Development Cooperation Framework and the Sustainable Development Goals.

With respect to gender equality, this document implies (i) applying gender analysis by involving both men and women in consultation and evaluation's analysis, (ii) inclusion of data disaggregated by sex and gender in the analysis and justification of project documents; (iii) the formulation of gender-sensitive strategies and objectives and gender-specific indicators; (iv) inclusion of qualitative methods and use of mix of methodologies, (v) forming a gender-balanced team, and (vi) assessing outcomes to improve lives of women and men.

The evaluation process is expected to commence with the briefing of the selected Consultant (evaluator). The evaluation will conclude at the end of November 2021.

The evaluation should assess the following areas:

- Assess the coherence and logic of project's design and, whether the project adapted to any changes in the economic, political and development circumstances in Nepal, including to changes in the operating environment due to the COVID19 pandemic;
- Assess the project design in terms of its relevance to the overall development situation at the national level. This will include its relevance to national strategies, ILO's DWCP program framework and relevance to beneficiaries' needs;
- Assess performance of the project in terms of effectiveness, efficiency, and timeliness of producing the expected outputs (including intended and unintended, positive and negative results) as stated in the original project document; and the factors that hindered or facilitated achievement of the objectives;
- Assess the complementarity and synergies between the project components' interventions, as well as the impact and sustainability of these interventions.
- Assess the quality and timeliness of inputs, the reporting and evaluation system and extent to which these have been effective;
- Assess relevance of the project's management arrangements; identify advantages, bottlenecks and lessons learned with regard to these management arrangements;
- Identify constraints, failures, achievements and best practices and propose recommendations to make adjustments to ensure the smooth execution of future projects;
- Assess efficiency of resource use; and
- Assess the likelihood of extension and sustainability of the interventions.
- Analyze the ILO's reaction to underlying factors beyond ILO's control that affected the achievement of the project outcomes;
- Outline project good practices.

- Examine the intervention's Theory of Change (or reconstruct one if the TOC is not in place) with particular attention to assumptions, risks and mitigations strategies and the logical connect between levels of results and their alignment with ILO's strategic objectives and outcomes at global and national levels as well as with the relevant SDGs and related targets.

## Clients and stakeholders

- Primary Clients:
  - C190 Action Group members (tripartite constituents)
  - All Nepal Trade Union Federation (ANTUF)
  - Federation of Nepalese Chambers of Commerce and Industry (FNCCI)
  - General Federation of Nepalese Trade Unions (GEFONT)
  - National Trade Union Congress (NTUC)
  - The ILO C190/VAH Project Team
  - ILO Country Office for Nepal
  - DWT-New Delhi (ILO Decent Work Country Team)
  - ROAP (ILO Regional Office for Asia and the Pacific)

Secondary clients are other stakeholders, including national (Fightback, Zonta International, FWLD/National Coalition for the Ratification of C190, Solidarity Center and Media Advocacy Group) and provincial workers' and employers' organisations, and other government bodies.

## Evaluation Criteria and Questions

The final evaluation is expected to address all of the questions detailed below to the extent possible. The Consultant (evaluator) may adapt the evaluation criteria and questions, but any fundamental changes should be agreed upon between the ILO C190/VAH team and the Consultant (evaluator). The evaluation instruments (to be detailed in the inception report) should identify the general areas of focus listed here as well as other priority aspects to be addressed in the evaluation.

The following themes are deemed to cut across all aspects of the scope of the evaluation and are to be taken into consideration during data collection.

- (i) the normative and tripartite mandate of the ILO;
- (ii) gender equality, non-discrimination and inclusion
- (iii) a just transition to environmental sustainability;
- (iv) responsiveness to the Sustainable Development Goals and Agenda 2030; and
- (v) COVID-19 response measures.

## Relevance and Validity of the Design

- To what extent was the project design linked to ILOs' DWCP framework?
- To what extent does the Government of Nepal consider that the project contributed to their larger framework?
- To what extent were project objectives consistent with the beneficiaries' requirements?
- To what extent were the project design (objectives, outcomes, outputs and activities) and its underlining theory of change logical and responsive to the development challenges identified?
- How appropriate and useful were the indicators described in the project document in assessing the project's progress? If necessary, how may they have been reformulated to be more useful? To what extent were indicators gender sensitive?
- Were any lessons learned from previous projects in the area?
- Were the outputs achievable or overly ambitious?
- Were risks assessed in an appropriate manner?

## Coherence

- To what extent did the project succeed in adapting to the socio-economic challenges in the context of the COVID-19 pandemic?
- In what ways did the Project align with or perhaps contradict other interventions carried out by ILO Nepal, the Government and/or the national social partners?
- Have there been new intervening factors/actors (e.g. other donor assisted programmes) that may have impaired or enhanced project performance or future ILO development assistance?
  - Are there ways in which the ILO could capitalize on synergies and improve collaboration with these new actors? Possible duplication of effort/resources is to be considered.

## Effectiveness (including effectiveness of management arrangement)

- How effective was the Project's coordination with the social partners?
- To what extent was gender mainstreaming addressed in the design and implementation of the project?
- To what extent did the capacity of project management and the management arrangements put in place support and/or hinder the achievement of the planned results?
- To what extent has the project achieved its objectives? And are there any differences in the results obtained across social groups?

## Efficiency

- To what extent has the project delivered value for money?
- How well were resources and inputs (funds, expertise, time, etc.) allocated or used strategically to achieve the planned results? Have they been delivered in a timely manner? If not, what were the factors that hindered timely delivery of outputs? Where possible, intervention benefits and related costs of integrated gender equality is to be analysed.
- To what extent have the project resources been leveraged with other related interventions to maximize impact, if any?
- Was the methodology of implementation the right one under the circumstances?
- Was the budget spent according to the proposed budget lines?
- Was the rate of delivery acceptable under the circumstances and according to plan?

## Sustainability

- To what extent are the project results likely to be durable?
- To what extent can the project results be maintained or even scaled up/replicated by other partners beyond project completion?
- What are the areas of engagement that should be continued? What are the areas that need further emphasis?
- How effective was the project in establishing national ownership?
- To what extent have government institutions benefited from policy dialogue support and process etc.?

## Impact

- To what extent has the project contributed, whether intentionally or unintentionally, to higher-level and/or systemic changes?
- How have interventions made as part of the project affected the socio-economic and/or environmental state of the locations in which it operated?

## Methodology

The methodologies of the evaluation include 1) desk review of relevant documents, 2) primary data collection through interviews, focus group discussions, and/or questionnaires.

The final evaluation is expected to collect and analyze data, leading to conclusions that benefit from credibility based on triangulated findings. The evaluation may also include photographs and short case stories that demonstrate the evaluation's conclusions and recommendations.

The primary data collection will centre around meetings with key stakeholders of the project and the inclusion of inputs from meetings and discussions with the ILO Country Director; ILO staff; and key stakeholders, including constituents and technical partner. Secondary data will include project documents, including previous evaluation reports, progress reports, training reports, minutes, reports from partners, relevant correspondence and others as deemed appropriate.

To the extent possible, the data collection, analysis and presentation should be responsive to and include issues relating to ILO's normative work, social dialogue, diversity and non-discrimination, including disability issues.

The methodology should clearly state the limitations of the chosen evaluation methods, including those related to representation of specific group of stakeholders. The methodology should ensure involvement of key stakeholders in the implementation as well as in the dissemination process (e.g. stakeholders workshop, debriefing of project manager etc.)

More specifically the following documents will be shared with the Consultant (evaluator) at the commencement of the work:

1. Project Documents and respective Work Plans
2. Periodic Progress Reports submitted
3. All studies and reports produced for and by the Project to support the stated outcomes
4. Reports submitted by the implementing partners
5. All other relevant documents and publications

Consultation modality selection and meetings will be made in accordance with COVID-19 related restrictions.

An inception report will be prepared followed by a draft evaluation report, which will be shared with all relevant stakeholders and a request for comments will be asked within a specified time (not more than 3 working days).

## Main Outputs

The National Consultant (Evaluator) will be contracted to produce the following main outputs and supported by the ILO team at Nepal Country Office. Quality of the reports will be assessed against the relevant ILO Evaluation Checklists.

1. An inception report containing justification and details of the action to be carried out and agreed prior to the commencement of work. The inception report should be developed in line with ILO [Checklist 3](#).

The Consultant (evaluator) will be expected to include in the inception report a list of anticipated risks, the likelihood of such risks and measures to be undertaken to mitigate these. All data gathering mechanisms and methods used should be disaggregated by sex. Evaluation methodology and subsequent analysis should address gender concerns. Linkages should be identified between data sources, data collection methods, and analysis methods.

2. A draft evaluation report following a structure similar to that described in ILO [Checklist 5](#). This will include the standard [ILO Title Page](#).
3. Evaluation summary (a maximum of four pages following ILO guidance) in line with the [standard ILO Template](#) and the guidance provided in [ILO Checklist 8](#).
4. A final evaluation report incorporating and/or responding to all stakeholders' comments.
5. The templates for [lessons learnt](#) and [emerging good practices](#) duly completed.
6. One factsheet, in line with ILO branding, targeted to the needs of national ILO constituents containing:
  - a. A summary of the project results concerning the work and priorities of the ILO constituent in question.
  - b. Detailed points on the challenges, better practices, lessons learnt and recommendations concerning the work and priorities of the ILO constituent in question.
7. A PowerPoint presentation in line with ILO branding presenting the key findings and recommendations to be shared with ILO and key stakeholders and the incorporation of stakeholder comments into the draft evaluation report.

The Consultant (evaluator) should plan for a briefing session to share evaluation outcomes.

## Management Arrangements

### National Consultant (Evaluator)

The National Evaluator is anticipated to produce the draft and final evaluation reports. This work will include designing the evaluation process in line with the national context. The National Consultant (evaluator) will also arrange and conduct interviews, and collect other primary quantitative and/or qualitative data that may be required but are not accessible at a distance. In the interest of maintaining independence and impartiality, the National Consultant (evaluator) will seek administrative/contractual matters support from the National Project Coordinator only when needed. The National Consultant (evaluator) is an independent party without any connection to the design or implementation of the project or of any associated interventions.

## Quality assurance & formatting requirements

Quality recommendations in the evaluation report must meet the criteria below. The Consultant (evaluator) should refer to [ILO Policy Guidelines for Results-Based Evaluation](#) for further guidance.

1. Recommendations are based on findings and conclusions of the report.
2. Recommendations are clear, concise, constructive and of relevance to the intended user(s).
3. Recommendations are realistic and actionable (including who is called upon to act and recommended timeframe).

The ILO Guidelines also provide formatting requirements for evaluation reports, establishing in particular the following criteria, whereby recommendations should be

1. Actionable and time-bound with clear indication to whom the recommendation is addressed;
2. Written in two to three sentences of concise text;
3. Numbered (no bullet points) and
4. No more than twelve.
5. Presented at the end of the body of the main report, and the concise statement
6. Copied over into the Executive Summary and the Evaluation Summary (that is, the concise statements of recommendations should be verbatim identical in the recommendation section of the main body of the report, the Executive Summary, and the Evaluation Summary).

The Consultant (evaluator) will be required to submit all written outputs in conformity with the ILO's branding scheme, templates of which will be provided.

## Proposed work plan and timeframe

The evaluation process is expected to commence in the beginning of November. The evaluation will proceed with the development of the inception report at the beginning and, subsequently, data collection and analysis. The evaluation will conclude with any possible oral presentations/debriefings and the submission of all written outputs at the end of November 2021. A total number of 15 working days are anticipated.

Phase	Responsible Person	Tasks /Activities	Proposed number of working days
1	National Consultant (Evaluator)	<ul style="list-style-type: none"> <li>• Evaluator briefing and introductions</li> <li>• Desk review</li> <li>• Submission of inception report</li> </ul>	2
2	National Consultant (Evaluator)	<ul style="list-style-type: none"> <li>• Data collection and analysis</li> <li>• Preparation of draft report, evaluation summary and PowerPoint presentation</li> </ul>	10
		<ul style="list-style-type: none"> <li>• Present findings and recommendations to key stakeholder group</li> <li>• Incorporate comments from stakeholders into draft report for submission to the Evaluation Manager.</li> </ul>	2
3	ILO NCO	<ul style="list-style-type: none"> <li>• Circulation of draft report to stakeholders</li> <li>• Stakeholder review and compilation of comments received by ILO</li> </ul>	0
4	National Consultant (Evaluator)	<ul style="list-style-type: none"> <li>• Incorporate comments and finalize report including executive summary</li> </ul>	2
		<ul style="list-style-type: none"> <li>• One pager factsheet</li> </ul>	1
<b>Total :</b>			<b>17 working days</b>

## Legal and ethical matters

The evaluation will comply with UN Norms and Standards. The Consultant (evaluator) will be required to sign and abide by the [ILO Code of Conduct for Evaluators](#) while carrying out the evaluation. [UN Evaluation Group \(UNEG\) ethical guidelines](#) will be followed. The Consultant (evaluator) should not have any links to project management, or any other conflict of interest that would interfere with the independence of the evaluation.

The evaluation report and its contents are the property of the ILO. All draft and final outputs, including supporting documents, analytical reports and raw data should be provided in electronic version compatible with Microsoft Office for Windows.

Ownership of data from the evaluation rests jointly with the ILO and the Consultant (evaluator). The copyright of the evaluation report will rest exclusively with the ILO. The use

of data for publication and other presentations can only be made with written agreement of the ILO. Key stakeholders can make appropriate use of the evaluation report in line with the original purpose and with appropriate acknowledgement.

## Application:

Interested individuals with relevant expertise and proficiency in both English and Nepali languages, with good internet access are requested to submit their 1) Cover letter explaining why you are the suitable candidate for this assignment, 2) CV and 3) Financial Proposal. Financial proposal should consist of daily rate inclusive of other costs deemed necessary (taxi, internet, etc) for carrying out this assignment. Applicants are requested to send the documents to [ktm\\_procurement@ilo.org](mailto:ktm_procurement@ilo.org) no later than 17:30 hrs; on Monday, 15 November 2021. Applications received after this will not be considered.

Please indicate “**Application: National Consultant for Independent final evaluation of C190/VAH project**” in the subject line.