**TERMS OF REFERENCE**

**A. Job Title:**  Two consultants on data collection for situational analysis of the Human Rights Based Approach to support and care systems for persons with disabilities with high needs of care

**B. Duty Station:**  Republic of Moldova, Chisinau municipality

**C. Project reference:**  Seeding Change Project/ Office of the UN High Commissioner for Human Rights

**D. Contract type:**  Individual Contract (IC)

**E. Duration of assignment:** Up to 40 working days during June – October 2023 (20 days per consultant)

**F. Background:**

The UN Human Rights Office (Office of the UN High Commissioner for Human Rights – OHCHR) represents the world's commitment to universal ideals of human dignity. It has a unique mandate from the international community to promote and protect all human rights.

The UN Human Rights Office in Moldova (OHCHR in Moldova), led by the Human Rights Adviser, assists the UN RC Office, UN Country Team in Moldova (UNCT), Government and civil society in strengthening human rights and human rights-based approach, working closely with the UN Country Team on capacity building and mainstreaming human rights in their work, as well as providing support in engagement with national actors on human rights, including advising national authorities upon request. Thematic priorities for the work of the Office are: (i) Strengthening rule of law and accountability for human rights violations; (ii) Enhancing equality and countering discrimination; (iii) Integrating human rights in sustainable development; (iv) Enhancing civic space and people’s participation.

UN Human Rights Office in Moldova is aiming at enhancing inclusivity of the social protection system by facilitating human rights, gender and disability mainstreaming in the support and care systems. For this, in 2023 OHCHR has envisaged to conduct a situational analysis of the human rights based approach perspective of the support and care provided to persons with high needs of care of different age groups. The analysis will apply an intersectional approach, so that needs of persons with disabilities in all their diversities throughout their life are reflected, including by targeting gender, age, refugee, socio-economic status, geographic location etc. The analysis will also evaluate the availability, accessibility, affordability and quality of support and care for persons with disabilities, as part of the broader social protection system in the country. The situational analysis will incorporate the budgetary analysis and the level of integration of budgetary allocations to identify the level of integration of disability costs in the existing care and support services. Based on the findings of the situational analysis, OHCHR will develop a road map for mainstreaming the human rights-based approach to disability in the care agenda at national level for all stakeholders. The outcomes of the situational analysis will also contribute to informing the process of developing the new Programme on Social Inclusion of Persons with Disabilities, due to be developed in 2023. Also the findings of the project will inform the process of implementation of the Gender Equality strategy.

Under the current assignment, the team of two consultants will be responsible for planning and organizing focus groups discussions with care givers and care receivers (minimum 6) and interviews with care receivers and care givers, including, if possible, persons with disabilities as care givers. Additionally, expert interviews will be conducted with representatives of state institutions and of Organizations of Persons with Disabilities and service providers for persons with disabilities. The consultants will work in team with the Lead consultant to conduct situational analysis of the Human Rights Based Approach to support and care systems for persons with disabilities with high needs of care.

**G. Objective:**

OHCHR is seeking to hire two National Consultants to conduct data collection (focus group discussions, interviews, including expert interviews) as part of the situational analysis of the Human Rights Based Approach to support and care systems for persons with disabilities with high needs of care.

The analysis will focus on:

* Assessment of the impact of support and care provided to persons with high care needs on the realization of their human rights and the human rights of care-givers.
* Documenting the barriers and identification in an inclusive and participatory approach the solutions for transition from traditional medical care models to a human rights-based approach (HRBA) to support and care.
* Analyzation the opportunities, needs and options of developing self-care practice, but also practices of persons with disabilities as care givers.
* Evaluation of the availability, accessibility, affordability and quality of support and care for persons with disabilities, as part of the broader social protection system in the country.
* Budgetary analysis and the level of integration of budgetary allocations to identify the level of integration of disability costs in the existing care and support services.

The analysis will be focused on the following target groups and rights:

* **Support and care receivers:** persons with high care needs (severe disabilities). Intersectional approach will be applied in the analysis process, including by targeting gender, age, refugee, socio-economic status, geographic location etc. In case of care receivers the analysis will target their human rights, including the right to independent living and being included in a community (CRPD art.19), right to education (CRPD art. 25), the right to habilitation and rehabilitation (CRPD art.26), the right to adequate standard of living and social protection (CRPD art.28). Gender analysis to the situation of the support and care receivers will be applied.
* **Support and care givers:** personal assistants for persons with disabilities of different age groups. In case of caregivers, the following rights will be targeted: labor rights, including right to rest and leisure, social security, right to highest attainable standard of health, right to education (life-long learning, professional training). Intersectional approach will be applied, practices of persons with disabilities as care givers will be analyzed. Besides the paid care givers (personal assistants), the un-paid/informal care givers (e.g. family members) will be also targeted.

**H. Scope of work and expected outputs:**

To achieve the objective, it is foreseen that the Consultants will:

* Develop, jointly with the lead consultant, the research methodology and instruments for conducting situations analysis;
* Plan and organize minimum 6 focus groups discussions, interviews and expert interviews;
* Analyse, jointly with the lead consultants, the data collected during focus group discussions and interviews;
* Provide inputs for the draft report and roadmap for ensuring Human Rights Based Approach to support and care, including during the consultation process.

**I. Expected Deliverables:**

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| **item no.** | **DELIVERABLES** | **Estimate Workdays**(per consultant) | **Tentative timeframe** |
| **I.** | Develop, jointly with the lead consultant, the research methodology and instruments for conducting situations analysis;***Deliverables:**** Research methodology and instruments developed jointly with the lead consultant
 | Up to 6 working days (3 days/each consultant) | By June 30, 2023 |
| **II.** | **Collect and analyse data for the situational analysis** * Plan and organize minimum 6 focus groups discussions, interviews and expert interviews;
* Analyse, jointly with the lead consultants, the data collected during focus group discussions and interviews;

***Deliverables:**** Focus group discussions, interviews and expert interviews conducted and data analyzed
 | Up to 28 working days (14 days / each consultant) | By July 10, 2023 |
| **III.** | **Provide inputs for the draft report and roadmap for ensuring Human Rights Based Approach to support and care, including during the consultation process.** * Practical inputs to the situational analysis and road map, based on the outcome of data collection process.
* Support the planning and organization of inclusive consultations of the outcome and recommendations of the situational analysis and road map developed.

**Deliverables:*** Inputs to the draft report and roadmap for ensuring Human Rights Based Approach to support and care, including during the consultation process provided
 | Up to 6 working days (3 days / each consultant) | By October 20, 2023 |

**J. Organizational Setting:**

The consultants will work under the guidance of the Human Rights Adviser, and direct supervision of a National Human Rights Officer. They will work closely with the Lead consultant to conduct situational analysis of the Human Rights Based Approach to support and care systems for persons with disabilities with high needs of care.

**K. Financial arrangements:**

The financial proposal shall specify a total **lump sum** amount, and payment terms around specific and measurable (qualitative and quantitative). In order to assist the requesting unit in the comparison of financial proposals, the financial proposal will include a breakdown of this lump sum amount (including the daily fee, taxes, transportation and number of anticipated working days).

Payments are based upon output, i.e. upon delivery of the services specified in the TOR.The payment under these Terms of Reference will be made in one instalment, upon the accomplishment of the ToR tasks and deliverables, based on the submitted time-sheet and activity report.

**Travel**

Costs related to out of Chisinau location under the present consultancy will be arranged by OHCHR.

**L. Confidentiality**

Materials provided to the Consultant and all proceedings within the consultancy contract shall be regarded as confidential, both during and after the consultancy. Violation of confidentiality requirements may result in immediate termination of contract.

**M. Qualifications and skills required:**

1. Academic Qualifications:
* University degree in law, human rights, social science or other relevant discipline.
1. Years and sphere of experience:
* At least 3 years of professional experience at the national level in social inclusion and rights of persons with disabilities;
* At least 2 years of experience in providing services to persons with disabilities, including as care giver to persons with high care needs;
* Previous experience in mobilizing persons with disabilities and care givers to participate in social and awareness raising activities, including in researched.
* Knowledge of the human rights situation of persons with disabilities in Moldova.
1. Competencies:
* Proven commitment to the core values of the United Nations, in particular, respect for differences of culture, gender, religion, ethnicity, nationality, language, age, HIV status, disability, sexual orientation, or other status;
* Displayed cultural, gender, religion, race, nationality and age sensitivity and adaptability;
* Accepted responsibility and accountability for the quality of the outcome of her/his decisions.
* Fluency in oral and written Romanian. Working knowledge of Russian and English would be an asset;
* Knowledge of one or more relevant minority languages, including Bulgarian, Ukrainian or Romani, as well as sign language(s), will be a strong advantage.
1. Personal qualities:
* Resourcefulness and creativity;
* Strong communication and interpersonal skills.

**Diversity Clause:** Applicants from under-represented groups (persons with disabilities, Roma and other ethnic, linguistic or religious minorities, persons living with HIV, refugees and other noncitizens) will be given priority in case of equal qualification. OHCHR is committed to reasonably accommodate the working environment for the persons with disabilities.

*The United Nations Organization is committed to diversity and inclusion. Women, persons from vulnerable groups, such as persons with disabilities, Roma and other ethnic, linguistic or religious minorities, persons living with HIV, refugees and other noncitizens legally entitled to work in the Republic of Moldova, as well as persons from other underrepresented groups are particularly encouraged to apply.*

**N. Documents to Be Included When Submitting the Proposals**

Interested individual consultants must submit the following documents/ information to demonstrate their qualifications:

* Signed and filled-in Offeror’s letter confirming interest and availability for the individual contractor (IC) assignment, incorporating Financial proposal in Annex 2 (in USD, specifying a total requested amount per working day, including all related costs, e.g. fees, phone calls etc.). Annex 2 to the Offeror's letter, incorporating the Financial Proposal, shall be filled in mandatorily and includes the detailed breakdown of costs supporting the all inclusive financial proposal;
* Proposal (Motivation Letter): explaining why they are the most suitable for the work including previous experience in similar Projects (please provide brief information on each of the above qualifications, item by item, including information, links/copies of documents for similar comprehensive studies);
* CV and at least 3 references.

**Important notice:** The applicants who have the statute of Government Official / Public Servant prior to appointment will be asked to submit the following documentation:

* + - a no-objection letter in respect of the applicant received from the Government, and;
		- the applicant is certified in writing by the Government to be on official leave without pay for the entire duration of the Individual Contract.

**O. Evaluation**

Initially, individual consultants will be **short-listed** based on the following minimum qualification criteria:

* University degree in law, human rights, social science or other relevant discipline University Degree;
* At least 3 years of professional experience at the national level in social inclusion and rights of persons with disabilities;
* At least 2 years of experience in providing services to persons with disabilities, including as care giver to persons with high care needs.

The short-listed individual consultants will be further evaluated based on the following methodology:

**Cumulative analysis**

The award of the contract shall 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 criteria specific to the solicitation.

\* Technical Criteria weight – 60% (300 pts);

\* Financial Criteria weight – 40% (200 pts).

Only candidates obtaining a minimum of 210 points would be considered for the Financial Evaluation.

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| **Criteria** | **Scoring** | **Maximum Points Obtainable** |
| **Technical** |
| University degree in law, human rights, social science or other relevant discipline University Degree | *University degree – 35 pts, Master’s – 45 pts; PhD – 55 pts;* | 55 |
| Minimum 3 years of professional experience at the national level in social inclusion and rights of persons with disabilities | *3 years – up to 30 pts., each additional year – 10 pts., up to a maximum of 80 pts.* | 80 |
| Minimum 2 years of experience in providing services to persons with disabilities, including as care giver to persons with high care needs | *2 years – up to 30 pts., each additional year – 10 pts., up to a maximum of 70 pts.* | 70 |
| Previous experience in mobilizing persons with disabilities and care givers to participate in social and awareness raising activities, including in researched | *No experience – 0 points, one year – 20 points, each additional year – 10 pts., up to max. 50 pts.* | 50 |
| Fluency in oral and written Romanian. Working knowledge of Russian and English would be an asset; | *Maximum 30 pts., (10 pts. for each language).* | 30 |
| Knowledge of one or more relevant minority languages, including Bulgarian, Ukrainian or Romani, as well as sign language(s), will be a strong advantage. | *Maximum 10 pts., (2 pts. For each language).* | *10* |
| Belonging to the under-represented groups within the UN Moldova (persons with disabilities, Roma and other ethnic, linguistic or religious minorities, persons living with HIV, refugees and other noncitizens as self-declared). | *(no – 0 pts, to one group – 2 pts, to two or more groups – 5 pts.)* | 5 |
| **Maximum Total Technical Scoring** |  | **300** |

*\* Under-represented group in the area of assignment (law enforcement) are women. Under-represented groups in UN Moldova are persons with disabilities, LGBTI, ethnic and linguistic minorities, especially ethnic Gagauzians, Bulgarians, Roma, Jews, people of African descent, people living with HIV, religious minorities, especially Muslim women, refugees and other non-citizens.* ***Please specify in CV, in case you belong to the group(s) under-represented in the UN Moldova and/or the area of assignment.***

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| **Financial** |
| Evaluation of submitted financial offers will be done based on the following formula:**S = Fmin / F \* 200****S –** score received on financial evaluation;**Fmin –** the lowest financial offer out of all the submitted offers qualified over the technical evaluation round;**F –** financial offer under consideration | **200** |

Winning candidate

The winning candidate will be the candidate, who has accumulated the highest aggregated score (technical scoring + financial scoring).