Manusher Jonno Foundation
Terms and Reference
FOR
Review of the Tackling Marginalisation and Discrimination (TMD) Programme of the EPR project

Introduction:

Manusher Jonno Foundation (MJF) is an intermediary funding organisation provides funds and capacity-building assistance to civil society organisations and networks to promote human rights and governance initiatives in Bangladesh. It strives to build the capacity of children, youth, poor, marginalised, and socially excluded people, and raise their voices across the country. The programme of MJF supports diverse projects programmes that foster collective action for the advancement of human rights and good governance.

MJF is managing the Excluded People's Rights (EPR) project funded by the Foreign, Commonwealth and Development Office (FCDO) since 2017 through 60 civil society organisations across the country. This project is based on human rights-based approach to empower marginalised and excluded people to assert their rights through sensitising duty bearers. The project intervened with a diverse cross-section of populations, including persons with disabilities, ethnic minorities, Dalits, transgender, and other vulnerable groups. The projected intended impact of EPR is to improve the quality of life of the marginalised and vulnerable population of the country in an environment of democratic freedom and security.

The project is currently organised into three key programmatic areas, which are: Tackling Marginalisation and Discrimination; Security and Rights of Women and Girls; and Strengthening Public Institutions. In the midst of the project, MJF intends to commission a programme review of Tackling Marginalisation and Discrimination (TMD) programme to assess the overall performance, identify gaps, capture learning, and reshape the programme strategies.

Programme Outline

Marginalisation of different communities is a pervasive phenomenon in Bangladesh. The phenomenon is dominated by a structure of centre-periphery relations, wherein the communities or people who are close to the centre are better off in regard to economic, social, political, and cultural aspects. In Bangladesh, a host of communities (so far identified as 16) are treated as marginalised, who live far away from the centre of power and stay on the margins of society. There are a number of factors which cause their marginal status, but broadly they fall under two categories – societal and spatial. The societal framework focuses on human dimensions such as demography, religion, culture, social structure (e.g., caste/hierarchy/class/ethnicity/gender), economics, and politics in connection with access to resources by individuals and groups. In this regard, the emphasis is placed on understanding of the underlying causes of exclusion, inequality, social injustice, and spatial segregation of people.[1]

The explanation of the spatial dimension of marginalisation is primarily based on physical location and distance from centres of development, lying at the edge of or poorly integrated into the system.[2] With this concept, it is intended to gain insights into the influence of physical locations like Char, Haor, hills and distance on the livelihoods of individuals/groups and the space itself. These explanations clearly indicate that marginalisation is a process that emerges and evolves with time in various types and scales within the socio-economical and geo-political environment. Thus, it reinforces and reproduces the state of marginalisation to a greater extent.

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[1] Brodwin, 2001; Darden, 1989; Davis, 2003a; Gans, 1996; Hoskins, 1993; Leimgruber, 2004; Massey, 1994; Sommers et al, 1999.

[2] Larsen, 2002b; Leimgruber, 2004; Müller-Böker et al, 2004; Sommers et al, 1999.

More than 30 million people in Bangladesh are marginalised. These include Dalits, the disabled, marginal farmers, fishermen, ethnic minorities, vulnerable women, transgender people, etc. MJF mainly works with marginal farmers, Dalits, fishers under this programme. EPR project addresses their issues of accessing government services and resources, enhancing their dignity, engaging in political agendas, and strengthening their livelihood security. The Tackling Marginalisation and Discrimination (TMD) theme mainly works with demand and supply-side actors to ensure their rights and entitlements, enhance their social dignity, and promote their lives and livelihoods.

The main purpose of the TMD programme is to improve access of the marginalised people to government and non-government services and resources, and to mainstream them by bringing about positive change in their social position, including upgrading their dignity. Therefore, the key areas of the programme are to address the underlying causes of different types of marginalisation within a rights-based framework through capacity building, network development, coordination, support services, self-management and advocacy and lobbying.

In addressing the vulnerability and poverty of the marginalised groups, TMD broadly carries out two interventions: 1) empowers the marginalised groups so that they can claim their rights, and 2) sensitises statutory service providers to provide services to these groups. The outcome that takes place is the translation of rights to responses by the statutory service providers.

A total of 125,000 marginalised and excluded people, organised into three population groups: Dalit, Landless people, and Fisher folk, are being covered by 12 grassroots organisations in various parts of the country. The programme's goal and outcomes are as follows:

Goal: Rights, entitlements and dignity of marginalised and excluded people enhanced.

Outcome:
- Marginalised and excluded people received public services, resources and facilities (e.g. health, education, safety-net, agricultural extension, Income Generating Activities (IGA), land, water-bodies and legal service).
- Marginalised and excluded people including women and girls' social status advanced.
- Marginalised and excluded women and men have better livelihoods/income options.
- Pro-poor laws and policies revised, drafted, enacted and facilitated to be implemented.

The detailed downstream partners' information is available in annex 1.

Purpose of the Review:

The purpose of this review is to assess the overall performance of the programme, identify strategic gaps and limitations, and gather/capture evidence-based learning and best practices to inform future programming in light of contemporary local and global contexts. The review will cover issues regarding policies, practice areas, partnerships, and programmatic approaches and modalities. The review will be exploratory, theory and approach based, concentrating primarily on the effectiveness of the strategies and interventions employed and capturing experiences, practice and knowledge derived from the strategies and interventions.

The specific objectives of this programme review are:
- To assess the performance of the TMD theme and its implemented projects, as well as the impact of COVID 19 on program performance, current strategies, and interventions.
- To make a comparative performance analysis of the projects that have been implemented under TMD programme.
- To analyse the relevance, effectiveness, efficiency, impact, sustainability and gender and disability dimensions of the programme.
- To identify strengths, weaknesses, challenges, and current trends in the programmatic initiatives that have significance for strengthening its future programmatic and funding directions.
- To capture best practices and document the lessons learned, that will reorganise the design of the new programme.

- To analyse the scope of integration of diverse focuses in order to accelerate delivery/cost effectiveness/avoiding missed opportunities, as a part of the strategy.
- To assess how cross-thematic issues are integrated into the programme and the projects, and whether they add value to the programme and MJF as well.
- To provide forward-looking recommendations and develop a potential Theory of Change for the programme.

Review Criteria and Questions:

Criteria	Questions
Relevance	• Does the programme approach and initiatives respond to national and local priorities for programming and investments in the field of marginalised people's rights? • Did the project confirm the context and beneficiary needs and prevailing issues in line with the project and partner's strategy? • Are the initiatives articulated in a coherent structure, with clearly formulated goals, outcomes, and outputs (programme design and best fits)? • How did the financial allocations reflect the needs and priorities of indigenous rights initiatives? • Whether the programme strategies, methodologies, and processes were adequate and relevant to protect indigenous people's rights at different levels (in both programme & policy formulation and implementation)?
Effectiveness	• To what extent has the project achieved its expected results and how, i.e. outputs, contribution to outcomes. What factors account for these results? What was not achieved and why? Have other unexpected effects been achieved? • How have the programme initiatives contributed to stimulating innovation, catalysing and/or expanding programmes and services? • Are the various activities to protect the rights of marginalised people reinforcing (integration and mutual support) one another? If so, how? • What are the pathways / Theory of change for expected long-term results? • To what extent has the programme supported policy and advocacy related issues at the national level and what have been the short-term and long-term results of those efforts?
Efficiency	• What measures have been taken during the implementation period to ensure resources are used efficiently? How have the project's human, environmental, financial, administrative, and time resources been used to accomplish the activities and achieve the outcomes? • How do the organisational structure, support and coordination mechanisms support the efficiency of the implemented initiatives? • Are the effects being achieved at an acceptable cost compared to alternative approaches to accomplishment of project objectives? • How has the knowledge management component contributed to adapting learning in order to improve project efficiency? • How have the data and findings from monitoring and evaluation been used to improve project implementation and guide future project design?
Impact	• How and to what degree did the programme improve the lives of its targeted marginalised populations? • What changes have occurred in their lives and livelihoods as a result of the programme's nurturing (at the individual, HH, community, and national levels)? • To what extent do programme interventions have an overall impacts direct, indirect, positive, and negative) on poverty, gender, and policy?
Sustainability	• What evidence exists about sustainability concerns?

	• Has the intervention created the right conditions in order to maintain the sustainability and viability of the results and actions? • How long can the project activities be sustained at the community and institutional levels? • To what extent are communities replicating the project's learning without or with minimum support from the project?
Cross-thematic issues	• How are cross-thematic issues (gender and disability) integrated into the project planning and design? • To what extent have the cross-sectional populations been reached as beneficiaries and what mechanisms were in place to improve coverage? • What are the main reasons that the project provided or failed to provide its target beneficiaries proportionate to their needs? • How cross thematic data were collected and applied to improve the project?
Gender mainstreaming	• To what extent has gender mainstreaming been incorporated in regular programme interventions, and which factors have promoted or hindered gender mainstreaming process? • What results has the programme achieved through gender mainstreaming, and which approaches have been particularly effective or ineffective? • To what extent does gender budgeting complement the overall programme to ensure gender mainstreaming in the project?
Lessons learned	• What went well and what didn't in project implementation and monitoring? • Which of the interventions, approaches, and modalities/strategies have been most effective to achieve the results of the programme? • Is there any substantial evidence on how project learning, were generated and applied to improve the delivery, effectiveness, or efficiency of activities?

Review Methodology and Process:

Approach: The review approach should be participatory in nature involving a diverse variety of stakeholders, including direct participants, representatives of partners, civil society members, and government counterparts. The review should include the voices of marginalised people and social support groups. The proposal should thus detail how various stakeholders will be involved meaningfully throughout the evaluation process. It is suggested that the review should consider gender, cultural, social, and political concerns strongly to capture the dynamics and needs of the marginalised populations.

Overall Methods and Tools Use:

The methodology will, be developed by the consultant, as well as all relevant tools and presented in the inception report. The stated objectives mentioned in the ToR should be assess including all research questions. The methods and the data collection should include the use of a number of approaches to gain a deeper understanding of the outcomes of the project, including:

a) Desk review of all relevant documents (programme related documents will be supplied after contracting)

b) Both qualitative and quantitative methods and information. Individual Interviews, Key Informant Interviews (KII), Focus Group Discussions (FGD), Case Studies, and consultation with stakeholders can be employed. Individual case studies will be conducted to explore the changes in direct participants under the programme interventions. Consultation with MJF and partners would be the information hubs of management, programme design, programme strategies and system development issues.

c) A comprehensive SWOT analysis or any other relevant tools will be applied to identify gaps, strengths, weaknesses, opportunities, and threats.

d) Field visits – sample of the project areas will be determined based on agreed upon sampling criteria.

e) Information analysis and presentation, report preparation, and sharing with MJF

The evaluators will submit a detailed approach and methodology for gathering and analysing data in the proposal, but it is envisaged that the team will use a mix of quantitative and qualitative methods.

The Team:

The consultant team will be comprised of those considered to have a solid background in conducting evaluation and evidence gathering. Apart from this, the key team members will have specialisation in human rights, governance, poverty analysis, social development, and participatory methods. The key team members will recruit the other necessary human resources (if necessary) for data collection, data management and data analysis.

Expected Deliverables:

The agency/consultant is expected to produce and submit the following deliverables:

- An inception report with methodology, tools and detailed work plan.
- Data collection instruments in both English and Bangla.
- Draft report and presentation on the report (preferably in ppt.).
- 3 copies of hard copies of final report and soft copy of the final report.
- Data set, field notes, qualitative analysis and other relevant documents
- A overall final report

The Timeframe

The consultant will submit a proposed work plan with key milestones within a week of signing the contract; this work plan will be reviewed and approved by Manusher Jonno Foundation. It is anticipated that the final report will be produced within **50** calendar days of signing of the contract. While the draft report is being produced, it should be shared with MJF, and MJF will provide feedback on the draft report after receiving the draft report. During the whole period of the assignment, follow up meetings will be held between the contracted consultant/consulting firm and MJF as frequently as possible.

The tentative timeline:

31 October, 2021	Last date for submission of proposal
06 November, 2021	Scrutiny of proposals and decision on selection
13 November , 2021	Negotiations and Contracting process
20 November , 2021	Commencement of assignment

Mode of Payment:

The payment will be made for the consultant/agency through cheque. Vat and Tax will be deducted at source as per govt. rules. MJF will make the payment excluding TAX and VAT and through account payee cheque according to the following time frame/arrangement:

Tranche	Amount	Timeline
1st Tranche	30% of the total amount	After Inception meeting and sharing inception report with detailed methodology, tools and work plan
2nd Tranche	40% of the total amount	After submission of draft report and incorporating comments from MJF
3rd Tranche	30% of the total amount	Satisfactory completion, validation and submission of the final report including PNGO's to MJF along with relevant docs

Submission Checklist for Proposal:

The agency/consultant will submit a detailed proposal for the assignment. The proposal must reflect the methodology, tools and analysis plan in detail. The proposal should be divided into two parts i.e. technical and financial.

The technical part will contain the following sections.
- Background
- Literature review
- Understanding and conceptualising the assignment
- Detailed methodology including a proposed framework
- Detailed timeframe (including dates for submission of first draft and final report).
- Detailed CV of the team members containing experience on relevant issues and/or profile of the organisation (in case of organisation).
- Sample of previous works of a similar nature undertaken.
- A consulting firm profile (if applicable) and TIN certificate.

The financial part will describe the estimated cost in detail. It should be given in a separate work sheet.

The interested consultant or individual should submit the hard copy of the technical and financial proposal to the Mahbuba Akter Subarna, Assistant Manager -Admin, Manusher Jonno Foundation, Plot:3-4, Avenue-3, Hazi Road, Rupnagar, Mirpur-2 and soft copy by e-mail to: subarna@manusher.org by **31 October 2021**. The Envelop must be marked with the title of the assignment.

Security Issues (including data security):

- The **security** of community members, staff of MJF and partner organisations should be of primary consideration in conducting the study, particularly considering the sensitivity of some of the issues which may be covered.
- Information gathered in surveys and interviews is personal and potentially sensitive and not to disclose with outside parties or personnel.
- Respondents should be reassured that information provided will be kept anonymous and will be confidential.
- Consider security aspects of data gathering and storage, including who will have access to the data and the results.
- Only collect and/or store data which will be of use to inform the project.

General Terms and Conditions:

a. The individual consultant/ firm will not be permitted any of his duties or obligations made under this contract to be performed or carried out by any other person, or reassign its interest in a contract without first obtaining the consent in writing from MJF.

b. In the event that the consultant requires additional time to complete the contract, over and above that previously agreed to, but without MJF changing the scope of work, MJF' s prior written concurrence to the same is necessary.

c. MJF may make general changes, in written within the scope of the content affecting the services to be performed or time of performance. If any such changes cause an increase or decrease in the cost or time required for performance of any part of the work under the contract, MJF shall make equitable adjustment in the contract price, delivery schedule, or both and shall modify the contract in writing accordingly.

d. In the event of failure on the consultant's part to meet the agreed deadline MJF reserves the right to penalize the consultant or his/her Firm.

e. Notwithstanding anything contained in the agreement or these conditions, MJF may at any time terminate this agreement in whole or in part by requiring the consultant to stop performing the work or any part thereof. In this event the consultant shall have no claim against MJF by reason of such termination, other than payment in proportion to the work performed under the agreement less any sums previously paid on account thereof.

Penalty Clause:

If the agreed deadline and / or deliverables are not adhered to by the consultant/team, financial penalties will be imposed upon the consultant/team in terms of payment. This is specified as follows:

- In case of delayed submission of the deliverables up to one month delay, 30% of the contract amount will be deducted.
- Delay of more than one month, will result in the auto cancelation of the contract and forfeit of the remaining 50% of the contract value.
- Confidentiality of all aspects of the assignment is to be assured by the consultant/team at all times.

Disclosure of Information:

It is understood and agreed that the Consultant(s) shall, during and after the effective period of the contract, treat as confidential and not disclose, unless authorised in writing by Manusher Jonno Foundation, any information obtained in the assignment of the performance of the Contract. Information will be made available for the consultants on a need-to-know basis.

Disclaimer:

Manusher Jonno Foundation reserves the right to accept or reject any or all proposals/ application without assigning any reason whatsoever.

COVID 19 Risk Considerations:

Consultant(s)/vendor is responsible to maintain COVID 19 protective measures throughout the evaluation period including the field data collection. Consultant(s)/vendor/firm will ensure the personal protective equipment (for example: masks, soap, hand sanitiser) to the respondents, enumerators a consultant. Manusher Jonno Foundation will not be liable for any COVID 19 infection cases of any consultants or enumerators.

Safeguarding /Protection /Gender Policy:

The individual consultant /team/Firm shall comply with the MJF's Policy on safeguarding and Child Protection policy. Any violation /deviation in complying with MJF's Policy on Child Protection and safeguarding will not only result-in termination of the agreement but also MJF will initiate appropriate action to make good the damages/losses caused due to noncompliance with MJF's safeguarding policy.

Annex-1: List of PNGOs of TMD Programme

Sl	Sub theme	Name of the PNGOs	Locations (districts)
1	Dalit	Bhumija Foundation	Khulna
2		Dalit	Khulna
3		Debi Chowdhurani Palli Unnayan Kendra	Rangpur,Nilphamari
4		Parittran	Satkhira,Jessore
5		Sundarban Adibasi Munda Sangastha	Satkhira
6	Fisher folk	Ambala Foundation	Gopalganj
7		Community Development Centre	Lakshmipur
8		Sancred Welfare Foundation	Sunamganj
9		Shariatpur Development Society	Shariatpur
10	Access to khas Land	Mukti Foundation	Khulna,Satkhira
11		Palli Chetana	Satkhira
12		Uttaran	Khulna, Satkhira