**Terms of Reference**

**Marriage Registration: A Pathway to Protection and Empowerment**

**Background**

Plan is an international and nongovernmental organisation which has been working over 75 countries for more than 80 years to advance children’s rights and equality for girls. Plan International has been operating in Bangladesh since 1994, helping children access their rights to health, education, economic security and protection. Very recently, Plan has launched its country strategy V (CS 2030), which has set a new vision for the organization. The vision is*: We will partner to empower girls and young women, to be heard, to live without fear of violence and to achieve their rights.* The vision has been drawn from a consultative workshop with the adolescents, youth and the staff members of Plan International Bangladesh. In that workshop, the adolescents and youth were constantly talking about the risk and reality of violence which they felt across all areas of their lives i.e. at home, at educational institutes, at the workplace, when traveling on public transport, and even while walking down the street. As they mentioned, the fear and experience of violence, whether physical or verbal was a significant barrier for them to reach to their full potential, especially for girls.

Marriage is an event of great social and cultural importance to women and men in most of the societies where childbirth is not socially acceptable without marital bond. According to Bangladeshi civil law, marriages in Bangladesh require registration with the appropriate marriage register as marriage registration is the process of officially logging with the government authority. Without marriage registration, marriages are invisible to the government which means they could miss out on their rights being protected and upheld as well as essential services such as health care.

A marriage registration is very important to prove the legal status of the marriage and to ensure the rights of the women at the time of divorce or other miscellaneous distractive situation in the conjugal life of a couple. Marriage registration provides legal support against child marriage and can influence the division of assets in the event of divorce or separation. It can affect who has custody of the children and in some countries, it is required to register the birth of a child. In others it is directly linked to property and inheritance rights upon death of a spouse.

In Bangladesh many communities like Muslims, Hindus, Buddhists and Christians live in together and they have different systems of religious practices according to their own religious norms but the important issue is there is no uniform and mandatory provision for all the communities for marriage registration and marriage can easily be completed without any registration. Poor and illiterate people are not aware of the importance of having a marriage registration. In an unregistered marriage, a husband can easily deny the marriage due to the absence of any documentary evidence, a woman benefits from documentation of the marriage because it increases her chances of being able to access the inherent rights of a wife in a Muslim marriage as well as any rights the bride may have negotiated with the groom in the marriage contract in which the terms and conditions are explicitly without any ambiguity.

There is no worldwide data available on the occurrence of marriage events and this often leaves women in a vulnerable position. In the worst cases, poor recording of marriage events can lead to cases of child marriage. Marital arrangements often determine significant aspects of the lives of women and girls, therefore the data associated with marriage and divorce registration is critical to understand some of the subsequent vulnerabilities that they experience.

Marriage registration processes are often complex. In many countries religious and/or traditional ceremonies are recognised and practiced whereas civil registration processes are largely ignored due to bureaucracy, lack of cultural acceptance and cost.

The purpose of this study is to establish an understanding of the current state of marriage registration (through qualitative and quantitative parameters) and provide recommendations. (given in Annex 1, specific objectives)

Given the situation, Plan International Bangladesh has planned to conduct a research to understand the overall situation of marriage registration in Bangladesh. The research will also explore the knowledge, attitude, motivation, challenges and experience of marriage registration in different contexts. A consultant/consulting firm will be contracted out on behalf of Plan International Bangladesh to carry out this research as per this Terms of Reference (TOR).

**Objectives**

The broad objectives of the research are in the following.

* To understand marriage registration scenario in Bangladesh in different contexts (mentioned in specific objectives)
* To understand state of knowledge and awareness of community people regarding marriage registration
* To know the underlying factors that motivate and hinder marriage registration in the community.
* To understand process and experience of marriage registration of the citizens[[1]](#footnote-1) and service providers[[2]](#footnote-2)
* Provide recommendations

The specific objectives of the research are given in annex 1

**Intended users of the research findings**

Based on the findings of the research Plan International Bangladesh will identify its priority areas to focus on to work during CS2030 period to address marriage registration, as mentioned in its vision statement. Therefore, primary users of the research findings will be Cabinet Division, Ministry of law and a2i of Ministry of ICT division of Government of Bangladesh, CMT and relevant programme and advocacy staff members in Plan International Bangladesh. The research findings will also be disseminated widely at national level for policy advocacy for marriage registration. Based on the research finding, Plan will explore further to deep down the specific issue as well as ensure resources mobilisation to carry forward the advocacy for marriage registration.

**Methodological guideline**

The consultant/consulting firm is expected to develop an appropriate methodology to meet the specific objectives of the research. The methodology and relevant tools should be adjusted in consultation of Plan International Bangladesh and finalised before implementation. The study population should be determined based on specific objectives of the research. Appropriate sampling strategy and sample size for each of the study populations will be suggested by the consultant/consultancy firm. During determining sample appropriate segregations which have been mentioned in the objectives should be taken into consideration. This should also consider that as we want to know situation in different religious groups, representation from 4 major religious groups (Muslim, Hindu, Christian, and Buddhist) should be ensured while determining sample size. In order to develop a sample, frame the consultant/consultancy firm needs to undertake necessary procedure and Plan will not be able to provide any list for this purpose. We are anticipating the following areas for data collection.

* Urban: (Dhaka city corporation – both north and south)
* Rural (Nilphamari)
* Peri urban (Bhola)

The ethical consideration should be a major consideration throughout the research. Therefore, in the proposal the consultant/consultancy firm should mention clearly what measures will be taken to ensure these ethical matters in the research.

*Addressing the COVID-19 situation: As travel restrictions have been withdrawn, we anticipate the research team will collect data through visiting different sample areas. However, a paragraph in the methodology section should be included on how the research team will deal with COVID 19 pandemic situation in the study period, especially during data collection.*

**Scope of work**

The scope of work will preferably include, but not limited to:

* Review of secondary documents related to the research objectives and provide necessary information in analysis of the findings.
* Develop appropriate methodology including sample size and sampling strategy, develop data collection tools, and finalise the tools by pretesting. Ensure that all the tools are approved by Plan International before using for data collection.
* Engage qualified enumerators; train them on data collection. Administer data collection in the field and take necessary measures for quality control of data. Ensure that all data collection activities are gender responsive, adolescent friendly and respect child safeguarding policy of Plan International.
* Data management and analysis in terms of coding, computer entry, cleaning, transcription and analysis as per research themes/variables in the objectives.
* Write a draft report and finalise the report based on feedback of Plan International.
* Present the research findings in a national level dissemination session which involves the government representatives, officials and other stakeholders.
* Maintain regular communication with the key contact person(s) of Plan International Bangladesh throughout the assignment period.

**Expected competency**

* Demonstrated experience in conducting large scale national level research, including gender-sensitive data collection and entry, data management and storage, preferably for researches involving adolescent girls and young women.
* Demonstrated expertise in developing quantitative and qualitative methods and data collection tools.
* Demonstrated experience in training, facilitation and supervising enumerators and data entry operators to collect and enter data as per high quality standards.
* Demonstrated experience in quantitative and qualitative data analysis.
* Knowledge and experience with civil registration (e.g. marriage registration) and liaison with relevant government offices in Bangladesh.
* Knowledge and experience in gender equality, gender based violence, child and early marriage, child protection, adolescent sexual and reproductive health issues and policies in Bangladesh
* Excellent analytical skills and have a good command in English.
* No history of violation of child rights.

**Timeframe and deliverables**

Total duration of the assignment is 90 calendar days after signing of the agreement. It is anticipated that the first draft report will be produced within 60 calendar days of signing of the agreement. The final report should be submitted after 15 days of receiving feedback. Follow up meetings will be held time-to-time between the contracted consultant/consulting firm and Plan International Bangladesh.

The deliverables are in the following:

Inception report: The inception report should contain the study objectives, finally determined study methodology, data quality assurance plan, risk identification and mitigation strategy, and final work plan. The inception report will also include a description on how the consultant/consultancy firm will ensure ethics and protection of children and adolescents in the different stages of the study. The inception report will be reviewed and approved by Plan International Bangladesh.

Data collection tools: All the tools for data collection should be prepared, pretested and finalised. The tools should be prepared and printed in both English and Bangla .

Report: The report should contain findings in details and with in-depth analysis. Expected structure of the report is given in annex 2. The findings should be organised as per themes in the objectives. The report should include a strong gender sensitive analysis. After preparation of the draft report, it should be shared with relevant staff members of Plan International Bangladesh. Based on their feedback the report should be finalised and submitted. The report should be delivered in acceptable English. The consultant/consultancy firm should arrange for proof reading, if required to maintain the quality. However, a dummy report needed to be present after finalizing the tools that to be shared and validated by relevant Plan International persons.

Presentation of research findings: Disseminate research findings in a national level event among government representatives, officials and other stakeholders.

Submission of dataset: Raw and clean quantitative dataset should be submitted in SPSS.

**Mode of payment**

The payment will be made in three instalments:

|  |  |  |
| --- | --- | --- |
| **Instalments** | **Percentage** | **Timeline** |
| First instalment | 30 | After signing the contact & Inception report |
| 2nd instalment | 30 | After receiving the draft report |
| Final instalment | 40 | Upon submission of the final report |

**Evaluation criteria and scoring**

The proposals will be assessed based on following criteria:

|  |  |
| --- | --- |
| **Criteria** | **Score** |
| Appropriate methodology to address the research objectives and realistic detailed work plan | 40 |
| Relevant competency and experience of the team leader and appropriate team composition | 40 |
| Amount of budget and justification | 20 |

**Penalty clause**

The consultant/consulting firm is expected to provide services within stipulated period as well as submit the final report maintaining the quality as mentioned in the section on deliverable. If the quality is not maintained, Plan International Bangladesh will deduct 5% of the total agreement amount. If for any reason, the consultant/consulting firm fails to deliver services within stipulated time, the consultant/consulting firm needs to inform Plan International Bangladesh well ahead of time with valid and acceptable explanation. Failing to this may evoke penalty clause at the rate of 1% for each day of delay.

**Preparation of proposal**

The proposal will be divided into two parts and should be submitted in two separate folders i.e. technical and financial. The technical part of the proposal should not exceed 15 pages and will contain the following:

* Detailed methodology of the research, including sampling strategy and sample size, data quality assurance procedure, supervision of enumerators and ethical consideration.
* Detailed timeframe (including dates for submission of first draft, review and work on feedback and finalization of report).
* Account of experience of conducting large scale national level and relevant research.
* Brief account of experience of the team leader and key members of the research team which should reflect relevant experience to conduct the research.
* Name and address of two organisations and name of the contact person to be used as reference.
* Copy of VAT registration certificate (for consulting firm).
* Copy of valid TIN certificate and bank account detail.

The financial proposal should clearly identify, item wise summary of cost for the assignment with detail breakdown. The budget should not contain income tax as a separate head; it can be blended with the other expenditures, as it will be deducted from the source. However, VAT can be mentioned in the budget as per government regulation. The organisation will deduct VAT and Tax at source according to the GoB rules and deposit the said amount to the government treasury. The consultant/consulting firm is expected to provide a justified budget, which is consistent with the technical proposal.

**Submission of proposal**

The technical and financial proposals should be submitted electronically to the email address: [Planbd.consultant.hiring@plan-international.org](mailto:Planbd.consultant.hiring@plan-international.org) with subject line – **Marriage Registration: A pathway to protection and empowerment.** Proposal submitted to any other email account except this and in hard copy will be treated as disqualified. Submissions after the deadline 16th March, 2021 before at 4:00 pm will. Two different folders i.e. technical and financial should be submitted into one zip folder with a covering letter. The proposals should be submitted in pdf format.

**Contact person**

For any technical issue related to the project and evaluation, please communicate with [enamul.haque@plan-international.org](mailto:enamul.haque@plan-international.org).

**Child protection and ethical considerations**

Plan International is committed to actively safeguarding children and youth from harm and ensuring children’s rights to protection are fully realized. Plan takes seriously the commitment to promote child safe practices and protect children from harm, abuse, neglect and any form of exploitation as they come into contact with Plan International supported interventions. In addition, we will take positive action to prevent child abusers from becoming involved with Plan International in any way and take stringent measures against any Plan International Staff and/or Associate who abuses a child. Decisions and actions in response to child protection concerns will be guided by the principle of ‘the best interests of the child.’

During data collection the purposes should be clearly explained to the respondents and based on their consent information will be collected. Confidentiality of data should be maintained and in the report name of the respondents should not be revealed.

In the inception report the consultant/consulting firm will provide a description on how they will ensure ethics and protection of children and adolescents (if required) in the different stages of the study — including recruitment and training of enumerators[[3]](#footnote-3), data collection and analysis, visits and report writing. It should be in line with Plan International’s child protection policy.

**Disclosure and ownership of Information**

It is understood and agreed that the consultant/consulting firm shall, during and after the effective period of the contract, treat as confidential and not divulge, unless authorised in writing by Plan International Bangladesh, any information obtained in the course of the performance of the contract. Information will be made available for the consultants on a need-to-know basis.

All ownership and copyright for final data collected during the research is held by Plan International. Obligations regarding non-disclosure of information and intellectual property rights will be specified in the contract for this consulting mandate.

**Award of contract**

The consultant/ consulting firm expected to commence the main assignment within one week of signing the contract.

**GLOBAL POLICY ON SAFEGUARDING CHILDREN AND YOUNG PEOPLE:**

The firm/individual shall comply with the Global Policy on Safeguarding Children and Young People Policy of Plan International. Any violation /deviation in complying with Plan International Global Policy on Safeguarding Children and Young People will not only result-in termination of the enlistment but also Plan International will initiate appropriate action in order to make good the damages/losses caused due to noncompliance of Safeguarding Children and Young People Policy.

1. **Non-Staff engaged by Plan International Inc (PII) Code of Conduct**: The firm/individual shall comply with the Non-Staff engaged by Plan International Inc (PII) Code of Conduct of Plan International Bangladesh. Any violation /deviation in complying with Plan International Non-Staff engaged by Plan International Inc (PII) Code of Conduct will result-in termination of the enlistment.
2. **Anti-Fraud, Anti-Bribery, and Corruption:** The firm/individual shall comply with the Anti-Fraud, Anti-Bribery, and Corruption of Plan International Bangladesh. Any violation /deviation in complying with Plan International’s Anti-Fraud, Anti-Bribery, and Corruption policy will result-in termination of the Enlistment.

**Negotiation**

Once the proposals are evaluated, Plan International Bangladesh may enter into negotiation with one or more than one consultant/ consulting firm for final selection. If negotiations fail, Plan International Bangladesh will invite consultant/consulting firm whose proposal received and was the next highest score to negotiate a contract. If none of the invited proposals led to an agreement fresh, Requests for Proposals (bidding document) will be called.

**Disclaimer**

Plan International Bangladesh reserves the right to accept or reject any or all proposals / application without assigning any reason whatsoever.

**Annex 1. Specific objectives of the research:**

Scenario:

* To understand the rate of marriage registration by location, socio economic and religion

Knowledge and perception:

* To understand citizens’[[4]](#footnote-4) knowledge and perception towards marriage registration
* To comprehend service providers [[5]](#footnote-5)knowledge and perception towards marriage registration

Motivation and challenges:

* To know what are the motivating factors for marriage registration
* To understand the challenges are faced during registering marriages.
* To know various usage of marriage registration certificate.

Process and experience of marriage registration:

* To know documents ideally required for marriage registration and documents in practise
* To comprehend the experience of service providers for marriage registration[[6]](#footnote-6)
* To know how the marriage solemniser, verify age of bride and groom (to comply with law)
* To know the time required to complete marriage registration (number of steps required and time in each step).
* To know the cost is associated with marriage registration (official, unofficial, direct and indirect cost)

Provide recommendations for marriage registration based on findings and analysis of research:

**Annex 2. Structure of the report**

The report should have the following structure:

* Acknowledgments
* Executive summary (not more than 3 pages)
* List of acronyms
* Table of contents and lists of figures and tables
* Background/Introduction (short description of context, study rationale and research objectives)
* Methodology (research methodology including sampling strategy, quality assurance procedure, risk management and limitations)
* Findings and analysis (it should be organised as per research objectives and well blended quantitative and qualitative information)
* Discussion and conclusions with relevant recommendations.
* References
* Annexes (it may include all tools for data collection, other tables, etc.)

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1. Immediate family members of the bride and bridegroom and family members involved in registration process [↑](#footnote-ref-1)
2. E,g. Kazi, Purohit [↑](#footnote-ref-2)
3. Please note that if enumeration is to be sub-contracted, the consultant will be ultimately responsible for the enumerators they are subcontracting to. [↑](#footnote-ref-3)
4. Influential persons in the community (e.g school teacher, political leaders, religious leaders) [↑](#footnote-ref-4)
5. Kazi, Purohit and other marriage solemnizers etc [↑](#footnote-ref-5)
6. Experience of Kazi, Purohit etc [↑](#footnote-ref-6)