

Terms of Reference
National policy analysis in reference with the ILO 190 convention

About Plan International Bangladesh: Plan International strives to advance children's rights and equality for girls all over the world. As an independent development and humanitarian organisation, it works alongside children, young people, its supporters and partners to tackle the root causes of the challenges facing girls and all vulnerable children. Plan International supports children's rights from birth until they reach adulthood and enable children to prepare for and respond to crises and adversity. The organisation drives changes in practice and policy at local, national and global levels using its reach, experience and knowledge. For over 80 years Pan has been building powerful partnerships for children, and it is active in over 75 countries. Plan International has been operating in Bangladesh since 1994. Presently, under country strategy IV the organisation is implementing programmes in six thematic areas i.e. health, education, child protection, WASH, youth engagement and employment, and disaster risk management and climate change.

Bangladesh is the member of the United Nations since 1972. Since that Bangladesh received development and strategic supports from the United Nations. Bangladesh has been an active member state of the ILO since 22 June 1972 and has ratified 35 ILO Conventions including seven fundamental conventions. In addition, the ILO strives to enhance social protection and decent employment conditions for Bangladeshi migrant workers. However, Bangladesh did not ratify 58 conventions and protocol yet. Among them Convention 190 is one of the important conventions on the violence and harassment free workplace for the workers.

Brief of C-190: The International Labour Organization (ILO) Convention and Recommendation on ending violence and harassment against women and men in the world of work was adopted on 21 June 2019 in Geneva at the International Labour Conference has been applauded by the Centre for Women's Global Leadership (CWGL). The ILO Instrument, which is legally binding, addresses gender-based violence and harassment in the world of work. The Convention provides a broad definition of what "violence and harassment in the world of work" means and where it can take place, and says that everyone in the world of work has the right to be free from violence and harassment, including gender-based violence. It requires governments to take measures to protect workers from violence and harassment, especially women.

Rationale for this study

Plan International Bangladesh is working for Skills and Opportunities for the young people's employment and entrepreneurship development. Therefore, the rights of the young people, particularly for the girls and young women at the workplace including both formal and informal sector is one of the important concern of the organization. To ensure such rights, implementation of ILO Convention 190 at workplace could play a vital role. In Bangladesh, government has not yet ratified the convention. In such situation it is essential to carry out a policy analysis focusing on ILO C-190 and its adoption in Bangladesh.

Such analysis will give us an opportunity to design and develop short term, medium term and long term policy advocacy and implementation plan. Furthermore, it will directly contribute to SDG 5 & 8 as well as overarching goal of PIB-FoV to overcome the challenges, ensure the physical and mental wellbeing of female workers from violence and harassment at workplace.

To conduct this research a consultant will be hired as per this terms of reference (TOR).

1. Objectives of the research

The main objective of this study is to understand the national legislation in reference with the 190 convention: changes required in existing policies, what policies needs to be enforced, to be able to apply the 190 in Bangladesh.

Specific objectives are:

1. Identify and analyse the relevant laws and policies that have a direct link for the protection of women and girls from violence and harassment at workplace.
2. Compare the existing laws with ILO C-190 Identify the gaps in existing laws
3. Identify key changes need to be made in existing policies and laws to implement ILO C-190 in Bangladesh
4. Identify key advocacy agenda to move forward to ensure implementation of ILO C-190 in Bangladesh

2. Users of the Research

Primary user of the findings of this research will be Government of Bangladesh. Relevant policy makers, CSOs, donor organizations and private sectors will also be benefitted from the findings of this policy analysis. This research will guide Plan International Bangladesh to develop advocacy plan towards ensuring safe workspace both at formal and informal sector for girls and young women.

3. Methodology

Considering the objectives of this study, this will be a combination of secondary document review and collection of primary data. Along with desk review of different policy documents, KII with relevant stakeholders will be required. However, the consultant is expected to develop appropriate methodology to meet the objectives of this research. In the proposal, the methodology should be detailed out with proper justification.

4. Scope of work

The assignment will preferably include, but not limited to:

Design of methodology: the consultant should identify specific themes based on the research objectives, which will eventually guide the analysis. To address different themes in the research the consultant should develop appropriate methodology and that should adjusted and finalise in consultation with Plan International Bangladesh.

Literature review: The consultant is expected to review relevant literature for secondary analysis. It will include review of documents like various national and international reports on the sector, national and international policies related to girls and young women, latest survey reports, and relevant media reports, etc.

Primary data collection: The consultant should come up with potential list of interviewee. Appropriate tools will be developed in consultation with Plan International. Consultant will conduct the interviews following the final interview guidelines.

Data analysis and preliminary report: Data analysis will be done based on literature review and primary data, and based on that a preliminary report will be produced.

Final report: Prepare a report in acceptable English which will include the analysis of primary and secondary data and the comments and opinions obtained from consultation workshop. The report will present relevant recommendations as mentioned in earlier section.

5. Expected competency

Expected competency of the consultant includes:

- Expertise in ILO convention
- Clear idea on stance of government of Bangladesh on C 190
- Knowledge on laws, rules, acts on labor/work space
- Knowledge and understanding on policy and legal analysis
- Knowledge and Understanding on national and global treaties/policy instruments/conventions
- Understanding on policy advocacy
- Working experiences with Government, UN, Private sector
- No history of violation of child rights.
- Good record of accomplishment and reputation of conducting similar types of study for reputed national and international organization.

6. Key deliverables and timeframe

Total duration of the assignment is 30 days after signing of the agreement. The themes, methodology and work plan will be reviewed and approved by Plan International Bangladesh and GNB Bangladesh.

Time frame for this study:

Actions	Expected Time Frame
Submission of draft Inception report including tools	3 Calendar days
Feedback on draft inception report and data collection tools by Plan International Bangladesh	2 Calendar days
Submission of final inception report after incorporating feedbacks	2 Calendar days
Submission of first draft report to Plan International Bangladesh	15 Calendar days
Feedback on draft report	4 Calendar days
Submit final report	4 Calendar days

Deliverables:

- Inception report: The report will include final themes and the criteria for in-depth analysis, relevant methodology, work-plan and instruments.
- Preliminary report: Covering analysis of secondary information.
- Draft report: incorporating feedback from Plan International Bangladesh
- Final report: based on feedback received on draft report from Plan International Bangladesh. It should be in acceptable English. The report should not be longer than 30 pages.

The report should have the following structure:

- Title page
- Acknowledgement
- Table of content
- Acronyms/Glossary
- Executive summary
- Introduction and Background
- Methodology
- Findings (it should be organised as per theme in analysis)
- Discussion and conclusions
- Recommendations.
- References
- Annexes

7. Mode of payment

8. The payment will be made in three instalments:

Instalments	Percentage	Timeline
First instalment	30	Agreement signed and written acceptance of inception report by Plan International Bangladesh
Second instalment	30	After written acceptance of the first draft report by Plan International Bangladesh
Final instalment	40	Upon written acceptance of the final report by Plan International Bangladesh

9. 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 10 pages and will contain the following:

- The criteria under different themes as mentioned in the objectives, which will be considered to conduct the analysis to understand the gaps.
- Detailed methodology of the analysis by addressing the criteria.
- Detailed timeframe (including dates for submission of first draft, dissemination of findings and submission of final report).
- Account of relevant experience of the firm/consultant.
- CVs of the consultant
- 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 costs 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 government treasury. The consultant is expected to provide justified budget which is consistent with technical proposal.

10. Submission of proposal

The technical and financial proposals should be submitted electronically to the email address: Planbd.consultant.hiring@plan-international.org with “**National policy analysis in reference with the ILO 190 convention**” as subject line. Proposal submitted to any other email account except this and in hard copy will be treated as disqualified. 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.

11. Penalty clause

The consultant firm is expected to provide services within time frame as well as submit the final report maintaining the quality as mentioned in section 6. If the quality is not maintained as mentioned in section 6, Plan International Bangladesh will deduct 5% of the total agreement amount. If for any reason, the consultant fails to deliver services within stipulated time, the consultant 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.

12. Contact person

For any technical issue related to this study please communicate with Tariq Ul Hassan Khan, Research & Knowledge Management Specialist, Plan International Bangladesh at ‘tariq.khan@plan-international.org’.

13. Ethical Considerations

There will be nothing in the assignment which may be harmful for respondents regarding legal or medical ground. No one would be forced to provide information and the purpose should be clearly explained to all the respondents. Confidentiality of data should be maintained and in the report name of the respondents should not be revealed.

14. Bindings

All documents, papers and data produced during in-depth analysis are to be treated as property of Plan International Bangladesh and restricted for public use. The contracted consultant/consultant firm will submit all original documents, materials and data to country office of Plan International Bangladesh.

15. Award of contract

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

16. Child Protection Policy

The consultant/consulting firm shall comply with the child Protection Policy of Plan International Bangladesh. Any violation /deviation in complying with Plan’s child protection policy will not only result-in termination of the agreement but also Plan will initiate appropriate action in order to make good the damages/losses caused due to non-compliance of Plan’s Child Protection Policy.