

**SAINT VINCENT AND THE GRENADINES**  
**HUMAN DEVELOPMENT SERVICE DELIVERY PROJECT**  
**Terms of Reference for Consultancy Services**  
**(Individual Consultant)**  
**for the**  
**Drafting of the Elderly Care and Protection Act**  
**SVG-HDSD-CS-INDV-80**

**1. INTRODUCTION**

1.1. The Government of St. Vincent and the Grenadines (GoSVG), through the Ministry of Finance, Economic Planning, Sustainable Development, and Information Technology (MoFEP) has received funding from the World Bank (WB) toward the implementation of the Human Development Service Delivery (HDSD) Project. The project is designed, in part, to improve the efficiency of the social protection systems, to enhance the labour legislative framework, and to improve the effectiveness of the labour market system.

1.2. The Ministry of National Mobilization, Social Development, Family, Gender Affairs, Persons with Disabilities and Youth (MoNM), is the designated government institution that has responsibility for administering the social protection initiatives of the GoSVG under the Project. More specifically, the project will finance the drafting and adoption of the Elderly Care and Protection Act so as to provide the legislative framework that addresses all matters relating to the care and protection of the elderly in St. Vincent and the Grenadines (SVG).

1.3. The United Nations Population Fund (UNFPA) has estimated that one in nine persons in the world is aged 60 years or over and that figure is projected to increase to one in five by 2050. With the number and proportion of older persons growing faster than any other age group and in an increasing range of countries, there are concerns about the capacities of many societies to address the challenges associated with this demographic shift. Not unlike any other country in both the developed and developing worlds, SVG, over the last two decades, has been going through a demographic transition resulting in an increase in its elderly population, a decline in the fertility rates, a growing dependency ratio and a decline in the rate of population growth. Societies that adapt to this changing demographic and invest in healthy ageing would enable individuals to live both longer and healthier lives.

1.4. Data have shown that an ageing population tends to have a higher prevalence of chronic diseases, physical disabilities, mental illnesses and other co-morbidities. In SVG the main challenges facing this population group include *chronic diseases* such as (*diabetes, hypertension, arthritis, eye problems and other physical disabilities*), *loneliness*, and various forms of *abuse*. The covid-19 pandemic has significantly exposed the vulnerabilities of this

population group. There is now an urgent and ongoing need for psychosocial support services for the elderly. Presently, care for the elderly is provided through the government social protection services as well as through other public and private health care systems. There is a Government-operated home and a publicly operated programme that provides care and support to the elderly in their homes. There are also four privately operated such homes. Two recently commissioned centres cater to the elderly's daytime needs and allow for older persons to interact socially with each other.

## **2. OBJECTIVES OF THE CONSULTANCY**

2.1 This consultancy aims to develop an appropriate and comprehensive legislative framework that would address the rights and freedoms, care and protection, abuse, neglect, and exploitation and, justice and development of older adults in SVG. This legislation together with the appropriate policies must not only be adopted but must also be enforced so that older persons can enjoy their human rights.

2.2 More specifically, the legislation to be developed, must reflect in its provisions but not limited to, the following:

- The promotion, protection, and development of the rights, liberties, freedoms and justice for the elderly;
- The authorization and support of a range of social protection programmes and projects and other policy initiatives to better coordinate a national response to the care and protection and, prevention of abuse, neglect and exploitation of the elderly whether at private homes or at long-term care facilities;
- The appropriate collaboration between relevant government agencies/ departments and stakeholder NGOs as parts of the health, care and social protection systems that would provide and care for and, protect the elderly from abuse, neglect and exploitation;
- The elimination of all forms of discrimination and prejudice against the elderly population and older persons;
- The creation of an enabling social and physical environment that promotes integration and full participation of the elderly in the society;
- Preventive, including penal and compliance/enforcement measures to deter the occurrence of abuse, neglect and exploitation of the elderly;
- Facilitation of co-operation between government agencies/departments and stakeholder NGOs representing elderly persons;

- Ensuring the involvement of stakeholder organisations of elderly persons in the decision-making process aimed at improving the quality of life of the elderly;
- Strengthening of existing and/or the creation of new stakeholder organisations as well as providing adequate support to those organisations involved in the provision of care and protection and other relevant services for the elderly; and
- Monitoring and licensing mechanisms to ensure that adequate and appropriate services are provided by government agencies/departments and other stakeholder NGOs involved in the care and protection of the elderly.

### **3. SCOPE OF WORK**

#### **3.1 The consultant will be required to:**

- a) Provide an Inception Report and Work Plan detailing the scope of work, programme schedule with realistic timelines and appropriate methodologies/approaches to be used throughout the duration of the consultancy. The work plan should take the form of a monitoring and evaluation framework, which outlines performance indicators (outputs and outcomes) with clear definitions for each activity.
- b) Work closely with the Project Implementation Team and the MoNM through the Ministry's Focal Point in carrying out all aspects of this consultancy.
- c) Undertake a careful examination/review of all relevant documents including but not limited to, the following:
  - i. The United Nations Principles for Older Persons, 1991;
  - ii. The UN Secretary General Report on Follow up to the International Year of Older Persons: Second World Assembly on Ageing;
  - iii. The UN Report of the Expert Group Meeting "Rights of Older Persons" convened in preparation for the report of the Secretary General to the 64<sup>th</sup> General Assembly, 2009;
  - iv. Ageing in the Twenty First Century: A Celebration and a Challenge, UNFPA;
  - v. Fair Guidelines: Four Steps towards a UN Convention on the Rights of Older People;
  - vi. Time for a UN Convention on the Rights of Older Persons, August, 2020;
  - vii. "Living, Not just Surviving", HelpAge International;

viii. “It’s About Rights: Practical Tool kit”, HelpAge International;

ix. Political Declaration & Madrid International Plan of Action on Ageing, 2002.

- d) Conduct focus group sessions with all representative organisations of the elderly as well as with selected older persons in SVG to ensure that all views/perspectives/suggestions are reflected in the final versions of the draft Elderly Care and Protection Legislation and/or reports;
- e) Consult with key personnel from the MoNM to determine the successes and challenges with respect to the implementation and administration of the social protection programmes, projects and other policy initiatives dealing with elderly;
- f) Consult with key national stakeholders and develop consultation reports containing consultation outcomes, analysis of the recommendations from consultations, and a list of people consulted from the following agencies/departments involved in the provision of social protection services for the elderly:
  - Ministry of Health and the Environment (MoHE)
  - Ministry of Education etc. (MoE), with Responsibility for Ecclesiastical Affairs
  - Ministry of National Mobilisation etc. (MoNM)
  - National Insurance Service (NIS)
- g) Draw on international best practices (where necessary) in providing appropriate recommendations to inform the contents of the proposed Elderly Care and Protection Act. The recommendations must be supported by a specific set of findings and must be action-oriented, practical and specific, with defined responsibility for the action, to the extent possible.
- h) Liaise with the Attorney General (AG)’s Office responsible for legislative drafting on the development of the proposed Elderly Care and Protection Act.
- i) Prepare and present the draft of the proposed Elderly Care and Protection Act at a stakeholders’ validation workshop for review and comments.
- j) Prepare a final draft of the proposed Elderly Care and Protection Act and the corresponding Regulations on the basis of feedback from the stakeholders’ validation workshop.
- k) Submit a Final Review Report which would also include the following: (a) the final versions of the proposed Elderly Care and Protection Act corresponding Regulations, (b) an explanatory memorandum of all recommendations put forward, and (c) legislation implementation plan for the proposed Elderly Care and Protection Act. The report must also highlight the nature of the work undertaken and noting the level of

success and constraints in terms of methodology used, the nature and quality of stakeholder participation and lessons learnt during the process.

#### 4. METHODOLOGY

4.1 It is expected that the methodology employed by the Consultant will include, but not limited to desk reviews, structured interviews, focus groups discussions, consultations with key stakeholders, administering questionnaires, PowerPoint presentations and report writing.

#### 5. DURATION

5.1 The anticipated time required for completion of the consultancy is approximately five (5) months commencing November, 2021 to March, 2022.

#### 6. DELIVERABLES

	<b>Deliverables</b>	<b>Proposed Completion Deadline</b>	<b>Payment Schedule</b>
6.1	Submission and Approval of Inception Report and high-level Work Plan in accordance with 3.1 (a) above.	Ten (10) days after contract signing	10%
6.2	Submission and Approval of a Comprehensive Review Report on the legislative, administrative, regulatory and governance framework in accordance with 3.1	Eight (8) weeks after contract signing	18%
6.3	Submission and Approval of the first draft of the proposed Elderly Care and Protection Act following the initial stakeholders' consultations and review of relevant documents.	Twelve (12) weeks following contract signing	20%
6.4	Submission and Approval of final version of the proposed Elderly Care and Protection Act and the corresponding Regulations following the stakeholders' validation workshop.	Sixteen (16) weeks following contract signing	27%
6.5	Submission and Approval of a Final Review Report that would include the final versions of the proposed Elderly Care and Protection	Twenty (20) weeks following contract signing	25%

	Act in accordance with paragraph 3.1 (j) above.		
--	---	--	--

**7. INPUTS**

7.1 The MoNM will make available copies of all locally prepared and published documents by SVG (all other above-mentioned documents can be accessed online).

7.2 The Ministry will also be responsible for all logistics and coordination activities to facilitate the completion of the consultancy.

**8. QUALIFICATION & EXPERIENCE, COMPETENCES & KNOWLEDGE REQUIRED**

**8.1 Qualification and Experience**

- Minimum of a Bachelor’s Degree in Law, Social Policy Protection and/or Development, Public Administration, Development Studies or related discipline.
- A postgraduate degree in Social Policy Protection and/or Development would be an advantage.
- At least five (5) years’ experience working in the field of Social Policy Protection and/or Development.
- Admission to practice as a Barrister at Law and/or Solicitor in the jurisdiction of St. Vincent and the Grenadines or any other Commonwealth Country would also be an advantage.
- Demonstrated experiences in drafting policy and or legislation on the elderly
- To be able to conduct focus group sessions with elderly persons.
- Involvement in development work with elderly persons will be an advantage.

**8.2 Competences & Knowledge**

- Ability to identify priority activities and assignments and, allocation of appropriate amount of time and resources for completing the work.
- Excellent communication skills as well as the ability to communicate fluently in English (spoken and written).

- Having well-rounded experience in using various communication tools.
- Ability to ask appropriate questions for clarification and exhibit interest in having two-way communication and to be able to demonstrate openness in sharing information and keeping stakeholders informed.
- Strong analytical skills.
- Good presentation skills.
- Excellent interpersonal skills.
- Ability to work independently and respond to feedback in a timely and professional manner.
- Knowledge and understanding of the laws (constitution, statutes, subsidiary laws) and legislative systems of SVG and/or other Commonwealth Countries.
- Understanding of the culture with respect to people's perception and treatment of elderly persons in SVG and/or in the OECS region.

## **9. REPORTING LINES**

- a) The Consultant is expected to work closely with the Project Coordinator and the Project Implementation Team who will monitor the progress of this consultancy to ensure that all activities are executed as planned and all deliverables are completed on schedule.
- b) The Consultant will be required to work under the guidance of the Permanent Secretary in the MoNM and/or the MoNM Focal Point.
- c) The consultant will report to the MoNM Focal Point and/or the Permanent Secretary for discussions and approval of deliverables and, technical matters and recommendations made under this consultancy.