

**SAINT VINCENT AND THE GRENADINES**  
**HUMAN DEVELOPMENT SERVICE DELIVERY PROJECT**

**Terms of Reference for Consultancy Services**

**(Individual Consultant)**

**for the**

**Revision & Update of the Public Assistance Act, 1989**

**SVG-HDSD-CS-INDV-16**

**1. INTRODUCTION**

1.1 The Government of St. Vincent and the Grenadines (GoSVG), through the Ministry of Finance, Economic Planning, 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.

1.2 The Ministry of National Mobilisation, Social Development, Family, Gender Affairs, Youth, Housing and Informal Human Settlement (MoNM), is the principal institution that is responsible for administering the social protection initiatives of the GoSVG under the Project, which has already committed resources to support the modernisation of the delivery of those initiatives, and to develop appropriate policies and legislations that are reflective of good practice in the delivery of social protection services. More specifically, the project will, among other things, finance the revision of the Public Assistance Act 1989 (PAA) originally enacted to provide for the administration of public assistance to the poor and other persons in need of goods and services including (but not limited to) building materials and services, educational materials (including books) medical supplies and public utility infrastructure.

1.3 The findings of a 2010 assessment of the social safety nets on the social sector in St. Vincent & the Grenadines (SVG) identified the following key issues/weaknesses under the existing PAA with respect to the administration of the Public Assistance Programmes:

- a) The systems in place for Public Assistance are in need of modernisation and must also include the introduction of an objective and transparent system for determining eligibility that is not subjective-based and/or stated only in terms of unverifiable income information;
- b) The public assistance programme coverage is inadequate;
- c) Programme monitoring is inconsistent and corresponding evaluations per programme are non-existent;
- d) Management Information Systems (MIS) are weak and in need of strengthening;

- e) Inadequate social protection for children and single parents; and
- f) Inadequate incorporation of basic principles of effective risk management, including inter alia transparency in design and implementation, explicit and public objectives, eligibility criteria, rules of operation, stringent reporting and budgeting, periodic evaluation – thereby inadequately responding to vulnerability.

1.4 Following the 2010 Assessment, the MoNM adopted the recommendation made for the introduction of a systems approach to the delivery of its social services that sought to achieve the following:

- Social and Child Protection
- Diversion of at-risk youth
- Social inclusion of the vulnerable
- Therapeutic interventions
- Parenting support;

This led to the reforming of the Family Affairs Division into specialized units that seek to provide holistic services to the general public.

1.5 This consultancy therefore seeks to revise and update the PAA, which is described as dated, having been enacted in 1989 and needs to be revised so as to identify the inadequacies of the Act in addressing current and future administrative and legislative challenges and should also reflect current national and international best practices, applicable to the realities and capabilities of SVG.

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

2.1 The aim of this consultancy is to undertake a comprehensive revision and update of the existing PAA which would include the drafting of appropriate regulations pursuant to the said Act.

In particular, the consultant will be responsible for:

- a) Conducting a series of consultations with key stakeholders including the Permanent Secretary of the MoNM and in particular, the Directors of the Offices of Social Protection and Social Development respectively and, any other government and non-governmental agencies appropriately identified, so as to properly inform the contents of the revised and updated Act;
- b) Reviewing the existing PAA to determine its inadequacies/weaknesses in addressing current and future administrative and legislative challenges relating to the provision of public assistance;
- c) Reviewing other relevant documents provided by the MoNM that would provide a better understanding of the requirements of the proposed revised Act;

- d) Drafting a revised version of the PAA;
- e) Drafting appropriate regulations pursuant to the revised Act; and
- f) Presenting the draft revised PAA at a stakeholders' validation workshop.

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

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) Following the conclusion of the legislative review, develop specific recommendations on how to expand the scope and application of the Public Assistance Legislation and bring it in line with international norms and standards.
- c) Undertake a comprehensive analytical review of the national legislative, administrative, regulatory and governance frameworks and procedures with respect to the administration of the current PAA including but not limited to:
  - i. Reviewing the PAA 1989; the Procedural Manual for the administration of the Family Affairs Division of the MoNM, the Public Assistance Regulations, the Protocols for the Guidance of the Public Assistance Board, and the ILO Convention on Social Security ratified by SVG;
  - ii. Identifying with explanations any gaps and/or weaknesses in the provisions of the current PAA; and
  - iii. Specifying any other existing legislation(s), regulations and instruments which may potentially, or otherwise, have implications for the full or effective administration of the revised PAA.
- d) Assess the adequacy and capacity of the existing administrative and coordination mechanisms within the MoNM to effectively administer public assistance programmes and projects in SVG.
- e) Consult with key stakeholders and develop consultation reports containing consultation outcomes, analysis of the recommendations from consultations, and a list of people consulted.

- f) Present a draft report of the review findings at a national stakeholders' consultation meeting with relevant government agencies, non-governmental organisations, and other stakeholders, aimed at developing proposed drafting instructions and obtaining comments and consensus thereon.
- g) Draw on international best practices (where necessary) in providing appropriate recommendations to further improve the administration of public assistance services in SVG. 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 Office of the Attorney General responsible for legislative drafting on the development of the draft PAA and corresponding Regulations.
- i) Prepare a first draft of the revised PAA together with a legal dossier identifying the proposed changes with appropriate justifications.
- j) Present the first draft of the revised PAA at a national stakeholders' consultation to solicit the views/comments of stakeholders.
- k) Prepare a final draft of the revised PAA together with a first draft of the corresponding Regulations on the basis of feedback from the previous national stakeholders' consultations.
- l) Present the final drafts of both the revised PAA and corresponding Regulations pursuant to the revised Act at a national stakeholders' validation workshop.
- m) Submit a Final Review Report which would also include the following: (a) the final versions of the revised PAA and its Regulations, (b) an explanatory memorandum of all recommendations put forward, and (c) Legislation Implementation Plan for the revised PAA. 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 four (4) months commencing September, 2021 to December, 2021.

## 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.	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 of the existing PAA.	Six (6) weeks after contract signing	15%
6.3	Submission and Approval of the first draft of the Revised PAA and Legal Dossier following the first national stakeholders' consultation.	Eight (8) weeks following contract signing	13%
6.4	Submission and Approval of the first draft of the Regulations to the Revised PAA	Ten (10) weeks following contract signing	12 %
6.5	Submission and Approval of final draft of the revised PAA following national stakeholders' validation workshop.	Thirteen (13) weeks following contract signing	15%
6.6	Submission and Approval of final draft of Regulations to the Revised PAA following national stakeholders' validation workshop.	Fifteen (15) weeks following contract signing	15%
6.7	Submission and Approval of Final Review Report that would include the final versions of the Revised PAA and its Regulations.	Eighteen (18) weeks following contract signing	20%

## 7. INPUTS

7.1 The MoNM will make available copies of the existing PAA, policies, guidelines and other relevant documentation to facilitate the completion of the consultancy.

7.2 The Ministry will also plan, coordinate and arrange all stakeholders' consultations and workshops relating to this consultancy.

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

### **8.1 Qualification and Experience**

- Minimum of a Bachelor's Degree in Social Policy Protection, and/or Development, or Social Justice Reforms, or any related discipline.
- A Law Degree and/or a Postgraduate Degree in Legislative Drafting would be an advantage.
- At least five (5) years' experience in designing, implementing, monitoring and evaluating social/public assistance programmes and projects at a national level.
- 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.
- Experience gained from undertaking similar projects is highly desirable.

### **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 presentation skills.
- Excellent interpersonal skills.
- Ability to work independently and respond to feedback in a timely and professional manner.
- Knowledge and understanding of SVG laws (constitution, statutes, subsidiary laws).

- Knowledge of common law and practice in SVG.
- Knowledge of the national legislative system.
- Awareness of the various limitations and challenges of the PAA.

## **9. REPORTING LINES**

9.1 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.

9.2 The Consultant will be required to work under the guidance of the Permanent Secretary in the MoNM and/or the MoNM Focal Point.

9.3 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.