



## TERMS OF REFERENCE | POLICY ASSESSMENT OF MINISTRY OF HEALTH AND MINISTRY OF EDUCATION, HEALTH, HIV/AIDS, SRHR RELATED POLICIES

<b>Product</b>	Policy Assessment of Ministry of Health (MoH) and Ministry of Education (MoE), health, HIV/SRHR related policies
<b>Submission</b>	meganc@miet.co.za
<b>Deadline</b>	20 March 2023

### Introduction and Programme Overview

The SADC FutureLife-Now! Programme is designed to contribute to the reduction of new HIV infections and the increase in anti-retroviral treatment (ART) adherence among young people in the SADC Region. Its goal is to promote greater self-confidence and hope for the future among young people in the SADC region by advancing the region's priority goals and commitments – especially those related to education, health, gender equality and climate change.

The FutureLife-Now! programme is informed by international and regional policy mandates on education and health, including the United Nations Convention on the Rights of the Child (UNCRC) and the African Charter on the Rights and Welfare of the Child (ACRWC), as well as African Union Agendas 2063 and 2040-an Africa Fit for Children. The SADC Care and Support for Teaching and Learning (CSTL) Policy Framework provides a roadmap for Member States to strengthen their educational ecosystems as vehicles for developing human capital. The complementary Child and Youth Agency Framework provides a roadmap for education for agency in SADC Member States.

Over the past four years (Phase 1), the FutureLife-Now! system's strengthening approach and theory of change has been tested in four Member States (Lesotho, Malawi, Zambia, and Zimbabwe). In order to maximise the achievement of the programme, outcomes and ultimately support scale up of the health and education interventions across the region, a number of research topics / questions / issues arise that need addressing to build a strong evidence-base.

In this regard, the programme requires the services of a qualified and suitable consultant/s (firm) to conduct a legislative and policy assessment of the existing health, HIV/AIDS, sexual reproductive health and rights (SRHR) policies in the four FutureLife-Now! Phase 1 countries.

### Purpose and Scope of the Assignment

The purpose of the assignment is to undertake an in-depth review of the legislative and policy frameworks at national level on overall health, HIV/AIDS, SRHR in both the health and education sectors in Lesotho, Malawi, Zambia and Zimbabwe.

The assessment will involve undertaking an analytical review of the strengths, challenges, and policy gaps for advancing improved health and education outcomes for adolescents and young people in the four Member States. The findings of the policy assessment will contribute to knowledge building on the available health related policy provisions for education, health and wellbeing in the SADC region, and its co-relation to strengthened 21<sup>st</sup> century education and learning. The resulting report will also provide a synthesis of recommendations for facilitating legislative and policy reforms on associated health policies in the health and education sectors.

## Objectives of the Assignment

The overall goal of the assignment is an assessment of health, HIV/AIDS, SRHR related policies in the Future-Life Now! Phase 1 Member States.

The specific objectives of the assignment are to:

- Provide a brief overview review of the normative basis of health and education instruments that each country has ratified in relation to education, health, and wellbeing.
- Review the extent to which available laws, policies and guidelines meet international and regional health and education standards.
- Identify strong, enabling policy provisions that support access to health, HIV/AIDS, and SRHR supports and services in each State.
- Undertake the required reviews of existing health, HIV/AIDS, SRHR legislative and policy frameworks at national levels to identify key challenges and gaps to be addressed in each Member State to ensure strong policy frameworks are in place in each Member States.
- Consult the views of national level stakeholders on best practices and lessons learnt to inform and recommend national level institutional and policy strengthening on health and education.
- Recommend practical institutional and policy reform processes that will provide an effective enabling environment for enhanced health and education outcomes in each Member States.

The consultant/firm shall

- Develop a check-list against which existing laws, policies and policies on adolescent health, and wellbeing shall be assessed (framework of analysis)
- Undertake a desktop review of relevant regulations in the four Member States on health, HIV/AIDS, SRHR.
- Conduct relevant stakeholder consultations to verify findings from desktop review and recommended actions for strengthening laws and policies on health, HIV/AIDS and SRHR.
- Prepare a comprehensive report citing key legislative and policy provisions that support access to HIV/AIDS, SRHR and other associated health services within the health and education sector, and provide recommendations and guidelines to address the gaps in the existing legislative and policy framework including relevant guidance to support implementation, enforcement and monitoring of compliance.
- Prepare relevant country specific briefs that document national recommendations to Member States that will support Country Teams with advocacy on policy utilisation/ implementation as well as law reform.

## Expected Deliverables

The successful applicant/s or consulting firm shall be expected to submit the following deliverables:

- An inception meeting and report within a week of signing the contract with an agreed upon policy review check list to inform the policy review process
- A first draft of the report within two months of signing the contract
- A final report of the study by the end of the three months after signing the contract
- Four County specific briefs on legislative, policy health, HIV/AIDS provisions, gaps, challenges and recommendations to rectify the challenges

## Research timeframe

The timeframe for the research study is April– June 2023

## Submission requirements

Interested parties should submit a technical and financial proposal describing the following:

- Understanding of the context and assignment
- Proposed methodology.
- A timeline with key milestones
- Capacity and expertise of researcher/s
- Examples of similar work undertaken
- A budget/financial proposal

In order to ensure that resources are used efficiently and effectively, MIET AFRICA has a policy pertaining to the purchase of goods and services.

MIET AFRICA evaluates and scores all purchase of goods and services on the following basis:

- Best value for money, including effective competition.
- Best lead in/delivery times
- Fairness, integrity, and transparency
- Procurement that is in the best interest of both the funder and MIET AFRICA
  - Company registration certificate
  - Original valid tax clearance certificate
  - Valid BBBEE certificate
  - Owners/partners/directors IDs
  - Audited financial statement (a minimum of one-year recent audited financial statements for companies or financial statements signed by the accounting officer for closed corporations)
  - A minimum of three recent contactable references from customers to which the tender has provided or is providing goods/ services that are substantially similar to the goods/ service required.
  - Proof of banking details (not older than 3 months)

## General Policy Requirements

By submitting a response in connection with this tender call, potential suppliers confirm that they will accept full responsibility and liability for any information/omissions/actions of their/subcontractors/suppliers/consortium members under this tender response.

## General tender conditions (“Tender Conditions”)

- Application of these Tender Conditions – In participating in this tender process and submitting a tender response it will be implied that the potential supplier accepts and will be bound by all the provisions of this tender process. Accordingly, tender responses should be on the basis of and strictly in accordance with the requirements of this call.

- Third party verifications – Potential suppliers consent to MIET AFRICA’s carrying out all necessary actions to verify the information provided, and to MIET AFRICA’s commissioning one or more third parties to assist in this verification. Furthermore, potential suppliers acknowledge that there is no obligation on the part of MIET AFRICA to verify all information supplied. (Please refer to point 4 above).
- Information provided to potential suppliers – Information supplied by MIET AFRICA to potential suppliers as part of this tender process is supplied in good faith. The information is believed to be correct at the time of issue. MIET AFRICA will not accept any liability for its accuracy, adequacy or completeness and no warranty is given as such.
- Potential suppliers to make their own enquires – Potential suppliers are responsible for analysing and reviewing all information provided by MIET AFRICA as part of the tender process and for seeking advice or clarification from MIET AFRICA. Potential suppliers should notify MIET AFRICA promptly of any perceived ambiguity, inconsistency, or omission in the tender requirements.
- Amendments to the call – At any time prior to the tender process deadline, MIET AFRICA may amend the call. Any such amendment shall be issued to all potential suppliers, and if appropriate, the tender process deadline may be extended.
- Compliance of tender response submission – The goods and/or services offered by the potential suppliers should be strictly in accordance with the tender process requirements (including, but without limitation, any hardware/software/asset specifications).
- Format of tender response submission – Responses should be supplied in the form of a formal quotation, which must include the tender process reference number above, and detail the requirements contained in the tender call.

#### **Confidentiality and Information Governance**

- All information supplied by MIET AFRICA, either in writing or orally, must be treated in confidence and not disclosed to any third party (save to the potential suppliers’ professional advisers, consortium members and/or sub-contractors strictly for the purposes of assisting the potential supplier to participate in this tender process) unless the information is already in the public domain or is required to be disclosed under any applicable laws.
- The potential supplier shall not disclose, copy or reproduce any of the information supplied as part of this tender process other than for the purposes of preparing and submitting a tender response. There must be no publicity by the potential supplier regarding the tender process or the future award of the tender unless MIET AFRICA has given express written consent to the relevant communication.
- The potential supplier shall not contact, or attempt to make contact with, any funders of MIET AFRICA
- MIET AFRICA reserves the right to disclose all documents relating to this tender process, including without limitation the supplier’s tender response, to any employee, third party agent, funder, adviser or other third party involved in the process in support of, and/or in collaboration with MIET AFRICA.
- The use of blanket protective markings of whole documents such as “commercial in confidence” will not be sufficient. By participating in this tender process, the potential supplier agrees that MIET AFRICA will not be bound by any such markings.
- In addition, marking any material as “confidential” or “commercially sensitive” or equivalent should not be taken to mean that MIET AFRICA accepts any duty of confidentiality by virtue of such marking.
- The tender responses are submitted on the condition that the appointed supplier will only process personal data (as may be defined under any relevant data protection laws) that it gains access to in performance of this tender process in accordance with MIET AFRICA’s instructions and will not use such personal data for any other purpose. The appointed supplier will undertake to process

any personal data on MIET AFRICA's behalf in accordance with the relevant provisions of any relevant data protection laws and to ensure all consents required under such laws are obtained.

### **Tender Validity**

The tender response must remain open for acceptance by MIET AFRICA for a period of 7 days from the tender deadline. A tender response not valid for this period may be rejected by MIET AFRICA.

### **Additional expectations/requirements**

- In the event that you have any concerns or queries in relation to the Tender, you should submit a clarification request to: Megan Cockerill on [meganc@miet.co.za](mailto:meganc@miet.co.za)

### **Obligations**

The potential supplier acknowledges this is a once off tender call which can be recalled at any time.