

TERMS OF REFERENCE

Feasibility for Results based Funding - Women's Safety Accelerator Fund

September 2021

Context

Gender equality or the lack of it has a direct impact on businesses' commercial and social performance. Studies have shown that gender inequality prevalent in the forms of unequal pay, fewer women in leadership positions, fewer opportunities for growth for women and lack of women's safety in workplaces impact growth of businesses and the economy as a whole. According to the OECD, discriminatory social institutions, including violence against women, cost the global economy approximately \$12 trillion a year. ¹

Assam is one of the 8 states in the North-East region of India. It produces nearly 11% of the world's tea.² According to data provided by the Directorate of Social Welfare, Government of Assam, there are 803 tea gardens in Assam. The women workers in the tea garden form the largest women's workforce of Assam. Women constitute about 60% of the total workforce in the tea sector. They work mostly as pluckers at the lowest level of the industry. Largely labour intensive, the tea industry has several challenges in advancing towards human rights-based business approaches.

Gender based violence and discriminations within the tea industry in Assam are seen in:

- High levels of domestic violence, sexual harassment and trafficking
- Unequal division of labour: women do the lowest level of work in the production process, they do most of the unpaid domestic work and are mostly absent in higher levels of the industry
- Difficult working and living conditions: they often have to work for long hours without facilities for toilet, drinking water and regular supply of electricity, proper housing etc
- Lack of facilities for education and health care and other basic rights
- Lack of women worker's rights linked to provisions like promotions and skill up-gradation, maternity and childcare benefits, separate toilet etc
- Lack of participation in decision making and absence of redressal mechanisms

Several organisations and projects have been working with the tea garden communities of Assam. For instance, the 'Improving the lives of women and children in Assam's tea communities' programme³ is a collaborative effort between 7 tea buyers and IDH, and is implemented by ETP and UNICEF. It aims to impact 250,000 tea workers and community members across over 200 estates in Assam to address, promote and integrate human rights and mechanisms within the business practices of the tea industry. Many local NGOs are also implementing projects working with children and women from the tea garden communities which aim to address issues like lack of education, health, child marriage, trafficking and livelihood etc

¹ Why addressing gender-based violence is an imperative for businesses today, Chiara Condi, Business Fights Poverty, 2019

² Study of Assam's Tea Value Chain, Oxfam Germany, 2019

³ <https://www.ethicalteapartnership.org/improving-the-lives-of-women-and-children-in-assams-tea-communities/>

These programmes, however, face challenges in bringing together producers, supply chain partners, workers, communities, civil society and the government to bring change at the sector level. Also, few address the specific challenges of women's safety at workspace for women tea workers, which is especially material given they form most of the workforce. Gaps in using the gender lens to understand specific challenges faced by women workers within on-going programmes exist.

Background on the Women Safety Accelerator Fund (WSAF)

To promote women's safety in the tea sector in Assam, India, IDH and Unilever came together to create the Women's Safety Accelerator Fund (WSAF, or "the Fund"), a consortium of private and public actors that seeks to enable tea producers to implement the Global Women's Safety Framework (GWSF). TESCO joined the Fund in 2021.

The vision of the Fund is that all women and girls in the tea industry are socially, economically, and politically empowered in rural spaces that are free from sexual harassment and other forms on violence. The aim of the Fund is to impact 200,000+ women workers across 300 tea estates in Assam by 2023. WSAF provides the structure to build the capacities of key players, including producers, tea estates, civil society organizations and other service providers, to work towards change, and to foster partnerships with the public sector and producer associations to create a conducive enabling environment.

Specific Aims:

- Reduce instances of gender-based violence and addressing root causes to GBV
- Support the strengthening of grievance mechanisms with trusted and credible reporting mechanisms
- Improve understanding of relevant laws, programs, and policies
- Create safe and empowered spaces for women to live and work
- Influence social norms, attitudes and behaviour that promote women and girls' rights in rural spaces
- Provide opportunities for women workers to up skill, and have improved representation of women in supervisory & managerial positions

The Fund was launched in August 2020, and has since completed the following stages of inception:

- undertaken a diagnostic study to develop the Fund's understanding of gender-based violence (GBV) and women's safety in the tea sector in Assam – covering 400 workers in 20 estates across three producer groups; (Annex 3)
- designed an informed implementation and results measurement frameworks for the Fund to reach its impact goals and map progress towards a results-based financing (RBF) model;
- developed partnerships with producers, local organizations and service providers for program design – currently 2 local partners and 29 tea estates included in the first cycle
- introduced the Fund to key public and private sector organizations in preparatory meetings to inform the planned Public-Private Platform on women's safety; and
- brought and engaged new funding partners on board (eg: TESCO) to ensure the Fund's long-term sustainability (beyond Unilever and IDH's investment).

Objectives of the assignment:

The Fund now wishes to assess the feasibility of using a results-based financing (RBF) program design to:

- incentivize key stakeholders to achieve the intended impacts as per the Fund's Theory of Change;
- identify the key design features – motivations, structures, metrics, readiness, suitability; and
- arrive at a timeline for transitioning and implementing RBF structures integrated into our implementation cycles and partners.

The key objectives of this engagement are to:

1. Assess the feasibility of using results-based financing to advance the Fund's aims as outlined above;
2. Provide initial RBF design considerations and recommendations on the current Implementation Framework focused on women's safety, including with regard to overall structure, costs and payment metrics;
3. Assess and design ambitious options that take long term viability and sustainability into account through:
 - growth path for women into management positions in the sector, including but not limited to paid traineeships, training, and management studies
 - an emphasis on resolvability, replicability, and scalability to other sectors in India and/or other tea estates outside of India
 - include women specific needs such as, but not limited to, hygiene products, maternal leave, childcare at the estates
4. Provide long list of eligible funding partners, including public entities, corporates and philanthropies that could be a fit for RBF in WSAF.

Develop a roadmap for moving forward on the RBF design, to align with the overall implementation calendar and cycles of the Fund.

IDH is seeking proposals from consultancy firms and organisations with deep and wide experience in results-based funding to deliver the expected outcomes.

Outputs of the assignment:

1. Awareness, shortlisting process and buy-in of the targeted organizations to undergo the RBF transition in pilot
2. Design of implementation models, includes structures, metrics, costs estimations and pre-requisites if any
3. Determine Fund implementation aligned roadmap for the transition, including preparatory steps or early integration.

SELECTION CRITERIA & STEPS

1. Selection Procedure

The procedure will be as follows:

1. Publishing the tender on the IDH website and/or inviting services providers to submit a proposal based on this ToR.
2. Evaluation of the proposals by the evaluation committee. The evaluation committee will evaluate the proposals based on the selection criteria as published in this ToR.
3. Decision on selection of the service provider.
4. Inception meeting with the selected service provider.

The schedule below indicates the timelines for the tender procedure:

Tender process	Timeline
ToR published	24 Sep 2021
Deadline for submission of proposals*	6 Oct 2021
Selection of Service provider	16 Oct 2021
Start of assignment	30 Oct 2021

** Proposals submitted after the deadline will be returned and will not be considered in the tender procedure.*

After the deadline to submit a proposal has passed, the evaluation committee will evaluate the proposals.

The proposals will first be tested for completeness:

- The absence of the documents referred to in Section 3 of this process (below) can lead to exclusion from further participation in the tender procedure. This is also the case when minimum requirements listed in this ToR are not met.
- If the proposal is complete, the selection committee will evaluate the proposal based on the criterion as mentioned in section 3.

The assignment will be awarded to the service provider with the most economically advantageous tender. This is determined based on the evaluation criteria price and quality.

IDH will reject the proposal if any illegal or corrupt practices have taken place in connection with the award or the tender procedure.

2. Proposal requirements

IDH is requesting the service providers to hand in a proposal of maximum 10 pages (excluding company biographies, CVs, sample work and references). The proposal must be handed in a MS Word version next to a PDF submission to facilitate any copy-and-pasting of content that we may need during evaluation.

The proposal must at least include:

Content:

- a. A succinct, well-documented approach addressing the requirements set out this ToR. We request that the proposal structure match or address directly the selection criteria as closely as possible
- b. Maximum of three client references and a sample of previous work relevant to the deliverables in this ToR
- c. An overview of the project team, including the CVs of the project team members

- d. Budget presented in Euros (ex VAT) with a break-down of days/rate per project team member
- e. Statement on Ground for exclusion (see section 3 below)

Administrative:

- f. Completed detail request form (annex 1)
- g. Copy of most recent (audited) financial accounts
- h. Statement of acceptance draft contract (annex 4)

The proposal must be submitted to Jatin Bavishi at bavishi@idhtrade.org by 23:59 IST on 6th October 2021

3. Testing and weighing

The assignment will be awarded to the service provider with the most economically advantageous tender. The most economically advantageous tender is determined on the basis of the evaluation criteria of price and quality.

Grounds for exclusion

1. Service providers shall be excluded from participation in this tender procedure if:
 - a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
 - b) they or persons having powers of representation, decision-making or control over them have been convicted of an offence concerning their professional conduct by a judgment which has the force of res judicata;
 - c) they have been guilty of grave professional misconduct proven by any means which the IDH can justify;
 - d) they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established, or with those of the Netherlands or those of the country where the contract is to be performed;
 - e) they or persons having powers of representation, decision making or control over them have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organization, money laundering or any other illegal activity.

Service providers must confirm in writing in the proposal that they are not in one of the situations as listed above.

2. Service providers shall not make use of child labor or forced labor and/or practice discrimination and they shall respect the right to freedom of association and the right to organize and engage in collective bargaining, in accordance with the core conventions of the International Labor Organization (ILO).

Minimum criteria

Services providers or Proposals not fulfilling the minimum criteria will be excluded from the tender procedure and will not be assessed against the other criteria.

1. *Completed feasibility of results-based funding models in past assignments*

2. Participated in structuring of results-based funding models

Scoring and weighing

The evaluation criteria are compared and weighed according to the procedure below. This concerns a general outline of the scoring methodology and an explanation how the service provider can demonstrate compliance with the requirements.

Step 1 - Criterion Quality

Evaluation scores will be awarded for each of the components. The evaluation committee will score each component unanimously.

IDH values quality highly, therefore a minimum grade of 3 must be scored by the service provider on each component. If the service provider scores a grade of 3 or less on one of the components he will be excluded from the tender procedure and awarding the contract.

The proposal will be assessed based on the following selection criteria:

Component		Criteria	Max. Grading
1	Proposal overall	The extent to which the proposal meets the requirements set out in Section 3 above and throughout this document. Can the Service provider deliver the requirement deliverables. Will the Service provider be able to deliver a comprehensive solution.	5
2	Design and Development process	<p>The extent to which the Service provider demonstrates that a clear design and development process will be followed.</p> <p>Robustness of methodology, process and corresponding tools proposed</p> <p>Project Management Approach for smooth collection of data and mapping</p> <p>Description of activities & and the assignment schedule</p> <p>Clearly iterated outputs at each milestone and stage of delivery</p> <p>Progress tracking and reporting plan</p>	5
3	Track record	<p>The extent to which the Service provider presents the required level of expertise and knowledge to fulfil the requirements both at team member and company level.</p> <p>To extent to which the Service providers gives a clear description of the project team, relevant (delivering similar projects) experience of team members and time allocation per team member.</p> <p>[Relevant experience in non-profit sector is advantageous.]</p>	5

The evaluation committee will unanimously score each component by assigning scores from 1 to the maximum grading, with the maximum grading representing optimal performance on the component and 1 representing extremely poor performance on the respective component.

Step 2 - Criterion price

A combined price in Euros (ex VAT) is to be presented. This is to be broken down by team member rate and hours. The maximum budget must not exceed 54.000 EUR.

The criterion of assessment is “the best price for the proposed level of quality” with a maximum grading of 5.

Step 3 - Weighting

The final score will be weighted 70% on Quality and 30% on Price.

If scores of service providers are equal, priority will be based on the total scores that were given for the Criterion Quality. The assignment will be awarded to the service provider that has received the highest score for the Criterion Quality. If the evaluation of the Criterion Quality does not lead to a distinction, the score for the component “Proposal overall” will be decisive. If this does not lead to a distinction, the ranking will be determined by the drawing of lots.

Award

Once IDH has decided to which Service provider it intends to award the assignment, a written notification thereof is sent to all Service providers participating in the tender procedure.

The Service provider is contracted via a letter of assignment, following IDH's template.

Communication and Confidentiality

The Service provider will ensure that all its contacts with IDH, with regards to the tender, during the tender procedure take place exclusively in writing by e-mail to bavishi@idhtrade.org and cc: dhingra@idhtrade.org . The Service provider is thus explicitly prohibited, to prevent discrimination of the other Service providers and to ensure the diligence of the procedure, to have any contact whatsoever regarding the tender with any other persons of IDH than the person stated in the first sentence of this paragraph.

The documents provided by or on behalf of IDH will be handled confidentiality. The Service provider will also impose a duty of confidentiality on any parties that it engages. Any breach of the duty of confidentiality by the Service provider or its engaged third parties will give IDH grounds for exclusion of the Service provider, without requiring any prior written or verbal warning.

All information, documents and other requested or provided data submitted by the Service providers will be handled with due care and confidentiality by IDH. The provided information will after evaluation by IDH be filed as confidential. The provided information will not be returned to the Service provider.

4. Disclaimer

IDH reserves the right to update, change, extend, postpone, withdraw, or suspend the ToR, this tender procedure, or any decision regarding the selection or contract award. IDH is not obliged in this tender procedure to make a contract award decision or to conclude a contract with a participant.

Participants in the tender procedure cannot claim compensation from IDH, any affiliated persons or entities, in any way, in case any of the afore-mentioned situations occur.

By handing in a proposal, participants accept all terms and reservations made in this ToR, and subsequent information and documentation in this tender procedure.

Annexures:

1. **Detail request form**
2. **Letter of Assignment**
3. **IDH General Terms and Conditions for Services**
4. **Statement of acceptance draft contract**
5. **Reading: [Global Women's Safety Framework](#)**
6. **Women's Safety definitions:**
 - Women's safety involves **strategies, practices and policies** which aim to **reduce gender-based violence (or violence against women), including women's fear of crime.**
 - Women's safety **involves safe spaces.** Space which causes fear restricts movement and thus the community's use of the space. Conversely, space can also create a sensation of safety and comfort, and can serve to discourage violence. It includes **safe workplaces.**
 - Women's safety involves **freedom from poverty.** This includes **safe access to water, toilets, healthcare, education, childcare, housing** etc
 - Women's safety involves financial security and autonomy. Women's economic empowerment reduces their vulnerability to situations of violence as they become less dependent on men and better able to make their own decisions.
 - Women's safety involves safe homes and communities where women have the right to value themselves, to be empowered, to be respected, to be independent, to have their rights valued, to be loved, to have solidarity with other family and community members, and to be recognized as equal members in society
 - Women's safety involves strategies and policies that take place before violence has occurred to prevent perpetration or victimization.
 - Women's safety means a safer, healthier community for everyone. This is a participatory process focused on changing community norms, patterns of social interaction, values, customs and institutions in ways that will significantly improve the quality of life in a community for all of its members

Jagori, India, Understanding Women's Safety, Towards a Gender Inclusive City
<http://www.jagori.org/wp-content/uploads/2006/01/Handbook1.pdf>
7. **Program resources: Diagnostic baseline and the detailed Implementation and Results Measurement Framework will be provided to the selected consultants.**

Summary of key finding from the diagnostic:

We worked with Dalberg Advisory to deepen our understanding of the realities of women workers and the tea sector in Assam in relation to safety and GBV in a diagnostic study with participation from 20 estates, 360 women workers, 40 men workers and 5 CSOs, and several other external stakeholders. The report presented a quantitative and qualitative view of the challenge. It recorded testimonies from women and men workers, as well as estate management and staff on their experience of GBV and response and prevention mechanisms. The findings showed gaps in understanding of GBV, understanding of responsibilities in responding to and preventing GBV and root causes behind GBV in the teas sector in Assam.

WORKERS

- 31% women faced at least one form of violence
- 16% women do not know if support is provided to survivors of violence
- 9% women who faced violence do not know about support provided by the tea estates
- 74% women survivors who are aware of the support do not believe that support provided is completely adequate
- 24% women reported feeling unsafe at home, in workplace, in public places and after sunset.
- 62% of these women are under 30.

ESTATES	46% estate managers are not confident in addressing issues of VAWG; the level of confidence to tackle such cases is lower amongst the supervisory line
	27% supervisors & mid-management staff members believe that they are not responsible for preventing VAWG
	17% believe that responsibility lies solely with women and/or the community
FACILITIES	<ul style="list-style-type: none"> Several tea estates do lack adequate basic facilities like water, toilet, menstrual hygiene facilities, creche and shades in the garden areas Lack of representation in labour unions and worker committees. Lack of access to programmes and opportunities to upgrade skills and participate at higher levels in the industry.

We have developed a prioritized list of high-impact, actionable interventions for field level implementation, where each opportunity area will target one more stakeholders. The intervention framework is a combination of strategies that are preventive, responsive or both

	External ecosystem response	Increase coordination between the estates, the government and CSOs to leverage existing systems to provide prevention and response treatment to women
	Codify and regulate	Create and implement standard rules, policies and SoPs that serve as the minimum regulatory requirement for participating estates with the aim to increase women's empowerment and reduce vulnerability
	Teach and Nudge	Embed a sustained behavior change amongst all staff members that creates a safer and more inclusive workplace for women workers
	Track, Trace and Treat	Establish accountability for women's safety and empowerment for all employees in supervisory positions by measuring and reacting to indicators on program implementation, adoption, and outcomes
	Issue Resolution Mechanism	Create a confidential, robust, effective, efficient and trustworthy system for reporting incidents of VAWG.
	Change agents and advocates	Identify and train women from the estate as "Change Agents". They will be master trainers for awareness campaigns, responsible for the identification of challenges faced by women and raising these concerns to the management and serve as points of contact for women who want to report or seek information on VAWG.
	Safe Infrastructure	Create safe and inclusive infrastructure for women through better planning to reduce vulnerabilities. This can include a one-time 3rd party audit of the estate to identify areas in the estate where women feel unsafe.
	Awareness and Outreach Campaign	Reduce misogynistic and patriarchal views in the society and increase knowledge about forms of VAWG, women's rights and available support systems for women.
	Breaking the glass ceiling	Create an enabling environment for upward mobility of women through supporting policies, training and exposure. It could also involve incentivizing companies to hire women in supervisory positions.
	Ally Network	Create a network of boys, men, and students to support women within the estate and work towards creating a progressive community, and of survivors to support each other