



TERM OF REFERENCE

Reference No.	Reference No. TOR-VNM-2023-015 (Please indicate the reference number in the title of the application email)
Title	National Gender and Social Protection Consultant
Purpose	To provide technical support for UN Women in advocating for maternity protection expansion in the amendment of the Social Insurance Law.
Duty Station	Home-based with traveling to Ha Noi
Contract duration	July to 30 August 2023 (20 working days)
Contract Supervision	Programme Analyst - UN Women Viet Nam Office
Application deadline	30 June 2023

I. Background

The United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), grounded in the vision of equality enshrined in the Charter of the United Nations, works for the elimination of discrimination against women and girls; the empowerment of women; and the achievement of equality between women and men as partners and beneficiaries of development, human rights, humanitarian action and peace and security. Placing women’s rights at the center of all its efforts, UN Women leads and coordinates United Nations system efforts to ensure that commitments on gender equality and gender mainstreaming translate into action throughout the world. It provides strong and coherent leadership in support of Member States’ priorities and efforts, building effective partnerships with civil society and other relevant actors.

In Viet Nam, UN Women contributes to the development objectives of Viet Nam’s Socio-Economic Development Plan and the National Strategy for Gender Equality. Its Country Strategy Note for the period 2022-2026 is aligned to the UN Sustainable Development Cooperation Framework (CF) 2022-2026 and is focused on supporting Viet Nam’s fulfilment of gender equality commitments under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the 2030 Sustainable Development Agenda. The key priorities of UN Women in the 2022-2026 period are:

- (i) By 2026, people in Viet Nam, especially those at risk of being left behind, will benefit from and contribute to safer and cleaner environment resulting from Viet Nam’s effective and gender responsive mitigation and adaptation to climate change, disaster risk reduction and resilience building, promotion of circular economy, the provision of clean and renewable energy, and the sustainable management of natural resources;

(ii) By 2026, people in Viet Nam, especially those at risk of being left behind, will contribute to and benefit equitably from more sustainable, inclusive and gender-responsive economic transformation based on innovation, entrepreneurship, enhanced productivity, competitiveness, and decent work;

(iii) By 2026, people in Viet Nam, especially those at risk of being left behind, will have benefited from and have contributed to a more just, safe and inclusive society based on improved governance, more responsive institutions, strengthened rule of law and the protection of and respect for human rights, gender equality, and freedom from all forms of violence and discrimination in line with international standards.

Maternity protection is a key labor right of working women. It is important for enhancing the wellbeing, health, and nutrition of mothers and children, and for ensuring women's equal opportunity and treatment in the world of work. Maternity protection addresses the immediate needs of working women. It is a precondition for gender equality as well as a valuable investment for the health and productivity of current employees and of future generations. Without income replacement through maternity cash benefits, a woman's absence from work and the increased expenditures due to pregnancy, childbirth, and childcare pose financial hardships for most families.

According to ILO (2020), just 30 percent of women in the labor force were covered for maternity. Not all women are in the labor force, so the effective level of protection is even lower. Unlike pensions, where a (still narrow) non-contributory benefit exists, in maternity benefits, uninsured women do not have a non-contributory alternative. Lack of maternity protection affects not only women's earnings and work trajectories but also the well-being of mothers and children and of the family at large. Extending coverage seems the main urgent challenge for the maternity system from both a gender-equality and socio-economic equality perspective, as the expansion of maternity protection is likely to benefit women from lower income backgrounds.

The Law on Social Insurance is being amended by the Ministry of Labor, Invalids and Social Affairs (MOLISA), shall be debated at the National Assembly by October 2023, and approved by May 2024. The revised Law must ensure the alignment with five approved principles in reforming social insurance system:

1. Building a multi-tier and flexible social insurance system
2. Expanding the coverage of social insurance participants
3. Expanding the coverage for social insurance beneficiaries
4. Specifying regulations on management of social insurance fund collection and payment
5. Diversifying the portfolio and investment structure of the social insurance fund according to the principles of safety, sustainability, and efficiency

Maternity leave and benefits in Viet Nam differ significantly for different groups of women, depending on their labor market status. Women who are covered by the statutory social insurance scheme enjoy quite generous maternity protection. Conversely, women who are not covered by the mandatory scheme, including informal employees, accounting for 81% of female employees in the country, have no maternity protection (except for maternity health care, which is provided through the Social Health Insurance Scheme). The amendment of the Social Insurance Law is a good opportunity to advocate for the expansion of maternity protection for women in Viet Nam.

In preparation for discussion with the Social Insurance Law Amendment drafting committee led by the Ministry of Labor, Invalid and Social Affairs on this issue, UN Women is looking for a national consultant to prepare a policy brief to propose the expansion of maternity benefits for women in informal sectors, focusing on the scope of the Social Insurance Law amendment.

II. Objectives

The objective of the consultancy is to strengthen the gender responsiveness of the national legal framework on social insurance through the expansion of maternity protection to female workers in informal sectors.

Two specific objectives of the consultancy:

- Prepare a policy brief to propose recommendations on the expansion of maternity protection for women in informal sectors, focusing on the scope of the Social Insurance Law amendment. The policy brief will analyze the national legal framework on maternity protection, experiences from other countries on maternity protection, especially for informal sectors, and provide recommendations on the expansion of maternity benefits under the Social Insurance Law amendment.
- Provide technical support for the organization of a consultation workshop with stakeholders on the draft revision of the Social Insurance Law focusing on the expansion of maternity protection for women. The workshop will be an opportunity to collect feedback, comments, and suggestions from stakeholders on the content of the draft revision.

III. Scope of Work and Expected Tasks

Under the supervision of the UN Women Programme Analyst, the national consultant will complete the following tasks:

1. Prepare a policy brief to propose recommendations on the expansion of maternity protection for women in informal sectors, focusing on the scope of the Social Insurance Law amendment. (The policy brief will not exceed 20 pages) (15 days)

- Develop the outline of the policy brief and get inputs from UN Women and MOLISA.
- Undertake the review of the national legal framework and international experience on maternity protection for women in informal sectors, relevant to the amendment of Social Insurance Law.
- Present key findings of the Policy Brief at a consultation workshop organized by MOLISA, UN Women and partners.
- Finalize the policy brief after getting comments from UN Women and MOLISA.
- Two-page summary of the brief.

2. Provide technical support for the organization of a oneday consultation workshop in Ha Noi with stakeholders on the draft revision of the Social Insurance Law focusing on the expansion of maternity protection for women. (5 days)

- Liaise with Legal Department (MOLISA) to finalize the workshop agenda.
- Identify the key stakeholders and representatives from the line ministries, provincial levels, NGOs, and academia that should be invited to the workshop.
- Liaise and work with independent experts who will be invited to the workshop to collect presentations and ensure that their presentations meet requirements from MOLISA and UN Women.
- Liaise and provide technical support to MOLISA to prepare guiding questions for the technical discussions of the draft Law revision.
- Prepare a workshop report which includes comments from experts and participants and conclusions from MOLISA on taking these recommendations into consideration for the draft Law revision.

IV. Institutional arrangements

The national consultant will work under the direct supervision of the UN Women Programme Analyst and will work closely with the staff from the Legal Department of MOLISA during the assignment. The consultant will be ultimately responsible to UN Women’s Country Representative in Viet Nam.

V. Duration of Assignment and Duty Station

Duration of Assignment: The tentative contractual period is from July to 30 August 2023.

Duty Station: Home-based with traveling to Ha Noi for the workshop tentatively during the last week of July 2023.

VI. Deliverables and Schedule for Payment

No.	Deliverables	Proposed deadline	Schedule of payment
1	<p>Prepare a policy brief to propose recommendations on the expansion of maternity protection for women in informal sectors, focusing on the scope of the Social Insurance Law amendment</p> <ul style="list-style-type: none"> - Outline of the policy brief approved by UN Women (Vietnamese) - Final policy brief (not exceeding 20 pages) (in Vietnamese). - Two-page summary of the brief with key recommendations (in English) - Presentation on key findings of the brief (in Vietnamese) 	Before 30 August 2023	70 % of the payment
2	<p>Provide technical support for the organization of a consultation workshop with stakeholders on the draft revision of the Social Insurance Law focusing on the expansion of maternity protection for women. (5 days)</p> <ul style="list-style-type: none"> - Final list of the participants with the representatives from key stakeholders from the line ministries, provincial levels, NGOs and academia. (in Vietnamese) - All presentations from experts are collected. (in Vietnamese) <p>Workshop report which includes comments from experts and participants and conclusions from MOLISA on taking these recommendations into consideration for the draft Law revision. (in Vietnamese)</p>		30 % of the payment

VIII. Application Evaluation Criteria

The applicant will be evaluated based on technical capacities (70%) and financial proposal (30%). Technical evaluation will be based on the following criteria stated below.

	Criterion	Max. Score
1	Master’s Decree in Law, Human Rights, Political Science, Economics, Gender Studies, Development or other relevant disciplines	10 points
2	At least 10 years of relevant experience in the field of social protection and gender in Viet Nam.	25 points
3	At least 5 years of relevant experience in law and policy development and legal reform, aligning with international standards on gender equality and human rights	25 points
4	Experience in the organization of policy advocacy events with the government agencies	20 points
5	Experience in writing policy briefs or policy recommendation papers	10 points
6	Prior experience supporting UN agencies for policy advocacy	10 points
	Total	100 points

Core Values and Competencies

In addition to the aforementioned requirements and qualifications, it is important that the consultant shares the core values and core competencies of the organization.

Core Values

- Respect for Diversity
- Integrity
- Professionalism

Core Competencies

- Awareness and Sensitivity Regarding Gender Issues
- Accountability
- Creative Problem Solving
- Effective Communication
- Inclusive Collaboration
- Stakeholder Engagement

- Leading by Example

Please visit this link for more information on UN Women’s Core Values and Competencies:

<http://www.unwomen.org/-/media/headquarters/attachments/sections/about%20us/employment/un-women-employment-values-and-competencies-definitions-en.pdf>

The weight of technical points is 70% and financial points is 30%.

Individual consultants will be evaluated based on Cumulative analysis, the award of the contract will be made to the individual consultant whose offer has been evaluated and determined as:

- a) Responsive/compliant/acceptable; and
- b) Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation.

VIII. Application Procedure and Deadline

Interested applicants must submit the following document/information (in PDF format) to demonstrate their qualifications.

Technical component:

- Letter of interest explaining why you are the most suitable for the work and your proposal for the number of working days
- Signed Curriculum vitae with contact details for 3 references

Financial proposal (with your signature)

- The financial proposal shall specify the working day rate in VND for the consultancy fee. The candidate will not need to include the travelling cost because GED-MOLISA will arrange for the consultant to the project site following the UN-EU cost norm. Please note that the cost of preparing a proposal and of negotiating a contract is not reimbursable as a direct cost of the assignment.

Complete applications with TOR reference no. TOR-VNM-2023-015 should be sent to <procurement.vietnam@unwomen.org>. Only applications with all items mentioned above will be considered.

Deadline for Application: 30 June 2023

IIX. Evaluation

The evaluation will be based on the combination of the weighted technical and financial scores (70 per cent technical and 30 per cent financial).

NOTE: Documents required before contract signing:

- Personal History Form (P11). The P11 Form can be downloaded from the following website: <http://asiapacific.unwomen.org/en/about-us/jobs> The medical statement from the physician certifying good health to work and travel (This is not a requirement for RLA contract)
- Completed UNDSS BSAFE online training course. EN: <https://agora.unicef.org/course/info.php?id=17891>
- Release letter required in case the selected consultant is government official.

At UN Women, we are committed to creating a diverse and inclusive environment of mutual respect. UN Women recruits, employs, trains, compensates, and promotes regardless of race, religion, color, sex, gender identity, sexual orientation, age, ability, national origin, or any other basis covered by appropriate law. All employment is decided on the basis of qualifications, competence, integrity and organizational need. If you need any reasonable accommodation to support your participation in the recruitment and selection process, please include this information in your application. UN Women has a zero-tolerance policy on conduct that is incompatible with the aims and objectives of the United Nations and UN Women, including sexual exploitation and abuse, sexual harassment, abuse of authority and discrimination. All selected candidates will be expected to adhere to UN Women's policies and procedures and the standards of conduct expected of UN Women personnel and will therefore undergo rigorous reference and background checks. (Background checks will include the verification of academic credential(s) and employment history. Selected candidates may be required to provide additional information to conduct a background check.)