



TERM OF REFERENCE

National Consultant to conduct Final Project Evaluation

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|-----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| Project Title | Building capacity for improving national industrial relations database for evidence-based policy-making (NIRF CANADA project) |
| ILO Project Code | VNM/16/04/CAN |
| Administrative Unit in charge of the project | CO-Hanoi |
| Technical Backstopping Unit | MULTI and DWT Bangkok |
| Timing of Evaluation | Final Project Evaluation |
| Project Period | 16 March 2017 to 30 September 2019 |
| Total Project Budget | US\$297,154 |
| Funding Agency | The Government of Canada |

1. Background and Justification

1.1. Introduction and rationale

This term of reference covers the final evaluation of the project *“Building capacity for improving national industrial relations database for evidence-based policy-making”* (NIRF Canada project), which has been implemented by ILO Country Office for Vietnam and local counterparts with financial resource from the Government of Canada. In 2016, an agreement between the Government of Canada and ILO was signed to implement NIRF Canada project with starting date of 16 March 2017 until 31 March 2019. The project afterwards has received six months of no-cost extension and thus will close on 30 September 2019. As per ILO programme management and evaluation standards and commitments with the funding agency, the project conducts the end-of-project evaluation to learn to what extent the project has achieved its expected results and to identify good practices and lesson learns that can be valuable for ILO, local counterparts and the donor to apply for other similar or future works. The evaluation will be conducted and managed in conformance with the ILO evaluation policy guidelines and UN Norms and standards, and ethical safeguards.

1.2. The project context

After 30 years of the Doi Moi which drove economic development and pulled millions out of poverty, Viet Nam is entering a new era of economic development. Vietnam’s industrialization and development strategies are fully anchored in its pursuit of global integration agenda, through becoming a manufacturing hub in the global supply chains, and also through negotiating and concluding free trade agreements (FTA) and investment agreements. The global economic integration requires adjustment of not only economic and trade policies, but also social and labour policies for sustainable and inclusive growth with social justice at global and national level. As a member of the ILO since 1992, Viet Nam has committed itself to respect and

promote the 1998 ILO Declaration on Fundamental Principles and Rights at Work (“ILO FPRW Declaration”).

In 2016, Vietnam took a bold step towards a new round of comprehensive labour law and industrial relations reform, driven not only by the 12 nations Trans-Pacific Partnership Agreement (TPP), but also by long-standing aspiration to modernize its labour market and industrial relations institutions to make it serve interests of Vietnamese workers, businesses and society. While the suspension of the 12 nations TPP created a brief period of uncertainty about direction of the labour law and industrial relations reforms in the 1st half of 2017, Vietnam has remained committed to its global integration agenda and accompanying international expectations and obligations. After the brief pause, Vietnam has resumed its efforts to reform labour laws and industrial relations system, motivated partly by a need to move towards the ratification of EU-Viet Nam FTA. It is in this context that the MOLISA submitted its plan to the Social Affair Committee of the National Assembly, outlining timetable for labour code revision and also for preparatory steps towards ratification of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining and Convention, 1949 (No. 98) and the Abolition of Forced Labour Convention, 1957 (No. 105). With the commitment to the reform of labour laws governing industrial relations, it is expected that the government and social partners will continue their joint efforts to create new industrial relations framework (NIRF) which would serve Vietnamese businesses, workers and society.

For the government to develop and implement new industrial relations policies and also for social partners to promote and establish new practices of voluntary negotiations and social dialogue, there is a need to improve and strengthen industrial relations data which will enable tripartite partners to develop evidence-based industrial relations policies and social dialogue.

At present, there are multiple short comings of industrial relations data and information, including wage data, in Viet Nam. Firstly, there are many industrial relations data and information, which are not available for policy-makers and labour research community, such as information on unfair labour practices. Secondly, when there are available data and information, there are problems with quality and consistencies of the available data, such as strike data. Lastly, there is no coordination among various producers of industrial relations data and information with regard to compiling all available data and information, and sharing and disseminating such information and data. At the same time, there is lack of technical capacity of the government and other IR data producers, in term of data collection, data management, data sharing and dissemination, and data analysis for evidence-based policy making and social dialogue. Hence, this project aims at addressing the above deficits and challenges of IR data/information system in Viet Nam.

2. Project Overview

The overall objective of the project is for the Government of Vietnam, together with social partners, to make better informed, evidence-based industrial relations policy decisions through improved industrial relations data collection, dissemination and analysis.

This overall objectives is to be pursued through two immediate objectives and four outputs:

- **Objective 1.** Gender-responsive industrial relations data system strengthened to better meet country needs and capture additional data relating to obligations under ILO FPRW Declaration.

- **Output 1.1.** IR data system reviewed, gaps identified and guiding document for IR data system improvement adopted by the Government
- **Output 1.2:** Manual on IR data collection aligned to local context and ILS adopted and used by authorities at the central and local level
- **Objective 2:** Vietnam strengthened capacity for developing and implementing evidence-based industrial relations policy and social dialogue
 - **Output 2.1.** Policy makers and implementers have strengthened capacity in analyzing and using IR data to serve the process of evidence based policy making
 - **Output 2.2:** Research capacity for measuring impact using IR data strengthened among IR local researchers and policy-makers

The project has been executed by the ILO in collaboration with MoLISA/Institute of Labour Science and Social Affairs and in partnership with different Vietnamese agencies.

Beneficiaries of the project.

- Labour administration agencies (MOLISA and DOLISA) at a central and provincial level benefiting from the project's technical assistance for strengthening capacity to improve produce, collect and analyze quality IR data, and also to improve coordination among IR data producers.
- Local labour researcher with increased skills and knowledge on IR data analysis, evidence-based research and policy development based on improved IR data.
- Workers and Employers in the global supply chains indirectly benefit from improved IR policies which are likely to create conducive environment for more stable and predictable workplace relations.

3. Purpose of the Evaluation, Scope and Users

3.1. Purpose

The main purpose of this evaluation is to support accountability and facilitate learning within the ILO and key project implementing partners. The evaluation findings and recommendations will also be used to inform design and implementation of future ILO development cooperation activities in Vietnam. In particular, the evaluation aims to:

- Evaluate the effectiveness and efficiency of the project, including the level of achievement of objectives and targets, identifying both intended and unintended results, and the sustainability after the project's end;
- Identify and document lessons learnt and good practices which can be valuable to ILO and Vietnamese implementing partners for other similar or future development activities in Vietnam.

3.2. Scope

The evaluation is solely for the activities implemented by the project between **16 March 2017 and 30 September 2019**. All objectives, outputs and activities are to be covered under this evaluation, and all key project implementing partners are expected to work with the evaluator under this evaluation.

Gender equality and non-discrimination should also be considered in this evaluation throughout its methodology and deliverables, including the final report

3.3. Users of the evaluation

The primary users of the evaluation report are ILO Country Office for Vietnam and ILSSA. The secondary users are the Government of Canada, MoLISA and other ILO's units

4. Evaluation Criteria and Questions

Suggested criteria and evaluation questions:

Relevance

- To what extent has the project been responding to the needs and priorities of the Government and social partners (workers' and employers' organisations) in Vietnam?
- How well does the project align with and support national development plans/ with strategic priorities of key partners?
- How well does the project complement and link to activities of UN and non-UN development partners at national level?

Validity of design

- To what extent does the designed project approach align with ILO, donor and the local Government?

Effectiveness

- Has the project achieved its planned objectives? Is the project on track to achieve the performance targets according to schedule? If not, what have been the obstacles to the achievement? Is there unintended results occurring?
- To what extent has the project contributed to capacity building and/or law advancement/policy formulation in Vietnam?
- To what extent are the tripartite constituents and the project counterparts satisfied with the quality of the outputs and are likely to, or have used the tools/practices developed?

Project management and efficiency of resource use

- To what extent have stakeholders been involved in project design and implementation?
- Have resources (funds, human resources, time, expertise etc.) been allocated and delivered strategically to achieve the project objectives?

Impact orientation and Sustainability

- How effective have the project been in establishing and fostering national/local ownership?
- What are the key project achievements thus far that could be sustained beyond the life and the context of the project? Does the project have a strategy in place to sustain these elements?

- What is the possibility of replicating the Labour Research Contest and strengthen the connection between policy makers and the research community raised from the Project's intervention?

Lesson learnt and good practices

- What are key lessons and good practices that are useful for the ILO and project implementing partners which can be applied to other similar projects/programmes?
- What are the lesson learnt from the Data collection pilot process on MOLISA – DOLISA coordination and DOLISA internal arrangements on conducting the pilot?
- What are the lesson learnt to improve the project approval and triggering process?

Cross-Cutting Issues

- How does the project address crosscutting issues (gender and non-discrimination, social dialogue, SDGs)

The above evaluation criteria and questions can be modified or adapted but any fundamental changes needs to be agreed between the ILO project manager and the evaluator, and reflected in the evaluation report.

5. Suggested Methodology

- A detailed methodology will be elaborated by the evaluator on the basis of this ToR. The methodology proposal should include detailed methods, data collection instruments, data collection plan.
- A mix-method (both qualitative and quantitative evaluation approaches) should be considered for this evaluation. Qualitative information can be obtained through field visits, key informant interviews and focus group discussions as appropriate. Quantitative data can be drawn from relevant project documents including the Technical Progress Reports (TPRs) and the projects' monitoring and evaluation information. A combination of sound quantitative and qualitative research methods should be developed for each evaluation question as deemed appropriate.
- Data should be collected from difference resources by different methods for each evaluation question and findings should be triangulated to draw valid and reliable conclusions. Data shall be disaggregated by sex where possible and appropriate.
- The evaluation shall comply with evaluation norms, standards and follow ethical safeguards, as specified in the ILO's evaluation procedures. The ILO adheres to the United Nations system of evaluation norms and standards as well as to the OECD/DAC Evaluation Quality Standards.

6. Main Deliverables

The evaluator will provide the key deliverables as follows:

- Deliverable 1: A concrete evaluation methodology proposal, which should include the evaluation questions, indicators, data collection methodologies, draft tools, and draft data collection plan (less than 5 pages). All documents should be prepared in English.
- Deliverable 2: First draft evaluation report, in Vietnamese, which should follow the evaluation report structure suggested by the evaluator an agreed by ILO

- Deliverable 3: Final evaluation report, in Vietnamese first then in English, which should reflect feedbacks or comments from ILO and other key stakeholders. The report should not exceed 35 pages (350-400 words per page) exclusive of annexes.
- The evaluation report must be produced in both English and Vietnamese.
- Besides reports, raw data should be provided in electronic version compatible with Microsoft Office for Windows. Ownership of the data from the evaluation rests with ILO. The copy rights of the evaluation report rests exclusively with the ILO.

7. Management Arrangements and Work plan

ILO project team will be responsible for the following:

- Providing project background and related documents;
- Providing inputs on the evaluation methodology proposal and planning;
- Providing logistical and administrative support that is needed for the evaluation operation;
- Coordinating the related stakeholders to get them engaged in this evaluation;
- Organizing stakeholder/validation workshops if required;

The consultant is responsible for conducting the evaluation according to the Terms of Reference. He/she will also:

- Report to the ILO/Programme Officer who is also NIRF EU project manager during the evaluation;
- Deliver the key aforementioned deliverables to the ILO project manager at the timing agreed and with the quality level at ILO's satisfaction.
- Respect ILO's policy and Evaluation [Codes of Conducts](#) when conducting this evaluation

8. Indicative time frame, and outputs and estimated number of working days

Below are indicative tasks to be completed an estimated number of working days foreseen for evaluator(s). The estimated working days for evaluation expert in one task can reallocated to another task where justified and in consultation with ILO.

| No | Key activities | # working days estimated | Output | Time frame (by end) |
|----|------------------------------------------------------------------------------------------|--------------------------|----------------------------------------|--------------------------------------------------------|
| 1 | Review project documents and develop evaluation proposal and data collection instruments | 03 | Evaluation methodology proposal, tools | 1 st week of August, 2019 |
| 2 | Data collection – in Hanoi, and tentatively in pilot provinces (Hai Phong and HCM city) | 03-05 | Raw data | 2 nd – 3 rd week of August, 2019 |
| 3 | Analyse data and draft report (in Vietnamese) | 08 | Draft report | 1 st week of Sep 2019 |
| 4 | Present the evaluation findings at the project stakeholders meeting | 01 | Power point and the presentation | 2 nd week of Sep. 2019 |

| No | Key activities | # working days estimated | Output | Time frame (by end) |
|----|----------------------------------------------------------------------------------------------|--------------------------------------------------|-------------------------|-----------------------------------|
| 5 | Finalize the report based on comments from ILO, ILSSA and other stakeholders (in Vietnamese) | 01 | Final Vietnamese report | 2 nd week of Sep. 2019 |
| 6 | Translate the final report from Vietnamese into English | Lump sum, equivalent to 1.5 consultancy workdays | English report | 3rd week of Sep. 2019 |
| | Total of working days | 17.5 – 19.5 | | |

9. Qualifications requirement

- University Degree with minimum 5 years of demonstrated expertise in development project evaluation.
- Experience in the thematic area in which the ILO/NIRF Canada project is currently supporting will be an advantage (evaluator can team up with other experts if necessary);
- Demonstrated excellent report writing skills and in English;
- Not have any links to the ILO/NIRF Canada project management and implementation, or any other conflicts of interests that would interfere with the independence of the evaluation;
- Knowledge of ILO's roles and mandate, as well as UN evaluation norms is a plus;
- Commit to be available to deliver this evaluation at highest level of quality during August and September 2019.

10. Legal and Ethical Matters

The evaluation will comply with UN Norms and Standards. The evaluator will abide by the EVAL's Code of Conduct for carrying out the evaluations. The UNEG ethical guidelines will be followed. The evaluation team should have not any links to project management, or any other conflict of interest that would interfere with the independence of the evaluation.

11. Application

Interested candidates are invited to send CV and proposed consultancy fee by email to **thanhthao@ilo.org** by 17:30, GMT+7 on Wednesday, **23 July 2019**.

Note: ILO applies UN-EU cost norms for its consultancy services. The consultancy rate is decided through negotiation and based on the level of technical complexity that work requires and consultant's proven quality delivery for similar works.