

**Open Call for Consultancy Services**

**Reference Number: 009-017**

<b>Terms of Reference:</b>	Expert on Corruption Risk Assessment and Anti-corruption Assessment of Laws in Healthcare Sector
<b>Contracting Authority:</b>	Regional Cooperation Council Secretariat
<b>Starting Date:</b>	15 April 2017
<b>Reporting to:</b>	RCC Secretariat/Expert on Governance for Growth
<b>Duration:</b>	<b>15 April 2017 – 20 January 2018 (40 working days)</b>
<b>Application Deadline:</b>	10 April 2017

## **I BACKGROUND**

### **Purpose**

The purpose of the assignment is to support the implementation of the South East Europe 2020 Strategy (hereinafter SEE2020) particularly in the area of anti-corruption, by supporting the work of the relevant public authorities in three economies of South East Europe (SEE) in undertaking corruption risk assessment in the healthcare sector.

The RCC Secretariat aims at assisting governments that transposed the Regional Methodology on Corruption Risk Assessment in Public Institutions and/or Regional Methodology on Anti-corruption Assessment of Laws into national anti-corruption practices. The assistance will focus on development of a Checklist of Corruption Risks for Healthcare Sector, as well as assisting competent authorities in carrying out, according to the developed Checklist, the legislative and/or institutional risk assessment in certain sub-sectors of healthcare, as agreed with beneficiaries.

The Checklist of Corruption Risks for Healthcare Sector will be designed according to healthcare sector structure. Expert will clearly lay down all possible risks for each of the sub-sector

chapters, attributing them to the risk category and proposing possible ways of mitigation. The document shall serve as a guide when conducting corruption risk assessment in healthcare-related institutions or when carrying out anti-corruption assessment of healthcare-related laws.

### **Background information**

The need to counter corruption is essential to the broad goal of promoting growth, since corruption is a major deterrent to investment. In this context, one of the key actions within the Anti-corruption Dimension of the SEE2020 is to introduce simple, clear, enduring and transparent rules of access to public services.

To help governments achieve that goal, the Regional Cooperation Council, in partnership with the Regional Anti-corruption Initiative, developed the Regional Methodology on Corruption Risk Assessment in Public Institutions, as well as the Regional Methodology on Anti-corruption Assessment of Laws. The Regional Methodologies were adopted by International Forums and accompanied by 10 Principles for Effective Corruption Risk Assessment in Public Sector, and 10 Principles of Effective Corruption Proofing.

Since then, the Regional Anti-corruption Initiative has been providing technical assistance to implement the Regional Methodologies at national level. As a result, governments of Albania, Bosnia and Herzegovina, The Former Yugoslav Republic of Macedonia, Serbia and Moldova developed or upgraded their policies related to corruption risk assessment and/or anti-corruption assessment of laws; new specialised units were created and new methodologies were put in place. However, the described corruption preventive measures remain underdeveloped in certain economies due to lack of skills and competencies of those entitled to carry out the assessments. The RCC will further assist governments in need to strengthen their capacities through the sectoral approach to corruption risk assessment/anti-corruption assessment of laws.

The RCC's Public Opinion Survey "Balkan Barometer 2016" revealed corruption as being the issue that had grown in importance for SEE. At the regional level 27% mentioned corruption as one of the top problems, up from 15% in 2014. Furthermore, people in the region consider that health sector is the second most vulnerable when it comes to giving and taking bribes, and the

abuse of position and power for personal gain. A special focus on corruption prevention in healthcare sector through corruption risk assessment/anti-corruption assessment of laws could contribute to addressing this situation.

## **II DESCRIPTION OF RESPONSIBILITIES**

### **Objectives and scope of the assignment**

The purpose of the assignment is 1) to assist the RCC Secretariat in developing a detailed checklist of corruption risks for healthcare sector, usable for corruption risk assessment systems as well as for anti-corruption assessment of laws, and 2) to assist the implementing bodies (up to three as identified by the RCC Secretariat) in undertaking corruption risk assessment in healthcare-related institutions or in carrying out anti-corruption assessment of healthcare-related laws.

The Checklist shall follow the classic design of healthcare system, as applicable for any economy in the region. It should contain a list of specific corruption risks that can be found in healthcare related legislation and institutional processes, delineating their group (legislation or process related) and category (according to corruption offences/preventive mechanism as foreseen by UNCAC). Furthermore, the Checklist shall also contain possible ways of mitigating the stipulated risks.

In the second phase of the assignment, the expert will assist the anti-corruption bodies from up to three economies to undertake corruption risk assessment/anti-corruption assessment of laws according to the Checklist, and bearing in mind the RCC/RAI Regional Methodology on Corruption Risk Assessment in Public Institutions, and the Regional Methodology on Anti-corruption Assessment of Laws.

For this purpose, the expert will visit the selected anti-corruption bodies to explain the Checklist and how to integrate the use of it into the respective mechanism of corruption risk

assessment/anti-corruption assessment of laws. The expert will be in email contact with respective national working group/people to provide further explanations or answer related questions. S/he will assist the partner in developing the draft final report (integrity plan) by providing substantive comments to the document produced by the beneficiary anti-corruption body.

**Tasks:**

- Produce the first draft of the Checklist of Corruption Risks for Healthcare Sector applicable for corruption risk assessment and anti-corruption assessment of laws;
- Address the RCC's comments and finalise the Checklist of Corruption Risks for Healthcare Sector;
- Present the Checklist and train the competent authorities from up to three economies at national two-day events organised by the RCC;
- Assist the national Working Group via email on use of the Checklist in the process of corruption risk assessment/anti-corruption assessment of laws by providing comments and recommendations, and answering questions related to the use of Checklist;
- Assist the national authority in finalising the report (integrity plan) by providing comments and recommendations on the identified risks and ways of mitigation.

The envisioned level of effort is set at a maximum of 40 days of expert/s input with three trips within the region.

The expert will report to the Expert on Governance for Growth at the Regional Cooperation Council.

**Deliverables & Timeframe**

The total duration of the engagement will be nine months, starting on 15 April 2017 and finishing by 20 January 2018.

<b>DELIVERABLE</b>	<b>DEADLINE</b>
<ul style="list-style-type: none"> <li>• First draft of the Checklist of Corruption Risks for Healthcare delivered to the RCC Secretariat for comments</li> </ul>	20 May 2017
<ul style="list-style-type: none"> <li>• Final Checklist of Corruption Risks for Healthcare delivered to the RCC Secretariat for approval</li> </ul>	5 June 2017 (or in two weeks after receiving the comments from the RCC)
<ul style="list-style-type: none"> <li>• Training of the competent authorities for Checklist use</li> </ul>	30 September 2017
<ul style="list-style-type: none"> <li>• Assisting competent authorities in using the Checklist and produce the final report (integrity plan)</li> </ul>	20 January 2018

### **III COMPETENCIES**

RCC is looking for an expert with strong background in drafting regional/international anti-corruption related operational manuals/standards, with extensive experience and understanding of corruption risk assessment and anti-corruption assessment of laws (corruption proofing) mechanisms. The expert needs to demonstrate knowledge of healthcare system.

#### **Qualifications**

<b>Education:</b>	<ul style="list-style-type: none"> <li>▪ Advanced degree in a closely related field of expertise</li> </ul>
<b>Experience:</b>	Qualifications required

	<ul style="list-style-type: none"> <li>▪ Minimum of 7 years of relevant experience;</li> <li>▪ Proven record of knowledge and expertise in the area of corruption risk assessment and assessment of laws with an anti-corruption focus;</li> <li>▪ Experience in conducting similar tasks;</li> <li>▪ Proven experience in working for regional/international organisations/projects;</li> <li>▪ Experience in SEE is considered an asset;</li> <li>▪ Demonstrable drafting skills for theoretical publications and practical tools/guides and legal instruments;</li> <li>▪ Proven analytical skills and ability to conceptualise and write concisely and clearly;</li> <li>▪ Proven communication and presentation skills and ability to work in an environment requiring liaison and collaboration with multiple actors including government representatives, international organisations, and other stakeholders;</li> <li>▪ Proven experience in the field of corruption proofing of legislation is considered an asset.</li> </ul>
<p><b>Language requirements:</b></p>	<ul style="list-style-type: none"> <li>▪ Fluency in English, as the official language of the RCC;</li> <li>▪ Knowledge of other RCC languages is an advantage.</li> </ul>
<p><b>Other:</b></p>	<ul style="list-style-type: none"> <li>▪ Advanced computer literacy, familiarity with MS Office applications.</li> </ul>

**Core competencies**

- Demonstrates professional competence to meet responsibilities and post requirements and is conscientious and efficient in meeting commitments, observing deadlines and achieving results;
- Results-orientation: Plans and produces quality results to meet established goals, generates innovative and practical solutions to challenging situations;
- Communication: Excellent communication skills, including the ability to convey complex concepts and recommendations in a clear and persuasive style tailored to match different audiences;
- Team work: Ability to interact, establish and maintain effective working relations with a culturally diverse team; and
- Client orientation: Ability to establish and maintain productive partnerships with regional and national partners and stakeholders and pro-activeness in identifying the needs of beneficiaries and partners, as well as matching them to appropriate solutions.

#### **Core values**

- Demonstrates integrity and fairness by modelling RCC values and ethical standards;
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability.

#### **IV QUALITY CONTROL**

The expert should ensure an internal quality control during the implementing and reporting phase of the assignment. The quality control should ensure that the documents comply with the above requirements and meet adequate quality standards before sending them to stakeholders. The quality control should ensure consistency and coherence between findings, conclusions and recommendations. It should also ensure that findings reported are duly substantiated and that conclusions are supported by relevant judgment criteria.

The views expressed in the Checklist will be those of the contractor and will not necessarily reflect those of the Regional Cooperation Council. Therefore, a standard disclaimer reflecting this will be included in the report. In this regard, the expert may or may not accept comments and/or proposals for changes received during the above consultation process, with the exception of the compliance with the RCC rules and practices on naming. However, when comments/proposals for changes are not agreed by the expert, he/she should clearly explain the reasons for his/her final decision in a comments table.

### **Quality control by the Regional Cooperation Council**

The expert outputs shall undergo an external review. The draft Checklist shall be reviewed in parallel by representatives of the Dimension Coordinator and the Regional Cooperation Council.

The final draft shall be reviewed by the Regional Cooperation Council taking account of the comments made and how the expert has handled these comments. The approved final document will be subject to a quality assessment by SEE 2020 Strategy Coordination Unit of the Regional Cooperation Council, upon whose endorsement the document would be distributed. Therefore, the final report should be of a publishable quality.

## **V APPLICATION RULES**

Qualified candidates are invited to send an application via e-mail to [ProcurementforRCC@rcc.int](mailto:ProcurementforRCC@rcc.int) no later than: 10 April 2017, at 17.00 Central European Time.

The consultancy will be awarded to the highest qualified applicant based on the skills, expertise, and the quality of the concept note and the cost-effectiveness of the financial offer.

Only short listed candidates will be contacted.

The application needs to contain the following:



- Letter of interest for the assignment;
- CV(s) including information on relevant knowledge and experience, as well as a list of publications if applicable;
- Reference list including contact details (e-mail addresses) of referees;
- An outline work programme of a maximum of 3 pages describing the main issues, a possible structure of the Checklist, sources of information to be used, research tools to be employed by the expert;
- Application Submission Form, Annex 1;
- Financial offer.

When preparing the financial offer, the applicant should take into account the following:

- The proposed budget should include daily fee rate for consulting services; the fee rates should be broadly consistent with the EU framework rates for these types of professional services.

**ANNEX I: APPLICATION SUBMISSION FORM**

**REF: 009-017 Open Call for Consultancy Services**

**One signed copy** of this Application Submission Form must be supplied.

1 SUBMITTED by:

Name	
Surname	
Address	
Telephone	
Fax	
e-mail	

3 **DECLARATION**

[Name ] \_\_\_\_\_ hereby declares that we have examined and accepted without reserve or restriction the entire contents of the Open Call for Consultancy 009-017.

And we are not in one of the following situations:

- (a) 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) Have been convicted of an offence concerning their professional conduct by a judgment which has the force of res judicata;
- (c) Have been guilty of grave professional misconduct proven by any means which the Contracting Authority can justify;

- (d) 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 country of the Contracting Authority or those of the country where the contract is to be performed;
- (e) Have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity.
- (f) Are civil servants or other agents of the public administration of the RCC Participants, regardless of the administrative situation, excluding us from being recruited as experts in contracts financed by the RCC Secretariat.

We offer to provide the services requested in the open call for consultancy on the basis of supplied documentation subject of this call, which comprise our technical offer and our financial offer.

Name and Surname	
Signature	
Date	

**ANNEX II: BUDGET BREAKDOWN**

**REF: 009-017**

No Cost categories	Daily fee rate	Total Cost
<b>2 TOTAL COSTS</b>		
<b>3 VAT (if applicable):</b>		
<b>GRAND TOTAL (2+3):</b>		

**NOTE:**

Proposed daily fee rate for consulting services should be broadly consistent with the EU framework rates for these types of professional services.

It is estimated that experts would conduct the workshops. Costs of the trip(s) will be treated separately based on actual costs of each trip, i.e. accommodation, meals and transport. These costs are not subject to the price ceiling.