
Terms of Reference

Institutional Consultancy for technical assistance to the Ministry of Labour and Social Welfare and the Institute for Social and Child Protection of Montenegro to review the existing foster care system and accelerate strengthening/expansion of foster care

Background and Context

Over the past two decades Montenegro has undertaken important institutional, legislative and administrative reforms to align its policies with international standards to ensure that child rights are respected and protected in accordance with the *Convention on the Rights of the Child* and the *EU Charter of Fundamental Rights*. Fundamental rights, including child rights are also a key principle of the EU enlargement process which is a national priority for Montenegro. The overall objective of UNICEF-Government of Montenegro Country Programme for 2017-2021 is to support the country's efforts towards increasing equity and ensuring inclusion of children and women who are in need of protection, live in poverty, or are marginalized so that they can exercise their rights.

In the period since 2011 Montenegro's Government (Ministry of Labour and Social Welfare) implemented a comprehensive *Child Care System Reform*, with technical assistance of UNICEF and financial assistance of the European Union (IPA 2010 and IPA 2014, IPA II). The reform followed a systematic approach to child protection, targeting all levels of the system including law reform, development of child protection standards and monitoring mechanisms, strengthening of the institutional framework, capacity building of professionals, deinstitutionalization and transformation of residential institutions for children, development of prevention mechanisms and expansion of family and community-based services for children and families. The new family and community-based services have included more intensive work on prevention of family separation, continued work on development of foster care with focus on development of non-kin foster care, expansion of the network of day care centres for children with disabilities and establishment of the first small group home for children without parental care in Montenegro.

The pre-dominant focus of the reform has been on supporting vulnerable parents and children and preventing parent-child separation. Other important objectives were building institutional capacities and local services to create family-based alternatives to institutionalization, especially expansion of foster care. In parallel to the system reform a large-scale awareness raising campaign called «Every Child Needs a Family», was implemented. As a result, the number of children in institutional care decreased by 58% in the period 2010-2018 and the placement of children aged under three, who are particularly negatively affected by institutional care, was ended in 2017. Since then, in recent months a small number of children under three were placed in institutions. From 2010 the number of non-kinships foster families in Montenegro has increased more than five-fold. Despite progress made very few children with disabilities were placed in foster care which results in them being overrepresented in institutional care.

At present, there are 364 children in foster care in the country, out of which 315 children are in kinship care and 49 children in non-kinship care. Foster carers are selected, recruited, trained, supported and monitored by local Centres for Social Work. The Analysis of the Work of Centres for Social Work (2018) showed that this role presents a range of challenges for many Centres for Social Work which are not equally equipped to fulfil this demanding task. There is a consensus that the foster care system requires an independent review and that reform efforts focused on expansion of family support services and foster care services need to be revitalized so that all children without parental care can be live in a caring family environment and achieve their full potential in life.

More work remains to be done to consolidate the results achieved and ensure quality continuation of the transformation of the social and child protection system. Further strengthening of institutional capacities to support vulnerable children and families and establish alternative family and community-based services for children is required. Having recognised that there is a need for strengthening, expansion and professionalisation of foster care the Ministry of Labour and Social Welfare plans to establish a centre(s) for foster care support.

Therefore, in 2019, Ministry of Labour and Social Welfare (MLSW) and Institute for Social and Child Protection (ISCP) requested UNICEF technical assistance to review the existing foster care system in Montenegro and provide guidance for its further strengthening.

Purpose and Objective(s)

The purpose of this assignment is to revitalize the reform efforts focused on the expansion of foster care services, so that unnecessary institutionalization of children is prevented, and children without parental care are provided with the right to live in a family environment.

The objective of this assignment is to review the existing foster care system in Montenegro and provide guidance for its further strengthening/expansion with a focus on professionalization of foster care and expanding emergency fostering (for babies and victims of violence) and fostering with intense support (for children with disabilities, children with challenging behaviour, children in conflict with the law, etc.).

Methodology and Technical Approach

A mixed methodology, including the collection of both qualitative and quantitative data will be used, during the review of the existing foster care system which will be based on a sample of 50 cases of kin-ship care and 20 cases of non-kinship care. 20 kinship and 10 non-kinship carers will be interviewed for the purpose of review and at least 30 children, beneficiaries of the foster care system. Quantitative data will be collected primarily through the official data of the MLSW (SWIS) and ISCP and tailor-made surveys for CSWs professionals (if needed). MLSW, ISCP and CSWs will make available the data from the SWIS database in accordance with applicable legislation, by taking into consideration relevant provisions pertaining to the protection of privacy of beneficiaries of SCP services. The review will be focused on identification of gaps and bottlenecks in provision of foster care services and benefits. It will provide a set of recommendations for improvement and professionalization of foster care system in Montenegro. Special consideration will be paid to application of the Human Rights Based Approach to Programming (HRBAP) principle and gender equality throughout the process. An executive summary, an integral part of the full report, will be produced containing main findings and key recommendations.

The Contractor will receive in depth guidance by the Ministry of Labour and Social Welfare, the Institute for Social and Child Protection and UNICEF and work in consultation with the staff of the Centres for Social Work, responsible staff in the MLSW, ISCP, health, education, justice, finance and other sectors, as well as children in foster care and foster families themselves.

On the basis of extensive desk review, and the results of the foster care review, the Contractor will provide concrete recommendations for key documents aimed at further developing the foster care system in Montenegro – including modules for professionalization and expansion of emergency fostering (for babies and victims of violence) and fostering with intense support (for children with disabilities, children with challenging behaviour, children in conflict with the law, etc.).

The Contractor's team of experts will work both from home and in the field. The Contractor's team of experts should include a national team member. The national team member will be in charge of supporting the international experts in the implementation of tasks specified below and the delivery of below deliverables.

Further guidelines relating to the methodology are outlined in the section "Activities and Tasks".

Activities and Tasks

The following tasks need to be accomplished:

| Task | Location | Timeline and number of working days in total for all team members |
|---|---------------|---|
| Desk review – With reference to international standards (the CRC, CRPD, UN Guidelines on Alternative Care for children), to review, within the preparatory phase, relevant legislative and policy documents (Law on Social and Child Protection, Family Law, former Strategy on Foster Care Development (2012-2016), the Rulebook on Foster care, Plan of Transformation of the "Mladost", Bijela institution for children without parental care, standards, protocols and reports concerning the work of centres for social work-the Analysis of work of centres for social work in Montenegro from 2018, Beneficiary Assessment from 2016 and Experts Report from UNICEF ECARO on prospective work in the area of child care system reform (with focus on children with disabilities), from October 2019. | Home-based | 5 working days – (tentatively by 5 th February 2019) |
| To develop a draft methodology and timeline for the review of the existing foster care system in Montenegro, including detailed fieldwork methodology, review of individual cases, incorporation of data from the Social Welfare Information System and interview schedules. | Home-based | 5 working days (by 10 th February 2020) |
| To finalize the methodology on the basis of MLSW, ISCP and UNICEF comments and comments of the Ethical Review Committee. | Home based | 2 working days (by 20 th February 2020) |
| To organize and schedule review process (mostly with the support of the national team member). | Home based | 1 working day (by 2 nd March 2020) |
| To conduct review process/field work; organize necessary interviews with representatives of national institutions; engage in in-depth review of the foster care system by reviewing a sample of individual cases, in cooperation with the CSWs, other professionals, children and families, recipients of foster care, and obtain data about the quality of care, as well as quantitative data through the official data of the MLSW (SWIS) and ISCP (with the support of the national member of the team). | in Montenegro | 10 working days (by 15 th March 2020) |
| Review the Rulebook on Foster Care and Transformation Plan for "Mladost", Bijela Institution, as well as the existing | Home based | 5 working days (by end of March) |

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| training modules on foster care. | | 2020) |
| To produce Draft Report with findings and recommendations from the review of individual cases and analysis of the existing documentation on foster care to strengthen and expand the foster care system in Montenegro in particular: 1) Expansion of foster care for babies, small children and victims of violence (emergency foster care); 2) Expansion of foster care with intense support (for children with disabilities, children with challenging behaviour, in conflict with the law, etc.); 3) Creation of professional foster care cadre; 4) Differentiation of the tasks of MLSW, ISCP, CSWs, child care institutions and other relevant actors, towards reaching the best modality for further foster care development/expansion. A range of different options for one or several foster care centres should be explored as part of this consultancy. 5) Key policy changes defining further foster care development. | Home based | 10 working days (by middle of April 2020) |
| To revise the Draft Report addressing comments of key counterparts, UNICEF and Ethical Review Committee. | Home based | 3 working days (tentatively by end April 2020) |
| To present the Report with recommendations to the MLSW, ISCP and other potentially national partners in order to validate findings. | In Montenegro | 1 working day (tentatively middle of May 2020) |
| To finalize the Report using feedback from MLSW, UNICEF and participants of the validation meeting. | Home based | 2 working days (tentatively middle of May 2020) |
| On the basis of the review findings and in cooperation with the Institute for Social and Child Protection to develop specific training modules on emergency foster care and foster care with intense support, to be accredited by the Institute for Social and Child Protection. | Home based | 10 working days (by middle of June 2020) |
| To finalize the modules on the basis of comments/feedback by the Institute for Social and Child Protection and UNICEF. | Home based | 3 working days (by end June 2020) |
| To organize a set of trainings for Centres for Social Work and other responsible staff (potentially from Mladost, Bijela institution) on different tasks assigned to different actors for the assessing, selection, recruitment, support and monitoring of foster carers for emergency foster care and foster care with intense support. | In Montenegro | 10 working days (by middle of July 2020) |
| To produce Final Consultancy Report | Home based | 3 working days (by 27 th July 2020) |
| To provide other related assistance, as required | | |
| TOTAL WORKING DAYS | | 70 |

Key Deliverables and Timeframe

The contractor will be engaged in the period from 1st February to 27th July 2020 for a total of 70 working days.

The contractor is expected to produce the following key deliverables with the following tentative deadlines:

| Deliverable | Tentative deadlines |
|---|--------------------------------|
| 1. Finalized methodology for the review process | 20 th February 2020 |
| 2. Conduct Review process | by end of March 2020 |
| 3. Produce Draft Report with findings and recommendations from the review of individual cases and analysis of the existing documentation on foster care development with a view of improvement and further professionalization of foster care system in Montenegro. | by middle of April 2020 |
| 4. Presentation of the Report | middle of May 2020 |
| 5. Produce Final Report | middle of May 2020 |
| 6. Develop and finalize specific training modules on emergency foster care and foster care with intense support | by end June 2020 |
| 7. Deliver specific training modules on emergency foster care and foster care with intense support | by middle of July 2020 |
| 8. Produce Final Consultancy Report | by 27 th July 2020 |

Ethical Considerations

The review of foster care system will be administered in line with the Procedure for Ethical Standards in Research, Evaluation, and Data Collection and Analysis (UNICEF, 2015) to ensure the highest ethical standards in all stages. This is necessary both in its own right and as a significant contributor to ensuring quality and accountability in the evidence generation process, especially when it involves children.

To achieve this goal, UNICEF Montenegro established an independent Ethical Review Committee in 2016, which reviews and approves research methodologies and final research reports, before their publication. The committee is multidisciplinary and multi-sectoral in composition.

As per the Terms of Reference, the functions of the Ethical Review Committee include the following:

- 1) **Reviewing Relevant Research, Data Collection and Analysis Inception Reports, focusing on a detailed research methodology:** to contribute to respect and protection of dignity, rights, safety and well-being of all children, groups and persons related to the concerned project/programme/activity. This would include participants in the research/evaluation, community at large, researchers, research community and institution/s. Tentatively, the Committee is expected to:
 - Provide feedback on the inception report and/or proposed research methodology within 5 working days following the submission;
 - Provide feedback on the draft research report no later than 5 working days following the submission;
 - Provide feedback on the final research report no later than 5 working days following the submission;

- 2) **Guidelines:** Provision of Guidelines with respect to:
 - When a full or expedited review is required and the arrangements and timelines for both.
 - Where significant ethical issues arise or where significant changes to the methodology or project occurs during the implementation of the project, the Committee should be notified and a decision made as to whether the changes or issues require ethical review.
- 3) **Analysis and Documentation:** Ensuring learning at UNICEF Montenegro and targeted capacity building of national partners through training and sessions related to ethics and other relevant issues of social research.

Management and Organisation

Management:

The Contractor will be supervised by UNICEF Montenegro Child Protection Officer, who will provide technical guidance to the process, liaise with national counterparts, and monitor implementation of the process (in programmatic and financial terms).

The Ministry of Labour and Social Welfare and the Institute for Social and Child Protection will designate focal points who will coordinate the process on their behalf, jointly with UNICEF CP Officer. They will facilitate the review process, ensure availability of necessary documents and case files, and facilitate organization of related meetings, interviews, presentations, working group meetings, etc.

Organization: Institutional consultancy is required for this consultancy. The Contractor's team of experts should include one national consultant, who will be in charge of supporting the international team members in the implementation of required tasks.

Schedule: This assignment will commence on 1 February 2020.

Qualifications and Background

Institution/Company:

- Organization/agency with proven experience and involvement in social work development and social and child protection system reforms including foster care;
- Proven ability to secure a team of consultants working across policy analysis, research, training facilitation etc. as required per assignment in these ToRs;
- Experience in working with a UN organisation and/or UNICEF will be considered an asset.

Team members with:

- University degree in social work, social policy, psychology, or other related science;
- Team leader with more than 10 years of experience in social work development and social and child protection system reforms;
- At least one team member with extensive research expertise and at least one team member with extensive experience in reviewing individual care plans in the area of social and child protection;
- At least one national team member;
- Proven track record on developing various forms of foster care, including fostering with intense support and emergency foster care;
- Expertise and experience in applying Human Rights Based Approach and gender mainstreaming and gender sensitive programming.

- Experience in working with a UN organisations and/or UNICEF will be considered an asset.

Language:

- Between the team members, excellent knowledge (oral and written) of both local and English languages is required.

Other:

- Effective communication and writing skills;
- Good interpersonal /communication skills.
- Strong analytical, synthesising, report writing, presentation skills and training skills.
- Demonstrated abilities to meet deadlines.

Content of technical and financial proposal

The proposal should consist of:

Technical Proposal including:

- a) Portfolio of the organisation/institution/agency with examples of previous work on similar projects and clients in last 5 years, which should include:
 - Title/Designation of each team member on the project and their CVs
 - Experience in working on similar project and assignment
- b) Detailed description of the methodology and technical approach, quality assurance mechanism and risk mitigation measures put in place
- c) Project implementation and work plan showing the detailed sequence and timeline for each activity and days necessary for each proposed team member

Financial Proposal (Budget) including:

- Daily fee rates for each team member per deliverable, as well as total cost per professional based on number of working days included in the technical proposal.
- Estimated reimbursable travel costs (all travel must be pre-approved by UNICEF and will be based on most direct and economy class ticket irrespective of the duration of the flight. UNICEF will reimburse the service providers upon the presentation of the travel tickets and boarding pass/receipts etc.). Daily subsistence allowance (DSA) will, where applicable, be paid up to a maximum of the official UN rate.
- Other costs if applicable.

The financial proposal shall indicate budget estimated in USD.

Proposal evaluation

The potential contractors are expected to submit a proposal based on these Terms of Reference. The proposal will be evaluated against the following criteria: (1) relevance, efficiency and effectiveness of proposed methodology and technical approach; (2) organisational and technical capacity of the applicant; (3) relevant experience in similar type of work; and (4) budget. The evaluation of submitted proposals against these criteria will be used as a basis for the selection of the contractor.

Each proposal will be evaluated against a weight allocation of 70 for the technical proposal and 30 for the commercial (financial) proposal. The total maximum obtainable points is 100.

A) Technical evaluation - Maximum points: 70

- Professional profile - 25
- Quality of Personnel and Suitability for the assignment – 25
- Proposed Methodology and Approach – 20

| Technical Proposal Evaluation Form | | Max. Points Obtainable |
|--|--|------------------------|
| 1 | Professional profile | 25 |
| <i>In brief: Evidence of experience with similar projects and clients</i> | | |
| 1.1 | Evidence of experience in similar projects e.g. social work development and social and child protection system reforms including foster care e.g. previous engagements with UNICEF or other UN agencies related to social and child protection | 10 |
| 1.2 | Evidence of familiarity with foster care system, including fostering with intense support and emergency foster care | 10 |
| 1.3 | Familiarity with key human and child rights instruments, the CRC, CRPD, UN Guidelines on Alternative Care for children | 5 |
| 2 | Proposed methodology and Approach | 25 |
| <i>In brief: Approach, methodology and workplan for the review, technical assistance and capacity building</i> | | |
| 2.1 | Overall understanding of the ToR and the needs and objectives of the assignment | 10 |
| 2.2 | An outline of the Workplan to conduct the review of foster care system with a view of strengthening and expanding the foster care system in Montenegro | 15 |
| 3 | Quality of Personnel and Suitability for the assignment | 20 |
| <i>In brief: Evidence of knowledge, skills and experience</i> | | |
| 3.1 | Profile and experience of the organization | 10 |
| 3.2 | Academic background and required professional experience of the team members (as per the ToR) | 10 |
| Total | | 70 points |

B) Financial proposal (Budget) – Maximum points: 30

-Technical proposal evaluation. Proposals passing the minimum technical pass score (49 points-70% of the maximum points obtainable for technical proposal) will continue into the Financial proposal evaluation.

-Financial proposal evaluation. The lowest price proposal will be awarded the full score assigned to the commercial proposal. -Recommendation. The recommendation for award of contract will be based on best combination of technical and financial score.

-Final award and contracts. Based on verified nominations and final scores, contract negotiations could be initiated with one or more successful Proposers.

-The UNICEF evaluation team will select the Proposal which is of high quality, clear and meets the stated requirements and offers the best combination of technical and financial score.