



Ministry of Foreign Affairs



TERMS OF REFERENCE FOR CONSULTANCY

Desk Review and Analysis on Legal and Policy Frameworks and Development of Policy Brief.

1.0 INTRODUCTION

1.1 NETWORK FOR ADOLESCENT AND YOUTH OF AFRICA (NAYA)

NAYA is a regional advocacy network founded in October 2001 by the African Regional Office of the Planned Parenthood Federation of America (PPFA).

NAYA aims at enhancing the capacity of youth advocates, adolescents, and young people including girls and young women, youth-led organisations, and policy makers to undertake advocacy at international, regional, national, and county levels in Kenya for an enabling legal and policy environment that respects, protects, fulfils, and promotes their rights.

1.2 OVERVIEW OF THE SHE LEADS PROGRAMME

She Leads is a 5-year lobby and advocacy programme jointly implemented by Plan International Netherlands, Defence for Children- ECPAT the Netherlands (DCI-ECPAT), The African Women's Development and Communication Network (FEMNET), and Terre des Hommes the Netherlands (TdH-NL) in strategic partnership with the Ministry of Foreign Affairs of the Netherlands, under the Power of Voices Framework, and Equal Measures 2030 as a technical partner. The strategic objective of the She Leads programme is to increase the sustained influence of Girls and Young Women (GYW) on decision-making and the transformation of gender norms in formal and informal institutions. This is envisioned to be achieved through the attainment of three main outcomes:

- 1 Enhanced collective action and activism by GYW in a gender-responsive civil society.
- 2 Increased acceptance of positive social gender norms.
- 3 Political institutions at all levels enable meaningful participation of GYW in decision-making.

She Leads programme is about advocacy and capacity strengthening of girls and young women-led organizations and other civil society organizations; with GYW in the lead and setting their own (advocacy) agenda.

The programme is implemented in 9 countries: East Africa (Uganda, Ethiopia, Kenya), West Africa (Ghana, Sierra Leone, Liberia), Sahel (Mali) and the Middle East (Lebanon, Jordan), as well as having Africa regional, Middle East regional and international programme components.

About the She Leads Kenya programme

Initiated in January 2021, the She Leads Kenya consortium unites child rights organisations, feminist/women's rights organisations, youth-led organisations, girl-led and (young) women-led organisations and groups, in a joint effort to contribute to the institutionalization of meaningful participation and influence of GYW in both formal and informal institutions, in a more just and inclusive environment towards the realisation of the country's development goals and gender-focused commitments, including the UN's Sustainable Development Goal 5.

To achieve this, the She Leads Kenya consortium organisations i.e: Plan International Kenya; TdH NL (consortium lead); FEMNET; Polycom Development project; Kenya Alliance for Advancement of Children (KAACR); PAMOJA CBO; Network for Adolescent and Youth of Africa (NAYA Kenya) and GEM are implementing the programme in Kajiado, Nairobi, Mombasa, Kwale, Homabay and Kisumu and with a national focus. The Kenya consortium envisages to achieve this goal by working through three interrelated domains: Central to the She Leads programme is the enhancement of collective action of girls and young women in a gender-responsive civil society (civil society domain), supported by increased acceptance of positive social gender norms (socio-cultural domain) and by enabling meaningful participation of girls and young women in decision- making by political institutions (institutional domain).

1.3 GYW VOICE IN ACTION- SHE LEADS KWALE COUNTY PROJECT

Kenya has seen significant actions over the years to develop and/or build institutions, infrastructure, and policies to promote gender equality and the empowerment of girls and women. Despite these milestones, many girls and women still lack access to basic services and remain under-represented in decision-making spaces, positions, and political leadership. The impact of the legal and policy frameworks on the lives of girls and young women has been undermined by weak implementation and failure to apply gender-lens in planning, budgeting, and monitoring the advancement of gender equality.

Additionally, the response through developed and adopted laws, policies, and programmes to combat sexual and gender-based violence is constrained by the limited capacity for prevention and protection, entrenched religious and cultural beliefs that perpetuate negative stereotypes, discrimination, gender inequality, and socio-cultural norms around gender and masculinity.

Prevailing in Kwale County are entrenched religious and cultural beliefs perpetuating negative stereotypes, discrimination, gender inequality, and harmful socio-cultural norms around gender and masculinity. Conversations with GYW confirm a systemic subordination of GYW. The challenges preventing them from achieving their aspirations include lack/limited access to education, inadequate knowledge, and skills (capacity) to engage., cultural and social beliefs, abuse of power by community leaders, inadequate parental guidance, lack of financial independence, and safe platforms for GYW to engage.

It's against this background that TdH NL in partnership with NAYA Kenya designed and is implementing the GYW's Voice in Action project in Kwale County aimed at challenging and influencing the aforementioned factors. The project promotes the institutionalisation of meaningful participation and influence of GYW in both formal and informal institutions in a more just and inclusive environment for promoting gender equity and equality.

2.0 PURPOSE AND USE OF THE DESK REVIEW

At design phase, She Leads envisioned a desk review of laws and policies and identification of existing gaps and entry points for government engagement. The purpose of the assignment was to examine and analyse County, National, Regional, and International legal and policy frameworks that are focused on the rights and empowerment of Girl and Young Women, are gender related, and focus on addressing the multiple and intersecting forms of discrimination and inequalities to achieve inclusion.

In 2021, the African Gender and Media Initiative Trust (GEM) in partnership with Terre des Hommes Netherlands (TdH NL) examined and analysed National, Regional, and International legal and policy frameworks. The report generated key insights to inform evidence-based advocacy.

NAYA is looking for a consultant to focus on the examining and analysing legal and policy frameworks at County level (Kwale County) to inform county level advocacy agenda.

2.1 SPECIFIC OBJECTIVES

- 1 To analyse relevant laws, policy(ies), and institutional frameworks in Kwale County that are gender responsive and focused on GYW's rights, inclusion, and empowerment of youth and children.
- 2 To identify gaps and opportunities for advocacy on GYW rights including meaningful involvement and participation.
- 3 To establish ongoing legislative and or policy frameworks, and opportunities for meaningful engagement of GYWs by state actors addressing gender related issues.
- 4 To provide an analysis of key government duty bearers in Kwale County levels tasked with drafting, overseeing, implementing, and enforcing gender and rights' related policies and laws including key collaborations and partnerships relevant to the identified areas of focus.

3.0 METHODOLOGY AND DELIVERABLES

3.1 METHODOLOGY

Overall, the desk review will be based on information collected through a systematic review of existing relevant policies and laws that are gender related, youth specific, focusing on children and inclusion. Based on the scope and the specific questions, the applicant will be required to propose a suitable methodology that will guarantee the desired results.

3.2 SCOPE AND DURATION

The desk review will focus on examining legal and policy frameworks in Kwale County that are gender related, youth specific, and focusing on children and inclusion.

The proposed time frame for the desk review is 10 days (including weekend) between 10th June to 20th June 2022.

3.3 KEY DELIVERABLES.

In accordance with the timetable, the consultant will produce and submit:

- 1 A draft inception report responding to the scope of work with a methodology, detailed work plan, and budget.
- 2 A desk review implementation plan (to be submitted before the exercise begins).
- 3 A draft desk review report with findings, conclusions, and recommendations based on the scope of work and specific objectives
- 4 Oral Presentation/meeting and debrief with project staff: The consultant will make a presentation to NAYA on the findings of the desk review. The debriefing meeting will be an opportunity to clarify outstanding aspects of the review and make recommendations on alignment to the scope and objectives before the finalisation of the report.

- 5 The Final Report: The consultant will be expected to produce a final desk review report. While the substantive content of the findings, conclusions, and recommendations of the report shall be determined by the consultant, the report is subject to final approval by NAYA on whether the quality of the report has comprehensively responded to the ToR and expected standards.
- 6 A summary of the report in PowerPoint with adherence to She Leads branding requirements.
- 7 Policy Brief under the identified gender related areas to be used by She Leads to strengthen implementation of the existing laws and policies in Kwale County.

NAYA will oversee the process and maintain responsibility for accountability and guidance throughout all phases of execution, and approval of all deliverables.

4.0. CONSULTANT COMPETENCIES, EXPERIENCE, AND SKILL REQUIREMENTS

The consultant engaged to undertake the assignment must fulfil the following requirements:
The team for this assignment will consist of the consultant who will have the overall responsibility for designing, implementing, and coordinating the entire process guided by the ToR.

- 1 The knowledge, skills, and expertise required areas outlined below:
- 2 The lead consultant is required to have a minimum of a Bachelor's Degree in Social Sciences or other related fields.
- 3 Sound understanding of the relevant national, regional, and international legal and policy frameworks that are focused on the rights and empowerment of Girl and Young Women, are gender related, and focus on addressing the multiple and intersecting forms of discrimination and inequalities to achieve inclusion.
- 4 A minimum of three years experience working in the field of Girls and young women, gender related programs, gender related advocacy.
- 5 Knowledgeable in and committed to a Rights Based Approach to development.
- 6 Experience in developing policy briefs and development of advocacy messages.
- 7 Has proven experience in conducting research using various methodologies with a bias to desk research.
- 8 Has excellent communication skills in writing and spoken English and Kiswahili.
- 9 Excellent interpersonal and teamwork skills.
- 10 Excellent analytical and report writing skills (concise and clear reporting, good presentation of data and sources of information)
- 11 Is familiar with social and cultural norms, and attitudes, especially in relation to girls and young women's empowerment
- 12 Proven experience engaging with county and national governments

5.0 OTHER CONSIDERATIONS

5.1. ETHICAL CONSIDERATIONS

Compliance with relevant research ethics during the execution of this assignment is non-negotiable. As such the consultant will be required to demonstrate this in the technical proposal and later in the inception report

5.2 COVID- 19 CONSIDERATIONS

The desk review will be conducted in strict compliance with the Government COVID-19 protocols to ensure the safety of all persons involved. As such the consultant will be required to demonstrate, in the technical proposal, how this will be achieved.

6.0 HOW TO APPLY

Interested applicants who meet the above criteria to submit Technical and Financial proposals electronically in PDF format, with the subject line clearly marked **“Kwale Desk Review”** via email on or before **04/06/2022 at 1700 EAT to: info@nayakenya.org**.

All applications should include the following:

- 1 Technical proposal (max. 8 pages) outlining their motivation for the application, the methodological/technical approach on how the assignment will be conducted, and the resources required.
- 2 A proposed activities schedule/ work plan with a time frame.
- 3 Financial proposal in KES detailing consultant’s itemised fees, data collection, and logistical and administrative costs.
- 4 A copy of the CV of the consultant(s).