

**SYRIA: Strengthening Governance Structures  
Terms of Reference**

**1. Introduction**

**1.1.1** The Strengthening Governance Structures (SGS) project is one of several HMG projects which are designed to strengthen responsive and inclusive governance inside Syria. This project will strengthen provincial and local governance structures with a view to providing effective services to Syrians.

**1.1.2** The project is a follow-on project to the *Support to Emerging Local Governance in Syria* project (hereon referred to as “Tamkeen”). This is strengthening governance systems at local level and introducing best-practice approaches in areas such as procurement and community-engagement. It will run until November 2016. Tamkeen was designed at a time when Local Councils (LCs) in moderate-opposition areas of Syria were nascent. For this reason, project activities have been channelled through separate groups, called Tamkeen Committees (TCs). Established by the project, the TCs generally comprise civil society representatives, LC members and community notables. The aim has been for good governance demonstrated by a TC to be replicated by an LC, with the intention of project activities transitioning to the LC as and when possible, and for communities to begin demanding better governance from their elected representatives.

**1.1.3** In its final phase, Tamkeen aims to operate in 38 communities in four provinces (though changes in the security environment may mean not all communities are accessible) across Syria – Rif Damascus, Aleppo, Idlib and Dara’a, and with three Provincial Councils (PCs) – Idlib, Aleppo and Rif Damascus. It will pilot the handing over of TC responsibilities to LCs in three communities. Documents providing details of how Tamkeen has operated will be supplied as separate attachments to these TORs.

**1.1.4** SGS will build upon the success of Tamkeen, but will focus on strengthening LCs directly. In particular it will aim to increase the capability of LCs to respond to demand and provide services to citizens in a participatory, transparent, and accountable manner. The nature of support will vary depending on the capacity of the LCs, evidence of their performance thus far, the stability of communities from conflict and lessons from the pilot referred to in the paragraph above; the programme should also take a holistic approach in each community, ensuring the engagement of other stakeholders besides the LC, in order to ensure inclusion and participation. Annex 1 contains a draft Theory of Change.

**1.1.5** The project will be funded through the Conflict Stability and Security Fund (CSSF), which draws together new and existing resources from across Government, overseen by the National Security Council (NSC). It aligns UK national security objectives with conflict prevention and stabilisation objectives.

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**1.1.6** DFID requires a Supplier to design and implement SGS. Bids should detail all of the organisations involved with the project, including those inside Syria and how these relationships will be managed.

**1.1.7** These TORs should be read in conjunction with the following documents, which will be supplied separately:

- The SGS project document
- Executive summary of the Tamkeen evaluation
- Executive summary of the latest Tamkeen Annual Review
- The draft Theory of Change (provided in Annex 1 below but also included as a separate document for ease).

## **2. Objectives**

**2.1.1** The Outcome level statement of the Strengthening Governance Structures project is:

Provincial and Local Councils have the capacity and processes to provide or oversee key services which meet community needs (including needs of vulnerable and marginalised groups), and have improved linkages to coordinate delivery between provincial and local levels.

**2.1.2** In brief, this will be achieved through:

- Strengthening the capacity to provide services of about 50 Local Councils, and 3-4 Provincial Councils (PCs);
- Strengthening the links between LCs and PCs, and, in turn, the links they have with provincial technical directorates (henceforth referred to as Provincial Directorates (PDs)); and
- Strengthening community participation and oversight.

**2.1.3** Through this Invitation to Tender, DFID wishes to contract for a project lasting three years to develop the capacity of provincial and local councils. The funding for this Invitation to Tender (ITT) will be up to £33.8M from 2016/17 to 2019/20. However the OJEU notice will detail an upper limit of £70M that may be appropriate were there to be an extension (up to a maximum of 24 months) provided there is the Business case approval, funding available and programmatic need.

**2.1.4** Suppliers should use the Theory of Change in Annex 1 as a guide to the causal chains DFID foresees in operating the project. In preparing their allocation of resources in their proposals, suppliers should focus on what is required to achieve the shorter-term outcomes, and suppliers are expected to produce a time-line for meeting these shorter-term outcomes. The contributions of the project to medium and longer-term outcomes, and the CSSF Impact statement, are much more uncertain and DFID would not expect to see significant resources allocated towards achieving them.

### **3. Scope**

#### **3.1 Purpose of the Project**

**3.1.1** The principle focus is on strengthening governance structures in moderate opposition parts of Syria. The capacity of local and provincial councils to serve their communities has been developing over time, but remains weak, and can lack transparency and accountability. Increasing their capacity will both provide models for governance within post-conflict Syria, and deliver services to Syrians.

**3.1.2** The approach that HMG has been employing to develop governance capacity is through “learning by doing”. In local governance, livelihoods, civil defence, education and community policing, for instance, we are providing not just training, but the opportunities and resources to put that training into practice.

#### **3.2 Key Requirements from the Implementing Partner**

##### **Strengthening LCs**

**3.2.1** Supporting Governance Structures will seek to work directly with LCs and PCs. In particular it will aim to increase the capability of LCs to respond to demand and provide services to citizens in a participatory, transparent, and accountable manner.

##### **Identifying LCs**

**3.2.2** The supplier for the Strengthening Governance Structures programme will need to identify communities to work in, building on what was achieved through the Tamkeen programme. Depending on security conditions it may or may not be appropriate to continue work in all 38 existing locations. The transfer of responsibilities from Tamkeen Committees to LCs is expected to have been completed in three communities by the end of the Tamkeen project. A key task for the IP will be to apply the lessons from that pilot to the work in the remaining relevant Tamkeen locations and also the new locations.

**3.2.3** The way in which the programme will work through LCs will vary depending on:

- the capacity of the LCs,
- evidence of their performance thus far;
- the stability of communities from conflict; and
- lessons learned from the Tamkeen pilot where responsibilities have been transferred from Tamkeen Committees to LCs.

**3.2.4** The IP will also be expected to add up to 12 additional communities over the course of the programme. New communities could include areas that become accessible from the Regime or Da’esh control. DFID could also review with the IP current territory under the Moderate Armed Opposition to

identify additional LCs/PCs suitable for support. Criteria for adding new communities could include:

- evidence of the LC's performance so far;
- its willingness to improve capacity;
- the size of communities (to ensure we are only working in areas large enough for there to be a legitimate requirement for an LC); and
- the presence and nature of armed groups.

DFID is already working in areas where armed groups are present, but only where the LC is independent, is not under significant pressure and where armed groups will not benefit from our support.

### **Strengthening PCs**

**3.2.5** If governance structures are to be strengthened, this necessarily includes strengthening PCs, and DFID expects the IP to work with PCs throughout the programme. As a result of SGS, staff in PCs are expected to have better skills, the ability to plan and manage those services provided at a provincial level, as well as the ability to improve coordination of LCs and oversee the work of PDs.

**3.2.6** An approach which strengthens both PCs and LCs and helps them develop their respective roles is expected to contribute towards sustainability as LCs and PCs are part of the structure for decentralisation set out in the regime's Law 107 which technically applies to regime and moderate opposition areas, but has not been implemented in the former. As modified by the Syria Interim Government's Ministry of Local Administration, Relief and Refugees (MoLARR), Law 107 sets out the responsibilities of PCs, LCs and PDs in moderate-opposition areas, and relationships between them. However, in practice, the division of responsibilities varies from one area to another, depending on factors such as the level of local conflict, differences in capacity levels, and the nature of local politics.

**3.2.7** Tamkeen is currently working with three PCs, Aleppo, Rif Damascus and Idlib. DFID might consider expanding this to include a fourth PC depending on the willingness of the PC to become engaged in this process and on security conditions.

### **Developing LC and PC Capacity**

**3.2.8** The IP will work with LCs and PCs to identify capacity development needs, drawing on:

- the structures set out by Law 107 and structures currently operational in regime areas that pertain to opposition areas;
- the product of a current assessment of LC standards, which GIZ is undertaking with the Ministry of Local Administration, Relief and Refugees (MOLARR) of the Syria Interim Government (SIG);

- assessments carried out by the Local Administration Councils Unit (LACU); and
- assessments carried out by HMG's implementing partners.

The IP will then draw up and implement a capacity development plan with the relevant LC/PC. This will include measures to strengthen financial and programme management, as well as measures to other areas identified in the capacity development needs analysis. DFID expects capacity development to be a continuous process, in line with standard definitions of "capacity development"<sup>1</sup> and the IP will not be able, for instance, to rely simply on providing training and manuals at the beginning and trusting that this will suffice. The IP will also need to engage with other HMG IPs operating inside Syria to understand their assessment of LC and PC capacity.

### **Strengthening Service-Delivery Planning Functions**

**3.2.9** The IP will provide support to ensure LCs and PCs are regularly engaging communities, have the ability to monitor and evaluate the quality of services that they and PDs are providing, and are able to coordinate support received from various donors. The IP will work with the LCs and PCs to help them identify gaps in existing service provision, understand what other organisations and projects are funding in country (e.g. NGOs, the Assistance Coordination Unit (ACU) and the Syria Recovery Trust Fund (SRTF)), and identify possible sources of provision (including by NGOs and the private sector). The IP will then prioritise with the LC/PC (agreed with DFID) which service-delivery gaps the Strengthening Governance Structures project can fill. These will be services which clearly fall under the responsibility of LCs and PCs (and not PDs). In general DFID would expect the services that fall under the remit of a local council to be municipal services, livelihoods, and local infrastructure, but are aware that in some areas local councils cover other service needs, such as health. In addition the programme may also be required to consider how to support governance structures to undertake peace building activities, but this can be developed at a later date depending on the state of the conflict and the security situation.

**3.2.10** As part of this process, the IP will help the LC/PC to assess the sustainability of recurrent delivery. The IP will be expected to work with LCs on revenue generation and cost recovery schemes.

### **Strengthening the Links Between PCs and LCs**

**3.2.11** Part of the IP's role in working with PCs and LCs, is to help them agree between them what their respective roles are with regard to the

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<sup>1</sup> "Capacity development" is understood as the process whereby people, organisations and society as a whole unleash, strengthen, create, adapt and maintain capacity over time. The phrase *capacity development* is used advisedly in preference to the traditional *capacity building*. The "building" metaphor suggests a process starting with a plain surface and involving the step-by-step erection of a new structure, based on a preconceived design. Experience suggests that capacity is not successfully enhanced in this way. Source: OECD (2008), "The Challenge of Capacity Development: Working Towards Good Practice", *OECD Journal on Development*, Vol. 8/3. p. 244

planning, delivery, coordination and monitoring of services. In the course of doing this the IP will be expected to help PCs and LCs build better vertical linkages between provincial level (both Provincial Councils and Directorates) and at local levels. In the Theory of Change at Annex 1 the IP's activities with PCs and LCs are expected to lead to improved processes and systems, a better understanding of the role of each in service delivery, and better quality and accessible services.

**3.2.12** The starting point for work with PCs will be to build on the experience of working with PCs in Tamkeen and to look at taking a more standardised approach to the responsibilities of PCs in line with the structure set out in Law 107.

### **Strengthening Community Oversight and Demand**

**3.2.13** The IP will be required to ensure the continued participation of civil society. In Tamkeen, civil society was represented in the Tamkeen Committees; under the new programme, DFID and the IP will need to consider how to ensure civil society continues to be consulted and is able to hold LCs and PCs to account. The IP will be expected to focus on developing LC and PC capacity to engage with civil society and community representatives in a structured and sustainable way.

**3.2.14** Strengthening community oversight of local governance will require close collaboration with the CSSF Civil Society programme to ensure that the IP includes in its activities organisations which the Civil Society programme is partnering with to leverage the benefit of any capacity development. The civil society programme currently works through a network of more than 50 civil society organisations across Syria to provide tailored capacity building support that seeks to enable CSOs to better represent and advocate on behalf of their communities. DFID will ensure links are made with the implementers of the civil society programme as well as other HMG programmes, but the onus will then be on the IP to ensure these relationships are developed and synergies identified which are then reflected in programme design and implementation.

### **Coordinating With Other Funders**

**3.2.15** A key part of the IP's role will be to help LCs and PCs access funding for services they wish to provide, given that SGS will not have enough funds to cover all needs. It will be key to coordinate with other donor programmes, with the governments of the USA and Germany being the main donors that DFID works with in the area of governance. The EU was a co-funder of the Tamkeen programme and will look to continue supporting SGS. The overall amount of up to £33.8M takes into account both DFID and EU funding.

### **Continuing Work on Gender**

**3.2.16** In the Tamkeen programme DFID has sought to ensure women have key roles as decision makers and are also benefiting from services provided. The former has proved challenging as the inclusion of women in Tamkeen

Committees has not always been readily accepted. In addition Shura Courts (religious courts established by armed groups) have deemed the mixing of men and women illegal in some areas. As a result, in some communities women were represented on the main Tamkeen Committee, but in others Women's Sub-Committees have been established. In addition to trying to ensure women are involved as decision makers, Tamkeen has also sought to give women a key role in implementation: 27 communities have had women managing projects and this is expected to increase over the final months of the programme.

**3.2.17** Increasing the representation of women in local governance structures will be a key challenge for the IP of SGS since this project will be working directly with LCs and will not be able to mandate the establishment of a Women's Sub-Committee. Women and Family Affairs sub-committees are already being set up in some LCs, but there is concern that this represents less a desire to address women's concerns and more an attempt to entice donor interest and funding. This can be developed further through the inception phase, but the IP will need to consider how best to ensure women have a role in decision making.

**3.2.18** The IP will also need to ensure that women play a decisive role in the community engagement process which LCs will be required to carry out, and that this is reflected in the funding provided to LCs for service delivery. Separately DFID will also be expecting the IP to regularly consult civil society for feedback on LC performance, and part of this will include specific feedback from women.

## **4. Research and Monitoring**

### **4.1 General Expectations**

**4.1.1** Because it is not possible for DFID to undertake its own monitoring of the programme inside Syria, we expect the IP to include in its response to this ITT robust monitoring, beneficiary feedback loops and analytical work to understand how the programme is being implemented on the ground, and explore outcomes (intended and unintended). We expect the IP to ensure all activities are conflict sensitive and include specific monitoring of the project's impact on the local conflict context to strengthen our understanding of unintended consequences. Finally, we expect the monitoring component of the project to consider and monitor the effect of the project on women and girls, and other groups such as Internally Displaced People (IDPs). DFID will also contract a separate independent evaluation of the programme which will assist in identifying opportunities for learning, and will potentially include this programme within broader HMG-contracted third party monitoring. However, this should be seen as complimentary to, not a substitute for, robust monitoring by the IP.

### **4.2 Theory of change**

**4.2.1** The draft theory of change (ToC) for the programme can be found in Annex 1. Medium and long term outcomes as well as impact statements in the

ToC are drawn from the UK's overall theory of change for the Syria CSSF and so reflect aspirations broader than this programme alone. Suppliers should reflect and critique this theory of change (including assumptions) in their proposals/proposed methodology. The theory of change will be expanded upon and refined by the IP in consultation with DFID during the inception phase. This will draw upon the ideas contained in the IP's response to the ITT and research undertaken during the inception phase. Once agreed, the programme's logical framework will be then be refined and agreed based on the finalised theory of change.

**4.2.2** The theory of change will be an important tool in refining, agreeing, reviewing and articulating the programme design throughout the programme cycle. A strong theory of change will also underpin and improve the effectiveness of M&E arrangements (internal and external). It is therefore important that the programme theory of change is realistic and achievable given the programme timeframes, considers the impact of the programme on different groups, is evidence-based (or acknowledges lack of evidence), and is used as a tool for reviewing and improving the conflict and gender sensitivity of the programme. A strong theory of change will also reflect different contexts within which the programme will work (for example, differing levels of conflict, besieged and non-besieged areas) and demonstrate the programme's flexibility to respond to changes in context. The assumptions will therefore be critical (and should be monitored appropriately) but it may also be appropriate for theories of change to demonstrate that different outcomes may be expected in different programming contexts/causal pathways may vary.

### **4.3 Logical framework**

**4.3.1** As the theory of change is finalised during the inception phase, a draft results statement will be developed by the IP, in discussion with DFID, into a full logical framework. During the inception phase, the IP will be expected to set up a monitoring and measurement system to ensure that there is a clear method of demonstrating how local governance will be advanced and supported. The IP will also be expected to demonstrate a clear process for consultation with, and involvement of, the communities affected, with special attention to the involvement of vulnerable and marginalised groups (including women) and how they can be connected to local governance structures.

**4.3.2** The programme provides a rare opportunity to generate evidence on what works to build local governance capacity and deliver services in geographical areas affected by conflict. Whilst it is the IP's responsibility to monitor programme outcomes and respond to findings, DFID will largely rely on the independent evaluation's findings to test the theory of change and create learning. The IP will however be expected to use its monitoring processes to manage and mitigate against the high risks of this programme. DFID is keen to see effective beneficiary feedback on an ongoing basis that can be used to identify issues and actions to resolve them.

**4.3.3** As the programme will be managed remotely, the ability to effectively monitor programme implementation and outcomes (intended and unintended)



within Syria will be crucial. We will encourage suppliers responding to the Invitation To Tender (ITT) to consider how existing Syrian organisations and networks can best support monitoring and accountability functions.

**4.3.4** DFID will undertake an independent evaluation of the project. This will be a separate contract and is likely to commence at a similar time to SGS. The evaluator and project IP will be expected to coordinate on data gathering. Findings from the independent evaluation will be triangulated with IP reporting. Given the challenges of conducting robust quantitative data collection in Syria, suppliers should consider how to use qualitative data for logframe reporting.

## **5. Contact with the SIG**

**5.1.1** We do not expect suppliers to contact the Syria Interim Government (SIG) whilst writing their responses to the ITT. If suppliers wish to contact the SIG, they should discuss this with DFID, but we do not expect this to be necessary prior to the awarding of contracts. Once implementation commences, DFID will arrange meetings with the SIG, if required, and will attend with the implementer.

## **6. Methodology**

**6.1.1** SGS should continue work in areas currently covered by Tamkeen, but this should be explored in the inception period on the basis of the security situation inside Syria. However, the project will need to operate across northern and southern Syria. DFID will not expect suppliers responding to this ITT to have identified specific areas as part of their response.

**6.1.2** The process for developing the project will be as follows:

- **Responding to ITT:** Technical responses to these terms of reference, should not exceed 30 pages, excluding CVs, annexes and diagrams.
- **Inception Phase:** If the response to the ITT is successful, there will be a twelve week inception phase for a handover of responsibilities from Tamkeen to Strengthening Governance Structures and completing the design of the new project. If suppliers feel a shorter or longer inception phase is required they should provide a rationale in their technical response.
- **Implementation Phase:** Full implementation of the project would be subject to DFID being satisfied with the completed design submitted at the end of the inception phase and there being no change in factors which are important for the successful implementation and for avoiding harm.

## **7. Deliverables and Time Table**

### **7.1 Deliverables Expected in Response to the Invitation to Tender**

**7.1.1** In their response to the ITT, suppliers should outline their methodology, key deliverables and timeframes. Suppliers should base their response on

the draft Theory of Change, but are welcome to suggest variations, given this is a draft. Suppliers should also:

- a. Propose approaches for robust monitoring of the project, including approaches for establishing baselines (where appropriate) and developing a logical framework. We will not expect IPs to start from scratch in areas where the current programme is operational. The existing IP for Tamkeen will be required to share baseline information as part of the handover.
- b. Include a timetable for the inception and implementation phases;
- c. Provide details of staffing inputs, days proposed for each member of staff, and a gantt chart of likely timing of staff inputs, with an emphasis on how Syrian staff will be involved. (Whilst the costs of staff inputs will be confined to the commercial proposal, information on the number of days and timing of inputs is required to properly assess technical responses.)
- d. Provide details of the management structure for implementing the project, including: location of implementing teams; the status of in-country registration of the implementer (or the process envisaged to obtain it); and procedures for ensuring effective communications both between organisations within the consortium, and between locations.

### **7.2 Activities and Deliverables for the Inception Phase**

**7.2.1** DFID envisages that the inception phase will cover the following areas of work.

- Completing knowledge gathering - developing a full understanding of context and programme implementation in current Tamkeen locations
- Agreeing with PCs and LCs the general approach to working with them
- Finalising design of the programme and implementation methodology. This would include agreeing reporting dates and milestones.
- Refining and agreeing theory of change, and drafting Logical Framework based on this
- Developing the M&E plan

**7.2.2** The outputs from the inception phase will include, but not be limited to:

- Methodology for implementing the programme;
- Details of institutions and organisations that the programme will work with, including details of meetings held so far and agreements made;
- Agreed theory of change and draft logical framework;
- A detailed programme delivery plan, including milestones of both activities and expenditure, and details of the approach to be employed to extending the project to 12 extra communities;
- Full M&E plan

- A comprehensive risk assessment and mitigation framework

### **8. Accountability and Performance**

#### **8.1 Contractual Accountability**

**8.1.1** The contract will be for three years and there will be a clear break between the inception and implementation phases, as well as annual break clauses. Moving from one phase to the next will be subject to acceptance of deliverables, satisfactory performance of the supplier and approval of the supplier's inception phase report and annual work plans.

##### **8.1.2 Contract Phases**

- a. Phase 1: Inception phase
- b. Phase 2: Project Implementation

**8.1.3** DFID will contract an independent evaluation of the project which is intended to be active throughout implementation.

**8.1.4** Programme performance will be evaluated through a combination of process related milestones and output-based Key Performance Indicators (KPIs). These will be agreed between DFID and the supplier, but should take into account the following strategic objectives of the programme:

- Ability to deliver strategic impact;
- Expertise in governance and in delivering inside Syria or other active conflict zones;
- Commitment to senior level engagement in the programme and deploying well qualified staff in the field;
- Robust monitoring, investment in data on beneficiary needs and perceptions of service quality, and appropriate mechanisms and analytics to inform programme and generate learning
- Compliance with UK Government Counter Terrorism legislation and other relevant legislation as well as compliance with DFID reporting requirements;
- Politically astute, conflict sensitive operations and a commitment to effective engagement of Syrian stakeholders;

**8.1.5** Payments during the inception phase will be made against firm milestones, and these should be included within the commercial proposal. An appropriate form of contract for the implementation phase and details on how payments will be made during the implementation phase will be agreed between DFID and the IP during the inception phase. This is envisaged to be broadly input-based, but may include a small element of performance-based

payment: this would be linked to the performance of the supplier in terms of their collaboration and partnership with DFID, and not to delivery on the ground given the operating environment in Syria.

**8.1.6** Progress will be informally reviewed regularly, to enable programmes to react to changing circumstances inside Syria. Formal monthly narrative and financial reports will document progress.

### **8.2 Constraints**

**8.2.1** Given the fluid situation inside Syria, DFID reserves the right not to proceed with the project, or to request adaptations to the project. The supplier will be responsible for making an initial assessment of potential local partners, who must be actively pursuing an alternative to the conflict and be committed to democratic ideals, but final selection of recipients and geographic concentration will be done in close collaboration with DFID.

### **8.3 Dependencies**

**8.3.1** This project is not a vehicle for managing the delivery of humanitarian assistance. The UK's humanitarian assistance to Syria is managed and delivered by the Department for International Development and is not eligible for funding under the CSSF. The supplier will however be required to coordinate closely with humanitarian actors, DFID can provide some contact details but the onus will be on the supplier to ensure coordination is taking place.

**8.3.2** The project should seek to avoid duplicating other similar on-going initiatives carried out through other HMG programmes or through programmes supported by other donors. The programme should take a holistic approach to the participation of other stakeholders in 'a community', including CSOs and other donors, to ensure engagement and prevent duplication.

### **8.4 Reporting**

**8.4.1** The Senior Responsible Officer responsible for this ITT is the Head of DFID Syria Conflict and Stability Programmes.

**8.4.2** The IP will be expected to report regularly to DFID on progress, providing monthly financial and narrative reporting in addition to quarterly progress reporting. DFID may issue guidance on how the report is to be produced and what should be included, and this may be followed by a comprehensive review meeting to take place between HMG and the supplier.

**8.4.3** DFID will conduct an annual review just before the anniversary of the start of the project.

**8.4.4** At the end of the programme, we expect a programme summary and lessons learned report, and a lessons-learned workshop to take place.

### **8.5 Duty of Care**

**8.5.1** The Supplier will be responsible for the safety and well-being of its personnel and third parties affected by its activities detailed in this TOR, and will be responsible for the provision of suitable security arrangements for their domestic and business property. *Capabilities to deliver these Duty of Care responsibilities will be evaluated during the ITT tender phase.* At that stage, bidders will be asked to develop their tenders on the basis of being fully responsible for Duty of Care and that they have the capability to provide security and duty of care for the duration of the contract.

**8.5.2** All Supplier personnel (including its employees, sub-contractors or agents) engaged under a DFID contract will come under the duty of care of the lead Supplier. The Supplier is responsible for the safety and well-being of its personnel and any third parties affected by its activities, including appropriate security arrangements. The Supplier will also be responsible for the provision of suitable security arrangements for its domestic and business property. DFID will share available information with the Supplier on security status and developments in-country where appropriate. Travel advice is also available on the FCO website and the Supplier must ensure it (and its personnel) are up to date with the latest position.

**8.5.3** The Supplier will be required to operate in conflict-affected areas and parts of it are highly insecure. The security situation is volatile and subject to change at short notice. The Supplier should be comfortable working in such an environment and should be capable of deploying to any areas required within Syria in order to deliver the contract. It is not expected that the Supplier would put staff at risk or send them to the most insecure areas, but the Supplier must have the ability to monitor projects in a wide range of different districts/sub-districts across Syria.

**8.5.4** This Procurement will require the Supplier to operate in a seismically active zone and is considered at high risk of earthquakes. Minor tremors are not uncommon. Earthquakes are impossible to predict and can result in major devastation and loss of life. There are several websites focusing on earthquakes, including <http://geology.about.com/library/bl/maps/blworldindex.htm>. The Supplier should be comfortable working in such an environment and should be capable of deploying to any areas required within the region in order to deliver the Contract (subject to travel clearance being granted).

**8.5.5** The Supplier is responsible for ensuring that appropriate arrangements, processes and procedures are in place for its personnel, taking into account the environment they will be working in and the level of risk involved in delivery of the contract. The Supplier must ensure its personnel receive the required level of training prior to deployment (where applicable).

**8.5.6** The Supplier must comply with the general responsibilities and duties under relevant health and safety law including appropriate risk assessments, adequate information, instruction, training and supervision, and appropriate emergency procedures. These responsibilities must be applied in the context of the specific requirements the Supplier has been contracted to deliver (if successful in being awarded the contract).

**8.5.7** Tenderers must develop their Tender on the basis of being fully responsible for Duty of Care in line with the details provided above and the initial risk assessment matrix developed by DFID (see Annexes 5, 6 and 7 of this ToR). They must confirm in their Tender that:

- They fully accept responsibility for Security and Duty of Care.
- They understand the potential risks and have the knowledge and experience to develop an effective risk plan.
- They have the capability to manage their Duty of Care responsibilities throughout the life of the contract.

**8.5.8** DFID will not award a contract to a Supplier which cannot demonstrate that it is willing to accept and have the capability to manage its duty of care responsibilities in relation to the specific procurement. Please refer to the Supplier Information Note on the DFID website for further information on our Duty of Care to Suppliers Policy<sup>2</sup>.

### **8.6 Compliance with Counter-Terrorism Legislation<sup>3</sup>**

**8.6.1** As per the latest draft policy statement and the interim guidance, DFID's obligations under the legislation are set out below. They apply to suppliers too:

- Identify your partners
- Keep appropriate records
- Identify risks and be clear about the process for escalating risks
- Develop good relationships with your partners
- Report any suspicions and incidents to the counter-fraud and whistle blowing unit
- DFID programme implementers and partner agencies are responsible for:
  - Being aware of the legislation and their responsibilities
  - Being aware of and vigilant to the potential risks of terrorism.
  - Ensuring their funding, assets and other resources cannot be used for activities that may or appear to be used to support terrorist activities.
  - Supporting strong governance arrangements, financial controls and risk management policies and procedures that fit their needs. This will provide better safeguards against a range of potential abuse, including terrorist abuse.
  - Keeping DFID informed of evolving risks and reporting any incidents immediately to DFID
  - Reporting any suspicions to the police. This is a legal requirement.
  - At a minimum, partners need to be aware of which Syrian organisations are designated terrorist organisations (DTO) under CT legislation.

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<sup>2</sup> <http://www.dfid.gov.uk/Work-with-us/Procurement/Duty-of-Care-to-Service-Providers-Policy/>

<sup>3</sup> <https://www.gov.uk/government/publications/operating-within-counter-terrorism-legislation>

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In addition to compliance to CT legislation, suppliers will also be required to adhere to all other relevant UK and EU legislation.

### **Annex 1: Theory of Change**

The Theory of Change for the Syria Strengthening Governance Structures project is in the diagram below. It is designed both to strengthen governance systems in moderate-opposition controlled Syria and to prepare those structures for a post-conflict state. The longer-term vision is of a strengthened local and provincial governance structure that is compatible with likely future state structures. We will work with PCs and LCs to help them take on the responsibilities envisaged in Law 107 on the basis that the law pertains to both regime and moderate-opposition areas.

#### **Developing stronger vertical linkages into emerging higher level governance structures**

As shown in the Theory of Change, Strengthening Governance Structures will have more of a focus on building better vertical linkages between provincial level and local levels. The activities with PCs and LCs are expected to lead, at output level, to improved processes and systems, a better understanding of the role of each in service delivery, and better quality services. Staff in PCs would have better skills, be better able to oversee the work of PDs, and have an improved ability to plan and manage provincial level services and finances as well as be able to improve coordination, both between LCs, but also between LCs and PDs

In the event of a political settlement and transition, we expect that there would be scope to integrate strengthened moderate local governance structures into higher level structures. In theory this would help to improve the capability, legitimacy and representativeness a new set of governance structures which could help increase the chances of stability in the longer term.

In the medium and longer term, we envisage that this will lay the grounds for governance structures at provincial and local level which would mean that the areas where the project is operating are well placed to lead by example in a future Syrian state. There would be an increased capacity of governance structures at local and provincial level to plan and provide key services, as well as improved vertical integration of planning, administration and fiscal action, and improved horizontal linkages between PCs and PDs. As well as providing services, local councils would also be generating some of their own revenue, and PCs and LCs would have improved administrative systems in place to help them manage centrally provided funds from a post-settlement government, whenever they materialise.

This will not be easy. There are significant, and as-yet-unanswered, questions over the roles and responsibilities of PCs compared to LCs. There are also differences in relationships between LCs and PCs and in the legitimacy and capacity of PCs. This has been demonstrated in the capacity development support to Aleppo and Idlib PCs through the Tamkeen programme which has shown that PCs are not clear on what support they require and that their initial priority demand will be for assistance to cover salaries. The first phase of the new programme will build on the experience of working with PCs in Tamkeen



and will look to take a standardised approach to the responsibilities of PCs in line with the structure set out in Law 107.

### **Working with Civil Society**

In addition to working closely with PCs and LCs, the Strengthening Governance Structures project will need to ensure the continued participation of civil society. In Tamkeen, civil society was represented in the Tamkeen Committees. As the Tamkeen Committee format will not be continued in the new project, DFID and the IP will need to consider how to ensure civil society continues to be consulted in a structured and sustainable way and is able to hold LCs and PCs to account. This will require close collaboration with the CSSF Civil Society programme to ensure we include organisations with whom they are partnering with to leverage the benefit of any capacity development.

There will also be a requirement on the IP to separately engage with civil society and community representatives to monitor LC performance with regards to transparency, community participation in decision making and perceptions of legitimacy. Feedback from this monitoring should be used to improve programme design and identify gaps in the LC's capacity. The Theory of Change envisages that the work with Local and Provincial Councils, and the work with civil society, will together produce a medium term outcome in which the voices of communities and civil society are included in choices around service delivery, they are more able to hold LCs to account, and the services provided by LCs and PCs meet community expectations.

# ITT Volume 3

## INPUTS

Research and understanding of local political economy and conflict dynamics

Limited stipends for staff in LCs and PCs, if considered justified

Capacity development initiatives, training packages and ongoing mentoring for LC and PC staff

Grants for LC basic service projects

Grants for relevant PC service delivery

Financial management, procurement, logistical and infrastructural support

## ACTIVITIES

IP makes assessments of scope for handover from TCs to LCs, and associated development of work plans

IP works with women to identify needs and build their skills in participation and decision making

IP identifies 12 additional LCs for SGS to work with

IP works with LC/PCs to identify capacity development needs and write capacity development plans

Training and ongoing mentoring for LC staff

Processes and systems are developed for LCs and PCs to plan, manage and monitor services, and coordinate with PDs

IP works with LCs/PCs to identify service needs (participatory needs assessments)

LCs/PCs develop proposals for grants, and procure and manage services

IP supports LCs/PCs to strengthen linkages with each other and with PDs

IP assists PCs/LCs to establish structures for regular and broad engagement with CSOs and communities

IP helps to develop local structures' ability to collect revenue and sustain salaries for the future

## OUTPUTS

Increased skills of LC technical staff to plan and manage services (including needs assessments, financial and project management), as well as to coordinate with local services run by other entities.

Increased skills and ability of women to participate in internal decision making

Improved financial management and project management processes and systems in LCs, including consultation processes with technical bodies and the relevant PD

Increased skills and ability of PCs to plan and manage provincial-level services and oversee LC provision (including needs assessments, financial and project management)

LC members have a better understanding of service delivery and their role in overseeing management of services, and increased skills to do so.

CSOs and communities are systematically consulted on local service delivery (help ensure selected services reflect community needs and are inclusive) and have some mechanisms to hold LCs to account, e.g. complaints

## Shorter Term Outcomes

LCs are more competent in identifying, planning and delivering appropriate basic services (including income-generating services where appropriate).

Improved coordination and sharing of information around services between local and provincial level.

PCs are more competent and able to oversee and provide the relevant technical support to LCs and provincial directorates, and in identifying, planning and delivering appropriate services at the provincial level.

Technical skills are better harnessed (at local and provincial levels) in the planning and delivery of basic services. Procurement and financial management is open and transparent.

Increased engagement between CSOs, local communities and LCs. Examples of CSOs and local communities able to influence LC choices around service delivery and raise issues, and LCs respond positively.

## OUTCOMES

### Medium and Longer Term Outcomes

**CSSF Outcome 1. Increased capacity of governance structures at local and provincial level to plan and provide key services; and improved vertical and horizontal linkages which are compatible with likely future state structures.**

More accessible, higher quality local services, generating income (where possible)

The voices of communities and civil society are included in choices around service delivery, and are able to better hold LCs to account. The services provided by LCs and PCs meet community expectations.

Appropriate and effective linkages between central, regional and local levels, and with civil society, enable effective delivery of basic services and economic growth.

**CSSF Outcome 5: Economic resilience and inclusive growth at community level, enabling greater stability, and reducing the appeal of extremism.**

### SYRIA CSSF IMPACT

(1) Moderate Syrian structures institutions and representatives are recognised as credible, effective, legitimate and equitable, able to deliver basic services, sustain/build an embryonic economy that will increase the resilience of Syrian communities resisting regime and ISIL abuses, and encourage/reassure all Syrians that alternatives to extremism and Assad are viable.

(2) These communities and their representatives are able to: contribute usefully to the design of transition from war to peace; represent their constituencies credibly and effectively in the political process for a new citizen-state compact; and be active local leaders in rebuilding trust, security and stability and ultimately peace in Syria.

### Assumptions:

- There are LCs that are sufficiently stable, able to operate independently, and have proven capability of decision-making and service provision, and it is possible to assess this.
- Current suspicion of PCs by some LCs will be reduced through the experience of working together
- At provincial level the project will focus on those aspects of service delivery that are the responsibility of PCs, including coordination, oversight and monitoring. Services covered by technical directorates will not be covered by the project.
- Some basic services can be delivered at provincial level (e.g. PCs and technical directorates have physical access to locations).
- LCs/PCs are willing to engage in capacity development and mentoring activities
- It is possible to coordinate with other donors who are also supporting LCs and PCs.
- Clarity is provided or emerges on division of roles and responsibilities under Law 107. If not, ways of working between LCs, PCs and technical directorates are established within individual governorates.
- Well-capacitated LCs and PCs are more able to hold civilian space from armed groups
- Effective complementarity with other CSSF and humanitarian programmes
- Local and Provincial Council technical staff stay in the council after each annual election.
- There are no councils which become excluded from the programme due to links with designated terrorist organisations
- Stipends are generally for technical staff, but elected members may also be considered for stipends in certain circumstances (eg where they also fill a technical post or where not to do so would create disharmony)
- If services are sufficiently accessible and good quality, communities will be prepared to make financial contributions towards them

**Annex 2 - DFID Overall Project/Intervention  
Summary Risk Assessment Matrix, Syria**

**Date of assessment: 19 May 2016**

**Assessing official: Simon Houghton**

Theme	DFID Risk score
Country/Region	<b>Syria</b>
<b>OVERALL RATING<sup>4</sup></b>	<b>5</b>
FCO travel advice	5
Host nation travel advice	n/a
Transportation	5
Security	4
Civil unrest	3
Violence/crime	3
Terrorism	4
War	5
Hurricane	1
Earthquake	3
Flood	2
Medical Services	5
<b>Nature of Project/ Intervention</b>	<b>5</b>

<b>1</b> Very Low risk	<b>2</b> Low risk	<b>3</b> Med risk	<b>4</b> High risk	<b>5</b> Very High risk
<b>Low</b>		<b>Medium</b>	<b>High Risk</b>	

<sup>4</sup> The Overall Risk rating is calculated using the MODE function which determines the most frequently occurring value.

**Annex 3 - DFID Project/Intervention**  
**Summary Risk Assessment Matrix, Turkey**

**Date of assessment: 30 May 2016**

**Assessing official: Kate Gwynn**

Theme	DFID Risk score
Country/Region	<b>Gaziantep, Turkey</b>
<b>OVERALL RATING<sup>5</sup></b>	<b>4</b>
FCO travel advice	4
Host nation travel advice	n/a
Transportation	2
Security	4
Civil unrest	3
Violence/crime	3
Terrorism	4
War	1
Hurricane	1
Earthquake	5 Northern, Western and South-eastern areas especially at risk
Flood	2
Medical Services	2
<b>Nature of Project/ Intervention</b>	4

1 Very Low risk	2 Low risk	3 Med risk	4 High risk	5 Very High risk
Low		Medium	High Risk	

<sup>5</sup> The Risk rating is calculated using the MODE function which determines the most frequently occurring value.

**Annex 4 DFID Project/Intervention  
Summary Risk Assessment Matrix, Jordan**

**Location: Jordan**

**Date of assessment: February 2016**

**Assessing official: Jeff Tudor**

Theme	DFID Risk score : Amman	DFID Risk score REST OF COUNTRY
<b>OVERALL RATING<sup>6</sup></b>	<b>2</b>	<b>2</b>
FCO travel advice	1	3
Host nation travel advice	-	-
Transportation	2	3
Security	2	2
Civil unrest	2	2
Violence/crime	1	1
Terrorism	3	3
War	1	3
Hurricane	1	1
Earthquake	2	2
Flood	1	2
Medical Services	2	4
Nature of Project/ Intervention	2	2

1 Very Low Risk	2 Low Risk	3 Medium Risk	4 High Risk	5 Very High Risk
Low		Medium	High Risk	

For outside Amman scores (overall, FCO travel advice, terrorism and war) reflect the border area with Syria and would be lower outside this area. Fridays in Amman can see some street demonstrations but these are usually low key and in any case, easily avoidable.

<sup>6</sup> The Overall Risk rating is calculated using the MODE function which determines the most frequently occurring value.