

Call-down Contract

Terms of Reference

Business Enabling Environment Programme – Programme Coordination

Objective and Context

1. The UK will provide up to £10 million over 2015-2018 to help improve the Business Enabling Environment in Ghana. Funding will support targeted institutions within the Government of Ghana to enact reforms; build the evidence base for reform through independent analysis and research; and support Public-Private Dialogue (PPD) to enhance the demand for and effectiveness of reform. DFID will also support the generation of evidence and research through direct commissioning and grants, as well as facilitate PPD mechanisms. The latter will be directly managed by DFID.
2. This programme addresses the need for an improved Business Enabling Environment in Ghana. While relatively positive, at 70th in the world, Ghana's Doing Business ranking has stagnated and started to fall in the last few years, with almost no major reforms carried out since 2010. In some areas, the situation has regressed rapidly and perception surveys show a declining business confidence. Private investment¹ is lower than middle income comparators. In order to compete with its global peers at a period when favourable conditions for investment flows to emerging markets are now tightening, and in order to facilitate the hitherto stifled growth of local firms and formalisation of the large informal sector, Ghana needs to ensure that its regulatory environment is on the right trajectory towards creating minimal cost and time barriers to doing business.
3. DFID support will be provided to targeted Government Ministries, Departments and Agencies (MDAs) that show a strong commitment to enacting reform, with tight financial controls. The agencies and reform areas are:
 1. **Commercial justice and contract enforcement (including arbitration)** - Commercial Courts of the Judicial Service and relevant agencies.
 2. **Improving tax payer services particularly for SME** - Ghana Revenue Authority and other relevant agencies.
 3. **Local level licensing/fees and building and construction and permits** - Ministry of Local Government and Rural Development including other related agencies.
 4. **Private Sector Policy Facility** – Developing a programme that promotes effective Public-Private Dialogue (PPD)

¹ World Development Indicators of the World Bank.

Coordination of the BEEP programme

4. The Government of Ghana's Private Sector Development Strategy 1 (2010-2015) focused on delivering economy wide BEE reforms with an embedded PPD as part of the process. The PPD platform referred to as the PSDS 1 oversight committee consisted of high level government ministers representing Trade and other sector Ministries where policy reforms were being implemented. The PSDS 1 was jointly financed by three donors (DANIDA, DFID and World Bank) and served as a platform for both monitoring funded programme activities with MDAs. The platform proved effective in pushing MDAs to deliver sound reforms but was less effective in pushing non-programme reform agendas.
5. A new private sector development strategy was developed in 2011 and referred to as the PSDS 2. The PSDS 2 has failed to deliver a programme of work or a functional PPD mechanism. GoG is working on developing a new PSDS 3 strategy with possible DFID and other donor funding for design. Meanwhile a number of donor programmes are active (see donor programme list) that directly respond to PSDS 2
6. DFID will deploy a combination of technical experts in the specific reform areas supported (*as set out in the commercial and financial cases in the Business Case*); and engage a variety of organisations and partners (identified from the stakeholder analysis and PSPF design) to support various elements of the policy engagement element of the programme.
7. The programme governance and management arrangements are as follows:
 - a. DFID will contract set of **reform specialist consultants**. These will engage with the MDAs during the inception phase to refine work plans and budgets and provide light touch technical inputs to support and guide MDAs, in particular around the six-monthly review points. During the reviews the consultants will provide six-monthly implementation reviews, together with more regular oversight as appropriate, to guide DFID's assessment of progress and disbursements to MDAs on a quarterly basis.
 - b. The delivery of the PSPF will be supported by a **PPD specialist** with both technical experience and good knowledge of the context. The specialist will play a central role, along with the programme coordinator, in refining the PSPF during the inception phase. The role of the PPD specialist during the implementation phase will be dependent on the design of the PSPF and role of delivery partners.
 - c. DFID will retain the services of a **financial management firm** to provide annual procurement and financial audits, on all disbursements through government systems. The firm will also provide capacity to Government agencies to strengthen their own systems as well as ad-hoc assurance to both government and DFID on strength of the systems.
8. DFID-Ghana is seeking the expertise of a programme coordinator to support the DFID Ghana office coordinate programme outputs and as well

as coordinate the work of the sector/thematic specialists. The coordinator should have experience of coordinating reforms directly with a government agency in Ghana. Experience of coordinating the specific reforms that BEEP will be implementing will be a plus. The coordinator must have and be able to demonstrate ability to deal with complex government relationships and ability to gain trust and traction with those partners. Demonstrated good people skills and management will be an advantage.

RECIPIENT

9. The recipient of the assignment is DFID Ghana and Government of Ghana

SCOPE OF WORK

The coordinator acting as a team leader is expected to:

10. Oversee the work of the specialist consultants including the PPD consultant during the inception phase and guide direction of the reforms in the MDAs during implementation, and oversee reporting and progress. The coordinator will also be required to closely link the work of the financial management firm with other elements of the programme delivery.
11. Lead the sectoral specialist to carry out **six monthly stakeholder reviews** of the programme bringing together a section of users¹ and representative bodies of the targeted reform areas to provide feedback on the reforms, and direction for future reform. The feedback will iteratively inform the annual work plans of the MDAs supported. As part of this review the coordinator is required to pull together the sectoral specialist work and reports into a coherent piece before submitting to DFID Ghana.
12. Lead annual reporting including taking ownership for reporting on the programme log frame and ensuring that all data for this is available or being generated by the programme partners (MDAs and others). During the inception Phase the team leader is responsible for delivering a final log frame to DFID working in close collaboration with sector specialist.
13. Lead on and provide the following deliverables (either directly or facilitating others e.g. MDAs and sector specialists to so);
 - d. Monthly reports on agency progress – consultant to provide
 - e. Quarterly² reports from the agencies with the coordinator providing an independent assessment of progress. The consultant is expected to ensure that MDAs present quarterly progress report at the required time.
 - f. The six-monthly reviews (as above)
 - g. Quality assurance of the MDA annual reports and provide an additional report (two months before the end of the BEEP programme year) a report on progress related to the logical

² The Agencies are expected to provide quarterly as well as annual reports

framework, VFM, risks and lessons learnt to feed into the DFID Annual Reviews;

- h. A mid-term strategic review at end 2016/early 2017 to assess progress and possibly areas of expansion or closure ahead of the elections at the end of the year. This review will be done jointly with DFID.

14. Working with DFID and other stakeholders to ensure the smooth running of the programme.

15. The coordinator is also expected to lead on operationalising and coordinating the PSPF once it is designed. Where the PSPF requires a third party management, the coordinator is expected to liaise closely with that to ensure it is joined up with the rest of the programme.

16. The coordinator is expected to propose to DFID if specific deviations against work plans are required and make recommendations.

17. Within the context of programme coordination the following should be born in mind:

1. VFM (refer to the business case): How key outputs and outcome in the logframe can be measures in particular cost compliance savings and working with MDAs and sector specialist to report on those.
2. Focus on results and how the key reforms being driven by MDAs can contribute effectively to log frame outputs and outcomes.
3. Coherence of the different components of the programme and how it will be managed.
4. Throughout implementation take into account gender considerations including a) whether there are particular economy wide gender issues that can be supported through advocacy elements/PSPF components of the BEEP programme b) how specific PPD action research to be commissioned can incorporate gender elements c) MDA are considering gender issues during implementation.

OUTPUTS

18. The consultant will be required to deliver the following outputs of outputs during the inception phase which is expected to last 6 weeks including two weeks after sector specialists have concluded their assignments. These terms of reference will be amended at the end of this phase with specific outputs/deliverables/KPIs for the implementation phase.

19. Inception Phase deliverables

1. Updated log frame with clear definitions of indicators and means of verification
2. Consolidated four year agency work plans and budgets

3. MDA meetings set up at strategic points during the Inception Phase
4. Proposals for how the six monthly reviews will be conducted and which stakeholders will be included.
5. Organise the first interagency coordination meeting
6. Work with agencies and financial management firm to address issues highlighted in the pre-award assessment reports.
7. Lead in making sure MDAs MOUs finalised and funding for Q1 disbursed.

20. Emerging Implementation Phase deliverables (to be amended at the end of the inception phase)

Direct Coordinator Deliverables	Consultant ensuring MDAs deliver Actions
<ul style="list-style-type: none"> Monthly progress updates to DFID 	MDA implementation
<ul style="list-style-type: none"> Quarterly assessment of progress statements following submission of MDA reports 	Quarterly MDA reports (financial and progress)
<ul style="list-style-type: none"> Six monthly consolidated reports (pulling together reports from sector specialists) and interim statement of 	MDA implementation
<ul style="list-style-type: none"> Consultant annual report including assessments of progress against the log frame 	MDA Annual report (financial and narrative progress)
<ul style="list-style-type: none"> Oversight of monitoring and evaluation 	Submission of updated MDA work plans following six monthly stakeholder reviews
<ul style="list-style-type: none"> Coordination and oversight of the PSPF (including PPD and research) 	Implementation of PSPF design
<ul style="list-style-type: none"> Organisation of quarterly interagency meetings (or more frequently as required) as well as biannual stakeholder review meeting 	MDA implementation
<ul style="list-style-type: none"> Coordinate and have oversight of procurement annual procurement plans developed by MDAs based on recommendations by sector specialists. 	Submission of updated procurement plans following six monthly stakeholder reviews

APPROACH AND METHODOLOGY

21. The coordinator will be working for DFID Ghana and Government of Ghana and **will be based in Accra**. This is a full time role but DFID will not pay for relocation or living cost in Ghana. The coordinator will work closely with the DFID Economic Development Team reporting to the DFID Deputy Programme Manager and Private Sector Development Adviser. The DFID team will work closely with the consultant throughout the assignment. The ultimate decision on whether the ToRs have been responded to will fall to DFID. There will be a briefing session at the commencement of the assignment with DFID.
22. The consultant is expected to provide DFID with a work plan for the inception phase once the contract is signed. This will enable DFID to determine all Tors' scope of work is being responded to. After the inception phase the tors will be amended to reflect the longer term implementation deliverables and thereafter the coordinator will be required to submit to DFID annual work plans (which will be updated quarterly following the submission of the consultant's quarterly reports on progress).
23. DFID intends to take forward an output based contract with KPIs which will guide DFID payment for this role. Inception Phase KPIs will be agreed on signing of the contract and amended on completion of this phase for the full implementation. The KPIs will match closely the coordinators annual work plans.
24. The consultant is expected to keep in touch with implementation partners ensuring programme deliverables are being met and reporting any challenges to DFID.

REPORTING AND DFID CO-ORDINATION

25. The coordinator will report to the DFID Programme Manager and the Private Sector Development adviser.

STAFF INPUTS AND TIMING

26. We envisage a full time coordinator working with the implementation partners and specialist consultants under BEEP. The coordinator may cost into their budgets support inputs e.g. research and other staff support. However DFID will not be funding firm overheads or paying for location expenses e.g. rent for office space etc. DFID will expect the inception phase to take no more than 30 working days. The envisaged timelines for the inception phase are as follows:

- Updated log frame with clear definitions of indicators and means of verification – Week 4
- Consolidated four year agency work plans and budgets – Week 4

- Organise the first interagency coordination meeting – Week 5
 - Work with agencies and financial management firm to address issues highlighted in the pre-award assessment reports. – Week 4
 - Lead in making sure MDAs MOUs finalised and funding for Q1 disbursed – Week 6
27. The contract will be for the full duration of the programme with the following:
- 6 weeks inception phase at the end of which the consultant can renegotiate the expenses based on work plans that have been developed and also make provision for the resources needed to manage the PSPF.
 - 3.5 years of implementation with a break clause at year 2 to review progress of work and assess performance.
28. A negotiation on how to proceed with support to the implementation of the programme will be entered into at the end of inception and after work plans have been delivered.

BACKGROUND DOCUMENTS

- PSDS 1 project completion report
- DFID BEEP Business Case
- BEE Scoping and Design Document
- Final Ghana EBES Reform Programme Document
- DFID Annual Review Template

ⁱ Some agencies already have user committees (private sector users of a particular service) who provide feedback on institutional performance. For example the Commercial courts have a cross section of bankers as members of the user committees as majority of the cases they deal with involve debt restructuring or payments.