



საქართველოს მკაცრად დაცული ტერიტორიების განვითარების, ჯანდაცვის, შრომის, ადამიანთა და სოციალური დახმების სამინისტრო



UNICEF Georgia Country Office

Terms of Reference

Local organization

Conducting a Comprehensive Study to Examine Reasons Behind Children's Institutionalization in Georgia

1. RATIONALE

Since 2005, the Government of Georgia (GoG) has been implementing the Child Welfare System reform, which significantly reduced the number of children in large-scale state-run institutions¹. All children residing in residential institutions were assessed and majority were relocated: they were either reunited with their biological families or were placed in foster care and small group homes, under the strict supervision of the Government. The GoG, with the support of international and local organizations, developed alternative care service, supported the capacity building of the respective staff and ensured that minimum standards of care were set in place. Currently, the Government, through MoIDPOTLHSA,² provides funding for services and is responsible for their monitoring.

Even though the reforms undertaken since 2005 have had significant positive impacts on the lives of many children and their families, there are still challenges remaining in the process of deinstitutionalization³. Children with complex health needs and severe disabilities are still left in two large scale institutions in Tbilisi Infant Home and Kojori Institution. Although some family-support services were developed gradually (e.g. day care services for children with disabilities or, for children from poor families, early intervention program or support to families with children in crisis situations), these services are located centrally and not sufficient to counterbalance the pushing factors towards institutionalization.

Furthermore, unregulated residential institutions started to function beyond the reach of the state social services including institutions managed by non-governmental organizations, local governments, as well as faith-based groups. The majority of these institutions are not regulated by the statutory standards, therefore, represent a shadow system of residential care services, to which children are admitted without any assessment or involvement of the statutory social services. According to different studies, 924 children currently reside in such settings⁴.

¹ Data provided by the Social Service Agency

² Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Assistance of Georgia

³ Evaluation of results achieved through childcare system reform 2005-2012 in Georgia, *EVALUATION REPORT*, The United Nations Children's Fund (UNICEF) Country Office Georgia

⁴ Equal treatment to the Schools of Faith, Final Report, Partnership for Children, 2016

Report of the Special Rapporteur on the sale of children, child prostitution and child pornography on her visit to Georgia, Human Rights Council, 21.12.2016

Rapid assessment of unregulated residential institutions of Georgia, ACT June 2018

Some evidence suggests that after the enactment of Law on Licensing of Child Care Services⁵ in September 2018, few of such settings were closed or restructured. The study conducted with the EU support states that compared to 2015 the number of children decreased in the boarding schools managed by the Muslim community. Reasons for children leaving the institution might include change of the location, new legislation, so forth. However, there is a need for further exploration and critical examination.⁶

Existing coordination mechanisms on deinstitutionalization, child protection and child rights

The Interagency Coordination Commission on the Implementation of the Convention on the Rights of the Child was established in 2016 under the Government Administration of Georgia⁷ to enhance coordination between the Government structures in child rights-related policies and programmes. The Council is responsible for the development of policy documents on child rights and coordination and monitoring of their implementation.⁸

Another policy level coordination mechanism was established under the MoIDPOTLHSA in April 2019⁹. Being narrower in scope, the United Coordination Council (UCC) coordinates actions of the MoIDPOTLHSA and other stakeholders to advance the child welfare system and ensure its quality and sustainability. This mechanism, chaired by the Minister, unites state agencies, local administration, donors, international players and local non-governmental organizations active in the area of child protection. UCC will be addressing the issue of de-institutionalization, development of family support services, and improvement in the quality of social work. It should be noted that none of the existing governmental plans have clearly mentioned exact timing of the closure or transformation of institutions to ensure the end of use of large institutions for children.

The Code on the Rights of the Child

The Code on the Rights of the Child of Georgia was adopted in September 2019 and entered into force on 1 September 2020. The Code is an umbrella document that unites all main principles crucial for a child's wellbeing and guides all state agencies, local government, common courts, public and private organizations, and individuals. The Code reinforces the policies towards de-institutionalization (DI) and support to the families, including development of the national DI strategy and action plan (Article 99-2); and development of the family support programmes (Article 28). The Code actualized the new strategic vision of the Government of Georgia on de-centralization of the governance system. Based on the decentralization strategy 2020-2025, adopted by the Government on 31 December 2019¹⁰, the local municipalities acquire more resources and power to decide on the fate of its residents. This allows for better understanding and addressing the needs of communities, including their social needs.

UNICEF Georgia supports the Government of Georgia to ensure that children live in caring family-like environments through de-institutionalization and creation of family support services. For this purpose, UNICEF in close partnership with MoIDPOTLHSA and SCA plans to conduct an in-depth study examining pull and push factors behind children's institutionalization in Georgia that will further

⁵ <https://www.matsne.gov.ge/ka/document/view/3307127>

⁶ Conducted with the EU funded project "Reinforcing Child Welfare and Protection System in Georgia" with the support of World Vision and "Partnership for Social Welfare"

⁷ Decree # 550 of the Government of Georgia on Establishment of Interagency Commission on Implementation of the Convention of the Rights of the Child, 13/12/2016

⁸ In 2018, a special chapter on child rights was developed by an Interagency Coordination Commission and included in the National Human Rights Action Plan 2018-2020⁸. The National Human Rights Strategy 2014-2020 and its action plans were the major strategic documents of the state to regulate protection of human rights in Georgia, including the rights of the child. Among other important issues, the child rights chapter defined the plans of the Government vis-à-vis de-institutionalization, strengthening of alternative care services and addressing issues of unregulated institutions. The New Human Rights Strategy and the National Action Plan are under the development.

⁹ Decree of the Minister of IDPLHSA #01-134/o on establishment of the establishment of the united coordination council (UCC) to enhance child welfare and protection system, April 8, 2019

¹⁰ Decree # 678 of the Government of Georgia on approval on the national Decentralization Strategy 2020-2025 and its Action Plan 2020-2021; 31/12/2019

inform recommendations to finalize the deinstitutionalization process and contribute to formulation and/or strengthening of relevant family support services.

2. OVERALL OBJECTIVE OF THE ASSIGNMENT

UNICEF seeks to contract a local organization to provide a situational analysis of the deinstitutionalization reform in Georgia through analyzing existing regulatory frameworks/conducted studies, progress achieved and remaining gaps in the process of deinstitutionalization (1), examine push and pull factors behind children's institutionalization in Georgia (2) and provide respective recommendations to proceed further with the deinstitutionalization reform (3). The study will be conducted in close cooperation with MoIDPOTLHSA and SCA therefore the selected organization should work closely with UNICEF and key Government counterparts.

3. SCOPE AND SPECIFIC OBJECTIVES OF THE ASSIGNMENT

The assignment entails the following tasks:

- Situational analysis that looks into progress achieved and remaining challenges in the process of deinstitutionalization. This might include desk research, compilation of already conducted studies, document analysis, in-depth interviews with major stakeholders and informants if relevant.
- Formulate an inception report containing detailed research methodology, sampling methodology, data collection and data analysis approach, consent forms and work plan for the field study¹¹
- Conduct the field study covering the following main issues:
 - Examine push and pull factors that causes families to place their children in institutions (run by the State, NGOs or faith-based groups)
 - Explore factors that encourage families to take their children back and how combined factors influence the family decision making process
 - Identify effective approaches for addressing those underlying causes (push and pull factors) for children's institutionalization
 - Identify the required support services for the maintenance of family unity and adequate parental care, to improve reintegration of children, and hence reduce the numbers of children entering institutional care
- Based on the results and conclusions from the research and analysis, elaborate specific recommendations for the DI strategy and action plan. The applicant is duty bound to present the major findings with relevant stakeholders and working groups.

For the purpose of the assignment, the selected organization should look at a variety of institutions, managed by the State, NGOs and faith-based organizations.

4. METHODOLOGY

UNICEF expects a participatory approach using quantitative or/and qualitative data obtained through a variety of research methods and statistical techniques.

In order to achieve the research objectives, various methods of data collection should be utilized including (but not limited to) obtaining qualitative information from a series of key stakeholder interviews from the government institutions, NGOs, institution management, social workers, children

¹¹ Considering the COVID-related circumstances and limitations, the inception report should include potential risks and mitigation measures to conduct the field study.

in institutions and deinstitutionalized children and their families. Desk review of documents and data, studies and national legislation should be performed.

Child participation techniques should be formulated taking into account the specificities of their age and abilities to facilitate meaningful contributions. The data collection process with children should consider the sensitivity of the subjects, its potential to traumatize or revive past traumas for participants. The organization should develop a procedure for preventing and reacting in such cases, psychological support and referral.

5. ETHICAL ISSUES

The applicant shall comply with UNICEF's Procedures for Ethical Standards in Research, Evaluation and Data Collection and Analysis (Annex 1).

The applicant should identify relevant potential ethical issues and mitigation strategies relating to potential harms and benefits, informed consent, privacy and confidentiality. Before commencement of the field work ethical review of the full research protocol (that includes all data gathering tools/instruments and methods as well as information on how ethical issues will be dealt with) may be performed by an independent and impartial ethics review board as per UNICEF Procedure for Ethical Standards in Research, Evaluation, Data Collection and Analysis. This can be performed by internal ethics review board or by the UNICEF Ethical Review Board (ERB).

The decision upon the necessity to perform independent ethics review would be based on the proposed methodology and will be done using the attached checklist (see Annex 2).

Before issuing approval, the ERB must determine that the following requirements are satisfied:

- informed consent is sought from each subject or the subject's legally authorized representative;
- the proposed research design is scientifically sound and that risks to subjects are minimized;
- any risks to subjects are reasonable in relation to anticipated benefits;
- subject selection is equitable;
- safeguards are included for subjects likely to be vulnerable to undue influence or coercion;
- subjects' safety, privacy, and confidentiality are maximized.

6. DELIVARABLES

- A situational analysis reflecting the major achievements and gaps in the deinstitutionalization process;
- An inception report containing detailed research methodology, sampling methodology, consent forms and work plan;
- A study report depicting the major findings of the field study;
- Recommendations to support the Government with the process of deinstitutionalization and family support services;
- Final analytical report and presentation of results to relevant stakeholders.

7. PAYMENT MODALITY

Payments to the contracted organization will be made in accordance to a pre-determined schedule developed before signing the contract in proportion to the work to be performed. Each payment will be based on a submission of a deliverable for the work already completed.

8. QUALIFICATIONS

- At least 5 years of experience in conducting field studies and applying various research methods;
- Substantial experience conducting studies involving children and other vulnerable groups;
- Intensive experience in the field of child welfare, deinstitutionalization, family support services or/and disability;
- Proven knowledge of the child protection and child welfare system in Georgia;
- Experience in developing comprehensive study reports and communicating with relevant stakeholders.

9. SUPERVISION

The organization will work under the direct supervision of the Social Services Officer. Overall supervision will be provided by the Child Protection Specialist.

10. CONTRACT ARRANGEMENTS

- The work will be conducted over a period of 9 months;
- UNICEF will support the contractor in establishing contact with necessary stakeholders and arrange meetings with all relevant parties;
- No Sub-Contracting is allowed or inclusion of the overhead (HQ) costs.

11. TIMEFRAME

The assignment is expected to be carried within 9 months from 10 July 2021 to 10 April 2022.

12. SELECTION AND EVALUATION PROCESS

Evaluation Criteria: The Evaluation ratio between the technical and financial proposal is 70:30.

Technical Proposal: 70

- Overall correspondence between ToR requirements and proposal (specific tasks, deliverables) – 20
- Experience of the entity in similar assignments (conducting field studies and applying various research methods, knowledge of the child protection and child welfare system in Georgia, research and professional experience in the field of child welfare, deinstitutionalization, family support services or/and disability;) – 30
- Qualifications and expertise of proposed experts – 20 points.

Total - 70

Only proposals which receive a minimum of 70% (42 points) will be considered further.

Price Proposal: 30

The price proposals in GEL should include detailed breakdown of all listed tasks and deliverables. The total amount of points allocated for the price component is 30. The maximum number of points will be allotted to the lowest price proposal that is opened and compared among those invited bidders who obtain the threshold points in the evaluation of the technical component. All other price proposals will receive points in inverse proportion to the lowest price, e.g.:

- Score for price proposal X = (Max. score for price proposal) * (Price of lowest priced proposal) / (Price of proposal X)
- Total Technical and Price 100 Pts

- UNICEF will award the Institutional Contract to the entity, whose response is of high quality, clear and meets the project goals.

The final evaluation of the proposal shall have two components # the technical evaluation score and financial evaluation score. For the overall proposal evaluation, the following formula will be applied, whereby the technical proposal has a weight of 0.7 and the price proposal has a weight of 0.3.

The final score is a calculation based on the following formula:

$SC_{com} = 100 * (0.7 * TP_{com} / TP_{max} + 0.3 * FP_{min} / FP_{com})$, where:

SCcom # final score of the company (it is between 0 and 100)

TPmax # maximum technical score (≤ 70)

TPcom# technical proposal score of the respective company

FPmin# minimum financial score (≤ 30)

FPcom# financial proposal score of the respective company.

13. DOCUMENTS TO BE SUBMITTED

- Company's profile.
- Project proposal with description of the proposed work plan, timeline and working methodology
- CVs of suggested experts.
- Information regarding organization's bank account issued by Bank (stamped).
- Filled VMIP Vendor Registration form (template is attached).
- Financial proposal.

Detailed information on application documents and procedure is provided in the Instructions to Proposers.