

**STATE DEPARTMENT FOR YOUTH AFFAIRS & CREATIVE ECONOMY**

**NATIONAL YOUTH OPPORTUNITIES TOWARDS ADVANCEMENT**

**(NYOTA) PROJECT**

**PROJECT REFERENCE: P179414**

**TERMS OF REFERENCE (TOR)**

**FOR A GENDER AND GENDER BASED VIOLENCE**

**SEPTEMBER, 2024**

# 1.0 Project Background

The Government of Kenya, in partnership with the World Bank, is supporting Youth Employment in all the Counties of Kenya through the National Youth Opportunities Towards Advancement (NYOTA) Project. The project development objective of NYOTA is to increase employment, earnings and promote savings for targeted youth at a national scale. There are 2.4 million youth aged 18-29 among the poorest 40 percent of Kenyans who fulfill one or more of these criteria. Such youth face exclusions and are often unable to access government sponsored jobs programs. As such, the project will cover approximately 35 percent of this pool.

The NYOTA Project is expected to impact 800,000 vulnerable youth across all 47 counties of Kenya including refugees in the counties of Garissa and Turkana. The project beneficiaries are youth aged 18-29 and 35 years for Persons with Disabilities (PWDs), with little or no education,who are unemployed, underemployed, or in low-tier employment with very low earnings. The project is anchored on a solid premise that better employment outcomes are realized when there are more jobs with better pay, better protection and better earnings, and more inclusive jobs for disadvantaged groups of youth.

# Project Description

NYOTA project aims to support better employment outcomes and improved savings through integrated interventions that address the myriad of constraints that the youth face. **Component 1** of the project focuses primarily on labor supply side constraints and offers **knowledge transfer and skills development in addition to intermediation related initiatives**. The component also addresses childcare related constraints for young mothers. **Component 2** focuses on the labor demand side constraints and facilitates **youth with aptitude for entrepreneurship with development on core business skills and provides them with seed money to start or expand their businesses**. It also supports social enterprises to provide similar support to the hard-to-serve youth. **Component 3** of the project focuses on **enhancing savings opportunities** among targeted youth, and **Component 4** supports **strengthening of youth employment systems and project management**

# Institutional Arrangements

The MoYACES will be responsible for the overall implementation and supervision of the project. In addition to coordinating the overall implementation of all the components, will lead the implementation of component 1. Further, on Component 1, the State Department of Labor and Skills Development (SDL&SD), National Industrial Training Authority (NITA) and National Employment Authority (NEA) will implement those parts for which they have the mandate. Micro and Small Enterprises Authority (MSEA) will take the lead in implementing Component 2 and NSSF will take the lead in supporting Component 3. Under component 4, the State Department for Micro, Small and Medium Enterprise Development (SD-MSMED) will be responsible for development of M&E system for catalytic funds. MoYACES will work closely with Department of Refugee Services (DRS) and United Nations High Commissioner for Refugees (UNHCR) on the Window for Host Communities and Refugees (WHR) components implemented in the refugee hosting areas.

# Environment and social risk and mitigation measures

The environmental and social risk rating in NYOTA project is moderate since there are no civil works of any kind included in the project activities. There are risks related to exclusion of target youths from accessing project benefits and opportunities; exacerbating or potentially giving rise to sexual exploitation and abuse, sexual harassment (SEAH), and other forms of gender-based violence (GBV); exploitation and abuse of the apprentices. The SEAH is rated moderate due to the following factors: (i) project activities may be implemented in counties where SEA is prevalent; (ii) the limited capacity of MoYACES and implementing partners to manage the risks of SEAH; (iii) risk of either exacerbating and/or potentially giving rise to SEAH during training, work experience (apprenticeships and gigs) and during the implementation of startup capital programs; and (iv) the project is likely to engage GBV survivors amongst the target beneficiaries, further exposing them to the risk of SEAH. These risks and others that emerge during project implementation will be addressed through putting in place appropriate mitigation measures and effective engagement of key stakeholders. Toward this, the project has prepared various environmental and social instruments to ensure the project is implemented in line with both Kenyan laws and regulations as well as the relevant World Bank’sEnvironment and Social Standards (ESS), whereby SEAH prevention and Response Action Plan is among them. To effectively address the Gender and GBV issues in the project, there is need to engage a gender and GBV Consultant.

# Objective of the assignment

The objective of this assignment is to guide in the implementation of the Gender and GBV aspects on NYOTA project to ensure compliance with the national laws and the World Bank Environmental and Social Framework (ESF).

# Scope of Services

The scope of this assignment will entail the following but not limited to:

1. Identify and document the Gender gaps and safety risks where the youth beneficiaries will be exposed to, in the various workplaces and youth-led businesses and advise on mitigating measures.
2. Generate standards on provision of childcare support, facilities for lactating mothers in training centers, flexible training schedules, proximal locations and transportation support where possible;
3. Develop a framework that connects young mothers to employers who offer childcare support programs and/or paid parental leave;
4. Oversee linking female beneficiaries to cooperatives, gender-linked financing facilities, women’s finance credit facilities like KCB, KWFT, and mentors;
5. Develop, translate, and monitor implementation of GBV, Sexual Exploitation and Abuse and Sexual Harassment (GBV/SEA&SH) Code of Conduct;
6. Conduct training needs assessment on GBV/SEA&SH and provide training and technical assistance to project team on GBV/SEA&SH prevention, survivor-centered support and gender-sensitive programming;
7. Together with PMU, capacity build County and National Government officers on gender mainstreaming.
8. Develop, interpret and periodically review Stakeholder Engagement Plan (SEP) on GBV/SEA&SH which shall include measures to inter alia, provide stakeholders with timely, relevant, understandable, and accessible information, and consult with them in a culturally appropriate manner free of manipulation, interference, coercion, discrimination, and intimidation. At the same time conduct and document meaningful additional stakeholder consultations with targeted refugee and host communities.
9. Establish pathways for comprehensive GBV/SEA&SH services including case management, psychosocial support and referral mechanisms for survivors, among others.
10. Map and regularly update GBV service providers in implementing counties before commencement and during implementation.
11. Ensure gender issues are captured/enshrined in standard contract provision.
12. Develop tools for monitoring of complaints related to GBV/SEA&SH arising from the project to ensure survivor’s confidentiality and rights.
13. Design Action Plan for Gender and SEA&SH outlining measures addressing GBV/SEA/SH with a clear accountability and response framework.
14. Establish and Develop Terms of Reference for GBV, SEA&SH investigation committee in the project.
15. Design IEC materials that encourage female beneficiaries to expand their business networks into male-dominated sectors, enhance access to affirmative funds, and encourage savings.
16. Advise on training modules that are sensitive to both gender across all trades.
17. Prepare a basic GBV/SEA&SH overview module to be used during the introduction and/or onboarding trainings for beneficiaries.
18. Prepare the progress, quarterly and bi-annual GBV/SEA&SH reports for the project.
19. Perform any other task related to GBV/SEA&SH as assigned by the National Project Manager (NPM).

# Required Competencies, Qualifications and Experience

This assignment requires Gender Based Violence Consultant with the following qualifications and experience: -

# Required Competencies

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| --- | --- | --- | --- |
|  | **Core values** | **Core competencies** | **Managerial competencies** |
|  | Integrity | Results orientation and accountability | Strategy and direction |
|  | Professionalism | Planning and organizing | Judgement and decision making |
|  | Respect for diversity | Team orientation | Conflict resolution |

# Minimum Requirements

1. Master’s degree in Social Science with a bias in Gender Development or other relevant field from a university recognized in Kenya;
2. 5 years practical experience in GBV/SEA&SH interventions, implementation, monitoring and evaluation of large-scale projects and programs;
3. Thorough understanding of the gender context in Kenya, and experience working with government institutions, non-governmental institutions and/or international organizations supporting gender and development work in GBV/SEA&SH;
4. Familiarity with child safeguarding, rights, emerging issues in gender diversity, inclusion and women employment good practices in public and private sector;
5. Familiarity with gender analysis tools/approaches and methodologies for result based management in GBV/SEA&SH;
6. Demonstrated ability to plan, organize logically, effectively implement and meet set deadlines;
7. Proven capacity to offer training and capacity development of professionals, project teams, community groups and vulnerable and marginalized groups at community level on GBV/SEA&SH;
8. Excellent written and oral communication skills with fluency in English and Kiswahili;
9. Excellent presentation skills;
10. Proficiency in computer applications;
11. Be sensitive and adaptable to gender, age, differently abled persons, religion, culture, race and nationality;

# Location of Assignment

The Consultant will be based at the PMU, within the Ministry of Youth Affairs, Creative Economy and Sports, Head Quartered in Nairobi, with site visits to various parts of the country.

# Client Obligations

The Client will provide the following support to the Consultant:

1. Office space
2. All available relevant documentation to the Consultant, such as the Project Appraisal Document, Periodic Reports, Program Manual, etc.
3. Introductory letters to key stakeholders to facilitate communication.
4. Facilitate review and dissemination meetings with key stakeholders; and
5. Facilitate liaison with other program-implementing partners

# Timeframe, Duration and Commencement of the Assignment

The Consultant will be engaged for 200 days distributed for a period of 24 months based on the deliverables and agreed Consultancy days within a calendar year by the Client.  The contract period will be renewed subject to satisfactory performance or on need basis. The Consultant will report to the National Project Manager.

The assignment will commence immediately after signing of the contract.

# Submission of Reports

The above reports shall be submitted to:

PRINCIPAL SECRETARY

SDYACE – NYOTA PROJECT

Bruce House - 3rd Floor

P.O. Box 34303-00100

# Nairobi, Kenya

MoYACES will be the substantive owner of the reports and will have copyright ownership.

# Remuneration and Payment Schedule

Remuneration will be based on national competitive rates for this specific specialized field of knowledge and will reflect the selected candidate’s area of expertise and relevant work experience, provided he or she has satisfactorily fulfilled all requirements to become a candidate for this Consultancy.

The Consultant will be paid on a monthly basis, based on schedules agreed at the negotiation stage, and the actual calendar of payments and the specific amounts to be paid per month will be disclosed by the NPMU. Subsistence expenses will be reimbursed.

# Selection Method

Selection of an Individual Consultant in accordance with provided Consultant ToRs, Kenya laws and World Bank’s Procurement Regulations for IPF Borrowers’ fifth edition revised September 2023.

# Financial Proposal

The Consultant will propose his/her rates for these services as per attached schedule in the invitation for expression of interest. The rates in the proposal shall include all of the Consultant’s costs including the applicable statutory deductions.

# Acceptance

All rights are reserved with SDYACE to either approve or disapprove any proposal without giving any reasons whatsoever.

# Confidentiality Statement

All data and information received during the assignment, from respondents, NYOTA Agencies and the World Bank are to be treated confidentially and are only to be used in connection with the execution of these Terms of Reference. All intellectual property rights arising from the execution of these Terms of Reference are assigned to SDYACE. The content of written materials obtained or prepared in this assignment will not be disclosed to any third parties without the expressed advance written authorization of SDYACE and/or the World Bank.

# Complete application documents consisting of:

Applications accompanied with detailed Curriculum vitae and copies of relevant documents and testimonials should be submitted in a plain sealed envelope, clearly marked with the contract reference number and title of the consultancy in two sets with Sealed financial proposal labelled ‘FINANCIAL PROPOSAL’ sent or delivered to the address below and deposited to the Tender Box at Bruce House, 3rd Floor.

The Principal Secretary,

State Department of Youth Affairs and Creative Economy,

Bruce House 3rd Floor, Standard Street,

P. O. Box 34303 – 00100, Nairobi,

Kenya.