



TERMS OF REFERENCE

Project	EuropeAid/139521/DH/SER/BT – Bhutan Technical Assistance Complementary Support project (EU TACS)
Role	Junior Non-Key Expert (JNKE): DLG and Gup Capacity Development A1.13: EU-TACS - DLG Governance and Capacity Development Support; A2.11: GUP Handbook development; and A1.11: Training for Gups and Gewog administrators
Start/ end date	Intermittent from 1 November 2020 to 31 July 2021 Total 112 working days
Inputs	A1.13: DLG Governance and Capacity Development Support: 85 days (1 Dec 2020 – 30 June 2021, approximately 10 days per month) A2.11: GUP Handbook development: Up to 21 days (1 – 30 Nov 2020) A1.11: Training for Gups and Gewog administrators: Up to 6 days (1 – 31 Dec)
Travel	Travel to Dzongkhags and Gewogs, as required, Covid-19 travel restrictions permitting.
Supervision	Day to Day accountability will be to the DLG; and for approval of outputs and reports (subsequent to QA for DAI-EU-TACS). Reporting to the TL-SKE-2 for technical matters (by VOIP when not in Bhutan). Reporting to Senior Project Manager at BPV offices in Bhutan for local administrative and logistics matters; and collaborating with BPV to progress EU-TACS local governance project activity planning and monitoring Reporting to Contract and Finance Officer at DAI, Brussels for all other contract related matters. JNKE responsible for operational supervision of local firm who will design and deliver Gup training in Dzongkhags and Gewogs
Location	Based at DLG, MoHCA Office, Thimphu, Bhutan with travel to Dzongkhags and Gewogs, as required, Covid-19 travel restrictions permitting.

It should be noted that a separate Request for Proposals (RfP) has been prepared for the Gup training to be designed and delivered by a local firm.

1. BACKGROUND INFORMATION

1.1 Beneficiary Country

Kingdom of Bhutan

1.2 Contracting Authority

The EU-Bhutan TA Complementary Support Project (EU-TACS), Project Management Office, Thimphu.



1.3 Relevant country background and LG context

Country and local government decentralisation policy context

Bhutan is a small, land-locked and Least Developed Country (LDC) situated between two large neighbours, i.e. India and China. The total population is currently about 775,000 persons. Bhutan has a total land area of 38,394 km² of which 72.5 per cent are covered by forest. According to 2015 national data, the population below the poverty line, i.e. with a per capita income below USD 1.25 per day, stands at 8.2 per cent. Bhutan's economy is traditionally based on agriculture and forestry which provide the main livelihood for more than 60 per cent of its population.

The *Constitution of Bhutan*, Article 22, Section 4 lays out the functions of LGs, being to: (a) provide democratic and accountable government for local communities; (b) ensure the provision of services to communities in a sustainable manner; (c) encourage the involvement of communities and community organizations in matters of local governance; and (d) discharge any other responsibilities as may be prescribed by law made by Parliament. The Constitution and the *Local Government Act of Bhutan*, (LGA), 2009, amended in 2014, provides for direct participation of the people in the development and management of their own social, economic and environmental well-being through decentralization and devolution of power and authority. These laws stipulate that Local Governments (LGs) be established in each of the 20 Dzongkhags (districts) comprising the Dzongkhag Tshogdu (District Assembly), Gewog Tshogde (County Council) and Thromde Tshogde (Municipal Council). It provides LGs with a set of administrative, regulatory, service delivery, and financial powers and functions for governance at the local level.

A draft *National Decentralization Policy*¹ is due to be adopted by the government. Its vision is “a well devolved and effective decentralized system of governance in pursuit of a vibrant democracy and Gross National Happiness (GNH)”. Its mission is “to create Local Governments (LG) that are responsive, managed well and serve the people with transparency, accountability, efficiency, effectiveness and inclusivity”. The draft *National Decentralisation Policy* has adopted government role assignment based on “subsidiarity” - central Government shall perform only those functions that cannot be undertaken effectively and efficiently at the LG level. The draft Policy also emphasises a “Separation of power and non-subordination” - with clear separation of powers, functions and responsibilities as well as checks and balances between political, administrative and technical entities, and between central and local governments. Mutual respect, coordination and collaboration between levels of Government is also promoted. RGoB has adopted a gradual approach to devolution² where central Government will continue to retain policy making, research and regulatory functions including providing and managing public goods and services of strategic national importance with multidimensional and co-sharing nature. The devolution of power, authority, functions, and resources is intended to happen progressively, but gradually, to ensure that both local and central Government are well sensitized and

¹ Draft National Decentralization Policy, 2019 (final draft), MoHCA, July 2019

² The RGoB draft National Decentralization Policy defines devolution as: “central Government devolves and transfers responsibilities and authority for decision-making for revenue generation and its use, planning and prioritization, financing, budgeting and expenditure/investment management to LGs within clear and legally recognized geographical boundaries and framework”.



prepared. The DLG is seeking to mainstream the implementation of the Policy within its strategies and plans, to ensure that its agenda is implemented, and to avoid the risk that it may remain “on the shelf”.

Local Government Planning, Monitoring & Evaluation

The objective of the 12th Five Year Plan (FYP) (2018-2023) is to promote "Just, Harmonious and Sustainable Society through Enhanced Decentralization". Hence the European Union's (EU) Sector Budget Support – Capacity Development for Local Government and Fiscal Decentralisation (CDfLG&FD) which is being implemented by the Department of Local Governance (DLG), Ministry of Home and Cultural Affairs (MoHCA), Royal Government of Bhutan, will support the achievement of the objectives of the 12th FYP with regard to enhanced decentralisation and better governance at local levels.

The Local Development Division (LDD) of the Gross National Happiness Commission (GNHC) leads collaboration on Local Government (LG) five year and annual planning processes. Furthermore, the Department of National Budget (DNB) and the Department of Public Accounts (DPA), Ministry of Finance (MoF), are the agencies responsible for inter-governmental fiscal transfers to local governments and monitoring expenditures.

The draft National Decentralisation Policy notes that LGs have the authority to formulate and implement their own annual and five-year plans in line with national goals and objectives. They are also mandated to promote holistic and integrated area-based planning.

A National Monitoring & Evaluation System (NMES) is used to monitor the 12th FYP. The main components of NMES are the Planning and Monitoring System (PLaMS) of the Gross National Happiness Commission (GNHC), the Multi-Year Rolling Budget (MYRB) System of Department of National Budget (DNB), and the Public Expenditure Management System (PEMS) of Department of Public Accounts (DPA), Ministry of Finance (MoF).

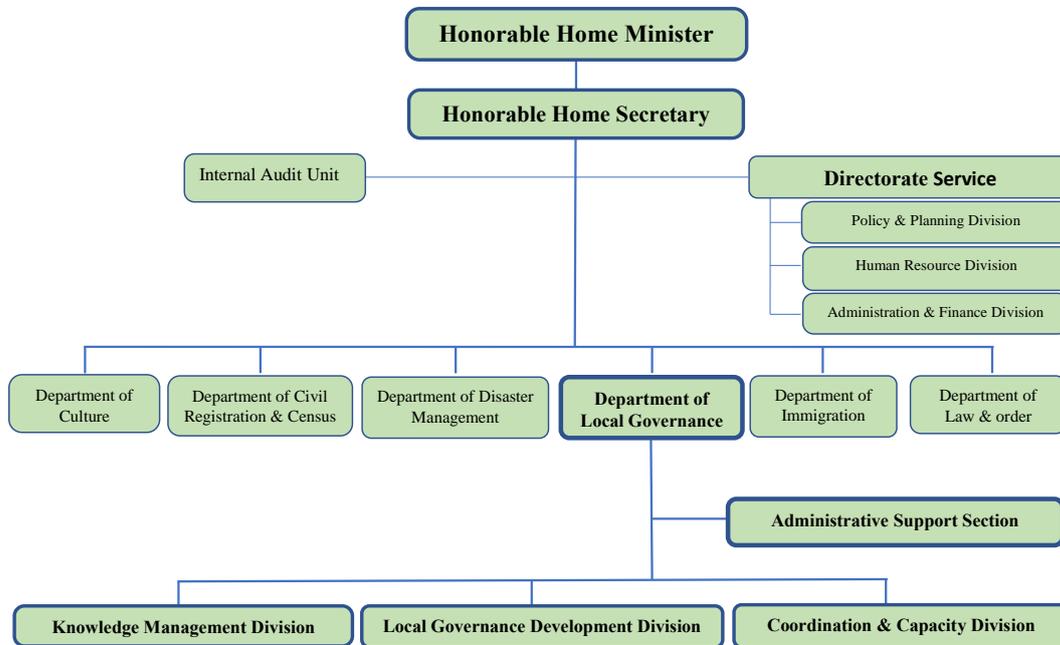
Department of Local Governance

DLG was established as a Department within MoHCA in 2009 and comprises three Divisions (see Figure 1): (1) Knowledge Management, (2) Local Governance Development, and (3) Coordination and Capacity. It is responsible for: providing all forms of support to LGs; planning and coordinating capacity building of LGs; collecting and maintaining information on local governments; conducting assessments, research and analysis on opportunities and challenges facing local governments and making recommendations to relevant agencies, and supporting planning, monitoring and evaluation of activities carried out by LGs.

DLG is a key counterpart of the EU-TACS and is responsible for determining the LG related priorities of the programme and driving its implementation. Since DLG has a busy workload, with extensive travel requirements to Dzongkhags and Gewogs, and comprises only 13 staff currently, it is facing capacity challenges in meeting the demands of the EU-TACS. This has been further compounded by the Covid-19 situation. It is therefore essential that DLG itself receives capacity development support from EU-TACS through the JNKE to support their progression of the programme's activities, although with the proviso that such coaching, mentoring and task support does not result in gap-filling and avoids the risk of loss of ownership and engagement by DLG. Due to Covid-19 the EU-TACS workplan for DLG has been revised and reprioritised (Annex 3).



Figure 1: DLG Organigram



The DLG, supported by the EU-TACS, is currently undertaking a **Local Government capacity assessment** that shall include the development of an **LG Capacity Development Strategy and Plan by November 2020** (Covid-19 restrictions permitting). It shall include an assessment of the capacity development needs of Thromdes³, Dzongkhags, and Gewogs (LGs) against the delivery of core functions. **The Gup Handbook shall fully address the relevant aspects of the LG Capacity Assessment Strategy and Plan where possible within the timescales available.**

Core functions of Gewogs and GTs, and roles and responsibilities of Gups and associated elected members and officials

A *Division of Responsibilities Framework (DoRF)* (see Annex 1) was developed by the Gross National Happiness Commission (GNHC) as part of the 11th FYP and has been revised in keeping with (inter alia): *Article 22 of the RGoB Constitution, 2008* and *Local Government (LG) Act, 2009*. The Framework was used to determine capital grant allocations for the 12th FYP which has devolved 50 percent of total capital grants for Dzongkhags and Gewogs (and Thromde 'A's) - doubled since the 11th FYP (from Nu. 25 billion in the 11th FYP to Nu. 50 billion in the 12th FYP).

³ Municipalities



The **Gup** (head of the Gewog) is responsible for: leadership, administration and oversight the Gewog; chairing the Gewog Tshogde, and implementation its resolutions. plan activities, and as such, submission of reports to the Dzongkhag Administration. The Gup is mandated to execute budgets (within ceilings prescribed by the Ministry of Finance), authorise procurement and payments, and establish Gewog committees. The Gup is accountable to both the Dzongkhag Tshogdu and Gewog Tshogde. The Gup is also required to report breaches of public peace, and law and order to the Dzongdag.

The **Mangmi** (Deputy Gup) is responsible for deputising and assisting the Gup in the execution of their duties, and to mediate disputes within the Gewog. A **Tshogpa**'s (elected representative of the Gewog Tshogde) role is to serve the interests of the local residents of the **Chiwog** (unit under a Gewog), including views of zomdu, whilst being cognisant of national interests, goals, and policies, and perform functions as delegated by the Gup or Mangmi. Gups, Mangmis and Tshogpas have an important role to play in terms of disseminating LG information and entering into dialogue with local stakeholders and citizens about local governance issues.

The key civil servants within the **Gewog Administration** include: Gewog Administrative Officer (GAO); Gaydrung (Gewog Clerk); Finance, Engineering, Land Record, and Livestock, Forests and Agricultural Extension personnel, and other civil servants and contracted staff. Responsibilities include: provision of professional and secretarial support to the Gewog Tshogde, and implementation of its resolutions, and approved plans, programmes, and administrative activities efficiently; collection of premiums for rural insurance, taxes, duties, tolls, and fees as per the LGA; maintenance of systems for effective planning and performance reporting; and ensuring compliance with laws, rules, and regulations.

The **GAO** is the head of the Gewog Administration and accountable to the Gup for the effective administration of the Gewog. They are responsible for: the leadership and personnel management of the Gewog's key civil servants and that delegated responsibilities are executed; is member secretary to the Gewog Tshogde, including provision of documentation, ensuring that their decisions are implemented in a timely manner; monitoring development activities, and ensuring compliance with laws, rules, and regulations.

The roles of the locally elected officials are defined in the: (1) *Gewog Tshogde (GT) Rules and Regulations of Bhutan, 2012*; (2) *Local Government (LG) Act, 2009*; (3) *LGA Amended Act, 2014*; and (4) draft revised LGA, 2020. This draft Act defines the functions of the GT (decision-making committee) as being responsible for the planning, budgeting and implementation of socio-economic development including schemes under Schedule 2 of the LG Act with its core functions to provide: clean and safe drinking water; sanitation; irrigation water; and depredation of crops from livestock and wildlife. Schedule 2 covers 22 core functions, also including: poverty alleviation; minor roads; health and; energy; forestry; livestock; cottage and small industries; waste management; housing; and Government to Citizen Services. In pursuance of the delivery of these services, the Thromde Tshogde is responsible for: formulation of the Gewog development plan and approval of Gewog annual plan; re-appropriation of funds within the Gewog budget in accordance with financial rules and regulations; monitor and evaluate the implementation of planned activities and expenditure. The Gewog Tshogde may also: require Dzongkhag staff to provide information or explanations; hire labour to maintain community facilities; monitor establishment and operation of mines and quarries; construct works on private land if necessary, and recover damages thereof; prevent and demolish illegal constructions.



The Gewog Tshogde is responsible for levying land, house cattle, grazing, and advertisement taxes, taxes and utilities charges, as per the Public Finance Act of Bhutan, 2007, in an equitable manner, at not more than 10 per cent of the cost of providing the service. The Government shall provide a proportion of the national revenue to enable the Gewog to deliver its services and maintain infrastructure.

The *Local Government Members' Entitlement Rules & Regulations 2018* provides details of elected members allowances, fees and entitlements, that include: salaries and annual increments; types of allowances, fees, deductions, and leave; and travel and retirement benefits, including medical facilities and insurance. Members' need to understand their entitlements and the processes around claiming thereof.

The draft National Decentralization Policy identifies a range of implementation requirements that impact Gewogs, although the responsibilities for leadership of their implementation within an action plan are yet to be developed; aspects that are relevant to Gewogs include:

- (a) **Implement DoRF** in consultation with the LGs and relevant agencies to ensure an effective, efficient and well-coordinated devolution of authority, power and resources to LGs;
- (b) Study and **transfer responsibility and management of G2C services to the Gewog** (and Dzongkhag administrations) to enhance better and optimal utilisation of resources and improve service delivery;
- (c) **New mechanisms for mobilising and ensuring meaningful participation** and voice of women, youth and vulnerable groups shall be developed and implemented;
- (d) Central Government/LGs shall support and **promote bottom-up participatory local governance processes** and engagement through capacity building and training;
- (e) LGs shall have **strategies and mechanisms for enhanced information sharing** on various media platforms besides the normative function of the LG functionaries on information sharing;
- (f) A community **engagement guideline** shall be developed as a general framework to facilitate enhanced engagement of community members in local governance and community development processes; and
- (g) Conduct **awareness programs to encourage community participation** in LG sessions and forums.

Capacity challenges of Gewogs and GTs

The draft National Decentralisation Policy notes that **coordination challenges continue to exist at all levels and that principles of subsidiarity and separation of power are not fully observed.**

Awareness-raising about roles and responsibilities is required regularly to meet the capacity needs of newly elected officials. LGs are encouraged by RGoB to develop their own capacity development programmes to address gaps in capacity, and central agencies are supposed to develop institutional partnerships with public and private sector training providers. The draft National Decentralisation Policy proposes **a locally developed HR plan** for Gewog staff deployment (some Gewogs particularly need of accountants and engineers, for example).



There is a **lack of capacity and resource constraints at the local level to prepare inclusive and strategic plans**, and thus deliver much needed developmental outcomes. The Local Development Planning Manual (LDPM) requires a participatory approach to the formulation, implementation, monitoring and evaluation of LG plans. However, according to a Local Governance Assessment Study⁴ (LGAS), **challenges persist with regard to poor participation in Zomdus (community meetings), local ‘elite capture’, low participation of women, youth and vulnerable groups, weak evidenced-based planning, and lack of capacity to formulate plans**. The LGA provides guidance on how LGs should be transparent and accountable to its citizens. However, **ineffective public notification, lack of information sharing and accountability mechanisms and ineffective implementation of the LGA and regulations** are some of the challenges faced at the LG level. LG By-laws are required to ensure public participation in the development of their plans and programs. Public participation in the GT meetings is minimal in most cases. It was generally felt that Tshogpas do not have enough capacity to facilitate or enter into dialogue on such developmental matters. There was also found to be a **lack of clear and effective complaints mechanisms**, including channels for feedback and redressal, which are stipulated by the 12th FYP.

An *Assessment Study on Dzongkhag Tshogdu and Gewog Tshogde*, Helvetas (no date), looked into (inter-alia) the issues affecting the effectiveness GT and posed the overarching question in relation to the GT “What is the current context of GT functioning, and what are the gaps and challenges that need to be improved in order for DT/GT to function effectively? The Study found that although the LG functionaries have a good understanding of the objectives of decentralised governance and functions of GTs, they are largely limited at the conceptual level. Both the **elected members and civil servants lacked in-depth theoretical understanding of the functioning of GT as LG institutions and decentralised structures of decision-making**. The assessment recommended that relevant LG training modules on decentralised governance and GT functioning be developed, and that periodic sensitisation and orientation on the provisions of the LG Act and Local Government Rules and Regulations (LGRR) for both elected and non-elected LG functionaries be held. The Study found that **community participation at Chiwog (sub-county) Zomdus (community meetings) (which are supposed to be held in advance of GT meetings) tends to be low**, compounded by a lack of budget to conduct them. **Effectiveness of the Zomdu was curtailed by poor members’ facilitation skills. Inefficiency was demonstrated through a mismatch between needs and plans**, and conducting meetings at the wrong time. The Study recommended a review the protocols for Chiwog Zomdus to improve the efficiency and effectiveness of meetings. In relation to the GTs, the Study observed that the process for the conduct of GT sessions as stipulated in the LG Act and LGRR is clear, but identified the **following challenges and recommendations**:

(1) GT preparations: lack of specific timeline for conducting sessions; delay in agenda submissions and difficulty in prioritisation; with recommendations including: LGs to prepare annual calendar specifying timeline and schedule of DT and GT sessions. And develop and implement standard protocol for submission and inclusion of agenda items and minute-taking;

⁴ THE ASSESSMENT WAS UNDERTAKEN BY HELVETIA’S FOR THE NATIONAL COUNCIL OF BHUTAN. The LAG was informed by the National Council of Bhutan (NC)/House of Review’s Good Governance Committee (GGC) and a National Reference Group.



(2) GT meeting protocols: lack of protocols for GT observers, and lack of standard templates; with recommendations including: train Chairpersons be in running effective meetings, and develop a protocol and process for inviting observers.

(3) Post-GT meetings: absence of clear working modality between LGs and LG administration and lack of support and timely response from LG administration officials and regional offices on the implementation of GT resolutions; with recommendations including: institute minimum time period for GT secretariats to distribute the minutes, with uniform application of the signing authority, and put in place standard protocol to trace the distribution of GT resolutions and minutes with clear accountability and legal mandate for actions.

The LGAS also undertook an assessment of compliance with local development planning and found that activity planning, work plans and entry of activities into PLaMS are done systematically but the following weaknesses were identified: **severe challenges and flaws in vertical coordination between Dzongkhag/Gewog and horizontal coordination at Gewog level between the GAO and extension officers; communities rarely participate in or monitor the implementation of LG activities; no application of Gender Responsive and pro-poor Standards is made during community planning or prioritisation at LG level; Monitoring, Evaluation & Review standing committees of GT are not operational⁵; and data base and management information systems (MIS) are generally weak.**

PLaMS is used by Planning Officers, Project Managers of Ministries, Dzongkhags and Gewogs for managing the results based FYP programs, preparing annual work plans based on the approved FYP, and to track plan performance on a weekly, quarterly, semi-annual and annual basis. **High staff turnover is also a factor in the need to repeatedly train LG officials** in the use of the RGoB systems.

LG are increasingly adopting information technology, although **connectivity remains a challenge in remote areas as well as a reluctance by some officials to use government systems, including the NMES, as well as government portals including GovNet and the newly launched Local Government Portal.** G-Suite is an online collaboration suite with video conferencing facilities with mixed take-up by LGs⁶. Considering the remoteness of some LGs and time it takes to travel across the regions of Bhutan, G-Suite provides opportunities to deliver capacity development training remotely and to facilitate peer-to-peer networking.

⁵ LG Rules and Regulations of Bhutan, 2012, Chapter 15

⁶ July 2018 – June 2019 Annual Report, Department of Information Technology and Telecom, Ministry of Information and Communications, Royal Government of Bhutan



2. OBJECTIVES, ACTIVITIES, AND EXPECTED RESULTS

2.1 Overall objective

The Overall Objective of the EU TA Complementary Support (TACS) Project of which this SNKE assignment is a part is: “to assist Bhutan in achieving the reforms envisaged in its 11th and 12th Five Year Plans in two sectors: (1) Renewable Natural Resources including Climate Change Response and (2) Local Governments and Decentralization, through complementary support to the on-going EU budget support programmes.”

2.2 Purpose

The General Purpose of this TACS project is as follows: “to provide consulting services including technical assistance and studies in support of sound implementation (including communication aspects) of the EU-bilateral development cooperation strategy in Bhutan, with particular focus on the two sector budget support programmes currently being implemented in Bhutan under the Multi-Annual Indicative Programme 2014-2020 i.e. (1) Capacity Development for Local Government and Fiscal Decentralization and 2) Rural Development and Climate Change Response”.

2.3 Specific Objectives

The **specific objectives of this JNKE** are twofold:

(1) to support the DLG through governance and capacity development support to enable them to fulfil the planning and oversight of EU-TACS activities in an efficient, effective and timely manner to a high quality standard, and

(2) to develop a comprehensive Gup Handbook to address Gups’ and Gewog administrators’ roles and responsibilities (including financial management) of the Gup training.

3. SCOPE OF WORK

3.1 Activities and Tasks

Governance and Capacity Development support to DLG

Under the direction of the EU-TACS TL-SKE-2, the JNKE shall **support the DLG to undertake the planning and oversight of activities within the EU-TACS workplan for the P4 and P5 planning periods** (Annex 3). This will involve, for example, but not be limited to: supporting the completion of EU-TACS ToRs; Requests for Services (RfS); facilitation of logistical requirements to ensure timely execution of assignments by other NKEs and local firms; consultation within DLG about report findings; development of visibility materials in conjunction with DLG; and support to follow-up activities by DLG and other stakeholders. The JNKE shall alert the DLG and EU TACS TK-SKE-2 when there is risk of activities going off-track.

During this support, in consultation with the DLG, the JNKE shall identify particular knowledge deficits and skill gaps faced by DLG staff, as well as improvements to DLG ways of working to increase efficiency and effectiveness. Care will be taken to target and prioritise support to DLG staff in relation to the focus of EU-TACS activities, including both female and male staff. Support and coaching should



also be aligned with staff's Personal Development Plans. Support shall be addressed in a planned and coordinated manner through informal coaching/on the job training/regular more formal training sessions etc. Within one month of commencing the assignment, a workplan for the targeting and focus of such coaching and training shall be produced.

Development of Gup Handbook

The JNKE shall develop a comprehensive **Gup Handbook** to enable new and continuing Gups to understand all aspects of the Gewog, GT, and their core functions, roles and responsibilities (including financial management, community consultation and dispute resolution, GT requirements etc), as defined by RGoB legislative, policy frameworks, rules and regulations, procedures and so on (see Annex 2).

The JNKE shall prepare the proposed structure and content of Gup Handbook within one week (end of 1st week October 2020) of commencing the assignment, in consultation with the DLG, to be approved by the EU-TACS TL-SKE 2.

Whilst the primary target is the Gup, the Handbook should also address the core functions, roles and responsibilities of the 'Gup's Team' (Mangmi, Tshogpa, GAO, and Gaydrung (Gewog Clerk)). The draft Gup Handbook shall be circulated to selected members of the target members and officials for their feedback on the detailed content.

The Handbook shall be comprehensive, logically structured and user-friendly: being well sign-posted for the reader throughout, using visuals, graphics and narrative (drafted in English and Dzongkha language). The EU-TACS project shall fund the cost of the professional digital layout of the Handbook, its professional translation, publication and printing.

The Gup Handbook shall inform the development of a Gup Training Programme to be undertaken by a local firm. The JNKE shall ensure that the local firm designs the training taking on board the content of the Gup Handbook and will undertake a peer review of the draft training course curriculum and materials and ensure that the training is efficiently scheduled and delivered as planned. (Covid-19 permitting).

The JNKE should note that the **EU-TACS TL-SKE 2**, in consultation with DLG and the EUD, will be responsible for **directing, advising and quality assuring all aspects of the JNKE activities** including the focus and outputs of the support to the DLG and associated delivery of EU-TACS activities, and the design, content and finalisation of the Gup Handbook. The TL-SKE 2 will be responsible for ensuring that the JNKE's work is completed to meet international research quality standards, remains on track, and is delivered on time. Specifically, the TL-SKE 2 will bring experience and knowledge of international good practice in capacity development of LGs whilst cognisant of the realities of the resources available to deliver capacity development at LG level, whilst being cognisant of possible areas for innovation.

3.2. Results to be achieved by the NKE

The JNKE is expected to deliver the following results:

1. Governance and Capacity Development support and delivery of outputs to DLG and the EU-TACS TL-SKE 2 in the planning and oversight of activities within the EU-TACS workplan;



2. Prepare a workplan detailing the targeting and focus of DLG staff coaching and training within one month of commencing the assignment;
3. Deliver informal coaching/on the job training/regular more formal training sessions to DLG staff in an-hoc manner and as per the workplan;
4. Prepare the proposed structure and content of Gup Handbook within one week - end of 1st week November 2020;
5. Produce the Gup Handbook by the end of November 2020;
6. Quality assure and peer review the draft Gup Training Programme curriculum and content (to be undertaken by a local firm) to ensure the content of the Gup Handbook is incorporated within the training content; and
7. Ensure that the Gup Training is efficiently scheduled by DLG and delivered by the local firm as planned.
8. Complete a capacity development assessment of DLG within one month of the commencement of the assignment, building on the earlier EU-TACS DLG Capacity Assessment, which shall be used as a baseline, and updated at the end of their assignment (end July 2021) with recommendations for future support required.

4. ASSUMPTIONS AND RISKS

4.1 Assumption underlying the project intervention

- DLG shall welcome the JNKE to work closely with them and share all information required as well as enable the JNKE to contribute to free and frank discussions;
- The JNKE shall be given a desk within the DLG office and be able to come and go freely as required;
- The DLG shall make themselves available to the JNKE on a regular basis and agree to attend pre-planned meetings as well as ad-hoc meetings as required, within the context of a busy operational environment;
- The DLG shall not seek to deploy the JNKE into gap-filling tasks or onto activities that are not related to EU-TACS;
- The JNKE shall accompany DLG to the field as may be required, taking into account the priorities of the JNKE's deliverables and commitments; and
- If Covid-19 requires strict lockdown, and the DLG office is closed, the JNKE shall work either from the EU-TACS BPV office or from home to continue to support DLG and EU-TACS TL- SKE 2.



4.2 Risks

There is a risk that Covid-19 shall result in further amendments to the EU-TACS DLG workplan and in that case the focus of support of the JNKE shall be amended accordingly.

The coaching, mentoring and task support should not result in gap-filling and active efforts should be made to avoid the risk of loss of ownership and engagement by DLG.

4.3 Geographical Area to be covered

The JNKE shall be based in the DLG Office, Thimphu, with some travel to the field as may be required.

4.4 Target Groups

DLG staff within the three DLG Divisions shall be the beneficiaries of governance and capacity development support by the JNKE.

The Gup Handbook shall address the **Gup** (head of the Gewog) and their 'team', including: **Mangmi** (Deputy Gup); **Tshogpa's** (elected representative of the Gewog Tshogde); **GAO**; and **Gaydrung** (Gewog Clerk).

The draft Gup Handbook shall be circulated to selected members of the target members and officials for their feedback on the detailed content.

4.5 Project Management

Responsible body

The Contracting Authority is DAI Brussels, appointed by the EUD in New Delhi to manage the EU-Technical Assistance Complementary Support (EU-TACS) Project.

Management structure

Day to day accountability of the JNKE will to be to DLG.

The EU-TACS Project is implemented by DAI Brussels. The EU-TACS project is headed by a Team Leader appointed by the Delegation of the European Commission to Bhutan, New Delhi.

The TL-SKE 2 will take technical, administrative and financial decisions for this JNKE contract. Since the TL-SKE 2 is only intermittently in Bhutan, when she is not on-site, communication will be carried out through e-mail or VOIP.

She will be supported by a Bhutanese Senior Project Manager and a Project Officer, who are based at the DAI Partner's Office in Bhutan (Bhutan Philanthropic Venture – BPV, Thimphu, Bhutan).

Facilities to be provided by the Contracting Authority

BPV shall provide desk space if the DLG office is unavailable due to Covid-19 restrictions.

The JKE shall be expected to use their own laptop.

The EU-TACS project shall fund the cost of the professional digital layout of the Handbook, its professional translation into Dzongkha, publication and printing.



5. LOGISTICS AND TIMING

5.1 Location

The DLG shall provide desk space for the JNKE within the DLG office, If both offices are closed, the JNKE shall work from home and be fully available through VOIC on working days.

5.2 Commencement Date and Period of Execution

The intended commencement date and duration date is 1st November 2020 – 31st July 2021:

- A1.13: DLG Governance and Capacity Development Support: 85 days: 1st December 2020 – 31st July 2021, approximately 10 days per month)
- A2.11: GUP Handbook development: 21 days: 1st – 30th November 2020
- A1.11: Training for Gups and Gewog administrators: 6 days: 1st – 31st December 2020.

6. REQUIREMENTS

6.1 Personnel

All experts who have a critical role in implementing the EU-TACS project are referred to as non-key experts. The profile of the expert for this contract is as follows:

Junior Non-Key Expert:

Local Governance Capacity Development Expert and Trainer

Qualifications and skills

- At least a Masters'-level degree in a relevant discipline such as International relations/development/social policy/research/public administration. The candidate may hold a Bachelors' degree in the same subject(s), supplemented by 10 or more years of professional experience in the mentioned areas.

General professional experience:

- 15 years of experience in the Local Governance sector in Bhutan.
- Particular experience in the South/South East regions relating to local government capacity development would be desirable.

Specific professional experience:

- Comprehensive knowledge and experience of Local Governance Capacity Development is required.
- Training course curriculum and content design and training delivery is required.
- Experience of working on development partner projects (implementation or evaluation) is required.
- At least five previous relevant assignments/employment in Bhutan and/or the South/South East Asia region the last ten years.
- Fluent written and oral English and Dzongkha with good inter-personal and presentation skills are required.





Annex 1: Assignment & Division of Expenditure Responsibilities to LGs/Gewogs in the 12 FYP

NB – Functions highlighted in grey indicate those that will be subject to this Local Government Capacity Assessment, Strategy and Plan

No.	Responsibilities/Functions	Regulation (Policy, setting standards, conditions, overall monitoring)	Financing (Outlay)	Coord., Admin., planning, budgeting, supervision, internal technical expertise/skills	External Technical Support (expertise/skills)	Production (delivering service, develop., construct., maintain., contract/outsourcing)
*A	POLICY, PLANNING, STATISTICAL & RESEARCH SERVICES					
8	Gewog Level Database	NSB	Gewog	Gewog	Dzongkhag/ NSB	Dzongkhag/ Gewog
C	ADMINISTRATION SERVICES					
1	Office building, Guest house, & Staff Quarter	Cabinet (for policy directive),	LGs	LGs	MoWHS	LGs
3	DT/GT/TT Hall, Dzongdag & Drungpa residence	MoWHS/MoHCA	LGs	LGs	MoWHS/MoHCA	LGs
D	INFORMATION, COMMUNICATION TECHNOLOGY, & MEDIA SERVICES					
8	Internet Connectivity & Reliability	MoIC	LGs (for respective offices)	LGs (for respective offices)	MoIC	LGs (for respective offices)
E	SURFACE, AIR, WATER TRANSPORT & SAFETY SERVICES					
3	Traffic & Road safety markings & MoIC Signs for Dzongkhag, Gewog & Thromde Road	MoIC	LGs	LGs	MoWHS/MoIC	LGs
15	Farm road within Gewog including bridge	MoWHS/MoAF/ GNHC (for Policy)	Gewog	Gewog	MoWHS/MoAF/ Dzongkhag	Gewog
16	Access road (Forest, Health, Education, Telecommunication, Power, Project, LGs) in respective jurisdictional boundary	MoWHS/Dzongkhag	LGs	LGs	MoWHS	LGs
17	Gewog Centre road including bridge	MoWHS/GNHC (for policy)	Dzongkhag/ Gewog	Dzongkhag/ Gewog	MoWHS	Dzongkhag/ Gewog
18	Mule track (inter Gewogs)	MoAF (for parks, reserves, sanctuary)/ GNHC (for policy)	Dzongkhag	Dzongkhag		Dzongkhag/ Gewog
19	Mule track (within Gewog)	MoAF (parks, reserves, sanctuary)/ GNHC (for policy)	Gewog	Gewog	Dzongkhag/ Gewog	Gewog
20	Bazam/Foot & Suspension bridge in respective area	MoWHS	LGs	LGs	MoWHS	LGs
F	ENVIRONMENT SERVICES					



No.	Responsibilities/Functions	Regulation (Policy, setting standards, conditions, overall monitoring)	Financing (Outlay)	Coord., Admin., planning, budgeting, supervision, internal technical expertise/skills	External Technical Support (expertise/skills)	Production (delivering service, develop., construct., maintain., contract/outsourcing)
1	Pollution & GHG Control, Protection of air, soil, & water bodies (river, lake, stream, pond, spring water) & compliance to standards in respective jurisdictional boundary	NEC/MoEA MoAF (for soil)	LGs	LGs	NEC/MoAF/ MoEA	LGs
3	Updation of National Integrated Water Resource Management Plan	NEC	NEC	NEC	LGs	NEC
4	Water Security data, Water Abstraction & Publication of Water Security Index	NEC/NSB	NEC	NEC	NSB/LGs	NEC
6	Formation & Management of Water User Association	NEC	Gewog	Gewog	NEC/MoAF	Gewog
8	Assessment of Projects (delegated activities) for Environmental Clearance	NEC	LGs within their area	LGs within their area	NEC and relevant agencies	LGs within their area
10	Waste Management	NEC/MoIC/MoH/ MoEA	LGs for all waste	LGs for all waste	NEC/MoWHS/ MoH/ MoIC	LGs for all waste
11	Landfill, & Disposal Pit & Disposal System in respective area	NEC/MoWHS	LGs	LGs	NEC/MoWHS	LGs
14	Greening Infrastructure & Climate change (including GHG) mitigation & adaptation, & climate proofing in respective projects & area	NEC/MoWHS	LGs	LGs	NEC/MoWHS	LGs
G	AGRICULTURE, LIVESTOCK & FORESTRY (RNR) SERVICES					
1	Market Shed & Sales Counter	MoAF	LGs	LGs	MoAF	LGs
3	Semi-Commercial Backyard farm	Dzongkhag	Gewog	Gewog	Dzongkhag	Gewog
4	Cold Storage Facility & Rain Water harvesting	MoAF/Dzongkhag	Gewog	Gewog	MoAF/ Dzongkhag	Gewog
5	Capacity Building for Farmers & User's Groups	MoAF/Dzongkhag	Gewog	Gewog	Dzongkhag/ MoAF	Gewog
6	Irrigation Channel & System	MoAF/ MoH (for water safety)	Gewog (small irrigation)	Gewog (small irrigation)	MoAF/ MoH	Gewog (small irrigation)
8	Livestock/Agriculture/Horticulture farming & production	MoAF	Dzongkhag/ Gewog	Dzongkhag/Gewog	MoAF	Dzongkhag/Gewog
10	Organic/ Natural Agriculture & Vegetable farming & production	MoAF	Dzongkhag/ Gewog	Dzongkhag/Gewog	MoAF	Dzongkhag/Gewog
13	Soil & Land management	MoAF	Dzongkhag/ Gewog	Dzongkhag/Gewog	MoAF	Dzongkhag/Gewog



No.	Responsibilities/Functions	Regulation (Policy, setting standards, conditions, overall monitoring)	Financing (Outlay)	Coord., Admin., planning, budgeting, supervision, internal technical expertise/ skills	External Technical Support (expertise/ skills)	Production (delivering service, develop., construct., maintain., contract/ outsourcing)
15	Electric fencing /Solar fencing	MoAF	Dzongkhag/ Gewog	Dzongkhag/Gewog	MoAF	Dzongkhag/Gewog
17	Farm Mechanization- Supply of farm machineries/technology, & tools	MoAF	Dzongkhag	Dzongkhag	MoAF	Dzongkhag
18	Fodder Development	MoAF	Gewog	Gewog	Dzongkhag	Gewog
20	Milk Collection center	Dzongkhag	Gewog	Gewog	Dzongkhag	Gewog
28	Human Wild Life Conflict management	MoAF	Dzongkhag/ Gewog	Dzongkhag/Gewog	MoAF	Dzongkhag/Gewog
33	Climate change & Disaster risk Mitigation & Adaptation in RNR sector	MoAF/MoHCA/ NEC	Dzongkhag/Gewog, MoAF (for dzongkhag forestry sector)	Dzongkhag/Gewog, MoAF (for dzongkhag forestry sector)	MoAF/MoHCA/ NEC	Dzongkhag/Gewog, MoAF (for dzongkhag forestry sector)
H HEALTH SERVICES						
8	Outreach Clinic maintenance	MoH	Gewog	Gewog	Dzongkhag	Gewog
10	Rural Water Supply Scheme	MoH/MoWHS	Gewog	Gewog	Dzongkhag/ MoH	Gewog
11	Sanitation & Hygiene	MoH/MoWHS	LGs	LGs	MoH/MoWHS	LGs
I ECONOMIC SERVICES						
10	Solar Equipment supply	MoEA	Gewog	Gewog	Dzongkhag/ MoEA	Gewog
17	Employment generation & job creation at the Dzongkhag & Thromde level	MoLHR/MoEA	LGs	LGs	MoLHR/MoEA	LGs
18	Skills Development for Youth, Villagers and Special Group - Local Level	MoLHR	LGs	LGs	MoLHR	LGs
20	Renewable Energy (hydro, solar, wind, biogas)	MoEA/MoAF	LGs (for solar & biogas)	LGs (for solar & biogas)	MoEA/MoAF	LGs (for solar & biogas)
J WORKS, ENGINEERING & HUMAN SETTLEMENT SERVICE						
7	Sanitation & Drainage in Gewog	MoWHS/MoH	Gewog	Gewog	Dzongkhag/ MoWHS/MoH	Gewog
9	Street Light/ Footpath/Cycle lane in Gewog	Dzongkhag	Gewog	Gewog	Dzongkhag	Gewog
10	River & Flood Protection works in respective jurisdictional boundary	MoWHS	LGs	LGs	MoWHS	LGs
11	Recreational/Children park, Sports ground, Sports hall, Open air theatre, & open-air gym in respective jurisdictional boundary	Relevant Central agencies	LGs	LGs	BoC/MoE/MoWHS	LGs



No.	Responsibilities/Functions	Regulation (Policy, setting standards, conditions, overall monitoring)	Financing (Outlay)	Coord., Admin., planning, budgeting, supervision, internal technical expertise/skills	External Technical Support (expertise/skills)	Production (delivering service, develop., construct., maintain., contract/outsourcing)
K CULTURE SERVICES						
1	Arts & Crafts (Zorig) - at Local Level	MoHCA	Dzongkhag/ Gewog	Dzongkhag/ Gewog	MoHCA/MoLHR/ MoEA	Dzongkhag/ Gewog
4	Oral Tradition in respective area	MoHCA	LGs	LGs	MoHCA	LGs
8	Strengthening Family institution & Community vitality	MoHCA	LGs	LGs	MoHCA/CBS/GNHC	LGs
11	Government owned Lhakhang, Neykhang, Goenpa, Drupdra, Chorten in respective jurisdictional boundary	MoHCA	LGs	LGs	MoHCA	LGs
L CENSUS, CIVIL REGISTRATION & IMMIGRATION SERVICES						
M DISASTER MANAGEMENT SERVICES						
1	Disaster Mitigation & Adaptation in respective projects & area	MoHCA	LGs	LGs	MoHCA/NEC/ MoEA	LGs
3	Fire Fighting	MoHCA-policy directive, MoWHS-engineering	LGs	LGs	MoHCA	LGs
5	Disaster Response in respective area	MoHCA	MoHCA/LGs	MoHCA/LGs	MoHCA	MoHCA/LGs
6	Disaster Rehabilitation	MoHCA	MoHCA	MoHCA		LGs
N LAW AND ORDER SERVICES						
1	Drug & Crime Prevention	MoH/MoHCA/BNCA	LGs	LGs		LGs
3	Land Compensation for projects of LGs	NLC	LGs	LGs	NLC	LGs
P EDUCATION SERVICES						
1	Construction, Rehabilitation & Maintenance of CPS, ECR, & ECCD & NFE Centers	MoE	Gewog	Gewog	MoE/MoWHS	Gewog
23	School Agriculture	MoAF/MoE	LGs	LGs	MoAF/MoE	LGs
R SOCIAL AND WELFARE SERVICES						
5	Sensitization on Gender, Child protection, & Capacity Development on Mainstreaming Gender, Vulnerable groups in policies, plans & program	NCWC/GNHC	LGs	LGs	NCWC/GNHC	LGs
6	Child Care Centres at workplace (for children below three years)	NCWC	LGs	LGs	NCWC/MoH/ MoE	LGs
9	Targeted Poverty Reduction Intervention	GNHC	GNHC	GNHC	Dzongkhag	GNHC/LGs



No.	Responsibilities/Functions	Regulation (Policy, setting standards, conditions, overall monitoring)	Financing (Outlay)	Coord., Admin., planning, budgeting, supervision, internal technical expertise/skills	External Technical Support (expertise/skills)	Production (delivering service, develop., construct., maintain., contract/outourcing)
10	National Rehabilitation (Land)	NLC	NLC	NLC	Relevant Agencies	NLC/LGs
T	PUBLIC SERVICE DELIVERY					
7	Public Services delivery/provision at local level (Dzongkhag & Gewog)	OPM&CS	LGs	LGs	OPM & CS for pub. service. MoIC for ICT infrastructure/reliability	LGs
11	Gewog Community Center	MoIC	Gewog	Gewog	Dzongkhag. / MoIC	Gewog

Source: Framework of Responsibilities, GHNC, 2018

*Rows highlighted in grey are subject to the DLG-led Capacity Development Assessment, and the NKE should liaise with the local firm and DLG regarding the Assessment to review relevant content for inclusion in the Gup Handbook.



Annex 2: Reference Documents to inform development of Gup Handbook

1. Constitution of the Kingdom of Bhutan
2. Vision 2020: A Vision for Peace, Prosperity and Happiness
3. Draft National Decentralisation Policy, 2019
4. Public Finance Act
5. Local Government Members' Entitlement Rules & Regulations, 2018
6. Division of Responsibilities Framework
7. Local Government Rules and Regulations, 2012
8. Civil Service Act 2010
9. Annual Grant Guidelines
10. Financial Rules and Regulations
11. Bhutan Civil Service Rules and Regulations 2018
12. Local Government Development Planning Manual
13. RGoB 12th Five Year Plan Guidelines and related documents
14. Minutes of GTs
15. Thrizins (Gups) Conference resolutions
16. Assessment Study on Dzongkhag Tshogdu and Gewog Tshogde, Helvetas
17. Fiscal Decentralization Report, DLG, 2017
18. LG Assessment Study Report, National Council of Bhutan, 2016

Please note this list is not exhaustive.



Annex 4: EU-TACS PROJECT TOR

The Terms of Reference for the overarching project, to which this activity will contribute, titled: *Technical Assistance for Renewable Natural Resources and Climate Change Response and Local Governments and Decentralisation* (EU-TACS) – EuropeAid/139521/DH/SER/BT



EU-TACS Terms of
Reference.doc

