

TERMS OF REFERENCE

Technical support to the Ministry of Health, Labour and Social Protection and the National Council on Determination of Disability and Functional Capacity in finalization of intersectoral work on revision and institutionalizing of Criteria for determining the disability in children in line with International Classification of Functioning, Disability and Health

Type: Individual consultancy

Duration: 45 working days in the period of May – July 2018

Location: Republic of Moldova, Chisinau municipality

1. Background:

In 2017, the estimated number of persons with disabilities in the Republic of Moldova was about 180 thousand people (about 5% of the total population of the country), including 12 thousand children aged 0-17 years (1.7% of the total number of children). Disability is a serious problem in Moldova and it is related to the population aging, the risk of accidents, increasing number of cases of chronic diseases (diabetes, cirrhosis, circulatory system diseases, tumors, etc.). People with disabilities are confronted with barriers that are being more than just physical obstacles, there are no adequate services, systems and policies that ensure full involvement of all people with a health condition in all areas of life and ensure they live independent and full lives.

By ratifying of the UN Convention on the Rights of Persons with Disabilities in 2010, the Republic of Moldova assumed the responsibility to ensure equal rights and opportunities for people with special needs in the society. This objective requires a viable and efficient system of social inclusion of people with disabilities and more effective services for these persons. Related policies for people with disabilities are aimed at implementing the new mechanisms for disability assessment to ensure adequate social protection and access to benefits and medical, vocational, educational services aimed at social inclusion of adults and children with disabilities.

The first stage of the disability system reform began in 2013 on the basis of a Roadmap developed by national experts with the support of UNDP, having the main objective to apply/implement the International Classification of Functioning, Disability and Health (ICF¹) instruments and principles in assessing the disability, focusing not on restrictions and limitations, but on the participation and on the preserved function of people with disabilities, taking into account the environmental, habitual, personal factors, etc., which required the review/development of standardized criteria and tools (both for the assessment of child and statistical ones to produce quantitative and qualitative indicators) aligned and harmonized with the international standards and methodology for determining the disability and functional capacity in persons with disabilities in the Republic of Moldova, both children and adults.

There were several important steps undertaken by the Government to advance disability reform. The work plan has been developed for the period of 2017-2019, two separate working groups established

¹ <http://www.who.int/classifications/icf/en/>

(the Ministry of Health, Labour and Social Protection Decision N.136 from 28 August 2017) with the purpose of revision of criteria for determination of disability in adults and children. The latter includes representatives from health, education and social protection sectors (paediatricians, psychologists, social workers, the director of the Republican Center for Psycho-pedagogical Assistance (CRAP), academia, NGOs etc.) to apply a systemic biopsychosocial approach to a child when there is a need to determine a disability in children under 18 years old. The work is in progress, however there is a need to review all documentations, align the assessment tools, criteria, codes etc. with provisions of the International Classification of Functioning, Disability and Health for Children and Youth (ICF-CY)² focusing on the need for a comprehensive classification of childhood disability that could be used across the systems to strengthen of the implementation of children's rights in the form of access to health care, education, and social and rehabilitation services.

On 13 March 2018, a Regulation on the organization and work of the National Council for Determination of Disability and Functional Capacity (NCDDFC) concerning the determination of the disability degree has been approved (for more details consult the List of legislative and regulatory acts on determining the disability and the functional capacity and key responsibilities of the y NCDDFC presented in Annex A).

2. General purpose of the consultancy

To provide technical expertise, support and coordinate the functioning of the Working Group (WG) established by the Ministry of Health, Labour and Social Protection to review and finalize the development of **Criteria for determining the disability in children** applying principles and tools in line with the ICF-CY. The work will be done under the overall guidance and involvement of the National Council for Determination of Disability and Functional Capacity and respective Working Group / team of national experts.

3. Objectives

The consultant is expected to:

1. Analyze medical and psycho-psychological criteria (by nosology) for determining the disability in children based on Medical Protocols and according to a unified scheme (matrix);
2. Analyze the tools for assessing the children's capacities, functionality and participation by respective nosology in line with ICF-CY framework;
3. Review of the Protocol for assessing the functions and structures of the child's body and the Holistic report for children in line with ICF-CY framework;
4. Elaborate overall concept of piloting of revised tools to assess disability in children
5. Provide Recommendations and support the finalization of methodological guidelines and all documents to be piloted, adjusted and submitted for approval by the MHLSP;
6. Conduct needs assessment of the members of the WG, prepare and deliver a half-day training session on ICF-CY framework and practical applicability of disability criteria to children and youth;
7. Perform other activities to facilitate the work on development of Criteria for determining the disability in children as required by Working group.

4. Details on how the work should be delivered:

The consultant will build on the previous work and available documents, tools and evidence in the field of disability reform in Moldova, focusing on children only. More specifically, the consultant shall: familiarize himself/herself with the legislation and regulatory acts on disability determination in the

² <http://apps.who.int/iris/handle/10665/43737>

Republic of Moldova; conduct literature review of existing documents, studies, reports and other relevant materials on disability criteria in children; have in-depth discussions with the Chair and all members of the Working Group to better understand the current status of work and results expected from the consultancy with further documentation of tasks distribution and main responsibilities of the each group member; based on the above the timeline will be adjusted and detailed workplan developed to finalize and submit to the MHLSP all necessary documents for further piloting by the NCDDFC and its territorial agencies , approval and institutionalization. All the documents and tools need to be revised and analyzed against recommendations of the ICF-CY highlighting and addressing mismatch and/or missing parts. In addition, a capacity building component will be agreed and implemented based on the needs assessment of the members of the Working Group to familiarize them with the ICF-CY framework and criteria for children and youth.

All materials (in Romanian) will be offered to the consultant, who will actively participate in regular and ad-hoc meetings of the respective Working Group and provide regular updates to UNICEF, as required.

5. Activities, deliverables, and timeline:

No	Activities	Outputs	Timeline
1.	Literature review and analysis of the current status of work, including legislative and regulatory documents, reports etc. Initial discussions with the Chair and the members of the WG and UNICEF to develop detailed work plan	Detailed Work Plan with timeline, key deliverables, delivery dates and responsibilities of each WG Member (in Romanian)	Week 1 (5 days) – beg of May
2.	Analyze medical and psycho-psychological criteria and tools developed by subject experts – members of the Working Groups (by nosology); review of the Protocol for assessing the functions and structures of the child's body and Holistic report for children in line with ICF framework	Brief informative notes and recommendations to adjust the set of the documents developed by the working groups (in Romanian)	Week 2-3 (10 days) – mid May
3.	Conduct needs assessment of the members of the WG, prepare and deliver a half-day training session/ knowledge transfer on ICF-CY framework and applicability of disability criteria to children and youth	Agenda and notes from the training session (in Romanian)	Week 4 (5 days) – end May
4.	Elaborate overall concept and detailed road map of piloting of revised tools to assess disability in children	Concept of piloting of the tools and criteria with detailed road map (in Romanian)	Week 5 (5 days) – beg of June
5.	Overall coordination of finalization of methodological guidelines and all documents ready to be piloted, adjusted and submitted for approval by the MHLSP, as per recommendations	Finalized tools and guidelines (in Romanian)	Week 6 -7 (15 days) - end of June
6	Elaboration and compilation of the Consultancy report	Final Consultancy Report with the Annexes as stated in p.p 1-5 agreed and endorsed by the MHLSP / NCDDFC (in Romanian) **	Week 8 (5 days) – beg of July
7.	Total		45 Days

* Exact deadlines will be mutually agreed upon contract signature.

** For internal purpose UNICEF will ensure translation of the final report and tools in English, as needed

6. Working arrangements and reporting requirements

A national consultant will be responsible for the quality and timing of provided deliverables. (S)he will work with guidance of UNICEF staff and in close collaboration with the Chair and members of the respective Working Group, established by the MHLSP to review disability determination criteria in children and relevant experts in the field. The consultant will participate in all technical discussions of the Working Group and convene additional meetings if needed so.

The consultant will report to the UNICEF Monitoring and Evaluation/ Child Rights Monitoring (M&E/CRM) Specialist and work closely with the Health Officer.

The work will be also coordinated with other UN Agencies to ensure interrelations with the work on revision of disability criteria for adults.

All activities and deliverables undertaken by the consultant shall be discussed and planned in consultation with UNICEF and the Chair of the Working Group will be executed following their approval. The consultant is expected to deliver each component of the work-plan electronically (in Word format, in Romanian). The documents will be sent to the UNICEF M&E/CRM Specialist and Health Officer, and the Chair of the Working Group (or to all members- depending on the type of work). Briefs will be organized to inform the MHLSP on the progress (upon request).

7. Performance indicators for evaluation of results:

The performance of work will be evaluated based on the following indicators:

- Completion of tasks specified in ToR
- Compliance with the established deadlines for submission of deliverables
- Quality of work
- Demonstration of high standards of work with UNICEF and with counterparts.

8. Qualifications and experience:

- Advanced university degree in medicine (major in pediatrics), educational psychology, sociology or related fields;
- Minimum 5 years of relevant professional experience, including analysis of public policies, development of tools, instructions and other regulatory documents in the areas of social and child protection, disability, inclusive education etc.;
- Knowledge of the principles and application of ICF-CY framework to assess the children under 18 years old;
- Experience in cooperation with the relevant state authorities;
- Excellent command of Romanian, both oral and written. Working command of English and Russian is a strong asset;
- Proven experience in planning and coordination as well as organizational skills;
- Strong communication and inter-personal skills, including the ability to effectively communicate with persons from various backgrounds.
- Experience in working with UNICEF or other UN Agencies will be an asset

9. Content of technical proposal to be submitted

- Description of the candidate's relevant qualifications and experience as indicated above (information need to be structured as follows: (i) education, (ii) relevant professional experience, (iii) familiarity with ICF – CY framework, (iv) experience in cooperation with the relevant state authorities, (v) languages, (vi) proven experience in planning, coordination and organizational skills, (vii) self-assessment and/or examples of communication and inter-personal skills; (viii) experience in working with UNICEF or other UN Agencies

- Proposed approach and overall vision on the work will be done, including timeline, potential risks and mitigation measures
- Sample or links to related work previously conducted by the consultant and references
- Curriculum Vitae

All documents need to be submitted in English

10. Content of financial proposal to be submitted:

The applicant should fill in the Financial Offer Template and specify the all-inclusive consultancy fee, per day of work, requested for the tasks described in the Terms of Reference in USD, as well as breakdown of international travel and daily subsistence allowance (DSA) costs if applicable.

Other expenses directly related to the ToR assignments and deliverables such as: (translation/interpretation costs, local transportation etc.) may be included in the financial offer unless specified that UNICEF will cover them.

The final selection will be based on the principle of “best value for money” i.e. achieving desired outcome at lowest possible fee.

If not provided by ToR, UNICEF will not reimburse costs not directly related to the assignment. The contract will not allow payment of off-hours, medical insurance, taxes, and sick leave.

UNICEF reserves the right to withhold all or a portion of payment if performance is unsatisfactory, if work/output is incomplete, not delivered or for failure to meet deadlines.

In case when a Moldovan resident is selected for contracting, MDL will serve as contract currency, converted at the UN exchange rate applicable at application period deadline.

13. Definition of supervisory arrangements

The consultant will be supervised by UNICEF Monitoring and Evaluation/ Child Rights Monitoring (M&E/CRM) Specialist and work closely with the Health Officer. Payments will be rendered upon successful completion of each task, as per the schedule outlined above.

14. Work location and official travel involved

The work will not require local travel.

In case of international consultant, s/he will make and pay for own international travel arrangements for arriving to Moldova including visa costs, insurance, any taxes etc.

The travel shall be based on economy class travel, regardless of the length of travel, subject to exceptional approval of business class travel by the Head of Office, for example for medical reasons when certified by UN Medical Services in New York.

The daily subsistence allowance (DSA) should not exceed fees as promulgated by the International Civil Service Commission (ICSC) for Moldova Country Office.

Travel costs not actually incurred due to travel mission cancellation, delays, contract termination or modification are subject to deduction from final contract amount.

15. Support provided by UNICEF

UNICEF will regularly communicate with the consultant, and provide feedback, guidance and necessary support to achieve objectives of the work, as well as remain aware of any upcoming issues related to the performance and quality of work. UNICEF will provide an initial package of relevant documents and available research, and an initial list of relevant experts and counterparts to work with.

16. Ethical considerations

The Contractor will be allowed to use documents and information provided only for the tasks related to these terms of reference.

Annex A

List of legislative and regulatory acts on determining the disability and the functional capacity

- Law No 60 of 30 March 2012 on Social Inclusion of People with Disabilities provides for the rights of persons with disabilities to social protection, health care, rehabilitation, education, work, public life, etc.
- Government Decision No 65 of 23 January 2013 on the Determination of Disability and Functional Capacity regulates the activity of the reorganized service for determining the disability and functional capacity.
- Joint Order of MLSPF, MoH and MoE No 13/71/41 of 28 January 2013 approving the Criteria for determining the disability in children under the age of 18, which approved the list of pathological conditions and diseases for determining the disability in children under the age of 18.
- Joint Order of MLSPF and MoH No 64/317 of 30 April 2015 approving the List of disabilities that irreversibly affect the children's health status, the health status and functional capacity in adults, which serve as grounds to establish the disability in children and adults for an undetermined period.

Key responsibilities of the National Council for Determination of Disability and Functional Capacity are as follows:

1. Prepare the regulatory acts on disability determination;
2. Collaborate effectively with medical-socio-professional and educational rehabilitation institutions;
3. Collaborate actively with similar institutions from other states, in order to share the experience in child disability determination;
4. Modernize and upgrade continuously the technical-material basis of the NCDDFC and its territorial structures;
5. Implement and improve the Automated Information System;
6. Develop the Module that connects with the institution, which prepares the Referral Form (F 088/e) of persons with disabilities;

7. Develop and approve/apply the Standardized Criteria for Determining Disability in Children (aged 0-17 years 11 months 29 days);
8. Increase the requirements and responsibilities in making decisions when determining the disability and functional capacity;
9. Develop and apply certain performance indicators in the work of NCDDFC and its structures;
10. Recommend, by the NCDDFC, to validate the International Classification of Functioning, Disability and Health to the competent bodies and the competent institutions, and develop/submit the Regulation on that classification to the Government for approval.