

TERMS OF REFERENCE FOR EXPERTS

Action code and partner country: *SOCIEUX 2019-35 TANZANIA*

Action title: *Development of a comprehensive Rehabilitation Strategy of the WCF*

Activity 2: Proposal for a WCF rehabilitation strategy

Partner institution: *Workers Compensation Fund (WCF) of Tanzania*

Date of activities: *remotely, between November 1st and December 30th, 2020*

Call for experts' reference: 19-35/TNZ/2

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SOCIEUX+ is implemented by

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About SOCIEUX+

The European Union (EU) promotes and maintains dialogue on social protection and inclusive employment policies with an increasing number of partner countries. This effort has been confirmed in the European Commission (EC) Communication COM (2016) 740 final - "Proposal for a new European Consensus on Development Our World, our Dignity, our Future". A significant number of cooperation activities in different countries related to these fields are funded by geographic or thematic instruments. However, a gap had been observed in the EU cooperation with third countries with regard to providing support to short-term measures and peer-to-peer cooperation to promote the development of social protection.

SOCIEUX+ - EU Expert Facility on Employment, Labour and Social Protection – (hereafter: "the Facility" or "SOCIEUX+") is a technical assistance facility set-up and co-funded by the EU (through the EC's Directorate for Development and Cooperation - EuropeAid), France, Spain and Belgium and implemented by a partnership composed of four partners: Expertise France, leader of the implementation Partnership (hereafter: "the Partnership"), the Fundación Internacional y para Iberoamérica de Administración y Políticas Públicas (FIIAPP), Belgian International Cooperation on Social Protection (BELINCOSOC) and Belgian Cooperation Agency (ENABEL).

The general objective of the facility is to expand and improve access to better employment opportunities and inclusive social protection systems in partner countries.

The specific objective is to enhance the capacities of partner countries to better design, manage and monitor inclusive, effective, and sustainable employment strategies and social protection systems through peer-to-peer short-term technical assistance and knowledge development.

SOCIEUX+ supports the efforts of Partner Countries (PCs) of the EU in the reform, development and extension of their social protection systems and the strengthening of labour & employment policies. The Facility aims at enhancing the capacities of partner countries to better design, manage and monitor inclusive, effective, and sustainable employment strategies and social protection systems through peer-to-peer short-term technical assistance and knowledge development. SOCIEUX+:

- Recognises the impact of social protection and employment in reducing poverty and vulnerability;
- Supports the efforts of partner governments in promoting inclusive and sustainable social protection and employment systems;
- Complements the efforts made through other European Union initiatives.

SOCIEUX+ makes European expertise quickly available with minimal transaction costs for partner institutions. It draws on the expertise of public or mandated bodies, non-governmental organisations, and relevant civil-society organisations of EU Member States and international specialised organisations. It can also support South-South and triangular cooperation through the mobilisation of practitioners from partner countries. SOCIEUX+ is operational since September 2016.

The Facility is an expansion of SOCIEUX - Social Protection European Union Expertise in Development Cooperation -, which was established in 2013 and progressively incorporated.

1 BACKGROUND INFORMATION

1.1 Country overview

In 1964, Tanganyika united with the Island of Zanzibar to form the United Republic of Tanzania, the largest in the East African region, bordered by Kenya and Uganda to the North, Rwanda, Burundi and the Democratic Republic of Congo to the West and Zambia, Malawi and Mozambique to the South. Tanzania has a population of around 50 million people. While the official capital is Dodoma, the largest city, chief port, major economic and transportation hub and de facto capital, is Dar es Salaam. Spoken languages are Swahili and English (both official), Arabic (widely spoken in Zanzibar).

Tanzania has been spared the internal strife that has blighted many African states. Unfortunately, domestic stability has not translated into economic prosperity for Tanzanians. Despite efforts between 2007 and 2016 that have reduced the country's poverty rate from 34.4% to 26.8%, the absolute number of poor people has held at about 13 million due to high population growth, although the country has had some success in wooing donors and investors. Tanzania is a developing country and its economy depends heavily on agriculture. The sector accounts for more than 40% of GDP, provides 85% of the country's exports and employs 80% of the total workforce. Apart from the agricultural sector, tourism, mining and small scale industries are increasingly contributing to the national economic growth.

1.2 Sector situation

The setup of social security in Tanzania has adopted a three-pillar model, articulated into the National Social Security Policy of 2003. In the 1st pillar, social assistance is offered to marginalized citizenry and special groups. Prominent programs in this pillar include those administered by the Tanzania Social Action Fund (TASAF) that provides cash transfers and public work to deserving poor. Currently, it is estimated that out of the total population of around 55 million people, existing social assistance programs covers slightly above 1 million poor households with approximately 7 million beneficiaries in total. The 2nd pillar focuses mainly on the workforce in the formal and informal sector. Under this arrangement, employers and the self-employed are obliged by law to remit contributions to social security institutions on monthly/regular basis. Statistics show that coverage under this arrangement is at around 11% of the labour force. Individuals covered are mainly members of mandatory social security institutions that exist in the country, such as the National Social Security Fund (NSSF), the Public Service Social Security Fund (PSSSF), the National Health Insurance Fund (NHIF) and the Workers Compensation Fund (WCF). Through the Social Security reform of 2018, the National Social Security Fund (NSSF) has a legal mandate to cover members from both private sector as well as those in the informal sector. The 3rd pillar focuses on voluntary contributions over and above the mandatory arrangements. Voluntary contributions are still low due to various reasons including low saving culture among people.

Despite major progress realized so far - such as the merger of four social security funds into one, and the establishment of the Workers Compensation Fund in 2015 - a number of challenges remain. It is estimated that over 80% of the Tanzanian population is not covered by social security programs. Most of those lacking social security coverage are in the informal sector and are in majority the rural habitants. Adequacy of benefits provided is another challenge that raises complaints from the members.

1.3 Role of partner institution in sector

With regards to employment injury protection, appropriate legal regulations were passed in the years 2000s (in particular the Occupational Health and Safety Act No. 5 of 2003; the Workers' Compensation Act No. 20 of 2008, but also the Employment and Labour Relation Act No. 6 of 2004 and the Mining Act of 2010). While the Occupational Safety and Health Authority (OSHA) is working since several years, the WCF has been established a few years later than foreseen in the 2008 Workers' Compensation Act (2015 instead of 2008). Since 2015 WCF is working and developing steadily. It is self-governed by a tripartite board under the framework of the Law. The number of staff and their occupational skills seem to be appropriate to the tasks of the WCF, even if there is still a lack of staff who is well trained in rehabilitation management. Factories, enterprises and industrial establishments must register to WCF, according to the Law; in reality, the major industrial players are almost completely registered and paying their contributions, while smaller enterprises

are less compliant. Most of the registered establishments seem to pay their contributions (1 % of the wages) in a reliable and steady matter. The WCF has to pay benefits only to the newly injured persons, not to persons having been injured or sick in the past (before the foundation of the WCF). Therefore the WCF today has available more revenues than what is actually needed for benefits' payment. Therefore, the financial situation of the WCF seems to be stable, but the loads from the past and the loads caused by new cases will grow in the future.

The WCF actually covers around 50.000 establishments with more than 2 million of insured persons. According to the statistical data from the first 2 ½ years (2017 – 2019) of its existence, the WCF registered only around 5.000 work injuries, for which benefits have been paid. If these figures hold true, the number of work injuries per year will probably not be above 3.000 in the very next years. Of course, this will depend by the rate of economic growth in the formal sector, with possible effects in terms of increasing the number of registered enterprises and formal workers, but also on the further extension of the WCF to the informal sector, which is foreseen in the legal framework but in fact very difficult to achieve.

2 ACTION DESCRIPTION

2.1 Overall objective

Improving the rehabilitation strategy in force at WCF.

2.2 Specific objective (s) (purpose)

SO1. Critically review the existing draft of WCF rehabilitation strategy.

SO2. Conduct a tripartite social dialogue (involving the WCF, the Unions' Commission and the Employers' Association) to get a mutual understanding of a rehabilitation strategy for victims of accidents and work-related sickness.

SO3. Finalize and adopt a WCF rehabilitation strategy.

2.3 Expected results

ER1. A dialogue between the WCF, the Unions' Commission and the Employers' Association in view to get a mutual understanding on the main principles and actual components of a rehabilitation strategy for victims of accidents and work-related sickness, is set-up and steered.

ER2. The final draft of a WCF rehabilitation strategy is achieved and adopted by the WCF.

2.4 Final deliverables

D1. A brief note assessing the actual draft WCF rehabilitation strategy, which helps identifying problematic issues, as well as components that shall be included in a rehabilitation strategy.

D2. A WCF rehabilitation strategy paper.

3 IMPLEMENTATION METHODOLOGY

3.1 Summary

During Activity 1, experts have assessed and critically reviewed the draft WCF's rehabilitation strategy, which has been prepared by WCF staff in consultation with local professionals, while presenting relevant experiences on rehabilitation approaches and tools adopted by social security, OSH-related organizations, in Europe and beyond. The review has allowed to flag criticalities in the existing draft document, as well as to identify issues that shall be included and/or further developed

in the draft document. Those elements are gathered into the activity's deliverable (D1), namely a brief note assessing the actual draft WCF rehabilitation strategy. Based on the observations and shared findings of the first activity, including those coming from relevant social partners involved in the discussion, experts will accompany the finalization of the WCF rehabilitation strategy. This documents (D2) shall later be adopted by WCF and disseminated among relevant partners and constituents.

As regards this second activity, the peer-to-peer cooperation between European experts and their counterparts at the WCF will take place remotely, as the current global health emergency due to the continuation of the COVID-19 infection, and the related ongoing restrictions to international travel, do not allow an on-site mission of the experts in conditions of safety and certainty.

4 DESCRIPTION OF ACTIVITIES

Activity 2: Proposal for a WCF rehabilitation strategy

4.1 Tasks

Minimum tasks expected from the experts shall include:

- Ahead of the (distant) mission, to get substantial knowledge of the local context; review any relevant background documents provided by the SOCIEUX+ Team and/or the Partner.
- Preliminary contacts with the Partner in view of the preparation of the mission's methodology and agenda, to be transmitted ahead of mission to the SOCIEUX+ team for approval;
- Taking part to the pre-departure briefing with SOCIEUX+ team (around 1 week before the mission);
- To conduct remote consultations with the Partner's executives and staffs, as well as any other external actor that can support the positive deployment of the mission.
- To present the outcomes of the mission to the partner in order to discuss and take into account comments on the contents of the deliverables before their finalization;
- At the end of the mission, timely submission to SOCIEUX+ of the final deliverables (10 working days after the mission), and availability to go through an eventual round of comments and adjustments in interaction with SOCIEUX+ and the Partner;
- To channel to SOCIEUX+ Communication officer any material that can be useful to inform the public about the activity (pictures, interviews, brief notes or articles).
- To employ the different templates and evaluation forms provided by the SOCIEUX+ Team.

4.2 Deliverables

Intermediary deliverables (to be transmitted to SOCIEUX+ FMT at least three working days ahead of the activity)

- A methodological note (max. 3 pages), detailing the working approach, tools and methods to employed, a risks analysis
- A detailed agenda (max. 2 pages), detailing the meetings and working sessions to be held, persons to meet

Final deliverables (to be transmitted to SOCIEUX+ FMT no later than ten days after the activity's completion):

- Action Report (AcR). To be filled according to template.
- Final deliverable D2 (annex 1 to Action Report). A WCF rehabilitation strategy paper.
- Experts' Mission Report (ExMR) and Experts Evaluation Survey (EXF). To be filled according to templates.

NB: The Principal Expert is responsible for the overall preparation and transmission of the activity's deliverables, in cooperation with the other expert.

5 EXPERTISE PROFILE

Principal expert (Expert 1):

Area of expertise: *Law and administration of work injuries and occupational diseases insurance schemes*

Requirements (essential/required):

- University level; master and PhD relating to the subject are a plus
- At least 15 years of professional experience within an EU public administration, academy, and social partners;
- Relevant experience in the management and/or administration of public insurance schemes relating to the rehabilitation of persons victims of work injuries and/or diseases;
- An executive experience in steering OSH-related organizations;
- Fluent in English, written and oral;
- Acute sense of diplomacy and institutional relations.

Additional assets (advantageous in selection):

- A previous experience in delivering short-term technical assistance in international cooperation;
- A previous professional experience in developing countries; previous knowledge of the local context in Tanzania.

Expert 2:

Area of expertise: *Rehabilitation policies related to work injuries and occupational diseases*

Requirements (essential/required):

- University level; master and PhD relating to the subject are a plus
- At least 10 years of professional experience within an EU public administration, academy, and social partners;
- Relevant experience in the management and/or administration of public insurance schemes relating to the rehabilitation of persons victims of work injuries and/or diseases;
- A previous experience in organizing/conducting medical rehabilitation of persons victims of work injuries and/or diseases;
- Fluent in English, written and oral;
- Acute sense of diplomacy and institutional relations.

Additional assets (advantageous in selection):

- A previous experience in delivering short-term technical assistance in international cooperation;
- A previous professional experience in developing countries; previous knowledge of the local context in Tanzania.

Provisional work load:

- 3 days for the preparation;
- 5 days remote cooperation;
- 3 days reporting and finalisation of deliverables.

6 REPORTING

Intermediate deliverables (Methodological Note, Agenda) are to be transmitted to SOCIEUX+ FACILITY MANAGEMENT TEAM at least three working days ahead of the activity, in A4 editable format, font size 12, single line spaced; the Methodological Note shall not exceed 3 pages, the Agenda 2 pages.

Final deliverables are to be transmitted to SOCIEUX+ Facility Management Team no later than 30 working days after the Activity's completion; They shall be presented in A4 editable format, font size 12, single line spaced. D1 shall not exceed 30. pages, excluding annexes charts and tables.

A joint **Experts Mission Report (ExMR)** shall be prepared by the experts after the assignment, under the coordination and overall responsibility of the Team Leader. The ExMR is based on a specific SOCIEUX+ format and should serve to inform on the (i) the objectives of the activity, (ii) the approach and methodology applied, (iii) the main tasks performed and results achieved. Furthermore, it shall contain (iv) an assessment of involvement of Partner institutions/participants and expected impact as well as give (v) some recommendations. The reporting language is English.

Submission procedure of final Deliverables and ExMR:

- **Step 1:** The Deliverables and the Expert Mission Report shall be submitted in an editable electronic format (MS Word) to the SOCIEUX+ Facility Management Team by Email (contact@socieux.eu) within two weeks (10 working days) of the conclusion of the Activity/Action for comments and review.
- **Step 2:** SOCIEUX+ Facility Management Team will have 5 working days to submit comments, revisions and requests of amendements to the Deliverables and ExMR to the attention of the experts.
- **Step 3:** The Expert(s) will then have 5 working days to amend the Deliverables and ExMR and send it back to the SOCIEUX+ team for final approval.

ExMR are internal documents solely intended for SOCIEUX+ Facility Management Team. There are not intended or are to be shared with any other stakeholders, in draft or final form.

- **Step 4:** Once the documents have been approved by the SOCIEUX+ Facility Management Team, the Deliverables will be shared with the beneficiary institution, EuropeAid and all other relevant stakeholders.

Submission by email, letter or fax

The documents shall be sent by e-mail to: contact@socieux.eu.

7 CODE OF CONDUCT

The experts mobilised by SOCIEUX+ will provide technical assistance from the preparatory stages of each activity to post-delivery follow-up. The SOCIEUX+ Facility Management Team will assist experts to fulfil their assignments by supporting and advising on the preparation of background materials prior to meetings. The SOCIEUX+ team will collect feedback from partner countries and ensure that mission reports and recommendations are delivered to national authorities, the EU Delegations in the partner countries and EuropeAid.

The experts mobilised are not representing SOCIEUX+ or the EU. Technical opinions and recommendations expressed are their own. They shall not express negative opinions on the implementation or actions supported by SOCIEUX+ to third-parties. Nevertheless, they shall be aware of SOCIEUX's objectives and functioning, and promote the facility at the best of their knowledge, whenever possible and feasible.

Finally, the experts shall perform their duties in the Partner Country in a way that is fully compliant with and respectful of the local institutions, policies and cultural behaviours; they shall particularly adopt an institutionally-sensitive behaviour in their way to deal with the local counterparts.

8 APPLICATION

8.1 4.1 Documentation:

Curriculum Vitae in *ENGLISH* and Europass format – available at:

<http://europass.cedefop.europa.eu/en/documents/curriculum-vitae/templates-instructions>

8.2 4.2 Submission of applications

Interested experts submit their application on the website: <https://pmt.socieux.eu>

The application process is the following:

1. If not already created, experts create their own personal SOCIEUX+ account (by clicking on "create an account"). To have access to all SOCIEUX+ Call for Applications, experts are required to fill out at least the fields marked with an asterisk.
2. Once their account is created and approved by the SOCIEUX+ team, experts sign in their personal account, click on the "Call for Applications" tab, identify the **19-35/TNZ/2** position, and click on "Apply."

If more information is needed, please contact SOCIEUX+ team by email to experts@socieux.eu with the application reference.

9 SELECTION PROCESS

If you do not receive a response within 30 days of the application deadline, please consider that your application has not been shortlisted.

Only short-listed applicants may be contacted. The selection process may include interviews by phone or other communication means.

Public civil servants or employees (active or retired) and private individual experts are eligible and preferred for this position. Private consultants may also apply.

Contracted public civil servants or employees (active or retired) are entitled to standard fixed allowances of 250 Euro per working day. Fees for private consultants will be negotiated based on the number of years of relevant expertise of the selected applicant.

Interested candidates may download the **Guide for Experts with detailed information on contracting with SOCIEUX+** at www.socieux.eu

10 DISCLAIMER

The proposed activity and mission are subject to the final review and approval of SOCIEUX+ Quality Assurance Committee. A confirmation of dates of missions and contracting of experts may only be confirmed upon the formal approval.

Short-listed candidates may be required to provide contact of employer or proof of their ability to be directly contracted under their status as civil servant or public employee.

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