

Terms of Reference – **Senior Management Expert 2** to Support the Implementation of the Office of the Regional Court Manager (ORCM), the Establishment of the Supreme Court Permanent Planning and Development Office (PDO), the Creation of High-Performance Courts (HPC), and the Modernisation of the New Office of the Court Administrator (OCA)

Required expert:

One (1) Senior Management Expert 2

Purpose

The specialist contractor terms of reference (ToR) is a document that sets out the specialist contractor’s contribution to the task. The template is designed to set out the aims of the task and what the contractor is responsible for in order to achieve those aims.

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Document authors	Carolyn Mercado
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Consultancy role title: Senior Management Expert 2

Location: Philippines

Apply by: 24 August 2024; 11:59 PM Manila time

1. Background and context about the project

A. Overview of the British Council

We support peace and prosperity by building connections, understanding, and trust between people in the UK and countries worldwide.

We uniquely combine the UK’s deep expertise in arts and culture, education, and the English language, our global presence and relationships in over 100 countries, our unparalleled access to young people and influencers, and our creative sparkle.

We work directly with individuals to help them gain the skills, confidence, and connections to transform their lives and shape a better world in partnership with the UK. We support them to build

networks and explore creative ideas, to learn English, to get a high-quality education and to gain internationally recognised qualifications.

We work with governments and our partners in the education, English language and cultural sectors, in the UK and globally. Working together we make a bigger difference, creating benefit for millions of people all over the world.

We work with people in over 200 countries and territories and are on the ground in more than 100 countries. In 2021–22 we reached 650 million people.

B. Background to the Programme

The Government of the Republic of the Philippines with the support of the European Union is implementing the Justice Sector Reform Programme: Governance in Justice II (GOJUST II). GOJUST II builds on and continues the work of the predecessor programme, GOJUST that was implemented from April 2016 to September 2020. GOJUST II is implemented in joint co-financing with the Spanish Agency for International Development Cooperation. The overall objective of GOJUST is *to contribute to inclusive and sustainable socio-economic development through improved access to justice for all in the Philippines. Specifically, it aims to develop more responsive and accountable justice services*. It includes two components focusing on justice and human rights, respectively. The programme is being implemented from December 2020 to June 2025.

GOJUST II seeks to achieve four major result areas, as follows:

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| Result 1 | Justice sector coordination mechanisms are improved |
| Result 2 | Strengthened institutional efficiency and effectiveness in the delivery of justice services |
| Result 3 | Increased access to the justice system for vulnerable groups, including women |
| Result 4 | Justice policy and practice is informed by evidence and responds to justice needs |

Justice and Human Rights policies are at the heart of the Philippine Development Plan 2017-2022, which for the first time includes a dedicated chapter on justice, chapter 6, titled “Pursuing Swift and Fair Administration of Justice”. The chapter enshrines the principle of coordination as a mechanism for bringing about long term and sustainable justice sector reform. The focus is on the enhancement of “civil, criminal, commercial and administrative justice” and the improvement of sector efficiency and accountability while also directing the Commission on Human Rights (CHR) to intensify its efforts to facilitate access to justice by improving, monitoring and evaluation, empowering the people living in poor and marginalised situations to seek response and remedies for injustice, improving legal protection, awareness and aid, enhancing civil society and parliamentary oversight, addressing human rights violations in the justice sector and, strengthening linkages between formal and informal justice providers.

The justice component will continue and expand some previous GOJUST activities such as improved coordination between and within the justice sector agencies and case management automation interventions to strengthen capacities to decongest overburdened courts, prosecution offices, and reducing pre-trial detention. GOJUST II will also focus on new result areas such as increased access to justice for vulnerable groups and evidence-based policy research and advocacy to inform policy making for improved justice outcomes.

The programme is managed by a Programme Steering Committee (PSC) headed by representatives of the Supreme Court, Department of the Interior and Local Government, and the Department of Justice. A Programme Director has also been appointed to be the main focal point and point of coordination for the smooth implementation of the programme.

In line with the Direct Management component of the Financing Agreement, a Pillar-Assessed Contribution Agreement (ACA/2020/ 418-821) for the provision of *Technical Assistance for the Justice Sector Reform Programme: Governance in Justice II (GOJUST II)* was awarded to the **British Council** on 7 December 2020 for a period of implementation of 54 months. The PACA contract requires the provision of a Technical Assistance Team consisting of four (4) key experts that will be responsible for the four (4) result areas (justice sector coordination, effective institutions of justice, access to justice by the disadvantaged groups, and evidence-based policy research). In addition, the contract also includes the provision of 3,200 working days of non-key experts that will support the work of the key experts in the delivery of results under the programme.

2. About the role of the specialist contractors

In line with the objectives of GOJUST II, the programme supports the Supreme Court of the Philippines in the implementation of its Strategic Plan for Judicial Innovation (SPJI) 2022-2027. Previously, in 2021, GoJUST supported the hiring of a team of management and organisational development experts under Mission 23 to provide the Supreme Court an evidence-based assessment study of the first and second level courts and the Office of the Court Administrator that seeks to promote the advancement, modernisation, and optimisation of court operations. These, with the end in view of achieving cost savings, operational efficiencies, and enhanced case processing. Efficiencies within the organisation will greatly impact the well-being of judicial personnel which will result in efficiencies in the delivery of public services provided by the courts. This will redound to the benefit of all justice-seekers, particularly those who languish in jail for a long time awaiting the conclusion of their trial.

The Professional Services Agreement between the British Council and 1-HR.X Pte. Ltd. which implemented Mission 23 entitled Organizational Review and Restructuring of the First and Second Level Courts and the Modernisation of the Office of the Court Administrator ended on January 31, 2022. The final output of the Mission which is an organisation redesign of the Office of the Court Administrator (OCA) is such that it does not end with a final report as it is a continuous dynamic process that is subject to rapid changes in the internal and external environment of the organisation. While the scope is limited to the OCA and the First- and Second Level Courts, the “agile” implementation and recommendations of Mission 23 have a scale and impact that will have a significant bearing on the achievement of SPJI 2022-2027. The journey of the first and second level courts toward high performance courts and court administration excellence in the judiciary will require “handholding” by management experts, medium-term capacity building, and post implementation and follow-through. These will require superior management guidance and expertise.

The follow-through Mission 31 which commenced in 2023, engaged the services of the former team leader of Mission 23, Dr. Ramon Segismundo. Mission 31 continues to support the Supreme Court for an extended period until the close-out of GOJUST II (by May 31, 2025) to operationalise the recommendations of Mission 23, in particular, the smooth establishment and operationalisation of the Office of the Regional Court Managers. Currently, six pilot ORCMs have been established in the following regions: Region 1 (La Union), Region 3 (Angeles), Region 7 (Cebu), Region 8 (Ormoc), Region 10 (Butuan); and Region 11 (Davao). The Regional Court Managers and staff have been

hired, with support from GOJUST II management expert, but those hired need to be trained and mentored in management, leadership, and communication skills, including modern court procedures, which Mission 31 aims to accomplished.

Most recently, due to the clamour of other regions to have their own ORCM, the Supreme Court has decided to create ORCMs in the following remaining regions: Region 2; Region 3 (another station due to the size of the region and the number of courts); Region 4; Region 5; Region 6; Region 9; Region 12; and NCJR (2 stations due to the size of the region and the number of courts). The six original ORCM pilot sites are too much for one management expert to accomplish alone, much so with these new additional areas. Also, there is a need to not leave behind the Office of the Court Administrator (OCA) in all these new development in the decentralisation of most of its functions. To manage the change within and without, additional work with respect to what will now happen to the current OCA should be pursued. Thus, the need to hire an additional management expert to assist the Lead Management Expert, Dr. Ramon Segismundo, in achieving the primary goal of the SPJI, which is efficiency in the administration of justice.

Lastly, the creation of the permanent Supreme Court Planning and Development Office (SC PDO) is currently undergoing review by the SC en banc. Once this is approved, jumpstarting the establishment of the PDO will commence immediately, including the hiring of the personnel and the training and mentorship of those hired. Again, this will require the services of an additional management consultant who will assist the main management consultant under Mission 31 to achieve the vision and goals of the said Mission.

General Objective

This engagement aims to provide expert guidance, training, mentoring, and support to the operationalisation of the six pilot Office of the Regional Court Managers (ORCM), the establishment of additional nine (9) ORCMS, the creation of High-Performance Courts (HPC), development of a continuity plan for the Office of the Court Administration (OCA), and the establishment and operationalisation of the permanent SC Planning and Development Office (PDO).

Specific Objectives

- Provide expert guidance and support to the SC in the operationalisation of the six (6) pilot ORCMs and the establishment of additional nine (9) ORCMs.
- Provide mentoring, coaching, and knowledge transfer to the SC PDO.
- Assist the lead management consultant in the identification, training, and monitoring of pilot High Performance Courts (HPC).
- Assist the lead management consultant in the development of a Continuity and Modernisation Plan for a new Office of the Court Administrator (OCA).

Outcome and outputs

The specialist contractor shall carry out the following:

- Assist in the development of a Training, Mentoring, and Coaching Plan for the ORCMs and the permanent PDO
- Assist in the development and design a Modernisation and Continuity Plan for the Office of the Court Administrator

- Provide regular progress reports and updates to the SC PDO on the ORCMs
- Collaborate with the OCA and SC PDO in the identification and establishment of High-Performance Courts
- Identify and mitigate risks associated with the ORCMs and the new OCA

The **output** of this engagement is the following:

- An inception report no later than five (5) days after the commencement of the engagement containing the following:
 - Detailed work plan for the delivery of the service
- Mentoring and coaching plan for the ORCM and SC PDO
- A report on the evaluation of the mentoring and coaching for the ORCMs and PDOs
- A report on the Office of the Court Administrator Continuity Plan
- A report on the High-Performance Courts
- Final Report which shall contain the following:
 - Executive summary
 - Introduction and Background
 - Main findings related to the overall and specific objectives of this assignment
 - Key Recommendations
 - Conclusion
 - Relevant Annexes

All reports and correspondence must be in English.

All reports must be submitted by the expert electronically in the format provided at the start of the mission. Comments by the Technical Assistance Team and key stakeholders on the various reports, will be provided to the experts as soon as possible. Draft final reports must be submitted before the debriefing by the experts to the Technical Assistance Team.

Indicative Activities and Number of Days Required

Expertise required and number of days needed

Number of Position/s	Designation	Type of Expertise	Duration (days)
1	Senior Non-Key Expert	Senior Management Expert 2	50 days intermittent 16 September 2024 – 31 May 2025

For guidance of the specialist contractor, the indicative activities for the assignment are the following:

Indicative Activities	Estimated Days
Kick-of meeting	0.5
Drafting of inception report	0.5
Mentoring and Coaching Plan	1
Training, Mentoring, and Coaching	25
Assist in the consultations and drafting of a Continuity Plan for the Office of the Court Administrator	6
Assist in the setting up of the additional ORCMs	10
Attend meetings with ORCM and PDO	5
Assist in the present the final evaluation to TAT and SC	1
Draft Final report	1
Total	50

3. Timeline

Activity	Date / time
TOR is posted	13 August 2024
Deadline for submission of Expression of Interest	24 August 2024
Final Decision	28 August 2024
Contract Period	16 September 2024 – 31 May 2025

4. Fee & expenses

Please submit a Pricing Approach using the template in Annex 1.

5. Reporting and communication

The NKE will be under the supervision of the Technical Assistance Team.

The consultants will be required to provide the Services in **the Philippines** and such other locations as may be agreed between the parties in writing from time to time.

All working days for preparatory work, comprehensive desk review and report writing are foreseen to be performed by the expert from his/her home base, i.e., at his/her usual place of residence, both at the initial stages of the mission and later on during the whole assignment.

6. Qualifications and experience required

Skills and Competencies

The expert should have the following **skills and competencies**:

- Fluent in spoken and written English
- Excellent analytical competence, technical skills, and detail oriented
- Excellent interpersonal skills
- Ability to coordinate and communicate with key stakeholders
- Coaching and mentoring skills
- Good communication skills, both written and verbal
- Active listening skills and strong writing skills
- Fluent in English and Filipino
- The ability to work independently and as a part of the team
- A positive approach in a busy working environment

Qualifications

- University degree in engineering, business, management, among others
- Master's degree in management or business or 25 years in equivalent experience

General Professional Experience

- At least 20 years of experience in management consulting, both locally and internationally, with a focus on agile transformation and change management
- Proven experience in managing large-scale projects, with a strong track record of delivering results on time and within budget

Specific Professional Experience

- Experience in mentoring and coaching teams, with a strong track record of knowledge transfer and skills development
- Previous experience in working with the Supreme Court of the Philippines is preferred
- Should be able to provide evidence of the validity of experience and qualifications, including work done for other organisations.

7. How to apply

Send your cover letter, CV with three (3) character references, and Pricing Approach to Lalaine.Alfaro@britishcouncil.org by 24 August 2024; 11:59 PM Manila time.

8. Criteria for evaluation

Criteria	Weighting
Qualifications and skills	25%
General professional experience	25%
Specific professional experience	30%
Pricing Approach	20%