Terms of Reference

Parliamentary Adviser (Bangsamoro)

Supporting Democratic Stability in Bangsamoro

The Westminster Foundation for Democracy (WFD) is the UK’s democracy assistance agency, working in partnership with political parties, parliaments and civil society organisations around the world to create more inclusive, accountable and transparent democratic systems. WFD strengthens the capacity of these key democratic institutions, helping ensure they have the systems, knowledge and skills to perform effectively. WFD also fosters improved democratic processes, bringing together individuals and institutions and encouraging them to work together to solve concrete problems, applying democratic values and principles.

Over the course of 2021-2022, WFD is leading on supporting democratic stability in Bangsamoro (the Philippines) through the UK’s Conflict Stability Security Fund (CSSF) managed by the Foreign, Commonwealth and Development Office (FCDO). Recognising the establishment of the Bangsamoro Organic Law (BOL) being a key entry point for locally owned institutions and processes to develop and adopt inclusive and accountable practices, the programme is designed with the overall aim of supporting the implementation of BOL. The programme will support the establishment of BOL by strengthening locally owned institutions to become increasingly accountable, inclusive and pluralistic.

The programme now in its second year (Phase II) has four broad areas of focus:

1. Strengthening the Bangsamoro parliament as an institution and developing the expertise of its members and staff.

2. Supporting more inclusive and responsive policy making by creating more opportunities for engagement between parliament, government, and civil society.

3. Supporting Bangsamoro women as political leaders and politically active citizens to coalesce around shared objectives and agenda and to be equipped with the right expertise to identify and influence key policy and legislative change.

4. Supporting the development of existing and fledging Bangsamoro political parties and brokering dialogue between them around the emerging rules of the game within the new system of governance.

Objective

WFD seeks to engage a Parliamentary Advisor to support work in focus area #1 as stated above. The Parliamentary Advisor will work closely with the WFD Bangsamoro programme team to guide, plan and organise parliamentary engagements. The Parliamentary Advisor will be expected to provide bespoke advisory support to members and staff of the Bangsamoro Parliament across several technical areas that
are critical to the set-up and development of the transitional legislature and wider parliamentary system of the governance in the Bangsamoro (the Philippines).

In the Phase I of the project, WFD has provided technical support in the areas of policy and legislative process, legislative scrutiny including employing a gender sensitive lens to review legislation, draft legislation review, committee work, parliamentary services, capacity building of MPs and parliamentary staff and bespoke mentoring to MPs and parliamentary officials.

WFD’s focus in the project’s Phase II is on consolidating and deepening our work with the Bangsamoro Parliament. Building on the learnings and achievements of the first phase, WFD’s support in Phase II will focus on assisting the Bangsamoro Parliament in producing better quality law and developing a culture of oversight. To that end, the programme will support the parliament to develop more effective processes for legislative and oversight work, as well as provide expertise on the subject matter of specific pieces of legislation.

Areas of assistance under this assignment

WFD recognises the broad remit of this assignment and will work with the Parliamentary Advisor to agree priorities and set work across technical areas. It is anticipated that the Parliamentary Advisor will support the delivery of work, often together with subject-matter experts across the following technical areas:

- **Technical assistance on institutional design and development.** WFD will deliver technical assistance through remote and on the ground / hybrid sessions with the leadership of the Bangsamoro Parliament focused on institutional design options for the transitional and permanent legislature (post-transition period). This work will include introduction of comparative institutional models for parliamentary governance, such as the Scottish Parliament Corporate Body\(^1\), and engage principals in the creation of a roadmap for the adoption of a similar model for the Bangsamoro Parliament, in line with the aims of the forthcoming strategic plan.

- **Bespoke analysis and advise on priority codes and legislation.** WFD will continue to provide bespoke analysis and advisory support to members and staff of the Bangsamoro Parliament on the priority legislative codes and other legislation under consideration, feeding wherever possible into formal consultation processes. This support will focus on the forthcoming priority codes, such as the Bangsamoro Internal Revenue Code, where there are lessons to be learned from UK and other countries’ experience (e.g. fiscal devolution and revenue mobilisation powers) as well as regional contexts. It will also support the implementation of codes already passed by the Bangsamoro Parliament, such as the Bangsamoro Administrative Code, through providing expert advice on the preparation of secondary legislation.

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\(^1\) Significant work on a Corporate Body governing the Bangsamoro Parliament has been done during the first phase of the project and a Bill has been tabled.
- **Master classes for members and parliamentary officials.** WFD will deliver online master classes on selected topics for members and staff of the Bangsamoro Parliament. As in Phase I, the one-hour master classes will be responsive to the needs and requests of a parliamentarian and their staff and run as drop-in sessions over the course of several weeks with follow up between classes through email group.

- **Mentoring for parliamentary services.** WFD will deliver tailored packages of mentoring support to parliamentary staff by division/department. Our support will focus on developing how parliamentary services function and are delivered and building up the area-specific expertise of their staff. Priorities for this support will be the newly formed Plenary and Committee Affairs Department and the Legislative Technical Affairs and Information Services and Policy Research and Legal Services divisions. This will also include mentoring for senior management (Officers-in-Charge). delivered by counterparts at the Westminster Parliament or UK devolved assemblies (current/former clerks in the Committee Office), as well as tailored training for division staffers.

- **Induction and continuous learning for members and parliamentary staff.** WFD will support the Bangsamoro Parliament in developing induction and continuous learning resources for members and staff drawing on the content developed and used throughout Phase I. This support will focus on streamlining learning and mitigating the impacts of staff turnover and create products including but not limited to online courses. WFD will also explore the feasibility of the possible creation of a parliament portal to be embedded into the Bangsamoro Parliament webpage.

- **Technical assistance on policy and legislative processes.** WFD will support both the Bangsamoro Parliament and Government to further develop core processes, including policy development, legislative (including the development of secondary legislation) and budget processes. This support will involve expanding our engagement with cabinet and government ministries to support, for example, the development of centralised guidance on law-making (the UK model being the Cabinet Office guide on legislation making). We will also continue to support the piloting of new legislative scrutiny practices, including through applying a gender and peace building lens to legislative review and other techniques such as corruption-proofing of legislation.

- **Committee mentorship.** WFD will continue to provide and expand the reach of our mentoring for committees of the Bangsamoro Parliament. We will pair current and former UK committee chairs and members with chairs and deputies in the Bangsamoro and provide a combination of technical (i.e., on committee business) and specific thematic/subject-matter expertise with the aim of aiding the setup and functioning of the committee system both for oversight and legislative scrutiny.

- **Civic Understanding and Engagement with Parliament.** While there is an ambition within the Bangsamoro Parliament to become a ‘people’s parliament’
and have greater outreach to citizens, there are few formal mechanisms through which the legislature can reach people. Evidence sessions and consultations are ad hoc and unstructured, and there is limited public information that distils parliament’s role clearly. As a result, there is limited understanding of the parliament’s role, how it should function and how it differs from the executive among the public. The Parliamentary Advisor will be expected to work with sub-matter experts to provide tailored advice to members and staff, including senior secretariat officials, on options for enhancing parliamentary outreach and the public understanding of the legislature.

**Deliverables:**

The Parliamentary Advisor is expected to deliver the following over the course of the assignment:

1. Participate in planning, priority setting and update calls with the WFD Bangsamoro Team, partners and beneficiaries in the Bangsamoro Parliament and BWC throughout the assignment,
2. Conduct desk research on selected topics and for the development of materials related to the delivery of advisory sessions and trainings; and liaise with the WFD Technical Advisory Unit (TAU) on the research and development of tools;
3. Develop and tailor materials for advisory sessions and trainings, including written briefs, primers and option papers on selected topics, and presentations and video clips, among other materials as needed and agreed with the Programme Manager;
4. Conduct advisory sessions and trainings across the assigned technical areas, in agreement with the Programme Manager and coordination with the WFD Bangsamoro Team;
5. Review partners’ training materials for activities jointly implemented with WFD and provide input, feedback and comments;
6. Regularly report to the Programme Manager, by email, on progress with the assignment (maximum bi-monthly), priorities for next period, and days spent working on the programme.
7. Write two blog posts on the progress and results of the WFD parliamentary strengthening programme in Bangsamoro.

The above deliverables are expected to be provided remotely (home-based), taking into account the time difference with and waking hours in Bangsamoro.

**Timeline.** 35 consultancy days between October 2021 and March 2022. The number of consultancy days can be increased based on the workload emerging from requests of the Bangsamoro Parliament and upon the recommendations of the WFD programme manager for Bangsamoro.

**Fees.** Dependent on experience.
Qualifications:

Relevant work experience:
- A minimum of ten years of progressively responsible experience in international parliamentary strengthening with demonstrated background in supporting members and staff, leading capacity building initiatives to strengthen legislative processes, enhance institutional relevance and legislative effectiveness.
- Experience of working with sub-national, parliaments or devolved administrations in Southeast Asia as well as experience in political outreach, facilitation, analysis, advice and reporting is required.
- Experience in post-conflict and in-transition countries is preferred.
- Understanding of legislative processes in different constitutional systems.

Technical and functional competencies:
- Excellent analytical, research and writing skills;
- Commitment to accountable governance;
- Experience working collaborative and in teams;
- Excellent organisational skills.

How to apply. Please send your CV, cover letter and proposed fee rate to saba.gill@wfd.org by 30 September 2021. Applications will be reviewed on a rolling basis.