Project: “Good Governance for Local Development in South Caucasus”

PN: 19.2204.6-002.00

Mission: Development of Internal Guidelines on PDPS for LSG staff, Information Cards on PDPS for citizens of LSGs and conducting trainings for LSG staff based on developed Guidelines and Information Cards

Period: 01.04.2021 – 31.07.2021

1. **Introduction**

The “Good Governance for Local Development in South Caucasus” (GGLD) Programme aims at strengthening the capacities of public institutions in the South Caucasus to the effect that they are better able to provide citizen-oriented services. The programme advises partner institutions at national, regional (sub-national) and local levels in Armenia, Azerbaijan and Georgia on designing and implementing national reform processes, improving framework conditions and developing standards and guidelines. It supports the capacity development of key actors for citizen-oriented service delivery, primarily at local level. To promote citizen participation in local development processes, the Programme advises on the introduction of participation and complaint mechanisms and supports respective awareness raising for citizens. The Programme also supports the elaboration and implementation of strategies and instruments for regional development and local economic development. As a part of the German Caucasus Initiative, the project promotes professional exchange of knowledge and experiences between the countries of the South Caucasus.

The Programme is implemented by Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH on behalf of the German Federal Ministry for Economic Cooperation and Development (BMZ). In Armenia it is co-financed by the Swiss Agency for Development and Cooperation (SDC) and carried out in close cooperation with the Ministry of Territorial Administration and Infrastructure (MTAI) as the main political partner.

One result area of the Programme is advising the local authorities on modernising their administrative procedures and instruments for service provision, with a strong focus on personal data protection and data security (PDPS). Hence, under coordination of MTAI and in close cooperation with the Personal Data Protection (PDP) Agency of the Ministry of Justice (MoJ), as well as the NGO sector, GIZ in 2020 conducted a baseline assessment of PDPS in 4 selected municipalities of Armenia.

1. **Context of the assignment**

The improvement of public service delivery at local level is one of the main objectives of the ongoing Territorial and Administrative Reform of Armenia (TARA). It is also one of the main objectives of the Public Administration Reform, looking at the issue of service provision from different angles, including introduction of e-tools in service delivery. The modernization of all operational processes at local level has been a high priority of the Armenian government, which has resulted in the creation of the Municipal Management Information System (MMIS). This modernisation of administrative procedures and instruments at local level has led to the establishment of numerous Citizen Offices (CO) in municipalities of Armenia. GGLD supports the development, upgrade, and expansion of MMIS and COs in Armenian municipalities.

All the introduced modern systems and (e-) tools for the operation of local self-government bodies (LSG) and general service delivery for citizens collect, process, transfer, exchange and save personal data of citizens.

The Government Programme of Armenia envisages that measures must be taken to further develop personal data protection in Armenia, and all the introduced infrastructures must correspond to the requirements of personal data protection. In the EU-Armenia Comprehensive and Enhanced Partnership Agreement (CEPA), Armenia voices its commitment to ensuring a high level of protection of personal data in accordance with the international legal instruments and standards of the European Union, Council of Europe and other international bodies (Art. 13).

The above-mentioned PDPS baseline assessment analysed how the municipalities deal with PDPS overall, whether they have sufficient knowledge on national and European standards for processing personal data, what the entry points are for collecting and processing personal data within the municipality, who has access to those personal data, what are the mechanisms for ensuring protection of the right of citizens to private and family life, what mechanisms there are for informing the citizens on their rights and duties with respect to PDPS, etc. The results of the assessment have been discussed with MTAI, MOJ PDP Agency, as well as relevant NGOs experienced in the PDPS sphere․

Hence, to meet some of the identified needs for improvement of PDPS in LSGs as a result of the baseline assessment, the programme is now seeking services of a consulting firm or NGO, consortium of consulting firms/NGOs or consortium of local experts (*hereafter Contractor)* with profound and extensive knowledge of the Armenian local governance sector and European standards on PDPS.

1. **Objective and Purpose**

The overall objective of the assignment is to improve institutional capacities of LSGs on PDPs by providing model standards on compliance of personal data processing and the security of processing systems, to develop the individual capacities of LSG employees through trainings on PDPS and ensure better awareness of LSG citizens on PDPS.

The purpose of the assignment includes: 1. Development of Internal Guidelines on PDPS for LSG staff; 2. Development of Information Cards on PDPS for Citizens of LSGs; and 3. Conducting Trainings for LSG staff based on developed Guidelines and Information Cards.

1. **Mode of Delivery**

The Contractor is expected to develop a methodological approach and precise work plan for drafting the Internal Guidelines, Information Cards, and the conduction of trainings for municipal servants in 52 enlarged municipalities with special focus on the following:

* improvement of internal procedures and policies of LSGs on PDPS
* development of capacities and skills of LSG staff on PDPS
* raising awareness among citizens on PDPS.
1. **Tasks**

The following tasks will be required to fulfil:

**Task 1: Development of methodological approach and precise work plan for drafting the** **Internal Guidelines for LSG staff, Information Cards for Citizens and conducting trainings for 52 enlarged municipalities**

1.1. Development of the methodological approach

The approach to be developed is expected to cover at least the following 3 Sections:

1. **Internal Guidelines for LSG employees on iinternal procedures and policies of LSGs on PDPS:**
	* ***Dimension of personal data protection***
* internal procedure for personal data processing by LSGs
* internal procedure on accuracy and timeliness of personal data
* internal procedure on disclosing, identifying, and informing the authorised body about the personal data leakage or other risks
* internal procedure for the destruction, elimination or blocking of those data, which are not necessary for achieving lawful purpose; for correcting, modifying incomplete, deficient data, for identification of outdated or deficient data and taking respective steps.
* development of a sample consent form for data subjects to be used for processing personal data of citizens or LSG employees
* development of sample privacy policies on PDPS
* internal procedure for video surveillance
* other relevant topics
	+ ***Dimension of protection and security of data processing systems***
* security policies and rules
* rules for mobile and remote works
* rules for password use, multi factor authentication
* payment and cyber-attack response procedures
* other relevant topics

The Guidelines should start with general introduction on PDPS, continue with formulation of above-mentioned procedures and conclude with practical cases and analyses of those cases (at least 5 cases).

1. **Information Cards on PDPS for citizens of municipalities:**
	* the minimum information on what is personal data
	* minimum rules for the use of personal data, the rights of personal data subjects
	* practical cases with simple illustrations on potential breaches of personal data
	* the minimum rules for the protection of own personal data with respect to LSG bodies
	* links, useful information on authorised body for PDP in cases of breach of personal data
	* other relevant topics

The Contractor is free to make proposals on change or addendum of topics for Information Cards based on the above-mentioned assessment report (The minimum number of the cards/topics is 7). Each card should contain one illustration of a practical case with max. 2 pages of volume per card; use of animations is welcome).

1. **Trainings for selected LSG employees of 52 enlarged municipalities based on above-mentioned Internal Guidelines and Information Cards:**
	* Internal procedures of LSGs on PDPS when processing personal data;
	* Awareness of citizens of LSGs on PDPS.

The Contractor is expected to come up with a proposal for grouping the 52 enlarged municipalities into clusters for the trainings.

1.2. Submission of a precise work plan for the development of Internal Guidelines, Information Cards, and conduction of trainings.

1.3. Presentation, discussion and revision of the methodological approach and precise work plan with the programme and MTAI, including MoJ PDP Agency and other implementing partners, as recommended by MTAI

**Task 2: Development of Internal Guidelines for LSG staff, Information Cards for Citizens, and conduction of trainings for municipal servants in 52 enlarged municipalities based on these materials**

2.1. Development of Internal Guidelines for LSG employees on internal procedures and policies of LSGs on PDPS.

2.2. Development of Information Cards for awareness of citizens of municipalities on PDPS.

2.3. Organization and conduction of 5 on-site/online trainings for selected employees of 52 enlarged municipalities divided into 5 groups (one day per group). Short feedback on conducted trainings shall be submitted to the programme.

The handbooks and trainings should entail all the components of the methodological approach (see Task 1) and as much as possible, also the recommendations for the improvement of PDPS at local level based on the PDPS baseline assessment conducted in 2020.

1. **Deliverables**

The following deliverables (in Armenian) are expected to be provided during the assignment:

**Task 1:**

1. Methodological approach.
2. Precise work plan for the development of Internal Guidelines, Information Cards, and conduction of trainings.

**Task 2:**

1. Draft Internal Guidelines for LSG employees on internal procedures and policies of LSGs on PDPS
2. Final Internal Guidelines for LSG employees on internal procedures and policies of LSGs on PDPS
3. Draft Information Cards on PDPS for citizens of LSGs
4. Final Information Cards on PDPS for citizens of LSGs
5. Draft agenda, participants lists with proposal for grouping the 52 enlarged municipalities into clusters for the trainings, presentations for conducting 5 one-day on-site/online trainings for selected employees of 52 enlarged municipalities divided into 5 groups based on priorly developed materials (including short feedback on conducted trainings).
6. **Schedule and Level of Efforts**

The assignment is planned to commence **by 1 April 2021 and finish by 31 July 2021**. The exact commencement date and schedule of activities/work plan will be agreed at a later stage.

The assignment requires the services of **a local consulting firm or NGO, consortium of local firms or NGOs, or consortium of local experts**, with the level of efforts of **up to** **62 expert days**.

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| **Tasks** | **Expert days (up to)** | **Tentative timing of tasks** | **Deliverables** |
| Task 1 | 1 |  April 1, 2021 | 1.1. Final methodological approach  |
| 1 | April 5, 2021 | 1.2. Precise work plan  |
| Task 2 | 30 | May 14, 2021 | 2.1. Draft internal guidelines for LSG employees on internal procedures and policies of LSGs on PDPS |
| May 27, 2021 | 2.2. Final Internal Guidelines |
| 16 | June 21, 2021 | 2.3. Draft version of Information Cards on PDPS for citizens of LSGs |
| Juen 30, 2021 | 2.4. Final version of Information Cards |
| 14 | July 30, 2021 | 2.5. Organization and conducting of 5 one-day on-site/online trainings for selected LSG employees of 52 enlarged municipalities. |
| **Total** | **62** |  |  |

* GIZ will support the Contractor with provision of transportation for travelling to municipalities, accommodation, and other logistics. Travel costs (transportation, overnight stay) will be covered by GIZ. The travel costs are reimbursed by 70 AMD per km as a lump sum or upon provision of evidence based on market price of transportation service, and the accommodation by 14.000 AMD per night as a lump sum or upon provision of evidence based on market prices for overnight accommodation. Additional per diems will not be paid.
* Workshop/conference venues and related costs are organized and financed directly by the programme.
* With each payment stipulated in the Contract the Contractor should provide reports indicating precisely the actual working days spent, activities and deliverables. Payments will be made based on the submitted reports. Those reports are to be provided in English (these are the financial reports, not the assessment reports).
1. **Reporting**
* The Contractor is obliged to perform the assignment based on these ToRs while ensuring close contact with GIZ throughout the implementation of the assignment.
* The Contractor shall provide all the results directly and in the first turn to GIZ for discussion and further action.
* The Contractor will directly report to the programme on the progress and completion of the tasks.
1. **Requirement for the consultancy profile**

The company should have the following profile:

* Successful projects of similar nature (relevant studies and papers should be attached);
* Successful experience in management and implementation of complex project;
* Successful experience in lodging and winning personal data violation cases.

The pool of experts shall, collectively, have the following profile:

* University Degree in Law, Information Technologies, Public Administration or comparable academic background, university specialiization in PDP law is an asset;
* At least 10 years of experience in personal data protection and security, as well as freedom of information (local and European standards);
* At least 5 years of experience in reforms of public administration reforms with focus on e-governance, public/sectoral e-service delivery (specialization in local level would be an asset), (relevant information should be attached);
* Strong analytical and writing skills and proven experience in producing policy papers and other materials;
* Good command of written and spoken English is an advantage.

**The Technical Proposal must entail:**

* Description of the company’s profile and experience;
* Description of methodological approach to undergo the assessments;
* Information on successful projects of similar nature (relevant studies and papers should be attached);
* Description of the method of implementation, incl. clear description of the roles of the proposed individual experts and specialists;
* Description of proposed work schedule;
* CVs of involved experts.