

## TERMS OF REFERENCE

### Due Diligence Consultant

<b>Position Title</b>	:	Due Diligence Consultant
<b>Location</b>	:	Phnom Penh, Cambodia
<b>Period</b>	:	June 3 <sup>rd</sup> – July 15 <sup>th</sup> , 2019
<b>LOE</b>	:	Up to a maximum of 30 days
<b>Reporting To</b>	:	Head of Operations and Finance

#### Background

The Australia-Cambodia Cooperation for Equitable Sustainable Services (ACCESS) program is a three-year (2018-2021) Australian Government initiative. Over three years, Australia will commit AUD 15 million through ACCESS to improve the sustainability, quality and inclusiveness of services in Cambodia for persons with disabilities and for women affected by gender-based violence (GBV).

ACCESS reflects Australia's strong commitment to supporting human rights, gender equality and disability-inclusive development in our region.

ACCESS builds on the achievements and lessons from more than a decade of collaboration between the Government of Australia, the Royal Government of Cambodia (RGC) and local partners on services and reforms to benefit Cambodians with disabilities or affected by GBV.

ACCESS works in partnership with the RGC to support the implementation of the National Action Plan to Prevent Violence Against Women (NAPVAW) and the National Disability Strategic Plan (NDSP).

ACCESS recognises Cambodia's transition to (lower) middle-income status and increasing access to public and private sector funding. ACCESS works with the Ministry of Women's Affairs (MOWA), Ministry of Social Affairs, Veterans and Youth Rehabilitation (MOSVY), the Disability Action Council (DAC) and the Ministry of Economy and Finance (MEF) to plan and utilise resources more effectively for GBV and disability-related services. This includes more effective use of resources through improvements in coordination, oversight, planning and reporting, in line with NAPVAW and NDSP priorities.

ACCESS is strengthening the capacity of RGC, civil society and private sector service providers to sustainably improve services for persons with disabilities and women affected by GBV. For persons with disabilities, services include physical rehabilitation services and inclusive economic services. For women affected by GBV, ACCESS is targeting health care, legal protection services, and other critical social services, while supporting a coordinated, multi-sectoral approach to service delivery.

Key expected end of program outcomes are the following:

- The RGC plans and utilises resources more effectively for GBV and disability-related services, with guidance from MEF.
- RGC, civil society and the private sector sustainably improve the coverage, quality and inclusiveness of services for persons with disabilities and women affected by GBV.

ACCESS operates a Competitive Investment Mechanism (CIM) to support partners including UN Agencies, International and Local NGOs, Disabled People Organisations and private companies to contribute to NAPVAW and NDSP implementation. The first Round of Expressions of Interest to the CIM was launched on March 21<sup>st</sup>, 2019 and 14 applicants have been selected to develop full proposals.

A due diligence process is now about to be initiated to confirm that the selected applicants comply with organisational capacity requirements. ACCESS is seeking a consultant to support the ACCESS team in conducting the due diligence of the shortlisted applicants.

### Scope of Work

The consultant will work under supervision from the ACCESS Head of Operations and Finance and in close collaboration with ACCESS Senior Grants Management Officer, ACCESS Senior Finance Officer and ACCESS Program Coordinator. The consultant is expected to perform the following tasks:

### Conduct business Due diligence up to 30 days

It is expected to conduct due diligence between 14-28 organisations (including sub-grantees).

- Work with ACCESS team to review due diligence assessment framework and report templates
- Jointly conduct organisational due diligence with assigned ACCESS members to assess independently the organisational capacity with focus on the below criteria:

No.	CRITERIA
1	ORGANISATION (LEGAL AND STRUCTURE)
2	FINANCIAL MANAGEMENT AND INTERNAL CONTROL SYSTEM
3	PROCUREMENT SYSTEM
4	PERSONNEL MANAGEMENT
5	ORGANISATIONAL SUSTAINABILITY
6	CHILD PROTECTION

- Assessment will be guided by at least but not limited to the below key questions:
  - What are the observed capacity gaps, if any, in the area of financial management, procurement, human resources, governance, M&E and safeguards?
  - What are the areas of non-compliance/weaknesses?
  - What are the risks associated with providing grant to this partner, and how could these be mitigated?
  - What activities should be conducted by ACCESS and the applicant to fill the capacity gap?
  - What adjustments need to be made by the applicant?
  - Does the partner have sufficient capacity to manage the proposed grants?

## Produce assessment reports

Submit the report with factual findings, implications, potential risks and recommendations for final selection.

## Methodology

The due-diligence methodology is risk-focused, especially on the issues that may unfavourably affect achieving the program objectives. The members of Due Diligence team need to obtain information from various sources, including those provided by applicants and from other independent sources that may be, not exhaustively, as follows:

- Internet and mass media;
- Industry experts;
- Other companies in the sectors;
- Employees, suppliers and distributors;
- Local government and other stakeholders as relevant.

Therefore, the following due-diligence process will be applied:

- 1) Work with ACCESS team to get thorough understanding of the programme objectives
- 2) Conduct desk review to confirm that the preferred Partners (and sub-partners if any) are:
  - Established entities (are they registered, legally incorporated, do they have legal standing in the eyes of the law and the capacity to enter into agreements or contracts, assume obligations, incur and pay debts, sue and be sued in its own right, and to be held responsible for its actions, etc.);
  - Are not listed on the World Bank listing of ineligible firms or the Asian Development Bank sanctions list; and
  - Are not a proscribed terrorist organisation or an organisation that provides support (directly or indirectly) to organisations associated with terrorism.
- 3) Identify major success assumptions and associated risks, and develop the field due diligence plan;
- 4) Jointly conduct due-diligence including interviewing the applicants and relevant stakeholders;
- 5) Analyse findings and write due-diligence report and recommendations.

The consultants are required to sign and comply with the CowaterSogema' Code of Conduct.

1. **Timeframe: the assignment is expected to start in early June and be completed by the end of July as presented in the table 1 below**

Table 1: Timelines of the consultants' activities.

Activities	June				July			
	W1	W2	W3	W4	W1	W2	W3	W4
Review selected applicants	x							
Review and revise (if necessary) due diligence assessment framework	X	X						
Review partners EOIs		X	X					
Conduct due diligence			X	X	X	X		
Reporting						x		

## 2. Deliverables

- Due diligence assessment framework and reviewed/ revised assessment report template by June 10<sup>th</sup>, 2019
- Assessment reports for each selected applicant covering issues mentioned above and recommendations to ACCESS by July 15<sup>th</sup>, 2019

## 3. Minimum profile

- Cambodian citizen
- Educational background on business administration, finance, audit, business management or equivalent
- At least 7 years of relevant working experience, preferably in the business development services, business consulting, investment
- Experience with Investment analysis and/or Due Diligence work
- Experience with DFAT compliance and safeguarding requirements
- Experience with working with people with disabilities and social development organisations
- Ability to think independently, analyse problems, and identify solutions;
- Good understanding of field realities; ability to link different professional spheres: business, government, and civil society
- Good computer skills in MS-applications (Word, Excel, Outlook, Internet, Etc.)
- good communication and presentation skills in both English and Khmer;

### *How to apply:*

Please send a brief proposal describing your approach to the first phase of the assignment, your CV and proposed fees to [jobs@accesscambodia.org](mailto:jobs@accesscambodia.org) before May 31, 2019.