Terms of Reference for Consultancy to Conduct Health Sector Integrity Systems and Corruption Risk Assessment in Five Counties

REFERENCE NUMBER: TIK/CDO/005/2024

DESCRIPTION: Terms of Reference for Consultancy to conduct Health Sector Integrity Systems and Corruption Risk Assessment in five Counties (Kakamega, Nakuru, Isiolo, Mombasa, and Kilifi).

RE-ADVERTISED: 29th May 2024

DEADLINE FOR SUBMISSION: 4th June 2024

Organisational profile

Transparency International Kenya (TI-Kenya) is a not-for-profit organisation that exists to contribute to a transparent and corruption-free society. TI-Kenya is one of the autonomous chapters of the global Transparency International movement that is bound by a common vision of a corruption-free world. TI-Kenya is marking 25 years this year, having built extensive experience in governance work at the national and county levels. TI-Kenya pursues advocacy, partnerships development, strategic litigation, research, capacity building, and civic engagement as core approaches. The organisation has mainstreamed research within its program work to ensure evidence-based advocacy.

Background of the project

TI-Kenya is leading a Consortium of four organisations in implementing the USAID-funded United Society Against Fraud, Waste, and Abuse Program (USAID USAWA Program). The 5-year program aims to reduce fraud, waste and abuse for improved health service delivery in Isiolo, Kakamega, Kilifi, Mombasa and Nakuru counties. The consortium partners include the Inter-Religious Council of Kenya (IRCK), the Association of Media Women in Kenya (AMWIK), and Global Compact Network Kenya.

Background to the assignment

The Constitution of Kenya (2010) provides the foundation and legal framework for ensuring
comprehensive and people-driven health services, through a rights-based approach to health in the country. Further, the Constitution states that every citizen has a right to life, right to the highest attainable standard of health including reproductive health. The Constitution (2010) further, in the Fourth Schedule, delineates the functions of the national and county governments in the provision of health, where the management of the healthcare system and funds are devolved to the County level. The health sector therefore was the largest service sector to be devolved. The rationale was to allow County governments to design innovative ways and interventions to fit the unique health needs according to their contexts. Besides, devolution was meant to enhance effective public participation, whilst giving counties autonomy to make quick decisions and mobilize resources for the health sector. Consequently, the public sector health budget expanded from Ksh 94 billion in financial year (FY) 2012/13 (pre-devolution) to Ksh 247 billion in FY 2020/21, indicating a growth of nearly three times the combined budget allocations to health.

Despite the progress in devolving the health systems to ensure equity and bring services to the people, the perception among the citizens on the quality of and satisfaction with health services are low.

At the County level, the health sector is plagued with challenges such as inadequate healthcare personnel in facilities, poor infrastructure where most health facilities do not have the proper medical equipment to handle the medical challenges, inequities in the distribution of human resources for health, and poor investment in the health care sector, coupled with lack of transparency and accountability resulting from cronyism, nepotism, bribery and tribalism in the attainment of human resources for health. This is evidenced by the series of industrial strikes by health care workers which have become part of health care workers’ annual calendar activities. Furthermore, previous studies conducted by the Ethics and Anti-Corruption Commission (EACC) such as the National Ethics and Corruption Survey (2016) ranked the Ministry of Health as the second most prone to corruption (37.4%), indicating the existence of corruption manifestations at key points of service delivery. Also, the Auditor General has flagged, in several counties, the inaccuracy of financial statements as one of the key indicators that contribute to qualified and adverse opinions.

Moreover, access to affordable, safe, effective, and quality-assured medicine, can be argued as one of the important determinants of healthcare quality and service delivery. However, ensuring access
to essential medicines remains a challenge, with frequent stockouts and shortages of medicines remaining prevalent in public hospitals. At the County level, this has been attributed to gaps in the procurement and supply chain processes, resulting from lack of clear procurement structures for the purchase and acquisition of medical supplies.\(^3\) These fragmented procurement procedures increase out-of-pocket (OOP) expenditure creating an avenue for corrupt practices and increasing the likelihood of patients purchasing sub-standard and falsified medicine from the private market that includes unlicensed and illegal pharmacies.

**Introduction to the assignment**

The Health Sector Integrity Systems Assessment and Corruption Risk Assessment (CRA) are vital tools for evaluating the integrity, transparency, and accountability mechanisms within the health sector as envisaged by the Constitution and legal framework on the national values and principles of governance. This combined assessment aims to provide a comprehensive understanding of the strengths, weaknesses, and vulnerabilities in the local integrity systems and corruption risks affecting the health sector in five counties: Kakamega, Nakuru, Isiolo, Mombasa, and Kilifi, in Kenya. The assessment informed by existing designs of the [Local Integrity Studies]\(^1\), will be based on findings of availability, capacity, utility, effectiveness and vulnerabilities of existing integrity systems.

The assessment focuses on six core components as described in the [World Health Organization Health Systems Strengthening Glossary]\(^2\) and [Kenya USAID Health Systems Strengthening Approach]\(^3\) i.e., leadership and governance; health financing; human resources for health; health products and technologies; health information systems; and service delivery. The assessment infuses corruption risk assessments under each section to identify strengths, weaknesses and vulnerabilities that will be the focus of interventions for health systems strengthening on integrity and anti-corruption under the USAID USAWA Program. The assessment will target respondents and information from public health facilities, the County Assembly, and the Executive with a focus on the health, procurement, and finance departments.

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\(^1\) [https://knowledgehub.transparency.org/product/local-integrity-system-assessment-toolkit](https://knowledgehub.transparency.org/product/local-integrity-system-assessment-toolkit)

\(^2\) [https://www.who.int/docs/default-source/documents/health-systems-strengthening-glossary.pdf](https://www.who.int/docs/default-source/documents/health-systems-strengthening-glossary.pdf)

Objectives

1. To identify strengths and weaknesses in the local integrity systems and corruption risks affecting the health sector.

2. To provide evidence-based recommendations for improving governance, transparency, accountability and mitigating corruption risks.

3. To support the development and implementation of targeted interventions to address identified challenges and vulnerabilities.

Scope of consultancy

Working closely with the TI-Kenya’s Research and Learning officer, the consultant shall,

- Development of Research Methodology: Design a comprehensive research methodology, including data collection techniques, sampling strategies, and analysis frameworks, tailored to the context of the health sector in the target counties.

- Development of Tools: Develop survey questionnaires, interview guides, and other data collection tools to gather information on corruption risks, integrity systems, and related factors.

- County-based Co-creation Engagements: Conduct stakeholder consultations and co-creation workshops in each county to gather insights, validate findings, and co-design mitigation strategies with relevant stakeholders.

- Data Collection: Undertake field data collection activities, including surveys, interviews, focus group discussions, and document reviews, to gather primary and secondary data on corruption risks and integrity systems.

- Data Entry, Cleaning, and Analysis: Enter collected data into electronic databases, clean and validate data for accuracy and consistency, and conduct quantitative and qualitative analysis to identify patterns, trends, and correlations.

- Reporting: Prepare comprehensive reports documenting the findings of the assessment,
including detailed analyses, graphical representations, and actionable recommendations for each county.

- Validation and Reporting: Validate assessment findings through stakeholder consultations and peer review processes and finalize reports for submission to TI-Kenya and other relevant stakeholders.

Key Deliverables

The consultant or research firm will be responsible for delivering the following outputs:

a) **Inception phase**: Detailed research methodology outlining data collection procedures, sampling techniques, and analysis frameworks.

   Data Collection Tools: Survey questionnaires, interview guides, and other data collection instruments.

   Inception report highlighting a detailed timeline work plan and draft outline should be submitted within 5 days after award.

b) **Interim phase**: Co-creation Workshop Reports: Reports summarizing the outcomes of county-based co-creation engagements and stakeholder consultations.

c) **Final phase**: Data Analysis Report: Comprehensive analysis report presenting findings from data analysis, including key insights, trends, and recommendations.

   Final Assessment Reports: Final assessment reports for each county, incorporating feedback from validation processes and stakeholder consultations.

Duration:

The assignment is expected to be conducted over 60 working days after signing the contract.

Confidentiality of information

All parties involved in the assignment shall maintain the confidentiality of sensitive information exchanged during the assignment. All documents and data collected will be treated as confidential and used solely to facilitate the performance of the assignment with strict reference and adherence to TI-Kenya’s data protection and privacy policies.
Content and Intellectual Property Ownership

All the required documents, reports or other outputs in their draft and final versions shall be submitted to TI-Kenya within agreed timelines and shall remain the explicit property of TI-Kenya. The intellectual property rights, including but not limited to copyrights, trademarks, patents, and trade secrets, related to this assignment shall be owned by Transparency International Kenya.

Qualifications of the Consultant

Candidates, individuals, or firms, should possess the following minimum qualifications:

1. At least a Master’s degree in Statistics, Economics, Research, Monitoring and Evaluation, public administration, or any other relevant degree in social sciences, or,

2. Availability of a multidisciplinary team with expertise in areas such as research, data analysis, public health, governance, and anti-corruption, capable of collaborating effectively to deliver high-quality outputs.

3. Expertise in Corruption Risk Assessments: Demonstrated experience in conducting corruption risk assessments, including familiarity with methodologies, tools, and best practices for identifying and analyzing corruption risks in public sector institutions.

4. Sectoral Experience: Strong background and experience working in the health sector, including knowledge of healthcare governance structures, service delivery mechanisms, and regulatory frameworks in Kenya.

5. Research Methodology: Proficiency in designing research methodologies and data collection instruments tailored to the specific context of the health sector integrity assessment, including quantitative and qualitative data collection techniques.

6. Data Analysis Skills: Ability to analyze complex datasets, interpret findings, and draw actionable conclusions and recommendations for enhancing transparency, accountability, and integrity in the health sector.

7. Previous Experience: Proven track record of successfully conducting similar assessments or research projects in Kenya or similar contexts, with evidence of impactful outcomes and client satisfaction.

8. Previous experience working on similar projects in Kenya, or the region will be an advantage.
Submission of Bids

Qualified candidates are requested to submit one document not exceeding 20 pages as an attachment containing:

1. An expression of interest/cover letter.
2. Technical Bid with detailed explanation on understanding of the assignment, methodology and work plan not exceeding five pages.
3. A financial bid with a budget outlining the costs associated with each component of the scope of work, including consultancy fees, travel expenses, data collection costs, and any other relevant expenses.
4. Profile and/or detailed Curriculum vitae of Key Personnel providing full description of the applicant’s qualifications and experience.
5. Contact information of at least two independent referees with in-depth and proven knowledge of the experts’ / consultant’s expertise and relevant work experience.
6. Strong references from previous clients or partners attesting to the consultant or research firm's professionalism, reliability, and ability to deliver results on time and within budget.

Do not attach your testimonials or certificates.

The deadline for submission of expressions of interest is 4th June 2024. Applications should be sent by email to consultancyapplication@tikenya.org. Please indicate “TIK/CDO/005/2024 Proposal to conduct a Health Sector Integrity Systems and Corruption Risk Assessment” in the subject line of your email application.

Only shortlisted bidders will be contacted.

Complaints Process

This call for Expression of Interest does not constitute a solicitation and TI-Kenya reserves the right to change or cancel the requirement at any time during the EOI process. TI-Kenya also reserves the right to require compliance with additional conditions as and when issuing the final solicitation documents. Submitting a reply to a call for EOI does not automatically guarantee receipt of the solicitation documents when issued. Invitations to bid or requests for proposals will be issued in accordance with TI-Kenya rules and procedures. Any grievances and or complaints arising from the evaluation process and final tender award can be addressed, in writing, to the
Executive Director and the TI-Kenya Tender Complaints Committee.

The Executive Director,
Transparency International Kenya,
Bishop Magua Center, Off Ngong Road – George Padmore Lane
Ground floor, Wing B, Office No UG7
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Or Email

complaints@tikenya.org