



**TERMS OF REFERENCE**

**APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISION OF ONE RESOURCE (CONSULTANT) TO PROVIDE STRATEGIC ADVISORY SUPPORT AND GOVERNANCE RISK AND COMPLIANCE FUNCTION WITHIN PANSALB (RISK EXPERT) FOR A PERIOD OF TWELVE (12) MONTHS**

**Project Identification**

<b>Name of Client</b>	Pan South African Language Board (PanSALB)
<b>Contracting Authority</b>	Pan South African Language Board (PanSALB)
<b>Project Purpose</b>	<b>APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISION OF A RESOURCE (RISK EXPERT) TO PROVIDE STRATEGIC ADVISORY SUPPORT AND GOVERNANCE RISK AND COMPLIANCE FUNCTION WITHIN PANSALB (RISK EXPERT) FOR A PERIOD OF TWELVE (12) MONTHS</b>

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## 1. PURPOSE

- 1.1. The purpose of this Terms of Reference (TOR) is to detail PanSALB's requirements for appointment of a service provider for the provision of a resource to provide strategic advisory support, governance risk and compliance (RISK) function within PanSALB for a period of twelve (12) months.

## 2. BACKGROUND

- 2.1 In terms of the Public Finance Management Act (PFMA), the Accounting Officer of an institution is responsible for ensuring a system of effective and efficient risk management and internal controls within the institution. Within PanSALB, this function has been delegated to the PanSALB Risk Management Committee supported by the PanSALB Institutional Performance and Governance (IPG) team.
- 2.2 The PanSALB IPG function was set up during the 2020/21 FY ARC. The IPG function is currently resourced through an established division reporting to the CEO consisting of unit members (three members) representing PanSALB support units (PanSALB Programme 1).
- 2.3 For the next phase it is envisaged that the overall IPG function requires upskilling, strategic support, improvement in the ERM process, and the effectiveness of the state of ERM within the organization. One of the key processes identified as requiring improvement was integrating risk management into the planning process and ensuring adequate alignment to the overall PanSALB strategic objectives.
- 2.4 PanSALB had developed a strategic risk register for FY 2024/25 which was subsequently submitted to the Audit and Risk Committees as oversight structures. The oversight committees recommended that PanSALB align its strategic risk register for FY 2024/25 to the overall PanSALB Strategy and Annual Performance Plan (APP).
- 2.5 The overall objectives of the services are to provide 1 x Enterprise Risk Management Expert to support PanSALB with short term advisory services with the overall aim of improvement of the governance, risk, and compliance function within PanSALB.

Resource Required	Outputs	Estimated Duration
Enterprise Risk Management Expert X 1	Outputs as defined in section 4 below.	12 months

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### 3. SCOPE OF SERVICES TO BE RENDERED

- 3.1 The appointed service provider to PanSALB is required to assist PanSALB in developing the required frameworks, risk registers including the overall strategic risk, capacity development and mentoring of the IPG Team as well as the establishment of an effective risk management function.
- 3.2 The ultimate outcome will be the establishment of an effective enterprise risk management solution to achieve the strategic outcomes for PanSALB.
- 3.3 A consolidated report containing the following must be prepared:
  - 3.3.1 Review of current risk policy, practice and prevailing risk culture using a defined risk model;
  - 3.3.2 Assessment of the current risk registers and definition of strategic risks;
  - 3.3.3 Assessment of risk categories and reporting matrices for improvement including a combined assurance plan and reporting tools;
  - 3.3.4 Developmental support to the ARC and management regarding current practices and future requirements for the development of the ERM function;
  - 3.3.5 A diagnosis of issues affecting the performance of PanSALB's ERM function;
  - 3.3.6 Considerations for the maturity of PanSALB's ERM function going forward;
  - 3.3.7 Required changes to the strategic risk register for FY 2024/25 ; and
  - 3.3.8 Development and monitoring the implementation of operational risk register for 2025/26;
- 3.4 The following policy documents must be updated and/or drafted:
  - 3.4.1 Review the risk appetite and tolerance framework
  - 3.4.2 Review Combined assurance framework;
  - 3.4.3 Review Delegation of authority framework;
  - 3.4.4 Review Project Risk Management framework;
  - 3.4.5 Business continuity framework
  - 3.4.6 Develop and implement compliance and governance framework and policies;
  - 3.4.7 Conduct fraud awareness campaigns to staff members.
  - 3.4.8 Assist with the requirements of the POPIA as and when required:
  - 3.4.9 Support and advise on the implementation of the following:
    - (a) Refine the ERM framework, policy, and strategy;
    - (b) Business Continuity; (in process);
    - (c) Anti-fraud and corruption policy;

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- (d) Disaster recovery plan;
- (e) Case management framework;
- (f) Internal control framework;
- (g) Management of losses and claims;
- (h) PanSALB policies and processes framework;
- (i) Review and update the risk policy, standards, and framework to mitigate risk and ensure an effective reporting structure is established.

### 3.5 PanSALB's risk registers must be updated:

- 3.5.1 Revise the strategic risk register for FY 2024/25 and identification of gaps;
- 3.5.2 Alignment of PanSALB's strategic risk register according to the planning for the upcoming FY 2025/26 in accordance with the overall PanSALB Strategy and Annual Performance Plan (APP);
- 3.5.3 Advise PanSALB's ERM team on the maintenance of PanSALB's strategic risk register;
- 3.5.4 Consultation and assistance to business unit Risk Owners and Risk Champions in the identification, risk classification, monitoring and mitigation of enterprise risk; and
- 3.5.5 Assist with the definition of strategic risks versus business unit operational risks.

### 3.6 An ERM function must be firmly established:

- 3.6.1 Facilitating a process to clearly define the risk appetite and tolerance of PanSALB Risk by reviewing the status of enterprise risks;
- 3.6.2 Best in practice recommendations to PanSALB on the overall ERM function and activities;
- 3.6.3 Implement and communicate risk reporting structures and roll out; and
- 3.6.4 Evaluate the risk maturity and culture of PanSALB and provide recommendations for improvement.

### 3.7 Capacity development and mentoring:

- 3.7.1 Provide workshops/risk training interventions to the risk owners, management, and the Risk Management Committee; and
- 3.7.2 Provide on-going mentoring support to the PanSALB IPG Team.

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### 3.8 General:

3.8.1 Review and update where required, the ARC governance documents including the ToR, Strategy, Framework and Policy; and

3.8.2 The appointed service provider will be required to provide a Risk Management Report to PanSALB's management committee.

## 5 ASSUMPTIONS

5.1 The service provider has the required resource, who has the necessary capacity, experience and qualifications to fulfil these tasks.

5.2 The appointed service provider will report to senior manager: IPG and will be fully required to be available for PanSALB either remotely or physically from, 08h00 to 16h30 weekdays.

5.3 PanSALB will provide the necessary logistical and administrative support and avail all the information required.

5.4 The service provider commit to work on this assignment for a period of six (6) months before they can reason for other opportunities and anyone who resign from this assignment before the end of the assignment which is the twelve (12) period cannot be re-appointed for the same assignment.

## 6 DELIVERABLES

6.1 The resource will be required to deliver in accordance with the timeframes to be discussed with PanSALB CEO, Senior Manager: IPG and maybe ARC.

6.2 The support required is for a period of 12 months, 8 hours per day to ensure proper assessment and capacity building in terms of the governance risk and compliance requirements for PanSALB. Training workshops are required to ensure a culture of risk management is created, and management understand their role and functions in terms of PanSALB.

6.3 PanSALB will be responsible for the provision of office facilities including computers, telecommunications, stationery and administrative support as required.

## 7 GOVERNANCE ARRANGEMENTS

7.1 The appointed resource will report to the SM: IPG, ARC Chairperson.

7.2 The work of the resource deployed to PanSALB will be guided by PanSALB policies, ARC

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consisting of at least three members of the ARC, two members of the Board, and SM:IPG or delegated official of PanSALB.

- 7.3** The resource deployed to PanSALB will be supported by the IPG Team and CEO.

### **8 REPORTING**

- 8.1** The successful service provider will report on work done to the PanSALB, Senior Manager: Institutional and Performance Governance.
- 8.2** The service provider will meet periodically with the Senior Manager: IPG to discuss issues of mutual concern, review performance and discuss any improvements for effective and efficient services rendered.
- 8.3** The Senior Manager: IPG will closely monitor the performance of the services in terms of quality and turnaround time.
- 8.4** Monthly retainer will be paid to the appointed service provider upon submission of an invoice.

### **9 LOCATION**

- 9.1** The employee or resource will conduct his/her business at PanSALB offices or remotely from 08h00 to 16h30.

### **10 MANDATORY REQUIREMENTS**

- 10.1** Bidders must ensure that the following submission requirements are included in their proposals. Failure to submit any of the below submission requirements shall render the bid invalid and lead to disqualification.

10.1.1. Duly completed and signed Standard Bidding Documents (SBD 4, and 6.1);

10.1.2. Central Supplier Database (CSD) number/report;

10.1.3. Valid SARS Tax certificate;

10.1.4. Proposed service provider proof of valid and current membership to the Institute of Risk Management South Africa (IRMSA).

- 10.2** Bidders must ensure that the following submission requirements are included in their proposals.

(a) Documents required on paragraph 10.1.1; 10.1.3; and 10.1.4.

- 10.3** Failure to submit any of the document listed as per paragraph 10.1 above requirements shall render the proposal invalid and lead to disqualification. The bidder will disqualifies

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from participating on the functionality evaluation stage.

- 10.4 The functional evaluation may be conducted in a format determined by PanSALB either through an interview of the recommended candidate or resource with the nominated company representative, director or owner.**

### 11 EVALUATION CRITERIA

- 11.1. All bidders must comply with mandatory requirements and failure to comply with any of these requirements will immediately disqualify the bidder. PanSALB has set minimum standards that bidders must meet to be selected as a successful bidder.
- 11.2. The service provider must identify and provide a description of experience on assignments of similar nature and indicate that they have the required capacity to ensure reaching the desired objective.
- 11.3. The below process will be subjected to an interview process or evaluation process that will be done by PanSALB officials using the desktop metrics based on information provided.
- 11.4. The following must be demonstrated, either during the interview process or evaluation process.

TECHNICAL EVALUATION CRITERIA	SCORING	WEIGHT
<b>A. REFERENCES</b>		
<p>Written Reference Letters (<b><i>a minimum of 5 point will be allocated for each reference letter submitted</i></b>)</p>	<p>Provide written reference letters from contactable existing/ recent clients from the public sector of similar successful completed projects.</p> <p><b>N.B:</b> <i>The reference letter(s) must be on the letterhead of the previously serviced client and should reflect at least name of the client, title of the related work conducted, year conducted and completed, contactable reference name and contact details and signed by the appropriate delegate and the project duration should not be less than six (6) months.</i></p> <ul style="list-style-type: none"> <li>▪ <b>4 reference letters = 40</b></li> </ul>	<p>40</p>

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	<ul style="list-style-type: none"> <li>▪ <b>3 reference letters = 30</b></li> <li>▪ <b>2 reference letters = 20</b></li> <li>▪ <b>1 reference letter = 10</b></li> </ul>	
<b>B2: Number of years of experience working in and/or providing risk consulting services to the public sector</b>		
Human capacity in risk management services: Project Leader or director ( <b><i>a minimum of 5 or more point will be allocated for each bullet</i></b> )	Comprehensive CV (with certified copies of Qualifications - not older than three months) of the Project Leader must have the following: <ul style="list-style-type: none"> <li>▪ A minimum of 10 years' experience in risk management. <b>(10)</b> <ul style="list-style-type: none"> <li>- 6 - 10 Years = 10</li> <li>- 3- 5 Years = 5</li> </ul> </li> <li>▪ Risk Management/ Auditing qualification or MBA. <b>(5)</b></li> <li>▪ Must be a member of the Institute of Risk Management South Africa (IRMSA) – attached registration and confirmation certificate. <b>(5)</b></li> </ul> Only one CV of the Project Leader/ Director will be evaluated in line with the above requirement.	20
Human capacity in risk management services: Project Support Personnel ( <b><i>a minimum of 10 point will be allocated for each bullet</i></b> )	Comprehensive CV (with certified copies of Qualifications - not older than three months) of the Project Support Personnel (allocated resource) must have the following: <ul style="list-style-type: none"> <li>▪ A minimum of 5 years' experience in risk management. <b>(10)</b></li> <li>▪ Qualifications – Degree/Honors. <b>(10)</b></li> <li>▪ Public Sector Risk Management experience. <b>(10)</b> <ul style="list-style-type: none"> <li>- <b>4 - 5 Years experience = 10</b></li> <li>- <b>2 – 3 Years experience = 5</b></li> </ul> </li> </ul>	40

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	<ul style="list-style-type: none"> <li>▪ Must have an Enterprise Risk Management Certificate. <b>(10)</b></li> </ul> <p>Only one CV of the allocated resource or key personnel will be considered for evaluation purposes.</p>	
<b>Total Technical Threshold</b>		<b>60</b>
<b>Maximum Score</b>		<b>100</b>

- 11.5. Bidder must obtain 60 points on Functionality to be considered for the Price & BEE evaluation and where only one supplier proceed to the above stage, PanSALB using the preference point system of 80/20.
- 11.6. Bidders are encouraged to complete the SBD 6.1 to claim for specific goals as outline in the RFQ.
- 11.7. The preference points system will only apply if more than one bidder past the evaluation stage and score a minimum points of 60 points and above.

### **12 BID VALIDITY**

The bid will be valid for a period of **90 days** from the closing date.

### **13 ENQUIRIES**

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