

## 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 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>Accountable Officer</b>	<b>Lance Shultz</b> CEO, 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 12 MONTHS</b>

## **1. PURPOSE**

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 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 Institutional Performance and Governance (IPG) function was set up during the 2016/17 financial year (FY). This included the establishment of a Risk Management Committee. 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 has developed a strategic risk register for FY 2023/24 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 2023/24 to the overall PanSALB Strategy and Annual Performance Plan (APP).

### 3. OBJECTIVES OF THE SERVICES TO BE PROVIDED

- 3.1 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

### 4. SCOPE OF SERVICES TO BE RENDERED

- 4.1 The appointed service provider or resource to PanSALB is required to assist PanSALB in developing the required frameworks, plans, policies, strategic and operational risk registers including the monitoring of the risks registers, capacity development and mentoring of the IPG Team as well as the establishment of an effective risk management function.
- 4.2 The ultimate outcome will be the establishment of an effective Enterprise Risk Management solution to achieve the strategic outcomes for PanSALB.

It is envisaged that the scope of work will entail the following:

- 4.3 Consolidated report containing the following must be prepared:
- 4.3.1 Assessment of current risk policy, practice, and prevailing risk culture using a defined risk model;
  - 4.3.2 Assessment of the current risk registers and definition of strategic risks;
  - 4.3.3 Assessment of risk categories and reporting matrices for improvement including a combined assurance plan and reporting tools;
  - 4.3.4 Developmental support to the RMC and management regarding current practices and future requirements for the development of the ERM function;
  - 4.3.5 A diagnosis of issues affecting the performance of PanSALB's ERM function;
  - 4.3.6 Considerations for the alignment of PanSALB's strategic risk register for FY 2024/25, 2025/26 and 2026/27 FY to the overall PanSALB Strategy and Annual Performance Plan (APP).
  - 4.3.7 Considerations for the maturity of PanSALB's ERM function going forward; and
  - 4.3.8 Required changes to the strategic risk register for FY 2024/25.
  - 4.3.9 Implement POPIA and PAJA applicable to PanSALB that is assigned to the information office portfolio.
  - 4.3.10 Whistleblowing report and administration

**4.4 The following policy documents must be updated and/or developed:**To be developed/updated:

- 4.4.1 Develop the risk appetite and tolerance framework
- 4.4.2 Combined assurance framework;
- 4.4.3 Delegation of authority framework;
- 4.4.4 Project Risk Management framework;
- 4.4.5 POPIA and PAJA frameworks

Support and advise on the implementation of the following:

- 4.4.6 Refine the ERM framework, policy, and strategy;
- 4.4.7 Business Continuity; (in process);
- 4.4.8 Review Anti-fraud and corruption policy;
- 4.4.9 Review Disaster recovery plan;
- 4.4.10 Case management framework;
- 4.4.11 Internal control framework;
- 4.4.12 Management of losses and claims;
- 4.4.13 PanSALB policies and processes framework;
- 4.4.14 Review and update the risk policy, standards, and framework to mitigate risk and ensure an effective reporting structure is established.
- 4.4.15 POPIA , PAJA and whistleblowing administration

**4.5 PanSALB's risk registers must be updated:**

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

#### **4.6 An ERM function must be firmly established:**

- 4.6.1 Risk information, communication, and reporting, improvement of the PanSALB risk culture, co-ordination of all ERM activities of PanSALB, risk oversight and support;
- 4.6.2 Facilitating a process to clearly define the risk appetite and tolerance of PanSALB Risk by reviewing the status of enterprise risks;
- 4.6.3 Best in practice recommendations to PanSALB on the overall ERM function and activities;
- 4.6.4 Implement and communicate risk reporting structures and roll out; and
- 4.6.5 Evaluate the risk maturity and culture of PanSALB and provide recommendations for improvement.

#### **4.7 Capacity development and mentoring:**

- 4.7.1 Provide workshops/risk training interventions to the risk owners, management, and the Risk Management Committee; and
- 4.7.2 Provide ongoing mentoring support to the PanSALB IPG Team.

#### **4.8 General:**

- 4.8.1 Review and update where required, the RMC Governance documents including the ToR, Strategy, Framework, and Policy; and
- 4.8.2 The appointed service provider or resource will be required to provide a Risk Management Report to PanSALB's management committee.

### **5 ASSUMPTIONS**

- 5.1 The service provider has the required resources, who has the necessary capacity experience, and qualifications to fulfill these tasks.
- 5.2 The resources will report to the Senior Manager: IPG and will be fully stationed at PanSALB office, 07h30 to 16h30 weekdays.
- 5.3 PanSALB will provide the necessary logistical and administrative support and avail all information required.

### **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 may be Risk Management committee.

- 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 and RMC 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 Senior Manager: IPG, Chief Executive Officer, Audit and Risk Committee, and the Board.
- 7.2 The work of the resource deployed to PanSALB will be guided by PanSALB policies, the Audit and Risk Committee consisting of at least three members, and the Head of 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 appointed resource will report to the Senior Manager: IPG.
- 8.2 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 from 07h30 to 16h30.

## **10 MANDATORY REQUIREMENTS**

- 10.1 Bidders must ensure that the following submission requirements are included in their bids. 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. Certified cop(ies) of the relevant tertiary qualification(s) or equivalent from a recognized institution in line with area of expertise (where applicable);

10.1.4. SAQA confirmation of accreditation (in the case of international qualifications);

10.1.5. Detailed Curriculum Vitae of proposed resource (Completed and signed CV template provided as Annexure A); and

10.1.6. Proposed resource (at least Associate level or higher) must submit proof of valid and current membership with one of the following:

- i. The Institute of Risk Management South Africa (IRMSA), or
- ii. The South African Institute of Chartered Accountants (SAICA), or
- iii. The Institute of Internal Auditors South Africa (IIA SA).

## 11 EVALUATION CRITERIA

PanSALB has set minimum standards that bidders must meet to be selected as a successful bidder.

### 11.1 Technical Evaluation Criteria

11.1.1. The technical evaluation of the bid will be based on an assessment of the CV of the proposed resource (including relevant qualifications and relevant work experience [in number of months/years]); and specific relevant assignments completed (with dates of start and completion)].

11.1.2. A CV must attain a minimum score of 70% to be shortlisted and evaluated further based on price and B-BBEE (80/20). Where deemed necessary by PanSALB, further negotiations on rates may be entered into.

11.1.3. Proposed resources may not form part of multiple bid submissions. Bidders/ Proposed resources must provide a signed CV.

11.1.4. Only one CV per bid is required. In the event that multiple CVs for the same resource(s) are received an enquiry shall be conducted and in the event that both bidders were authorised to submit the CV, both shall be disqualified.

11.1.5. Alternatively, in the event that only one bidder was authorised to submit the CV, the submission of the bidder with pre-authorization to submit the CV shall be evaluated further.

The evaluation criteria and the maximum possible score for each criterion is shown in the table below:

TECHNICAL EVALUATION CRITERIA	SCORING	WEIGHT
<b>A. Relevant Qualifications of proposed Enterprise Risk Management Expert</b>		
Professional accreditation	Chartered Accountant South Africa (CA SA) or Certified Internal Auditor (CIA)	20%

TECHNICAL EVALUATION CRITERIA	SCORING	WEIGHT
<b>A. Relevant Qualifications of proposed Enterprise Risk Management Expert</b>		
Relevant qualification in the field of Risk Management.	4 – Master’s Degree or higher or equivalent(NQF 9+)	
	3 - Honor’s Degree or equivalent (NQF 8)	
	2 - Degree/B-tech/National Diploma (NQF 7)	
	1 - Diploma Advanced Certificate (NQF 6)	
<b>B. Relevant Professional Experience</b>		
<b>B1: Number of years of experience in the field of enterprise risk management and governance, risk, and compliance of proposed Enterprise Risk Management Expert</b>		
Number of years’ overall experience working in the field of enterprise risk management & governance, & compliance similar to the scope of work as described in section 4.	4 = 15+ years of relevant experience	50%
	3 = 11 - 14 years of relevant experience	
	2 = 7 - 10 years of relevant experience	
	1 = 3 - 6 years of relevant experience	
<b>B2: Number of years of experience working in and/or providing consulting services to the public sector</b>		
Number of years overall experience working in and/or providing consulting services to the public sector.	4 = 5+ years of relevant experience	30%
	3 = 4 years of relevant experience	
	2 = 3 years of relevant experience	
	1 = 2 years of relevant experience	
<b>Total Technical Threshold</b>		<b>70%</b>
<b>Maximum Score</b>		<b>100%</b>



## **12 BID VALIDITY**

The bid will be valid for a period of 60 days from the closing date.

## **13 ENQUIRIES**

Technically enquiries: Ms. Salome Tau @ +27 12 341 9638 or Email: [salome@pansalb.org](mailto:salome@pansalb.org)

SCM enquiries: Mr. Daniel Vuma @ +27 341 9638 or Email: [daniel@pansalb.org](mailto:daniel@pansalb.org).