

TERMS OF REFERENCE FOR CONSULTANCY SERVICES FOR THE DEVELOPMENT AND IMPLEMENTATION OF THE TOURISM QUALITY ASSURANCE FRAMEWORK AND ASSOCIATED REGULATIONS, GUIDELINES, TOOLS AND CODES OF CONDUCT

1. BACKGROUND

Government of Uganda has received Funding from the World Bank towards implementation of the Competitiveness and Enterprise Development Project – (CEDP-AF). The Project Development Objective is to support measures that facilitate increased private sector investment in the tourism sector and strengthen effectiveness of the land administration system. CEDP-AF seeks to support the improvement of the regulatory framework for tourism-related businesses by implementing streamlined and more efficient processes through:

- i) An institutional capacity study to inform the requirements for establishment of systems and structures for optimal implementation of the Tourism Quality Assurance Framework (QAF);
- ii) The review of the existing hospitality sector QAF, and development of tools for its implementation;
- iii) The development of tourism regulations, guidelines and codes of conduct to operationalize the current Tourism Act (2008), as well as offer advisory services in the implementation of the same; and
- iv) Digitalization of the Quality Assurance Framework and associated regulations, guidelines and codes of conduct

1.1 THE TOURISM QUALITY ASSURANCE FRAMEWORK

The planning and management of the tourism industry is mainly guided by: The Third National Development Plan (NDP III) which identifies the Tourism Development Programme whose aim is to sustainably increase tourism arrivals, revenues as well as employment in the tourism sector; Uganda Tourism Policy, 2015 which guides the development of the tourism sector and specifically provides for quality standards in product and service delivery; and the Uganda Tourism Act, (2008) under Section 34, empowers the Minister responsible for Tourism to make regulations giving effect to this Act, including the provision for Quality Assurance in various forms (accreditation, assessment, audit and external examination of the hotels and restaurants) in order to enhance regulation, coordination and management of the tourism services and products.

Unfortunately, however, sections of the sector either remain unregulated or the standards and quality of service is usually at the discretion of the owners of the different facilities, which creates service quality gaps that undermine growth of the sector. The Quality Assurance Framework that was developed by the Ministry of Tourism, Wildlife and Antiquities (MTWA) in 2018, has never been activated. Where such guidelines exist such as the Classification and Grading System, they need to be activated, and to be rolled out to local governments for enforcement.

In the same regard, with the digital era now, the ease of doing business should be exhibited in these systems through digitization of the Quality Assurance Framework that will ease registration, self-assessment, inspection, licensing as well as follow ups with codes of conduct uploaded and the system should be integrated with systems of other regulatory agencies like the Uganda Registration Services Portal, Uganda Revenue Authority Portal, National Environmental Management Authority Portal, Uganda Bureau of Statistics Portal for statistical data generation as well as geo mapping

1.2 TOURISM QUALITY ASSURANCE CHALLENGES

In the era of severe competition, the leisure business considers the creation of a niche for its competitive advantage standards and quality propositions as critical success factors. Within the tourism and hospitality industry, first-time and repeat tourists are known to engage in different tourism experiences within a destination. The level of satisfaction during past visits is known to considerably influence their intentions to make repeat visits. As the tourism and hospitality industry expands in the highly competitive travel and tourism marketplace, the search continues for ways to ensure quality, as a way of gaining a sustainable competitive advantage and customers' confidence, continues. Quality assurance entails the management of customer expectations and ensuring that quality products and services, as seen by the customer, are being provided. It has therefore become one of the key success factors for the tourism and hospitality industry, in the context of highly increasing competition, market globalization, and development of modern technology.

Leading tourism and hospitality experts offer the latest theory and practical frameworks for creating and maintaining success at destinations around the world. The involvement of regional coordination bodies including the UNWTO in addressing quality and environment in tourism has resulted in the development of common rules, models, criteria, quality, and environment guides. These have been very influential in ensuring the tourist destinations develop national systems for quality in order to strongly impact on the performance of the tourism industry. These systems address:

- i) Number of unregulated players who operate outside the discipline and authority of the trade associations
- ii) Security norms, safety and quality assurance crucial in tourism development
- iii) Regulatory framework to license, set standards, guidelines, code of practice, regulate and supervise tourist enterprises
- iv) Standardization of consistent and comparable service quality
- v) Reliable system which grades and certifies the hotel quality, including facilities and services meeting a certain international level.

MTWA therefore seeks to use the CEDP-AF as an opportunity to hire the service of a qualified and experienced Consulting Firm to undertake the following activities:

- i) To review the existing regulatory and institutional framework for Quality Assurance within the tourism/hospitality sector to identify gaps and define the key interventions, and QAF stakeholders
- ii) To offer advisory services for the operationalization of the tourism quality assurance function in line with international standards;
- iii) To strengthen the hospitality sector Quality Assurance Framework (QAF), and develop tools for the implementation and enforcement of quality assurance standards in the hospitality sector; and
- iv) To develop a supportive regulatory framework that ensure safety and security of products and services

All consultancy activities shall be conducted collaboratively with the Ministry, under supervision of the Technical Working Group and the PCU.

2. OBJECTIVES OF THE ASSIGNMENT

The main objective of the assignment is to create an enabling Quality Assurance (QA) regulatory environment in the Ugandan tourism sector and ensure and secure operations of businesses providing goods and services to the tourism sector. Specifically, the consultancy should enable the Ministry to:

- (i) Develop a Quality Assurance Framework (QAF) and associated regulations, guidelines and codes of conduct that reflect international standards and best practice in Registration, Licensing, inspection, grading and classification;
- (ii) Develop tools to assist the MTWA to operationalize the QAF and associated regulations, guidelines and codes of conduct for the entire hospitality sector (Public and Private Sector),
- (iii) Digitize the tourism QAF and associated regulations, guidelines and codes of conduct and related interventions to facilitate dissemination and uptake by the private sector

3. Scope of Work

In order to enhance regulation, coordination and management of Uganda's tourism products and services, CEDP-AF support for the upgrading and further development of the Quality Assurance Framework and enabling regulatory environment will be undertaken in order to ensure safe and secure tourism operations shall include, but not be limited to the following activities:

- i) Review the existing regulatory and institutional framework for Quality Assurance within the tourism/hospitality sector in order to identify gaps and define needed interventions for improvement (Registration, Licensing, inspection, grading and classification) and related stakeholders for advancing the QAF;
- ii) Define the Institutional Roles of the Ministry, UTB, MTIC, MFPED, Tourism Police, Private Sector and other tourism-related core institutions at Central and Local Government levels;
- iii) Define areas of direct regulation, co-regulation and self-regulation in the hospitality sector including an inbuilt reward and enforcement mechanism in the M&E Framework;
- iv) Develop Quality Assurance inspection tools and manuals to ensure principles of Total Quality Management for service quality and competitiveness;
- v) Develop Information, Communication and Educational (ICE) tools for regulatory institutions and service enterprises for Quality Assurance framework and associated regulations, guidelines and codes of conduct (in form of booklets, information charts, Quality and Safety signage, messages etc.);
- vi) Digitalize the tourism quality assurance framework and associated regulations, guidelines and codes of conduct inclusive of a database;
- vii) Develop Regulations, guidelines and codes of conduct in all aspects of tourism service provision including but not limited to; Marine, Mountaineering, Cultural Sites, Homestays, Eating Houses, Tour Operators, Outside Catering, Fast Foods, Green Tourism, and MICE that are unregulated;
- viii) Awareness and communication campaign for stakeholders on the implementation and enforcement of the regulations, guidelines and codes of conduct along the tourism value chain, developed;
- ix) Build capacity of key staff from the client team and key implementing institutions of the Tourism Quality Assurance Framework (TQAF) and Regulations Codes of Conduct, Ethics and Standards (RCCES) as well as secure internationally recognized Quality Assurance Framework (QAF) certifications in terms of assessment, standards and any related at the consultant's cost. Key staff to be trained are from MTWA, UTB, LGs, Private Sector and other Ministries, Departments and Agencies related to Tourism Quality Assurance;
- x) Provide advisory service to the Tourism Quality Assurance Working Group;
- xi) Support the implementation of the activities necessary to strengthen the tourism quality assurance processes; and

The Scope of Work is understood to cover the activities necessary to accomplish the stated objectives, whether a specific activity is cited in the Terms of Reference.

4. REPORTING, EXPECTED DELIVERABLES AND TIMING

REPORTING

The Consultant shall report to the Project Coordinator, Competitiveness and Enterprise Development Project, CEDP. All deliverables including work files, online and physical databases, spreadsheets, drawings and any other data related to the assignment shall be provided to the client in electronic format upon completion of the consultancy, in addition to copies of hardcopy reports. The electronic data formats shall be compatible with the latest versions.

Any other data formats shall be subject to prior approval by the client. All documents to be submitted by the Consultant shall be in English.

EXPECTED DELIVERABLES AND TIMING

The Consultant is expected to deliver the following:

- 1) QAF review report on policies, regulations, codes of conduct, and guidelines that fulfils the specific scope of services,
- 2) Draft tools, regulations, guidelines and codes of conduct for private sector tourism businesses developed based on the specific scope of services
- 3) Capacity building programs designed and implemented based on the specific scope of services,
- 4) Functional electronic database of all materials and information developed
- 5) A digitized quality assurance management system.

The consultancy firm will be expected to deliver the following deliverables:

No	Name of deliverable	Timelines submission for after contract signature	Remarks
1	Inception Report	1 week	The Inception Report will articulate the understanding and interpretation of the TORs; provides the methodology for carrying out the assignment; and itemized work plan and implementation schedule.
2	Reports of the review of the regulatory and institutional environment for Quality Assurance	3 weeks	Conduct the review of the institutional and regulatory environment of the quality assurance function through stakeholder consultation, review of reports and data collection and analysis and identify areas for direct, co and self-

			regulation. Develop a report for ministry and stakeholder discussion
3	Draft Quality Assurance Framework, tools, regulations, guidelines and codes of conduct including Digital Platform.	10 weeks	Develop the Quality Assurance Framework, tools, regulations, guidelines and codes of conduct (including digital platform) and manuals and deliver and present the M&E framework and Information, Education, and Communication (IEC) materials for the hospitality establishments
4	Validation Workshop reports	12 weeks	Conduct validation workshops; revise to reflect findings; and deliver validated materials
5	Capacity building reports about the QAF and associated regulations, tools, guidelines and codes of conduct	34 weeks	Conduct pilot training and then broad training exercise for each of the key institutions in the Quality Assurance Framework
6	Draft QAF and digital platform Draft Information, Communication and Educational (ICE) tools for regulatory institutions and service enterprises for Quality Assurance framework and associated regulations, guidelines and codes of conduct (in form of booklets, information charts, Quality and Safety signage, messages etc.)	16 weeks	Draft outputs of the QAF and associated regulations, codes of conduct and guidelines, ICE materials and digital platform.
7	Final QAF and digital platform Final Information, Communication and Educational (ICE) tools for regulatory institutions and service enterprises for Quality Assurance framework	20 weeks	Final outputs of the QAF and associated regulations, codes of conduct and guidelines, ICE materials and digital platform.

	and associated regulations, guidelines and codes of conduct (in form of booklets, information charts, Quality and Safety signage, messages etc.)		
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Duration of the assignment

The services of the Consultant firm will be required over a period not exceeding 6 (6) months to undertake the various activities outlined in the Terms of Reference (TOR).

The Consultant represented by the entire project team (key personnel) shall be required to present to stakeholders at separate workshops organized by the Client; the Inception report, Draft QAF and digital platform, Draft Information, Communication and Educational (ICE) tools for regulatory institutions and service enterprises for Quality Assurance framework and associated regulations, guidelines and codes of conduct (in form of booklets, information charts, Quality and Safety signage, messages etc.) and Final QAF and digital platform, Final Information, Communication and Educational (ICE) tools for regulatory institutions and service enterprises for Quality Assurance framework and associated regulations, guidelines and codes of conduct (in form of booklets, information charts, Quality and Safety signage, messages etc.).

The three stakeholders’ workshops will be conducted as indicated in the table above. The following shall be taken into consideration during the preparing and handling the stakeholders’ workshop.

- (i) The workshop will be facilitated and paid for by the Client.
- (ii) The consultant will make Power Point presentations, provide concise background documents for discussion and prepare workshop reports to document the proceedings.
- (iii) The consultant shall include a provisional sum in the financial proposal for the costs of holding workshops and stakeholders’ consultation in the proposal.
- (iv) The Client will pay the Consultant based on actual and approved expenditure of the Consultant’s budget (for workshop) which will have been discussed and agreed to prior to commencement of the Consultancy.
- (v) The basis for payment of participants by the Consultant will be full participation for the entire duration of the workshop together with an authentic invitation letter of the participant.
- (i) The key deliverable of Stakeholders workshop shall be stakeholders’ workshop reports which shall be submitted by the consultant within 1 week after the workshop.

5. KEY PERSONNEL

The Consultant will be a firm or consortium of firms with diversified technical competencies, including (but not limited to) tourism quality assurance, public policy development, public governance, tourism policy development, tourism online platform development, tourism development or related fields. The Consultant must demonstrate possession of minimum of 8 years’ experience in conducting similar assignments and the relevant skills required to undertake the tasks set out in this Terms of Reference. The Consultant shall have the following qualifications and experience:

- i) The consultant should have core business services and products in quantitative and qualitative research with strong experience in consumer market research and preference for tourism research and surveys;
- ii) the consultant should have expertise in research with strong experience in tourism and legal draftsman ship
- iii) demonstrable experience in the development and drafting of regulations and guidelines
- iv) demonstrable experience in the development of online quality assurance tools
- v) demonstrable experience in the preparation and analysis of quantitative and qualitative consumer research;
- vi) Have highly competent research, and statistical technical experts with recognized international and national experience with relevant education, and training in tourism quality assurance;
- vii) Have a strong understanding of the TOR and practical approach proposed to meet TOR requirements in a timely and cost-effective manner
- viii) An understanding of the tourism value chain
- ix) An understanding of environmental and gender inclusion policies
- x) Proven capability in engagement of stakeholders from the public and private sectors and capacity to synthesize diverse agendas and priorities into sector wide activities

The Consultant shall present at least one reference to prove possession of each of the above competences.

The Consultant will deploy a team of well qualified personnel/experts to undertake field activities who will be supported by a competent team at the consultant home office. All the experts shall be highly skilled and experienced and shall score a minimum of 75%. Key Staff with scores of less than 75% shall have to be replaced if the Consultant progresses to negotiations stage.

The proposal of the Consultant shall be set out in detail showing the list of experts required for each stage of the assignment and the duration person/ days) for which the services are required. The Consultant shall present the staffing schedule in a manner that makes it clear as to which personnel will be involved in a specific activity. A staff organogram reflecting the envisioned activities should therefore be presented.

The Consultant's team shall include the following key personnel:

- a. Project Manager (Team leader).
- b. Legal Expert
- c. Tourism Quality Assurance Expert
- d. Information Systems Expert
- e. Monitoring and Evaluation Expert

Qualification and experience requirements of Key staff

Project Manager (Team leader) At least 10 years relevant professional experience in conducting similar assignments with a Master's degree in the Tourism or Leisure or Hospitality Management or tourism economics, tourism management and knowledge in the tourism industry with:

- a. Experience in management consulting or institutional reform, preferably with some experience of the public and private sector.
- b. Experience of governance and public agencies in the tourism sector is necessary
- c. Demonstrated knowledge of designing and implementing quantitative and qualitative research, including extensive experience in consumer research.

- d. Knowledge in Tourism Quality Assurance Management systems (ISO 9001, 22000, 45001) is an added advantage
- e. Excellent track-record in creative thinking, problem-solving, and strong motivation to deliver solutions that are effective and practical
- f. Sound experience and understanding of private sector operations in the tourism value chain
- g. Excellent written and verbal communication in English
- h. Demonstration of excellent report writing and presentation skills in English
- i. Collaborative, adaptable and an effective problem solver
- j. Experience in designing and delivering training
- k. Knowledge of the tourism sector

Legal Expert At least 5 years relevant experience, with a Post Graduate degree in Law with:

- a. Demonstrated knowledge of Legal Drafting
- b. Demonstrated knowledge in regulatory research
- c. Professional qualification in the legislative drafting

Tourism Quality Assurance Expert At least 5 years relevant experience, with a Post Graduate qualification in Tourism Quality Assurance Management systems with:

- a. Demonstrated knowledge of ISO 9001, 45001 and 22000, Hazard Analysis and Critical Control Point (HACCP), Good Manufacturing Practices (GMP) for hand crafts and food to mention but a few
- b. Demonstrated knowledge in Occupational health and Safety Practice (OSH)
- c. Good knowledge in public health management
- d. Professional qualification in the field such as EAC Assessor Certification, Quality Management is an added advantage

Information Systems Expert At least 5-year experience, with a Post Graduate qualification in database design and management with:

- a. Demonstrated knowledge of database design and management
- b. Excellent written and verbal communication in English
- c. Collaborative and adaptable
- d. Preference for experience in tourism research and data analysis
- e. Professional qualification in the field is an added advantage

Monitoring and Evaluation Expert At least 5 years' experience, with a Post Graduate qualification in Monitoring and Evaluation with:

- f. Demonstrated knowledge of monitoring and evaluation
- g. Knowledge of the tourism sector or services industries and their measurement

6. SUPPORT STAFF

The Consultant shall field any technical, non-technical and administrative staff to enable the timely delivery of the assignment and to the required standard.

7. SERVICES PROVIDED BY THE CLIENT

The Client shall introduce the Consultant to relevant stakeholders on request.

All expenses related to the assignment such as office space, travel (inland and foreign), and accommodation, stationary shall be borne by the Consultant.