MINISTRY OF FOREIGN AFFAIRS OF DENMARK
Danida

GUIDELINES FOR TECHNICAL ASSISTANCE

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1. Introduction

Technical assistance is an important element of the Danish development strategy; contributing to capacity development and the strengthening of national institutions and human resources.

Technical assistance is defined as the transfer, adaptation, mobilisation, and utilisation of service, skills, knowledge and technology. Technical assistance includes long-, and short-term advisers and consultants, training activities, study tours, seminars and institutional cooperation (twinning arrangements). The term "technical cooperation" is also used.

Experience with technical assistance within the Danish Development Co-operation indicates a need for **improving the preparation of technical assistance** inputs, specifically by enhancing the capacity assessment of the partner institution. There is also a need to emphasise that technical assistance is only one of several possible solutions to capacity constraints.

These guidelines support the implementation of the Danish commitments in relation to the Paris Declaration on Aid Effectiveness and the Accra Agenda for Action. **Capacity development** is regarded the general objective of technical assistance, and the guidelines follow the capacity development priority areas that have been identified in the Accra Agenda for Action. Several other donors are in the process of modifying their TA approaches in line with these principles, thereby recognising that technical assistance should be country-owned and fully integrated in national development efforts. The European Commission has recently approved a new strategy on technical cooperation.

In line with these efforts, the guidelines emphasise **national ownership, alignment to national procedures and harmonisation** of technical assistance. Denmark pursues these goals in the Danish Development Assistance by adopting the principles of using country systems as the first option. This requires a change in the role and function of technical assistance.

The principle of using country systems as the first option is also valid for **procurement of technical assistance**, whether national or international. In programmes with national procurement and contracting of technical assistance, these guidelines may be used as an inspiration for the preparation of the TA input.

It should be noted, however, that a **flexible approach** is needed when using technical assistance. A mixture of different aid modalities co-exist and will continue to do so for a foreseeable future, and alignment of technical assistance is closely linked to the aid modality of the programme support of which it is part.

The guidelines aim at facilitating and improving both analytical and practical aspects of the preparation and implementation of Danish bilateral technical assistance, and they should answer questions about **what to do and how to do it**.

The guidelines are divided into five chapters. After this introduction, the second chapter outlines the guiding principles for use of technical assistance. The third and fourth chapters provide guidance to the assessment of TA needs and to the choice between various types of technical assistance, respectively. The final chapter treats issues of procurement and administration of TA personnel.

The use of technical assistance in Danish bilateral development cooperation, hence the application of these guidelines, is **monitored** at several stages. During the appraisal of new programmes and reviews of existing programmes, the preparation and the use of technical assistance should be assessed. The use of technical assistance is also included as an element of the performance reviews of Danish Embassies.

These guidelines replace the policy paper *Technical Assistance in Danish Bilateral Aid* (2005) and represent a continuation and further development of this policy. The guidelines are an integral part of the *Danida Aid Management Guidelines* (www.amg.um.dk) and should be regarded in the context of other guidelines, especially the *Guidelines for Programme Management,* and the *Guidance Note on Danish Support for Capacity Development.*

2. Guiding principles for technical assistance

The overriding objective of the Danish development assistance is to create lasting improvements in the living conditions of the poorest sections of the population in developing countries. The primary responsibility for leading these efforts lies with the governments and the civil society of developing countries themselves. Technical assistance can support country-owned capacity development and may be a catalyst of reform by contributing with new ideas, knowledge and experience, and by using interpersonal relations.

2.1 Aid effectiveness and technical assistance

Denmark subscribes to the Paris Declaration on Aid Effectiveness, and the Accra Agenda for Action. In cooperation with international partners, efforts are continuously undertaken to improve the performance of the Danish development co-operation in relation to the **five principles of the Paris Declaration**: Ownership, alignment, harmonisation, managing for results and mutual accountability.

The guiding principles of Danish funded technical assistance are closely linked to these efforts:

National ownership is key to the success of TA supported capacity development efforts. In line with the commitment in the Accra Agenda for Action, technical assistance should be demand-driven and designed to support country ownership, be it governmental or non-governmental, central or at local level. National aptitude and preparedness to drive the development process are important elements in the planning of technical assistance. Partner involvement is also key when it comes to defining technical assistance modality and the selection of TA service providers, including South-South cooperation. TA personnel should be accountable to the partner organisation, and must be regarded as a temporary measure.

Technical assistance must be firmly **aligned** to the partner's own development efforts and reflect the national context. Alignment also entails the use of country systems as the first option by using national procedures for procurement, management, monitoring and reporting of technical assistance. When technical assistance is part of an overall programme support, the degree to which that programme is aligned to national institutions and procedures largely determines how well the technical assistance can be aligned.

Harmonisation of TA support should be pursued where relevant through division of labour and pooled TA support. This also means promoting joint analytical work, sharing of information, coordinating TA support and harmonising procedures for monitoring and reporting.

Managing for development results and **mutual accountability** in the context of technical assistance mean designing TA support on the basis of the desired results and linking it to national performance assessment frameworks. It also entails tracking and documenting the results and using this information to improve decision making. The cost of technical assistance should be transparent and information regarding planned aid, including technical assistance, should be made available to partners.

2.2 Clear division of responsibilities

When the TA contract formally is with Danida, partner leadership must be reflected in the institutional set-up and in the role of the technical assistance as defined in the terms of reference. Regarding division of responsibility between the partner, the Danish Embassy and the TA personnel, the following ground rules apply:

- The responsibility for **programme coordination and supervision** should be vested in a partner institution or a joint programme steering committee, or similar body. Technical assistance cannot represent Danida or partner institutions in these fora. The partner institution may be supported in the overall planning, coordination, monitoring, and reporting tasks related to programme management by technical assistance on the basis of the partner organisation's own efforts to build up such systems.
- The partner is responsible and accountable for the TA assisted development interventions. This includes implementation, supervision and **reporting of technical assistance.** TA personnel primarily reports to the partner organisation.
- To keep technical assistance abreast of developments in Danida policies and operations and in issues related to contractual matters, TA personnel may be requested to attend a limited number of **meetings** organised by the Danish Embassy. The Embassy should be fully transparent towards the partner institution in relation to such activities.

- Advisers should not be responsible for **supervision of other technical assistance**.
- Danish Embassies are responsible for maintaining the **policy dialogue** with the national authorities and partner institutions, on macro and sectoral issues and crosscutting dimensions of the development agenda. TA personnel may provide policy advice to partners, but should not be made responsible for maintaining dialogue with partners, and they should never represent the Danish Embassy in the dialogue with partner institutions.
- In accordance with Danida's **Anti-Corruption Action Plan,** advisers must be well guided in performing their duties. This aspect of their ethical code of conduct will be an explicit part of their contractual obligations.

The guiding principles for use of technical assistance primarily imply an **advisory role** of the technical assistance. **Transactional tasks** – which are more "hands-on" – may also be identified for TA personnel, especially in the rare circumstances where the responsibility for programme implementation is not vested in a national institution. This is particularly the case in programmes in fragile states and post-conflict areas, and for some programmes involving direct support to the private sector or to civil society organisations. Depending on the programme set-up, technical assistance, particularly long-term advisers, may under such circumstances be involved in management functions and more hands-on implementation. In these cases, which are exceptions to the general policy, issues of national ownership and sustainability should always be considered, and an exit strategy for the technical assistance should be clear.

Another type of exception to the guiding principles is when TA personnel are recruited by the Danish Ministry of Foreign Affairs to undertake programme coordination, on behalf of the Danish Embassy.

3. Assessment of technical assistance needs

Evidence clearly indicates that effective technical assistance requires investment in a rigorous design process and that a systematic assessment of the context is necessary. A solid **needs assessment and context analysis** is necessary before choosing the type of technical assistance required. Technical assistance needs should primarily be defined by the partner institution. The design and preparation of the Danish-funded support should not be seen as the point of departure, or as the conclusion of the needs assessment, but may constitute a part of this process.

3.1 Common problems in delivering effective technical assistance

Recent evaluations have identified some common problem areas caused by unsatisfactory impact of TA outputs in terms of capacity improvement. When planned outputs were not delivered, common causes stated:

- Insufficient political commitment to systemic reforms supported, in which case even high-quality technical advice leads to little change.
- Inadequate analysis of and attention to organisational capacity, often leading to insufficient capacity to effectively use the external support.
- Unclear or uncertain mandate of the organisation supported.
- The supported organisation did not feel in control of the technical assistance, leading to lack of ownership and an ineffective use of the technical assistance.
- Difficulties in identifying the development impact - organisational and capacity outcomes are often difficult to measure. Benchmarks and capacity targets have often not been set.
- Support delivered only transactional outputs, i.e. organisations were successfully assisted in performing their functions, but did not strengthen their capacity to perform the same functions in a sustained manner after the technical assistance ended.
- Technical weaknesses of TA providers/advisers, and especially lack of personal skills and skills regarding facilitating processes.

These problems are often due to technical assistance being established without strong ownership and without direct links to nationally owned capacity development plans.

The following sections include guidance on how to avoid these common obstacles in the preparation of programme support.

3.2 Context analysis and capacity assessment

When TA components have been less effective it is often because of insufficient attention paid to the political and institutional context, as indicated above. The limited analysis of the **wider institutional context and organisational capacity** in programme design has jeopardised the sustainability and relevance of activities, thus leading to less than satisfactory results, even if the advisers and consultants mobilized were highly qualified. The most difficult situations, in terms of producing the planned outputs of technical assistance, have involved support to complex processes of systems reform within governments. In these cases, it is of particular importance that technical assistance is part of a broader framework of capacity development support, which may include government-wide reforms, in areas such as human resource management, salaries and incentives.

It is crucial to base the design of TA interventions on a **clear framework for capacity development**, of which technical assistance is one important element. Key factors determining the context are the partner government's policy commitment, capacity of the organisation to be supported and understanding the process by which change may occur. Technical assistance should be seen as part of the overall human resource management of the partner. The need for technical assistance must be assessed as one element of an output-focused capacity development framework of the partner institution, rather than an element of the external support and funding of the capacity development process.

A comprehensive **checklist** for institutional framework assessment may be found in the *Guidance Note on Danish Support for Capacity Development (2006)*. This is a useful frame of reference for an overview of the many aspects to consider when making an organisational capacity assessment, with a clear output focus. Most of the principles and focus areas listed in the capacity development note are embedded in the Danida Guidelines for Programme Management. When capacity development, including TA provision, is prepared, these principles apply and should always be considered in the preparatory analyses.

There are examples of partner institutions that have no intentions of elaborating an **overall plan for capacity development or technical assistance**. In these cases, there might be a risk that the partner institution will not lead the development process and ensure a sustainable outcome of the aid provided. If the external input to the capacity development process stands alone, it may in practice be difficult to verify that the initially defined needs and demands are solidly owned by the partner institution and politically feasible. During programme preparation it may thus be advisable to focus more narrowly on the desired capacity development support in the organisation, in order to gain more ownership. It may also be taken into consideration whether initial technical assistance should be provided with a specific focus on strengthening the partner institutions capability to clarify and formulate the capacity development needs, and the required TA plan.

In some cases, the purpose of technical assistance may be more transactional, i.e. assisting the partner organisation in performing its functions and delivering specific outputs, rather than focus on a long-term sustainable capacity development of the organisation. There may be good reasons for doing so, but they should be clearly defined and stated up front in terms of the planned TA outputs.

3.3 Guiding questions to the TA needs assessment

Whereas the comprehensive capacity development guidance note, referred to above, is still a valid and more exhaustive reference tool, a few broad questions that link directly to the main issues identified above should be highlighted:

1. The very first questions: Where does the **request** for technical assistance come from, and who is the overall client? Why is technical assistance necessary, what is the problem and what is the technical gap?
2. There must be **partner/government commitment** to improving and using own systems and procedures. Does this commitment exist, possibly limited to certain "champions" in government? How is this commitment further supported? Through policy analysis and advice, through training or skills transfers, to whom, and does the partner agree? What are the political risks that could limit impact and effectiveness of the TA, and can these risks be mitigated?
3. There must be a joint understanding of the **institutional context** and the constraints on the capacity of organisations supported, e.g. with regard to staffing, incentives systems and mandates of the organisation. Has this been documented by the organisation or by other partners? Which categories of staff does the organisation have and with what level of training and capacity? Are there problems with incentives and/or staff retention in the organisation, and if staff are trained and their capacity increased will they be able and willing to deliver on functions and outputs? Are the

mandates of the organisation clear, and are there overlaps with other organisations?

4. The technical assistance provided should constitute an input to a specific **process linked to capacity development** in the partner organisation. The national contributions and steps in this process should be described. What types of policy and institutional reforms are already ongoing or planned, and is the process linking support to these?

5. What is the **contribution from other development partners**? The contributions from other partners in the form of technical assistance and other capacity development support should be mapped, and include both current support and future, planned support.

6. It is important that the **partner organisation is in control**, or at least strongly involved, in management and recruitment of the technical assistance. Why is there a need for TA? How is TA personnel integrated in the organisational structure, and are the accountability and reporting lines clear towards partner organisation management? Are all tasks of technical assistance focused on partner organisation, its functions and defined needs?

7. In order to assess the outcome of capacity development, it is recommended to have **benchmark measures** of existing capacity and performance of the partner organisation, and to set capacity targets in relation to these. Does the institutional assessment adequately benchmark the current capacity situation? Have capacity targets been defined and agreed upon, and are they realistic? Have performance indicators been defined?

8. All technical assistance should be defined and thought into an **output-focused framework**, a log-frame approach may be useful when identifying inputs needed to attain the desired outputs. Are the issues to be addressed mostly institutional or technical? Are the expected outputs of the technical assistance clearly linked to the needs defined by the partner institution?

9. When the TA activities end, by definition, the organisation supported should have a higher capacity and be better equipped to perform its functions. What is the agreed **exit strategy**, and how are the effects to be sustained in the future? If part of the technical assistance is focused on transactional activities, what is the strategy to ensure that the organisation can perform these functions after the technical assistance has ended? Will the organisation be able to retain the skills and capacity to perform its

functions? Will the political and managerial commitment to using systems and capacity developed continue to be present?

3.4 Roles of technical assistance personnel

Capacity development should be the main justification for providing technical assistance, but long-term advisers are often involved in other activities as well. When preparing for technical assistance, it is important to include an assessment of all the explicit and implicit expectations of the adviser and indicate this in the terms of reference for the positions.

As indicated above, technical assistance may be both transactional and advisory, but the movement is towards more **technical assistance with a clear advisory profile** as development assistance becomes more aligned to national systems. In some countries and sectors, nationally led capacity development efforts are well established and constitute a framework for external financial and technical assistance. In other circumstances, this is not the case and the technical assistance is only slowly becoming part of a larger capacity development agenda where country institutions are in charge of their own development. In this context, technical assistance often includes aspects of promoting new ideas and addressing the prerequisites for change.

In many cases, the role of the technical assistance personnel will include **a mix of transactional and advisory functions**. This is generally not a static situation. An adviser may start out by performing some gap-filling duties and gradually move towards a more advisory role. There may be good reasons for including transactional roles in short or intermediate term perspectives, but it is important to keep an eye on the long term sustainability of the partner organisation and the stated goal of technical assistance to transfer skills and enhance capacity.

Less aid dependent countries, often **middle-income countries**, or countries rapidly advancing towards this status, that have strong institutions and human resource capacity may not be demanding technical assistance for capacity development. They are capable of managing most functions of government, but seek highly specialised skills for innovation through development assistance. The focus is on highly specialised technical assistance with a low level of transactional roles, i.e. more focused on advisory and skills transfer roles, either in areas of technical or management skills.

In support to **fragile states and in post-conflict situations**, technical assistance is often used to keep basic functions operational. Technical assistance is then often fully transactional with mostly tangible and short-term outputs, and limited long-term sustainability. It is a major challenge to assist countries in these situations in moving away from using technical assistance in a transactional role and move towards a more sustainable process of development, where the technical assistance has a more indirect and facilitative role.

Checklist: Terms of reference for TA personnel

- Who is the overall client – what are their roles and responsibilities?
- How is the TA personnel situated in the organisation? Who do they refer to and take instructions from?
- What other capacity development processes and TA activities are ongoing, and what are the links to these?
- Is the overall objective transactional (operational, gap-filling, etc.) or advisory, or both?
- What are the capacity targets of the partner organisation and how is technical assistance contributing to these?
- What are the main activity areas of the TA personnel and the outputs to be produced?
- What is the process for transferring skills and supporting capacity development of the partner organisation(s), including relationship building, facilitation, networking and mentoring?
- In addition to the technical skills required of the TA personnel, what are the requirements for personal skills, networking, communications and change management skills?
- What is the process for monitoring and evaluating performance? Have measurable performance indicators been defined?
- What is the envisaged situation at the end of the TA input?

4. The choice of technical assistance

When the TA needs have been identified, various forms of technical assistance should be considered. TA personnel may be the most predominant form of technical assistance in Danish development assistance, but capacity development needs could also be met through other means, and even without technical assistance.

4.1 Institutional cooperation and training

Institutional cooperation, or **twinning arrangements**, is cooperation between two organisations or institutions with comparable mandates and fields of operation that engage in a long-term and process-oriented cooperation in connection with a service that is not offered in the market. The purpose of such cooperation is to answer specific capacity development needs of a partner institution for which there are only one natural Danish counterpart institution. Twinning arrangements should always be driven by the partner institution's needs and demands. The rules and procedures for Danida institutional cooperation are described in *The Guidelines for Institutional Cooperation* on www.amg.um.dk.

South-south institutional cooperation and support to national institutions from institutions with a regional mandate may also be considered as Danish-funded technical assistance. Such cooperation may require support to an initial effort of identifying the partners, possibly through study visits and regional seminars. The mandate of the twinning institution proposed and its experience in technical assistance will have to be assessed in each case.

Training and competence development will normally be an integrated part of any institutional capacity development effort. It may be addressed both at the level of decision makers to move values and attitudes in order to prepare for reform decisions, and as training of staff in the form of in-service training or through longer diploma courses. In the case of staff training, a human resource development plan for the organisation will be an important framework condition. An additional option that Danida can offer is the **Danida Fellowship Centre** that offers courses in Denmark of 2-8 weeks' duration www.dfcentre.com. As a general rule, fellowship courses are funded over the programme budget.

4.2 Harmonising technical assistance with other donors

Harmonised technical assistance can be instrumental in enhancing partnership and reducing transaction costs of technical assistance. Pooled technical assistance is technical assistance which is jointly programmed between several donor partners and led by partner government often with some donor participation. Within this modality three different levels of pooling are defined:

- **Full pooling**, implying a transfer of resources and control to national partners who contract and manage technical assistance.
- **Mixed pooling**, implying that national authorities manage the technical assistance, but contracting is done by one donor partner.
- **Loose pooling**, implying that management of technical assistance is shared between government and donor partners. Technical assistance may be contracted by one or more donor partners.

As a general guideline, if partner country ownership and capacity is relatively strong, the option of pooling TA financing should be pursued. The scope for pooling of technical assistance is usually greatest under sector budget support and joint funding arrangements, through for example sector wide approaches aligned with partner countries' national development strategies, institutions, and procedures.

It should be recognized that the **decision regarding pooling of technical assistance** should be based on a thorough knowledge of the partner systems. The initial transaction costs in establishing pooled technical assistance may be significant for both partner country and donor partners.

National capacity to manage technical assistance may be strengthened, if it is relevant and important for longer term sustainability of the organisation(s) supported. It should be acknowledged that developing such capacity is a longer term process.

4.3 Long-term advisers or short-term consultants

There are no clear rules as to when a long-term adviser is a more adequate solution than one or a series of short-term consultant inputs. A mix of long-term and short-term TA inputs may often make sense in a capacity development plan, but it requires early analysis and planning in the formulation process to define the proper mix – the lack of which is one of the identified weaknesses in earlier TA support.

In general, technical assistance related to policy issues, institutional or systemic reform requires advisers who build relations and trust with national counterparts through a long-term position. **Long-term advisers**, however, risk gradually being drawn into operational tasks, both for the organisation and in relation to the programme implementation, thus losing sight of the capacity development aspects of their job description. Advisers may gradually adopt the values and perspectives of the organisation they work in. This may be an asset in relation to some functions, but there is a risk that the added value of an external technical assistance is lost and that the adviser becomes no more than "an extra pair of hands."

As a rule, **short-term tasks** should be well-defined and discrete, with clear and measurable outputs - for example discrete analytical tasks, or time-limited training or facilitation tasks. Also, some tasks are so highly specialised that they are more suited for shorter-term inputs, complementing longer-term technical assistance. Short-term technical assistance is often more effective when provided as part of an overall package of TA support, for instance as a series of short-term inputs over a longer period.

Short-term technical assistance, and the flexible consultancy resources this normally implies, has often been most effective in delivering outputs at the transactional level, although short-term tasks of more advisory nature include training and facilitation inputs with a specific capacity development objective.

4.4 National, regional, and international technical assistance

Experience rather than nationality is key when selecting technical assistance. National and regional technical assistance is increasingly available and is being used. The first possibility to consider for any TA needs is whether the required expertise is available nationally. If **national expertise** is available and most suitable for the TA input required, it would in most cases be preferable if the partner organisation recruits this expertise directly, and under national rules.

Using **national consultants and institutions** for technical assistance can be considered part of capacity development of the human resources base of a country. National consultants are generally better attuned to government officials and departmental cultures, as well as to the private sector in the country – and, using national consultants may be a cost-effective solution. There may also be risks to consider in recruiting national consultants, such as the lack of distance to the partner organisation and the risk of absorbing limited national capacity.

Recruitment of **regional technical assistance** from neighbouring countries, or from other developing countries, is an option not fully explored at present, but which was brought to the top of the agenda through the Accra Agenda for Action. By sourcing consultants, identifying training events, and other TA possibilities in the region, it may be possible to bring new and international experience that is cost-effective and well attuned to the national systems, and at the same time support the economic development in the region. These options are not always easy to identify for national institutions and Danish Embassies, but can for instance be sourced through research institutions, organisations with a regional mandate or regional consulting companies.

Technical assistance with international experience also has advantages. Costs are higher, but in some cases the provision of international experience and good practice can be extremely valuable, and thus justifying the costs. There are other contexts in which the perceived neutrality of an international adviser can be very useful.

4.5 Company and Danida recruited TA personnel

Technical assistance personnel recruited by Danida could either be contracted directly or through a consulting company, and each way has its advantages and disadvantages that should be considered on a case by case basis. Evaluations show that partner countries in general do not have a preference with regard to agency recruited advisers compared to advisers recruited by companies. It is the quality of the TA personnel rather than the mode of recruitment that counts.

Job descriptions for **Danida advisers** can be modified in-country, allowing certain flexibility during the posting. The direct cost to the programme for Danida advisers are normally less than for company advisers, but Danida advisers require more administrative resources from the Danish Embassy. The indirect cost of a Danida adviser include expenses related to the recruitment procedure, the competence development and preparation process, insurance and administrative resources at the representation during posting. Costs related to housing, school fees, etc are charged together with the salary directly to the programme.

For short-term consultants, consulting companies are well situated to identify and mobilise relevant expertise with a short notice. **Company technical assistance** can have the administrative advantage of being recruited in a "package" with a combination of long- and short-term inputs and possibly an option to mobilise short-term technical assistance in areas that are not clearly defined at the outset of the programme. The technical backstopping provided by the company may also in some cases be a useful supplement to in-country quality assurance. For some positions, especially in countries with languages other than English, qualified Danida advisers may be difficult to recruit, and in the case of getting the "wrong match" for a job, a replacement might be mobilised quicker by a company than by Danida.

4.6 Making costs and benefits of technical assistance transparent

Making the choices more transparent in the design process with regard to costs and benefits will enable the partner organisation to make informed and better choices. The **cost of technical assistance**, including Danida advisers, should be indicated in the programme support documents or agreements with partners.

Increasing transparency enhances the ownership and participation of the partner organisation in programme design and subsequent management and utilisation of TA inputs. Most development agencies have experienced that partner countries or organisations question why large budgets are spent on international advisers, and what they get for the money. An increased openness about costs and benefits of different types of technical assistance would help address these questions.

4.7 Defining the right type of technical assistance

In summary, the key questions to consider, when choosing the type of technical assistance, are:

1. To what degree is the partner organisation involved in defining the TA plan? Does the partner institution have sufficient information regarding possible options and types of technical assistance, including costs and benefits of TA types?
2. What are the functional tasks and outputs required from the technical assistance (policy advice, institutional reform, transactional)?
3. Are the required TA inputs of a short-term or long-term nature, or a combination of both?
4. Is the national human resource capacity available in-country for doing the job, or part of it? If not, what are the key gaps that regional and international expertise must fill?

5. Are there good examples in the region and who have been involved in this work? Which partner could be in a good position to identify relevant sources of technical assistance in the region?
6. If the inputs are of a long-term nature, what would be the advantages and disadvantages of using company advisers as opposed to Danida advisers? Are there other specific considerations that would further qualify using company or Danida advisers for the job?
7. If the TA inputs required are of a short-term nature distributed on several missions, could they be packaged flexibly in fewer contracts? Are there cost-effective alternatives to consider, and how can transaction costs be minimized?
8. If the assignment calls for a combination of long-term and short-term inputs, what would be the combination most likely of succeeding in the capacity development objectives and what solution provides the more cost-effective and flexible combination?
9. Finally, supporting capacity development requires people skills. Are we striking the right balance between technical and personal skills of TA personnel?

5. Procurement and administration of TA personnel

In line with the principle of using country systems for the implementation of development assistance, **partner procurement** and administration of TA personnel is regarded as the first option. It could be either by direct recruitment or through company contracts.

As part of the context analysis done for the TA provision, information of procurement systems should be sought (for example in the form of a Country Procurement Assessment Review), and it should be considered whether procurement in the partner organisation can be strengthened. Depending on the assessment of the national procurement practice for services, a decision regarding procurement should be made, ranging from full use of partner systems and partner institutions or procurement by partner institutions, using modified procedures to procurement by the donor institution. The Nordic Plus Joint Procurement Guidelines available on www.amg.um.dk provide more guidance on these issues.

One of the procurement options would be to apply partner systems with some safeguards. **Safeguards** for technical assistance procurement could include for instance non-objection of terms of reference; donor involvement in short-listing, and/or a final selection of candidates and donor involvement in TA monitoring.

National ownership of the procurement process should not be jeopardized, and the additional administrative complications of safeguards should be considered when decisions regarding safeguards are made.

In case **Danida procurement** and administration of technical assistance is the preferred option, the importance of an involvement of the partner organisation in recruitment and management of technical assistance should not be underestimated. These are crucial factors in ensuring commitment and effective utilisation of TA inputs as part of a larger institutional and human resource plan. Evaluations show that effectiveness is enhanced where the choice of TA provider is made in a joint decision between partner organisation and the development agency, and where decisions are based on an extensive interview-based selection before identifying the right adviser/consultant.

The partner should be encouraged to identify and define the needs for technical assistance, develop job descriptions, and if possible lead - or at least actively engage in - the procurement process including interviewing candidates. It is also good practice for the partner to be involved in bids selection and short-listing processes.

This chapter covers procedures and guidelines for Danish administered TA-personnel. Contracting of twinning arrangements follow separate rules described in *The Danida Guidelines for Institutional Cooperation*.

Technical assistance in the form of Danida advisers and company advisers is governed by distinct different procedures and legal conditions. Danida advisers are recruited and employed by the Ministry of Foreign Affairs subject to the Danish Law on Employment (*Funktionærloven*), whereas company advisers are employed by a company and administered according to company rules and contractual agreements with the company.

5.1 Danida long-term advisers

A Danida long-term adviser is defined as a person with a fixed-term employment with the Ministry of Foreign Affairs with duration of 24 months or more. Recruitment and administration of Danida long-term advisers are governed by the *Staff Regulations for Advisers on Long-term Assignments*. The regulations can be found on the Ministry of Foreign Affairs' intranet [link], together with other tools for recruitment and administration of long-term advisers.

Recruitment of Danida advisers

The Personnel Department and Business and Contracts Department in the Ministry of Foreign Affairs are responsible for contracting Danida advisers and is assisted in the recruitment process by a recruitment agency – presently Mercuri Urval.

The recruitment process is initiated by the partner organisation making a formal request to the Danish Embassy based on the agreed adviser position. The Embassy forwards a requisition form, and the relevant form for determining the grade of the adviser to Mercuri Urval. The requisition includes details of the posting and a draft job description. When the job description is finalised, the documents are forwarded to Personnel Department.

Posts are advertised on www.danidajob.dk, www.um.dk and in various magazines & papers. The role of the Danish Embassy during this process is to coordinate and participate in interviews and ensure the involvement of the partner organisation. The short-listing of candidates is undertaken by a representative of the partner organisation, the Danish Embassy and the Technical Advisory Service (TAS). Mercuri Urval has an advisory role. The participants in the interview panel are the same, and Mercuri Urval has the role as facilitator during an interview. Upon selection, the employment contract is entered by Personnel department.

Competence development

The Ministry of Foreign Affairs' Competence Centre (UMKC) is responsible for identification of additional competences required for the selected candidate to perform his/her duties before a posting. The specific individual needs for competence development is determined on the basis of (a) the language test undertaken as part of the recruitment process (b) recommendations made by the interview panel for the selected candidate and (c) an assessment carried out by the Ministry of Foreign Affairs' Competence Centre in a dialogue with the adviser and the Danish Embassy and national partner(s). The agreed activities are documented in an action plan.

Competence development activities comprise language training, participation in the "pre-departure orientation course", e-learning courses and individual activities. The latter encompass individual briefings with staff of the Ministry of Foreign Affairs, briefings from external resource persons, coaching sessions on personal and interpersonal skills, and participation in courses organised by the Competence Centre and/or external training providers.

During a posting, advisers have the opportunity to participate in sector seminars organised by the Technical Advisory Services, e-learning courses, and in-country courses developed by the Competence Centre or the joint donor competence development network, Train4Dev. Finally, advisers may apply to the Competence Centre for a grant to study local languages, and participate in local languages training organized by the Embassy.

Administration during posting

The Danish Embassy is responsible for the day-to-day administration of the adviser. Legal issues related to the employment contract are the responsibility of the Business and Contracts department. *The Administrative Guidelines for Long Term Advisers* [link] is a toolbox for the administrative personnel at the Danish Embassy with information on practical matters in connection with the administration of Danida Advisers during their recruitment and posting.

Reporting and performance dialogue

During the contract period, the adviser will submit reports to the partner organisation (and in some cases the Danish Embassy) as prescribed in the job description and agreed upon with the partner. The adviser is furthermore required to provide the Embassy with an inception report approximately three months after arrival at the posting and a final report prior to contract expiry.

During the contract period, the adviser will participate in performance dialogue with the Embassy and a representative of the partner institution(s). The purpose of these meetings is to identify and address possible constraints in job performance and to up-date the job description. The Embassy is responsible for ensuring that performance dialogue meetings are held at least once a year, the first one after six months of posting. However, the partner organisation should preferably take the lead in the performance dialogue. The report from the performance dialogue is sent to Personnel Department. The Danida template for performance dialogue [link] should be used, but may be replaced by the partner's system if found feasible.

Extension of adviser contracts

Adviser contracts may be extended upon explicit request from the partner organisation. As a general rule, adviser contracts may only be extended to a maximum of five years within the same programme. The Danish Embassy forwards a requisition to Personnel Department together with the request from the partner.

Termination of employment

The procedures for termination of a contract are described in *The Recruitment and Administration of Advisers Guidelines*. They include a description of how to handle issues of discharge and notices of demand for improved adviser performance and other possible actions. The Ministry of Foreign Affairs' Business and Contracts Department and the Personnel Department must in all cases approve steps taken against an adviser, as it is the formal employer within the Ministry of Foreign

Affairs. Any steps taken against an adviser should be taken in consultations between the Embassy and the partner organisation. It is important to note that all measures taken against an adviser as well as notices of critics prior to more formal actions must be documented in minutes from meetings, notes on files, e-mails etc.

Advisers who have been employed as Danida advisers on a continuous basis for more than three years may apply for a post-contract training grant from the Ministry of Foreign Affair's Competence Centre.

5.2 Danida short-term advisers

International short-term advisers are most commonly contracted in company contracts, but it is also possible to recruit a short-term Danida adviser when the assignment is for less than 24 months. *Staff Rules and General Information for Advisers on Short-term Assignments* specify the terms of employment. These rules and other tools are available on the Ministry of Foreign Affairs' intranet [link].

A requisition is submitted electronically by the Head of Unit to the Personnel Department of the Ministry of Foreign Affairs together with terms of reference for the assignment, and the adviser's CV. Short term posts of duration of more than six months should be advertised at www.job-i-staten.dk. The Personnel Department may assist with the procedures.

An employment contract for the adviser is drawn up by the Personnel Department. Fees for short-term advisers are determined by the Ministry of Foreign Affairs according to a scale of fees based on the level of responsibility and the required seniority and experience. In addition to fees, a short-term adviser on assignments of six months or less will receive a daily subsistence allowance.

National and regional Danida short-term advisers may be contracted directly by the Danish Embassy without involving the Personnel Department, using contract formats and procedures described in the LC-guidelines. A fee ceiling has been defined for each Danida programme country.

5.3 Company advisers

Company advisers are contracted either by the partner institution, by the lead donor (in case of pooled technical assistance), or by the Danish Ministry of Foreign Affairs. The following sections apply to the latter.

Procurement of company advisers is regulated by Directive 2004/18/EC on the coordination of procedures for the award of public service contracts, when the contract amount is above a certain threshold (Danish Kroner 991,589 for 2009). Procedures for contracting technical assistance with a contract value above the EU-threshold are described in the "Danida procurement Guidelines – for Award of Service Contracts According to the EU-directive". Not all contracts are covered by the EU directive, but EC-Treaty provisions on free movement and the treaty-based principles of equal treatment, transparency, proportionality and mutual recognition do apply. There are no restrictions on nationality of company advisers or enterprises contracted by Danida. Contracting of technical assistance through NGOs follows the same principles as company contracts.

The tender process for **procurement above the threshold value** is initiated by the Danish Embassy by submitting a request to the Contract Secretariat to establish a Tender Committee. The Tender Committee consists of one representative from the Embassy, Technical Advisory Service (TAS) and the Contract Secretariat with representatives from the partner and possible co-donors as observers. The Tender Committee has the full responsibility for the tender process and selection and contracting of the winning enterprise. Tender Committee meetings will when possible be conducted in a video conference. The Embassy must submit draft terms of reference for the tender and relevant background documents together with the request to the Contract Secretariat.

Contracts above Danish Kroner 5 million are tendered by following the restricted procedure, i.e. a two step process with a prequalification followed by an invitation to tender to five selected enterprises. The time required for this process is five to six months, and a tender consultant will normally be contracted by the Contract Secretariat to assist the Tender Committee.

Contracts below Danish Kroner 5 million are tendered by following either a simplified, restricted procedure, or the open procedure, i.e. a one step process whereby any interested enterprise may submit a tender. The time required is three-four months. The open procedure requires that the final terms of reference for the tender is submitted to the Contract Secretariat together with the request to establish the Tender Committee, whereas for the restricted procedure the terms of reference may be finalized during the prequalification period. Contracts below Danish Kroner 5 million will normally be tendered without the assistance of a tender consultant.

As regards **procurement below EU-thresholds** in the fields of services, there is no specific Danish legislation governing the procedures. In these circumstances, only the general principles of the EC-Treaty apply. It is, however, required that all contracts with a value above Danish Kroner 500,000 and below, the EU-threshold must be advertised prior to contract negotiations. (See www.danidacontracts.dk).

Procedures for contracting international technical assistance with a contract value below the EU-threshold are regulated by "Rules and Guidelines for Short-term Service Agreements between the Ministry of Foreign Affairs and Enterprises", in short called the **KR-rules**.

Contracting of technical assistance from enterprises in developing countries is regulated by the "Guidelines for Service Agreements between Embassies of Denmark and Local Enterprises" – the **LC-guidelines**. The KR-rules and the LC-guidelines are available on www.danidacontracts.dk.

Administration of company advisers, including employment, remuneration and payment of expenses is the responsibility of the contracted enterprise. The Contract Secretariat is in general the contracting party in international contracts and responsible for payments, whereas the Danish Embassy is responsible for contracting and paying local and regional companies. The technical client, i.e. the unit requesting the technical assistance, is responsible for overseeing the timely delivery of the output agreed to in the contract with the enterprise.

Long-term and short-term company TA contracts are monitored by the Danish Embassy. For contracts entered by the Contract Secretariat, fees and reimbursable expenses will be disbursed by this unit upon invoice from the company. Short-term contracts require an end-of-contract statement by the Embassy before settlement by the Contract Secretariat.