

Strengthening Civil Society Programme

Supporting effective use of the law and human rights-based approaches

Call for tenders to undertake an independent evaluation of the programme

June 2024

Introduction

The Baring Foundation is an independent foundation which aims to protect and advance human rights and promote inclusion. We use our resources to enable civil society to act strategically to tackle the root causes of injustice and inequality across the UK and internationally.

We are pleased to announce a call for tenders for an independent evaluation of our Strengthening Civil Society programme. In 2024, the programme will mark ten years of grantmaking in support of the use of the law and human rights-based approaches to achieve change. The programme has a particular interest in collaborative legal action between civil society organisations with legal expertise and those without.

Between January 2016 – March 2024, the programme has awarded 184 grants to 97 organisations, totaling just under £10.6m.

About the Strengthening Civil Society programme

The Strengthening Civil Society (SCS) programme supports the use of the law and human rights-based approaches by civil society organisations (CSOs) in the UK. We see the law and human rights-based approaches as important tools for civil society, which can provide a means to directly tackle the discrimination and disadvantage faced by marginalised communities.

There are many great examples of organisations who have used these tools effectively. However, use of the law and human rights-based approaches is far from consistent across civil society and many organisations see no link between these tools and their purpose, strategy, and activities, or are wary of using them.

The focus of the programme has been to boost engagement and to support organisations within broader civil society to make effective use of the law and human rights-based approaches to tackle discrimination and disadvantage and achieve wider social change.

By social change we mean:

- changes in policy, regulation, and law;
- changes in behaviour, attitudes, and norms; and
- new ways of designing and delivering services or support for individuals.

Definitions of the law and human rights-based approaches vary, but we use these terms in a broad and practical way. A framework for different uses of the law by civil society is available [here](#), and you can learn more about the programme [here](#).

At five years

In 2019, at the five-year mark of the programme, we commissioned [an independent evaluation of the programme](#). This evaluation examined the role the programme has played in building the capacity of CSOs to understand and use the law and human rights-based approaches as a tool to achieve social change.

Off the back of this evaluation, we renewed our commitment to the focus of the programme, choosing to sharpen our focus on three areas:

- Access to public law – protecting and promoting access to public law remedies;
- Geography – recognising and supporting strategies in different parts of the UK; and
- Leadership – creating opportunities to develop collective leadership on legal action.

This renewed commitment collided with the onset of the Covid-19 pandemic, during which we pivoted to respond to the unprecedented global public health emergency. In 2021, after a short period of reflection we reverted to our strategic focus as outlined above. That same year, we launched a fund with a dedicated thematic focus on addressing racial injustice in the criminal justice system [using legal tools].

Purpose of this evaluation

As we approach ten years of grantmaking, we want to take a step back and enable an independent evaluator to examine the programme's work over the last five years.

The overarching objectives of the programme have been to support CSOs to:

- understand when, how and where the law or human rights-based approaches can be effective tools to directly tackle discrimination and disadvantage and safeguard the freedom of purpose, action and voice of civil society organisations;
- build sustainable collaborations and partnerships between organisations that leverage existing expertise within the sector to use the law and human rights-based approaches;
- develop additional capacity to use the law and human rights within broader movements for social change;
- translate frontline activity into effective advocacy and policy change; and
- create the evidence base to support new streams of funding for this activity.

To progress these objectives, we have aimed to take a supportive and engaged approach, responding flexibly, creatively, and pragmatically to the needs of our grantees. We have made grants, promoted knowledge, and used our influence to champion the effective use of the law and

human rights-based approaches. We have focused on the three the areas outlined above, and prioritised supporting collaborative legal activities led by expert legal 'hub' organisations. In the programme, we define expert legal 'hub' organisations as CSOs that meet all three of these characteristics:

- have specific and demonstrable legal expertise relevant to their social change goals;
- offer expert legal information, advice and/or representation to civil society organisations;
- and collaborate to:
 - support others to recognise when, where and how legal action can be an effective tool of social change; and/or
 - use legal action to achieve social change.

We describe these forms of collaboration as 'hub activities'. These hub organisations are crucial to the programme's objectives. Most CSOs will not undertake legal action as their core business. However, CSOs focused on social change will often benefit from considering whether and how legal action could play a role in their work, be able to recognise a legal problem, and know where to turn to for support – hub organisations play a vital role in helping them do this.

For our objectives to be successful, our activities will have resulted in:

- more CSOs incorporating use of the law or human rights-based approaches in their strategy, purpose, or activities;
- greater evidence of when, where, and how these tools have formed part of effective campaigns for social change and/or have protected the independence of CSOs;
- increased funding for the use of the law and human rights-based approaches by CSOs;
- greater consideration by CSOs on how they might be able to use the law and human rights-based approaches as part of their strategy reviews; and
- a more robust civil society which values and promotes access to legal remedies and human rights protections for CSOs and the communities they serve.

Considering the above, the purpose of this evaluation will seek to answer three questions:

- are we meeting the objectives we set out for the programme;
- where do we fit in, in relation to the rest of the funding sector, given our niche focus; and
- how has the work we have supported contributed to strengthening civil society.

We hope to use the evaluation alongside other activities (such as commissioning think pieces from sector experts and convening policy experts) to help us understand the opportunities and challenges on the horizon for civil society organisations in the coming years and to identify the focus for the programme in the next five years.

Expectations for the evaluation

Through this call for tenders, we will appoint an evaluator(s) to undertake an independent review of the programme, examining our aims, activities, and outcomes. We expect this to include a review of data held by the Foundation including (but not limited to):

- grant applications and recommendations;
- grantholder reports, including annual monitoring reports and final reports;
- commissioned and in-house research; and
- relevant meeting papers.

In most cases, these documents will be under 2,000 words in length.

We also expect the evaluator(s) to examine the broader context for funding in this field, which is likely to involve interviews with external stakeholders and analysis of relevant external research and data.

However, we are open to different approaches to conducting the evaluation and welcome tender submissions using a variety of methodological approaches.

As mentioned above, as we adapted our grantmaking in 2020 in response to the pandemic, we would like this evaluation to include some reflections on that work and its role - if any - in furthering our aims and broader objectives.

Expected outputs from this evaluation are:

- a written report, suitable for publication, outlining the findings of the evaluation and any key recommendations (this will be between 20-30 pages);
- a presentation to the SCS Committee (made-up of trustees); and
- a blog outlining the key findings.

Eligibility to tender

We welcome tenders from any qualified individual/s or organisations, including not-for-profit organisations, companies, and universities. Individuals will need to be able to demonstrate that they have the skills, capacity, and infrastructure to fulfil the aims of this evaluation. In addition to the professional experience required, it is highly desirable that any evaluator can demonstrate a strong understanding of the use of legal tools by civil society organisations in the UK.

Current or former employees of organisations who have received a grant from the Foundation since January 2016 are ineligible to apply.

Costs

The Foundation will award a contract for a maximum value of £20,000 to undertake this evaluation. This amount is inclusive of all time, expenses, relevant taxes, professional fees, and any other associated costs.

Timetable

Monday 24 June	Call for tenders
Midday, Monday 5 August	Deadline for submission of tenders
Tuesday 6 August – Monday 12 August	Assessment of tenders
Friday 16 August	Evaluator appointed
Monday 2 September	Work commences
Wednesday 13 November	Preliminary report of findings produced
Tuesday 10 December	Presentation of findings to the SCS Committee (a group made up of five trustees)

Process for tendering

To consider your tender, we must receive the following documents by midday on Monday 5 August 2024:

1. Proposal

Your proposal must be no more than 2,000 words and should cover your:

- **interest in this evaluation.** Comment on our aims for the evaluation and outline why you are interested in supporting our learning in relation to them;
- **skills and experience.** Outline your experience as an evaluator and how it is relevant to this tender. You should provide specific detail relevant to evaluating:
 - social change work which involves the use of the law and human rights-based approaches to achieve change;
 - collaborative/coalition work between CSOs with specialist expertise and those without the same level of expertise;
 - innovative approaches to achieving change by civil society; and
 - the role of private foundations in social change work.
- **proposed approach to the evaluation.** Share details of any specific methodology you plan to use and your approach to reviewing data and engaging with external stakeholders;

- **approach to your own knowledge development.** Tell us about how you have developed and continue to develop your understanding of social injustice and its root causes; and
- **questions for the Foundation.** This is an opportunity for you to tell us what additional information you may need from us to enable you to conduct this evaluation.

2. Budget

An indicative budget that clearly explains how your time and costs have been calculated. This should include:

- total time allocated for the evaluation;
- time allocated to the different elements – document review, interviews etc.;
- anticipated number of interviews with internal and external stakeholders; and
- all additional costs such as expenses, taxes, or additional fees.

3. References

Details of two referees who can speak about your experience relevant to this tender. This should include their name, contact email, their profession, and your relationship to them. We will request references as part of the due diligence process before any contract is drawn-up.

4. CV

The CVs of all the people who will be involved in this work.

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The documents at 1-4 above should be sent as separate documents by email to baring.foundation@ing.com by midday on Monday 5 August with the subject line “SCS programme evaluation tender - name of applicant”.

Applicants will be notified on the outcome of their application by Friday 16 August. We hope to appoint an evaluator based on the written application, however, if required, we may request meetings with individual applicants to better understand the application.

Resources

Before starting your tender, you may wish to read the following supporting research:

- a [framework for better use of the law](#) by civil society organisations;
- paper on the [successful use of strategic litigation by the voluntary sector](#);
- an exploration of [civil society organisations deploying a range of legal tools and tactics](#) to achieve social change;
- an overview of how UK civil society has [used the law in pursuit of racial justice](#);
- a report capturing learning from the use of [legal action related to the Covid-19 pandemic](#);
- a paper exploring the challenges experienced by CSOs in [recruiting and retaining mid-career lawyers](#); and
- a paper on the [value of using legal based approaches](#) (which informed the focus of our Strengthening Civil Society programme).

Contact

If you have any questions in relation to this tender, please contact Jannat Hossain at the Baring Foundation by email at jannat.hossain@ing.com by Monday 29 July.

The Baring Foundation
June 2024