



THE REPUBLIC OF KENYA
MINISTRY OF EDUCATION

**KENYA GPE COVID-19 LEARNING CONTINUITY IN BASIC
EDUCATION
(P174059)**

**ENVIRONMENTAL and SOCIAL
COMMITMENT PLAN (ESCP)**

May 2020

KENYA GPE COVID-19 LEARNING CONTINUITY IN BASIC EDUCATION

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. *The Ministry of Education of the Republic of Kenya (hereinafter the Ministry of Education) is planning to implement the **Kenya GPE COVID-19 Learning Continuity in Basic Education (Project)**. The proposed financing for the Project will be provided through the new GPE COVID-19 accelerated funding window designed to capacitate governments to mitigate the impact of COVID-19 on their education systems and help recovery. The International Development Association, as grant agent for the Global Partnership for Education Fund, (hereinafter the Bank or the World Bank) has agreed to avail financing for the Project.*
2. *The Ministry of Education will implement material measures and actions so that the Project is implemented in accordance with the World Bank Environmental and Social Standards (ESSs). This Environmental and Social Commitment Plan (ESCP) sets out a summary of the material measures and actions.*
3. *Where the ESCP refers to specific plans or other documents, whether they have already been prepared or are to be developed, the ESCP requires compliance with all provisions of such plans or other documents. In particular, the ESCP requires compliance with the provisions set out in the Environmental and Social Management Framework (ESMF), Stakeholder Engagement Plan (SEP) and Labor Management Procedures (LMP) that will be developed for the Project.*
4. *The table below summarizes the material measures and actions that are required as well as the timing of the material measures and actions. The Ministry of Education of the Republic of Kenya is responsible for compliance with all requirements of the ESCP*
5. *Implementation of the material measures and actions set out in this ESCP will be monitored and reported to the Bank by the Ministry of Education as required by the ESCP and the conditions of the legal agreement, and the Bank will monitor and assess progress and completion of the material measures and actions throughout implementation of the Project.*
6. *As agreed by the Bank and the Ministry of Education, this ESCP may be revised from time to time during Project implementation, to reflect adaptive management of Project changes and unforeseen circumstances or in response to assessment of Project performance conducted under the ESCP itself. In such circumstances, the Ministry of Education will agree to the changes with the Bank and will update the ESCP to reflect such changes. Agreement on changes to the ESCP will be documented through the exchange of letters signed between the Bank and the Ministry of Education. The Ministry of Education will promptly disclose the updated ESCP. Depending on the project, the ESCP may also specify the funding necessary for completion of a measure or action.*
7. *Where Project changes, unforeseen circumstances, or Project performance result in changes to the risks and impacts during Project implementation, the Ministry of Education shall provide additional funds, if needed, to implement actions and measures to address such risks and impacts, which may include environmental, health, and Safety impacts and Gender Based Violence (GBV).*

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<i>Summary of the Material Measures and Actions to Mitigate the Project's Potential Environmental and Social Risks and Impacts</i>	<i>Timeframe</i>	<i>Responsibility / Authority and Resources/Funding Committed</i>	<i>Date of Completion</i>
ESCP Monitoring and Reporting			
<p>REGULAR REPORTING: Prepare and submit regular monitoring reports on the implementation of the ESCP.</p>	<p>Quarterly reporting throughout Project implementation to the World Bank.</p> <p>Service Providers/technical leads report to Project Implementation Unit (PIU) (integrated into the MoE) on a monthly basis.</p>	<p>Responsibility: MoE</p> <p>Accountability: Head of PIU</p> <p>Funding: Project Funds</p>	<p>Quarterly throughout the Project implementation</p>
<p>INCIDENTS AND ACCIDENTS NOTIFICATION: Promptly notify any incident or accident related or having an impact on the Project which has, or is likely to have, a significant adverse effect on the environment, the affected communities, the public or workers. Provide sufficient detail regarding the incident or accident, indicating immediate measures taken to address it, and include information provided by any contractor and supervising entity, as appropriate.</p> <p>Following the World Bank classification of incidents</p>	<p>Report severe incidents to the World Bank within 48 hours after an incident or accident has occurred in line with Republic of Kenya Procedures and the World Bank's Environment and Social Incidence Response Toolkit</p>	<p>Responsibility: MoE</p> <p>Accountability: Head of PIU</p> <p>Funding: Project Funds</p>	<p>Throughout the Project implementation</p>

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	<i>(ESIRT) to the World Bank, after taking notice of the incident or accident. Report all other incidents to the World Bank in quarterly reports.</i>		

SUMMARY ASSESSMENT

ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS

1.1	<p>ORGANIZATIONAL STRUCTURE: Retain an experienced Environmental Specialist and Social Specialist, each with more than five (5) years of experience in carrying out environmental and social assessments of projects. These could be seconded from other Ministries or agencies or through cross-support from a Bank-supported project (GPE PREIDE/SEQIP) or directly hired for the Project</p> <p>Mobilize additional staff needed on short-term or long-term assignment in accordance with ESMF institutional assessment/needs, including subject matter specialists on Gender Based Violence (GBV)/Sexual exploitation and Abuse (SEA), labor conditions (health & safety), medical waste management, and social inclusion.</p>	<p>within thirty (30) days after the Effective Date, before carrying out of the relevant Project activities</p> <p>As required by the E&S assessment Maintain throughout project implementation.</p>	<p>Accountability: Head of PIU</p> <p>Funding: Project Funds</p>	<p>Environmental Specialist and Social Specialist to be retained until the Project is completed</p>
1.2	<p>ENVIRONMENTAL AND SOCIAL ASSESSMENT: Scoping of key environmental and social risks and impacts of the Project and identify</p>	<p>Assessment shall be conducted before the carrying out of</p>	<p>Responsibility: MoE</p> <p>Funding: Project Funds</p>	<p>As part of ESMF revisions and ongoing throughout Project</p>

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<p><i>appropriate mitigation measures to be included in the Environmental and Social Management Framework (ESMF) described in 1.3.</i></p>	<p><i>the relevant Project activities</i></p>		<p><i>assessing the impacts according to ESMF procedures</i></p>
<p>1.3 MANAGEMENT TOOLS AND INSTRUMENTS: Prepare, consult, disclose and implement Environment and Social Framework (ESMF) which includes</p> <ul style="list-style-type: none"> i) General Environment and Social Management Plan ii) Labour Management Plan, iii) School pre-opening audit checklist based on Infection Prevention and Control, Waste Management plan (IPCWMP) under the Kenya COVID-19 Emergency Response Project P(173820); iv) Gender Based Violence Action Plans; v) Plans and procedures for food sourcing, handling and storage for suppliers and schools; vi) OHS requirements for project workers and suppliers; vii) Vulnerable and marginalized People's Plan <p>Prepare, consult, disclose and implement Stakeholder Engagement plan;</p>	<p>The ESMF, ESMP, LMP, pre-school audit checklist based on IPCWMP, and GBV Action, VMGP Plan shall be prepared within thirty (30) days after the effective Date in a manner and form acceptable to the Bank , before carrying out of the relevant Project activities</p> <p>SEP already prepared. To be updated after community consultations.</p>	<p>Responsibility: MoE</p> <p>Funding: Project Funds</p>	<p>Implemented throughout Project implementation</p>

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<p>1.4 MANAGEMENT OF CONTRACTORS: Where contractors are required, develop and implement procedures for managing contractors and subcontractors by the following:</p> <ul style="list-style-type: none"> • Environmental and social requirements will be included in the procurement and contracting process including bidding documents; . • relevant requirements are included in contracts and subcontracts consistent with the requirements of ESSs; • codes of conduct are required for contractors and subcontractors and their workers; • monitor contractor commitment and compliance with ESSs • providing grievance redress mechanisms for contractor and subcontractor, communities and other stakeholders • ensure contractors provide details on contractor's oversight on environmental, social, health and safety (ESHS) performance • contractor to adopt the project grievance mechanism to handle concerns of their employees 	<p>Prior to the preparation of procurement documents.</p> <p>Maintain procedures throughout Project implementation</p>	<p>Responsibility: MoE</p> <p>Accountability: Head of PIU</p> <p>Funding: Project Funds</p>	<p>Ongoing throughout Project implementation</p>

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1.5	<p>PERMIT, CONSENTS AND AUTHORIZATIONS: Obtain or assist in obtaining, as appropriate, the permits, consents and authorizations that are applicable to the Project from relevant national authorities.</p> <p>Comply or cause to comply, as appropriate, with the conditions established in these permits, consents and authorizations throughout Project implementation.</p>	<p>Prior to initiating activities that require permits, consents and authorizations.</p> <p>Prior to procurement of contractors.</p>	<p>Responsibility: MoE</p> <p>Accountability: Head of PIU</p> <p>Funding: Project Funds</p>	Ongoing throughout Project implementation
ESS 2: LABOR AND WORKING CONDITIONS				
2.1	<p>LABOR MANAGEMENT PROCEDURES: Develop Labor Management Procedures (LMP)</p>	<p>thirty (30) days after the effective Date, before carrying out of the relevant Project activities</p>	<p>Responsibility: MoE</p> <p>Accountability: Head of PIU</p> <p>Funding: Project Funds</p>	Implement throughout Project implementation
2.2	<p>GRIEVANCE MECHANISM FOR PROJECT WORKERS: Develop and maintain a grievance redress mechanism (GRM) for direct project workers, including contracted workers as part of the LMP</p>	<p>GRM operational prior to engaging project workers.</p>	<p>Responsibility: MoE</p> <p>Accountability: Head of PIU</p> <p>Funding: Project Funds</p>	Maintained throughout Project implementation

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2.3	OHS MEASURES: <i>Develop and implement occupational, health and safety (OHS) measures, based on World Bank EHS Guidelines and GIIP, as part of the ESMF</i>	<i>Prior to carrying out of the relevant Project activities, and thereafter throughout the carrying out of such activities</i>	<i>Responsibility: MoE Accountability: Head of PIU Funding: Project Funds</i>	<i>Maintained throughout Project implementation.</i>
2.4	EMERGENCY PREPAREDNESS AND RESPONSE: <i>As part of the OHS measures specified in 2.3, include measures on Emergency Preparedness and Response, and ensure coordination with measures under 4.5. Ensure workers and contractors are trained and implement the plan.</i>	<i>Prior to carrying out of the relevant Project activities, and thereafter throughout the carrying out of such activities</i>	<i>Responsibility: MoE Accountability: Head of PIU Funding: Project Funds</i>	<i>Maintained throughout Project implementation</i>
2.5	PROJECT WORKERS TRAINING: <i>Implement training of the PIU designed to heighten awareness of risks and to mitigate impacts on local communities, as defined in ESMF, LMP and GBV action plan.</i>	<i>Prior to initiating project activities, with regular refresher training. Maintained throughout Project implementation</i>	<i>Responsibility: MoE Accountability: Head of PIU Funding: Project Funds</i>	<i>Maintained throughout Project implementation</i>
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT				

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3.1	<p>MANAGEMENT OF WASTE AND HAZARDOUS MATERIALS: As part of the ESMP will include measures and procedures for managing e-waste impacts from ICT equipment to be prepared under action 1.3 above into the ESMP</p>	<p>Prior to initiating procurement of ICT equipment</p> <p>Maintained throughout Project implementation and operation</p>	<p>Responsibility: MoE</p> <p>Accountability: Head of PIU</p> <p>Funding: Project Funds</p>	Maintained throughout Project implementation
3.2.	<p>RESOURCE EFFICIENCY Resource efficiency and pollution prevention and management measures will be covered under the ESMP to be prepared under action 1.3 above.</p>	<p>Prior to initiating procurement of ICT equipment</p> <p>Maintained throughout Project implementation</p>	<p>Responsibility: MoE</p> <p>Accountability: Head of PIU</p> <p>Funding: Project Funds</p>	Maintained throughout Project implementation
ESS 4: COMMUNITY HEALTH AND SAFETY				
4.2	<p>COMMUNITY HEALTH AND SAFETY: Develop and Implement measures and actions to assess and manage specific risks and impacts to the school community (students/teachers/staff) following adequate community health and safety protocols of any risks which shall be set out in the ESMF</p> <p>Prepare a GBV Action Plan included in the ESMF to include measures for minimizing SEA/H and GBV</p>	<p>Prior to carrying out of the relevant Project activities, and thereafter throughout the carrying out of such activities</p>	<p>Responsibility: MoE</p> <p>Accountability: Head of PIU</p> <p>Funding: Project Funds</p>	Maintained throughout Project implementation
4.3	<p>GBV AND SEA RISKS: Implementation of the Code of Conduct and Ethics for teachers in relation to SEA/SH e.g. through; communication on the Code of</p>	<p>Prior to carrying out of the relevant Project activities</p>	<p>Responsibility: MoE</p>	Maintained throughout Project implementation

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	<i>Ethics with clear guidance on how the code is enforced, particularly for SEA/SH</i>		<i>Accountability: Head of PIU Funding: Project Funds</i>	
4.4	GBV AND SEA RISKS DURING PROJECT IMPLEMENTATION Sensitization of learners/school community on SEA/SH and reporting mechanism's including a hotline number. <i>Contracting of a service provider for on-call psychosocial services which will include the hotline for reporting cases of GBV/SEAH and child abuse</i>	<i>Prior to carrying out of the relevant Project activities, and thereafter throughout the carrying out of such activities</i>	<i>Responsibility: MoE Accountability: Head of PIU Funding: Project Funds</i>	<i>Maintained throughout Project implementation</i>
4.5	EMERGENCY RESPONSE MEASURES: Measures will be defined in the ESMF and subsequent ESMPs and included as part of the SEP	<i>Prior to initiating project activities Maintained throughout Project implementation</i>	<i>Responsibility: MoE Accountability: Head of PIU Funding: Project Funds</i>	<i>Maintained throughout Project implementation</i>
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT				
5.1				
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES				
6.2				
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES				

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7.1	<p>INDIGENOUS PEOPLES PLAN Conduct VMG appropriate consultations and based on such consultations, prepare a Vulnerable and marginalized People's Plan (VMGP) consistent with the requirements of the ESS7, in a manner acceptable to the Bank</p> <p>Prepare, adopt, and implement the arrangements for the grievance mechanism for indigenous people, as required under the VMGP and SEP</p>	<p>Within thirty (30) days after the effective Date in a manner and form acceptable to the Bank , before carrying out of the relevant Project activities</p> <p>Prior to carrying out of the relevant Project activities, and thereafter throughout the carrying out of such activities</p>	<p>Responsibility: MoE</p> <p>Accountability: Head of PIU</p> <p>Funding: Project Funds</p>	Maintained throughout Project implementation
7.2	<p>GRIEVANCE MECHANISM: Prepare, adopt, and implement the arrangements for the grievance mechanism for indigenous people, as required under the VMGP (if the grievance mechanism is distinctive from the one established under ESS10 and detailed in the SEP).</p>	<p>Prior to carrying out of the relevant Project activities, and thereafter throughout the carrying out of such activities</p>	<p>Responsibility: MoE</p> <p>Accountability: Head of PIU</p> <p>Funding: Project Funds</p>	Maintained throughout Project implementation

ESS 8: CULTURAL HERITAGE

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8.1 This standard is not relevant, as the project does not support civil works and no impacts on cultural heritage are anticipated.

ESS 9: FINANCIAL INTERMEDIARIES

This standard is not relevant, as the project has no financial intermediaries

ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE

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10.1	<p>SEP PREPARATION: Disclose SEP.</p> <p>Conduct additional consultations including with DPOs and VMGP organizations and update the SEP</p>	<p>SEP already prepared. To be updated after additional consultations.</p> <p>To be updated regularly throughout Project implementation</p>	<p>Responsibility: MoE</p> <p>Accountability: Head of PIU</p> <p>Funding: Project Funds</p>	Throughout project implementation
10.2	<p>SEP IMPLEMENTATION: Implement the SEP.</p>	As of May , 2020	<p>Responsibility: MoE</p> <p>Accountability: Head of PIU</p> <p>Funding: Project Funds</p>	Throughout project implementation
10.3	<p>PROJECT GRIEVANCE MECHANISM: Develop the Project Grievance Redress Mechanism, as part of the SEP</p>	<p>Before carrying out of the relevant Project activities, and thereafter throughout the carrying out of such activities</p>	<p>Responsibility: MoE</p> <p>Accountability: Head of PIU</p> <p>Funding: Project Funds</p>	Throughout Project implementation
10.4				
Capacity Support				
<i>Specify Training to be provided</i>		<i>Specify Targeted Groups and Timeframe for</i>	<i>Specify Training Completed</i>	

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<p>All capacity building activities and trainings will be further detailed in the ESMF, trainings may be required in:</p> <ul style="list-style-type: none"> • E&S Specialists and PCU members training on the ESF; • School pre-opening audit checklist based on Infection Prevention and Control, Waste Management plan (IPCWMP) under the Kenya COVID-19 Emergency Response Project P(173820); • Stakeholder engagement; • Occupational and Community Health and Safety; • Emergency preparedness and response; • Gender-Based Violence Risk Mitigation; • Grievance Management; • Implementation, Monitoring and reporting of ESMFs; • Labor management procedures; 	<p><i>Delivery</i></p> <p>PIU, project workers, teachers, students and communities</p>		