REPUBLIC OF KENYA

MINISTRY OF EDUCATION

ENVIRONMENTAL AND SOCIAL MANAGEMENT SYSTEMS (ESMS) MANUAL FOR THE

PRIMARY EDUCATION EQUITY IN LEARNING PROGRAM (PEELP)
P176867

Program-for-Results (PforR) Operation

(Annex to the Program Operations Manual (POM))

Readable as stand-alone document

DECEMBER 2022

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ABBREVIATIONS & ACRONYMS

CAJ		Center for Administration of Justice
CBC		Competence Based Curriculum
CESMP		Contractor Environment and Social Management Plan
CEMASTEA		Centre for Mathematics, Science & Technology Education in Africa
COVID-19		Coronavirus Disease
CDE		County Director of Education
CPR	-	Comprehensive Project Report
DLI	-	Disbursement-Linked Indicator
DOSHS	-	Directorate of Occupational Safety and Health Services
DPCAD		Directorate of Project Coordination and Delivery
DPP		Director of Public Prosecution
DSD	-	Directorate of Social Development
EACC		Ethics and Anti-Corruption Commission
E&S	-	Environmental and Social
EIA	-	Environmental Impact Assessment
EMCA	-	Environmental Management and Co-ordination Act
ESIA	-	Environmental and Social Impact Assessment
ESMMP	-	Environmental and Social Management and Monitoring Plan
ESMS	-	Environmental and Social Management Systems
ESSA	-	Environmental and Social Systems Assessment
ESIRT	-	Environmental and Social Incidents ToolKit
FLLoCA	-	Financing Locally Led Climate Action Program
FPIC	-	Free Prior and Informed Consent
GBV	-	Gender-Based Violence
GM		Grievance Mechanism
GRM	-	Grievance Redress Mechanisms
HIV	-	Human Immunodeficiency Virus
HSMP	-	Health and Safety Management Plan
IPF	-	Investment Project Finance
KDSP	-	Kenya Devolution Support Program
KISE		Kenya Institute of Special Education
KICD		Kenya Institute of Curriculum Development
KEMI		Kenya Education Management Institute
KNEC		Kenya National Examination Council
KEPSHA		Kenya Primary Schools Head Teachers
KNUT		Kenya National Union of Teachers
KNCHR		Kenya National Commission of Human Rights
KUSP	-	Kenya Urban Support Program
KSG		Kenya School of Governments
M&E		Monitoring and Evaluation
NASMLA		National Assessment System for Monitoring Learner Achievement
NAP		National Adaptation Plan
NACONEK		National Council for Nomadic Education in Kenya

NCA	-	National Construction Authority
NCAJ		National Council on the Administration of Justice
NCPWD		National Council of Persons with Disability
NDMA		National Drought Management Authority
NEMA	-	National Environment Management Authority
NGEC	-	National Gender Equality Commission
NLC	-	National Land Commission
NACONEK	-	National Council for Nomadic Education in Kenya
NEMIS	-	National Education Management Information system
NPS		National Police Service
NPCT	-	National Program Coordination Team
NESSP	-	National Education Sector Strategic Plan
NSC	-	National Steering Committee
MoE	-	Ministry of Education
OHS	-	Occupational Health and Safety
OSHA	-	Occupational Safety and Health Act
PAD	-	Project Appraisal Document
PAPs	-	Project Affected Persons
PforR	-	Program for Results
PDO	-	Program Development Objective
PEELP	-	Primary Education Equity in Learning Program
PIU	-	Program Implementation Unit
PISA-D	-	Program for International Student Assessment's for Development
POM	-	Program Operations Manual
PPEs	-	Personal Protective Equipment
PSC	-	Program Steering Committee
PTTCs	-	Primary Teacher Training Colleges
PTC	-	Program Technical Committee
PLWD	-	Persons Living with Disability
RAP	-	Resettlement Action Plan
RAS	-	Refugee Affairs Secretariat
SAGAs	-	Semi-Autonomous Government Agencies
SBTS	-	School Based Teacher Support
SEQIP	-	Secondary Education Quality Improvement Project
SMASSE	-	Strengthening of Mathematics and Science Education
SPR	-	Summary Project Report
TNTP	-	The National Treasury and Planning
ToR	-	Terms of Reference
ToT	-	Training of Trainers
UNHCR		United Nations High Commissioner for Refugees
VAC	-	Violence against Children
VMGs	-	Vulnerable and Marginalized Groups
WB	-	World Bank

EXECUTIVE SUMMARY

Project Description

1. The Primary Education Equity in Learning Program (PEELP), a hybrid Program-for-Results (PforR) and Investment Project Financing (IPF) operation, will support the government's Program; National Education Sector Strategic Plan (NESSP II). The Project Development Objective is to reduce regional disparities in learning outcomes, improve the retention of girls in upper primary education, and strengthen systems for delivering equitable education outcomes. The results based PforR will build implementing institutions capacity, strengthen systems by closing gaps and support implementation of on-going reforms, to offer quality education and improve learning outcomes for greater equity in basic education.

2. The World Bank financing of US$ 200 million to the PEELP will be over a five-year period (2022-2026) and will comprise US$ 188 million to the Program using the PforR instrument and a US$ 12 million for the Investment Project Financing (IPF) instrument. The GPE Additional Financing will be US$ 117.1 million, of which US$ 18.069 Million will be for the IPF component. Six (6) NESSP II sub-programs will be leveraged under three (3) Result Areas (RAs): **Result Area (RA) 1**: Equalize learning opportunities: improve learning outcomes in target counties and for refugee populations. **Results Area (RA) 2**: Improve girls' participation in schooling, including in refugee hosting counties and **Result Area (RA 3)**: Strengthen reform implementation capacity.

Institutional Arrangement, Roles and Responsibilities

3. The proposed Operation will be implemented by the Ministry of Education (MoE) and Teachers Service Commission (TSC), with support from mainly Kenya Institute of Curriculum Development (KICD) and Kenya National Examination Council (KNEC). MoE may engage other entities such as Centre for Mathematics, Science & Technology Education in Africa (CEMASTEA), National Council for Nomadic Education in Kenya (NACONEK), Kenya Education Management Institute (KEMI), Kenya Institute of the Blind (KIB) and Kenya Institute of Special Education (KISE) to provide technical support in various interventions including the School Based Teacher Support (SBTS) initiative, support to camp-based refugee schools, interventions for special needs learners, and capacity building of teachers and head teachers.

4. The MoE, TSC and NACONEK are the main Implementing Entities (IEs) for RA1; equalize opportunities, improve learning outcomes in target counties. The MoE is the main IE for RA2; achieving gender parity in schooling. MoE, KICD and KNEC are the main IEs for RA3, strengthened systems capacity for implementing initiated reforms.

5. The overall strategic leadership and implementation oversight for the Program, including the IPF Component, rests with the existing MoE's Directorate of Project Coordination and Delivery (DPCAD) and the joint National Steering Committee (NSC) for SEQIP and Tusome projects, which is chaired by the Cabinet Secretary, MoE and includes CEOs from the IEs, some development partners, representatives from the teacher's union and the head teachers association, representatives the umbrella body for civil society organization in the education

sector, among other members. United Nations High Commissioner for Refugees (UNHCR) and Refugee Affairs Secretariat (RAS) will be included within the NSC given the inclusion of refugee elements.

6. The overall responsibility of ensuring PEELP conforms to the Environment and Social Risks assessment and mitigation lies with the National Program Coordinator at the National DPCAD with assistance of the two safeguards officer recruited under the program. At county and Sub-County Level, the County and Sub-County Directors of Education are responsible for Environment and Social Risks assessment and mitigation at County and Sub County Level respectively. The head teachers of benefiting schools are responsible for Environment and Social Risks assessment and mitigation at institution level, they will be assisted by hired NEMA registered consultants.

Assessing Sub-Projects Environmental and Social Risks during Program Preparation Phase

7. Implementing entities through the MoE's Directorate of Project Coordination and Delivery (DPCAD) will undertake social risks assessment prior to implementation of sub projects under PEELP. The assessment will cover Gender Based Violence (GBV)/ Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH), exclusion of Vulnerable and marginalized Groups (VMGs) & Indigenous People (IPs) and Persons Living with Disabilities (PLWDs) among others.

8. The Environmental and Social System Assessment (ESSA) findings of the PEELP indicated social risks in schools. To mitigate these risks during Program implementation, the Sub County Directors of Education and head teachers of benefiting schools will carry out social risk assessments using a social risks assessment tool provided under **Appendix 1.** The social risks assessment undertaken will focus on interrogating risks as below:

    - Cases of exclusion of primary schools and learners in educationally disadvantaged counties due to biased selection criteria of grants programs, school meals, teacher deployment and supply of products such as sanitary wares from previous funding such as government bursary scheme of Constituency Development Fund (CDF) among others.
    - Cases of community upset triggered from previous government program interventions operating in a small number of sites relative to immense and widespread need.
    - Forms exclusion of vulnerable and minority learners from access to previous program benefits including school inputs procured under the school similar grants activities such as government funded CDF.
    - Forms of exclusion of learners with disabilities through learning systems, inputs, equipment and infrastructure that do not address the needs of VMGs and PLWD in previous government programs.
    - Status of stakeholder engagement and disclosure of project information in previous funding programs by government and nature of grievances recorded.
    - Nature of SEA/SH and other forms of GBV reported from previous government programs arising from exploitation of women for program benefits such as access to school grants

- Cases of elite capture resulting in the hiring of teachers for areas not affected by teacher shortages in previous government programs.
- Cases of exclusion of teachers living with disabilities from the teacher recruitment opportunities previous government programs.

9. Further, Sub County Directors of Education and head teachers of benefiting schools will ensure provisions of assessing and mitigating GBV/SEA-H, Violence Against Children (VAC) and child labor are included in the Standard Operating Procedures (SoPs) of interventions listed in the Project Appraisal Document (PAD). The interventions include but not limited to; school improvement grants, deployment of teachers to primary schools, school meal and nutrition for the neediest learners and scholarship, school kits and mentorship support services. This will be achieved through measures such as appending a requirement that all persons involved in implementing the interventions will sign a Code of Conduct (CoC) that provides that such persons will not be involved in activities that trigger social risks as discussed in the ESSA.

10. Implementing entities through the MoE's Directorate of Project Coordination and Delivery (DPCAD) will conduct the Environment and Social Risk (E&S) screening process using the E&S screening checklist provided as appendix 2 of a planned activity prior to the commencement of the proposed sub-projects activity. These measures aim to achieve the avoidance, minimization, or mitigation, including offset or compensation, of adverse environmental and social impacts of the Program activities and to ensure compliance with the national laws and regulations and also against the exclusion principle which provides that high risk activities associated with the Program will be excluded in line with EMCA legal notice 31 and 32 of 2019 on EIA and WB categorization.

11. The next step, once the risk rating and relevance of such risks or impacts have been established, is to define the type and scope of additional assessments and management plans which need to be conducted or developed as part of requirements under EMCA 1999 Cap 387 amended in 2015. All sub-projects proposed under PEELP will be screened and appropriate assessments determined whether; Summary Project Report (SPR), Comprehensive Project Report (CPR) or Full Environment and Social Impact Assessment (ESIA) Study Report, which will be prepared and submitted for review and approval by NEMA. High risk sub-projects that require preparation of a study report will be excluded from program activities.

Assessing Sub-Projects Environmental and Social Risks during Implementation Phase

12. The tender documents under the General and Specification Section for PEELP sub-projects will provide a clause for the bidders to within 42 days of commencement of works submit a Project Specific Construction Environmental and Social Management Plan (CESMP) and Health and Safety Management Plan (HSMP) for review by MoE Environment and Social Specialists and approved by the engineer at MoE. Additional environmental, social, gender, health and safety clauses will be included in the contract and bidding documents including this manual will be provided to assist bidders understand what will be required to implement the environmental and social measures associated with the sub-project. The cost of compliance to the ESHS Clauses by the Contractor will be deemed to be covered in their rates quoted in the Bid.

13. MoE DPCAD, County and Sub County Directors of Education and head teachers of benefiting schools will ensure provisions of assessing and mitigating SEA/SH, GBV, VAC and Child Labor are included in the Standard Operating Procedures (SoPs) of interventions associated with school improvement grants, deployment of teachers to primary schools, school meal and nutrition for the neediest learners and scholarship, school kits and mentorship support services are monitored at implementation stage. Focus will be on adherence to mitigation measures as below:

    - Personnel involved in review and allocation of grants to schools will sign the Code of Conduct (CoC). The CoC entails provisions for non-bias in schools selection for the school grants program and considerations for the most deserving including learners from the vulnerable and minority groups and PLWDs.
    - MoE and TSC will ensure the GRM is available to all participating institutions. This platform will provide an avenue for aggrieved communities and persons to seek and access redress for their grievances.
    - MoE and TSC to prepare and implement stakeholder engagement plan (SEP). The ESMS manual has provided for appropriate budget allocation to facilitate stakeholder engagement process.
    - MoE and TSC will develop and implement a SEA/SH action plan with an accountability and response framework as part of PEELP implementation. The SEA action plan will follow guidance on the World Bank's Good Practice Note for Addressing Gender-based Violence in Investment Project Financing involving Major Civil Works (Sept 2018).
    - Personnel involved in review and allocation of grants to schools will sign Code of Conduct with a provision committing then not to involve in SEA/SH and other forms of GBV arising from exploitation of women for program benefits such as access to school grants.

14. At sub-project implementation phases, a Labor Management Plan (LMP) will be prepared by hired contractors. The plan will provide mandatory requirement to procure all unskilled (and as much as possible, semi-skilled) labor as well as locally available materials from the local community while ensuring equal pay for equal work for men, women and people with disability. **Appendix 4** provides labor Management Tracker that will be used during project implementation.

15. To effectively manage Environment, Social, Health and Safety at Project Implementation Stage, MoE will be responsible for ensuring contractors comply with provisions of approved Construction Specific C-ESMPs and Health and Safety Management Plans (HSMP). The MoE will ensure E&S safeguards instruments prepared by respective schools through contracted NEMA registered lead Experts (Environment and Social Specialists) are approved and licenced by the NEMA prior to commencement of the activities, and the contractors have tender documents that adequately cover Environmental, Social health and safety risks. Reporting of incidences will be aligned to Environment, and Social Incidents Response Tool-kit (ESIRT) developed by the World Bank in 2018.

16. Further, the ESMS manual makes provisions for waste management options in schools for solid and sanitary wastes. Methods of waste disposal include; low-cost, locally made incinerators, electric incinerators, deep burial and pit composting. Further, management of asbestos wastes during renovation and construction of structures in schools will follow NEMA Guidelines on Safe Management and Disposal of April 2013 specifically; removal, temporal storage, preparation for transportation, transportation and disposal site. The ESMS manual will also make provisions for the management of e-waste, through an E-Waste Management and Disposal Plan to ensure proper and safe disposal of old or used electronic equipment, during the establishment of functional ICT enabled learning resource centers (I-Hubs) in Teachers Training Colleges

Grievance Redress Mechanism

17. The PEELP will adopt the existing Grievance Redress Mechanism (GRM) developed under the Secondary Education Quality Improvement Project (SEQIP) in May 2019 to address grievances related to the Program. The manual makes provisions for eestablished and equipped GRM structures, developed and publicize GRM operational guidelines and tools, undertook capacity building of GRM structures, managed all categories of grievances at appropriate project operational level, Stimulated external demand for GRM, Influenced institutionalization of good practices within the ministry structures and monitored and evaluated grievance redress processes.

18. The manual provides grievance redress levels including; 1) Beneficiary community or target schools levels; 2) Governance levels, referred to as “borrower”, mainly at sub-national levels (sub-county and county levels) and national levels; 3) Other relevant national systems (referral statutory institutions such NGEC, CAJ, KNCHR, NEMA, DOHS, Kenya Police Service, Tribunals, and courts); 4) World Bank internal levels: Concerns can be submitted to the following - (i) project management levels, in particular, technical matters to the Technical Team Leaders, safeguards issues to Safeguard Experts; (ii) Grievance Redress Service for concerns pertaining to project-affected communities. 5) The Inspection Panel.

19. The manual provides a grievance structure that provides “Dos” or “Don’t” during; uptake, sorting and processing, knowledge and follow-up, verifying and investigate and act, monitor and evaluate, including providing feedback.

20. For effective GRM mechanisms, MoE, TSC as the main implementing entities and others will put in place basic requirements that promote systematic and efficient redress of complaints received at program implementation stage. The requirements will include; firming up Institutional Framework, allocation of adequate budget for GRM, initiating Internal and External Awareness, Activation of Grievance Committees, Hire appropriate staffing and activate collaboration with other Stakeholders.

Stakeholder Consultations

21. The MoE’s Directorate of Project Coordination and Delivery (DPCAD) will ensure that stakeholder engagements are effective, meaningful, and meet the required objectives. It

should be preceded by an analysis of the proposed sub-projects, their contexts and potential impacts, who the relevant stakeholders are, and followed by genuine consideration of stakeholders' views and concerns in decisions related to project planning and implementation. Key considerations for stakeholder engagements in pre-implementation phases include; ongoing and iterative, differentiated needs and requirements of stakeholders, equitable and non-discriminatory, resources and budgeting, transparent, prior information, respectful and free of intimidation and coercion, confidentiality, timing and documentation. .

Training and Capacity Building

22. A review of environment and social risks assessment, mitigation and performance of previous PforR projects which include Kenya Urban Support Project (KUSP) and Kenya Devolution Support Project (KDSP) was undertaken during preparation of the manual. The purpose of the review was to provide case studies required for PEELP in managing environmental and social risks triggered by sub-projects during implementation. Further, key findings of the PEELP Environmental and Social Systems Assessment (ESSA) undertaken by the World Bank informed applicable training programs to be undertaken with or for the key institutions staff on the environment, social, health and safety by the DPCAD under MoE in collaboration with National Environment Management Authority (NEMA), Directorate of Occupational Safety and Health Services (DOSHS), Directorate of Social Development (DSD) and National Lands Commission (NLC).

23. The PEELP training program has been adopted and improved from the Social Risk Management Curriculum developed under KDSP in collaboration with Kenya School of Governments (KSG). Key aspects of the program include training on; Introduction to Environment Social Risk Management, Regulatory Frameworks for Environment and Social Risk Management (ESRM), Stakeholder Mapping and Engagement, Environment and Social Impact Assessment (ESIA), Management of Sanitation and Hygiene, Vulnerability and Marginalization, Labor Management, Grievance Redress and Mitigation Strategies, Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) triggered by projects and Occupational and community Health and Safety Considerations during Project implementation phase, Emergency response procedures, Incident and Accident Reporting (Environment Health and Safety) during project implementation stage and Supervision Monitoring, Evaluation and Reporting.

Monitoring, Evaluation and Reporting

24. Monitoring and evaluation are integral requirements for tracking performance of PEELP with regards to implementation of Environment and Social risks mitigation measures. The benefiting schools will be required to formulate and agree upon the overarching results framework and these should be tied to downstream results agreements and referenced in the appropriate E&S instruments including ESIAs and ESMPs as applicable.

25. Key monitoring and evaluation tasks and implementation arrangements will focus on; review of evaluation plan confirmed by DPACD led evaluations, internal evaluations, mid-term reviews, end-evaluations with regards to Environmental and Social risks assessment,

documentation of lessons incorporated, and projects improved with regards to Environmental and Social risks and results and progress confirmation of E&S implementation. Key indicators will include among others.

- Number of targeted primary schools receiving school grants for completing priority areas.
- Number of vulnerable learners who are provided with school meals during each school calendar year.
- New teachers deployed to primary schools with the highest teacher shortage
- Number of Vulnerable Learners selected to receive a scholarship, school kits and mentoring support services
- Capacity building of target Teacher Training Colleges for implementation of competency-based teacher education curriculum.
- Establishment of standards and tools for quality assurance mechanisms for Pre-primary education, including teacher appraisal tools, assessment and classroom observation tools.
- New classrooms constructed in existing schools as per the needs-based school infrastructure investment plan
- Evidence of utilization of NEMIS data for better management of primary education
- Level of satisfaction of beneficiaries (Citizen Engagement indicator and part of Grievance Redress Mechanism)

26. Key reporting tasks will comprise standardized reporting templates including prepared reporting templates for M&E for results measurement, prepared guidelines for the 6-monthly narrative reports, E&S quarterly and annual progress report, incident report form. Reporting schedule will provide; Project reports due to MoE DPCAD and National Steering Committee (NSC) every 6 months, E&S Risk matrix reports, Monthly E&S reports, Quarterly GRM reports, Bi-annual and annual E&S Progress Report, Reporting of GBV/SEA-H and child abuse complaints/cases on a rolling basis, Emergency reporting of incidents within 24 hours. Reporting and compliance will comprise of field status report (as part of monitoring, Beneficiary or location stories/Info graphs (as part of communication) and Emergency Reporting.

1 CHAPTER ONE: INTRODUCTION

1.1 Program Description

27. The Primary Education Equity in Learning Program (PEELP), a hybrid Program-for-Results (PforR) and Investment Project Financing (IPF) operation, will support the government's Program; NESSP II. The Project Development Objective (PDO) is to reduce regional disparities in learning outcomes, improve the retention of girls in upper primary education, and strengthen systems for delivering equitable education outcomes. The results based PforR will build implementing institutions capacity, strengthen systems by closing gaps and support implementation of on-going reforms, to offer quality education and improve learning outcomes for greater equity in basic education.

28. The World Bank financing of US$ 200 million to the PEELP will be over a five-year period (2022-2026). The financing comprises of a US$ 188 million to the Program using the PforR instrument and a US$ 12million for the Investment Project Financing (IPF) instrument. There will be Additional Financing from GPE to a tune of US$ 117.1 million, of which 18.069M will be for the IPF component. Six (6) NESSP II sub-programs will be leveraged under three (3) Result Areas (RAs):

    - **Result Area 1**: Equalize learning opportunities: improve learning outcomes in target counties and for refugee population.
    - **Results Area 2**: Improve girls' participation in schooling, including in refugee hosting counties
    - **Result Area 3**: Strengthen reform implementation capacity

    The proposed AF is consistent with the original PDO, to reduce regional disparities in learning outcomes, improve the retention of girls in upper primary education, and strengthen systems for delivering equitable education outcomes. There are no outstanding safeguards or fiduciary issues in the parent Program. The parent Program was approved and no changes are anticipated to the safeguards category or policies. The AF operation will expand the scope of the parent Program, building on the existing DLIs.

1.2 Program Development Objective (PDO) Level Indicators and Key Results

29. The PDO-Level Indicators are:

    i. Increase in the share of students achieving higher order competencies in numeracy (Level 4) in the NASMLA Grade 3 assessment, in Counties falling into the lowest quintile of performers, including in refugee populations. (Percentage).
    ii. Increase in the share of students achieving higher order competencies in literacy (Level 4) in the NASMLA Grade 3 assessment, in Counties falling into the lowest quintile of performers, including in refugee populations. (Percentage).
    iii. Improved retention of poor and vulnerable girls, including in refugee populations, in upper primary (grades 7-8); and

iv. Successful roll out of CBC and CBC's formative assessment reforms in basic education. (DLI).

1.3 Program Disbursement Linked Indicators (DLIS)

30. The program funds will be provided through Disbursement Linked Indicators (DLIs) aligned to the three RA as follows.

31. **Result Area 1: Equalize learning opportunities: improve learning outcomes in target counties and for refugee population**. Results Area 1 will address low learning achievement in the target schools through focusing on four key interventions aimed at improving the school environment for effective teaching and learning. These include: (i) results-based school grants, (ii) improving teacher deployment in target schools with the highest shortage; and (iii) supporting school meals for vulnerable learners; and (iv) Conducting national sample-based learning assessments (NASMLA). The 50 camp-based refugee schools, many of which are hosted by low performing counties such as Turkana and Garissa in North Eastern Kenya, are included in the target schools under this result area.

32. **Disbursement Linked Indicator (DLI) for RA1** include;

i. DLI #1: Targeted primary schools receiving school grants for completing priority areas in their SIPs
ii. DLI #2: Scaling-up of the school meals program for the vulnerable learners [MoE and WFP developed standards for nutritious school meal.
iii. DLI #3: New teachers deployed to primary schools with the highest teacher shortage

33. **Results Area 2: Improve girls' participation in schooling, including in refugee hosting counties**. Under this Results Area 2, three key challenges will be addressed to improve girls' retention in upper primary, completion of the primary education cycle, and transition to secondary education. These are: (i) removing financial barriers to school attendance and meeting the basic education needs of poor girls and vulnerable boys [Boys from poorest households, particularly in the informal settlements/slums, and orphaned boys] (including learners with disabilities and refugee children); (ii) strengthening the supply chain for menstrual hygiene products to ensure that girls' attendance in school will not be interrupted by the lack of sanitary towels; and (iii) tracking girls at risk of dropping out and facilitating the re-entry of enrolled girls who dropped out due to pregnancy.

34. **Disbursement Linked Indicator (DLI) for RA2** is include; DLI #4: Scale up of Elimu scholarship, school kits and mentoring support services for poor and vulnerable boys and girls

35. **Result Area 3: Strengthen reform implementation capacity**. This results area will strengthen fidelity of implementation of initiated reforms to improve learning for all. The success of these key reforms, the major one of which is introduction of the CBC and formative assessments in basic education, will require complementary actions in a number of critical areas. The first action pertains to better utilization of NEMIS data for filling information gaps

in CBC implementation, specifically in respect of the allocation of capitation grants, mapping of school needs, and development budget allocations. The second action is capacity strengthening of the PTTCs to ensure that their graduates have acquired the core competencies and are ready as new teachers, to implement the CBC. The third action to establish standards and tools for quality assurance of preschools, is fully aligned with the CBC's objective of improving basic education quality. Finally, construction of new classrooms in existing schools as per the needs-based school infrastructure investment plan, will address the CBC's requirement for improved learning conditions in schools.

36. **Disbursement Linked Indicator (DLI) for RA3 include;**
    i. DLI #5: Successful roll-out of the CBC and formative assessments evidenced by achievement of key implementation milestones.
    ii. DLI #6: New classrooms constructed in existing schools as per the needs-based school infrastructure investment plan.
    iii. DLI #7: Capacity building of targeted diploma colleges for implementation of competency-based teacher education curriculum.

1.4 Program Beneficiaries

37. The operation will mainly focus on the vulnerable groups including girls, those with special needs, disabilities and refugee children. With the AF, the Program is expected to increase beneficiaries over its four years of implementation particularly for the expanded DLIs for scholarships (DLI 4) and school infrastructure (DLI 6). For the expanded DLI on pre-service teachers training (DLI 7), the target teachers remain the same.

38. The directly targeted beneficiaries include: i) about 6.6 million learners in primary schools through school grants, girl's education interventions, school infrastructure development and school meals including about 221,529 children in refugee hosting schools; ii) 117,900 refugee children in camp based primary schools; iii) approximately 20,000 diploma students in Primary Teachers Training Colleges (PTTCs); and iv) 200,000 primary school teachers.

1.5 Program Implementation

39. The proposed Operation will be implemented by the MoE and TSC as the main implementing agencies, with support from mainly KICD and KNEC. MoE may engage other entities such as CEMASTEA, NACONEK, KEMI, KNEC, KIB and KISE to provide technical support such as the SBTS initiative, support to camp-based refugee schools, interventions for special needs learners, and capacity building of teachers and head teachers.

40. The MoE, TSC and NACONEK are the main Implementing Entities (IEs) for RA1, equalize opportunities, improve learning outcomes in target counties. The MoE is the main IE for RA2, improve girl's participation in schooling including the refugee hosting counties. MoE, KICD and KNEC are the main IEs for RA3, strengthened reform implementation capacity. Refugee related interventions will be implemented in close consultation with the Refugee Affairs Secretariat (RAS) and United Nations High Commissioner for Refugees (UNHCR).

41. The overall strategic leadership and implementation oversight for the Program, including the IPF Component, rests with the existing MoE's Directorate of Project Coordination and Delivery (DPCAD) and the joint National Steering Committee (NSC) for SEQIP and Tusome projects, which is chaired by the Cabinet Secretary, MoE and includes CEOs from the IEs, some development partners, representatives from the teacher's union and the head teachers association, representatives the umbrella body for civil society organization in the education sector, among other members. UNHCR and RAS will be included within the NSC given the inclusion of refugee elements.

42. **The Program Coordination Unit (PCU),** which is within the DPCAD, will provide overall coordination for the program and support to the technical Program Technical Coordinating Teams (PCTs) at the implementing entities. The PEEL Program Coordination Team will comprise of full-time professionals seconded to the program from MoE and its affiliated state agencies. The Program Coordination Team comprises of the following:

- National Program Coordinator;
- Five Deputy Program Coordinators, responsible for the Result Areas and Program Coordination;
- Eight Assistant Results Area Leads
- Finance officer;
- One Accountant;
- Two Accounts Assistants
- Two safeguards (Environment and Social) officers;
- ICT officer; and
- Eight Support staff (3 drivers, 2 secretaries, 1 messenger, 1 clerk, and 1 Records Management Officer).

43. KNEC, KICD and TSC will establish PCTs, which will include relevant experts. The PCU and PCTs are functional, currently supporting SEQIP, and also supported PRIEDE and LCBE projects. In addition, County-based Education Coordination Teams have been established to oversee the day-to-day programs implementation. These will continue to support implementation and management of the PEEL Program and liaise with UNHCR and RAS on refugee elements. Specific Roles and Responsibilities of Implementing Units is summarized in **Table 1 below**.

Table 1: Implementing Institutions and Responsibility

Institution	Roles
National Program Steering Committee (NPSC)	• Provide policy guidelines and strategic direction; • Approve annual work plans and budgets; • Review progress reports including, but not limited to Implementation Progress Reports (IPR) and the Financial Management Reports (FMR); • Approve amendments to the PAD and POM; and • Resolve any high-level disputes arising out of the PEEL Program implementation; and carry out any other tasks the NPSC may deem necessary for the proper implementation of the program.
MoE	• Formulate / review basic education policies and strategies;

	• Discuss, negotiate and together with Treasury enter agreements with the WB; • Assign necessary staff to the DPCAD; • Ensure timely release of program funds; • Carry out procurement as required for the program • Create an enabling working environment for the various implementing entities to work as a team towards accomplishing the agreed program objectives; • Compliance with the program E&S Safeguard requirements, and • Oversee the overall implementation of the program. • Monitoring and reporting of E&S obligations in quarterly progress reports
PS, State Department for Basic Education	• Ensure efficient and effective implementation of PEEL Program for achievement of set objectives; • Approve financial commitments and Authorize expenditure; • Provide adequate and appropriate working spaces for DPCAD; • Appoint the Program Coordination Team; and • Overall responsibility as the chief accounting officer.
Project Coordination Unit (Director DPCAD)	• Overall coordination of the programs implementation Countrywide; • Oversight of the day to day activities of the program; • Development of appropriate materials for the program; • Development of implementation plan for sustainability of the program activities; • Utilizing partnership funds for the eligible activities; • Development and implementation of system for teacher supervision for the program • Undertaking monitoring and evaluation of the program, • Overall planning, budgeting, coordination and implementation of the PEEL Program; • Procurement of goods and services for centrally procured products; • Preparing, disseminating and implementation of the PEEL Program Communication Strategy; • Selecting training providers through the relevant sub-component implementing units; • Procuring short-term individual consultants assigned to the program; • Procuring program Management Consultants, CDSCs and consulting firms (CF) for implementing specified sub-programs; • Overseeing the selection of scholarship beneficiaries by the Implementing Partner; • Preparing and disseminating Financial (FMR) and technical reports to CS, NPSC, PS, NT, WB, DG, PTC and other stakeholders as required; • Preparing and submitting IPRs to NPSC, PTC, PS, NT, WB; and • Coordinating Program Review Missions (PRM); • Monitoring and reporting of E&S obligations in quarterly progress reports
TSC	• Sign the contract with the World Bank for project implementation. • Appoint a Program Coordination Unit comprising of technical officers to oversee the implementation • Recruit and deploy 1000 teachers per year to the public primary schools with the highest teacher shortage. • Coordinate teachers and tutor capacity building program in collaboration with MOE, KICD, KNEC, CEMASTEA, KEMI and KISE. • Develop instructional leadership modules for instructional leaders in collaboration with KEMI. • Compliance with the program E&S Safeguard requirements • Coordinate the SBTS teacher capacity building program
PCU at TSC	• Overall coordination of the program's implementation Countrywide; • Oversight of the day to day activities of the program; • Development of appropriate materials for the program; • Compliance with the program E&S Safeguard requirements • Development of implementation plan for sustainability of the program activities
KICD	• Appoint Focal person to the Program Implementation Unit;

	• Participate in Program implementation activities; • Develop curriculum designs and curriculum support materials for various levels including teacher Education; • Compliance with the program E&S Safeguard requirements • Provide quarterly reports on the progress of implementation of the milestones. • Participate in NPSC meetings;
KNEC	• Appoint Focal persons to the Program Implementation Unit; • Participate in Program implementation activities; • Conduct learning assessments to track and report on the PDO; • Develop and administer Competency Based Assessments; • Train teachers on Competency Based Assessment. • Participate in NPSC meetings; • Compliance with the program E&S Safeguard requirements • Attend joint reviews;

44. **Program Management and Coordination at the County Level:** The MoE and TSC County and Sub-County Education Offices will play a key role in facilitating and monitoring program implementation upto the school level. At the County level, the existing County Program Coordination Unit (CPCU) set up under the GPE-PRIEDE program, will be responsible for facilitating PEEL Program implementation and monitoring. PEEL Program will support CPCUs with relevant operational costs and coordinate with the MoE following the well-established mechanisms under the GPE-PRIEDE program. The TSC County and Sub-County Offices will collaborate with the CPCU for implementation of activities related to alleviation of teacher shortage and teacher professional development.

45. The County Program Coordinator will be responsible for the day-to-day management of the program activities at the County. Program implementation will be mainstreamed into the government systems. The County Technical Committee (CTC) chaired by the County Director of Education who will provide oversight for the implementation of program activities, strategic direction and undertake result monitoring at the County. It will comprise of:

- County Director of Education- Chairperson;
- County Director- TSC- Co-Chair Person;
- County program Coordinator- Secretary;
- Sub-County Directors of Education;
- Sub-County TSC Directors;
- A representative of Quality Assurance and Standards Officers;
- A representative of the Curriculum Support Officers;
- A representative of INSET Centre (SMASSE) Principals;
- Two representatives of heads of program Schools (Primary and Secondary); and
- Trainers' representative.

46. Terms of Reference for the County Technical Committee will be as summarized below

- Coordinate and oversee implementation of the PEELP Program;
- Approve and monitor the program activities;

- Provide overall guidance and support of the program;
- Receive and advice on policy briefs on the status implementation of the program activities;
- Provide guidance on resource mobilization allocation and utilization for the program; and
- Review Monitoring and Evaluation Report on program status and take appropriate actions.

1.6 Environment and Social Risks Assessment and Mitigation Responsibility

47. The overall responsibility of ensuring PEELP conforms to the Environment and Social Risks assessment and mitigation lies with the National Program Coordinator at the National DPCAD with assistance of the two safeguards (environment and social) officers recruited under the program. At county and Sub County Level, the County and Sub County Directors of Education are responsible for Environment and Social Risks assessment and mitigation at County and Sub County Level respectively. The head teachers of benefitting schools are responsible for Environment and Social Risks assessment and mitigation at institution level, they will be supported by the hired NEMA registered Lead expert consultants.

1.7 Purpose of Environment and Social Management Systems Manual (ESMS)

48. The World Bank has prepared an Environment and Social Systems Assessment (ESSA) that will guide the management of the environmental and social risks and impacts for the Program. Further, the ESSA has been undertaken to: (i) ensure consistency with the six core principles as outlined in the Bank Policy for PforR, and (ii) ensure the PEELP operation is designed and implemented to maximize potential environmental and social (E&S) benefits while avoiding, minimizing and/or mitigating potential negative risks and impacts.

49. The purpose of the ESMS is, therefore, to operationalize outcomes of the ESSA findings by providing the required guidelines and appropriate tools to MoE's Directorate of Project Coordination and Delivery (DPCAD) and the joint National Steering Committee (NSC) for the program with regards to the management of Environmental and Social risks during implementation of the program.

1.8 Objectives of the ESMS Manual

50. The objectives of the Environment and Social Management Systems (ESMS) Manual are listed below.

    a) Management of civil works and construction activities in learning institution processes that include: screening for environmental and social risks and impacts; procedures to enhance engagements amongst key institutions for synergy; prevention and management of complaints and grievances; design specifications on sustainable use of local material; review and update of the School Safety Manual developed in 2008 to address emerging issues such as on Environmental, Social, Health and Safety (ESHS); management of emergency and disaster preparedness; inclusion of ESHS provisions in bid documents

and contracts; E&S compliance monitoring, evaluation and reporting; and, design provisions for rainwater harvesting storage and conservation in schools.

b) Management of other program activities under the PEELP operation that include: handling and sustainable disposal of sanitary waste; food sourcing, storage, handling, and preparation of school meals; prevention and management of GBV/SEA-H; management and coordination of scholarships and student mentorship; and stakeholder engagement and information disclosure.
c) Training and capacity building of Training of Trainers (ToTs) on the operationalization of the Environmental and Social Management System (ESMS) Manual to the MoE, TSC, key SAGAs and selected county teams responsible for managing environment and social risks and impacts in the program.

1.9 Methodology of Preparing the ESMS Manual

51. **Desk review of Policies, Legal Framework, and Program Documents.** The ESMS was prepared through a comprehensive review of Desk Review of Policies, Legal Framework, and Program Documents, specifically, below listed documents were reviewed among others.

    a) Kenyan Policy and Legal Setup, key Statutes included the Environment Management and Coordination Act EMCA (1999) Cap 387 amended in 2015 and Occupational Health and Safety Act OSHA of 2007
    b) Program Appraisal Document (PAD) for PEELP, February 2022
    c) Environmental and Social Systems Assessment (ESSA), KPEELP, February 2022
    d) Environmental and Social Risks Manual (ESRM) for FLLoCA[1], December 2021
    e) Environmental and Social Systems Assessment (ESSA), KUSP[2], July 2017
    f) Secondary Education Quality Improvement Project (SEQIP), Grievance Redress Mechanism Operational Manual, May 2019.
    g) GPE AF Restructuring Paper

52. **Stakeholder Consultations.** Validation of the ESMS manual will be undertaken by MoE before finalization and approval. The session will provide a platform where relevant institutions including; MoE, TSC, KICD, KNEC, CEMASTEA, NACONEK, KEMI and KISE will review the manual and provide feedback on provisions therein.

53. **Training of Trainers (ToT)**. Before finalization of the ESMS manual, training and capacity building of Trainers (TOTs) of the MoE, TSC, key SAGAs and selected county teams will be undertaken. Further, Key findings of the ESSA informed applicable training programs. Key aspects of the training program will include the below listed components;

    a) ***Environmental related Topics*;** Introduction to Environment and Social Risk Management (ESRM) especially related to siting of infrastructure, sustainable use of local materials, management of environment related impacts including; construction waste and waste water effluent, National Regulatory Frameworks for Environment and SRM, Stakeholder Mapping and Engagement, Environment and Social Impact Assessment (ESIA).

    b) Occupation Health and Safety and Public Health Topics: Occupational Health and Safety (OHS) risks related to program activities such as project construction activities, public health and hygiene risks associated with the school meals program, generation and disposal of sanitary waste from supply of hygiene products for girls. Incident/accident Reporting (Environment Health and Safety) during project implementation stage and Supervision, Monitoring, Evaluation and Reporting.

    c) ***Social Topics:*** Community Health and Safety (CHS) concerns related to SEA/SH and other forms of GBV including the risk of learner's exposure to drugs, alcohol, early

[1] FLLoCA: Financing Locally Led Climate Action Program
[2] KUSP: Kenya Urban Support Project

pregnancy, COVID-19 and other sexually transmitted diseases arising from labor influx of construction workers and suppliers in schools, also arising from exploitation of women and girls for program benefits or by supporting girls to attend schools where they are at risk of abuse; child labor where learners are requested to bring firewood and water for food preparation and grievance redress mechanism to handle conflicts and redress. Further, aspects related to inclusion of VMGs are also included in the modules.

d) **Management of sanitation and hygiene** in schools with regards to training on installation, management of human waste and risks associated (health and safety) with bio-digesters. The training will focus mainly on waste management options including methods such as; Low-cost, locally made incinerators, Electric incinerators, deep burial and pit composting for various types of wastes including sanitary wastes.

1.10 The Policy, Legal, Regulatory Framework Applicable to the Program

54. The Government of Kenya has a robust policy and legal framework and institutions which support environmental and social assessment and management processes. The ESSA has also extensively discussed Policy, Legal, Regulatory Framework Applicable to the Program, and summary of statutes is presented below.

- National Environmental Policy, 2014
- Kenya Vision 2030
- National Occupational Safety and Health Policy, 2012
- Safety Standard manual for schools in Kenya, 2008
- The National Food Safety Policy 2013
- National School Meals and Nutrition Strategy 2017-2022
- Constitution of Kenya, 2010
- Environmental Management and Coordination Act, 1999 and Amended in 2015
- EMCA (Impact Assessment and Audit, 2003) and Amended Regulations, 2019
- EMCA (Air Quality) Regulations, 2014
- EMCA (Noise and Excessive Vibrations Pollution) (Control) Regulations, 2009
- EMCA (Waste Management) Regulations, 2006
- EMCA (Noise and Excessive Vibrations Pollution) (Control) Regulations, 2009
- EMCA (Water Quality) Regulations, 2006
- E-waste guidelines (2010) and the National Solid Management Strategy (2015)
- The Water Act (2016)
- Occupational Safety and Health Act (OSHA) (2007)
- The Work Injury Benefits Act (2007)
- Employment Act No 11 of 2007
- HIV/AIDS Prevention and Control Act (Act No. 14 of 2006)
- The County Government Act (2012)
- Standards and Guidelines for WASH Infrastructure in pre-primary and primary schools
- Public Health Act, Chapter 242

- The Constitution of Kenya (CoK) (2010) provides a comprehensive bill of rights including:
- Constitutional provision for equality and freedom from discrimination
- Constitutional provision for vulnerable and marginalized groups
- Constitutional Provisions on Disability
- Constitutional Provisions on Social Inclusion including Children, Youth, People Living with Disability and Women
- Gender Policy, July 2011
- Sexual Offences Act 2012
- Child Rights Act 2012
- Labor Relations Act 2012
- The National Council for Disability Act, 2003
- NEMA Guidelines on Safe Management and Disposal of Asbestos

1.11 Institutional Framework for Environmental and Social Management under the PEELP

55. Institutional Framework for Environmental and Social Management under the PEELP as presented in the ESSA are summarized below:

- Ministry of Environment and Forestry
- National Environment Management Authority
- County Environmental Committees
- National Environmental Complaints Committee
- National Environment Tribunal
- Environment and Land Court
- Directorate of Occupational Safety and Health Services (DOSHS)
- The National Construction Authority (NCA)
- Ministry of Health (Department of Public Health)
- Department of Public Works (Public Works Engineers)
- County Governments
- Institutional Responsibilities for Social Systems
- Commission on Administrative Justice (CAJ)
- Department of Labor
- Ministry of Public Service and Gender
- State Department of Gender
- National Gender and Equality Commission (NGEC)
- Kenya National Commission of Human Rights

2 CHAPTER TWO: ASSESSING SUB-PROJECTS ENVIRONMENTAL AND SOCIAL RISKS DURING PROGRAM PREPARATION PHASE

2.1 Application of Exclusion Principle on PEELP Sub-Projects

56. High risk activities associated with the Program will be excluded in line with EMCA 1999, amended in 2015 and Legal notice 31 and 32 of EIA 2019 categorization. This exclusion principle applies to program activities that meet these criteria, regardless of the borrower's capacity to manage such effects. In the PforR context, the concept of exclusion means that an activity is not included in the identified program of expenditures. In addition, an activity is not included if it requires the completion of a non-eligible activity to achieve its contribution to the Project Development Objective (PDO) or any specific Disbursement Linked Indicators (DLI).

57. To avoid, minimize and mitigate adverse E&S effects, the PEELP design excludes high risk activities from Program financing but supports systems strengthening to manage the full range of potential risks and impacts. Activities related to land acquisition and degradation of critical habitats or cultural heritage sites of value, that have potential for forced and child labor and those that are likely to lead to marginalization and conflicts within social groups or impact negatively on vulnerable groups (including refugees) or natural resources subject to traditional ownership are all excluded. The Program will exclude interventions that are likely to cause:

    i. Land acquisition and/or resettlement of a scale or nature that will have significant adverse impacts on affected people or the use of forced evictions. All school infrastructure will be constructed on existing schools.
    ii. Degradation of critical habitats or cultural heritage sites of value.
    iii. Activities with significant health and personal safety risks such as renovation of school infrastructure with asbestos roofing material.
    iv. Air, water, or soil contamination leading to significant adverse impacts on the health or safety of individuals, communities, or ecosystems.
    v. Activities that involve the use of forced or child labor.
    vi. Activities with high risk of GBV/SEA-SH.
    vii. Activities likely to cause marginalization and/or conflict within or among social groups
    viii. Activities that may negatively impact IPs or natural resources subject to traditional ownership or under customary use or occupation such as relocation and displacements.

2.2 Environmental and Social Risks Associated with PEELP

58. Environmental risks and impacts are anticipated to be moderate due to the nature of the proposed program interventions under the PforR. **Table 2** below summarizes the Environmental and Social effects associated with PEELP interventions.

Table 2 Environment and Social Risks Associated with the PEELP

Result Area (RA)	Interventions	Risks
RA 1: Equalize Learning Opportunities: Improve Learning Outcomes in Target Counties	Provide performance-based school improvement grants to target schools in lagging regions, schools for special needs learners and camp-based refugee schools.	**Social** a. Exclusion of primary schools and learners in educationally disadvantaged counties due to biased selection criteria b. Upsetting community dynamics caused by the program interventions operating in a small number of sites relative to immense and widespread need c. Exclusion of vulnerable and minority learners from access to program benefits including school inputs procured under the school grants activities d. Exclusion of learners with disabilities through learning systems, inputs, equipment, and infrastructure that do not address the needs of PLWD e. Limited stakeholder engagement and disclosure of project information leading to increased grievances f. SEA/SH and other forms of GBV arising from exploitation of women for program benefits such as access to school grants **Environment** Similar effects as noted in RA 3 (school infrastructure construction related risks)
	Implement priority hiring and deployment of teachers to primary schools with the highest teacher shortage.	**Social** a. Exclusion of learners from VMGs/IP communities due to inadequate community sensitization and or disclosure of information on the program b. Biased selection criteria leading to exclusion of candidates from VMGs/IP communities c. Limited stakeholder engagement and disclosure of program information leading to increased grievances d. Disability exclusion where teachers living with disability are not provided equal employment opportunities e. Elite capture resulting in the hiring of teachers for areas not affected by teacher shortages f. Exclusion of teachers living with disabilities from the teacher recruitment opportunities g. SEA/H and other forms of GBV arising from exploitation of women for teacher recruitment opportunities h. Cases of insecurity of the teachers and hardship related to areas prone to drought, banditry and attacks from terror groups
	Provide school meal and nutrition for the neediest students.	**Social** a. Limited stakeholder engagement and disclosure of program information leading to increased grievances b. Increased cases of school fires due to access coupled with increasing cases of students' unrest in schools c. Child labor where learners are involved in food preparation and serving. d. Increased infections caused by Aflatoxin toxicity e. SEA/H and other forms of GBV arising from exploitation of girls for program benefits f. Cases of food theft, delays, availability of resources for the procurement of school meals.

Result Area (RA)	Interventions	Risks
		g. **Environment** a. Public health and hygiene risks associated with food sourcing, handling, preparation and storage b. Food contamination/poisoning from poor handling, storage and preparation practices c. Generation of kitchen waste/food remains and disposal challenges d. Increased demand for fuel wood for the school meal program exacerbating the level of environmental degradation especially in ASAL areas e. Increased demand for water for school meals program especially in the ASALs that experience water scarcity
RA 2: Improve the Participation of Girls in Schooling	i) Removing financial barriers to school attendance and meeting the basic education needs of girls and boys from poor and vulnerable population (including learners with disabilities and refugee children); ii) strengthening the supply chain for menstrual hygiene products to ensure that girls' attendance in school will not be interrupted by the lack of sanitary towels; and iii) Tracking girls at risk of dropping out and facilitating the reentry of enrolled girls who dropped out due to pregnancy.	**Social** a. Biased selection criteria leading to exclusion of candidates from VMGs/IPs/PWDs communities b. Limited stakeholder engagement and disclosure of program information leading to increased grievances c. SEA/H and other forms of GBV arising from exploitation of girls for program benefits d. Poor monitoring systems to track retention, drop outs, and transition rates leading to exclusion of learners and especially girls from minority/vulnerable groups e. Cases of factors that limit re-entry of girls out of school after initial dropout due to teenage pregnancies **Environment** **a.** Generation and disposal of sanitary waste from supply of hygiene products for girls
RA 3: Strengthen Capacity for Implementing Initiated Reforms	This RA will strengthen fidelity of implementation of initiated reforms to improve learning for all. The success of these key reforms, the major one of which is rollout of the CBC and CBA in basic education, will require complementary actions in several critical areas. The first action pertains to better utilization of NEMIS data for filling information gaps in CBC implementation, specifically in respect of the allocation of capitation grants, mapping of school	**Social** a. Limited stakeholder engagement, coordination and disclosure of program information leading to increased grievances b. Systemic weakness and low capacity of the PIU to identify and manage adverse social impacts of the program c. Poor monitoring systems to track retention, drop outs, and transition rates leading to exclusion of learners, girls and vulnerable boys from minority/vulnerable groups d. SEA/H and other forms of GBV arising from exploitation of women (employment opportunities under school construction) and girls (risk of abuse from teachers and school personnel) **Environment** a. Construction related impacts; poor infrastructure development from limited involvement of relevant departments and technical experts such as NEMA, NCA, Department of Meteorology in undertaking feasibility

Result Area (RA)	Interventions	Risks
	needs, and development budget allocations. The second action is capacity strengthening of the teacher training colleges to ensure that their graduates have acquired the core competencies including retooling of tutors and establishment of ICT enabled learning resource centers, to ensure teachers, to implement the CBC and CBA. The third action to establish standards and tools for quality assurance of preschools, is fully aligned with the CBC's objective of improving basic education quality. Finally, construction of new classrooms in existing schools as per the needs-based school infrastructure investment plan, will address the CBC's requirement for improved learning conditions in schools	studies; soil and land degradation from excavations and material sourcing activities; localized air & noise pollution; clearing of vegetation; generation and unsafe disposal of construction waste and waste water effluent; and soil and water pollution from hazardous materials associated with construction works b. Occupational health and safety incidents through injuries/accidents to workers at construction sites c. Community health and safety risks/ accidents from the construction activities, spread of communicable diseases such as Covid-19 and sexually transmitted diseases such as HIV/AID's d. Insecurity/small-scale theft risks of construction materials in schools e. Increased demand for water during construction activities especially in the ASALs that experience water scarcity f. Climate change related impacts such as excessive rainfall leading to mudslides and flooding which in the past have negatively affected school infrastructure especially classrooms and latrines causing disruption of learning and outbreak of infectious diseases g. Poor construction quality of physical infrastructure h. Limited operation and maintenance of the school infrastructure i. Generation of e-waste may present adverse impacts through improper disposal of old or used electronic equipment that may result in soil and water contamination through the release of heavy metals and potential air pollution by release of hydrocarbons in the atmosphere. This potential risk is site specific.

2.3 Assessing and Mitigating Social Risks

59. The social risks as presented in **Table 2 above** will be related to among others; GBV/SEA-SH exclusion of vulnerable, minority and disabled learners, VMG&IP and PLWDs teachers and communities, child labor and limited stakeholder engagement, coordination, and disclosure of program information. Implementing entities will undertake social risk assessments for such impacts and provide appropriate safeguard measures to be implemented during the program implementation phase. **Table 3** below provides a guide on how social risk assessments will be undertaken.

Table 3: Assessment of Social Risks

Assessment (Areas of Inquiry)	Aspects to Assess
General Information	• Types of gender-based violence, risk factors for different types of GBV/SEAH-SH • Survivor profiles, including mothers of children born as a result of sexual violence • Perpetrator profiles

	• Survivor needs and preferences for assistance and support
General Community Profile	• Community knowledge, attitudes and practices about gender and gender-based violence • Forms of SEA/SH, GBV, exclusion of VMG&IP and PLWD that are occurring; how the community perceives each type; words used to describe these acts • Community attitudes and behaviour toward survivors/suspected survivors and perpetrators/suspected perpetrators • Traditional/religious beliefs and practices • Level of women's participation in decision making • Norms around age and gender; e.g. Roles and opportunities for women; status of women; women's empowerment, Roles and opportunities for men, Status of children; community views about children's participation; school attendance (boys and girls) • Community-based protection systems
Assessment of PEELP Triggered Social risks in Schools	• Cases of exclusion of primary schools and learners in educationally disadvantaged counties due to biased selection criteria of grants programs, school meals, teacher deployment and supply of menstrual hygiene products from government bursary schemes such as Constituency Development Fund (CDF) among others. • Cases of community upset triggered from previous government program interventions operating in a small number of sites relative to immense and widespread need. • Forms exclusion of vulnerable and minority learners from access to previous program benefits including school inputs procured under the school similar grants activities such as government funded CDF. • Forms of exclusion of learners with disabilities through learning systems, inputs, equipment and infrastructure that do not address the needs of VMGs and PLWD in previous government programs. • Status of stakeholder engagement, coordination and disclosure of project information in previous funding programs by government and nature of grievances recorded • Nature of SEA/SH and other forms of GBV reported from previous government programs arising from exploitation of women for program benefits such as access to school grants • Cases of elite capture resulting in the hiring of teachers for areas not affected by teacher shortages in previous government programs • Cases of exclusion of teachers living with disabilities from the teacher recruitment opportunities previous government programs • Child labor emanating from the school meals program and civil works • Exclusion of VMGs/IP communities and teachers living with disabilities from the deployment of teacher's activity • Poor monitoring systems to track retention, drop-outs, and transition rates leading to exclusion of learners from minority/vulnerable groups, girls and vulnerable boys. These may be because of financial barriers, menstrual hygiene products and pregnancies.
Accessibility and Safety of services and facilities	• Inclusion of women in planning, delivery, and decision making about services
Security Measures	• Methods used for identifying security threats and risks • Involvement of community
Disclosure, Help Seeking, and Referral	• Entry points for survivors to seek help • Presence of referral pathways and systems • Confidentiality and information sharing

	• Service provider knowledge, attitudes, behavior; application of guiding principles • Involvement of community in helping survivors and assisting with referrals
Survivor Support Services	• Availability, accessibility, quality of: - Health care - Psychosocial support - Security Legal justice • Include: traditional practitioners, community-based groups, NGOs, government • Sensitivity, awareness, knowledge and attitudes of service provider staff and volunteers • Involvement of community in supporting survivors and their reintegration into the community

60. PEELP will ensure provisions of assessing and mitigating SEA/SH, GBV, VAC and child Labor are included in the Standard Operating Procedures (SoPs) of interventions listed in the PAD. The interventions include but not limited to; school improvement grants, deployment of teachers to primary schools, school meals and nutrition for the neediest learners and the scholarship program, school kits and mentorship support services. These will be achieved through measures such as appending a requirement that all persons involved in implementing the interventions will sign a Code of Conduct (CoC) that provides that such persons will not be involved in below list of social risks; Annex 1 provides the detailed tool that will be used to assess and mitigate social risks.

61. Provisions of the Code of Conduct (CoC) will include;

i. That the personnel will not involve themselves in activities that exclude primary schools and learners in educationally disadvantaged counties due to biased selection criteria
ii. That the personnel will not involve themselves in activities that result in upsetting community dynamics caused by the program interventions operating in a small number of sites relative to immense and widespread need
iii. That the personnel will not involve themselves in activities that lead to exclusion of vulnerable and minority learners from access to program benefits including school inputs procured under the school grants activities
iv. That the personnel will not involve themselves in activities that lead to exclusion of learners with disabilities through learning systems, inputs, equipment and infrastructure that do not address the needs of PLWD
v. That the personnel will not involve themselves in activities that result in limited stakeholder engagement and disclosure of project information leading to increased grievances
vi. That the personnel will not involve themselves in activities that result in SEA/SH and other forms of GBV arising from exploitation of women for program benefits such as access to school grants
vii. That the personnel will not involve themselves in activities that result in exclusion of candidates from VMGs/IP communities due to inadequate community sensitization and or disclosure of information on the program
viii. That the personnel will not involve themselves in activities that result in increased cases of school fires due to access coupled with increasing cases of students' unrest in schools

ix. That the personnel will not involve themselves in activities that result in child labor where learners are involved in construction or the food preparation process.
x. That the personnel will not involve themselves in activities that lead to increased infections caused by Aflatoxin toxicity through procurement of unsafe food to schools.

62. Further, to safeguard persons with disability, designs for construction and renovations will address Persons with Disabilities (PWD) needs such as ramps and curb cuts and toilets among others.

2.4 Assessing and Mitigating Environment Risks

63. **Environmental and Social Screening:** Environmental and Social screening is designed to identify and appraise the type and scale of any adverse environmental and social impacts or risks that may arise from a planned sub-project or site-specific activity under PEELP. Implementing entities will conduct the Environment and Social (E&S) screening process of a planned activity prior to the commencement of the activity. These measures aim to ensure activities listed as part of the PEELP exclusion criteria are not carried out, achieve the avoidance, minimization, or mitigation, including offset or compensation criteria, of adverse environmental and social impacts of the project and ensure compliance with the Kenyan national laws and regulations.

64. Once the relevance of such risks or impacts have been established, they will define the type and scope of additional assessments and management plans which need to be conducted or developed as part of requirements under EMCA 1999 Cap 387 as amended in 2015 and Legal Notice No.31 and No.32 of 2019.

    All sub-projects proposed under PEELP will be screened and appropriate assessment determined whether Summary Project Report (SPR), Comprehensive Project Report (CPR), or Full Study Report which will be submitted to NEMA for review and licensing. (Appendix 2: Screening checklist). The head teachers with support from Boards of management of benefiting schools will be responsible for screening with assistance from hired lead Environment and Social experts registered by NEMA. At quarterly and bi annual project reviews, safeguards officers from the National and County Directorate of Project Coordination and Delivery (DPCAD) will review the process for purpose of monitoring, evaluation and reporting.

2.4.1 Screening Objectives

65. The criteria for project screening include; type, scope, proposed location, sensitivity and scale, nature and magnitude of potential E&S impacts. The objectives of screening sub-projects for environmental and social risks are indicated below:

    a) Screen for eligibility at project identification stage;

b) To determine the potential environmental, social health and safety impacts and risk rating of the proposed projects to be identified under PEELP early on in the project design;
c) To determine the magnitude of environmental and social assessment required to mitigate against the likely impacts. This ensures that the proposed projects undergo the right level of assessment as required by the EMCA regulations to determine the applicability of the World Bank Policy on PforR core principles and Government of Kenya policies and laws to ensure compliance.

2.4.2 Assessment Procedure for Environment and Social Risks

66. The assessment procedure that informs environmental and social impact assessment as provided by EMCA 1999 Cap 387 section 58 is summarized in **Table 4** below**.**

Table 4: Environmental and Social Risks Screening Procedure

Step	Details
Step One:	The screening process commences with the identification of a respective sub-project or site-specific activity by the Ministry of Education. E&S Screening will be conducted for site specific sub-projects. The E&S screening reports will be submitted to NEMA where NEMA County Officers will be responsible for review of screening form and confirm the risk rating prior to undertaking the environmental assessments.
Step Two:	Check applicability of Second Schedule of EMCA 1999 cap 387. If project does not fall within Second Schedule, then it does not merit ESIA.
Step Three	For projects identified under Schedule Two of EMCA, the screening checklist presented as appendix 2. The process will document site characteristics, identify likely social and environmental impacts. Ascertain and record applicability Government Policy and Legal Framework
Step Four:	Preliminary Analysis of Impacts: Based on observed triggers to impacts, local statutes a decision is made on the scale of Impact Assessment required i.e. whether investigations will target Summary Project Report (SPR) or Comprehensive Project Report (CPR).
Step Five:	The Summary Project Report (SPR) or Comprehensive Project Report (CPR) preparation will start once the Preliminary Design Reports (PDR) (feasibility designs and drawings have been prepared, the outcome of EIA will inform the detailed designs of respective Projects.
Step Six	ESMP Disclosure- It is important that the prepared instruments be made available to project affected groups and the public at large through consultations.

2.5 Methodology of ESIA Preparation

2.5.1 Scoping Assessment

67. The process of Environment and Social Impacts (ESIA) preparation starts with a scoping assessment. The assessment informs the level of Environment and Social Impact Assessment (ESIA) required for the proposed project components as indicated below:

a) Determination of applicable national and international policy provisions and legal statute relevant to the project
b) Relevant stakeholders to be meaningfully consulted and engaged during the ESIA stage

c) Determination of the scope and geographical extent of Environment and Social Impacts to be analyzed further at ESIA stage.

68. The scoping procedure will be undertaken through; *Literature Review, Field Assessment, Data collection, Site Surveys, Secondary and Primary Data*. The Scoping assessment presents aspects as summarized below:

a) Description of project background
b) Determination of project area of influence (Geographical, Social and Stakeholders)
c) Consideration of all project-relevant physical, biological, socio-economic, cultural aspects & risks
d) Analysis of alternatives
e) Impact identification (Direct, Indirect, Induced, & Cumulative)
f) Preliminary mitigation measures
g) Definition of assessment methods for ESIA & personnel required.

Appendix 3 provides ESIA standard Terms of Reference (ToR)

2.6 ESIA Process in Kenya

69. The ESIA is a process and management technique, which allows consideration of the likely environmental and social impacts of a project prior to it proceeding. This provides an opportunity to ensure that the design is optimized in an integrated manner, minimizing negative environmental and social impacts and maximizing positive impacts. To make this determination, a project report must be submitted to NEMA as part of the screening process.

70. Project reports for proposed investments under the program will be prepared by environmental and social Personnel at the MoE's Directorate of Project Coordination and Delivery (DPCAD) units or through hired NEMA registered lead ESIA and audit experts. The project reports will be submitted to NEMA for review. PEELP will not support projects of high risks as categorized under the amended EMCA, 1999 Cap 387 (Legal notice 31 and 32 of EIA 2019) and listed in exclusion criteria discussed in para 80 and 81. The statutory EIA procedure in Kenya as stipulated in Legal Notice 101 of June 2003 is illustrated in **Figure 1** below and thereafter elaborated in the preceding section.

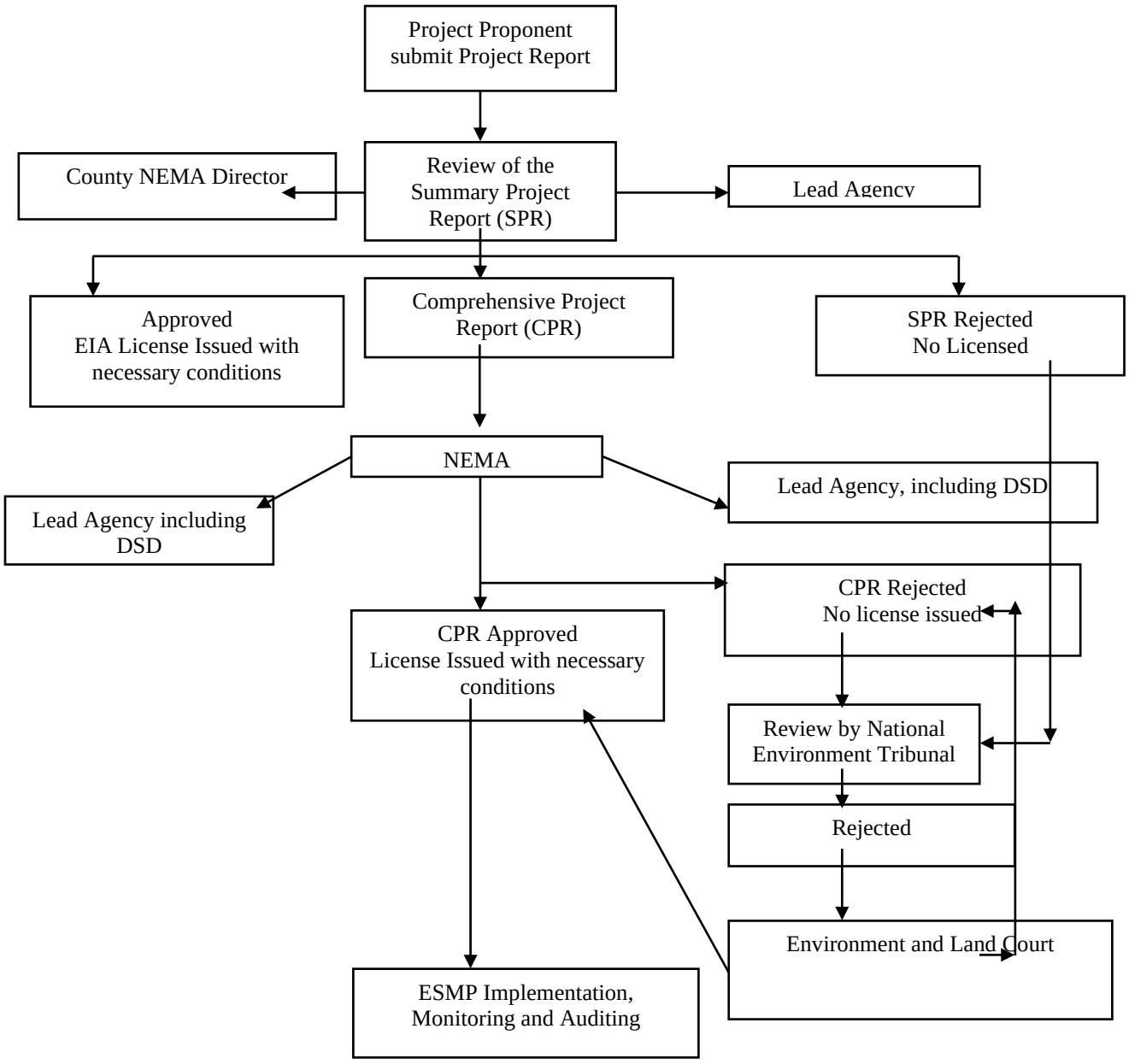

Figure 1: Statutory ESIA Procedure in Kenya

2.7 Environment and Social Impact Assessment, Review and Approval by NEMA

71. Project Reports are prepared to inform NEMA of a proposed development for decision-making on approval and licensing of the project. NEMA advices on the need or otherwise for a ESIA. Section 10 (2) of Part II of Legal Notice 101 of June 2003 allows for approval of proposed projects at the Project Report Stage and has been effectively used by NEMA to grant Environmental Licenses to small projects without requiring a full ESIA.

72. In line with this requirement, PEELP will prepare and submit Project Reports which may include Summary Project Report (SPR) or Comprehensive Project Report (CPR) to NEMA. The Project Report as required by Legal Notice 101 of EMCA (Environment Impact Assessment / Audit Regulations of 2003) is a preliminary EIA report which NEMA uses sometimes to License small projects. However, based on the Project Report, if NEMA determines that further ESIA is required, then a full study leading to development of an Environmental Impact Assessment Study Report will be undertaken by an independent EIA lead expert. Based on the Project Report submitted and internal review process, NEMA will make decision on the requirement or otherwise for further ESIA Studies and decision will be communicated to PEELP.

73. **Table 5** below illustrates the typical process and time taken to process Summary Project Report (SPR) and a Comprehensive Project Report (CPR) through NEMA as per EIA regulation 2003 of EMCA. The statutory review period is maximum 5 days effective the date of receipt of a Project Report by NEMA for SPR and 21days for CPR.

Table 5: Steps and Time Taken by NEMA to Approve SPRs and CPRs

Step	Action	Actor	Time requirement
One	Submission of Project Report (SPR or CPR) to NEMA. NEMA will acknowledge receipt and allocate it a reference No and require the expert to upload in the NEMA portal and secure and electronic Project Submission Report Number (PSR)	Lead Expert	
Two (SPR)	For SPR, NEMA internal reviewers review the report and if satisfied issue a license within 5 working days. ***Appendix 6*** *provides sample SPR Template* layout	NEMA	Within five working days
Two (CPR)	NEMA provides the Project report to relevant lead agencies requests for comments. ***Appendix 7*** *provides sample CPR Template*	NEMA	Within seven days for CPR,
Three (CPR)	Lead agencies review and give comments to NEMA. May involve field visits.	Lead Agencies	14 days from date of receipt

			of report from NEMA.
Four	Project report review by NEMA	NEMA	21 days after receipt of PR.
Five	Communication of findings	NEMA	21 days after receipt and license issued

2.7.1 Typical Review Outcomes of Project Reports by NEMA:

74. **Project is approved**. Where NEMA and lead agencies ascertain that a project report has disclosed adequate mitigation measures for identified impacts, the project is approved by NEMA upon which, conditions attached to grant of an Environmental License are issued. Once these are fulfilled, an Environmental License is also issued subject to conditions which will be specific to the scheme in question. Among these is the requirement that the design should not be altered without approval by NEMA. The project must commence, usually within 24 months period after issuance of license, In addition, an audit report is required for each project after the first year of completion.

75. **Project Report does not disclose adequate mitigation measures** or information. In this case, the proponent will be required to undertake a full cycle EIA.

76. **Project Report discloses potential for major irreversible adverse impacts**. In this case, NEMA may not approve the project. Such a proponent has the right to appeal to the National Environment Tribunal within 14 days of receipt of the verdict.

77. **If no further EIA Study is required:** In the event that further EIA is not required, Section 10(2) of Part II of Legal Notice 101of 2003 allows for approval of proposed projects at the Project Report Stage and has been effectively used by NEMA to grant Environmental Licenses to small projects without requiring a full EIA. Thus, in line with this regulation, NEMA can grant an Environmental License, based on which construction can proceed.

2.7.2 Procedure for Full Cycle EIA Study

78. PEELP will not fund projects that will require full ESIA Study assessments. However, in future interventions by MoE and whenever the need for a full ESIA is required the procedure to be adopted is summarized below.

A full cycle EIA study could ensure from either of two processes: -

a) The proponent in consultation with NEMA can make a decision to proceed to full cycle EIA study or:-
b) NEMA could review the Project Report and demand a full cycle EIA study as per LN 101.

79. In the event that a full EIA will be required, NEMA will require that a Scoping Study be undertaken which basically requires preparation of a detailed TORs for the study. The purpose of the scoping study is to determine the diversity (scope) and severity of impacts anticipated so as to determine the scope of investigations needed and the requisite skills for the EIA study. The scoping study will be undertaken by a Lead Expert and a Terms of Reference (ToR) for ESIA study report prepared and submitted to NEMA for review prior to commencement of the study.

80. Upon review of the Scoping Report (TORs), NEMA will require further action as follows:

    a) A Full Cycle EIA be undertaken as per regulations 18 to 24 of Legal Notice 101 of 2013 EMCA. A major requirement at this stage is the need to subject the EIA report for public review.
    b) Public Review of the ESIA Report: This will entail exposure of all the ESIA documents at strategic points within the project's area of influence so as to allow all stakeholders to read and understand how they may stand to be affected by the project. The public review period lasts a minimum of 60 days and has to be advertised twice in local dailies that are widely read in Kenya, and are often supplemented by public meetings where the project is explained to local stakeholders. Upon expiry of the public review period, the ESIA team will organize the written comments either into an additional chapter or a volume to the ESIA report. This chapter will clearly explain how each of the comments and concerns have been addressed and resolved.
    c) PEELP will not fund projects that will result to resettlement and land acquisition. However, in future the MoE will be prepare a Resettlement Action Plan (RAP) where displacement is deemed to be a major impact.

2.7.3 Environmental and Social Impact Assessment (ESIA)

81. The main objective of the ESIA will be to ensure that all environmental and social consequences triggered by PEELP sub-projects are evaluated and addressed. The aim is to ensure that the mitigation measures are incorporated into the final Project design. The ESIA will be prepared at the design stage as summarized below.

82.
    a) Literature Review
    b) Baseline studies including Specialist studies (if any)
    c) Assessment of impacts and generation of an environmental (and social) management plan (ESMP).
    d) Stakeholder Engagement
    e) ESIA Report Presentation

83. Further, the ESIA will present information as outlined below:

    a) Description of project, objectives, technologies and processes, used materials, products, waste generated;
    b) Baseline environmental information comprising physical, biological and socio-economic conditions of the site to be assembled and evaluated;

c) A description of the pertinent legislation, regulations and standards, as well as environmental policies applicable to the proposed project
d) Identification / assessment of all negative and positive impacts of the project, preparation of matrix with classification (major, moderate, minor, negligible impacts),
e) Elaboration of mitigation / ESMP budgets / compensation measures, recommendation on design modification, if needed
f) Public consultation and documentation of stakeholder views;
g) Development of a monitoring plan to ensure that the proposed mitigation measures are implemented and the desired re-mediation effects achieved;
h) Provision for Contractors preparation of Construction Specific Environment and Social Management Plans (C-ESMPs), Health and Safety Management Plans (HSMPs) among other sub-plans as will be determined during the ESIA stage.

2.7.4 Voluntary Land Donation and Resettlement Action Plan (RAP) Procedure for Sub Projects

PEELP will not fund projects that will result to resettlement and land acquisition. However, in future the MoE when implementing projects that trigger land acquisition, protocols discussed in appendix 5 of this manual will apply.

3 CHAPTER THREE: ASSESSING ENVIRONMENTAL AND SOCIAL RISKS OF SUB-PROJECTS DURING THE IMPLEMENTATION PHASE

3.1 Inclusion of Environmental and Social Provisions in the Tender Documents

84. The tender documents on construction of infrastructure under General and Specification Section will provide a clause for the bidder that within 42 days of commencement of works that they should submit a Project Specific Construction Environmental and Social Management Plan (C-ESMP) and Health and Safety Plan for review and approval by the MoE sub-County Director of Education. Additional environmental, social, gender, health and safety clauses and documents will be provided to help bidders understand what will be required to implement the environmental and social measures associated with the sub-project. The Compliance of this Clause by the Contractor is deemed to be covered in his rates quoted in the Bid.

85. Given that majority of the anticipated environmental and social risks and impacts will occur during the construction phase, the contractor will be contractually bound to prepare and implement a C-ESMP consistent with the associated E&S instruments. The implementing entities will ensure the C-ESMPs summarize the context, interested parties, compliance requirements, checks for compliance, risks and opportunities, activity-specific environmental and social objectives and specific targets, training plans, inspections, peer reviews and other monitoring actions and incidents as discussed. The C-ESMPs will inform the actions expected from the respective contractors and others and the monitoring of their performance through the implementing schools.

86. The ESHS topics identified during the Environmental and Social Impact Assessment of the project will be included in specifications of tenders for construction of infrastructure as presented in **Table 6 below**,

Table 6: Aspects to be included in the Specifications of the Tender Documents

a) ESHS resources and facilities and ESHS monitoring organization	*[select:]* YES / NO
b) Project Areas management (base camps and borrow pits, water sources, storage areas)	*[select:]* YES / NO
c) Health & Safety on work-sites	*[select:]* YES / NO
d) Management of SEA-SH, GBV, VAC and Child Labor, safeguarding VMG& IP and PLWD	*[select:]* YES / NO
e) Local recruitment and ESHS trainings of local staff (capacity building), ESHS trainings of sub-contractors and local partners (transfer of knowledge)	*[select:]* YES / NO
f) Relations with stakeholders, information and consultation of local communities and authorities	*[select:]* YES / NO
g) Traffic management	*[select:]* YES / NO

h) Hazardous materials and oil products management	*[select:]* YES / NO
i) Waste-water (effluents) Management	*[select:]* YES / NO
j) Protection of water resources	*[select:]* YES / NO
k) Atmospheric emissions, noise and vibrations	*[select:]* YES / NO
l) Solid Waste management	*[select:]* YES / NO
m) Biodiversity: protection of fauna and flora	*[select:]* YES / NO
n) Site rehabilitation and re-vegetation	*[select:]* YES / NO
o) Erosion and sedimentation	*[select:]* YES / NO
p) Control of infectious and communicable diseases (COVID 19, HIV/AIDS, malaria, etc.)	*[select:]* YES / NO
q) Grievance Management	*[select:]* YES / NO

Appendix 8 provides detailed specifications to be include in the specifications of tender and sample generic Environmental and Social Management Plan (ESMP).

3.2 Social Risks Mitigation Compliance Monitoring

87. PEELP will ensure provisions of assessing and mitigating exclusion of beneficiaries, SEA/SH, GBV, VAC and child labor are included in the Standard Operating Procedures (SoP) of interventions associated with school improvement grants, deployment of teachers to primary schools, school meals and nutrition for the neediest students and scholarship, school kits and mentorship support services are monitored at implementation stage.

88. Implementing entities will collect information on SEA/SH, GBV, VAC being reported and evaluate whether there are specific types and age groups of GBV that are more likely to be reported than others. In addition, specific interventions and mitigation measures at various organizations and agencies to respond to reports of GBV. Specific, information to be collected is presented in table 7 below:

Table 7: Monitoring Compliance to Provisions of Social Risk related to SEA/SH, GBV, VAC, exclusion of VMGs and PLWD

Targeted Social Risk/ Impact	Indicator of completion of the Social measure
Exclusion of primary schools and learners in educationally disadvantaged counties due to biased selection criteria	Cases of exclusion of some primary schools and learners in educationally disadvantaged counties reported
Upsetting community dynamics caused by the program interventions operating in a small number of sites relative to immense and widespread need	Cases of upsetting community dynamics and bias reporting
Exclusion of vulnerable and minority learners from access to program benefits including school inputs procured under the school grants activities	Cases of exclusion of VMG&IP and PLWD report
Limited stakeholder engagement and disclosure of project information leading to increased grievances	Complaints reported on effectiveness of stakeholder engagement and disclosure mechanism
SEA/SH and other forms of GBV arising from exploitation of women for program benefits such as access to school grants	Cases of SEA/SH and other forms of GBV arising from exploitation of women reported
School unrest linked to PEELP Projects	cases of school fires due to access coupled with increasing cases of students' unrest in schools linked to PEELP
SEA/SH and other forms of GBV arising from exploitation of children	Cases of child labor where learners are involved in construction activities/ food preparation reported

89. **Table 8** provides specific mitigation intervention for social risks triggered by PEELP interventions.

Table 8: Mitigation Measures for PEELP Interventions

Social Risks	Mitigation of the Risk
Exclusion of primary schools and learners in educationally disadvantaged counties due to biased selection criteria	• Selection formula, tools or criteria to include a provision that provides equal or better chances of selection of schools in disadvantaged counties • Personnel involved in review and allocation of grants to schools will sign a Code of Conduct with a provision committing them not to be involved in bias when selecting schools to benefit from the grants program
Upsetting community dynamics caused by the program interventions operating in a small number of sites relative to immense and widespread need	• Selection formula, tools or criteria to include a provision for equal or better chances of selection of schools in disadvantaged counties • Personnel involved in review and allocation of grants to schools will sign the Code of Conduct with a provision committing them not to be involved in bias when selecting schools to benefit from the grants program • MoE and TSC will ensure the GRM is available to all participating institutions, this platform will provide an avenue for aggrieved communities to seek and access redress of their grievances
Exclusion of vulnerable and minority learners from access to program benefits including school inputs procured under the school grants activities	• Selection formula, tools, or criteria to include a provision for equal or better chances of leaners benefiting from the grants including learners from the vulnerable and minority groups. • Personnel involved in review and allocation of grants to schools will sign the Code of Conduct with a provision for committing them to non-bias

	and that learners from vulnerable and minority groups will not be disadvantaged • MoE and TSC will ensure the GRM is available to all participating institutions, this platform will provide an avenue for aggrieved community to seek and access redress of their grievances
Exclusion of learners with disabilities through learning systems, inputs, equipment, and infrastructure that do not address the needs of PLWD	• Selection formula, tools or criteria to include a provision that provides equal or better chances of leaners benefiting from the grants including PLWD • Personnel involved in review and allocation of grants to schools will sign Code of Conduct with a provision committing them not to be involved in bias and that PLWD will not be disadvantaged • MoE and TSC will ensure the GRM is available to all participating institutions, this platform will provide an avenue for aggrieved community to seek and access redress of their grievances
Limited stakeholder engagement and disclosure of project information leading to increased grievances	• MoE and TSC to prepare and implement stakeholder engagement plan, the ESMS manual has provided for appropriate budget allocation to facilitate stakeholder engagement process • MoE and TSC will ensure the GRM is available to all participating institutions, this platform will provide an avenue for aggrieved community to seek and access redress of their grievances
SEA/SH and other forms of GBV arising from exploitation of women for program benefits such as access to school grants	• MoE and TSC will develop and implement a SEA/SH action plan with an accountability and response framework as part of PEELP implementation. The SEA action plan will follow guidance on the World Bank's Good Practice Note for Addressing Gender-based Violence in Investment Project Financing involving Major Civil Works (Sept 2018). • Prevention of SEA including COCs and ongoing sensitization of staff on responsibilities related to the COC and consequences of non-compliance; project-level IEC materials; • Personnel involved in review and allocation of grants to schools will sign Code of Conduct with a provision committing then not to involve in SEA/SH and other forms of GBV arising from exploitation of women for program benefits such as access to school grants

3.3 Labor Management During Implementation of PEELP Sub Projects in Schools;

90. The ESIA prepared for the sub projects will provide that at project implementation stage the contractor will prepare a Labor Management Plan (LMP) that includes mandatory requirement to procure all unskilled (and as much as possible, semi-skilled) labor as well as locally available materials from the local community while ensuring equal pay for equal work for men, women and people with disability. Measures listed below will be implemented:

- The contractors will reduce labor influx by tapping into the local workforce. Depending on the size and the skill level of the local workforce, a share of the workers required for the project may be recruited locally. This may be easier for unskilled workmen. Specialized workmen may be hired from elsewhere. Local workers may also be trained especially if they are required for the operation of the project.
- The contractor will ensure effective community engagement and strong grievance mechanisms on matters related to labor with a discrete mechanism for safely and confidentially reporting issues of SEA and GBV at the community level triggered by the Sub Project

- Effective contractual obligations for the contractor to adhere to the mitigation of risks against labor influx, the contractor should engage a local community liaison person
- The contractor will ensure proper records of labor force on site while avoiding child and forced labor
- The works contractor should be required, under its contract, to prepare and enforce a No Sexual Harassment and Non-Discrimination Policy, in accordance with national law as well as to the World Bank Code of Conduct guidelines where applicable.
- The contractor will ensure comply to provisions of Work Place Injuries and Benefits Act (WIBA) 2007
- The contractor will develop and implement a children Protection Strategy, this strategy will ensure that no child under the legal age of 18years is employed to the Project.
- The contractor will ensure SEA is addressed in all employment contracts and a COC is signed by all workers;
- The contractors will develop training and sensitization of workers on SEA and ensure specific signage on SEA zero tolerance in all work sites;

91. Labor Influx Management Monthly Tracking Template that will be used by Project Implementing Unit PCU at National and County Level is presented as **appendix 4**

3.4 Managing Environment, Social, Health and Safety Risks at Project Implementation Stage

92. The Project-Specific Environment and Social Management Plan (ESMP) is a site-specific source document detailing the environmental and social protection requirements to mitigate and minimize any adverse impacts as a result of the proposed works in schools. The project's ESMP main objective is to ensure that the environmental requirements and social commitments associated with the Program are strictly followed and effectively managed during implementation phase and operational phase.

93. The Program-Specific Health and Safety Management Plan (HSMP) on the other hand is to provide a framework for implementing the Project with minimal adverse health and safety effects on the workforce and the local community. It focuses on mitigating the impacts arising from construction activities and integrates Occupational Safety and Health (OSH) components in all activities during the construction process.

94. Development of a contractor specific ESMP and HSMP will includes the below listed provisions;

    a) Project Background Information
    b) General Information
    c) Contractors Environment,Social , Health and safety Policies
    d) Licenses and Permits to be acquired
    e) Personal Protective Equipment/welfare requirements
    f) Scope of ESMP and HSMP

g) Objectives of the ESMP and HSMP
h) Project Description and Baseline Information
i) Site and Work Activities
j) Analysis of Legal Provisions
k) Resource Roles and Responsibilities of Workforce on site
l) Competence and awareness training
m) Standard Operating Procedures
n) Stakeholder engagement and Grievance Management
o) Environment, Social Health and Safety Management Plan for Specific site activities
p) Environment Social Health and Safety Monitoring Plan

95. The Environment and Social Management Plan (ESMP) prepared at ESIA stage (***Appendix 8***) will inform preparation of specific contractor ESMP and HSMP and may include but not limited to the ones listed below.

a) Noise and Vibration Management Plan
b) Hazardous Prevention and Control Plan
c) Solid and liquid Waste Management Plan
d) Health and Safety Management Plan
e) Gender Based Violence, Sexual Exploitation Prevention and Response Plan
f) Program Induced Labor Influx
g) Workers Accommodation Plan
h) COVID-19, HIV/AIDS and Drug Abuse Prevention
i) Security Plans
j) Employees and Employers Code of Conduct
k) Logistic Risks Management Plan
l) Grievance Redress Mechanism
m) Traffic Management Plan
n) Emergency Preparedness and Response Plan
o) Material Borrow pits/Quarry Management Plan
p) Biodiversity Management Plan
q) Erosion and Sediment Control Plan
r) Air Quality Management Plans

96. Additionally, the contractors will be required to conform to Health and Safety Provisions provided by OSHA, 2007 and summarized in **Table 9** below.

Table 9: Health and Safety Provisions provided by OSHA, 2007

Activity Fields	Requirement as Per OSHA 2007
Duties of Occupiers (Legal Requirements)	• Risk Assessment • Safety and Health Audit • Fire Safety Audit • Initial Environment and Social Audit
Management of Polices required at the Work place	• Safety & Health Policy • Fire Safety Policy • Environment Policy
Personnel Trainings Required	• Fire marshal training • Statutory: First Aid Training • Statutory: Safety and Health Committee
Occupational Health Programs at Workplace	Statutory Medical Examinations. • Pre-employment • Periodical • Post-employment
	Provision of First Aid Kit
	Documents required: • General accident register • Accident notification forms
	Examinations required: All plants, lifting equipment and machinery (as per OSHA 2007) that will be used during construction
Operations Safety	• Risk assessment • Inspection of ladders / scaffoldings
Permits To Work (PTW)	Permit to Works are required for non-routine hazardous work.
Fire Safety	Requirements: • Fire drill • Fire-fighting equipment • Fire escapes
Emergency Response Plan	Required: • Injury emergency response; • Non entry rescue mission to persons in confined space; • Fire emergency response; • Accidental spill management;
Ergonomics At The Workplace	Requirement: Ergonomic survey
Contractors And Suppliers	Duties of an occupier of place of work to persons other than his employees.
Personal Protective Equipment	Requirements: • Head, body eye, ear, respiratory tract, hand and foot protection as needed. • Protection from fall from height

97. Further, to undertake its mandate under PEELP, DOSHS will undertake the following activities.

    a) Train all contractors or contractors representatives in basic Occupational Safety and Heath when they are engaged in activities at the sub County level whose content and duration will be dependent on magnitude of risks identified prior to the project or by the risk assessment report commissioned for the project and or activity.
    b) Be included in Training of Trainers (ToT) to entrench awareness in safety, health and welfare so as to assist the sub-County projects in compliance with minimum requirements.
    c) Inspection of projects by Occupational Safety and Health officers to advice on effectiveness of safety and health measures to be undertaken to safeguard safety, health and welfare.
    d) DOSH will provide training on mechanisms for incident and accident reporting and compensation of deserving cases.
    e) Be responsible for sensitizing stakeholders and community members on interim Guidelines on Management of Covid-19 in Kenya and Occupational Safety and Health Advisory on Coronavirus (COVID-19).

3.5 Environment and Social Incident Reporting Procedures

98. PEELP Implementing entities will adopt provision of Environment and Social Incidents Reporting Toolkit (ESIRT) developed by the World Bank in 2018 to report program related accidents/incidences. ESIRT tool kit provides the below listed incidence steps

    Initial Communication – The Environment Health and Safety Officers (EHS) on the sub projects will once the incidence occurs; Inform Bank; inform appropriate authorities in compliance with local regulations; secure the safety of workers, public, and provide immediate care. Questions to answer will include among others

    a) What was the incident? What happened? To what or to whom?
    b) Where and when did the incident occur?
    c) What is the information source? How did you find out about the incident?
    d) Are the basic facts of the incident clear and uncontested, or are there conflicting versions?
    e) What were the conditions or circumstances under which the incident occurred?
    f) Is the incident still ongoing or is it contained?
    g) Is loss of life or severe harm involved?
    h) How serious was the incident? How is it being addressed?
    i) What, if any, additional follow up action is required, and what are the associated time-lines?

    Classification: Promptly provide information about the incident to the MoE and the Bank as well as further details as they become available. The incident should be classified within 48 hours of receipt of the information, within 24 hours will be preferable if possible. If it cannot be fully classified due to missing information, then a preliminary classification should be

provided and confirmed as details become available: The ESIRT provides for three levels of classification: Indicative, Serious and Severe as summarized below;

a) ***Indicative*** -- A relatively minor, small-scale, localized incident that negatively impacts a small geographical area or a small number of people and does not result in significant or irreparable harm to people or the environment, or failure to implement required E&S measures with limited immediate impacts
b) ***Serious*** -- An incident that caused or may cause significant harm to the environment, workers, communities, or natural or cultural resources, is complex or costly to reverse and may result in some level of lasting damage or injury, example may include injuries to workers that require off-site medical attention, exploitation or abuse of vulnerable group
c) ***Severe*** -- Incidents that caused or may cause great harm to individuals or the environment, or present significant reputational risks that could hamper the Bank's ability to operate in a country or region. Examples incidents of major environmental contamination, forced or child labor, abuses of community members by project security forces or other project workers (including GBV) violent community protests a project

Notification: The implementing entities will notify the Bank management according to severity of the incident, minimum contents of the incidence report is summarized below.

a) Country, Name of Program, Program Number
b) Preliminary classification of the incident
c) What was the incident? What happened? To what or to whom?
d) Where and when did the incident occur?
e) When and how did we find out about it?
f) Are the basic facts of the incident clear and uncontested, or are there conflicting versions?
g) What are those versions?
h) What were the conditions or circumstances under which the incident occurred (if known at this stage?
i) Is the incident still ongoing or is it contained?
j) Is loss of life or severe harm involved?
k) Is the client aware of the incident? What is their response to date?
l) What measures have been or are being implemented by the client/Contractor?

Investigation: The implementing entities will ensure that the contractors or project workers carry out investigations of incidents. Undertake or cause the Contractor to undertake a Root Cause Analysis (RCA) to understand and document the root cause(s) of the incident.

Response: Design the Safeguards Corrective Action Plan (SCAP) and discuss with the MoE, including actions, responsibilities and time-lines for implementation, and a monitoring program to ensure agreed corrective actions are fully implemented.
Follow Up: Implement SCAP; monitor progress; report on implementation to the Bank.

The Incident Reporting Form is presented in appendix 9.

3.6 Managing Sanitation and Hygiene in Schools

99. The environmental sanitation and hygiene component includes water storage and use, latrine coverage and use, personal and environmental hygiene with focus on hand-washing, food hygiene and safe waste management including disposal of sanitary wastes. The sanitation component of menstrual hygiene management should consist of access to culturally acceptable sanitary products, availability of private changing rooms for girls and mechanism for appropriate collection and disposal of used sanitary waste.

    In addressing challenges associated with Sanitation and Hygiene, reference was made to the Kenya Environmental Sanitation and Hygiene Policy 2016-2030. The policy provisions relevant to management of sanitation and hygiene in schools adopted by the ESMS include;

    a) As provided by EMCA,Waste Management Regulations of 2006, all waste, shall be segregated such waste by separating hazardous waste from non-hazardous waste and shall dispose of such wastes in such facility as is provided for by the relevant Local County by laws.
    b) Public and private institutions shall provide adequate, improve, environmental sanitation facilities, including hygienic toilets, urinals, hand-washing facilities with soap including facilities for the anal cleansing population, toilet paper and solid waste disposal facilities with sanitary pads disposal bins. The primary responsibility of management shall remain with respective institutions.
    c) Ensure the provision of safe, adequate and appropriate sanitary facilities including adequate water, cleansing and washing materials and private spaces for managing menstrual flows hygienically and privately and with dignity in the home, schools, work places, public spaces, institutions and emergency situations.
    d) All schools shall have separate private collection and disposal systems for used menstrual cloth and sanitary napkins, in addition to conventional systems for solid waste disposal. This collection system shall ideally be administered by a group of girls or workers appointed by the school
    e) Collection bins with lids on top to keep the waste protected from flies and animals shall be placed in locations identified by girls and female teachers. Once collected, menstrual waste can be buried, composted or incinerated, depending on the available resources in school. The school may also use non-burn and other appropriate technologies.
    f) Disposal in pit latrines should be discouraged as it encourages quick filling up of the pits.
    g) Develop standards and guidelines on hand washing with soap facilities requirements for schools including provision of toilet paper and hand washing facilities for the anal cleansing population to ensure proper hygiene practices.
    h) Promote hygiene education in schools to teach on key health risks on bad hygiene and focus on changing the child hygiene behaviour and the community

100. Wastes management options are provided in **Table 10** below

Table 10: Wastes Management Options available to Schools

Option	Type of Waste	Specifications/Pollution control norms
Low-cost, locally made incinerators	Napkins and other wastes. Best suited for pads with high cellulose content, not those that have super absorbent polymers	• Should be sited at least 30m away from school buildings and fenced off to limit access for safety purpose • Manually operated • Minimum Size: 3' × 3' × 3' • Capacity should be ~200 Napkins/Day • Comprises of two chambers (for firing and ash • collection) • An emission control system along with a door for firing • Made of brick masonry • Opacity of the smoke shall not exceed 20%. • All the emissions to air other than steam or water • Vapor shall be odorless and free from mist, fume and droplets. • Operation temperature reaches up to 300°C • Assure 100% burning effectiveness. • The incineration chamber shall be designed to include an auxiliary gas or oil burner to be used as necessary to maintain the prescribed minimum combustion temperatures. • If diesel is used, low Sulphur diesel shall be used as fuel in the incinerator.
Electric incinerators	Bulk amount of napkin wastes	• Ensure complete burning of napkin. • Ensure instant disposal in a scientific and hygienic way with fully automatic way and burn completely. • Burns 150 to 200 napkins/day, can be program for cycles/day • Self-disposal by user by directly putting into the incinerator. • Ash generation should not exceed more than 5% per napkin • Ash should be collected in separate tray and ensure stack on that tray. • Auto power & thermal cut-off and automatic temperature maintenance should be there for safety of use retention to avoid thermal loss. • Inside refractory lining should be excellent heat retention to avoid thermal loss. • The residence time for gaseous products in the combustion chamber will be designed to be at least 2 seconds to ensure complete combustion.
Deep burial	compostable sanitary pads (e.g., made of natural fibres), not pads made of bleached cellulose, SAP, and plastic covering	• Once the used absorbent material is put inside the burial pit, it should be covered with soil or sand. It should not be kept exposed to open air. • The pit should be constructed at a distance of about 5 to 7 meters from drinking water source • In areas with high water table, protect the base of the pit to avoid possible ground water contamination • Depending upon the number of users the size can vary. • Minimum Specification: 0.5 m × 0.5 m × 1.0 m, or even better 1.0 m ×1.0 m ×1.0 m
Burning	Plain cotton clothes of degradable sanitary material	• The burning composting should be carried out at about 1 m depth with some good burning material like dried wood or sometimes kerosene oil or fuel is used. • During the burning, there should be safety measures, such as a dedicated personal and avoid contact by unauthorized students.

		• Minimum specification: 0.5 m × 0.5 m × 1.0 m; 1.0 m×1.0 m (l×b×d).

Appendix 18 provides strategies of managing menstrual wastes in schools

3.7 Management of Asbestos Wastes during Renovation and Construction of Structures in Schools

101. NEMA Guidelines on Safe Management and Disposal of Asbestos, April 2013, asbestos defined as a group of six fibrous minerals that occur naturally in metamorphic deposits located around the world. Of the hydrous magnesium silicate variety, the six types include tremolite, actinolite, anthophyllite, chrysotile, amosite and crocidolite. The major producers of asbestos include Canada, Kazharkstan, Ukraine, Russia, India, South Africa and Zimbabwe. Asbestos used to be mined in Kenya in the past but was stopped.

102. Asbestos is a chemically inert mineral that is fire resistant and does not conduct heat or electricity thus making it a commonly used insulator. It has high tensile strength, insoluble and odourless. Due to these properties, asbestos has been used in a wide range of manufactured goods, including roofing materials, ceiling and floor tiles, paper and cement products, textiles, coatings and friction products such as auto-mobile clutch, brake, transmission parts and sewer pipes. When used due to its resistance to fire or heat, it is woven into fabrics or mats while when used for building material such as roofing sheets, it is often mixed with cement.

103. Asbestos is a hazardous material with extremely fine fibres and can remain suspended in air for hours. If handled without caution, it may cause serious chronic health problems such as asbestosis, lung cancer and mesothelioma. The diseases cause long term serious social, economic and emotional problems. When left intact and undisturbed, asbestos materials do not pose a health risk. It becomes a problem when, due to damage, disturbance, or deterioration over time, the material releases fibres into the air. Exposure to air containing the fibres increases the risk of inhaling the fibres and developing the associated diseases

104. There is increased removal and disposal of asbestos roofing materials due to global awareness of its negative health effects, deterioration of asbestos sheets over time and increased drive towards roof water harvesting. The removal and disposal of asbestos has not been done in accordance with any guideline. In order to increase awareness and to reduce or eliminate the risk of exposure to asbestos fibres and thus the risk of disease, a consistent approach to management of asbestos especially handling, demolitions, renovations and repairs is therefore required in schools. Handling of asbestos material in schools will follow procedure as summarized by **Table 11** below;

Table 11: Handling and Disposal of Asbestos Materials in Schools

Stage	Precautionary Measure
Removal	• Asbestos should be handled and disposed by skilled & experienced professionals • Secure the site to prevent unauthorized persons and to restrict movement. Mark clearly the site as containing hazardous material • Wet the asbestos sheets before removal. If asbestos sheets should begin to crack or crumble, immediately wet the cracked or broken areas with the pint size spray bottle or garden pump sprayer to minimize asbestos dust • Remove pieces of asbestos sheets by pulling any fasteners (nails, screws, rivets) or cutting fastener heads so as to minimize breakage. If necessary, carefully lift asbestos sheets with pry tools to expose the fasteners' heads. • Do not slide asbestos sheet over each other. • Carefully lower removed asbestos sheets to the ground. • Do not throw or drop it. • Care should be taken not to stand or sit on the asbestos sheets to avoid breakage. • The workers removing the asbestos must have the appropriate Personal protective equipment which must be removed as they enter the shower room immediately after removal of the asbestos • The removed asbestos will not be reused at any time.
Temporal Storage	• Temporary storage refers to the time between removal and final disposal of asbestos waste. • The duration for temporary storage of asbestos waste should not exceed thirty (30) days from the time of removal. • The temporary site should be within the premises where the asbestos are being removed. • The removed bulky asbestos, such as roofing sheets, beams, joists, and studs, should be stacked and wrapped, into stacks which can be easily loaded into the transportation vessel, in a plastic sheet of a minimum of 500 gauge double wrapped and secured with tape and labelled • Any debris (broken pieces) should be collected in a sealed polythene woven bag or any other air tight container. The bags should then be wrapped, into stacks which can be easily loaded into the transportation vessel, in a polythene sheet awaiting final disposal. • The bags should be considered full when half full and should be tightly sealed or when filled up to a level where the open neck can be twisted tightly, folded over into a "goose-neck," and the ends sealed to the side of the bag with heavy plastic tape such as duct tape. • Care should be taken to ensure that sharp pieces do not puncher the bags/ wrappers Removed asbestos sheets should not be allowed to lie about the site where they may be further broken or crashed by machinery or site traffic. • The storage area must have restricted entrance and locked or secured on a 24-hour basis. Warning label ("Asbestos hazard area, keep out") and danger signs should be affixed to each wrapped stack or storage area using English, Swahili and Local language
Preparation for Transportation	• The waste transporting vessel must be lined with a 500 gauge double wrapped plastic sheet with every seam sealed with a tape and covered. • The transportation vessel should be labelled "Danger - Contains Asbestos Fibres. Cancers and Lung Disease Hazard" and contain the following information: (i) the identity of the hazardous waste. (ii) the name, physical address and telephone contact of the generator of waste • The bags and stacks should be gently loaded into transportation vessel.

	• The goose-necks should not be used as handles for carrying the bags, because that might unseal the ends or tear the bags. Tossing the bags into a waste transporting vessel must be avoided because of the risk of rupture. • The asbestos waste should be transported to a prepared disposal site that is authorized by NEMA
Transportation	• The vehicle transporting the asbestos waste should be licensed as per the EMCA (Waste Management) Regulations 2006 and must be accompanied by a tracking document • The waste shall be transported to the disposal site in an enclosed vehicle or container, capable of being washed without lodgement of debris and fibres, and secure from escape of fibres to the atmosphere. • The contractor should ensure that all persons involved in handling and disposal of asbestos are trained in emergency operating procedures. • These procedures shall include how the waste is to be handled, services to be contacted during such an exposure, and additional personal protective equipment's
Disposal Site	• Designated by the local authorities and licensed by NEMA; • Privately owned disposal facility licensed by NEMA; • Designated by the waste generator (on-site disposal).

3.8 Management of E- waste during Renovation and the establishment of functional ICT enabled learning resource centers (I-Hubs) in teachers training colleges

105. Under DLI#7 activities present environmental risks which entails the establishment of functional ICT enabled learning resource centres (I-Hubs) in teachers training colleges, and may include renovation of I-hubs, procurement and installation of ICT equipment. This poses potential risk during renovation of I-hubs and generation of e-waste.

106. E-waste' also referred to as waste electrical and electronic equipment means waste resulting from electrical and electronic equipment including components and sub-assemblies thereof. In this case, they will result from electrical and electronic ICT material procured for the learning resource centres (i-hubs).

107. E–waste is currently categorized as hazardous waste under EMCA cap 387 and Further, NEMA in 2010 formulated the National E-waste Guidelines to assist the government, private sector, learning institutions and other stakeholders to manage E-waste effectively to enhance environmental conservation. These guidelines include approaches to enhance environmental protection; environmental awareness; categories of E-waste, E-waste treatment technologies and disposal procedures.

Management of e-waste in TTCs will follow procedure as summarized by Table 12 below:

Table 12: E-Waste Management and Disposal Plan

Stage	Measures
Procurement	• All institutions should ensure that procurement rules are adhere to and the following measures taken into consideration. • Bid documents for ICT equipment should have the most current and superior specifications to ensure that the equipment have the longest life span hence reducing quick disposal • All electronic equipment purchased must have manufactures authorization and warranty for replacements • Preference should be given to suppliers with equipment's from companies that have'take back policy.' 'Take-back' means the process of returning or repossessing used products from the market to the producer or their representative; • Bid documents for supply should include installation to avoid inconsistency and incompatibility of the equipment and infrastructure
Alternatives to Procurement/Disposal	• Re-evaluate - Do you really need that extra gadget? Institutions should try finding one device with multiple functions to avoid having so many. • Extend the life of your electronics. Good care of the ICT equipment is very important in extending its life span, institutions should invest in employing people with the right knowledge, qualification and passion to take care of the I-hubs. • Donate used electronics. Institutions with multiple used electronic and electrical items which are still in good conditions and are not useful to them can consider donating them to other institutions.
Disposal	• Learning institutions should ensure that the waste is properly collected and if possible packed and segregated • The institutions should thereafter look out for established collection centres near them, this could be contracted or sub contracted the E-waste collection centers which normally are known as 'scavengers'. The existing collection centers are established individually or jointly or as registered society. They could also be owned by a designated agency, a company or an association to undertake collection operations of E-waste; • Once general waste is collected at designated places, the contracted service providers collect and take it to dumping sites and recycling facilities for processing. The service providers are licensed for transporting waste by NEMA.
Recycling and refurbishing	• There exist both formal and informal recycling activities in the Kenyan market. A few companies have been licensed by NEMA as E-waste recyclers. In 2019, these companies included Waste Electrical and Electronic Equipment Centre (WEEE Centre), Sinomet Kenya, Sintmund Kenya and E-waste Initiative Kenya (Ewik). Institutions can reach out to these companies for recycling.
E-waste take-back	• There are efforts by a few manufactures who have introduced take-back programmes in the country intuitions can take advantage of such manufacturers to take back the used equipment's when need be

4 CHAPTER FOUR: GRIEVANCE MECHANISM (GM)

4.1 Grievance Mechanism

108. The MoE has adopted the Secondary Education Quality Improvement Project (SEQIP) Grievance Redress Mechanism Manual developed in May 2019. This manual will be utilized by PEELP in addressing potential or actual grievances related to the program. The manual provides for below listed provisions;

a) Established and equipped GRM Structures
b) Developed and publicize GRM operational guidelines and tools
c) Undertook Capacity building of GRM structures
d) Managed all categories of grievances at appropriate project operational level
e) Stimulated external demand for GRM
f) Influenced institutionalization of good practices within the ministry structures
g) Monitored and evaluated grievance redress processes

109. The GRM involve several institutions in the GRM implementation including: MoE, TSC, KNEC, KICD, and CEMASTEA; target schools; customary institution of beneficiary communities; and referral institutions, and the World Bank The GRM manual provides that depending on the nature of concern, MoE will use (5) approaches to redress admissible grievances. **Table 13** presents alternative dispute resolution (ADR) mechanism: discussion, negotiation, mediation, and arbitration as well as legal remedy.

Table 13: Grievance Redress Approaches

Grievance Redress Approach	Details
Discussion	Exchanging ideas on how best to remedy or set right a grievance
Negotiation	Parties seek to confer together to settle differences over a matter. They may disagree over some or all the terms of the deal or agree on most of the terms
Mediation	The disputes are resolved outside the courts. The decision is made by one or more persons, who renders the "arbitration award".
Legal remedies	A **legal remedy**, also **judicial** relief or a **judicial remedy**, is the means with which a court of **law**, usually in the exercise of civil **law** jurisdiction, enforces a right, imposes a penalty, or makes another court order to impose its will.

110. Further Grievance redress levels the manual provides for (5) levels as summarized below.

a) Beneficiary community or target schools;
b) Governance levels, referred to as “borrower”, mainly at sub-national levels (sub-county and county levels) and national levels;
c) Other relevant national systems (referral statutory institutions such as NGEC, CAJ, KNCHR, NEMA, Kenya Police Service, Tribunals, and courts);
d) World Bank internal levels: Concerns can be submitted to the following - (i) project management levels, in particular, technical matters to the Technical Team Leaders,

safeguards issues to Safeguard Experts; (ii) Grievance Redress Service for concerns pertaining to project-affected communities.

e) The Inspection Panel

4.2 MoE GRM Principles as Provided in SEQIP GRM Manual

111. The GRM Manual further provides seven (7) principles that will guide MoE while addressing grievances including: fairness, objectiveness and independence, simplicity and accessibility, responsiveness and efficiency, speed and proportionality, participatory and social inclusion. The principles will guide GRM services and form the basis for monitoring and evaluating MoE institutional credibility and modes as indicated in **Table 13** below.

Table 14: GRM Principles

Principles	Details
Fairness	SEQIP will (a) treat grievances confidentially, (b) assess grievances impartially, and (c) handle grievances transparently.
Objectiveness and Independence.	SEQIP GRM will: (a) operate independently of all interested parties to ensure fair, objective and impartial treatment of all cases (b) ensure GRM officials at all levels have adequate means and powers to investigate grievances (e.g., interview witnesses, access records)
Simplicity and accessibility.	SEQIP GRM will provide simple and easy to understand procedures for filing grievances by aggrieved parties SEQIP will provide a range of contact options for submitted grievances to include: (a) Telephone number (preferably toll-free), an (b) E-mail address, and (c) Postal address. SEQIP ensure GRM is accessible in the following manner: (a) remote project areas, (b) language easy to be understood by stakeholder with low level of education (c) no cost will be charged
Responsiveness and efficiency.	SEQIP will: (a) be responsive to the needs of all complainants, (b) train staff to take effective action upon, and (c) Respond quickly to grievances and suggestions.
Speed and Proportionality.	SEQIP will ensure all grievances, simple or complex, are addressed and resolved in a quick, decisive, and constructive manner
Participatory and social inclusion.	SEQIP will: (a) encourage all stakeholders to submit grievances and comments to the uptake location and using provided uptake channel (b) ensure poor people, marginalized groups, and special needs access GRM services

4.3 Monitoring, Evaluation and Reporting of GRM

112. **Monitoring**: The manual provides that PEELP will undertake the following monitoring actions: (a) develop indicators for monitoring the 6 step of GRM value chain; (b) track grievances and assess the extent to which progress is being made to resolve them; (c) conduct a stakeholder satisfaction survey with the GRM; and (d) provide a report on grievance redress actions pertaining to the 6 steps of GRM value chain including: average time to resolve grievances, percentage of complainants satisfied with action taken, and number of grievances resolved at first point of contact. **Evaluation**: PEELP will evaluate the GRM by (a) analyzing grievance data to reveal emerging trends and patterns, (b) share GRM analysis in management meetings; and (c) take corrective action on project implementation approach to address the grievance.

113. Evaluation: PEELP will prepare GRM reports of various formats based on the intended actor and stakeholder. The key reports will include: Specific and tailored made report for updating complainants; Summary GRM reports; GRM committees and SEQIP management; Quarterly detailed GRM report for Supervision Missions (World Bank and GoK); and Annual GRM reports. Key templates and to assist in documenting the information are provided under **Appendix 16**

4.4 GRM Improvement Measures to be implemented under PEELP

114. For **effective** GRM mechanisms, MoE, TSC as the main implementing entities and others will put in place basic requirements that promote systematic and efficient redress of complaints received at program implementation stage. The requirements are as presented below.

a) **Institutional Framework:** MoE and TSC will ensure that the GRM is anchored under the office of Program Coordinator at the DPCAD and TSC. This will provide appropriate avenue for ownership of the structures and efficient turn around with regards to resolution of grievances.
b) **Budget:** MoE and TSC will allocate appropriate budget dedicated for implementation and operationalization of the GRM structure.
c) **Internal and External Awareness**: MoE and TSC will provide adequate training to the GRM focal persons to ensure that they can undertake the role efficiently. Further, MoE and TSC should also create public awareness on the existing channels for lodging grievances and accessing information.
d) **Activation of Grievance Committees:** Coordination of grievance redress in the MoE and TSC Technical Committee comprising of members including; Environment and Social Safeguards focal points, Education Officers and other relevant program staff at National, County, Sub- County, School and VMGs Level.

- **The National Multi – Agency GRM Committee** will consist of MoE and TSC, KICD, KNEC, and CEMASTEA, NACONEK, KEMI, KISE focal persons; and potential statutory grievance referral institutions including: NGEC, CAJ, NEMA and KNCHR. The national GRM Committee will serve as an advisory, supervisory and portfolio support organ on all GRM matters including GRM standard operational procedures; guidance of referral cases and referral institutions, human resources for managing the GRM; financing the GRM implementation; appointment of independent investigators; participating in the appointment of arbitrators on grievances that require arbitration; reporting on grievance progress.

- **The County Multy-Agency GRM Committee** will consist of CPCs, CDEs, and TSC-CD and coopted member of the VMGs (Marginalized Communities and groups as per Article 260 of the Constitution of Kenya, 2010, who are present Women, Youth and Persons with Disabilities). The committee role will be to oversee the implementation of the GRM pertaining to grievances submitted by stakeholders or referred to from the Sub-county level. In addition, the committee will support the Sub-County GRM focal point in discharging GRM activities. Further, the committee will supervise and support the Sub-County Committee.

- The Sub-County Multi-Agency GRM Committee will consist of: S-CDEs, SCQASO, and TSC-SCD and co-opted member of the VMGs (Marginalized Communities and groups as per Article 260 of the Constitution of Kenya, 2010, who are present Women, Youth and Persons with Disabilities). The role of the "Sub-County Multi-Agency GRM Committee" will be to oversee the implementation of the GRM pertaining to grievances submitted by stakeholders or referred to from the schools or local community level. In addition, the committee will support the Schools GRM committee and VMG's GRM committee.

Additionally, At the County and Sub-County level the committees will ensure inclusion of the following representatives;

- ✓ *A representative of Quality Assurance and Standards Officers;*
- ✓ *A representative of the Curriculum Support Officers;*
- ✓ *A representative of INSET Centre (SMASSE) Principals;*
- ✓ *Two representatives of heads of program Schools (Primary and Secondary);*
- ✓ *Trainers' representative;*
- ✓ *Two representatives (Male and Female) from Vulnerable and Marginalized Communities (where VMGs /IPs are); and*
- ✓ *Two representatives (Male and Female) from refugee schools and host communities (where applicable).*

- **The School-based GRM Committee** will consist of BoM, Principal or Head Teachers or their Deputies, Heads of Guidance and Counselling, and Gender Champions and co-opted members of the VMGs. The committee's role will be to address and refer, where required, grievances to the Sub-County Multi-Agency GRM Committee".

- ❖ **The VMGs GRM Committee (This committee will** only **be constituted only in sub-counties with the** presence of VMG/IPs). It will consist of representatives of relevant VMGs customary institutions, including Man, Women, two (2) Youths - male and female, and Persons with Disability and where they do not exist, democratically elected representatives of the same composition. The role of the committee is to address PEELP related grievances that directly affect the VMGs.

All the established committees will ensure that they;

- ✓ *Promote the sensitization of focal persons and other stakeholders on complaints handling.*
- ✓ *Coordinate complaints handling and access to information activities in the respective institutions*
- ✓ *Process requests for access to information and receipting of complaints*
- ✓ *Coordinate Civic Education on GRM and access to information*
- ✓ *Make referrals for cases outside the GRM mandate*
- ✓ *Ensure proactive disclosure of information held by the Institution*
- ✓ *Monitor, evaluate and review complaints handling activities in the institution.*
- ✓ *Reporting of cases handled*

e) **Appointment of GRM focal Persons:** MoE and TSC and other relevant institutions will be required to have appointed GRM focal persons to handle complaints' up to the lowest existing administrative unit. Duties of the GRM focal points will include:

- ✓ *Receive, process and oversee the resolution of minor complaints.*
- ✓ *Forwarding of moderate and major complaints to the technical committee.*
- ✓ *Forwarding of Access to Information requests to GRM Committee*
- ✓ *Preparation of monthly reports on complaints handling and submission to the GRM committee.*
- ✓ *Administrative support to the GRM committee.*

f) **Activate collaboration with other Stakeholders:** There is need for MoE and TSC to activate collaboration with stakeholders relevant on dispute resolution, this will ensure effective engagement, collaboration and networking to strengthen the external integration. Key stakeholders include: NGEC, NCPWD, KNCHR, NPS, DPP, EACC, DCI, NEMA, Land and Environmental Court, DOSH, Courts, National Council for Children's Services (NCCS)

5 CHAPTER FIVE: STAKEHOLDERS ENGAGEMENT, INFORMATION DISSEMINATION AND DISCLOSURE REQUIREMENTS.

5.1 Stakeholder Identification during Sub projects Implementation Phase

115. The Kenya National Education Sector Strategic Plan (NESSP) 2013-2018, defines stakeholders as parties who are interested in or affected by a program of activities or interventions. Therefore, in PEELP context, a stakeholder will be defined as anyone upon whom the program will impacts either positively or negatively, directly or indirectly.

116. A wide range of project stakeholders were identified and consulted during the ESSA. The process included extensive stakeholder consultations and data collection from national, county, and sub-county levels. The stakeholder consultations were conducted in six (6) Counties comprising Bungoma, Kwale, Makueni, Narok, Siaya and Turkana. Furthermore, virtual consultations were held with key SAGAs and State Departments and Ministries such as DOSHS, NCA, NEMA, Public Works, Public Health that are relevant in supporting Program compliance with the E&S system requirements.

117. PEELP identified stakeholder groups that may be affected by and/or interested in the implementation of the program for purpose of effective and tailored engagement. These groups are:

5.1.1 Internal Stakeholders

118. These are persons, groups and other entities that are directly influenced by the PEELP and/or have been identified as most susceptible to change associated with the program who need to be closely engaged in identifying impacts and their significance, as well as in decision-making on mitigation and management measures. In PEELP the following stakeholders were identified and consulted at national, county and sub- county levels.

- Ministry of Education (MoE),
- Teachers Service Commission (TSC).
- Kenya Institute of Curriculum Development (KICD);
- Kenya Education Management Institute (KEMI);
- Kenya Institute of Special Education (KISE);
- Kenya National Examination Council (KNEC);
- National Council for Nomadic Education in Kenya (NACONEK); and
- Centre for Mathematics, Science and Technology Education in Africa (CEMASTEA).
- Ministry of Labor and Social Protection (specifically Directorate of Occupational Health and Safety services),
- Ministry of Public Service, Youth and Gender Affairs (State Department of ASAL),
- Ministry of Health (Public Health),
- National Environment Management Authority (NEMA),

- National Gender and Equality Commission (NGEC).
- Board of Management (BOM)
- Kenya Primary Schools Heads Association (KEPSHA)
- Kenya Secondary Schools Heads Association (KESSHA)
- Kenya Private Schools Association (KPSA)
- Primary School Teachers
- Diploma Students in Primary Teachers Training Colleges (PTTCs)
- Learners in primary schools
- Learners with Special Needs and disabilities
- Refugee children in host schools/ refugee schools

5.1.2 External Stakeholders

119. These are individuals/groups/entities that may not experience direct impacts from the PEELP but who consider their interests as being affected by the program and/or who could affect the program and the process of its implementation. In PEELP these stakeholders include;
    - Development partners/ sponsors
    - National Council for Persons with Disabilities (NCPWD)
    - National Environmental Management Authority (NEMA)
    - Ministry of Labor and Social Protection
    - Directorate of Occupational Safety and Health (DOSH)
    - Department of Social Development
    - Department of Children Services
    - Ministry of Public service, Youth and Gender Affairs
    - Ministry of Interior and Coordination of the National Government Functions
    - Ministry of Land, Housing and Urban Development
    - State Department for Public Works
    - Universities and teacher training institutions
    - Kenya National Commission on Human Rights (KNCHR)
    - National Gender and Equality Commission (NGEC)
    - Teachers Unions (KNUT and KUPPET)
    - Parents/ Guardians/caregivers
    - Publishers
    - Religious organizations (FBOs)
    - Council of Governors (COG)
    - Civil Society Organizations (CSOs)
    - Non-Governmental Organizations (NGOs)
    - Community Based Organizations (CBOs)
    - Elected /Political Leaders (Senators, MPs, and MCAs)
    - Media
    - Contractors

5.1.3 Vulnerable and Marginalized Groups

120. These are persons who may be disproportionately impacted by the PEELP as compared with any other groups due to their vulnerable status. Therefore, they need special arrangement efforts to ensure their equal representation in the decision-making process associated with the program. Impacts during implementation of PEELP may disproportionately affect the disadvantaged or vulnerable individuals or groups, who often do not have a voice to express their concerns or understand the project. Therefore, awareness raising and stakeholder engagement should be adapted to consider such individuals' or groups concerns, and ensure proper understanding of the program activities, including benefits and risks.

121. Engagement with the vulnerable individuals and groups often requires the application of specific measures that are geared towards facilitating their participation in program-related decision making. Their awareness of PEELP activities are commensurate to those of the other stakeholders.

122. In the implementation of PEELP, the vulnerable groups may include but not limited to the following:

- Elderly – these can be guardians/caregivers to learners
- Illiterate people – these can be guardians/caregivers to learners
- Persons living with disabilities – Learners with Special needs
- VMGs including traditional communities e.g. nomadic, pastoralists, hunters.
- Orphans and vulnerable children from low-income families

5.2 Stakeholder Analysis

Stakeholder analysis generally refers to the range of techniques or tools to identify and understand the needs and expectations of major interests inside and outside the PEELP environment. Understanding the attributes, interrelationships, interfaces among and between project advocates and opponents, will significantly assist in strategically planning the program throughout the cycles.

123. **Table 15** below presents an indication of relevant stakeholders who will be consulted during implementation of PEELP sub-projects.

Table 12: Stakeholder Analysis

Stakeholder Name	Stakeholder Relevance?	Stakeholder Engagement Timeframe	Stakeholder Activity
INTERNAL STAKEHOLDERS			
Ministry of Education	1. Conceptualization and design of the project 2. Conducting Research studies to inform decision making 3. Provision of Scholarships for secondary education 4. Improving school learning environment 5. Policy direction	At the design stage and throughout the program life cycle	In charge of the entire program, coordination and communication
Teachers Service Commission (TSC)	1. Supervision of quality education 2. Recruitment, deployment and assignment of duties to teachers 3. Supervision of curriculum implementation 4. Identification of gender champions 5. Disciplinary control of teachers	At the design stage and throughout the program life cycle	Ensure that all public schools are resourced with adequate number of teachers to address the current shortages.
Kenya Institute of Curriculum Development (KICD)	1. Curriculum policy 2. Curriculum Development 3. Curriculum support materials 4. Curriculum implementation 5. Development Instructional and learning materials	Program implementation stage	Evaluate, vet and approve curricula and curriculum support materials for PTTCs.
Kenya National Examination Council (KNEC)	1. Curriculum policy 2. Development of Competency-Cased Assessment (CBA) Framework 3. Assessment and examination administration 4. Baseline survey for the project 5. Induction of teachers and education officials on CBA	Program implementation stage	Conduct assessment and measure learners' progress in school.

Stakeholder Name	Stakeholder Relevance?	Stakeholder Engagement Timeframe	Stakeholder Activity
Centre for Mathematics, Science and Technology in Africa (CEMASTEA)	1. Capacity development of teachers in science and mathematics 2. Conduct research 3. Implementing SBTSS 4. Coordinate STEM 5. Lesson study, Peer support and virtual learning	Program implementation stage	Provide continuous professional development of teachers in STEM education.
The National Council for Nomadic Education in Kenya (NACONEK)		Program implementation stage	Provide technical support to camp-based refugee schools
Kenya Institute of Special Education (KISE)	1. Conduct teacher training courses for teachers in various fields of education of children with special needs and disabilities 2. Conduct in-service courses for personnel working in all fields of special needs education 3. Conduct research in special needs education	Program implementation stage	Provide interventions for special learners.
National Treasury	1.Budgetary allocation and	At the design stage and throughout the program life cycle	Provision of funds for project implementation
County Education Board	1. Coordination and implementation of education policies at the county 2. Approve all activities related to education in the county 3. Approve registration of schools 4. Approve development budgets	Program implementation	Supervision of program roll out in the respective counties and ensure that no activity being implemented will be a source danger, discomfort or annoyance to the learners.
Kenya Institute of Special Education (KISE)	1. Consultative forums for the project design 2. Technical support on Special Needs Education 3. Training of teachers in SNE 4. Advocacy on learners with special needs 5. Technical support in assistive devices procurement.	Program implementation	Provision of technical support – SBTS Initiative Provision of continuous professional development of teachers in STEM education

Stakeholder Name	Stakeholder Relevance?	Stakeholder Engagement Timeframe	Stakeholder Activity
	6. Adaptation of learning materials for SNE		
Board of Management (BOM)	1. Manage schools 2. Recruitment of teachers 3. Exercise disciplinary control over teachers 4. Approve school budgets 5. Strategic development, guidance and overall management of school resources 6. Curriculum supervision 7. Construction of infrastructure supervision	Program implementation	Supervision of teachers, Supervision of curriculum implementation and creation of conducive and secured teaching and learning environment
Kenya Primary Schools Heads Association (KEPSHA)	1. Project implementation 2. Feedback on project implementation 3. Supervision of the project activities 4. Identification of beneficiaries of scholarship 5. Advocacy 6. Instructional leaders	Program implementation	To promote capacity among on sound principle on education and best practices on governance and administration.
Kenya Secondary Schools Heads Association (KESSHA)	1. Promote the rights and responsibilities of Principals. 2. Foster school curricula 3. Organize regular exchange of opinion and experience on all matters concerning the teaching profession, nationally and internationally. 4. Enable members to assist one another in their dealings with the stakeholders.	Program implementation	Participate in formulating education policies relevant to the program and publicizing them.
Kenya Private Schools Association (KPSA)	1. Participate in development of policy and sector plan 2. Participate in development of educational instructional and learning materials	Program implementation	Curriculum implementation and Capacity development of teachers
Teachers	1. Project Beneficiaries 2. They are the Gender champions for GBSV 3. CBC champions 4. Adaptation of leaning materials 5. Participate in curriculum development	Throughout the program life cycle	Facilitate learning, mentorship of learners and general advocacy of the program

Stakeholder Name	Stakeholder Relevance?	Stakeholder Engagement Timeframe	Stakeholder Activity
	6. Ensuring health and safety of school children 7. Support in supervision of the contractor		
Learners and Learners with Special Needs	1. Beneficiaries of the project 2. Needs assessment for CBC and assistive devices	Throughout the program life cycle	Active and direct participation in the learning and assessments.
EXTERNAL STAKEHOLDERS			
Development partners/ Sponsors	1. Financial support 2. Technical support 3. Policy formulation 4. Development of the Education sector plan 5. Consultative meetings for the design of the proposed interventions 6. Capacity building	Implementation, monitoring and evaluation stage	Coordination of efforts within the development sector at the national and county levels
National Council for Persons with Disabilities	1. Advocacy on rights of PWDs 2. Assessment and Registration of PWDs 3. Financial support to PWDs 4. Advocacy for PWDs 5. Research on disabilities issues	Program Implementation	To promote and protect equalization of opportunities and realization of human rights for school children who are PWDs
National Environmental Management Authority (NEMA)	1. 3. Surveys to assist in the proper management and conservation of the environment. 4. Environment Impact Assessment (EIA) approvals 5. ESMP monitoring 6. Environment tribunal on grieved environmental issues	Program Implementation	Liaising with MoE in monitoring compliance and implementation of ESMPs Review and issuance of licenses.
Ministry of Labor and Social Protection	1. Occupational, Safety and Health (OSH) 2. Safeguards Policy 3. Social Assessment 4. Safeguard Children welfare 5. Trace, reintegrate and provide aftercare services	Program Implementation	Consultative forums for the design of the proposed interventions throughout the program

Stakeholder Name	Stakeholder Relevance?	Stakeholder Engagement Timeframe	Stakeholder Activity
	6. Coordinate area advisory council		
Universities and teacher training institutions	1. Teacher training 2. Collaboration in curriculum development	Planning and implementation stage	Training and continuous professional development of teachers.
Kenya National Commission on Human Rights (KNCHR)	1. Policy direction on matters of Human Rights 2. Development of project strategies	Program Implementation	Investigate and provision of redress for human rights violations.
National Gender and Equality Commission (NGEC)	1. Policy direction on matters of Advocacy and Gender issues	Program Implementation	Ensure gender equality and equity in access to program benefits.
Teachers Unions	1. Teachers' welfare 2. Participate in development of policy and sector plan 3. Research to inform policy issues	Program implementation	Oversight role of involvement of teachers in the project
Parents/ Guardians/caregivers	1. Ensure quality education	Throughout the program life cycle	Participation in oversight of the project implementation
Civil Society Organizations (CSOs)	1. Participate in development of policy and sector plan 2. Research to inform policy issues	Program Implementation	Advocacy and oversight on learners' rights
Non-Governmental Organizations (NGOs)	1. Policy formulation 2. Participate in the development of the Education sector plan 3. Consultative meetings on the proposed interventions 4. Capacity building 5. Advocacy and mentorship	Program Implementation	Both Financial and Technical Support
Community Based Organizations (CBOs)	1. Promote, support and protect learners' interest 2. Advocacy and mentorship	From the identification stage	Understanding of project benefits, risks and impacts. Identification of entry points for community participation
Elected /Political Leaders (Senators, MPs and MCAs)	1. Information sharing 2. Participate in development of legislations 3. Support implementation of the project	Program Implementation	Information sharing and legislation of relevant laws to the program

Stakeholder Name	Stakeholder Relevance?	Stakeholder Engagement Timeframe	Stakeholder Activity
Media	1. Information sharing 2. Advocacy	Throughout the program life cycle	Constant engagement with all the stakeholders in the program.
Vulnerable and Marginalized Groups (VMGs)/ Communities	1. Promotes and safeguards interests of vulnerable and Marginalized groups	Throughout the program life cycle	Inclusivity in curriculum training and implementation.
Contractors	1. Management of licensing requirements-Filling for building permits 2. Managing/supervise on-site workers 3. Providing temporary materials and utilities 4. Providing engineering functions and surveying of the sites 5. Promote OHS and CHS at the working sites 6. Provide high quality workmanship based on design specifications within the agreed time-lines	Planning and Implementation stage	Plans and coordinate construction activities

5.3 Principles for Meaningful and Effective Stakeholder Engagements for the Program

124. **Proponents** for sub-projects will need to ensure that stakeholder engagements are effective, meaningful and meet the required objectives. It should be preceded by an analysis of the proposed sub-project, its context and potential impacts, who the relevant stakeholders are, and followed by genuine consideration of stakeholders' views and concerns in decisions related to project planning and implementation. Key considerations for stakeholder engagements in pre-implementation phases include;

a) Ongoing and iterative- The stakeholder consultation process should be ongoing and iterative throughout the sub-projects cycle, starting as early as possible.

b) Differentiated needs and requirements of stakeholders- It should ensure that different categories of stakeholders are represented and involved. This may include individuals and groups, as well as formal and informal local institutions at different levels, including women, persons with disabilities and minorities.

c) Equitable and non-discriminatory- It should be equitable and non-discriminatory, and ensure that women, the poor, and vulnerable groups among stakeholders are given a voice and are not disproportionately impacted by the project.

d) Resources and budgeting- Enough resources should be allocated. This includes budgets as well as staffing and capacity. PEELP ESIA consultants together with County Teams should take stakeholder views seriously and consider modifying designs and implementation to reflect stakeholder concerns, particularly in high risk

circumstances. This may also include the need for capacity building for affected stakeholders, to establish a level playing field for different groups to engage

e) **Transparent-** The engagement process should be transparent and based on factual information, including about the scope of consultation and ability of stakeholders to influence project decisions
f) **Prior Information-** Stakeholders should have prior information about relevant aspects of the project, in a language, format, and manner that is appropriate, clear, and accessible
g) **Respectful and free of intimidation and coercion**- Consultation events and other forums or means of engaging with stakeholders should be respectful and free of intimidation and coercion. Stakeholders should not be lectured to but engaged in a dialogue where differences in views are respected. Stakeholders who express concerns or criticism against the project or authorities should be protected from retaliation or retribution
h) **Confidentiality-** Confidentiality of information and stakeholders should be provided where requested, or where there is a concern about retaliation
i) **Timing-** To be meaningful, a consultation process should also be respectful of participants' time by avoiding consultation for consultation's own sake, or excessive discussions that do not lead to anything or that may lead to unrealistic expectations
j) **Documented-** The process should be systematically documented, and relevant aspects of it should be disclosed publicly.

125. **Stakeholder** consultation requires a systematic approach, and the process should start as early as possible in the project cycle. The timing of consultation events and how they are coordinated with various project milestones needs to be carefully mapped out, so delays or inadequate consultation do not turn into bottlenecks for the implementation of the sub-projects.

5.4 Stakeholder Engagement during Sub-Project Implementation Phase

126. The consultation process will often require several separate events and different formats, and it may require follow up and engagement at different times with the same stakeholders. Different methods and types of events will be appropriate for different groups. The most common format for a consultation event is a public hearing or meeting (*baraza*), usually held at community level. In other cases, more informal methods may be used, such as discussions with key informants or focus groups.

127. Before organizing consultation events, it is worth considering orientation sessions or awareness and sensitivity training for participating project authorities, to ensure that they will listen and show respect to all, and that all involved understand that this is as much about soliciting people's views and concerns as it is about imparting information about the project.

Key points to cover during public consultation events may include:

a) Explain objectives of the discussion, how the event will be structured, and expected follow up.

b) Agree on an agenda for the discussion. In some circumstances, particularly where there are low levels of trust, a formal protocol may need to be agreed on before real discussions can take place.
c) Summarize the information about the project that people have been provided prior to the consultation event (see previous section).
d) Manage expectations and be clear about what role the consultations play in decision making.
e) Ensure that at a minimum, the discussion covers people's perceptions and expectations about project benefits and potential adverse impacts; how adverse impacts may be avoided or minimized; what the appropriate mitigation mechanisms may be; and what people consider to be appropriate institutional and organizational mechanisms.
f) Provide sufficient time for people to express their views. Consider holding follow up discussions if needed.
g) Select facilitators on the basis of their ability to listen, explain, and be empathetic. When possible, have facilitators who are known and trusted locally. If translations are needed, use local bilingual resource persons whenever possible.
h) Summarize points made and how follow up actions and feedback will take place

5.5 Strategy for information disclosure

128. As a standard practice, it is mandatory that all key documents prepared under PEELP are publicly disclosed according to the constitution of Kenya and the World Bank disclosure policy to inform stakeholders and local communities on the general implication of the program. Given the interest that the PEELP will trigger across the country, all appropriate and acceptable disclosure pathways shall be used.

129. **Table 16** below lists the spectrum of engagement mediums that will be applied for PEELP sub-projects during implementation.

Table 13: Stakeholder Engagement Mediums at ESIA Stage

Medium	Description
Stakeholder Meetings	
Structured agenda	This agenda will be developed in association with the relevant stakeholders partaking in the forum. It encourages participation and a sense of ownership in the SE process. Putting a focused agenda together will ensure that key strategic and risk items can be discussed with important decision-makers and influencers in an effort to mitigate risk proactively.
Focus group meetings	The aim of a focus group will be to pull together stakeholders with the same interest into a single meeting to discuss commune issues. Meetings usually have a very specific objective which is aligned with the expectations and interest of the stakeholders' present.
Workshops	Workshops are ad-hoc outcome-based meetings and seek to find solutions for specific issues facing the Project implementation.
Forum	Forum is established with specific set objectives and would comprise of a specific group of stakeholders who would need to ensure that actions are taken and monitored.
One-on-one consultations	These consultations are focused to identify and discuss stakeholder concerns or to provide feedback using detailed information.

Written /Visual Communication	
Report with structured content	These will be short and concise documents providing factual information including among others: - • Project progress (lifecycle) • Concerns / issues resolved • Social development programs • Employment process and statistics • Engagement activities undertaken • Planned activities going forward
Community Notice Boards	Community notice boards are a good tool to use for communication of job opportunities, and to inform communities of events, ensure transparency, build branding and addresses challenges around illiteracy.
Suggestion Box	Critical tool for the successful implementation of the Grievance Mechanism. It must be located at a central place, accessible to community members, and agreed upon upfront by the community leadership. Suggestions boxes must be managed proactively and continuously, whereby feedback is given either in the applicable stakeholder meeting or via notice boards.
Maps	Maps are effective when placing into context well known locations, linear and single site developments, and change of fixed locations for developments, location options for developments and anticipated distances between developments or well-known locations.
Surveys	Surveys can be used for various reasons but should be managed carefully considering the needed authorization from village leadership. Stakeholder fatigue must also be kept in mind since majority of community members are illiterate. Surveys can also be misconstrued with job opportunities and it is very important that the intention and outcome of surveys are clearly communicated before starting.
Letters	Formal method of communication usually intended to convey very specific messages. Alternatively, it is used as a formal method for request of information.
Emails	Using emails for in-country stakeholders can pose a challenge because of limited internet access due to insufficient telecommunications and/or supporting IT infrastructure. NGOs and most of the Government Ministries do have access to email which can be utilized for communications but arranging of formal meetings still requires hand delivery of letters.
Print materials	Print materials will be in many cases the most frequently used medium when messages are conveyed, especially when engaging with communities. In this instance materials needs to include many pictures and limited writing, because of high illiteracy levels, and should be kept as concise as possible. Materials needs to always take into consideration the cultural context, specifically when disseminated, since making materials available to stakeholders might need to follow a pre-established hierarchy/flow. Print materials can include, but is not limited to: _ Letters _ Background Information Document (BID) (A5 or A4 size) _ Posters / notices (A3 or A2 size) _ Pamphlets (A5 size) _ Newsletters (A4 or A5 size)
Newspapers / adverts	Newspapers are usually best suited for formal announcements or to reach a wide spectrum of stakeholders quickly. It is however very important that the message content is carefully compiled since it is a one-way communication medium and can quickly cause misunderstanding or confusion if not clearly written.
Process Driven	
Awareness creation campaigns	The nature of these campaigns is directly related to the objective to be achieved; whether it be capacity building, information sharing, preparing for SE activities to

	follow etc. The mediums discussed in this table can be utilized to aid in fulfilment of the objective.
Community capacity Building initiatives	These vary from notice boards, to information kiosks, to structured focus group meetings, to dissemination of ad-hoc visual materials with minimal text.
Grievance records	Grievance notes form an integral part of formal feedback from stakeholders and can provide an indication of their expectations and underlying intentions. These records need to be kept on file or in a database to prove that grievances were received and processed should an audit be done. Keeping grievance notes will enable CLOs, GOs and grievance redress and resettlement committee members to analyse trends over a period of time in order to track effectiveness of the existing grievance management process.
Media	
Radio	Radio is a good medium to stimulate awareness and prepare stakeholders for larger events or refined communication to take place.
Online	Online media includes Facebook, Twitter, Blogs and various news sites. It is mainly aimed to monitor media coverage about various activities, identify industry trends and risks and to establish what current opinions are about the company. This medium can also be used to push positive messages out or to proactively address underlying issues identified through media monitoring.
Others	
CLO/GOs/GRRC	The community liaison team is an extension of the Organization and is in many cases the only real channel from where stakeholders can gain more understanding of the mine's activities and intensions or where they can seek resolution. The team also contributes towards to building the Organization's brand and the stakeholders' perception of the Company. If information, issues and underlying intentions are gathered and identified by the team, it will enable decision-makers in the Organization to gain a better understanding of potential social and project risks.
Telephone	Use of the telephone/mobile phone is still regarded as the preferred method for communication because of accessibility and speed. Having a discussion over a phone in order to ensure mutual understanding between two parties is quicker and easier compared to sending an email, waiting for reply. The effectiveness of telephones during the SE process are limited though considering that mobile phones signals aren't always available at communities and engagement with Authorities still require formal letters.

5.6 Resources and Responsibilities required for Stakeholder Engagement

5.6.1 Resources

130. It is advisable that sufficient budget for stakeholder engagement implementation will be appropriated from the overall project cost. The cost will include overheads for preparing meetings, organizing workshops and training, conducting field visits, translation of key messages and printing of relevant materials, operating GRMs and review of SEP.

5.6.2 Management function and responsibilities

131. The Ministry of Education (MoE) and the State Department for Basic Education in particular, has the overall responsibility of delivering the PEELP.

132. The Directorate of Project Coordination and Delivery (DPCAD) will be directly responsible for the PEELP implementation by working closely with all the other implementing agencies which include: The Teachers' Service Commission (TSC) and relevant MoE agencies such as CEMASTEA, NACONEK, KEMI, KICD, KNEC and KISE will be responsible for specific result areas of the program. The implementation builds upon existing capacities and implementation arrangements within these entities for ongoing Education programs such as SEQIP, PRIEDE and LCBE, and the overall sub programs in the NESSP II for Basic Education.

133. The Program Coordination Unit (PCU), which is within the DPCAD, will provide overall coordination for the program and support to the technical Program Technical Coordinating Teams PCTs at the implementing entities. KNEC, KICD and TSC will establish PCTs, which will include relevant experts. The PCU and PCTs are functional, currently supporting SEQIP, and also supported PRIEDE and LCBE projects. In addition, County-based Education Coordination Teams have been established to oversee the day-to-day programs implementation. These will continue to support implementation and management of the PEEL Program and liaise with UNHCR and RAS on refugee elements.

134. The core functions of PCU are: (i) Overall coordination of the programs implementation Countrywide; (ii) Oversight of the day to day activities of the program; (iii) Development of appropriate materials for the program; (iv) Development of implementation plan for sustainability of the program activities; (v) Utilizing partnership funds for the eligible activities; (vi) Development and implementation of system for teacher supervision for the program (vii) Undertaking monitoring and evaluation of the program. (viii) Overall planning, budgeting, coordination and implementation of the PEELP; (ix) Procurement of goods and services for centrally procured products; (x) Preparing, disseminating and implementation of the PEEL Program Communication Strategy; (xi) Selecting training providers through the relevant sub-component implementing units; (xii) Procuring short-term individual consultants assigned to the program; (xiii) Procuring program Management Consultants, CDSCs and consulting firms (CF) for implementing specified sub-programs; (xiv) Overseeing the selection of scholarship beneficiaries by the Implementing Partner; (xv) Preparing and disseminating Financial (FMR) and technical reports to CS, NPSC, PS, NT,

WB, DG, PTC and other stakeholders as required; (xvi) Preparing and submitting IPRs to NPSC, PTC, PS, NT, WB; and (xvii) Coordinating Program Review Missions (PRM); (xviii) To develop, implement and administer safeguards aspects within the program (xix) Prepare E&S safeguards instruments, procedures and plans of actions, (xx) Supervision, monitoring and reporting to ensure compliance with ESHS requirements (xxi) Overall responsibility on grievance management.; and (xxii) engagement and collaboration with key institutions such as NEMA, NCA, DOSHS, Public health department necessary to support adherence to compliance requirements

135. The MoE and TSC County and Sub-County Education Offices will play a key role in facilitating and monitoring program implementation at the school level. At the County level, the existing County Program Coordination Unit (CPCU) set up under the GPE-PRIEDE program, will be responsible for facilitating PEEL Program implementation and monitoring. PEEL Program will support CPCUs with relevant operational costs and coordinate with the MoE following the well-established mechanisms under the GPE-PRIEDE program. The TSC County and Sub-County Offices will collaborate with the CPCU for implementation of activities related to alleviation of teacher shortage and teacher professional development.

6.10. Stakeholder Engagement Budget

136. Implementing entities will set aside funds to ensure that the planned stakeholder engagement activities are implemented and monitored effectively. **Table 17** below presents summary budget for stakeholder engagement activities.

Table 14: Stakeholder Engagement Budget Guide

Stakeholder Engagement Activities	**Quantity Per Quarter /Year**	**Unit Cost (Kshs.)**	**Cost (Kshs.)**
GRMs activities including case management process, data base (including running of hotline, record keeping, etc.)	4	200,000	800,000
Staffing and capacity enhancement including Training (Environment and Social issues, outreach, GRM, etc.) for MoE – DPCAD and community levels	4	500,000	2,000,000
Capacity building for affected stakeholders,	4	250,0000	1,000,000
Travel expenses of staff on Stakeholder Engagement missions	4	200,000	800,000
Stakeholder Meetings	4	500,000	2,000,000
Stakeholder Disclosure (Communication materials (leaflets, posters))	4	250,0000	1,000,000
Total			**5,800,000**

6 CHAPTER SIX: TRAINING AND CAPACITY BUILDING

6.1 Technical and Capacity Building of Key Institutions

1. Training and capacity needs presented in this chapter are derived from experiences shared by PIU of previous PforR programs namely KUSP and KDSP as detailed in **Appendix 17**. Further analysis of ESSA findings on training and capacity building was reviewed as summarized below.

2. The ESSA concluded that, in primary schools management of E&S risks has been a great challenge due to: i) limited understanding on E&S risk management; ii) limited engagement of relevant experts to support the management of E&S risks due to limited resources allocated for school infrastructure development; and iii) limited engagement and collaboration with key institutions such as NEMA, NCA, DOSHS, Public health department necessary to support adherence to compliance requirements. Consequently, environmental assessments and development of instruments necessary for management of E&S risks are hardly done. In addition, compliance monitoring is also impeded by limited technical, human, and financial capacity within MoE.

3. With regards to civil works and construction activities in learning institutions, ESSA's recommendations should be implemented to enhance the management of E&S effects for the program. They range from technical, financial to human resource capacity of key individuals with PEELP. Therefore ESMS manual proposes that before program starts;

   (a) To train and build capacity of school head teacher, their deputies and BoM on E&S risk management. This includes appointment of focal persons to manage compliance monitoring.
   (b) To develop guidelines on management of E&S risks for use within MoE, TSC and participating SAGAs.
   (c) To ensure adherence to compliance requirements, MoE to engage relevant stakeholders/institutions before, during and after the program implementation. They include DOSHS, NCA, NEMA, Public Health etc.
   (d) To ensure main-streaming of the Environmental Social Health and Safety (ESHS) clauses are included in the contract bidding documents.
   (e) To establish E&S risk management unit within MOE and assign qualified staff to guide the ministry.

4. **State Department forBasic Education:** The Department has a wide experience in the implementation of the School Meal Program (SMP) in schools. The PEELP will collaborate with the department to mitigate challenges that impede successful implementation of the SMP and leverage on its successes.

5. ESSA's recommendations on the SMP should be implemented to enhance the management of E&S effects for the program. Therefore, the ESMS manual proposes adoption of the recommendations below prior program implementation;

   (a) To review the School Meals Program (SMP) guidelines and ultimately support the conclusion the development of a comprehensive policy.

(b) To enhance engagement of stakeholders such as DOSH, NEMA and Public Health to support the sourcing, handling storage and preparation of food that is of good quality and safe for consumption by learners.
(c) For MoE to ensure that food items are supplied directly to the target schools to cut on the additional transportation costs.
(d) To re-design SMP to include provision for storage of food items, water, energy. This should include engaging support staff necessary for food preparation.
(e) To streamline the procurement processes to ensure ultimate delivery of food within the school terms dates.
(f) To sensitize the teachers and the school BOM on E&S risks associated with SMP and necessary actions for effective management.
(g) For MOE to assess the outcomes of Biogas pilots and analyse existing practices on using Biogas in schools as long-term provision of renewable sources of energy in primary schools.

6. **Kenya Institute of Curriculum Development (KICD):** The main function of the KICD is to advise the Government on matters pertaining to curriculum development in the country. With regard to curriculum development, ESSA's recommendations should be implemented to enhance the management of E&S effects for the program. Therefore, ESMS manual proposes that before Program starts;

(a) To train and build the capacity of KICD staff in identification and management of E&S risks.
(b) To strengthen the institutional GRM to make it more effective in management of complaints and grievances.

7. **Kenya Education Management Institute (KEMI):** The key mandate of KEMI is to develop the capacity of all education managers and head teachers in school management and accountability including instructional leadership. Through the Legal Notice 19 of 2010 of the Education Act, KEMI is mandated to undertake capacity building activities in the education sector. With regard to for grievance management, ESSA's recommendations should be implemented to enhance the management of E&S effects for the program. Therefore ESMS manual proposes that before Program starts;

(a) To strengthen the existing GRM by enhancing its documentation, harmonization with that of MoE and other relevant stakeholders.

8. **Teachers Service Commission (TSC):** TSC is an independent commission established under the Constitution of Kenya to manage human resources within the education sector for quality education and development. Within the PEELP, TSC will play a critical role of enhancing access to basic education by ensuring that all public schools are resourced with adequate number of teachers to address the current shortages and also ensure that the capacity of the teachers is enhanced for delivery of the CBC curriculum. With regard to for enhance teacher's awareness on E& S risks, ESSA's recommendations should be implemented to enhance the management of E&S effects for the program. Therefore ESMS manual proposes that before program starts;

(a) To build capacity of teachers for a more structured approach in management of social risks such as GBV/SEA-H.
(b) To build the capacity for teachers for effective involvement in the management of ES risks associated with school meals program under the PEELP.
(c) To build the capacity for teachers on management of E&S risks associated with school infrastructure.
(d) To offering psychosocial and mental health support for teachers to enhance their delivery of basic education.

9. **Kenya Institute of Special Education (KISE):** The main mandate of KISE is to facilitate access to education through promotion of inclusive education, production of educational resources and assistive devices for persons with special needs and disabilities. Under the PEELP, at both national and county level KISE will play a key role in: i) building the capacity for teachers in handling learners with special needs and disability; ii) production of learning materials and assistive devices; iii) assessment for placement of learners with special needs and disability and iv) management of PWD data for improved service delivery. With regard to enhancing access to education with proper management of E&S risks, ESSA's recommendations should be implemented to enhance the management of E&S effects for the program. Therefore ESMS manual proposes that before program implementation;

(a) To support MoE on data collection and analysis on learners with special needs and disability and recommendations to close identified gap.
(b) To further ensure inclusion and enhance implementation of the Inclusive Education Policy, it is necessary to build the capacity of teachers, school administration and BOM on addressing needs for learners with special needs and disability

10. **Center for Mathematics, Science and Technology in Africa (CEMASTEA):** The mandate of CEMASTEA is to build capacity of teachers and educators of mathematics and science through In-Service Education and Training (INSET) program. It is charged with the responsibility of building capacities in Science, Technology, Engineering and Mathematics (STEM) education not only for Kenya but also for Africa. With regard to enhancing technical capacity on E& S risks, ESSA's recommendations should be implemented to enhance the management of E&S effects for the program. Therefore ESMS manual proposes that before program starts;

(a) To train and capacity build for its staff to enhance effective management of E&S risks associated with execution of their mandate and actions under PEELP.

11. **Kenya National Examination Council (KNEC):** The main role of KNEC is to conduct assessments and measure learners' progress in school. Whereas KNEC has no specific unit that deals with environment and social risk management but basically applies the relevant system for E&S risk management as guided by NEMA and other institutions such as NCA, DOSHS, and Public Works etc. However, KNEC has developed an environment and social policy that needs to be reviewed to make it more responsive to emerging needs. With regard to enhancing technical capacity on E&S risks and measuring learners' progress in school, ESSA's

recommendations should be implemented to enhance the management of E&S effects for the program. Therefore, ESMS manual proposes that before program starts;

(a) To review and analyze NEMIS capabilities on collecting, disaggregation and reporting on data for learners with special needs and disability.
(b) To train and build capacity of its staff on E&S risk management.
(c) To support the review and finalization of the draft environment and social policy.

12. **State Department for Development of Arid and Semi-Arid Lands (ASALS):** The main mandate of ASALS to coordinate overall planning and development of policies and programs for ASALs. With regard to enhancing technical capacity on E& S risks, ESSA's recommendations should be implemented to enhance the management of E&S effects for the program. Therefore, ESMS manual proposes that before program starts;

(a) The department does develop a specific unit that will deal with management of E&S risks and at the same time strengthen its technical capacity.

6.2 Applicable Training Programs to MoE Staff

13. Applicable Training Programs be carried for to institutions listed above on environment, social, health and safety by DPCAD, in collaboration with NEMA, DOSH,NCA, SRM unit and NLC among others is summarized in **Table 18** below. This program is in line with the Social Risk Management curriculum developed under KDSP in collaboration with Kenya School of Government (KSG).

Table 15: Training Programs Applicable to MoE Staff

Unit	Content	Duration (Hours)
4.1	Introduction to Environment Social Risk Management	3
4.2	Regulatory Frameworks for Environment, health and Safety and SRM	3
4.3	Stakeholder Mapping and Engagement	3
4.4	Environment and Social Impact Assessment (ESIA)	4
4.5	Management of Sanitation and Hygiene in Schools including appropriate disposal of feminine hygiene products menstrual hygiene management in schools	3
4.5	Vulnerability and Marginalization	3
4.6	Labor Management Procedures	3
4.7	Grievance handling and Redress Mechanisms	3
4.8	Sexual Exploitation and Abuse SEA (SEA/SH) and Gender Based Violence GBV triggered by programs, exclusion of VMGs and PLWD	3
4.09	Occupational and Community Health and Safety Consideration during Project implementation phase	3
	Emergency Preparedness and Response	
4.10	Incidence Reporting (Environment Health and Safety) during project implementation stage	3
4.11	Supervision, Monitoring, Evaluation and Reporting	3
4.12	E&S Documentation and Record Keeping	

Total Hours	**40**

7 CHAPTER SEVEN: MONITORING EVALUATION AND REPORTING

7.1 Monitoring and Evaluation

137. Monitoring and evaluation (M&E) is an essential component of PLEEP. It will helps program implementers to demonstrate that donor aid/government spending on interventions is meeting certain required standards. It generally involves collecting and analysing data on implementation processes, strategies and results, and recommending corrective measures. M&E is a process of data collection, storage, analysis and transforming of data into strategic information for making informed decisions for program management and improvement, policy formulation, and advocacy.

138. Therefore, for PEELP to undertake its M&E it will use the existing National PCU at MoE to directly track all the program results through participating entities. The PCU will obtain information from the Results Framework on the various indicators and DLIs from the PCTs at the IEs. **Table 19** provides the key monitoring and evaluation indicators for E&S in PEELP

Table 16: Monitoring and Evaluation Indicators for PEELP/ESMS

Indicator	Responsibility	Data Sources	Methodology for Data Collection	Frequency
Targeted primary schools receiving school grants for completing priority areas in their SIPs	**PCU – MOE**	MoE/County Education Teams compile data for annual reports Independent Third party will conduct verification	MoE/County Education Teams reports, and independent verification.	**Annual**
Number of Vulnerable Learners who are provided with school meals during each School Calendar Year.	**PCU – MOE**	MoE, School Meals Unit	MoE, School Meals Unit collect data from the targeted schools Independent third party will conduct verification. The verification will sample at least 50% of the target schools and will conduct verification virtually.	**Annual**
New teachers deployed to primary schools with the highest teacher shortage	**TSC**	TSC, TSC county offices Independent Verification Reports	TSC county offices will collect data from schools for submission to the TSC for compilation of annual reports on teacher deployment Independent Third Party conducts verification	**Annual**

Number of Vulnerable Learners selected to receive a scholarship, school kits and mentoring support services	**PCU – MOE**	**MOE**	MoE through EGF will collect data on scholarship recipients to compile periodic progress reports Independent Third Party will conduct verification	**Annual**
Capacity building of target Teacher Training Colleges for implementation of competency-based teacher education curriculum.	**MO PCU – MOE**	**MOE**	MoE collects data from the target PTTCs for compilation of annual reports Independent Third Party conducts verification	**Annual**
Establishment of standards and tools for quality assurance mechanisms for Pre-primary education, including teacher appraisal tools, assessment and classroom observation tools.	**PCU – MOE**	**MoE, CoG**	MoE coordinates with the CoG for the assessments and development of the standards and tools.	**Once**
New classrooms constructed in existing schools as per the needs-based school infrastructure investment plan	**PCU – MOE**	MoE, Independent verification	MoE monitors the progress of civil works that is documented in periodic reports Independent Third Party conducts verification	**Annual**
Evidence of utilization of NEMIS data for better management of primary education	**PCU – MOE**	MoE, NEMIS Technical Team	Reports generated from the NEMIS on line based platform	**Annual**
Level of satisfaction of beneficiaries (Citizen Engagement indicator and part of Grievance Redress Mechanism)	**PCU – MOE**	**MoE**	MoE will conduct the phone /online based satisfaction survey, analyze the findings and disseminate the results to schools, implementing entities and other key stakeholders.	**Annual**

APPENDICES

Appendix 1:
Social Risks Assessment Tool

Section 1: Overview

Table 1: Special Populations at Risk of Social Risks

Characteristic	Number	Any current arrangements for care/protection of these groups
Female-headed households		
Unaccompanied children		
Minority groups		
Physically handicapped		
Mentally handicapped		
Other (describe)		

Table 2: Reported Cases Social risks in Past 12 Months:

Type of Incident or Offense (as listed in records)	Date	Total Number of Incidents	Agency/Organization where first reported	Resolution Outcome (if known)
Cases of exclusion of primary schools and learners in educationally disadvantaged counties due to biased selection criteria of grants programs, school meals program, teacher deployment and supply of sanitary products from previous funding such as government bursary scheme of Constituency Development Fund (CDF) among others.				
Cases of community upset triggered from previous government program interventions operating in a small number of sites relative to immense and widespread need.				
Forms exclusion of vulnerable and minority learners from access to previous program benefits including school inputs procured under the school similar grants activities such as government funded CDF.				
Forms of exclusion of learners with disabilities through learning systems, inputs, equipment and infrastructure that do not address the needs of VMGs and PLWD in previous government programs.				
Cases of limited status of stakeholder engagement and disclosure of project information in previous funding programs by government triggering grievances				
Cases of SEA/SH and other forms of GBV reported from previous government programs arising from exploitation of				

women for program benefits such as access to school grant				
Cases of elite capture resulting in the hiring of teachers for areas not affected by teacher shortages in previous government programs				
Cases of exclusion of teachers living with disabilities from the teacher recruitment opportunities previous government programs				

Appendix 2:
Environment and Social Screening Checklist

Table 1: Sub-projects Screening Against Exclusion List

Questions to be answered (boxes to be ticked) prior to projects being added to the short-list or included in a plan or budget:		**NO**	**YES**	**MAYBE**	**Remarks**
Assess possible adverse environmental impact					
1.	Could the project, if implemented, lead to irreversible negative environmental and social impacts for the beneficiaries of the project or for third parties?				
2.	Could the project, if implemented, have a negative and irreversible impact on the natural habitat?				
3.	Could the project, if implemented, have a negative impact on any physical cultural resources?				
4.	Could the project either during implementation, or once completed, cause unmitigated serious occupational or community health and safety risks?				
Assess possible adverse social impact					
5.	Does the project require physical displacement/relocation of more than 10 persons?				
6.	Does the project require economic displacement of more than 200 persons?				
7.	Is the project likely to create or exacerbate conflict within communities or neighbouring counties?				
8.	Is there a possibility that the project would have significant negative impacts on vulnerable and/or marginalized and/or traditional communities e.g. hunter gatherers, pastoralists or other minority groups?				
9	Is there a possibility that the land is not gazetted as public land or is contested by claims by private parties or traditional communities or others?				
10.	Is the public land encroached by squatters?				

	Filled by : Name : _____ Position : _____ Date : ___/_____/____		Signature:
	Social section verified by : _____		Signature:

	Date : ___/_____/____		
	Environmental section verified by : _____ : _____ Date : ___/_____/____		Signature:

ONLY PROJECTS FOR WHICH THE ANSWER TO ALL QUESTIONS IS 'NO', in table above CAN PROCEED TO THE NEXT STEP: PREPARATION OF THE PROJECTS REPORT AND ESMP.

Table 2: Social Risk Management (SRM) -Screening Guidelines

I.	Specific Screening Checklist Before Signing of the Project		Remarks
1.	That in the implementation of the project, it will not lead to negative social impacts to the beneficiaries of the project or to third parties	-Contractor -Sub County Director of Education -Project Committee	
2.	That in implementation the project will not create or exacerbate conflict within communities or neighboring counties	-Contractor - Sub County Director of Education -Project Committee	
3.	There should be no possibility that the project would have negative impacts that cannot be mitigated on vulnerable and/or marginalized and/or traditional communities e.g. hunter gatherers, pastoralists or other minority groups	-Contractor - Sub County Director of Education -Project Committee	
4.	That the Contractor will adhere to the Complaints/Grievance Redress Mechanism	-Contractor - Sub County Director of Education -Project Committee	
5.	That during implementation of the Project the Contractor shall monitor, mitigate and provide reports on mitigation on any Social issues to the Client Focal Person for onward transmission to other stakeholders. If mitigation is beyond the capacity of the Contractor, the issues should be taken up by the project implementation committee	-Contractor - Sub County Director of Education -Project Committee	
II.	**Project Leaders/Managers to Adhere to the Following Screening Guidelines Before, During and After Implementation of Project**		**Remarks**
1.	No adverse social impacts on individuals, households or communities	-Contractor - Sub County Director of Education -Project Committee	
2.	The project shall not affect traditional groups/vulnerable and marginalized groups/minorities, or located in an area occupied by traditional groups/vulnerable and marginalized groups/minorities	-Contractor - Sub County Director of Education -Project Committee	
3.	Project activities shall not create tensions within communities or likely to lead to elite capture or grabbing of benefits by particular groups	-Contractor - Sub County Director of Education -Project Committee	
4.	The project shall not adversely affect the livelihood and/or the rights of women	-Contractor - Sub County Director of Education -Project Committee	
5.	Project activities shall not cause disadvantage to persons with disability or	-Contractor - Sub County Director of Education	

	older persons or forgotten/low status groups within the community	-Project Committee	
6.	No sexual exploitation and causing of conflict among families of the workers at the project or others in the community	-Contractor - Sub County Director of Education -Project Committee	
7.	No abuse and violation of child rights	-Contractor - Sub County Director of Education -Project Committee	
8.	The recruitment of the workers by the Contractor shall adhere to the legal requirement of not less than 1/3 of either gender, youth or minority clan/tribe within the project location	-Contractor - Sub County Director of Education -Project Committee	
9.	The project shall utilize some of the local skilled and non-skilled labor	-Contractor - Sub County Director of Education -Project Committee	
III.	**Stakeholder Engagement, Public Participation, Civic Education and Grievance Redress Mechanisms**		
1.	Any vulnerable and marginalized groups/minorities inhabiting or using the project area shall be consulted and are able to access benefits, and negative impacts on them have to be mitigated.	-Contractor -Stakeholder Engagement Specialist - Sub County Director of Education -Project Committee	
2.	Shall create an accessible Grievance Redress Mechanism and liaise with the Focal Point who has been assigned for the investment, and the community made aware, and links to the County Complaints Mechanism made.	-Contractor - Stakeholder Engagement -Sub County Director of Education -Project Committee	
3.	There shall be continuous stakeholder engagement and information provision throughout the project implementation span	-Contractor - Stakeholder Engagement - Sub County Director of Education -Project Committee	

Environmental and Social Screening Checklist

The Environmental and Social Screening Form (ESSF) has been designed to assists in the evaluation of sub projects for the PEELP. The form is designed for assessment of environmental and social impacts and their mitigation measures, if any, so that requirements for further environmental analysis can be determined. This form must be completed by the Project Implementation Unit (PIU) safeguard specialist (or any other appointed person) appropriately trained to do so and in consultation with the key stakeholders of the sub-project. The form will form part of the approval requirements for implementation of the sub-project activities.

PART A: GENERAL INFORMATION

1. Name of Sub-project:…….…….
2. Name of the Institution……
3. County ……

PART B: BRIEF DESCRIPTION OF THE SUB-PROJECT

Please provide information on the type and scale of the sub-project (area, required land and approximate size of total building floor area).

Estimated area of land where project will be located……
Is the land owned by the institution? …….
Approximate sizes of buildings ……..
Approximate costs of construction works……

Provide below information about the nature of project activities during the construction of the facilities including support/ancillary structures and activities required to build it, e.g. need to quarry or excavate borrow materials, laying pipes/lines to connect to energy or water source,

PART C: BRIEF DESCRIPTION OF THE ENVIRONMENTAL and PHYSICAL OF PROJECT LOCATION SITUATION

Describe the sub-project location, sitting, surroundings describe the land formation, topography, vegetation in and adjacent to the project area.

Part B: Details of Site Location	**Yes/No**	**Description / Remarks**
Will the Project?		
(i) Scope of proposed activities		
Create a risk of increased soil erosion?		
Create a risk of increased deforestation		
Create a risks of increased soil degradation?		
Pollute air directly (construction cement and dust)		
Project will lead to practices that worsens air quality		
Generate noise from Construction activities		
Result in increased noisy working environments for the school community		

Will the investment generate an increase in solid wastes or machine wastes (oil, etc.)?		
Increase demand for conventional energy sources		
The project will create demand for other energy sources (wood and charcoal)?		
(ii) Water Resource Impacts		
Could the investment result in a modification of groundwater levels by altering flows, paving surfaces or increasing water extraction?		
Could it affect quality (through sediment, wastewater, storm discharge or solid waste) of nearby surface waters (lake, rivers, and streams)?		
Will it affect water quantity in nearby water bodies (lake, river, stream)		
Are there nearby potable water sources that need to be protected?		
(iii) Drainage Impacts		
Will the investment in storm water drainage affect existing drainage patterns?		
Will it cause standing water, which could cause public health risks?		
Will erosion result in sediment discharge to nearby water bodies		
Will surface drainage patterns be affected in borrow pits and quarries?		
Will infiltration patterns be affected?		

Social Issues		
Interfere with the normal health and safety of the worker/employee?		
Reduce the employment opportunities for the surrounding communities?		
Will the project potentially involve an influx of workers to the project location?		
Increase insecurity due to introduction of the project?		
Increase exposure of the community to communicable diseases such as COVID 19/ HIV/AIDs		
Induce conflict?		
Introduce new practices and habits?		
Lead to child delinquency (school drop-outs, child abuse, child labor, etc.		
Lead to gender disparity?		
Is the project area known to have history of Gender based violence?		
Is there a potential for the project to increase gender based violence		
Is the project likely to provide local employment opportunities, including employment opportunities for women?		
Is the project being planned with sufficient attention to local poverty alleviation objectives?		
Is the project being designed with sufficient local participation of women in the planning design and implementation process?		

Part D (i) : Result/Outcome of Environmental/ Social Screening Exercise

NOTES
Any activity assigned as high risk will not be funded under this program
If all the above answers are "No", there is no need for further action.

If there is at least one "Yes", an ESIA/ESMP will be required for the sub-project. Approval by relevant authority will be required depending on the impacts

No Environment Impact Assessment Required	
Environment Impact Assessment Required	
Any special conditions	
Part E : Authorization	

Screening undertaken by: .....……. Designation.....	Signature..... Date.....
Approved by: …….. Designation.....	Signature..... Date.....
PCU Confirmation by: ..... Designation.....	Signature..... Date.....

Appendix 3:
Environment Impact and Social Impact Assessment Report Summary Project Report (SPR) Template

Background Information

- Project Description
- Project Baseline Information
- Project Location
- Land Ownership Information
- Conformity to Land Use Plan
- Summary Legal and Policy Framework
- Stakeholder and Public Consultations (including evidence of comprehensive public consultation; duly signed minutes, key stakeholders attendance list and filled questionnaires)

Environment and Social Impact Assessment

- Detailed Environment and Social Impacts Assessment and mitigation measures for all the project cycle phases; planning, construction, operation and decommissioning phases.
- Impact Rating Variables
- Impact Severity
- Environment and Social Impact Assessment and Ranking
- Soil Resources Impacts
- Water Resources Impacts
- Fauna and Flora Resources Impacts
- Air quality Impacts
- Noise and Vibration
- Community and Workers Health Safety and Security

Environment and Social Management Plan for the entire project cycle

Appendix 4:
Terms of Reference for ESIA Assessment

Environment Impact and Social Assessment Terms of Reference (ToR)

Background and Project Description
The Project proponent will prepare a detailed Project background and planned activities based on feasibility assessments for projects such as construction of classrooms and sanitation facilities among other activities.

The Objectives of the ESIA,
The main objective of the Environment and Social Management Plan (ESIA),) will be to identify and assess impacts resulting from the proposed Projects identified in the Feasibility and detailed design reports to the biophysical social and economic environment.

Scope of work ESIA Assessment:
The consultant will provide:

1. Non-technical Executive Summary: describing significant findings and key recommended actions. Describe project residual risks after implementation of the proposed mitigation measures.
2. Clear description of the proposed Sub Project. Include the following information as relevant: location; general layout; size, capacity, etc.; pre-construction activities; project / construction history, construction activities; schedule, staffing and support; facilities and services; operations; this section will cover institutional arrangements to describe responsibilities for environmental and social risk management for the project.
3. Description of the baseline conditions in the project area of influence to cover the physical location, environmental setting, social and economic issues. Describe valuable or vulnerable environmental, social and cultural assets in the project area, which may be at risk. Specify through maps at appropriate scales, the boundaries of the study area for assessment as well as surrounding areas likely to be environmentally affected. Describe relevant trends within the project area for potential cumulative impacts. Include description of ESIA methodology used. In this chapter, provide the summary of review of review existing studies and available data. Also takes into account current and proposed development activities within the project area but not directly connected to the project. Data will be relevant to decisions about project location, design, operation, or mitigation measures. The section indicates the accuracy, reliability, and sources of the data.

A baseline description will cover the following topics:

- The bio-physical environment:
- Location of the project sites
- Geology
- Soils
- Topography
- Hydrology (surface water features and drainage)
- Climate: current climate situation and climate change projections for the area
- Fauna (including aquatic fauna) and flora

- Protected areas (e.g. wetlands, Forest Reserves)
- Existing physical structures and infrastructure
- The socio-economic environment:
- Population and settlement
- Land tenure (and zoning)
- Land and natural resources use
- Economic activities and sources of livelihood within the catchment area. (e.g. agriculture, goods and services, domestic property market)
- Available social infrastructure (schools, hospitals etc.)
  Cultural / historical / archaeological sites

Propose actions to close such gaps, including costs and time estimates.

4. Description of the legal, policy and institutional framework within which the proposed Sub Projects will be implemented. This section shall include local, national and international laws and standards applicable to the proposed project.
5. Detailed assessment of the anticipated impacts to the environment, social and economic aspects of the area covered by the project. Impacts will include analysis of safety, risks, health, sanitation and waste management implications by the project. This chapter will indicate the scale of impacts, whether the identified impacts are irreversible or reversible, permanent or temporary, direct or indirect, large scale or local to project site. Identify residual impacts of this project, which cannot be avoided or mitigated.
6. Potential scenarios and their impact on operation will be outlined and considered. Whenever possible describe impacts quantitatively, in terms of environment costs and benefits and assign economic values where possible.

Specific attention will be given to: Impacts occurring during construction phase in respect of:

- Water resources pollution (ground and surface water)
- Local eco-system (removal of vegetation / endangered species / bird life)
- Traffic safety (people/construction traffic on and off-site)
- Public health (construction workers/HIV/malaria/dust/noise and vibration/solid waste and sewage)
- Raw materials (source of materials/demand on local supply)
- Cultural / historical / archaeological sites
- Employment
- Local / national economy
- Capacity building

7. **Analysis of the project alternatives** and selection criteria in terms of siting, design, technology selection, construction techniques and phasing, degree of associated environmental and social impacts, and operating and maintenance procedures. This section will also address the assessments of Sub Projects safety based on the proposed design alternatives. The comparative analysis will address (and quantify where possible): the environmental and social impacts; the feasibility of impact mitigation; capital and recurrent costs; the suitability of options under local conditions; related institutional, training and monitoring requirements. State the basis for selecting the proposed design, including the minimization of risk. To the extent possible, quantify the costs and benefits of each alternative, incorporating the estimated costs of any associated mitigating measures.
8. Description of proposed **impact mitigation** and/or corrective measures for each impact

identified

9. An Environmental and Social Management Plan (ESMP) presenting the project activities, potential impacts, mitigation actions, timing, targets and responsibilities, associated costs and monitoring indicators.
10. **ESIA Implementation Budget**: provide a clear statement of financial responsibilities, identify summary of costs for implementation of the proposed mitigation measures; provide detailed estimated budget for all phases of the project including planning, implementation, monitoring and evaluation, with contingencies.
11. A record of **public consultations** and other records that will indicate participation of interested and affected parties throughout the ESIA study process, including: surveys used to seek views of affected stakeholders; date and location of consultation meetings; a list of attendees, their affiliation, contact addresses and a summary. This section needs to present an approach to ongoing stakeholder engagement. In addition, a grievance redress mechanism will be described in this section.

Required Personnel will include Sociologist and Environmentalist including other key personnel depending on the sub-project sector

Appendix 5:
Environment Impact and Social Impact Assessment Report Comprehensive Project Report (CPR) Template

- The nature of the project;
- The location of the project including the physical area that may be affected by the project's activities;
- The activities that shall be undertaken during the project construction, operation and decommissioning phases;
- The design of the project;
- The materials to be used, products and by-products, including waste to be generated by the project and the methods of their disposal;
- The potential environmental impacts of the project and the mitigation measures to be taken during and after implementation of the project;
- An action plan for the prevention and management of possible accidents during the project cycle;
- A plan to ensure the health and safety of the workers and neighboring communities;
- The economic and socio-cultural impacts to the local community and the nation in general;
- The project budget; and
- Any other information the Authority may require.

Appendix 6:
Labor Influx Management Monthly Tracking Template

Name of the Project:
Name of the Consultant:
Scope of the Project:
Reporting Period:
Date:

Workforce estimate			
Available Opportunities			
Categories	Number (Segregated into Gender)		Percentage
Skilled			
Semi-skilled			
Unskilled			
Opportunities available for locals			
Categories	Number (Segregated into Gender)		Percentage
Skilled			
Semi-skilled			
Unskilled			
Opportunities available for non-locals			
Categories	Number (Segregated into Gender)		Percentage
Skilled			
Semi-skilled			
Unskilled			
Maximizing and prioritizing local Labor			
Comment on publishing of employment opportunities (local leaders, posters etc.) and availability of contractor's recruitment office			
Project Personnel	**Number**		**Percentage**
Local Employees ***(Separate by gender and age gap)***			
Non-local Employees ***(Separate by gender and age gap)***			
Total Number Employees			
Employees who have signed employment contract and project COC			
Stakeholder Engagement			
Collaboration/interactions with local stakeholders (Local communities/government etc.)	Target	Number achieved	Percentage
Describe issues, concerns, and outcomes of the stakeholder engagements			

Interviews with identified local stakeholders on associated with labor influx	Target	Number achieved	Percentage
Describe the findings of the interview			
Complaints raised associated with labor influx	Number received		Number resolved
Key Findings, Recommendations and Conclusion			

Attachments:

Grievance log- Occurrence date, grievance, date submitted, action taken, date of resolutions and follow up to be taken.

Employee data log- Name, gender, position, date of Birth, ID number, level of skill, origin, and Date of joining Stakeholder engagement- Minutes, time stamped photos, and signed attendance list

Appendix 7:
Resettlement Action Plan (RAP) Outline Voluntary Land Donation (VLD) Forms and Land Acquisition Procedures

Aspects to Consider During Voluntary Land Donation

Requirements for voluntary land donation	**Commentary**
Land to be donated must be identified by the community through a participatory approach	
Impacts of proposed activities on donated land must be fully explained to the community	
The potential donor community is aware that refusal is an option, and that right of refusal is specified in the donation document the donor will sign	
The act of donation is undertaken without coercion, manipulation, or any form of pressure on the part of public or traditional authorities	
The donor may request monetary or non-monetary benefits or incentives as a condition for donation	
The proportion of land that may be donated cannot exceed the area required to maintain the donor's livelihood or that of his/her household	
Donation of land cannot occur if it requires any household relocation	
For community or collective land, donation can only occur with the consent of individuals using or occupying the land	
Verification must be obtained from each person donating land (either through proper documentation or through confirmation by at least two witnesses)	
The implementing agency establishes that the land to be donated is free of encumbrances or encroachment and registers the donated land in an official land registry.	
Any donated land that is not used for its agreed purpose is returned to the donor	
Who did not give agreement and why?	
Will any structures or people be moved or any access to land be limited as a result of the sub-project (describe structures and locations)? Describe: _ So, how will they be compensated/facilitated and/or their livelihoods restored?	

VOLUNTARY LAND DONATION (OR LAND LEASE) FORM

This form or an equivalent document is to be used to record the consent of landowners who offer private land for a community good activity. The essentials of voluntary donation are that the donors have been freely consulted prior to the donation, were not pressured or coerced, that the donation will not affect a significant proportion (more than 10%) of their productive assets, and that they have the right to refuse and to lodge a complaint if they have a grievance about the process.

Consent Form for Voluntary Donation

I/We: _____ male household head _____female household head, and/or person(s) exercising customary rights over land described as (legal description, GPS coordinates if available) in

Village_____

Sub County_____

County _____

Hereby declare that I/we/the group are the owners/users of the land required for (description):

_____

I/we are voluntarily donating the use of land and or/ land-based assets (land area, type of assets /trees/crops etc) _____

_____

For the purpose of: (specify activity)

_____

_____

We agree to this purpose from (date) _____ for as long as the purpose is served ***or*** until (specify end date, typically the life expectancy of the facility) _____

I/we make this donation of my/our own free will. I/We are waiving my/our right to compensation of any kind for the specified duration of the activity.

I/We affirm that we have been fully and freely consulted and informed about the activity prior to agreement, have not been subject to any form of coercion, understand that I/we have the right to refuse, and to seek redress for any grievance concerning this transaction.

Signed:

Male household head _____ /Female household head_____

Chief or Local Custom Authority_____

Representative of concerned Government Agency_____

Date:

Resettlement Impact Assessment (RAP) Terms of Reference (ToR) – Outline

The RAP report will contain the below listed contents

Introduction

- It briefly describes the project.
- Lists project components including associated facilities (if any).
- Describes project components requiring land acquisition and resettlement; give overall estimates of land acquisition and resettlement.

Minimizing Resettlement

- Describes efforts made to minimize displacement.
- Describes the results of these efforts.
- Describes mechanisms used to minimize displacement during implementation.

Census and Socio-economic Surveys

- Provides the results of the census, assets inventories, natural resource assessments, and socioeconomic surveys.
- Identifies all categories of impacts and people affected.
- Summarizes consultations on the results of the various surveys with affected people.
- Describes need for updates to census, assets inventories, resource assessments, and socio-economic surveys, if necessary, as part of RAP monitoring and evaluation.

Legal Framework

- Describes all relevant local laws and customs that apply to resettlement.
- Identifies gaps between local laws and World Bank Group policies, and describe project-specific mechanisms to address conflicts.
- Describes entitlement policies for each category of impact and specify that resettlement implementation will be based on specific provisions of agreed RAP.
- Describes method of valuation used for affected structures, land, trees, and other assets.
- Prepares entitlement matrix.

Resettlement Sites

- Describes the specific process of involving affected populations in identifying potential housing sites, assessing advantages and disadvantages, and selecting sites.
- Describes the feasibility studies conducted to determine the suitability of the proposed sites, including natural resource assessments (soils and land use capability, vegetation and livestock carrying capacity, water resource surveys) and environmental and social impact assessments of the sites.
- Demonstrates that the land quality and area are adequate for allocation to all of the people eligible for allocation of agricultural land.
- Provides data on land quality and capability, productive potential, and quantity.
- Give calculations relating to site requirements and availability.
- Describes mechanisms for: 1) procuring, 2) developing and 3) allotting resettlement sites, including the awarding of title or use rights to allotted lands.
- Provides detailed description of the arrangements for site development for agriculture, including funding of development costs.

- Have the host communities been consulted about the RAP? Have they participated in the identification of likely impacts on their communities, appropriate mitigation measures, and preparation of the RAP?
- Do the host communities have a share of the resettlement benefits?

Income Restoration

- Describes if there are compensation entitlements sufficient to restore income streams for each category of impact?
- Describes additional economic rehabilitation measures are necessary?
- Briefly spell out the restoration strategies for each category of impact and describe their institutional, financial, and technical aspects.
- Describes the process of consultation with affected populations and their participation in finalizing strategies for income restoration.
- Explains if income restoration requires change in livelihoods, development of alternative farmlands or some other activities that require a substantial amount of training, time for preparation, and implementation?
- Describes how the risks of impoverishment are to be addressed?
- Describes the main institutional and other risks for the smooth implementation of the resettlement programs?
- Describes the process for monitoring the effectiveness of the income restoration measures.
- Describes any social or community development programs currently operating in or around the project area.
- If programs exist, do they meet the development priorities of their target communities? Are there opportunities for the project proponent to support new program or expand existing programs to meet the development priorities of communities in the project area?

Institutional Arrangements

- Describes the institution(s) responsible for delivery of each item/activity in the entitlement policy
- Describes the Implementation of income restoration programs; and coordination of the activities associated with and described in the resettlement action plan.
- States how coordination issues will be addressed in cases where resettlement is spread over a number of jurisdictions or where resettlement will be implemented in stages over a long period of time.
- Identifies the agency that will coordinate all implementing agencies. Does it have the necessary mandate and resources?
- Describes the external (non-project) institutions involved in the process of income restoration (land development, land allocation, credit, and training) and the mechanisms to ensure adequate performance of these institutions.
- Discusses institutional capacity for and commitment to resettlement.
- Describes mechanisms for ensuring independent monitoring, evaluation, and financial audit of the RAP and for ensuring that corrective measures are carried out in a timely manner.

Implementation Schedule

- Lists the chronological steps in implementation of the RAP, including identification of agencies responsible for each activity and with a brief explanation of each activity.
- Prepares a month-by-month implementation schedule of activities to be undertaken as part of resettlement implementation.
- Describes the linkage between resettlement implementation and initiation of civil works for each of the project components.

Participation and Consultation

- Describes the various stakeholders.
- Describes the process of promoting consultation/participation of affected populations and stakeholders in resettlement preparation and planning.
- Describes the process of involving affected populations and other stakeholders in implementation and monitoring.
- Describes the plan for disseminating RAP information to affected populations and stakeholders, including information about compensation for lost assets, eligibility for compensation, resettlement assistance, and grievance redress.

Grievance Redress

- Describes the step-by-step process for registering and addressing grievances and provide specific details regarding a cost-free process for registering complaints, response time, and communication methods.
- Describes the mechanism for appeal.
- Describes the provisions for approaching civil courts if other options fail.

Monitoring and Evaluation

- Describes the internal/performance monitoring process.
- Defines key monitoring indicators derived from baseline survey. Provide a list of monitoring indicators that will be used for internal monitoring.
- Describes institutional (including financial) arrangements.
- Describes frequency of reporting and content for internal monitoring.
- Describes process for integrating feedback from internal monitoring into implementation.
- Defines methodology for external monitoring.
- Defines key indicators for external monitoring.
- Describes frequency of reporting and content for external monitoring.
- Describes process for integrating feedback from external monitoring into implementation.
- Describes arrangements for final external evaluation.

Costs and Budgets

- Provides a clear statement of financial responsibility and authority.
- Lists the sources of funds for resettlement and describe the flow of funds.
- Ensures that the budget for resettlement is sufficient and included in the overall project budget.

- Identifies resettlement costs, if any, to be funded by the government and the mechanisms that will be established to ensure coordination of disbursements with the RAP and the project schedule.
- Prepares an estimated budget, by cost and by item, for all resettlement costs including planning and implementation, management and administration, monitoring and evaluation, and contingencies.
- Describes the specific mechanisms to adjust cost estimates and compensation payments for inflation and currency fluctuations.
- Describes the provisions to account for physical and price contingencies.
- Describes the financial arrangements for external monitoring and evaluation including the process for awarding and maintenance of contracts for the entire duration of resettlement.

Annexes

- Copies of census and survey instruments, interview formats, and any other research tools.
- Information on all public consultation including announcements and schedules of public meetings,
- Meeting minutes, and lists of attendees.

Required Personnel

- Sociologist
- Land Valuer
- Land Surveyor

The Process of Land Acquisition in Kenya

Proof that Compulsory Possession is for Public Good: Land Act 2012 will guide land acquisition process for Sub Projects that will require land to be acquired. Section 107 of the Land Act 2012 provides that once it is determined that compulsory possession is for public good by the national or county government, then the respective Government Agency or Cabinet must seek Approval of National Lands Commission (NLC)

Proof that Compulsory Possession is for Public Good: The respective Cabinet Secretary or Government agency or the County Executive Committee Member must submit a request for acquisition of private land to the NLC to acquire the land on its behalf. The NLC will prescribe criteria and guidelines to be adhered to by the acquiring authorities in the acquisition of land. But at the same time, the NLC may reject a request of an acquiring authority, to undertake an acquisition if it establishes that the request does not meet the requirements prescribed.

Inspection of Land to be acquired: NLC may physically ascertain or satisfy itself whether the intended land is suitable for the public purpose that the applying authority intends to use as specified. If it certifies that indeed the land is required for a public purpose, it shall express the satisfaction in writing and serve necessary notices to landowners and or approve the request made by acquiring authority intending to acquire land.

Publication of Notice of Intention to acquire: Upon approval, NLC shall publish a notice of intention to acquire the land in the *Kenya Gazette and County Gazette*.[3] It will then serve a copy of the notice to every person interested in the land and deposit the same copy to the Registrar. The courts have strictly interpreted this provision, requiring that the notice include the description of the land, indicate the public purpose for which the land is being acquired and state the name of the acquiring public body. NLC will, therefore, be required to make a comprehensive notice that includes a description of the land, public purpose for which the land is acquired, and the acquiring public body. The Land Registrar shall then make an entry in the master register on the intention to acquire as the office responsible for survey, at both national and County level, geo-references the land intended for acquisition.

Serve the Notice of Inquiry: Thirty days after the publication of the Notice of Intention to Acquire, the NLC then schedules a hearing for a public inquiry. NLC must publish notice of this hearing in the *Kenya Gazette and County gazette 15 days before the inquiry meeting* and serve the notice on every person interested in the land to be acquired. Such notice must instruct those interested in the land to deliver to the NLC, no later than the date of the inquiry, a written claim for compensation.

Holding of a Public Hearing: The NLC convenes a public hearing not earlier than 30 days after publication of the Notice of Intention to Acquire. On the date of the hearing, the NLC must conduct a full inquiry to determine the number of individuals who have legitimate claims on the land, the land value, and the amount of compensation payable to each legitimate claimant.

[3] The *Kenya Gazette* is the official government journal in Kenya published by the Government Printing Press.

Besides, at the hearing, the Commission shall— make a full inquiry into and determine who are the persons interested in the land; and receive written claims of compensation from those interested in the land. For the purposes of an inquiry, the Commission shall have all the powers of the Court to summon and examine witnesses, including the persons interested in the land, to administer oaths and affirmations and to compel the production and delivery to the NLC of documents of title to the land. The public body for whose purposes the land is being acquired, and every person interested in the land, is entitled to be heard, to produce evidence and to call and to question witnesses at an inquiry. It will also provide an opportunity to those interested in the land to hear the justification of the public authority in laying claims to acquire the land.

Valuation *of the Land:* Part III of the Land Act 2012, section 113 (2a) states that "the Commission shall determine the value of conclusive evidence of (i) the size of land to be acquired; (ii) the value, in the opinion of the Commission, of the land; (iii) the amount of compensation payable, whether the persons interested in the land have or have not appeared at the inquiry." This can be interpreted that NLC must determine the value of the land accordingly and pay appropriate just compensation in accordance with the principles and formulae stipulated that it will develop. The final award on the value of the land shall be determined by NLC and shall not be invalidated by reason of discrepancy, which may be found to exist in the area.

Matters to be considered in determining Compensation: The market value of the property, which is determined at the date of the publication of the acquisition notice. Determination of the value has to take into consideration the conditions of the title and the regulations that classify the land use e.g. agricultural, residential, commercial, or industrial.

Award of Compensation: Under the Land Act 2012 section 117, the State may award a grant of land in lieu of monetary compensation ("land for land"), upon agreement, and provided the value of the land awarded does not exceed the value of the monetary compensation that would have been allowable. The law stipulates that any dispossessed person shall be awarded the market value of the land. The new law is silent on relocation support or disturbance allowance support.

Upon the conclusion of the inquiry, and once the National Land Commission (NLC) has determined the amount of compensation, the NLC prepares and serves a written award of compensation to each legitimate claimant.[4] The NLC will publish these awards, which will be considered "final and conclusive evidence" of the area of the land to be acquired, the value of the land, and the amount payable as compensation.[5] LA, Section 115 further stipulates that an award shall not be invalidated by reason only of a discrepancy between the area specified in the award and the actual area of the land. Compensation cannot include attorney's fees, costs of obtaining advice, and costs incurred in preparing and submitting written claims.

Payment of Compensation: A notice of award and offer of compensation shall be served to each person by the Commission. Section 120 provides that "first offer compensation shall be paid promptly" to all persons interested in land[6] before a notice of acquisition is

[4] *Land Act,* 115

[5] *Land Act,* 115

[6] *Land Act,* This language reflects the language of the Kenya Constitution, 1963.

issued. Section 119 provides a supplementary condition and states that if the size of land is greater than the size of land in respect of which the award has been made, then NLC shall compensate for excess size "as soon as practicable."[7] Where such amount is not paid on or before the taking of the land, the NLC must pay interest on the awarded amount at the market rate yearly, calculated from the date the State takes possession until the date of the payment.[8]

In cases of dispute, the Commission may at any time pay the amount of the ***compensation*** into a special compensation account held by the Commission, notifying any persons interested accordingly. If the amount of any compensation awarded is not paid, the Commission shall on or before the taking of possession of the land, open a special account into which the Commission shall pay interest on the amount awarded at the rate prevailing bank rates from the time of taking possession until the time of payment.

Transfer of Possession and Ownership to the State: Once first offer payment has been ***awarded***, the NLC serves notice to all persons with interest in the property indicating the date the Government will take possession. Upon taking possession of the land, the commission shall ensure payment of just compensation in full. When this has been done, NLC removes the ownership of private land from the register of private ownership and the land is vested in the national or County Government as public land free from any encumbrances.

Temporary Possession: The Commission has also the power to obtain temporary occupation of land. However, the commission shall as soon as is practicable, before taking possession, pay full and just compensation to all persons interested in the land.

[7] *Land Act,* 119
[8] *Land Act 115*.

Appendix 8:
Detailed ESHS to include in the specifications of Tender Documents and Sample Environment and Social Management Plan (ESMP)

1. Environmental policy

- Declaration of ESHS policy signed by the managing director of the Contractor and clearly defining the commitment of the Contractor in terms of (i) ESHS management for its construction sites and (ii) compliance with the ESHS Specifications of the Contract.

2. Worksite-ESMP

- Target and content of the contractors Environmental and Social Management Plan (C-ESMP)
- Preparation and updating schedule
- Quality assurance and validation

3. ESHS resources

- Human resources:
  - ESHS Manager
  - ESHS Supervisors
  - Person in charge of relations with stakeholders
  - Medical personnel
- Logistics & communications:
  - ESHS vehicles
  - In situ noise, air and water measuring equipment
- Reporting:
  - Weekly inspections
  - Monthly
  - Accident / Incident

4. ESHS regulations

- Definition of standards for the applicable national ESHS regulations applicable to the execution of works:
  - Discharge standards
  - Minimum wage
  - Day and/or night traffic restrictions
- Definition of ESHS standards for the industry applied

5. ESHS operational inspection resources

- Site tracking procedure:
  - Frequency
  - Personnel
  - Assessment criteria
- Non-conformity handling and detection procedure:
  - Distribution information
  - Notification depending on the level of importance allocated to non-conformities
  - Tracking of the closing of the non-conformities
- Management of data on tracking and non-conformities:
  - Archiving
  - Use as a performance indicator

6. Project Areas

- Description of Project Areas (as per definition in Sub-Clause **Error! Reference source not found.** of the ESHS Specifications):
  - Number
  - Location on a topographical map
  - Activities
  - Opening & closing schedule
  - Access

		➢
7.	**Health and Safety Plan**	Identification and characterization of health and safety risks, including the exposure of personnel to chemicals, ➢ Description of working methods to minimize hazards and control risks ➢ List of the types of work for which a work permit is required. ➢ Personal protection equipment. ➢ Evacuation procedure for medical emergencies. ➢ Description of the internal organisation and action to be taken in the event of an accident or incident.
8.	**Training plan**	➢ Basic training for non-qualified staff ➢ Health & safety training
9.	**Labor Conditions**	➢ Description of Human Resource Policy for construction works of direct and indirect workers
10.	**Local recruitment**	➢ Local labor requirements: – Job descriptions and the levels of qualifications required – Recruitment procedure and deployment schedule – Initial training to be provided by the Contractor for each job description ➢ Location and management of the local recruitment office(s)
11.	**Traffic Management Plan**	➢ Deployment (Project Area & schedule) and maintenance sites for each vehicle and machine ➢ Mapping of itineraries, travel times, and areas where speeds are limited ➢ Dust suppression: – Mapping or road sections where dust reduction initiatives apply – Water points identified or to be created for refueling tanker trucks – Capacity of the tanker trucks used and calculation of the number of trucks required – Width of the track to determine if one watering run or equivalent is adequate (narrow track) or if two runs are required (wide track) – Number of watering or equivalent operations proposed per day depending on the climate
12.	**Effluents**	➢ Characterization of effluents discharged to the receiving environment ➢ Facilities for the treatment or pre-treatment of effluents ➢ Measures for reducing the sediment content of rainwater runoff ➢ Measures for monitoring the efficiency and performance of facilities for reducing sediment content of rainwater runoff ➢ Resources and methods for monitoring effluent and rainwater runoff quality
13.	**Noise and vibrations**	➢ Estimation of the frequencies, duration, days of the week and noise levels per Project Area
14.	**Waste**	➢ Inventory of waste per Project Area and per period ➢ Collection, intermediate storage, handling and treatment methods for ordinary or inert waste ➢ Storage and handling methods for hazardous waste
15.	**Clearing and re-vegetation**	➢ Methods & schedule for clearing vegetation ➢ Methods, species and schedule for the re-vegetation of Project Areas disturbed by the Works
		➢
16.	**Prevention of erosion**	➢ Location of zones suffering from erosion ➢ Methods and schedule for the implementation of anti-erosive actions, including topsoil storage

18.	**Documentation on the Project Area condition**	➢ ➢ ➢	List and cover of viewpoints Imaging method Archiving photographs
19.	**Rehabilitation**	➢	Method and schedule for Project Area rehabilitation

Generic Mitigation Measures of Environment Impacts

Environmental Impact	Proposed Generic Mitigation Measures
Impacts on Soil Resources	• Where possible, avoid clearing of vegetation, particularly of indigenous vegetation colonies; • Ensure appropriate siting of school infrastructure and confine excavation activities within the immediate project site area, • Where clearing is done, compact loose soil on excavated areas, land should be landscaped and reclaimed by planting more trees and other vegetation; • Where erosion may occur due to vegetation loss, erosion control measures will be put in place like re-vegetation, stone bunds; • Vegetation clearing and topsoil disturbance will be minimized where possible; • Avoid moving heavy machineries and other equipment unnecessarily and away from designated transport routes; • Reclaim and re-vegetate the site once work is completed to reduce run-off • Contouring temporary and permanent access roads / lay-down areas to minimize surface water run-off and erosion • Sheet and rill erosion of soil shall be prevented where necessary through the use of sandbags, diversion berms, culverts, or other physical means • Topsoil shall be stockpiled separately from subsoil. Stockpiles shall not exceed 2 m height, shall be located away from drainage lines, shall be protected from rain and wind erosion, and shall not be contaminated. • Wherever possible construction work will take place during the dry season. • Topsoil shall be evenly spread across the cleared areas when reinstated. • Accelerated erosion from storm events during construction shall be minimized through managing storm water run-off (e.g. velocity control measures). • Soil backfilled into excavations shall be replaced in the order of removal in order to preserve the soil profile. • Mulch generated from indigenous cleared vegetation shall be spread across exposed soils after construction
Impact on Water Resources	• Follow MoE guidelines on construction of pit latrines the bottom of the pit should be at least 2m above ground water and minimum horizontal distance of 30 m between a pit and water source. For sanitary facilities with high water table, the pits will be lined with an impermeable layer of concrete to prevent underground water pollution; • Discharge of Grey water or uncontrolled discharges from the site/working areas (including wash down areas) to adjacent rivers shall not be permitted; • Contractor should sensitize workers on water conservation and put strict measures to avoid wastage of water, • Ensure proper handling, storage and disposal of waste oil, lubricants, oil filters and fuel from vehicles. Hazardous waste should be contained and properly disposed by licensed hazardous waste handlers. • Water containing pollutants such as cements, concrete, lime, chemicals and fuels shall be discharged into a conservancy tank for planned removal from site • Works that are likely to generate silt-laden runoff such excavations will be undertaken preferentially during the drier months of the year; December-March • The drainage system will be developed to prevent silt-laden run-off from entering surface water drains and streams without treatment (e.g. earth bunds, silt fences, straw bales, or proprietary treatment) under any circumstances • Where possible an 8m buffer strip of existing vegetation will be maintained within the project site. • Earth stockpiles will be seeded as soon as possible, covered with geotextile mats or surrounded by a bund to minimize the risk of sediment-rich run-off

Environmental Impact	Proposed Generic Mitigation Measures
	• Spoil dumping should be carried out in designated sites approved by the school BoM and NEMA. Should be away from any water resource or stream banks to avoid possible water pollution from siltation/sedimentation; • Tools and plant will be cleaned in designated areas within the site where run-off can be isolated for treatment before discharge to the river or nearby water resources; • Debris and other material will be prevented from entering watercourses; Construction sites (such as settlement lagoons or other temporary attenuation) to be used during construction if necessary; Diversion of minor watercourses will be carefully managed to prevent suspension of silt (or contamination by other pollutants) • Discharge into watercourses and water bodies will only be carried out under consent of the relevant governing bodies such as WRA • All wastewater which may be contaminated with oily substances must be managed in accordance with an appropriate Waste Management Plan (WMP) • Hydrocarbon-contaminated water shall not be discharged into the environment; • At operation stage, the sewer infrastructure if present in some schools will be constantly inspected and blockages repaired • At construction stage, the contractor will prepare Specific Construction Environment and Social Management Plan (C-ESMP) which included among others: Spoil Management Control Plan, health and safety management plan and Waste Management Plan.
Impacts on Air Quality	• Develop and implement a Dust Management Plan (DMP) and Undertake inspections to ensure compliance with the Dust Management Plan; • Contractors to use dust screens/nets as necessary when dusty construction activities are occurring; • Provide appropriate PPE (dust masks) to workers & enforce use; • Record all dust and air quality complaints, identify cause(s), take appropriate action; • Undertake monitoring close to dusty activities, noting that this may be daily visual inspections, or passive/active monitoring as parameter • Remove dusty materials form site as soon as possible if not being re-used. If being re-used, cover or vegetate if possible; • Impose speed limits on haul routes and in construction compounds to reduce dust generation; • Construction trucks delivering materials to site should be covered with tarpaulins in order to minimize spread of dust/fugitive emissions to the surrounding areas and prohibit unnecessary idling of construction related vehicles. • Undertake watering to attenuate dust near sensitive receptors. The duration and frequency of this should be set out in the Dust Management Plan and will consider water availability and any stakeholder grievances; and • Re-vegetate exposed areas as soon as feasible; • Re-vegetate or cover stockpiles if feasible; • Expose the minimum area required for the works, and undertake; and exposure on a staged basis to minimise dust blow.

Environmental Impact	Proposed Generic Mitigation Measures
Noise and Vibrations Impacts	• Siting noisy plant and equipment as far away as possible from classrooms and use of barriers (e.g. site huts, acoustic sheds or partitions) to reduce the level of construction noise at receptors wherever practicable; • Construction workers should be aware of the sensitive nature of work places where they are operating in & advised to limit verbal / other form of noise; • Undertake regular maintenance of the construction equipment/ vehicles as per the operational manual • Where practicable noisy equipment will be orientated to face away from the nearest classroom and other receptors; • Working hours for significant noise generating construction work will be on daytime only and preferably during the school holidays • Alternatives to diesel and petrol engines and pneumatic units, such as hydraulic or electric-controlled units, will be used, where practicable; • Where practicable, stationary equipment will be located in an acoustically treated enclosure; • For machines with fitted enclosures, doors and door seals will be checked to ensure they are in good working order; also that the doors close properly against the seals; • Throttle settings will be reduced and equipment and plant turned off, when not being used; • Equipment will be regularly inspected and maintained to ensure it is in good working order. The condition of mufflers will also be checked; and fitting of mufflers or silencers of the type recommended by manufacturers.
Impact on Flora and Fauna	• Ensure proper demarcation and delineation of the project area to be affected by construction works; • Where possible, avoid clearing the vegetation; • It is recommended that indigenous trees or other fast-growing trees be planted in strategic locations where the vegetation cover will be cleared as part of landscaping initiatives; • Identify and restrict movement of vehicles to areas of disturbance. • Compensatory planting of trees i.e. plants at least twice the number of trees • Staged vegetation clearance is also recommended so as not to clear the entire corridor all at once. • The use of existing cleared or disturbed areas for the Contractor's Camp, stockpiling of materials etc. shall be encouraged. • Whenever possible, all damaged areas shall be reinstated and rehabilitated upon completion of the contract to as near pre-construction conditions as possible. • Reinstatement of temporary construction sites, spoil dumping areas and pioneer camps (if present) should be done as swiftly as possible and always with suitable native grasses and other plants
Solid Waste Generation	• Contractor should prepare construction waste management plan that they should follow as they undertake the works; • Encourage the use of integrated solid waste management system through hierarchy of options that is source reduction, re-use, recycling and composting; • Sensitize construction workers on appropriate waste handling and disposal of all construction related waste in designated areas; • Provide appropriate waste receptacles on site; • Restrict open burning of solid waste generated at sites; • Plan for regularly removal and transport of solid waste to designated waste disposal areas using NEMA registered waste handlers; • Contractor will keep records of waste disposal as proof for proper management of waste as designed;

Generic Mitigation Measures of Social Impacts

Social Impact / Health and Safety Impacts	Proposed Mitigation Measures
Risk of Accidents and Occupational Safety and Health Concerns	• To reduce on the workers accidents and hazards, Contractor will develop and monitor implementation of an occupation Health and Safety Management Plan (OHSMP) which will include the following measures: • Contractor shall restrict access to active construction sites, including establishment of a fence to hoard the area under construction, • Ensure the work place is registered by Directorate of Occupational Safety and Health Services (DOSHS) and maintain logs on any accidents/injury on site, • Workers will be provided with suitable PPE including: to avoid cuts on the feet, hands and head during the course of duty. This include helmets, gloves, safety boots overalls, face masks and ear plugs in dusty and noise activities; • Provision of adequate sanitary facilities to workers separate for either gender. • Train all workers on Safety Health and Environment (SHE) with an aim of improving awareness; • The workers or their representatives will be trained on first aid and provided with first aid kits; • Ensure all vehicles, equipment and machines are inspected, repaired and maintained before use, and machine operators are trained on machine use and safety; • Ensure all the electrical works are carried out by trained professionals; • Implement a workers grievance redress mechanism to allow workers raise safety issues and propose improvements on site; • Trenches over 1.5m deep will be secured against accidental entry by workers and the public using barriers and warning tapes. • The contractor will install appropriate safety signage at the work areas to warn learners/staff from coming close to the construction site, • Emergencies: the workers should be provided with emergency telephone numbers to request for assistance at any time of accident • Where construction activities interfere with the movement of traffic, appropriate signage will be installed and controlled by trained flagmen/flag women and lit by night. • Provision of serviceable fire extinguishers on site and well-equipped first aid kit • Public awareness/Training for first aid providers
Community health and safety risks	• To reduce on the community accidents and hazards, contractor will develop and monitor implementation of a Community Health and Safety Management Plan (CHSMP) • Notify the public on ongoing works through appropriate publicly accessible sites at the school • Sensitize the learners on the health and safety risks and mitigation measures related to the construction activities, • Contractors should work closely with the school administration to find ways to minimize temporal disruption of services • Restrict access to active construction sites including screening off/ barricading the active work area, • Educate and sensitize workers and the local community on STI, HIV /AID's and other communicable diseases; • Create awareness on project grievance redress mechanism.

Social Impact / Health and Safety Impacts	Proposed Mitigation Measures
Traffic related accidents and associated emissions	• The contractor and the school administration shall prepare a traffic safety plan through segregating traffic safety, equipment operation and walking areas to reduce on conflicts and possible injuries; • Contractor shall avoid school learning peak hours for transport of construction materials and equipment; • Warning signs shall be provided to the access roads to warn school community during transportation of construction materials; • Contractor shall emphasize safety aspects among project drivers, especially speed limits to the school; • Whenever dust suppression along access roads will be necessary, water will be sprayed; • Contractors should regularly inspect vehicles safety and employed trained drivers to minimize potential traffic related accidents.
Labor Influx Impacts	• Reduce labor influx by tapping into the local workforce. Depending on the size and the skill level of the local workforce, a share of the workers required for the project may be recruited locally. This may be easier for unskilled workmen. Specialized workmen may be hired from elsewhere. Local workers may also be trained especially if they are required for the operation of the project. • C-ESMP that contractor to prepare a Labor Management Plan (LMP)that included mandatory requirement to procure all unskilled (and as much as possible, semi-skilled) labor as well as locally available materials from the local community while ensuring equal pay for equal work for men, women and people with disability • The contractor will ensure effective community engagement and strong grievance mechanisms on matters related to labor with a discrete mechanism for safely and confidentially reporting issues of SEA and GBV at the community level triggered by the Project • Effective contractual obligations for the contractor to adhere to the mitigation of risks against labor influx, the contractor should engage a local community liaison person • The contractor will ensure proper records of labor force on site while avoiding child and forced labor • The works contractor should be required, under its contract, to prepare and enforce a No Sexual Harassment and Non-Discrimination Policy, in accordance with national law as well as to the World Bank Code of Conduct guidelines where applicable. • The contractor will ensure comply to provisions of Work Place Injuries and Benefits Act (WIBA) 2007 • The contractor will develop and implement a children Protection Strategy, this strategy will ensure that no child under the legal age of 18years in employed to the Project.
Gender Based violence and Sexual Harassment	• The existing community structures headed by location chiefs should be involved in local labor hire, emphasize the requirement of hiring women, youth and people with disability and VMGs • Protecting Human Risk Areas Associated with, Disadvantaged Groups, Interfering with Participation Rights and interfering with Labor Rights: • Treat women and children (persons under the age of 18) with respect regardless of race, color, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

Social Impact / Health and Safety Impacts	Proposed Mitigation Measures
	• Do not use language or behavior towards women or children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate. • Sexual activity with children under 18—including through digital media is prohibited. Mistaken belief regarding the age of a child and consent from the child is not a defense. • Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited. • Sexual interactions between contractor's and consultant's employees at any level and member of the communities surrounding the workplace that are not agreed to with full consent by all parties involved in the sexual act are prohibited. This includes relationships involving the withholding, promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex – such sexual activity is considered "non-consensual" within the scope of this Code. • Where an employee develops concerns or suspicions regarding acts of GBV by a fellow worker, whether in the same contracting firm or not, he or she must report such concerns in accordance with Standard Reporting Procedures. • All employees are required to attend an induction-training course prior to commencing work on site to ensure they are familiar with the GBV Code of Conduct. • All employees must attend a mandatory training course once a month for the duration of the contract starting from the first induction training prior to commencement of work to reinforce the understanding of the institutional GBV Code of Conduct.
Children Protection	• The contractor will develop and implement a Children Protection Strategy that will ensures minors are protected against negative impacts associated by the Project including SEA. • All staff of the contractor must sign, committing themselves towards protecting children, which clearly defines what is and is not acceptable behaviour • Children under the age of 18years should be hired on site as provided by Child Rights Act (Amendment Bill) 2014 • Wherever possible, ensure that another adult is present when working in the proximity of children. • Not invite unaccompanied children to workers home, unless they are at immediate risk of injury or in physical danger. • Refrain from physical punishment or discipline of children • Refrain from hiring children for domestic or other labor, which is inappropriate given their age, or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury. • Comply with all relevant local legislation, including labor laws in relation to child labor specifically provisions of Kenya's Employment Act Cap 226 of 2007 Part VII on protection of children against exploitation
Sexual Exploitation and Abuse (SEA)	• Develop and implement a SEA action plan with an Accountability and Response Framework as part of the C-ESMP. The SEA action plan will follow guidance on the World Bank's Good Practice Note for Addressing Gender-based Violence in Investment Project Financing involving Major Civil Works (Sept 2018). • Prevention of SEA: including COCs and ongoing sensitization of staff on responsibilities related to the COC and consequences of non-compliance; project-level IEC materials;

Social Impact / Health and Safety Impacts	Proposed Mitigation Measures
	• Engagement with the community: including development of confidential community-based complaints mechanisms discrete from the standard GRM; main-streaming of Sexual Exploitation and Abuse (SEA) awareness-raising in all community engagement activities; community-level IEC materials; regular community outreach to women and girls about social risks and their SEA-related rights; • Management and Coordination: including integration of SEA in job descriptions, employments contracts, performance appraisal systems, etc.; development of contract policies related to SEA, including whistle-blower protection and investigation and disciplinary procedures; training for all project management; management of coordination mechanism for case oversight, investigations and disciplinary procedures; supervision of dedicated PSEA focal points in the project and trained community liaison officers.
Spread HIV/AIDs	• Education and sensitization of workers and the local communities on STIs including provision of condoms to the project team and the public; • Institute HIV/AIDS awareness and prevention campaign amongst workers for the duration of the contract e.g. erect and maintain HIV/AIDS information posters at prominent locations as specified by the Resident Engineer; • Procure and distribute Condoms among staff and community members • Sensitize workers and the surrounding communities on awareness, prevention and management of HIV/AIDS and sexual health and rights through staff training, awareness campaigns, multimedia and workshops or during community Barazas. • Use existing clinics to provide VCT services to construction crew and provision of ARVs for vulnerable community members
Spread of COVID-19 among Community Members	• Avoid concentrating of more than 15 community members at one location. Where two or more persons are gathered, maintain social distancing of at least 2 meters; • The team carrying out engagements within the communities on one-on-one basis will be provided with appropriate PPE for the number of people they intend to meet; • Use traditional channels of communications (TV, newspaper, radio, dedicated phone-lines, public announcements and mail) when stakeholders do not have access to online channels or do not use them frequently. Ensure to provide and allow participants to provide feedback and suggestions. • Hold meetings in small groups, mainly in form of FGDs if permitted depending on restrictions in place and subject to strict observance of physical distancing and limited duration. • In situations where on-line interaction is challenging, disseminate information through digital platform (where available) like Facebook and WhatsApp & Chart groups. • Ensure on-line registration of participants, distribution of consultation materials and share feedback electronically with participants.
Conflicts associated with the Project	• The community will be constantly sensitized on available Grievance Redress Mechanism established by DPCAD Teams. The mechanisms emphasizes resolution of disputes at Common Interest Group (CIG) level, which is the lowest community structure. • In consultation with the benefiting communities and develop means to ensure equitable sharing of resources

Appendix 9
Terms of Reference for Sexual and Gender Based Violence Risk Assessment (SGBV)

BACKGROUND

Brief project background

OBJECTIVES

The engagement of the SGBV Expert aims to achieve the following objectives:

- Conduct requisite SGBV trainings to the target Units / Groups
- Review the adequacy of existing Contractor's SGBV policies
- Develop SGBV Framework including Reporting and Investigation procedures
- Implement the measures outlined in the SGBV action plan
- Any other requirement as may be deemed required.

TARGET UNITS / GROUPS

The SGBV retrofitting will target the following target groups:

- Contractor's Management Team
- Supervisors / Foremen
- Client's and Consultant's Representatives
- Environment, Social, Health and Safety (ESHS) Officers
- Workers' Representatives
- Safety Committee Members
- Community Representatives and Local Administration

Assessing GBV Risks and response measure and Capacity of safeguard team to Respond- This will be achieved through

- GBV Risk Assessment: assessment of the risk of exacerbation of GBV at the community level; and,
- Capacity Assessment: assessment of the local capacity to prevent and respond to GBV, including the availability of safe and ethical service provision for survivors
- Clear outcome of these risk assessments should be the classification of the project as at Low, Medium, Substantial or High risk of GBV
- Develop a GBV Action Plan that will properly GBV risk identified in the assessment and recommend a series of mitigation measures to address and monitor these risks throughout the life of the project

GBV Training for Contractors, Consultants and Clients

The SGBV Expert will be tasked with developing the scope and offering requisite trainings related to Sexual Harassment and Gender-Based Violence, including: -

- Training on the nature of sexual harassment and Gender Based Violence- Training will include to the minimal the following elements.

    - ✓ What GBV, particularly SEA and SH, is and how the project can exacerbate GBV risks;
    - ✓ Roles and responsibilities of actors involved in the project (the standards of conduct for project-related staff captured in CoCs)
    - ✓ GBV incident reporting mechanism, accountability structures, and referral procedures within agencies and for community members to report cases related to project staff;
    - ✓ Services available for survivors of GBV; and

- ✓ Follow-up activities to reinforce training content.

- Policies on respectful and safe workplaces, and the consequences of violating these policies.
- Establishing and training the grievance committee that will receive complaints / grievances of sexual harassment and Gender Based Violence.
- Training the SGBV investigators on how to discretely, thoroughly, and neutrally investigate SGBV grievances.
- Training the Project Management Team who will be responsible for evaluating investigation results and determining consequences of SGBV claims.
- Developing a complaints and investigation mechanism, to create a formal system by which staff, community members will be able to register complaints, and by which the company will investigate allegations. This system should be covered in all trainings, so that all staff understand how to report incidents, and how the investigations process is to be carried out.

Review of Grievance Redress Mechanisms with regards to GBV – The consultant will review existing GRM to ensure that in addition to addressing compensation matters related to the Project, the mechanism should also address GBV related grievances

- For GBV—and particularly SEA and SH—complaints, there are risks of stigmatization, rejection and reprisals against survivors. This creates and reinforces a culture of silence so survivors may be reticent to approach the project directly.
- The consultant will upgrade the existing GRM to have multiple channels through which complaints can be registered in a safe

Monitoring and Reporting of GBV

- The consultant will provide a mechanism of ensuring that the Project monitors GBV activities.

Specific Tasks

- Develop a Grievance reporting and investigation mechanism, by which staff, community representatives can confidentially report incidents and can confidentially and impartially review and investigate complaints.
- Roll out the SGBV referral pathway.
- Under GBV Risk Assessment for the Project
- Develop a GBV Action Plan that address identified GBV risks
- Develop training manual on GBV and train Contractors, Consultants and Clients
- Review of Grievance Redress Mechanisms with regards to GBV
- Develop Monitoring and Reporting tool for GBV tracking
- Develop a guide on how to respond to GBV Incidents, the guide should include notes on; A Survivor-Centered Approach, GBV Services Providers, Handling GBV Complaints. Ensuring Appropriate Support for Survivors and Resolving and Closing a Case

Key Principles for the Training Program

- What: Training should cover definitions of sexual harassment and GBV, company policies on sexual harassment and GBV, how to respond, how to file a complaint, and the expected process after a complaint is lodged.
- Who: The GBV training program should be aimed at the target groups aforementioned. Participation in the training should be mandatory for all the target units.
- When: The selected employees should attend the SGBV training course once the training is scheduled.

- How Often: The training should be conducted on a regular basis to reinforce the understanding of the project's SGBV goals.

Minimum Training Requirements

At a minimum, the SGBV training should include:

- Definition of SGBV, and how the project can deal with the SGBV related issues.
- Roles and responsibilities of actors in the project involved in the SGBV issues.
- SGBV grievance reporting mechanism, referral pathways within the project
- Services available for survivors of SGBV related issues.
- Follow-up activities to reinforce training content.

Training Outcomes

- Increased awareness and knowledge on the various types of SGBV
- Functional mechanisms (including GBV committees) at community level to support survivors of SGBV.
- Strengthened knowledge and awareness creation among project's staff and community members' representatives over SGBV issues.
- Improved relations and coordination among workers and community members.
- Enhanced and efficient reporting mechanisms for the SGBV related issues.
- Creation of an SGBV committee.

Minimum Qualifications for the SGBV Expert

Interested Experts should demonstrate knowledge in developing and leading trainings on Gender Based Violence, ideally with background in Large Civil Engineering Construction Projects for at least 7 years.

Expert knowledge on sexual and reproductive health rights, legal frameworks, health and the law relevant to SGBV will be an added advantage.
Candidates should possess training certificate(s) from recognized training institutions. Additionally, evidence of previous training records may be considered.

PROCEDURE FOR APPLICATION

Interested SGBV Experts are required to submit the following:

- A brief methodology detailing how the requirements in this ToR achieved.
- Comments and Suggestions to the Terms of Reference
- A Quotation for carrying out the Works as defined in the ToR (To include estimated Time-Inputs)

Appendix 10
Sample Environmental Policy

Xxxxx Company is committed to minimizing significant environmental impacts of our activities, processes and products. T**he following Environmental Policy Statement:**

- We are committed to comply with all the relevant Kenyan Environment National legislations and regulations.
- Continual improvement in environmental performance incorporating sustainable measurement and monitoring mechanisms;
- We will ensure the responsible use of natural resources, especially energy, raw materials and water in an efficient manner
- We will implement construction mitigation measures, monitoring and audit programs as specified.
- We will minimize the release of any pollutant or effluent that may cause environmental damage to the air, water or soil.
- We will minimize waste, especially hazardous waste, and whenever possible recycle materials. We will dispose of all waste in a safe and responsible manner as per the requirements provided in EMCA Waste Management Regulations, 2006.
- We will control pollution through adoption of innovative cleaner production technologies;
- We will use environmentally safe and sustainable energy sources to meet our needs, and invest in improved energy efficient technologies where available. Energy efficient management practices will be developed.
- We will minimize the environmental, health and safety risks to the employees and communities in which we operate by employing safe technologies and operating procedures, training the employees and by being constantly prepared for emergencies.
- We will commit management resources to implement this environmental policy; all employees will be made aware of their individual responsibilities for acting in accordance with the Program Environmental Policy.
- We will seek to be good neighbors, improve the aesthetic appearance of the site(s), develop a system for handling complaints, resolving and make great effort to provide an efficient and friendly channel of communication.
- We will conduct annual self-evaluation of our environmental performance and compliance with requirements.
- We will work towards the timely creation of independent annual environment audit procedures to which we will adhere to.

MANAGING DIRECTOR: ……
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Appendix 11

Sample Health and Safety Policy

Xxxxxx Company recognizes and adopts the Occupational Safety Health Act 2007, all other applicable legislation and is therefore committed to ensuring the Health, Safety and Welfare of all employees and any others who could be affected by acts or omissions of **Xxxxxx Company**. Furthermore, **Xxxxxx Company** is committed to continuous improvement in respect of Health and Safety Performance and supporting Management Plan.

We will, so far as is reasonably practicable:

i. Provide adequate resources to maintain health and safety within the sub-project sites.
ii. Provide and maintain systems of work which are safe and without risk to workers and school communityhealth.
iii. Establish arrangements for the use, handling, storage and transportation of articles and substances provided for use at work, which are safe and without risks to health.
iv. Provide employees with such information, instruction, training and supervision as is necessary to ensure their safety and health at work and that of others who may be affected by their activities.
v. Ensure that all machinery, plant and equipment are maintained in an efficient and safe working condition.
vi. Make adequate provision and arrangements for welfare facilities (sanitation facilities, water) at work.
vii. Keep the workplace safe and ensure that all access and egress points are safe and without risk.
viii. Monitor health and safety performance to maintain agreed standards.
ix. Maintain effective communication on the health and safety policy to employees and their representatives.
x. Provide information and assistance to public on community health and safety issues arising from our operations
xi. Review our health and safety objectives regularly for continual improvement

The duties of employees are to:

i. Take reasonable care of their own health and safety, and that of others who may be affected by their acts or omissions at work.
ii. Not interfere with, misuse or willfully damage anything provided in the company.
iii. Comply with the company's health and safety policy

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Appendix 12
Harassment & Violence in the Workplace Policy

Mission
Xxxxxxx Company is committed to providing a safe, healthy and supportive work environment by treating our employees and clients with respect, fairness and sensitivity.
Violence and harassment in the workplace can have devastating effects on employees' quality of life and organizational productivity.

Workplace violence is:
- the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; or,
- A statement or behavior that it is reasonable for a worker to interpret as a threat to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker.

Workplace harassment is engaging in a course of troublesome comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome; or workplace sexual harassment.

Workplace Sexual Harassment
- Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity, or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome or
- Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Purpose of the Policy
Xxxxxxx is committed to preventing workplace violence and harassment. This policy defines behavior that constitutes workplace violence and harassment, and explains procedures for reporting and resolving such incidents.

Xxxxxx is committed to providing a working environment free of violence and harassment by familiarizing all workplace parties with the related terminology as well as their individual responsibilities for prevention and corrective action.

Policy Statement
The management of **xxxxxx** recognizes the potential for violence and harassment in the workplace. The Company will not tolerate any type of violence or harassment within the workplace or during work-related activities. The Company is committed to allotting whatever time, attention, authority and resources necessary to ensure a safe and healthy working environment for all employees and clients to whom we provide care.

Xxxxx will take every reasonable precaution to protect an employee from physical injury if we become aware, or believe, that domestic violence is a risk.

Definitions Associated with Workplace Violence and Harassment

Physical assault: is any physical force or threat of physical force to create fear and control another person. Some examples include: hitting, blocking, shoving, choking, slapping or biting, or pulling hair; "caring" for the victim in an abusive way, threats of violence, and using a weapon or other objects to threaten, hurt or kill.

Sexual assault: is any unwanted sexual act done by one person to another. Examples include: kissing or forcing/coercing the person into kissing; touching the person's body with or without clothes on; forcing/coercing the person to masturbate; sexual intercourse (anal or vaginal), penetrating with an object; causing bodily harm; removing or attempting to remove clothing; taking advantage of a position, trust or authority to get sex; and threatening to harm someone else if the person does not agree to do any of these things.

Threat (verbal or written): is a communicated intent to inflict physical or other harm on any person or to property by some unlawful act. A direct threat is a clear and explicit communication distinctly indicating that the potential offender intends to do harm, for example, "I am going to make you pay for what you did to me." A conditional threat involves a condition, for example, "If you don't leave me alone you will regret it." Veiled threats usually involve body language or behaviours that leave little doubt in the mind of the victim that the perpetrator intends to harm.

Verbal/Emotional/Psychological abuse: is a pattern of behaviour that makes someone feel worthless, flawed, unloved, or endangered. Like other forms of abuse, it is based on power and control. Examples include: swearing, put-downs/name calling over a period of time, labelling the victim in a derogatory way such stupid, crazy or irrational, acts of humiliation, extreme jealous behaviour, attacking the victim's self-esteem in other ways. It can also include harming pets and damaging property.

Workplace Bullying: repeated and persistent negative acts towards one or more individuals, which involve a perceived power imbalance and create a hostile work environment.

Roles and Responsibilities of Workplace Parties

Employer:

- ✓ Ensure that measures and procedures in the violence and harassment prevention program are carried out. Hold management accountable for responding to and resolving complaints of violence.
- ✓ Ensure compliance by all who have a relationship with the organization, such as physicians, contractors, volunteers, etc.
- ✓ Post a copy of this policy in the workplace.
- ✓ Integrate safe behaviour into day-to-day operations.
- ✓ Develop a reporting process for incidents of workplace violence and harassment.
- ✓ Investigate all reports or threats of violence/harassment in a prompt, objective and sensitive way.
- ✓ Report incidents of workplace violence to the DOSH Director as per the OSHA, 2007; if an employee is disabled from performing their own work or receives medical attention as a result of an incident.
- ✓ Take corrective action.
- ✓ Provide response measures.
- ✓ Facilitate medical attention and support for those involved directly or indirectly.

Managers/supervisors:

- ✓ Enforce policy and procedures and monitor worker compliance.
- ✓ Identify and alert staff to violent persons and hazardous situations.
- ✓ Investigate all workplace violence using the organization's accident investigation procedure and form, and contact the police as required.
- ✓ Facilitate medical attention for employee(s) as required.
- ✓ Debrief those involved in the incident either directly or indirectly.
- ✓ Contact human resources to ensure the employee receives further counselling about her/his legal rights.
- ✓ Track and analyze incidents for trending and prevention initiatives.
- ✓ Issue a report to the employer on all lost-time accidents where a worker requires healthcare, earns less than regular pay for regular work, requires modified work at less than regular pay or performs modified work at regular pay for more than seven days.
- ✓ Ensure the workplace violence and harassment prevention program is reviewed at least once a year.

Employees:

- ✓ Participate in education and training programs so you can respond suitably to any incident of workplace violence or harassment.
- ✓ Understand and comply with the violence and harassment prevention policies and related procedures.
- ✓ Report all incidents or injuries of violence/harassment or threats of violence/harassment to your supervisor immediately. Complete the Workplace Violence Incident Report.
- ✓ Contribute to risk assessments.
- ✓ Seek support when confronted with violence/harassment or threats of violence.
- ✓ Get medical attention.
- ✓ At least once a year, participate in a review of the workplace violence and harassment prevention program.

Health and Safety Committee (HSC):

- ✓ Ensure you are consulted about the development, establishment and implementation of violence prevention measures and procedures (the violence and harassment prevention program).
- ✓ Make recommendations to the employer for developing, establishing and providing training in violence prevention measures and procedures.
- ✓ At least once a year, take part in a review of the workplace violence and harassment prevention program.
- ✓ The worker-designate should investigate all critical violence-related injuries.
- ✓ Immediately review reports of critical injury or death. Outline in writing the circumstances and particulars within 48 hours of the occurrence.
- ✓ Within four days, review written notices lesser injuries where any person is disabled from performing his or her usual work or requires medical attention.

Reporting and Investigation

- ✓ Workers are to report all violence-related incidents or hazards to their manager or supervisor. This report can be made confidentially at the employee's request. However, sharing information to ensure the safety of others and prevent recurrence may be necessary (e.g., contents of a police report).
- ✓ The reporting worker may make the report confidentially without leaving a copy in the log, indicating the need for confidentiality to her/his direct manager or supervisor (or in that person's absence, to another manager or supervisor).
- ✓ The manager or supervisor receiving the report investigates it and ensures that measures are taken to safeguard employees and curtail the violence or harassment. No report of workplace violence/harassment or risks of violence may be the basis of reprisal against the reporting employee.
- ✓ The employer reports all injuries to the Ministry of Labor as required by the *Occupational Health and Safety Act, 2007.*

Response Procedures

- ✓ Using the incident investigation form, the manager or supervisor documents all reports of workplace violence/harassment, hazards and measures taken to address them.
- ✓ If the resolution of the incident is beyond the authority of a manager or supervisor, she/he must make the MD or equivalent aware of the report. The MD or equivalent involves other managers or supervisors in the investigation as appropriate (e.g., when the incident involves clients or employees under another manager's or supervisor's area of responsibility).
- ✓ Management reviews all incident reports, monitors trends and makes recommendations to the MD or equivalent for prevention and enhancements to the workplace violence and harassment prevention program.
- ✓ These findings are shared with the HSC, which is consulted about any revision to the violence and harassment prevention and training program.
- ✓ The MD or equivalent reviews reports of workplace violence/harassment and ensures that actions are taken.
- ✓ The managers or supervisors who investigate the reported incident warn all staff who might be affected

about dangerous situations. They also tell the reporting employee about the outcome of the investigation to help minimize the chance of similar incidents.

Support for employees affected by workplace violence

- ✓ Management will respond promptly, assess the situation and ensure that these interventions are followed:
- ✓ facilitation of medical attention;
- ✓ debriefing (by skilled professional);
- ✓ referrals to community agencies, treating practitioner and employee assistance program;
- ✓ completion of incident reports,
- ✓ reporting to police (as required); and
- ✓ Team debriefing.

Risk assessment

Management (with worker involvement) assesses workplace violence hazards in all jobs, and in the workplace as a whole. It reviews risk assessments annually, as well as when new jobs are created or job descriptions are changed substantially.

Education

New employees will receive both general and site-specific orientation to the workplace violence and harassment prevention program. In addition, all employees will receive an annual review of the program's general and site-specific components.

Any training developed, established and provided will be done in consultation with, and in consideration of, the recommendations of the HSC.

Program Evaluation

The effectiveness of the workplace violence and harassment prevention program is evaluated annually by management and reviewed by the HSC.

Workers, and supervisors are accountable for establishing and implementing the policy and procedures related to workplace violence and harassment. Responsibility for complying with the health and safety policy is part of a manager's, supervisor's and worker's job description. Included in the health and safety components of job descriptions are management responsibilities for enforcing policy and procedures, investigating and responding to workplace violence and harassment.

Accountability

All workplace parties are accountable for complying with the policy, program, measures and procedures related to workplace violence.

Records

All records of reports and investigations of workplace violence and harassment are kept for the three years.

Policy Review

This workplace violence and harassment prevention policy and program will be reviewed annually.

MANAGING DIRECTOR: ……
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Appendix 13
Contractors Code of Conduct implementing ESHS and OHS standards, preventing GBV, SH and VAC

I_____ acknowledge that adhering to environmental, social health and safety (ESHS) standards, following the project's occupational health and safety (OHS) requirements, and preventing gender based violence (GBV) and violence against children (VAC) is important.
The company considers that failure to follow ESHS and OHS standards, or to partake in GBV or VAC activities be it on the work site, the work site surrounding communities constitutes acts of gross misconduct and are therefore grounds for sanction, penalties or potential termination of employment. Prosecution by the police of those who commit GBV and VAC will be pursued if appropriate.

I agree that while working on the project I will (Cluster 1):

a) I will not involve in activities that exclude primary schools and learners in educationally disadvantaged counties due to biased selection criteria
b) I will not involve in activities that result to upsetting community dynamics caused by the program interventions operating in a small number of sites relative to immense and widespread need
c) I will not involve in activities that lead to exclusion of vulnerable and minority learners from access to program benefits including school inputs procured under the school grants activities
d) I will not involve in activities that lead to exclusion of learners with disabilities through learning systems, inputs, equipment and infrastructure that do not address the needs of PLWD
e) I will not involve in activities that result to limited stakeholder engagement and disclosure of project information leading to increased grievances
f) I will not involve in activities that result to SEA/SH and other forms of GBV arising from exploitation of women for program benefits such as access to school grants
g) I will not involve in activities that result to exclusion of candidates from VMGs/IP communities due to inadequate community sensitization and or disclosure of information on the program
h) I will not involve in activities that result to increased cases of school fires due to access coupled with increasing cases of students' unrest in schools
i) I will not involve in activities that result to child labor where learners are requested to bring firewood and/or water
j) I will not involve in activities that result to increased infections caused by Aflatoxin toxicity thorough procurement of unsafe food to schools

I agree that while working on the project I will (Cluster 2):
a) Attend actively and partake in training courses related to ESHS, OHS, HIV/AIDS, GBV and VAC as requested by the employer

b) I will wear personal protective equipment (PPE) at all times when at the work site or engaged in project related activities

c) Implement OHS Management Plan

d) Take all practical steps to implement the contractor's environment and social management plan (CESMP)

e) Adhere to zero alcohol policy during work activities, and refrain from the use of narcotics or other substances which can impair faculties at all times

f) Consent to Police background check

g) Treat women, children (persons under the age of 18yrs) and men with respect regardless of race, color, language, religion, political or other opinion, nation, ethnic or social origin, property, disability, birth or other status

h) Not to use language or behavior towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.

i) Not to engage in sexual harassment, for instance, making unwelcome sexual advances, requests for sexual favours and other verbal or physical conduct, of sexual nature, including subtle acts of such behavior (*e.g. looking somebody up and down, kissing, howling or smacking sounds; hanging around somebody, whistling*

and catcalls, giving personal gifts, making comments about somebody's sexual life, etc)

j) Not engage in sexual favours; for instance, making promises, or favorable treatment depending on sexual acts, or other forms of humiliating, degrading or exploitive behavior.

k) Not to participate in sexual contact or activities with children; including grooming, or contact through digital media. Mistaken believe regarding the age of the child is not a defense. Consent from a child is not a defense or an excuse.

l) Unless there is full consent by all parties involved, I will not have interactions with members of the surrounding communities. This includes relationships involving the withholding or promise of actual provision of benefit (*e.g. monetary or non-monetary*) to community members in exchange for sex. Such sexual activity is considered "non-consensual" within the scope of these Code of Conduct.

m) Consider reporting through the GRM or to my manager any suspected or actual GBV or VAC by a fellow worker, whether employed by my company or not, or any breaches of these Code of Conduct

With regard to children under 18 years (Cluster 3);

a) Whenever possible, ensure that another adult is present when working in the proximity of the children

b) I will not invite unaccompanied children unrelated to my family into my home, unless they are at immediate risk of injury or physical danger

c) I will not use any computers, mobile phones, videos and digital cameras or any other medium to exploit or harass children or to access child pornography, or use of children images for work related purposes

d) Refrain from physical punishment or discipline of children

e) Refrain from hiring children for domestic or other Labor related work.

f) Comply with all relevant local legislations, including Labor laws in relation to child Labor and World Bank's safeguard policies on child Labor.

g) Take appropriate action when photographing or filming children

Use of children's images for work related purposes (Cluster 4)

a. When photographing or filming a child assess and endeavor to comply with local tradition or restrictions for reproducing personal images.

b. Before photographing or filming a child, obtain informed consent from the child and a parent or guardian of the child. As part of this I must explain the use of the photograph or film and how it will be used.

c. Ensure photographs, films, videos and DVDs present children in dignified and respectful manner and not in the vulnerable and submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive

d. Ensure file labels do not reveal identifying information about a child when sending images electronically.

Sanctions (Cluster 5)

I understand that if I breach this individual Code of Conduct, my employer will take disciplinary action which could include:

i. Informal warning

ii. Formal warning

iii. Additional training

iv. Loss of up to one week's salary

v. Suspension of employment (*without payment of salary*), for a minimum of one month up to a maximum of 6 months

vi. Termination of employment

vii. Report to the police if warranted.

I do hereby acknowledge that I have read the foregoing individual Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to ESHS, OHS, GBV and VAC issue, I understand that any action inconsistent with this individual Code of Conduct or failure to act as mandated by this individual Code of Conduct may result in disciplinary action and my ongoing

employment.

NAME: ……..
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Appendix 14:
Periodic Environmental and Social Implementation Report

REPUBLIC OF XXXXXX

Project Name

PERIODIC ENVIRONMENTAL AND SOCIAL IMPLEMENTATION REPORT[9]

ILLUSTRATION PHOTO

Reporting period

[9] The Resettlement Action Plan (RAP) implementation report is submitted separately.

0. Summary

- Brief overview of the project (summary of key physical works, source of financing, E&S category);
- Nature of safeguards instruments prepared and date of approvals by the client;
- Progress of the project and the works;
- Update on the implementation of all recommendations made during the previous reporting period;
- Main reporting points in line with the E&S Key Performance Indicator (KPIs) of the ESMP during the reporting period in the form of a table [administrative and contractual documentation, E&S capacity at all levels (contractor, PIU, etc.), incident/accidents, complain management, etc.)].
- Overall progress in complying with the E&S obligations as set in the financing agreement.

1. Introduction

- Brief description of the project;(context, objectives, components, location with a map if possible, sources of financing, works contracts if applicable, contractor, owners and owners engineer, etc.);
- Main activities planned/undertaken during the reporting period, and especially those with E&S implications;
- Objectives of the report;
- Pending/delays actions as of the precedent report.

2. *Status of implementation of risks & impacts management measures to date [from the project start to the end the reporting period]*

2.1 Organization for the monitoring/implementation of the ESMP*: This section shall answer the following question:*

- Is the Project Implementation Unit (PIU) adequately staffed with skilled and permanent E&S specialists? Do they have resources (finance and equipment) to carry out optimal field visits and supervisions?
- Are the Contractor and MoE /supervising engineer adequately staff with skilled and permanent E&S staff and well equipped (vehicles for EHS, computers, in-situ water, air and noise sampling kits, etc.)? Are they preparing their periodic E&S reports to the MoE? What is the status of the employees (male, female, nature and duration of contracts) over the period covered by the report?
- What are the constraints to the achievement of the above matters?

If this is not the first report, please just indicate any changes as compared to the previous reporting period.

2.2 Implementation of the ESMP during the reporting period [10]

2.2.1. Environmental and Social Assessment. This section addresses the following concerns:

- Were all the additional risks and impacts assessments carried out, processed as required by the financing agreement, and then the measures included in bidding documents and contracts prior to commencement of works? (Ex. E&S assessment of camp sites, borrow pits, quarries, changes of alignment/new sites, associated/related infrastructures, etc. including related consultation).
- Report on activities implemented during the reporting period related to annual environmental and social performance audit and where applicable to RAP completion audits (preparation and validation of ToRs, recruitment of independent consultant, submission of related report)[11]
- Were all the required national permits/licenses/certificates and required insurances [EPA, factories office, Municipalities/local authorities, Fire service, all-natural resources related authorizations (water, materials, etc.), occupational health and safety/labor if applicable, etc.] gotten before commencement of any subject work? If not, why and what are the risk, consequence and remedy?

For measures that were planned or due but that have not been implemented, please provide a justification and the actions to be taken with time-lines.

2.2.2. Status of the mitigation measures. This section will inform/update on the status of the mitigation measures using a matrix approach. Please use the ESMP classic matrix (of the country's template if any) with the following columns in sequence: (i) code/number, (ii) Due E&S measure, (iii) Targeted E&S risk/impact, (iv) Linked investment activity, (v) Indicator of completion of the E&S[12], (vi) Verifier. *Apart*

[10] The periodic report covers the relevant issues in the concerned reporting period and the annual report covers the reporting period for the year.
[11] The status of implementation of recommendations of E&SRAP completion audits is to be documented under status on implementation of ESMP activities.
[12] The description must be as quantitative as possible, including metrics whenever possible and the completion date.

from column (v) and (VI) the contents of the other columns must come from the disclosed ESMP and be in the same formulation as in the original document (if reformulated, please justify why).

Code	Due E&S measure	Targeted E&S risk/impact	Linked investment activity	Indicator of completion of the E&S measure	Verifier

Comment of specific issues, if any, may follow here. (Ex. Justification of delays or shortcomings, and then actions underway/to be taken including realistic time-lines to minimize overall project implementation delay and cost overrun).

2.3. Other specific issues. This section shall elaborate on unplanned measures including the identification/treatment of residual impact. Example would cover the following questions:

- Is there any unanticipated pollution, hazardous materials or resource efficiency issue which appeared to be relevant for consideration? How was is it handled? Why, if not treated.
- Is there any unanticipated labor and working conditions issue which appeared to be relevant for consideration? How was is it handled? Why, if not treated.
- Have there been any EHS incidents? How were they managed? What additional measures have been identified and implemented?
- To what extent the stakeholders are being engaged during the implementation of E&S risks and impacts management measures? Do they participate in monitoring the implementation of E&S risk and impact management measures?
- What are the status of the complaints filed by stakeholders? Is the complaint and resolution log up to date, including physical and electronic archiving of the records? How many grievances, have been logged and the type? How many are pending resolution?
- How was the national authority in charge of ESA engaged in the oversight of the project's E&S compliance? The report must mention the number of field visits carried out by Ministry of Education, the corrective actions proposed, the implementation status as well as a summary of all the reports submitted by the PIU to the authority.
- What is the level of expenditure of the amounts detailed in the ESMP? Please include a summary table with the different expense lines, including those incurred by the contractor.

3. Administrative and applicable requirements

- Any change in terms of applicable requirements both national and international, E&S related personnel, location/siting (corridor/alignment), design, etc.

4. Capacity building;

- Report on any capacity building activity (type, period, concerned stakeholders, issues, etc.) at all levels (PIU and other institutional stakeholders, community, contractor and sub-contractor, etc.)[13]; please attach reports/minutes to this periodic report.
- Provide a summary table indicating planned versus achieved during the reporting period.

5. Conclusion and recommendations

- Overall self-rating of the E&S performance to date;
- Summary in the form of a table of key measures/activities that were planned or due but that have not been implemented during the reporting period, including the justification, the actions under-way/to be taken, and the related time-lines;
- Any other issue and recommendation.

6. Annexes

- Photo log;
- All relevant document/evidence in line with the reporting period.

[13] This includes all trainings and capacity building activities undertaken or planned during the reporting period

Appendix 15:
Occupational Health and Safety (OHS) as per OSHA 2007, COVID 19 Guidelines and Environment and Social Incidence Reporting Templates

Occupational Health and Safety (OHS) as per OSHA 2007

Activity	Player	Purpose	Timeline
OSH risk assessment.	-DOSHS Approved OSH Professional. -Report submitted to DOSHS offices	Identification of all OSH risks associated with the project and how they can be mitigated	Before or within seven (7) days of commencement of project
Registration of workplaces	Application of registration or notification by the contractor or project leadership	-Statutory requirement. -Maintain register for ease of follow-up for inspection or accident investigation, work injury compensation or other administrative actions. (protect the project from worker instigated litigation)	Prior to commencement of project and thereafter annually
Safety and Health (OSH) Audit	DOSHS Approved OSH Advisers	Safety and Health safeguard for ongoing work. Audits identify and address any gaps in safety and health that could affect workers adversely and mitigate on identified risks and hazards	Annual
Fitness to work assessment	DOSHS Approved Doctors	Examine and fit the workers to appropriate role	pre, during and post-employment
Training of all workers or workers' representatives in basic Occupational Safety and Health.	DOSHS Approved Training institutions	When workers are engaged in activities at the ward level whose content and duration will be dependent on magnitude of risks identified prior to the project or by the risk assessment report commissioned for the project and or activity.	At commencement of project and thereafter periodically
Accident and incident reporting	Employer DOSHS	Report all accidents and incidents in the prescribed manner to DOSHS	Fatal within 24hrs Non-fatal within seven(7) Days
Compensation of injured workers who die or get injured and disabled	Employer DOSHS	Contractor must lodge the work injury claim with DOSHS for processing	Within 1(one) year of accident
Examination of Safety Plants and Equipment.	DOSHS Approved Plant Examiner	-Statutory -All safety plants and equipment including Cranes, Hoists, Lifting devices, Pressurized vessels must undergo statutory examination to ensure proper working and absence of fault	At commencement of project and thereafter periodically as per the relevant section of the equipment.

		to prevent injury and damage to property	
Occupational Hygiene Assessment	DOSHS Approved Hygienist	Statutory and guided by the audit or risk assessment reports. Include air quality assessment, light, noise, vibration, heat, ionizing radiation,	At commencement and subsequently periodically (usually annually).
Capacity Building of OSH Officers	Relevant training institutions	Address performance and capacity gaps of officers especially with regard to Climate change actions	Throughout the life of the project
Institutional Capacity	DOSHS	Address ICT Capacity, Mobility Capacity of DOSHS to reach and be able to monitor projects and activities for compliance with OSHA and WIBA provisions	At the start of the project

Occupational Safety and Health Advisory on Coronavirus (COVID-19)

All workplaces should develop infection control plans and policies to include the following details:

Promote and practice hygiene

- Providing clean and well maintained hand washing facilities.
- Clean hands at the door and schedule hand washing reminders by email
- Offering alcohol-based hand sanitizers when regular facilities are not available (or to field staff and those on the road).
- Regular cleaning objects that are touched frequently, such as doorknobs, handles, railings, kettles, etc. more often with regular disinfectants or soap and water and assigning specific staff to do so.
- Providing sufficient boxes of tissues and encourage their use.
- Reminding staff to not share cups, glasses, dishes and cutlery. Specific staff to be assigned responsibilities to ensure dishes are washed in soap and water after use.
- Removing magazines and papers from waiting areas or common rooms (such as tea rooms and kitchens).
- Making sure ventilation systems are working properly. Workplaces may contact DOSHS-Approved Air Quality Monitors to verify the status of the air quality. Increase ventilation by opening windows or adjusting air-conditioning.
- Cleaning workstations or other areas where they have been if a person has been suspected or identified with an infection
- Limit all forms of employee or community gatherings
- Provide specific protection to persons living with disabilities at the workplace and ensure effect measures are in place to promote their safety and health

Be careful with meetings and travel

- Using social distancing techniques, such as using telephone, video conferencing, or the internet to conduct as much business as possible (including within the same building), allow employees to work from home, or to work flexible hours to avoid peak public transportation times or crowding the workplace.
- Assess the risks of business travel and ensure no travel is conducted without an approved travel risk assessment.

Promote safe food handling

- Limit food sharing
- Strengthen health screening for cafeteria staff and their close contacts
- Ensure cafeteria staff and their close contacts practice strict hygiene

Promote Home stay policies for employees

- Ask employees to stay at home and go to hospital if they are feeling sick
- Ask employees to stay at home if they have a sick family member in their home

Promote prompt reporting of suspected cases

- All employers and workplaces should ensure reporting of all suspected cases among their workforce and in turn employers must provide mechanisms of recording and reporting the incidences to the Directorate of Occupational Safety and Health Services

What are the recommendations to prevent transmission of a coronavirus?

Standard recommendations from the World Health Organization to prevent the spread of infection include;

- Frequently clean hands by using alcohol-based hand rub or soap and water
- When coughing and sneezing cover mouth and nose with flexed elbow or tissue – dispose tissue away immediately and wash hands
- Avoid close contact with anyone who has a fever and cough
- If you have fever, cough and difficulty breathing, seek medical care early and share previous travel history with your health care provider
- When visiting live markets in areas currently experiencing cases of novel coronavirus, avoid direct unprotected contact with live animals and surfaces that have been in contact with animals
- The consumption of raw or undercooked animal products should be avoided. Raw meat, milk or animal organs should be handled with care to avoid cross contamination with uncooked foods, as per good food safety practices

Incidence Details

1	Is the incident GBV related? [9]	If yes, please see GBV Guidance Note for specific incident protocols to be followed
2	What was the reported or identified incident, and what is the information source?	
3	Are the basic facts of the incident clear and uncontested, or are there various conflicting versions?	
4	Does the incident appear to be caused by the project?	
5	Where did the incident occur?	
6	When did the incident occur?	
7	What were the conditions or circumstances under which the incident occurred?	
8	What is the extent of the incident? Individual person, local, regional, national, international?	
9	How urgently is a response required on the ground?	
10	Is the incident still ongoing or is it contained?	
11	Is loss of life or severe harm involved?	

12	Has a similar incident occurred before?	

Incident Reporting Form

Assessment of the Incident:

Date of Submission:

Time…… Incident number (Month/No)

Name of Personnel Reporting the Incident:

Name of Person filling out the Form:

Nature of the Incident:

Mode of reporting (verbal/written report), if written attach report……..

Who is the victim……..

Scale of the Incident:

Date the incident happened……

Location of Incident:

Potential Impact Sites:

Cause of Incident:

Response to incident/Details of Action taken:

Sample Safeguards Corrective Action Plan (SCAP)

Example SCAP Sections		***Possible Borrower Actions***

Immediate to near term actions		Stop works, secure the site, provide medical care and counseling, pay compensation, re-mediate contamination, enforce anti-poaching, notify relevant authorities, design and implement response mechanism, etc.
Medium term/ongoing actions	Documentation, monitoring and reporting	Stream-line, consolidate and review existing ESHS/OHS monitoring and reporting tools, with a focus on increased monitoring of leading indicators to increase effectiveness.
	Contractual agreements /enforcement	Review bidding/contractual arrangements to determine if existing language is adequate to ensure sufficient on-site presence of qualified and independent safeguards professionals for adequate implementation of the heath safety plan and identify if any adjustments may be necessary for future agreements.
	Risk assessment, processes, procedures and training plans for managing risks	**UXO example:** update risk assessment and management plans to address: • the UXO-chance find, clarifying (i) risk factors such as the geophysical characteristics of excavation areas and depth of excavation, the civil war history, (ii) the detailed written information and maps to be obtained from Borrower/implementer(s) about past surveys and clearance operations before construction can begin, (iii) situations where mechanical excavation should be chosen over manual excavation, (iv) how to safely conduct manual excavation where mechanical excavation is not possible (with input from the Borrower/implementer(s) and/or other demining experts), (v) develop an adequate training program for workers. •Fire risk and adequate fire extinguishers placement •Electric risk should also be reviewed, and safe work procedures developed for handling, maintaining and checking electric equipment and extension cords.
		• Permit to work procedures should be developed for high risk activities with daily verification and sign-off of competent health and safety officers or supervisors.
		Delayed Resettlement Compensation example: update risk assessment and management plans to address: • Based on the RCA determination of the reasons for the continued delays in payment of compensation, put in place an effective strategy for addressing them as necessary • Ensure that all outstanding and new claims are appropriately addressed • Determine whether there were impacts that have not previously been considered (livelihoods/loss of business income, vulnerable groups) for which compensation or assistance may be required • Ensure continuing consultation with Project-affected people and a well-functioning grievance mechanism (GRM) • Monitor implementation and provide fortnightly progress reports • Recruit a separate expert to conduct an audit to

	Competencies, roles and responsibilities:	Onsite staffing resources and organizational arrangements dedicated to environment, social safeguards, health and safety by the implementer(s) (e.g., construction company and the supervision consultant) should be reviewed considering the updated risk assessment and findings. This may include adjustments in terms of number, competence, onsite presence, organization, communication and reporting, so that project activities may comply with the EHSH/OHS plan requirements.
	High level monitoring and evaluation:	Once the monitoring and reporting system is consolidated, the Supervision consultant and PIU should be able to monitor leading indicators such as near-misses (e.g., a heavy load that falls near a worker), and deviations with high risk potential (e.g., absence of protective barriers, uninsured workers) based on daily observations by the Contractor and the supervision consultant.

Appendix 16:

GRM Standard Operating Procedures

The GRM is implemented as per the standard operational procedures summarized in Table 10 in terms of detailed list allowable practices (DO's) and disallowed practices (DON'Ts). This will be provided to all SEQIP staff and beneficiaries. Where need be, the SOPs will be translated into the respective VMGs languages. The SoPs are presented below.

SEQIP GRM Standard Operating Procedures

Dos	Stage	Don't
• Build capacity for staff involved in the complaints handling process; • Establish multiple channels for communication and reporting; • Use user friendly channel; • Assign responsibility for uptake and response; • Create awareness on the GRM; • Encourage communication/ feedback from the public; • Spread uptake points across the project management levels and project operational areas • Acknowledge receipt for each complaint made • Encourage anonymous complaints	**Uptake**	• Create unnecessary restrictions, obstruct grievance process • Create scary conditions/environment for potential complainant • Use unfriendly language, tone, expression, cues, etc. • Forget to take measures to ensure that vulnerable groups are able to access GRM • Create barriers to complaining by making uptake processes time consuming or complicated • Charge complainants • Make judgements prematurely • Unduly focus on the identity and profiling of the complainant at the expense of issue submitted
• Indicate who is responsible for handling the different types of complaints, including reliable contacts and location; • Establish clear procedures for the grievance redress process • Assign each complaint a unique ID reference number	**Sort and Process**	• Develop a GRM that does not differentiate between different types of complaints • Leave any ambiguity about how complaints are supposed to be routed
• Inform users about steps in the complaints handling process • Stick to agreed schedules/guidelines for responding to users • Use simple and clear language	**acknowledge and follow-up**	• Divulge complainant's identity and profile to others • Treat GRM users as if their complaints is an inconvenience • Belittle, dismiss, and ignore complaints
• Objectively evaluate the complaints merits on the basis of facts • Ensure that investigators are neutral • Take action that is proportional to the comment or complaint • Strategically plan for the investigation	**Verify, Investigate and act**	• Appoint investigators that are biased • Breach confidentiality • Expect complainants to prove that they are right • Forget to update complainant on the status of their complain
• Build capacity for GRM - M&E • Indicate importance of grievances Establish a tracking system to record, classify, and assess grievances • Analyze grievance redress data and make improvements	**Monitor and evaluate**	• Miss the opportunity to integrate the GRM into the Project's Management Information System • View the resolution of complaints as an end in itself
• Provide timely feedback	**Provide**	• Neglect to follow up with users

• Contact users to explain how their grievances will be resolved and how/where they can appeal (if need be)	**feedback**	• Keep complaint results as private matter

Grievance Mechanism Forms

GRM_GRIEVANCE HANDLING REGISTER TEMPLATE

No.	Date Received	Name of Complainant/Rep	Complaint Issue	Complaint Channel	Date Acknowledged	Action Taken	Complaint Status

GRM_ACCESS TO INFORMATION REGISTER TEMPLATE

No.	Date Received	Name of Requester	Type of information Requested	Requisition Channel	Request Status

GRM_COMPLAINT INVESTIGATION TEMPLATE

No.	Nature of Complaint	Officer/Department complained Against	Cause of Complaint	Corrective/Preventive Action Taken

GRM_GRIEVANCE LODGING FORM

Ref. No. …….
SECTION A: Personal Information (*Provision of information in this section is voluntary)*

Complainant's Name: ……
ID Number: …….
Postal Address: ……..
Mobile No. ……..
Email (where applicable) ……..
Village/Ward/Sub-County: ……
Age: …….

SECTION B: Complaint Lodge

ITEM	DETAILS
Which public official/office are you complaining about?	
Name/Department/Sub-county/Ward/Agency	

Have you reported this matter to any other county official/office? YES/NO	
If YES, which one?	
Has this matter been the subject of court proceedings? YES/NO	
If NO, please give a brief summary of your complaint and attach all supporting documents (Indicate all the particulars of what happened, where it happened, when it happened and by whom)	
Action Taken	

_____ _____

_____

Place of Submission Signature of Complainant

Date

GRM. ACCESS TO INFORMATION REQUEST FORM

Ref. No. …….

SECTION A: PERSONAL DETAILS

Name:……... (Dr/Mr/Mrs /Ms)

ID Number:……..

Postal Address: …….

Mobile Phone No. ……

Email (where applicable): ……

Village/Ward/Sub-county: ……

Age: ……

Gender: Male/Female / Other (specify): …….

SECTION B: DESCRIPTION OF INFORMATION REQUESTED

ITEM	**DESCRIPTION**
I would like to *(tick all that apply)*	*( )* Inspect the record *( )* Listen to the record *( )* Have a copy of the record availed to me
Delivery Method *(tick where applicable)*	*( )* Collection in person *( )* By email *( )* By mail
Does the information requested concern the life or liberty of any person?	*( )* No *( )* Yes *(explain)*
Is the request being made on behalf of another person or group of persons?	*( )* No *( )* Yes *(explain)* *( )* No *( )* Yes *(explain)*
Action taken	

_____ _____ _____

Place of Submission Signature of Complainant Date

GRIEVANCE MANAGEMENT AND ACCESS TO INFORMATION INFRASTRUCTURE

No.	INDICATORS	DETAILS OF IMPLEMENTATION
1	Physical location: Provide the contact and physical address	Include the details of all GRM/ATI offices.
2	**a.** Provide names, contact details(Official telephone & e-mail address) and designation of officers in-charge of Grievance handling **b.** Provide names, contact details and designation of the Information access officers	Include details for all the GRM/ATI offices.
3	Communication channels: a. Complaint desk email(s) e.g. complaints@maporomoko.go.ke b. Dedicated telephone line(s) c. Official email address of the county d. County website (Links/portals to access information and grievance handling information e. Official e-mail address of the County Secretary	
4	Updated service delivery charters that include GRM & ATI provisions	Include the service charters for all the departments and agencies
5	**a.** Complaints Register **b.** Access To Information Register	Include the registers of all GRM/ATI offices but for internal purposes only(not for submission to CAJ)
6	County GRM Policy and Procedures	
7	County ATI Legislation, Policy and Procedures	
8	a. Grievance Handling Committee members: appointment letters & minutes of meetings held b. Designation letters for all GRM & Information officers	

GRM_ M&E TOOL

Name of County: _____

OUTCOME: Services rendered by county government

INDICATOR: Percentage change in the complaints resolved in a year

No. of complaints received	Mode of complaint lodge	No. of complaints pending	No. of complaints resolved	Duration taken to resolve complaint	Recommendation for system improvement

_____ _____ _____

Compiled by Signature Date

_____ _____ _____

Approved by Signature Date

GRM _ SUMMARY COMPLAINTS' REPORTING FORM

Name of County: _____

Reporting Period: Monthly/Quarterly/Annually _____

OUTCOME: Services rendered by county government improved ***INDICATOR: Percentage change in the complaints resolved in a year (to be reported once per year)***								
Sector	Administrative Unit	No. of Complaints Received	Resolved complaints		Pending complaints		Modes of complaint lodge	Average duration taken to resolve complaint
			No.	%	No.	%		

_____ _____ _____

Compiled by Signature Date

_____ _____ _____

Approved by Signature Date

Appendix 17:
Review Of KUSP and KDSP Case Studies

Case Study 1: KUSP a PforR Project

A Review of date from KUSP project in managing environmental and social risks triggered by sub projects during implementation is summarized below.

KUSP Experience

a) Over the four (4) years, KUSP has funded over 200 projects aimed at improving the quality of life in 59 urban areas. The focus was in; Waste management (Liquid & solid waste, Storm water drainage, connectivity through roads, urban socio economic, fire and disaster management
b) The counties/municipalities applied the POM screening checklists, this facilitated reduction in number of risky projects.
c) The counties/municipalities have been able to prepare project reports and submitted them to NEMA for planned interventions.
d) Common Grievances were; poor workmanship, displacement, Health and Safety issues, labor disputes, Governance & Procurement and Property Destruction.
e) The Counties have established effective GRM which enable significant resolution of disputes. Case in point is that an analysis of submitted grievance logs from 29 municipalities show that a total of 128 grievances were recorded and resolved even for Karuri and Eldoret where many were registered, they were effectively resolved.
f) Accident Incidence Reports & Logs; Analysis of Accident/Incidence logs reveals that the main type of accidents/incidences at the construction sites are related to Slips, trips and falls leading mainly to minor injuries and Traffic related incidences
g) The nature of incidences and accidents point to the need for; Proper housekeeping within construction sites, Proper securing of construction sites especially where excavations works are done and Use of PPEs and erection of signage within the construction sites.

KUSP proposal on Wayward

a) In order to minimize grievances, there should be quality and effectiveness of public participation through the project cycle.
b) Collaboration and consultation with institutions such as NLC, DOSH, and NEMA is important, these institutions are key in resolution of some of the grievances before escalating to NPCT or, the WB.
c) Challenges in enforcement of contractor based obligations like health and safety requirements should be resolved by employing fulltime ESHS on site.
d) There is need for a structured information flow between the National and devolved government entities. This may require a relook of the existing structure for the current program in respect of communication.
e) No waiver to the program MC's and PS's should be granted to non-compliant municipalities/agencies during the APA process. Assuming, APAs will still act as spring board for municipalities next cycle of projects funding.
f) ESS complaints should be made a stand-alone Performance Standard so as to enhance compliance by participating urban institutions.
g) Need to consider establishment of a reward/recognition mechanism for the best performing municipalities to encourage compliance and competition

Case Study 2: KDSP a PforR Project

A Review of date from KDSP project in managing environmental and social risks in collaboration with Kenya School of Government (KSG) developed Social Risk Management Curriculum that PEELP can

utilize for capacity building of DPCAD under MoE. The curriculum provided a basis for development of a training plan presented in Table 14 below.

Case Study 3: Role of Directorate of Social Development (DSD) in E&S

Directorate of Social Development (DSD): The SRM unit is anchored at Ministry of Public Service, Gender, Senior Citizens Affairs and Special Programs under below listed departments; State Department for Social Protection, Senior Citizens and Special Programs and Directorate of Social Development

Role of DSD in E&S include;

a) ESIA review stage, the opinion of Directorate of Social Development (DSD) at County level will also be sought with regards to Social Impacts associated with the sub projects. This will include review of ESIA for appropriate review and assessment of SEA/SH, GBV, VAW, VAC, VMGs and PLWD.
b) County Level SRM teams will provide assistance assessing potential E&S risks of identified sub-projects and site-specific activities including undertaking Social Impact Assessments (SIA).
c) Directorate of Social Development will play a key role in reviewing Social Impact Assessment for sub project. The department will be included among lead agency required to review ESIA prior to NEMA approval.

Case Study 4: Role of Directorate of Occupational Safety and Health Services (DOSH) in E&S

To undertake its mandate under as provided by OSHA 2007, DOSH will undertake the following activities"

a) Train all workers or workers' representatives in basic Occupational Safety and Heath when they are engaged in activities at the ward level whose content and duration will be dependent on magnitude of risks identified prior to the project or by the risk assessment report commissioned for the project and or activity.
b) Be included in training of county and ward committees to entrench awareness in safety, health and welfare so as to assist the ward projects in compliance with minimum requirements
c) Inspection of projects by Occupational Safety and Health officers to advice on effectiveness of safety and health measures to be undertaken to safeguard safety, health and welfare.
d) DOSH will provide mechanisms for incident and accident reporting and compensation of deserving cases.
e) Be responsible for sensitizing stakeholders and community members on interim Guidelines on Management of Covid-19 in Kenya and Occupational Safety and Health Advisory on Coronavirus (COVID-19).

Appendix 18:
Stakeholder Engagement Program

Stakeholder Engagement Provisions during Sub-Projects Pre-Implementation Phase

During the early concept and identification stage of sub-projects, the likely scope and approach of the stakeholder engagement process should be determined. This should include early screening and identification of who the likely stakeholders are, who may be affected by the project. While data sources at this stage will mainly be existing, secondary data sources, early discussions with key individuals and groups should be undertaken to identify priority issues, who the key stakeholders are, and how the stakeholder engagement process should be undertaken

Key **provisions** for this stage are;

Identification of priority issues- The first step is to identify what the likely environmental and social opportunities and risks of concern to stakeholders are. The analysis of likely project impacts is conducted as part of an integrated ESIA process. Key considerations at this stage include;

Communities' own priorities or plans for development opportunities
How local communities may be involved in planning and implementing the project
Opportunities for targeted benefits to particular groups, in particular women or vulnerable groups. Employment opportunities
Potential for local capacity building.
Local procurement of goods and services. Benefit sharing for local communities.

Stakeholder analysis and engagement- A stakeholder analysis and plan for how the project will engage with different groups and individuals should therefore be undertaken and documented. Groups and individuals do not fall into discrete categories; the same people can be both positively and negatively affected by a project, depending on what the issues are. The stakeholder analysis and the identification of key issues should happen in parallel, where one informs the other. Both primary and secondary data sources may be used, and the analysis should be verified or modified with additional information from the consultation process itself. Key considerations at this stage are;

Has a stakeholder analysis been undertaken?
Does the analysis identify groups and sub-groups who may be adversely affected, who are potential beneficiaries, or who may influence project outcomes?
Is the analysis disaggregated by gender?
Does the analysis identify groups or individuals who may be vulnerable or excluded, and who may require special attention in the engagement process?
Do the analysis and engagement plan take local institutional mechanisms and decision-making processes into account?

Prior Information- Providing prior information about the project and the nature of the consultation process to stakeholders should start during the concept and identification stage of the project when possible and be an ongoing process as long as consultation events are undertaken. This is generally throughout the lifetime of the project. 'Prior information' refers to the need to provide specific stakeholders with information as part of a two- way, direct consultation and engagement process with them. This information should be made available in advance of actual consultation events. It should be tailored to different groups' interests, needs, and likely concerns, and people should be provided clear information about how the project is likely to affect them, and what they are being asked to do or agree to. The information must be provided in a manner and format that is understandable, easily accessible, and culturally appropriate. Key consideration and relevant information conveyed prior to consultation include;

The nature of the project, and how it is likely to affect the various stakeholder groups at the local level.
Since different groups are likely to be affected differently, consideration should be given to tailoring the information to the different stakeholder groups to the extent possible.
If they are available, summaries of technical studies and reports can be provided, for example information from environmental and social impact assessments. In such cases, there may be a need to simplify technical reports, to avoid technical jargon and to make them more understandable to lay people.
It is useful to ask stakeholders in which format and manner they find information most useful — this could be through illustrations, role play, videos, or through other means, in addition to more traditional written or verbal communications
A preliminary agenda for the events, summarizing the different topics that will be discussed.
What people's rights and roles are under the project, and how they can contribute to project design and implementation? If those consulted are among decision-makers related to the project, they should be informed about what they are being asked to endorse or approve.

Appropriate Forums and Methods- The form of consultation should be tailored to the nature of the project and based on the stakeholder analysis and engagement plan. A combination of different types of engagement may be considered as below (refer to stakeholder engagement and disclosure methods section). Key considerations at this stage would be;

If a project is spread over a large geographical area, consultations and discussions should be held in different locations to enable attendance by as many people as possible can attend.
Separate conversations may be needed with women or groups who may be less able than others to express their views in a larger forum.
There may be temporal or practical considerations to when and how consultations should be held: It may be better to reach people on a weekend or in the evening than during working days; morning meetings may be useful for shift workers; and providing childcare may allow parents with children to attend.
The stakeholder analysis should identify any groups who are only present part of the time. As an example, some people may be nomadic pastoralists and be away from the local community at the time of consultation
If discussions are held at some distance from people's homes, it may be necessary to arrange for transportation of some individuals and groups, such as elderly or disabled people.
If people are invited to a consultation event but do not participate, additional outreach or targeted efforts may be needed to reach them.
People who are informal or illegal occupants of a space, such as urban slum dwellers, or migrants from other countries who do not have residency permits, may need assurances of a "safe space" for the consultation process, and guarantees that they will not be evicted or harmed in any other way

Appendix 19:
Strategies For The Management Of Menstrual Waste

1. Disposal of menstrual waste is of major concern as it affects health and environment. There is a need for effective menstrual materials which needs less and cost-effective management.
2. Guidance regarding menstrual management to adolescent girls and women is a much needed step. Menstrual hygiene management should be an integral part of education curriculum.
3. The toilets must be designed and built to be girl/women friendly
4. There should be a separate collection system for the menstrual wastes without affecting the privacy and dignity of women. Specific sanitary dispensers to collect menstrual waste should be installed.
5. There should be sufficient space for washing, cleaning private parts and hands and for changing or dealing with stained clothes. To fulfil these requirements, there must be water availability, toilet paper, dustbin, and a sink to wash menstrual products.
6. Dustbins should be covered by lid and emptied from time to time to keep the toilets clean from flies, mosquitoes, and bad odour.
7. Covered containers and dustbins have advantage of hiding the waste being seen by others. They are installed in a place that offers privacy.
8. Gloves and proper safety tools should be provided to the cleaners so that they are not exposed to pathogenic organisms and harmful gasses.
9. Collaborative efforts (trash bins) should be made.
10. Incinerators are a better option for disposal but should be operated in a controlled environment so that harmful gasses emitted will not harm larger area.

Appendix 20:

- Operational Phase Environmental Social Health and Safety (ESHS) Aspects of School Infrastructure & Operation of Mobile School Labs.

Potable Water Supply

- Adequate supply of clean and safe drinking water should be available
- Water supplied to areas of food preparation or for the purpose of personal hygiene (washing or bathing) should be of drinking water quality standard.

Air Quality

During construction activities, the following techniques should be considered to control air emissions:

- Minimizing dust from material handling and open area sources, by using control measures such as installing enclosures and covers
- Dust suppression techniques should be implemented, such as applying water when working on dusty areas
- Selectively removing potential hazardous air pollutants, such as asbestos from existing infrastructure prior to demolition
- Avoiding open burning of solid waste on site

Security Standards

- Firefighting equipment (such as fire extinguishers, water pipes, sand buckets, fire blankets etc.) must be installed in all dormitories, laboratories, workshops, library, kitchen and dining hall.
- Laboratories must be well ventilated and have a combustion chamber with chimney for removal of smoke and other harmful gases.
- Functional first aid kits should be available in case of emergencies.

Handling of hazardous materials

- Assess the contents of hazardous materials and petroleum-based products in school building systems (e.g. PCB containing electrical equipment, asbestos-containing building materials) and their removal prior to initiation of decommissioning activities, and managing their treatment and disposal according to NEMA standards
- Provision of material-specific storage for extremely hazardous or reactive materials used in the labs
- Storage of incompatible materials (acids, bases, flammables, oxidizers, reactive chemicals) in separate areas, and with containment facilities separating material storage areas

Hazardous Waste Management

- There should be a functional and well-maintained drainage system
- School principals should plan for regular removal and transport of solid waste to designated waste disposal areas using NEMA registered waste handlers; They are also to keep records of waste disposal as proof for proper management of waste as designed
- PPE, such as dust masks, should be used when handling hazard waste effluents and emissions from use of chemicals in the labs
- Wastewater treatment is required prior to discharge. The level of treatment should be based on:
    - Whether wastewater is being discharged to a sanitary sewer system, or to surface waters
    - National and local standards as reflected in NEMA permit requirements and sewer system capacity to convey and treat wastewater if discharge is to sanitary sewer
    - Assimilative capacity of the receiving water for the load of contaminant being discharged, if discharge is to surface water

- Intended use of the receiving water body (e.g. as a source of drinking water, recreation, irrigation, navigation, or other)
- Presence of sensitive receptors (e.g., endangered species) or habitats

Appendix 21:

Guidelines on Food Sourcing, Storage, Handling, and Preparation of School Meals

FOOD CONTAMINATION AND FOODBORNE DISEASES

Reference from the School Gate to Children's Plate: Golden Rules for Safer School Meals Guidelines (WFP May 2019) and National Food Safety Policy 2013

Food safety is a shared responsibility: we have all a role to play, from the supplier to the school children consuming the meals. Cooks and storekeepers are on the front line to ensure safe meals are served in schools. School personnel, including school management and teachers, and school meals committee members where they exist, play also an essential role to promote and ensure food safety and quality.

Food Safety is crucial, and we should always thrive to deliver good nutritious and safe meals to the children.

Food commodities have different food safety risks depending on their natural conditions, how they are produced, and how we prepare them. It is important to be aware of these different levels of risk when selecting, handling and preparing food ingredients for school meals. Food borne illnesses can be avoided by taking simple steps every day. These are reflected in WHO's manual on the five keys to safer food, listed below

- Keep clean;
- Separate cooked and raw foods;
- Cook thoroughly;
- Keep food at safe temperatures;
- Use safe water and safe raw materials.

WHAT ARE FOOD HAZARDS?

Foodborne diseases are caused by food hazards: dangerous microorganisms, toxic chemicals or foreign matter present in the food with the potential to cause an adverse health effect. There are three main types of hazards associated to food safety. Graph 1 gives common examples for each type.

BIOLOGICAL HAZARDS:

These are related to microorganisms and the chemicals (toxins) they produce. These microorganisms or microbes are very small living beings that cannot be seen with the naked eye. Dangerous microorganisms make people ill and can even kill. These are called "pathogens". Most of these microorganisms do not change the appearance of the food. Some spoilage microorganisms do change the appearance of food and are dangerous. An example is a green mold on bread which can produce toxins. But it must be stressed that dangerous bacteria may not always make the food smell, taste or look different.

CHEMICAL HAZARDS:

Food production processes can lead to substances entering the food at any moment. Chemical hazards occur when chemicals are present in food at levels that can be hazardous to humans. Chemicals can be artificial or natural: toxic substances may also occur in natural forms, such as mycotoxins or food allergens. Toxic chemical substances are particularly dangerous, some of them can be fatal

PHYSICAL HAZARDS:

Foreign objects in food might cause injury if consumed with the food or can be a source of microorganisms. Some physical hazards may be naturally present in the food, for instance, fishbones

EXAMPLES OF FOOD SAFETY HAZARDS

Biological hazards	Chemical hazards	Physical hazards
Infectious bacteria: • Salmonella; • Escherichia coli; • Listeria; • Vibrio. Toxin-producing bacteria: • Clostridium botulinum; • Staphylococcus aureus; • Bacillus cereus Other: • Mould; • Parasites (i.e.roundworm, trichinella, taenia); • Viruses (e.g. Hepatitis A); • Prions and mad cow disease syndrome.	Naturally occurring toxins such as cyanides in raw cassava and almonds; • Allergens; • Toxins of microbial origin such as aflatoxin, which is caused by mold growing on the food; • Residues of products used in food processing such as food additives, packaging materials; • Residues of chemical products used in agriculture, such as pesticides and fertilizers; • Residues of veterinary medicine such as antibiotics and disinfectants; • Environmental contaminants such as heavy metals (mercury, lead), polychlorinated biphenyls (PCB), dioxin, radioactive nuclides.	• Glass, Plastic; • Metal, metal fragments from worn or chipped utensils and containers; • Wood; • Stones; • Jewelry, ear plugs, etc.; • Nails, false nails, nail polish; • Insects; • Pest droppings; • Hair; • Toothpicks; • Non- edible parts of the food: Bone chips

HOW IS FOOD CONTAMINATED?

There are many opportunities for a food to become contaminated. Contamination is the presence of materials or conditions in the food that can be harmful to human health. Foods can become contaminated in a variety of points as the food flows from the farm to the table, and through all the stages of food preparation. Any measures to prevent and control contamination must begin at harvest and continue until the food is consumed (farm to fork approach).

Microbial contamination can occur from various routes:

- In the environment: In the air, soil, and water, on food, contaminated utensils or garbage.
- In human beings and animals (dogs, fish, cows, chickens, and pigs; rats, insects): on skin, on infected wounds, on hair, on hands, in the nose, in ears, in saliva, in feces and vomit.

COMMON POINTS THAT RESULT IN CONTAMINATION INCLUDE:

Using the same knife and board to cut raw meat and foods ready to eat;

- - Placing dirty utensils and equipment in the hand-wash basin;
- - Re-using a dirty cloth to wipe cutlery, and tables;
- - Using a dirty towel for drying equipment, utensils or hands;
- -Dirty hands;
- Storing food uncovered or on the floor;
- - Storing raw food above ready to eat food;
- - Keeping cleaning chemicals next to foods;
- - Garbage improperly stored and disposed of, because it provides an ideal environment for the growth of germs and pests;
- Not washing fruits and vegetables to remove soil and other residues;
- Contaminated food and water.
- Mixing leftover food with fresh food.

- Vectors such as birds, flies, cockroaches, rats or mice, and ants. They carry microorganisms, which they deposit on food. Pets and domestic animals can also be a source of contamination;
-

COMMON FOODBORNE DISEASES

FOOD BORNE DISEASES	SOURCE	SYMPTOMS
Salmonellosis and Typhoid Fever	Raw meats, especially chicken, shellfish, eggs, uncooked dry fruit (and other dry foods), fresh fruit and vegetables. In general, typhoid fever is associated with contaminated residual waters, or crops irrigated with contaminated water.	Non-typhoid salmonellosis: Nausea, vomiting, abdominal cramps, diarrhea, fever, headache. Typhoid fever: High fever, lethargy, gastrointestinal symptoms (abdominal pain and diarrhea), headache, muscle pains, loss of appetite. In some cases, typhoid fever manifests itself by pink spots on the skin.
Staphylococcus aureus	Meat and meat products. Free-range poultry and eggs, salads, milk and dairy products, bakery products (cream-filled cakes, cream-filled and chocolate pastries).	Nausea, abdominal cramps, vomiting and diarrhea. In more serious cases, dehydration, headache, muscle cramps, and possible transitory blood pressure and pulse changes. Serious cases may require hospitalization.
Enter colitis caused by E. coli	All foods and liquids contaminated with feces. A person infected with E.coli fails to wash their hands thoroughly after using the toilet and before handling food	Watery diarrhea, vomiting and low fever
Gastroenteritis caused by Clostridium perfringens	All foods that are not consumed or refrigerated right after being cooked are susceptible to contamination by C. perfringens. Meat and vegetables are foods most commonly involved.	Watery diarrhea and abdominal cramps
Listeriosis caused by Listeria monocytogenes	Unpasteurized cheeses (particularly soft cheeses), unpasteurized milk, fish, cooked shrimp, smoked shellfish, meats, sausages, raw vegetables and ready to eat foods.	Fever, muscle pains, nausea and vomiting, and diarrhea. When more severe cases of infection occur, and spread to the nervous system, symptoms may include headaches, stiff neck, confusion, loss of balance, and convulsions. Pregnant women may feel mild symptoms, similar to those of a cold. However, they may have miscarriages, and affect live births and may also lead to death
Cholera caused by Vibrio Cholera	Fish or shellfish from contaminated waters, contaminated drinking water, raw vegetables and salads irrigated or washed with contaminated water, or any food contaminated by remaining at a temperature that favors bacterial proliferation.	Usually, the disease starts with abdominal pain and diarrhea (which may vary from mild to severe). Vomiting in some cases

HOW DO WE THINK OF RISK WHEN SELECTING FOOD ITEMS TO BE SERVED IN SCHOOLS

All foods have different food safety risks depending on their inherent characteristics (e.g. if the food composition supports microbial growth), their level/ form of processing (raw, pasteurized, cooked, dried etc.), and the way we prepare them. Unprocessed animal source foods (i.e., meat, milk, eggs, fish and seafood), and fresh fruits and vegetables are the most common causes of foodborne diseases7 as they provide ideal conditions for microorganisms' growth. Hence, their consumption is associated with higher risk. Understanding the associated food safety risk is important when selecting, handling and preparing food ingredients for school meals. High-risk foods need particular attention. Their use is not recommended in school environments with poor hygiene conditions or without the ability to maintain refrigeration (cold chain) in their supply, from farm to fork. Table below gives a three-level risk classification of the main ingredient groups received and used in school canteens. This classification considers the absence of cooler boxes and refrigerators in school kitchens

FOOD INGREDIENTS RISK CLASSIFICATION

High-Risk foods: Have a very short shelf life (2-5 days) and refrigeration is pre-requisite for their safe storage (i.e. perishables), otherwise pathogenic microorganisms can grow. Their mode of handling and their adequate cooking are critical as they may contain pathogenic microorganisms, bacterial toxins or harmful chemical contaminants. Epidemiological data indicate frequent and severe foodborne outbreaks from their consumption.	Examples: raw meats, fish, poultry, fresh milk and fresh cheese, cooked rice and cooked pulses. Other examples include tofu, dried meat. These foods pose a particularly high risk if they are not processed, handled and cooked adequately.
Medium-Risk foods: Can be safely kept in room temperature for medium to long periods (few weeks up to several months). Dried or canned processed foods may contain hazardous chemicals or microorganisms but do not normally support microbial growth due to their state or properties. Epidemiological data indicate few mild or severe foodborne outbreaks associated with their consumption.	Examples: fresh vegetables, fruits, canned meat and canned fish.
Low-Risk foods: Unlikely to contain hazardous substances or microorganisms and do not normally support the growth of pathogenic microorganisms. Epidemiological data indicate no or rare and mild foodborne illnesses associated with their consumption	Examples: dry cereals and pulses, flours, packaged bread, fats and bottled edible oil

PERSONAL HYGIENE AND FITNESS TO WORK

Golden Rules

- Personal hygiene and being in good health are crucial for food handlers. Practicing good personal hygiene is key in preventing food contamination and occurrence of food-borne illnesses; it must be made a daily routine.
- Everyone is responsible for their own cleanliness: Food handlers but also children and those who might eat the food or enter the food storage, preparation or service areas, and all school personnel

Key Hygiene Practices	WHY?
Wash hands with soap and clean water, then dry thoroughly Do this frequently, particularly in the moments listed below Before handling and preparing any food; - After touching raw meat, poultry, fish, eggs, or fruits and vegetables and live animals; - Before and after serving food; - Before and after eating; • - After handling food and non-food waste; - After using the toilet;	Washing hands with clean water and soap is one of the best ways to prevent harmful bacteria or viruses from spreading into food.
Cover hair while preparing, cooking and serving food. If hair is long, tie it in a bun, so that the cover/hat prevents hair from falling into food.	Hair is not tied back or covered, it is more likely to fall into food and staff are more likely to touch their hair
Keep fingernails short and clean. Avoid using nail polish and false nails.	Increase hand washing efficiency ; nail polish and false nails may contaminate in the food
Avoid touching your face, coughing or sneezing over food, and wash your hands if you do so. Do not eat, drink, spit, smoke cigarette or chew tobacco/gum when working with food. Do not consume alcohol.	Harmful bacteria can be spread from someone's face or mouth to their hands and then onto food. All lead to touching the face or mouth
Shower or wash daily, specifically before entering food preparation premises	To reduce the overall microbial load on ones' body/ skin
Wear clean clothing and aprons in the work area. Wear clean footwear, free from dirt and preferably closed. Try to have shoes exclusively for the working area. Do not wear jewelry (rings, bracelets, earrings, threads, watches, etc.) - except a plain wedding band. Ensure daily washing of workwear, aprons, chef hats, face masks, towels. Handbags, mobile phones, shoes an	Personal items such as clothes, shoes and jewelry can be a source of food contamination as they contain germs and dirt collected during daily activities. Light colored clothing allows a better view of stains. Aprons help to stop dirt and bacteria from getting onto work clothes and can be removed easily for washing. Closed shoes better protect the feet.

RECEIVING AND MANAGING RAW MATERIALS

Food ingredients can get contaminated along the entire supply chain, from the farm to the children's plate. Purchasing, accepting and utilizing quality ingredients, including water, is key to guarantee school meals' safety and nutrition quality. In this section you will learn how to control the quality of raw ingredients for school meals and how to make conscious choices while accepting them.

GOLDEN RULES

Quality of raw ingredients and water defines final quality of the meal. Care in the selection of raw materials may reduce significantly the risk of contamination.

- For drinking and preparing food, use only safe water or treat it to make it safe.
- Prefer purchasing from reputable suppliers. Ensure they meet set food quality criteria where available, and good practices for food storage and transport.
- Always select fresh and wholesome foods. - Purchase and accept ingredients - including community contributions only after careful visual inspection and assessment of storage practices.
- Visual inspection of food products during delivery and before use should be systematic. Visual inspection guides with pictures, based on Quality Parameters for Local Foods are a useful tool to that end
- Plan reception and frequent inspection of storage to ensure that there is enough storage space available or that food will be consumed immediately.

- Delivery of goods should not be made during cooking or serving times to allow proper inspection and to separate raw ingredients from cooked food.
- Do not receive or use packaged food beyond the expiration date printed on the package.
- Everyone has a role to play in food safety and quality control. Be alert, make conscious choices while choosing and receiving ingredients including water

RECEIVING AND CONTROLLING FRESH INGREDIENTS (VEGETABLES, MEATS AND DAIRY)

Check transport means are clean and that products transported were packaged in clean containers (bags, crates, basket, etc.) covered from the weather.

- Check that fruits and vegetables are separated during transport from other perishables (meats, fish and dairy) or non-food items (cleaning supplies, fuel, etc.) to avoid cross-contamination.
- After inspection, accept and store meat and vegetables covered in separate containers.
- Keep records of acceptance or rejection for all fresh ingredients.
- It is a good practice to also check the weight of bags/containers at delivery

STORAGE

In this section, you will learn about Good Storage Practices. Good Storage Practices provide protection from the sun, rain, humidity, animals, birds and pests and therefore can preserve the safety and quality of food for an extended time and retain nutrients.

GOLDEN RULES

The storage area must be aerated, covered with a roof and well-lit for visual inspection

- The door must be provided with lock and key and must always be locked
- Fill gaps, holes in walls, roof. Windows must be covered with a mesh to facilitate ventilation and prevent access to rodents, birds and other animals into the warehouse.
- Make sure that floor and walls are clean thoroughly before stock arrival
- Do not store food under direct sunlight or in direct contact with the floor. - Food must be stacked on wooden pallets or raised platforms/shelves and at a distance of at least 15 cm (5.9 in) from the ground level, walls, ceiling, and for easy inspection and cleaning. This will also allow for good air circulation and not cause food to go soggy or moldy.
- There must be a clear demarcation, separate storage areas for different commodities.
- Do not store chemicals, such as detergents and soaps, paints, cement, and insecticides, in the food storage area. Make sure they are clearly labelled.
- Empty chemicals or non-food packaging (e.g. pesticide bottles) should never be used for storing food products and vice versa. Confusion in this regard might lead to serious intoxication.
- Do not eat, drink, smoke inside the warehouse

MEAL PREPARATION

Golden Rules

- It is essential to cook food properly, to a safe cooking temperature. Cooking thoroughly eliminates most dangerous bacteria. Raw food, especially dirty vegetables and meats, poultry and seafood and their juices can contain dangerous microorganisms which may be transferred onto other foods during food preparation.
- 'Time - temperature' management from receipt, storage, cooking and serving, is crucial to ensure food safety. As a golden rule, limit the time food stays in the "danger zone"between 5°C and 63°C or room temperature
- If refrigerator/ice box is not available, try to substitute meats and other high-risk foods with lower risk ingredients (e.g. fresh live fish, processed dairy or eggs), or minimize the exposure time at room temperature (see annex 1 for more guidance on high-risk foods)

- Keep cooked food and ready-to-eat food completely separate from raw meat, poultry, fish, eggs and unwashed vegetables. - It is very important to handle ready-to-eat food (e.g. fresh salads) carefully to protect it from harmful bacteria. This is because it will not be cooked or reheated before serving. - Visually inspect all commodities before cooking them. They have spent some time in the storing room since their reception and may not be suitable for consumption anymore.

SERVICE: MEALS' DISTRIBUTION AND CONSUMPTION

Golden Rules

- The school's director and teachers should ensure that children have soap for hand washing and that the area dedicated to the meal is adequate.
- Keep food at safe temperatures until serving. Ensure food is kept hot to the touch and try to serve the food in 2 hours or less;
- Keep everyone's hands clean (food handlers and children). People responsible for serving the meals (including children when this is a common practice), need to properly wash hands after cleaning and before serving food;
- The person who serves the food should preferably be an adult trained on basic food hygiene. Making school children responsible for serving meals or cleaning bathrooms should be avoided as it presents risks for personal and others' safety and health

CLEANING, SANITATION AND WASTE MANAGEMENT

Keeping kitchen premises clear and clean throughout all stages of the operations makes them safer. Effective cleaning is essential to get rid of harmful bacteria and to stop them spreading to food. In this section you will learn how to keep the working materials and environment clean, and good practices to manage waste

- Cleaning and sanitation are daily tasks and should include:
    - Surfaces that have contact with foods (containers, utensils, dishes, working surfaces).
    - Work surfaces, utensils and equipment need to be washed thoroughly between tasks. Kitchen and service areas (walls, floor, ceiling, tables, chairs).
- When cleaning, move food out of the way, or cover it.
- Make sure that cleaning and sanitizing chemicals do not contaminate food. Follow the manufacturer's instructions on how to use cleaning chemicals. This is important to ensure chemicals work effectively and do not contaminate the food. Check that any cleaning chemicals used are suitable for surfaces touched by food.
- Cleaning procedures should be followed before and after food preparation, and often during the process. A cleaning schedule is a useful tool to help you clean effectively. Cleaning schedules should cover responsibilities, methods, utensil handling and sanitizing aids, etc. to effectively control contamination. These should be continuously monitored for their effectiveness. Annex 10 provides an example of a cleaning schedule.

WASTE MANAGEMENT

Regular and adequate collection of waste is very important. Waste is a source of contamination and an important by-product from the cooking process. It needs to be appropriately managed and if possible recycled. Food waste can contaminate food preparation areas with bacteria. If left too long, waste can smell, attract pests and can be a risk to food safety

Provide bins with lids for the kitchen, serving and washing areas. Closed dustbins help prevent contamination from pests - flies, animals, birds;

- Clean waste bins daily; - Ensure waste is disposed as soon as possible;
- Waste must be kept in covered containers. Waste disposal area shall be located away from the food preparation area to avoid contamination.

- Separately discard organic wet waste and dry waste like plastic or glass. Separating organic and nonorganic waste helps to ease recycling process.
- If possible, have separate colored waste collection boxes depending on characteristic of the waste (e.g.: Green for Organic, Brown for Paper, Yellow for Plastic bottles, bags);
- Avoid burning or burying solid waste, as the smoke from burning plastic is dangerous for health and causes environmental pollution. But, if waste has to be burned in or near the school grounds, this should only be undertaken when the schoolchildren are absent;
- Standing waste water should promptly be drained as it is a source of waterborne contamination and infestation with insects;
- Make provision in the school garden for recycling organic waste (vegetable peels, seeds, damaged parts) for generating compost/manure.