



THE REPUBLIC OF KENYA

**MINISTRY OF EDUCATION
STATE DEPARTMENT FOR BASIC EDUCATION**

DIRECTORATE OF PROJECTS COORDINATION AND DELIVERY

**KENYA SECONDARY EDUCATION EQUITY AND
QUALITY IMPROVEMENT PROGRAM
(SEEQIP)
(P501648)**

**DRAFT ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN
(ESCP)**

[May, 2024]

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Republic of Kenya (the “Recipient”) through the Republic of Kenya shall implement the **Kenya Secondary Education Equity and Quality Improvement Program (SEEQIP)** (the Project), with the involvement of the Ministry of Education (MoE), , as set out in the Financing Agreement. The International Development Association acting as the accredited entity, has agreed to provide the original financing (P501648) for the Project, as set out in the referred agreement(s).
2. The Recipient shall ensure that the Project is carried out in accordance with the Environmental and Social Standards (ESSs) and this Environmental and Social Commitment Plan (ESCP), in a manner acceptable to the Association. The ESCP is a part of the Financing Agreement. Unless otherwise defined in this ESCP, capitalized terms used in this ESCP have the meanings ascribed to them in the referred agreement(s).
3. Without limitation to the foregoing, this ESCP sets out material measures and actions that the Recipient shall carry out or cause to be carried out, including, as applicable, the timeframes of the actions and measures, institutional, staffing, training, monitoring, and reporting arrangements, and grievance management. The ESCP also sets out the environmental and social (E&S) instruments that shall be adopted and implemented under the Project, all of which shall be subject to prior consultation and disclosure, consistent with the ESS, and in form and substance, and in a manner acceptable to the Association. Once adopted, said E&S instruments may be revised from time to time with prior written agreement by the Association.
4. As agreed by the Association and the Recipient, this ESCP will be revised from time to time if necessary, during Project implementation, to reflect adaptive management of Project changes and unforeseen circumstances or in response to Project performance. In such circumstances, the Recipient through the Ministry of Education (MoE) and the Association agree to update the ESCP to reflect these changes through an exchange of letters signed between the Association and the Recipient Permanent Secretary, of the Ministry of Education (MoE). The Recipient shall promptly disclose the updated ESCP.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
MONITORING AND REPORTING			
A	<p>REGULAR REPORTING: Prepare and submit to the Association regular monitoring reports on the environmental, social, health and safety (ESHS) performance of the Project, including but not limited to the implementation of the ESCP, status of preparation and implementation of E&S instruments required under the ESCP, stakeholder engagement activities, and functioning of the grievance mechanism.</p>	<p>Submit quarterly and annual reports to the Association throughout Project implementation, commencing after the Effective Date.</p> <p>Submit each report to the Association no later than fourteen (14) days after the end of each reporting period.</p>	MoE
B	<p>INCIDENTS AND ACCIDENTS: Promptly notify the Association of any incident or accident related to the Project which has, or is likely to have, a significant adverse effect on the environment, the affected communities, the public or workers, including, inter alia, cases of sexual exploitation and abuse (SEA), sexual harassment (SH), and accidents that result in death, serious or multiple injury. Provide sufficient detail regarding the scope, severity, and possible causes of the incident or accident, indicating immediate measures taken or that are planned to be taken to address it, and any information provided by any Technical Assistance (TA) consultant, contractor and/or supervising firm, as appropriate.</p> <p>Subsequently, at the Association’s request, prepare a report on the incident or accident and propose any measures to address it and prevent its recurrence.</p>	<p>Notify the Association no later than 48 hours after learning of the incident or accident or accident.</p> <p>Provide subsequent report to the Association within a timeframe acceptable to the Association and include in the subsequent quarterly report.</p>	MoE
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	<p>ORGANIZATIONAL STRUCTURE: Establish and maintain a National Project Coordinating Unit (PCU) with qualified, experienced and full-time staff and resources to support management of ESHS risks and impacts of the Project including: one (1) environmental specialist, one (1) social specialist and one (1) Health and Safety specialist, each with more than five (5) years of experience in carrying out environmental and social assessments of Projects.</p> <p>As needed for the efficient delivery of the TA activities, the PCU may mobilize additional staff on short-term or long-term assignment to support the Project on specialized areas such as GBV/SEA/SH prevention and response, stakeholder engagement, social inclusion, grievance management and security risks management.</p>	<p>Ensure that one (1) environmental specialist, one (1) a social specialist, and one (1) Health and Safety specialist are hired or deployed before effectiveness. Thereafter, all are maintained throughout Project implementation.</p> <p>As needed, hire specialized consultants (GBV/SEA/SH prevention and response Consultant and Security Specialist) prior to the start of related TA activities. .</p>	MoE

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
1.2	<p>ENVIRONMENTAL AND SOCIAL INSTRUMENTS:</p> <p>Adopt and implement relevant E&S instruments required to support TA activities, including the Stakeholder Engagement Plan (SEP),</p>	Adopt the Stakeholder Engagement Plan (SEP) upon Project effectiveness and thereafter implement the Stakeholder Engagement Plan (SEP) throughout Project implementation.	MoE
1.4	<p>TECHNICAL ASSISTANCE:</p> <p>Ensure that the consultancies, studies (including feasibility studies, if applicable), capacity building, training, and any other technical assistance activities under the Project (SEP) are carried out in accordance with terms of reference acceptable to the Association, that are consistent with the ESSs. Thereafter ensure that the outputs of such activities comply with the terms of reference.</p> <p>Prepare ToRs and obtain Bank clearance for the same prior to procurement of the TA consultancy services.</p>	Throughout Project implementation.	MoE
	<p>EXCLUSIONS: Exclude the following types of activities as ineligible for financing under the project:</p> <ul style="list-style-type: none"> The ToRs for the TA activities shall be assessed to exclude outputs that may lead to substantial and high risk downstream environmental and social risks and impacts. 	Throughout Project implementation.	MoE
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOR MANAGEMENT PROCEDURES:</p> <p>Ensure that workers are engaged in the implementation of the Activities consistent with ESS2.</p> <p>To this end, ensure that the following measures are carried out:</p> <ol style="list-style-type: none"> Induct project workers on the Occupational Safety and Health Act (OSHA) (2007), Government of Kenya (GoK) code of conduct and Occupational, Health and Safety rules, and, World Bank's Environmental, Health, and Safety General Guidelines; Adopt and implement the Government of Kenya (GoK) existing code of conduct for workers, which shall include measures on worker and community health and safety and to prevent and respond to Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH) cases. Provide workers with information and documentation that is clear and 	Throughout Project implementation.	MoE

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<p>understandable regarding their terms and conditions of employment through written contracts setting out their rights, including, inter alia, workers health and safety, rights related to hours of work, wages, overtime, compensation, and benefits, as well as written notice of termination of employment, and details of severance payments, as applicable.</p> <p>d. Implement occupational health and safety (including personal protective equipment, and emergency preparedness and response) measures, taking into account the General Environmental, Health and Safety Guidelines (EHSGs) including traffic safety, and other relevant Good International Industry Practice (GIIP) and, as appropriate, the industry-specific Environment Health and Safety Guidelines (EHSGs).</p> <p>e. Implement measures, as applicable, to, inter alia: (i) prevent the use of all forms of forced and child labor; (ii) enable workers to benefit from, inter alia, access to grievance and redress mechanisms without fear of retaliation; and effective freedom to form and join workers organizations or alternative mechanisms for expressing their concerns and protect their rights related to labor and working conditions; and,</p> <p>f. Implement measures to prevent discrimination in the hiring process, remuneration, access to training or other employment conditions on grounds of sex, gender, race, tribe, religion, disability, union membership and political opinions.</p>		
2.2	<p>GRIEVANCE MECHANISM FOR PROJECT WORKERS</p> <p>Adopt the public service and MoE grievance redress system for project workers with considerations for confidentiality and whistle-blower protection.</p> <p>Ensure the grievance mechanism is readily accessible to all parties affected by the Activities including those filed anonymously, at no cost and without retribution. The grievance mechanism should receive and facilitate resolution of grievances promptly, and in a transparent culturally appropriate manner as consistent with ESS2 and ESS10.</p>	Throughout Project implementation.	MoE
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.2	<p>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT</p> <p>Incorporate resource efficiency and pollution prevention and management measures in TA activities under action 1.4 above.</p>	Throughout Project implementation.	MoE
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	<p>COMMUNITY HEALTH AND SAFETY</p> <p>Assess and manage specific risks and impacts to the community arising from Project activities e.g., behavior of Project workers, response to emergency situations, and include mitigation measures in actions 2.1 and 2.2. .</p>	Throughout Project implementation.	MoE

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
4.3	<p>SEA AND SH RISKS</p> <p>Mainstream SEA/SH provisions in terms of reference (ToRs) and Bills of Quantities (BOQs). Ensure the grievance management mechanism is sensitive to SEA/SH aspects including facilitating that the channels are safe, confidential, and easily accessible to all stakeholders.</p>	Throughout Project implementation.	MoE
ESS 5, 6, 8 and 9			
	Relevant aspects of these standards shall be considered in the technical assistance activities under action 1.4. above.		
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
7.3	<p>GRIEVANCE MECHANISM</p> <p>Implement the grievance mechanism detailed in the SEP to address complaints promptly and effectively, in a transparent manner that is culturally appropriate and readily accessible to all parties affected by Project Activities, at no cost and without retribution, including those filed anonymously and submitted by Vulnerable and Marginalized Groups and Indigenous Peoples, ct in a manner consistent ESS7 and ESS10 requirements.</p>	Throughout Project implementation.	MoE
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	<p>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION</p> <p>Adopt and implement a Stakeholder Engagement Plan (SEP) for the Project, consistent with ESS10, which shall include measures to, inter alia, provide stakeholders with timely, relevant, understandable and accessible information, and consult with them in a culturally appropriate manner, which is free of manipulation, interference, coercion, discrimination and intimidation.</p>	Adopt and disclose the SEP prior to Project appraisal, and thereafter implement the SEP throughout Project implementation.	MoE
10.2	<p>PROJECT GRIEVANCE MECHANISM</p> <p>Establish, publicize, maintain, and operate an accessible grievance mechanism, to receive and facilitate resolution of concerns and grievances in relation to the Project, promptly and effectively, in a transparent manner that is culturally appropriate and readily accessible to all Project-affected parties, at no cost and without retribution, including concerns and grievances filed anonymously, in a manner consistent with ESS10.</p> <p>The grievance mechanism shall be equipped to receive, register, and facilitate the resolution of SEA/SH complaints, including through the referral of survivors to relevant gender-based violence service providers, all in a safe, confidential, and survivor-centered manner.</p>	Update the existing grievance mechanism no later than 30 days of Project effectiveness and thereafter maintain and operate the mechanism throughout Project Program implementation.	MoE

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
CAPACITY SUPPORT			
CS1	<p>Capacity Support Training to be provided and targeted groups e.g. PIU staff, stakeholders, communities, Project workers, teachers and students on:</p> <ul style="list-style-type: none"> • Stakeholder mapping, engagement and implementation, • Environment and Social Framework (ES) Standards, • Implementation of IPP/VMGPs, • Specific aspects of site specific environmental and social assessment • Community health and safety. • Gender-Based Violence, SEA/SH prevention and response measures; • Grievance Management; • ESS 2 and associated Labor management procedures and Code of Conduct. • Capacity building on the PforR ESMS, • Climate-resilient education infrastructure and standards (infrastructure standards, and quality assurances processes). • Disaster mitigation 	<p>Submit capacity assessment and capacity building plan for non-objection of the Association no later than sixty (60) days of effectiveness and thereafter implement it through out Project Program implementation.</p>	MoE
CS2	<p>Capacity training for Project workers on occupational health and safety including on emergency prevention and preparedness and response arrangements to emergency situations.</p> <ul style="list-style-type: none"> • Occupational Health and Safety; • Emergency preparedness and response, • Incident Reporting and Root Cause Analysis • Gender-Based Violence SEA-SH prevention and response measures. • Workers Grievance Management. • Labor Management Procedures. • Training on clean energy initiatives (energy saving cooking stoves or steam cooking stove system) and use • Training on climate-resilient education infrastructure and standards (infrastructure standards, and quality assurances processes). 	<p>Submit capacity assessment and capacity building plan for non-objection of the Association no later than sixty (60) days of effectiveness and thereafter implement it through out Project implementation.</p>	MoE