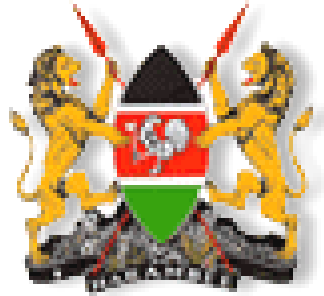


REPUBLIC OF KENYA



MINISTRY OF TRANSPORT, INFRASTRUCTURE, HOUSING AND URBAN DEVELOPMENT

State Department of Housing and Urban Development

Kenya Informal Settlements Improvement Project II
KISIP II

STAKEHOLDER ENGAGEMENT FRAMEWORK (SEF)

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1.0	September 2019	MoTIHUD	Proposed Stakeholder Engagement Framework in support of KISIP II project activities; for World Bank review and stakeholder consultation.
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Abbreviations

RPF	Resettlement Policy Framework
CBO	Community Based Organization
CLO	Community Liaison Officer
EMCA	Environmental Management and Coordination Act
ESIA	Environmental and Social Impact Assessment
ESHS	Environmental, Social, Health and Safety
ESMP	Environmental and Social Management Plan
ESMS	Environmental and Social Management System
FBO	Faith Based Organization
FPIC	Free Prior Informed Consent
IAP2	International Association for Public Participation
HoS	Head of Safeguards
KISIP	Kenya Informal Settlements Improvement Project
IFC	International Finance Corporation
NEMA	National Environmental Management Authority
NGO	Non-Governmental Organization
NMK	National Museums of Kenya
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
SEF	Stakeholder Engagement Framework
STD	Sexually Transmitted Disease
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
VMGF	Vulnerable and Marginalized Groups Framework

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DEFINITIONS

For the purposes of this Framework, the following definitions apply:

Communications: Communications refers to the range of channels and format used to disseminate consistent and relevant project information to different audiences. The purpose of project communication is to broadly build awareness and support but can also be used to promote milestones, keep people informed of progress and delivery as well as respond to public and media enquiries.

Engagement: Engagement is a planned process with the specific purpose of working with individuals and groups to encourage active involvement in the project. The term engagement is very broad and the purpose of engagement will be defined for each specific project phase. Engagement refers to the range of opportunities stakeholders and the community have to participate in the project. This ranges from educating individuals or groups about a project; obtaining community feedback at a key project stage or milestone; or working collaboratively with stakeholders to address local issues.

Engagement can also be referred to as public participation. The International Association of Public Participation's (IAP2) core values of public participation include promoting sustainable decisions by recognizing the interests of all decision-makers; actively facilitating the involvement of those potentially affected by or interested in a decision; providing participants with the information they need to participate in a meaningful way; and communicating to participants how their input affected the decision.

Community: A community is a group of people who have a relationship or a shared interest. Some examples of communities include:

- A community of place is a group of people who are connected by the area they live, work and/or visit. This could include a community who live in the same street, neighborhood or suburb; a community who work in the same building; or businesses located in a particular activity center.
- A community of interest is a group of people who have a shared interest, for example the natural environment, local history or contemporary art.
- A community of affiliation are a group of people who are members of the same group or club, for example members of a sporting club, Rotary or church.

Public: Public refers to members of the general public who may not belong to a specific community relevant to the project but they still have an interest in the project.

Stakeholders: Persons or groups who are directly or indirectly affected by a project as well as those who may have interests in a project and/or the ability to influence its outcome, either positively or negatively. They may include locally affected communities or individuals and their formal or informal representatives, national or local government authorities, politicians, religious leaders, civil society organizations and groups with special interests, the academic community, or other businesses.

Stakeholder Mapping: The process of identifying a project's stakeholders.

Grievance: An issue, concern, problem, or claim (perceived or actual) that an individual or community group wants a company or contractor to address and resolve.

Grievance Mechanism: A locally based, formalized way to receive, assess, and resolve stakeholder complaints about the performance or behavior of project proponents, including its contractors or employees.

Vulnerable Groups – persons who may be disproportionately impacted or further disadvantaged by the project(s) as compared with any other groups due to their vulnerable status, and that may require special engagement efforts to ensure their equal representation in the consultation and decision-making process associated with the project(s).

Executive Summary

This SEF is part of the suite Safeguards Frameworks developed for KISIP II and covers all Project activities that require engagement with local communities and other stakeholders. It covers sub-project conceptualization, feasibility studies, planning and Environmental and Social Impact Assessment (ESIA), Resettlement Action plans, grievance redress, construction and later operations phases.

The Stakeholder Engagement Framework (SEF) is designed to ensure effective engagement with local communities and other key stakeholders throughout KISIP II life cycle. This SEF supports sub-project conceptualization, feasibility studies, planning and impact assessment processes, implementation, and operational and maintenance phases of the project. TKISIP II will maintain dialogue with the relevant regulators and locally affected communities and their representatives as well as non-government organizations (NGOs), community-based organizations (CBOs) and other interest groups.

This Stakeholder Engagement Framework (SEF) is underpinned by the Kenya's policy and legal framework which guarantees the right to information and public participation. It is also supported by the World Bank Policies on Stakeholder engagement and participation in projects. The Constitution of Kenya (2010) Article 1(2), 10 (2), 33,35,174, 174 (d), 184, 232,37 refer to public participation. Other relevant Kenyan Legal framework in the County Government Act (2012), Environmental Management Coordination Act (EMCA), 1999 and the Urban Areas and Cities Act (2011) among others. The World Bank's Operational Policy OP 4.01 section 14 on Institutional Capacity, section 15 on public consultations and section 16 to 19 on disclosure.

Consultations for KISIP I were held in 2010 as part of project preparation while Consultations for KISIP II were done in October 2019. More specifically, during the update of the preparation of the Environmental and Social Management Framework (ESMF) and Resettlement Policy Framework (RPF), preparation of Stakeholder Engagement Plan (SEF) and Vulnerable and Marginalized Persons Framework (VMGF).

A Summary of the issues / concerns from stakeholders ranged from; Adequate involvement of diverse stakeholders, capacity building of the SEC / GRC, enhancement of Livelihood Restoration Initiatives offered by KISIP, ensuring that infrastructure constructed by KISIP are well operated and maintained, reviewing Project designs to ensure they include community needs including needs of the vulnerable, improvement of information disclosure, more support to vulnerable persons and community Training on safety awareness. **Record of the Stakeholder Consultation is presented as Annex 1.**

The Stakeholder Engagement Framework will be periodically revised and updated as necessary in the course project implementations in order to ensure that the information presented herein is consistent and is the most recent, and that the identified methods of engagement remain appropriate and effective in relation to the project context and specific phases of the development. Any major changes to the project related activities and to its schedule will be duly reflected in the SEF.

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1.0 Introduction

The Government of Kenya is in consultation with the World Bank for consideration of the Kenya Informal Settlements Improvements Project II (KISIP II) to consolidate the gains made under KISIP I and enhance the benefits of the project to more people in informal settlements. This Second Kenya Informal Settlements Project (KISIP II) will build on the successes and lessons learned from KISIP I, but also introduce new interventions to deepen its overall impact. It will support the interventions that have been successful under KISIP I: tenure regularization, infrastructure upgrading, and institutional strengthening. In addition, the project will include activities to link vulnerable people (elderly, orphans, disabled, and others) of informal settlements to government programs aimed at reducing poverty and vulnerability, and to link at-risk youth to programs focused on building skills and creating opportunities for employment and self-employment. KISIP II will include activities to prevent crime and violence.

The proposed project objective is to enhance access to basic services and improve tenure security in urban informal settlements in Kenya. This will be achieved by investing in infrastructure based on plans developed in consultation with the community, by supporting planning, surveying and issuance of land documents for residents of informal settlements, and by strengthening capacity of county administrations to deliver on their mandates. KISIP II will have a wider coverage beyond the fourteen KISIP I Counties, to potentially cover the whole country¹.

1.1 Background

The Stakeholder Engagement Framework (SEF) is designed to ensure effective engagement with local communities and other key stakeholders throughout KISIP II life cycle. This SEF supports sub-project conceptualization, feasibility studies, planning and impact assessment processes, implementation, and operational and maintenance phases of the project. KISIP II will maintain dialogue with the relevant regulators and locally affected communities and their representatives as well as non-government organizations (NGOs), community-based organizations (CBOs) and other interest groups.

1.3 Objectives

The broad objectives of this SEF are to:

- a) Describe the applicable regulatory and/or other requirements for disclosure, consultation and engagement with the Project's stakeholders;
- b) To enable identify elaborately different stakeholders including their roles and develop an approach for reaching each of the sub groups
- c) Identify, analyze and prioritize key stakeholder groups, focusing on Project directly affected local communities;
- d) To provides an appropriate approach for consultations and disclosure of Project information throughout the project cycle.
- e) To plan for engagement modalities and provide effective communication tools for consultations and disclosure of Project information at the

¹ For a more detailed project description, refer to the Project Appraisal Document

- f) Provide a transparent and inclusive strategy, action plan and timetable for disclosure of information, ensuring that engagement with each group is undertaken without any form of discrimination;
- g) Describe the processes for implementing stakeholder engagement and community liaison activities, including any special measures for engaging with vulnerable groups and integration of this SEF into KISIP's wider management systems;
- h) Establish an effective grievance mechanism, ensuring that stakeholders are properly informed of their rights and know how to communicate their concerns;
- i) Determine roles, responsibilities in project consultation, communication and information disclosure;
- j) Define monitoring and reporting procedures; and
- k) Ensure continuous improvement.

1.4 Scope

This SEF is part of the suite Safeguards Frameworks developed for KISIP II and covers all Project activities that require engagement with local communities and other stakeholders. It covers sub-project conceptualization, feasibility studies, planning and Environmental and Social Impact Assessment (ESIA), Resettlement Action plans, grievance redress, construction and later operations phases.

KISIP engagement principles and goals, and the IAP2 Spectrum have driven the development of a phased approach to engaging with community and stakeholders on the sub-projects. The table below sets out the six phases, engagement objectives and engagement outcomes.

Table 1: Phased Engagement Program

Phase	Engagement objectives	Engagement outcomes
Phase 1: Project preparation- Design, scoping, resettlement planning, ESMF, RPF, SEF disclosure.	<ul style="list-style-type: none"> a) Raise public awareness and understanding of the project and early engagement b) Raise public awareness of the project and approval process. c) Inform community members of how they can be involved. d) Gather inputs for project design process and obtain feedback from stakeholders and the community. e) Raise public awareness and understanding about the project benefits and outcomes f) Participation in the project impact assessments and mitigation measures g) To obtain relevant approvals 	<ul style="list-style-type: none"> a) Community and stakeholders understand and appreciate the project benefits and impacts b) Framework for participation established. the project and are motivated to be involved. c) Project design improved for better outcomes d) Stakeholder input and understanding of the project impacts and mitigation measures. e) Approvals obtained

Phase 2: Construction and mobilization activities	<ul style="list-style-type: none"> a) Engagement to support works, procurement and property acquisition b) Support landowners and tenants through the land acquisition process c) Establish clear processes for notifying stakeholders and the community about potential impacts from works, including a transparent complaints management process d) Engage with and provide advance notice to local businesses, residents, road and public transport users about works e) Support the detailed design work undertaken by the appointed construction contractors, including providing opportunities for stakeholder and community input and feedback 	<ul style="list-style-type: none"> a) Multiple communications channels and opportunities provided for stakeholders and the community to ask questions about the project and raise issues. b) Community and stakeholders are aware of the project benefits, timing and impacts
Phase 3: Operation and maintenance	<ul style="list-style-type: none"> a) Support the transition from major works delivery to operation and maintenance. b) Engage with and provide advance notice, including direct contact where required, to local businesses, residents, road and public transport users about operation of the new infrastructure. 	<p>Community and stakeholders are aware of the project's completion and understand how the new infrastructure will operate.</p> <p>Community and stakeholders have the opportunity to take part in celebrating project achievements.</p>

1.5 Roles and Responsibilities

This section outlines the general roles and responsibilities for KISIP and the contractors in relation to communications and stakeholder engagement.

Table 2: Roles and Responsibilities

Organization	Responsibilities
KISIP	<ul style="list-style-type: none"> a) Set the strategic direction for and oversee communications and stakeholder engagement activities for the Project. b) Review communications and engagement plans and materials prepared by contractors to support the engagement approach c) Develop and implement communications and engagement campaigns that increase awareness and understanding of the Project, and build relationships with key stakeholders, and encourage public participation d) Manage media and government relations.
Contractors	<ul style="list-style-type: none"> a) Prepare and implement a Community and Stakeholder Engagement Management Plans in line with EPRs and this Framework. b) Establish and maintain effective relationships with local residents, businesses and stakeholders along the project corridor, wherever works are taking place

	<ul style="list-style-type: none"> c) Provide timely and relevant information to the community and relevant stakeholders about the works, including milestones, design and construction impacts d) Manage and respond to public enquiries, feedback and complaints concerning the works consistent with the Grievance Redress mechanism in the RPF.
County Governments	<ul style="list-style-type: none"> a) Identifies Priority Investments Jointly with KISIP Office b) Provide linkage with other sectoral agencies /stakeholders at county level c) Undertakes EIA / RAP Studies and prepare project Designs d) Mobilizes community to participate in project development
Community Settlement Executive Committees	<ul style="list-style-type: none"> a) Provide linkage with other sectoral agencies /stakeholders at community level b) Participate in monitoring activities of contractors and consultants
Settlement Grievance Redress Committee	<ul style="list-style-type: none"> a) Resolving disputes that may arise from the PAPs; b) Monitoring and evaluating the ARAP process at the grassroots level

The KISIP National Coordinator has overall responsibility for ensuring the establishment and maintenance of good working relationships between KISIP and its diverse stakeholders. On a day-to-day basis, general responsibility is discharged by the Head of Safeguards section. More specifically, the RAP team is responsible for engagement with affected communities during the implementation and monitoring of the resettlement and livelihood restoration processes.

Upon mobilization of the Safeguards team [proposed to include: Head, Community Liaison Officer, Environment Officer, Grievance officer, RAP Officer etc².], the Head of the section will oversee the Community Liaison Officer (CLO) and has responsibility for communicating the stakeholder engagement strategy internally and for the integration of team activities with other core functions (i.e. ESHS including RAP aspects, Human Resources and Security), including the Project Management Contractor and contractors in any of their dealings with local communities and their representatives. The CLO will be devoted to managing and implementing KISIP’s stakeholder engagement programme, including screening of vulnerable individual stakeholders’ / stakeholder groups. The CLO’s duties, as part of the Safeguards team’s responsibilities are defined throughout this document.

All communication with the communities will be channeled through the CLO. Should contractors receive a communication directly, they should notify the CLO who will log and determine appropriate action as per the process. With regard to communications received directly by the CLO, the CLO will inform the contractors’ community representatives of any issues they deem

² To be finalized once the institutional and reporting structure is finalized, the final SEP will include the adopted overarching structure.

appropriate. The services of specialist stakeholder engagement practitioners (e.g. an NGO to provide HIV/AIDS community awareness training) and/or consultants may also be needed from time to time.

Irrespective of the experience and qualifications of the CLO, this SEF requires some initial awareness raising and skills training for the community relations, focusing on the World Bank requirements and the various methodologies being implemented as part of KISIP impact assessment/mitigation plans (e.g. in influx assessment, local hiring policy, vulnerability screening / human rights, community participatory monitoring programmes, disclosures and engagement planning /monitoring/ evaluation, grievance procedures and continuous improvement).

1.6 KISIP's Policy Requirements

KISIP has defined its environmental and social policies in the Environmental and Social Management Framework (ESMF), Resettlement Policy Framework (RPF), and Vulnerable and Marginalized Groups Framework (VMGF) to manage the associated environmental and social risks and impacts in accordance with the principles of sustainable development, applicable legal requirements, relevant international standards and recognized good practice.

KISIP recognizes the importance of developing and maintaining mutual respect and trust with its stakeholders, particularly local communities, and will inter alia:

- a) Treat all stakeholders with respect, and dignity whilst taking due account of their views, traditions and cultural heritage;
- b) Gain and maintain broad community support for the Project, through informed consultation with its stakeholders on any issues that may have a material bearing on their cultural heritage, lives or livelihoods, protecting community health and safety through raising awareness and minimizing the potential for communicable or vector-borne diseases;
- c) Keep communities and other stakeholders materially informed of sustainability performance through periodic disclosures and on-going engagement activities; and
- d) Establish and implement an appropriate grievance mechanism for the effective handling and resolution of any concerns, complaints or grievances expressed by local communities or other external stakeholders in regards to the sub-projects.

KISIP also intends that its engagement with stakeholders shall be consistent with international practice and particularly the World Bank's Operational Policy OP 4.01 section 14 on Institutional Capacity, section 15 on public consultations and section 16 to 19 on disclosure.

1.7 Project Components

Stakeholder engagement will apply to project components and activities. The proposed project will comprise the following four components.

Component 1: Integrated Settlement Upgrading

Two main interventions have been identified under this component: (i) tenure regularization; and (ii) infrastructure upgrading.

Tenure regularization

KISIP2 will support the chain of activities required to regularize tenure for people living on uncontested public lands. These activities include: (i) development of a local physical plan for the settlement which lays out land parcels and infrastructure (roads, etc.); (ii) surveying with physical placement of beacons (pegging) to demarcate the parcels as per the plan; (iii) preparation and issuance of letters of allotment based on the survey plan; and finally (iv) issuance of titles.

Infrastructure Upgrading

KISIP2 will support the same types of investments: roads, bicycle paths, pedestrian walkways, street and security lighting, vending platforms, solid waste collection and settlement sorting, stormwater drainage, water and sanitation systems, public parks, and green spaces. The menu will also include investments related to prevention of crime and violence, including but not limited to community centers.

Component 2: Socio-Economic Inclusion Planning

This component will support the development of community-level socio-economic plans. The plans intend to identify together with the communities their socio-economic needs and then address how best the needs can be met. These plans will determine activities that will take place in new or existing community centers and will also determine how best to raise awareness on the benefits of public spaces and green zones, and proper solid waste disposal and how to provide these within the settlements. Vulnerable community members will be prioritized as key beneficiaries in these plans. Through county social development and community development officers, KISIP2 will link vulnerable community groups, including those at risk of violence, to existing World Bank³ and government safety nets programs.

Component 3: Institutional Capacity Development for Slum Upgrading

The Project will support institutional and policy development at national and county levels. Activities will include supporting the review of the 2005-2020 National Slum Upgrading and Prevention Strategy, the development of county-specific slum upgrading and prevention strategies, developing financing mechanisms for slum upgrading at county level, and developing strategies to plan for urban growth, prevent crime and violence and to ensure adoptive planning in informal settlements.

KISIP 2 will develop activities to build capacity of the teams at the national and county levels mandated to implement the Strategy. KISIP2 will also support technical assistance, training, workshops and learning events, experience sharing and peer-learning activities with other counties, and other capacity building activities aimed at enhancing the ability of national, county, and community teams to exercise their roles and responsibilities.

³ These are the National Safety Nets Program for Results (Additional Financing P161179), the Kenya Social and Economic Inclusion Project (P164654) and the Kenya Youth Employment and Opportunities Project (KYEOP) (P151831).

Component 4: Program Management and Coordination

This component will finance activities of the NPCT and the CPCTs related to national and county-level project management and coordination, including planning, surveying, engineering, fiduciary (financial management and procurement), safeguards compliance and monitoring, monitoring and evaluation (M&E), and communication and community development.

2.0 Policy, Legal and Institutional Framework for Public Participation

This Stakeholder Engagement Framework (SEF) is underpinned by the Kenya's policy and legal framework which guarantees the right to information and public participation. It is also supported by the World Bank Policies on Stakeholder engagement and participation in projects.

2.1 Kenya's Legislative Framework

2.1.1 The Constitution of Kenya, 2010

The Constitution of Kenya (2010), which is the supreme law, provides for Public participation as one of its core pillars and a constitutional right.

Article 1(2) of the Constitution of Kenya, 2010 provides that all sovereign power belongs to the people of Kenya. It further states that people may exercise their sovereignty directly or through their elected representatives. Public participation is direct exercise of sovereignty.

Article 10 (2) indicates that public participation is among the national values and principles of governance.

Article 33 guarantees the freedom of expression including the freedom to seek, receive or impart information or ideas. Hence, every person should feel constitutionally empowered to share information and ideas during public participation processes.

Article 35 provides for the right to access information. It guarantees every citizen the right to access information held by the state. This includes information required for effective public participation to take place. The same article provides that the State shall publish and publicize any important information affecting the nation.

Article 174(c), gives powers of self-governance to the people can derive direct benefit from meaningful public participation as this contributes to better informed decision-makers armed with additional facts, values and perspectives obtained through public input.

Article 174(d) recognizes the rights of communities to manage their own affairs and to further their development.

Article 184 is exclusive on urban areas and Cities, the article provides that National legislation shall provide for the governance and management of urban areas and cities and shall, among other provision provide for participation by residents in the governance of urban areas and cities.

Article 232(1) (d) provides for the involvement of the people in the process of policy making and part (f) provides for transparency and provision to the public of timely and accurate information.

Access to information for Kenyan citizens is guaranteed by Article 35 of the Constitution

Article 37 and 104 of the Constitution have a provision on grievance mechanism, including a right to assemble, demonstrate, to picket and to present petitions or seek redress within the judicial system.

Article 201(a) provides Principles of public finance which require openness and accountability, including public participation in financial matters;

Article 232(1) provides values and principles of public service include among others involvement of the people in the process of policy making;

2.1.2 The County Government Act (2012)

The County Government Act, 2012 is the key legislation that gives effect to the constitutional provisions on devolution. The Constitution specifies the devolution of powers from the central government to the newly established county governments, which are now in charge of planning and development among others services, and can enact legislation with possible implications to planned and current projects.

The County Government Act, 2012 at the preamble defines the public: (a) the residents of a particular county; (b) the rate payers of a particular city or municipality; (c) any resident civic organization or non-governmental, private sector or labour organization with an interest in the governance of a particular county, city or municipality; and (d) non-resident persons who because of their temporary presence in a particular county, city or municipality make use of services or facilities provided by the county, city or municipality.

The Act in Part 2 Section 6 states that in exercising its powers or performing any of its functions a county government shall ensure efficiency, effectiveness, inclusivity and participation of the people. Section 87 of the Act provides for the principles of citizen participation in county governance. These include: -

- (a) timely access to information, data, documents, and other information relevant or related to policy formulation and implementation;
- (b) reasonable access to the process of formulating and implementing policies, laws, and regulations, including the approval of development proposals, projects and budgets, the granting of permits and the establishment of specific performance standards;
- (c) protection and promotion of the interest and rights of minorities, marginalized groups and communities;
- (d) legal standing to interested or affected persons, organizations, and where pertinent, communities, to appeal from or, review decisions, or redress grievances, with particular emphasis on persons and traditionally marginalized communities, including women, the youth, and disadvantaged communities;
- (e) reasonable balance in the roles and obligations of county governments and non-state actors in decision-making processes to promote shared responsibility and partnership, and to provide complementary authority and oversight;
- (f) promotion of public-private partnerships, such as joint committees, technical teams, and citizen commissions, to encourage direct dialogue and concerted action on sustainable development; and
- (g) recognition and promotion of the reciprocal roles of non-state actors' participation and governmental facilitation and oversight.

The County Governments Act, in sub section 91 identifies modalities and platforms for citizen participation. These obligate the county government to facilitate the establishment of structures for

citizen participation among them information communication technology based platforms, town hall meetings, budget preparation and validation fora, notice boards that announce jobs, appointments, procurement, awards and other important announcements of public interest, development project sites, avenues for the participation of peoples' representatives including but not limited to members of the Parliament (the National Assembly and Senate) and establishment of citizen fora at county and decentralized units.

Effective public participation requires a clear mechanism for participation, and communication channels between citizens and government, and that the actors, private individuals and organizations, need to have an understanding and knowledge of the issues and public processes to engage meaningfully. In essence, while the supply side of participation requires that enabling systems, mechanisms and frameworks are in place, the extent to which participation achieves its intended objectives largely depends on how the demand side (the public) is organized and informed on the issues they seek to influence. While the latter precondition requires citizens/communities to be organized and informed in order for them to be effective, the Constitution emphasizes the importance of government in ensuring that the people's capacity to engage is built. County governments are therefore expected to "ensure" that there is public participation; to "coordinate" the participation and to "develop" the capacity of the communities to participate.

In Part IX, of the Act establishes Principles and Objectives of public communication. Furthermore, in Sub-Section 96, the Act establishes the modalities of access to information. It specifies that 'every county government and its agencies shall designate an office for purposes of ensuring access to information.' It further enshrines the inclusion and integration of minorities and marginalized groups.

In Part X, the Act obligates the county governments to conduct civic education as part of enhancing public participation. And in sub section 105, it obligates the county governments to ensure 'meaningful engagement of citizens in the planning. COK 2010, Schedule 4 clause 14 states, "ensuring and coordinating the participation of communities and locations in governance at the local level and assisting communities and locations to develop the administrative capacity for the effective exercise of the functions and powers and participation in governance at the local level" is one of the functions of the county governments.' It further specifies this in sub section 115 'Public participation in county planning.' In Sub- Section 119, it obligates the County Executive Committee (CEC) to establish Citizen's Service Centres at the county, Sub-County, Ward and any other decentralized levels. The Citizen Service Centres are expected to 'serve as the central office for the provision by the county executive committee in conjunction with the national government of public services to the county citizens.

2.1.3 Environmental Management Coordination Act (EMCA), 1999

In Kenya the Environmental Management and Coordination Act (EMCA) 1999 and the Environmental (Impact Assessment and Audit) Regulations, June 2003 define the legal basis for and the requirements of environmental impact assessment and management. NEMA assumes primary responsibility for overseeing the implementation of the requirements of the Act.

Part 2 of EMCA 1999, consist of General principles: (a). principle of public participation in the development of plans, policies and processes for the management of the environment; (b) involving

the community to employ their cultural and traditional social principle of managing the environment and natural resources provided it is not repugnant to the justice and morality and not inconsistent with the law.

The EMCA and its supporting legislation set out requirements for public disclosure and consultation in tandem with the ESIA process. KISIP II should comply with the applicable legislation during the ESIA, preparing community disclosure fact sheets, disseminating other information through barazas and other stakeholder meetings, and responding to concerns through official public meetings and the development of its policies, Framework ESMP and specific management plans.

Upon receipt of the EIA study report from any proponent under section 58, the authority shall cause to be published in each of two successive weeks in the gazette newspaper circulating in the area or proposed area of the project once in each of the two successive weeks in a notice which state among others: a summary description of the project, the place where the project is carried out, the place where the environmental impact assessment study, evaluation or study report evaluation or review report may be inspected.

The ESIA must include a fully inclusive public/stakeholder consultation process to ensure that the affected community is engaged throughout the ESIA process and their issues and concerns addressed. Specifically, the proponent is required to:

- a. Publicize the project and its anticipated effects and benefits by placing posters in strategic public places in the vicinity of the site of the proposed project informing the affected parties and communities of the proposed project;
- b. Issue project notification in a nationwide newspaper for two successive weeks;
- c. Arrange for a radio announcement in both local and official languages with a nationwide coverage for at least once a week for two successive weeks;
- d. Hold at least 3 public meetings with the affected parties and communities to explain the project and its effects, and to receive their oral or written comments;
- e. Send out notice of consultations at least one week prior to the meetings; and
- f. Ensure, in consultation with the Authority that a suitably qualified coordinator is appointed to receive and record both written and oral comments.

2.1.4 The Urban Areas and Cities Act (2011)

The Urban Areas and Cities Act of 2011 make further provisions for public participation. In sub section 2, the Act provides for a Citizen Fora as a ‘forum for citizens organized for purposes of participating in the affairs of an urban are or a city.’

In Sub Section 3 (c), it identifies ‘participation by the residents in the governance of urban areas and cities.’

In Sub Section 11 (d), it establishes ‘institutionalized active participation by its residents in the management of the urban area and city affairs’ as one of the principles of governance and management of urban areas and cities. The rights of, and participation by residents in affairs of their city or urban area are elaborated in the Second Schedule of the Act. It obligates the authorities in an urban area or city to ‘develop a system of governance that encourages participation by residents in

its affairs' through creating 'appropriate conditions for participation in the preparation, implementation and review of the integrated development plan, the establishment, implementation and review of its performance management system, the monitoring and review of its performance, including the outcomes and impact of its performance, the preparation of its budget and making of strategic decisions relating to delivery of service.

2.2 World Bank Standards

The project will adhere to the World Bank standards on participation and consultation in addition to the GoK requirements. Where differing levels of performance are detailed between the various standards, the most stringent requirement will be applied.

The World Bank Group's Environmental Assessment Policy (OP 4.01, January 1999) requires that project-affected groups and local non-governmental organizations (NGOs) be consulted during the impact assessments process about the project's potential environmental and social impacts.

Environmental Assessment Policy OP 4.01 Sections 15 provides that for all Category A and B projects proposed for IBRD or IDA financing, during the EA process, the borrower consults project affected groups and local nongovernmental organizations (NGOs) about the project's environmental aspects and takes their views into account. The borrower initiates such consultations as early as possible. For Category A projects, the borrower consults these groups at least twice: (a) shortly after environmental screening and before the terms of reference for the EA are finalized; and (b) once a draft EA report is prepared. In addition, the borrower consults with such groups throughout project

Information disclosure is detailed in section 16 of the policy, the section provides for meaningful consultations between the borrower and project-affected groups and local NGOs on all Category A and B projects proposed for IBRD or IDA financing, the borrower provides relevant material in a timely manner prior to consultation and in a form and language that are understandable and accessible to the groups being consulted. Any separate Category B report for a project proposed for IDA financing is made available to project-affected groups and local NGOs and World Banks Info Shop.

Public participation in development project is further emphasized in the World Bank's Environmental and Social Framework (ESF) came into effect on October 1, 2018. Even though KISIP II is proposed to follow the old Operational Policies, the principles and key elements of the new standards are relevant. The Framework includes Environmental and Social Standard (ESS) 10, "Stakeholder Engagement and Information Disclosure", which recognizes "the importance of open and transparent engagement between the Borrower and project stakeholders as an essential element of good international practice". ESS10 emphasizes that effective stakeholder engagement can significantly improve the environmental and social sustainability of projects, enhance project acceptance, and make a significant contribution to successful project design and implementation.

As defined by the 2018 ESF and ESS10, stakeholder engagement is an inclusive process conducted throughout the project life cycle. Where properly designed and implemented, it supports the development of strong, constructive and responsive relationships that are important for successful management of a project's environmental and social risks.

Key elements of ESS10 include:

- a. "Stakeholder engagement is most effective when initiated at an early stage of the project development process, and is an integral part of early project decisions and the assessment, management and monitoring of the project."
- b. "Borrowers will engage with stakeholders throughout the project life cycle, commencing such engagement as early as possible in the project development process and in a timeframe that enables meaningful consultations with stakeholders on project design. The nature, scope and frequency of stakeholder engagement will be proportionate to the nature and scale of the project and its potential risks and impacts.
- c. Borrowers will engage in meaningful consultations with all stakeholders. Borrowers will 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.
- d. The process of stakeholder engagement will involve the following, as set out in further detail in this ESS: (i) stakeholder identification and analysis; (ii) planning how the engagement with stakeholders will take place; (iii) disclosure of information; (iv) consultation with stakeholders; (v) addressing and responding to grievances; and (vi) reporting to stakeholders.
- e. The Borrower will maintain and disclose as part of the environmental and social assessment, a documented record of stakeholder engagement, including a description of the stakeholders consulted, a summary of the feedback received and a brief explanation of how the feedback was taken into account, or the reasons why it was not."

Borrowers are required to develop a Stakeholder Engagement Plan (SEP) proportionate to the nature and scale of the project and its potential risks and impacts (paragraph 13). Stakeholders have to be identified and the SEF has to be disclosed for public review and comment as early as possible, before the project is appraised by the World Bank. ESS10 also requires the development and implementation of a grievance redress mechanism that allows project-affected parties and others to raise concerns and provide feedback related to the environmental and social performance of the project and to have those concerns addressed in a timely manner.

3.0 Stakeholders Identification and Analysis

3.1 Project Stakeholders

Project stakeholders are defined as individuals, groups or other entities who: (i) are impacted or likely to be impacted directly or indirectly, positively or adversely, by the Project (also known as ‘affected parties’); and (ii) may have an interest in the Project (‘interested parties’). They include individuals or groups whose interests may be affected by the Project and who have the potential to influence the Project outcomes in any way.

Cooperation and negotiation with the stakeholders throughout the Project development often also require the identification of persons within the groups who act as legitimate representatives of their respective stakeholder group, i.e. the individuals who have been entrusted by their fellow group members with advocating the groups’ interests in the process of engagement with the Project.

Community representatives may provide helpful insight into the local settings and act as main conduits for dissemination of the Project-related information and as a primary communication/liaison link between the Project and targeted communities and their established networks. The legitimacy of such representatives may stem both from their official elected status and their informal and widely supported standing within the community that allows them to act as focal points of contact in Project’s interaction with its stakeholders.

For KISIP, examples of legitimate stakeholder representatives include and are not limited to:

- a. elected officials (Members of Parliament and County Assemblies)
- b. leaders of the Settlement Executive Committees (SECs), and community Grievance Redress Committees);
- c. non-elected leaders that have wide recognition within their community, such as chairpersons of local initiative groups, committees, local cooperatives etc.;
- d. leaders of community-based organizations, local NGOs, and youth and women’s groups;
- e. the elders and veterans within the affected community;
- f. religious leaders, including those representing traditional faiths;
- g. teachers and other respected persons in the local communities, etc.

For some stakeholder groups, verification of their representatives (i.e. the process of confirming that they are legitimate and genuine advocates of the community they represent) is an important task in establishing contact with the community stakeholders.

3.2 Stakeholder Identification

The KISIP II will attract interest from a broad cross section of the community, both within the project area and outside. Stakeholder identification and analysis is a core part of developing an engagement approach. It is important to note that stakeholders may change over the course of the project and different approaches may be required for effective engagement.

The following criteria, adjusted to take account of local specific conditions, are proposed to be used for the identification of stakeholders:

- a) Liability: project implementation or on-going operations may result in legal, financial or other liabilities of the proponent to a social group;
- b) Influence: a social group may be able to substantially influence project implementation or ongoing operations;
- c) Partnership: there are opportunities for building partnership relations between the project developer and a given social group in the framework of the project implementation or on-going operations;
- d) Dependency: project implementation may significantly affect a given social group, in particular, it may affect vital interests of its representatives if they are dependent on the project on-going operations in economic or financial terms;
- e) Representation: a social group may have a right to represent interests with regard to a project or on-going operations, and this right is legitimated through legislation, custom and and/or cultural specifics;
- f) Expressed interest: a social group and/or individual may express interest to a project or ongoing operations, and this group is not necessarily directly affected by the planned or current activities

3.3 Generic KISIP Stakeholders

From the outset, KISIP will seek to build strategic working relationships with the various stakeholders who are directly or indirectly impacted by and/or who have interests all the sub-projects. The collection and use of stakeholder information by KISIP and its contractors will be carried out in accordance with applicable privacy legislation.

A comprehensive list of stakeholders and database will be developed and maintained by KISIP. The table below broadly identifies the key stakeholder groups, their respective relevance to and interests in the project.

Table 3: Generic KISIP Stakeholders

Stakeholder	Relevance	Interests
Residents	May face disruption from construction activities	Project impacts / benefits, construction management / mitigation measures
Business owners	May face business disruption from construction activities	Project impacts / benefits, construction management / mitigation measures, business support
Commuters (public transport, road)	May face disruption to commute from construction activities	Project impacts / benefits, construction management / mitigation measures, changes to transport network
Local municipalities/	Construction occurring in municipality, responsible for	Project benefits / impacts, local planning issues, social and economic development

councils	local permits / approvals	
National Government (departments and agencies)	Responsible for national planning approvals i.e. NEMA	Statutory requirements are met, project delivered in line with approvals
The World Bank	Providing project financing	Successful implementation of the project to achieve sustainable outcomes.
Institutions (schools, churches, research, health etc)	Facilities located in close proximity may be affected by construction	Project impacts / benefits, construction management / mitigation measures, changes to access
Landowners	Land owned may be affected by the project (directly or indirectly)	Project impacts / benefits, construction management / mitigation measures, land acquisition process
Media	They are intermediaries for informing the general public about the planned project activities and for information disclosure in connection with the proposed project(s).	Key milestones, project updates
Industry groups / Special interest groups	Members may be affected by construction activities, provide advice / shape broader public discussion about project	Project impacts / benefits relating to each group's specific interest area
Project partners	Partner with GoK/ KISIP / contractors in the development and delivery of the project	Accountable for delivery of services during construction, technical advice and requirements for project
County Government (departments and agencies)	Responsible for County planning approvals, overall project delivery	Statutory requirements are met, project delivered in line with approvals, community impacts managed effectively
Utility service providers	Many utilities located in close proximity to construction activities, may need to be relocated / protected	Potential impacts on assets and asset renewal plans
Scientific institutions	Scientific understanding of the range or problems associated with the proposed project(s).	Technical advice

	Scientific approach to the relevant issues. Possible specialists' provision for further activity in project implementation.	
Project employees and Project's subcontractors	Technical understanding of the range or problems associated with the proposed project(s) including H&S issues.	

3.4 Stakeholder Categorization

The various international standards being applied to this Project define two main categories of stakeholder; differentiating for example between “those who will be or are likely to be directly or indirectly affected, positively or negatively, by a project (commonly referred to as project-affected people, households or communities)” and “those who might have an interest in, or may influence the project”. Following this definition, the two principal groups of stakeholders in the KISIP Project are broadly categorized as follows: Affected parties, and interested parties.

3.4.1 Affected Parties

Affected Parties include local communities, community members and other parties that may be subject to direct impacts from the KISIP sub-projects. Affected parties are generally located within the Project’s defined area of influence but may be elsewhere (e.g. people who outside of project area but have personal or business interests that may be directly affected by the development of the sub-projects).

Affected parties include 2 sub-groups:

- a) Directly affected:**
 - Communities, groups and individuals displaced physically and/or economically by the Project, including any vulnerable or marginalized stakeholders.
- b) Indirectly Affected:**
 - Residents, businesses, County officials and administrators who may be indirectly affected by employment opportunities, influx and the related pressure on resources and services;
 - Government officials, including Municipal Administration of the in the project area, village administrations, environmental protection authorities;
 - Community-based groups and non-governmental organizations (NGOs) that represent local residents and other local interest groups, and act on their behalf; and
 - Employees, their representatives and contractors to KISIP.

Local NGOs and initiative/advocacy groups represent the considerable capacity that the project(s) may tap for disseminating the information and raising awareness of the planned activities among the

potentially affected communities in the project area. NGOs typically have well established interaction with the local communities, are able to propose the most effective and culturally appropriate methods of liaising based on the local customary norms and prevailing means of communication, and possess the facilitation skills that may be utilized as part of the project's consultations. In addition, NGOs may lend assistance in disseminating information about the proposed project(s) to the local communities, including in the remote areas (e.g. by placing information materials about the project in their offices, distributing the project information lists during events that they are organizing), and provide venues for the engagement activities such as focus-group discussions.

3.4.2 Interested Parties

The projects' stakeholders also include parties other than the directly affected communities:

Individuals/groups/entities that may not experience direct impacts from the Project but who consider or perceive their interests as being affected by the project and/or who could affect the project and the process of its implementation in some way. These Interested parties may include:

- Residents of the other settlements within the project area, who can benefit from employment and training opportunities stemming from the project;
- Civil society groups and NGOs on the regional, national and local levels, that pursue environmental and socio-economic interests and may become partners of the project. Organizations within this group are likely to be located outside the project's Direct Area of Influence;
- Business owners and providers of services, goods and materials within the project area that will be involved in the project's wider supply chain or may be considered for the role of project's suppliers in the future;
- Government officials, permitting and regulatory agencies at the National and County levels, including environmental, technical, social protection and labor authorities.
- Mass media and associated interest groups, including local, county and national printed and broadcasting media, digital/web-based entities, and their associations.
- Other notable projects in the region;
- Politicians at national / regional / local levels;
- Lenders' to the Project; and
- Academics and other interest groups.

3.5 Stakeholder Analysis

A sound community relations approach to engagement with stakeholders, builds on in-depth and structured analysis of stakeholders. It also allows KISIP to determine which stakeholder groups to prioritize within the stakeholder engagement / community relations strategy. For example, influential stakeholders who are significantly impacted by the Project typically make good partners for KISIP to work with, while stakeholders with limited influence who are significantly impacted are best approached through an empowerment or rights protection perspectives, as they may not have the capacity to represent themselves properly.

Similarly, interested parties can be a low priority for community relations efforts, but their capacity to exert high influence over the Project, means that they need to be kept informed and involved, while building strategies to reduce any inappropriate demands that they place on the Project.

KISIP will continue to undertake analysis of its various stakeholder groups to identify any new stakeholders and determine/confirm the appropriate level and methods of consultation and engagement for each stakeholder group. The Head of Safeguards and CLO will be responsible for ongoing stakeholder identification, mapping and analysis. The CLO is also responsible for updating the stakeholder database and matrix as well as creating/updating Key Stakeholder Profiles.

The analysis will involve mapping stakeholder using the following three key determinants:

- The stakeholder’s projected level of interest in the Project;
- The Project’s potential impact on the stakeholder; and
- The stakeholder’s degree of influence / power on or value to the Project.

By plotting influence together with impact/interest on a matrix and taking due account of further criteria such as expertise (i.e. knowledge to contribute and legitimacy) and the stakeholders’ willingness to engage, the relative needs of key stakeholders in terms of the level and type of consultation and engagement are determined and can therefore be properly planned.

The KISIP definitions of impact/interest and influence/power are described in **Table 4** below:

Table 4: Definitions for Stakeholder Analysis and Mapping

	Impact / Interest axis	Influence/Power axis
High	The stakeholder will experience a high degree of impact as a result of the Project (e.g. resettlement, complete loss of livelihood, loss of pasture / water, etc.). OR: The project is directly related to stakeholder’s institutional field of interest and/or responsibilities	The stakeholder has decision-making powers regarding whether the project will go ahead or not and/or about the adequacy of the ESIA process and/or KISIP’s mitigation strategies.
Medium	The stakeholder will experience some degree of impact but impacts can be managed and/or mitigated. OR: The project or aspect thereof has some relevance to the stakeholder’s institutional field of interest and/or responsibilities	The stakeholder can influence the scope and timing of the ESIA and/or KISIP’s mitigation strategies
Low	The stakeholder will experience very few effects as a result of the project.	The stakeholder has very little control over the project

	OR: the project has limited relevance to the stakeholder's institutional field of interest and/or responsibilities	
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3.6 Vulnerable Groups

A significant factor in achieving inclusiveness of the engagement process is safeguarding the participation of vulnerable individuals in public consultations and other engagement forums established by the project. Vulnerable groups are persons who may be disproportionately impacted or further disadvantaged by the project(s) as compared with any other groups due to their vulnerable status, and that may require special engagement efforts to ensure their equal representation in the consultation and decision-making process associated with the project(s). The vulnerability may stem from person's origin, gender, age, health condition, economic deficiency and financial insecurity, disadvantaged status in the community (e.g. minorities or fringe groups), dependence on other individuals or natural resources, etc.

Vulnerable stakeholders require an open and inclusive approach to engagement that provides them with suitable opportunities to participate and voice their concerns. Some vulnerable stakeholders will need special attention in this SEF due to the factors that define their vulnerability. Accordingly, differentiated measures may be applied to ensure the effective participation and obtain feedback from vulnerable stakeholders.

Vulnerable groups within the communities affected by the project will be further confirmed and consulted through dedicated means, as appropriate.

3.6.1 Identification of Vulnerable Groups

KISIP will identify individuals and groups who may be differentially or disproportionately affected by operations due to their disadvantaged, isolated or vulnerable status and consider specific and proactive engagement measures for these groups.

The outcomes of the various socio-economic baseline and impact studies (including the applicability of OP 4.10 on indigenous peoples) identified the following potentially vulnerable groups as being within or near to the KISIP's Project's area of influence:

- a) Female headed households: In addition to the disadvantages of gender, such women often have restricted access to income generating activities and suffer from higher levels of food and water insecurity. Single headed households have similar problems (e.g. where the man's ability to earn a livelihood may be restricted by family commitments);
- b) Uncontrolled influx may include Vulnerable unemployed people, particularly young adults, who are already disadvantaged and whose condition worsens as a result of moving onto the area;
- c) Sex trade workers: Not identified currently within the Project area of influence but may migrate or be trafficked into the area once construction works commence. Sex workers may

not have access to forms of protection (e.g. access to the authorities, health and/or children's education services) and are often subject to discrimination and harassment.

- d) Elderly: The aged and infirm are less likely to receive an income and may rely upon their families for support (however their age may confer an elevated status in traditional governance systems and decision making);
- e) Children: Children are principally reliant upon older members of the family for sustenance, shelter and general well-being;
- f) Old women: Local women traditionally have only restricted access to resources due to cultural factors. They are often afforded only a low level of representation in community decision making processes and may suffer from spousal abuse;
- g) Physically / mentally sick and disabled: The lack of government services in the local area deprives such stakeholder of institutional support and services to encourage their social and economic participation in the community;
- h) Others dependent upon ecosystem services: Stakeholders dependent upon the collection of wood for charcoal production or timber for construction and also face similar declining ecosystem carrying capacity;
- i) Internally displaced: There have been ongoing outbreaks of violence within the wider region, variously involving livestock rustling, disputes over fishing rights or access to water, pasture and other resources. This has led to increases in the population of settlements and consequent loss of access to resources, community cohesion and livelihoods although it is considered highly unlikely that such people will be subject to any significant adverse project impacts; and
- j) Externally displaced: There are no refugee camps housing displaced people in the project vicinity. KISIP will monitor and engage with appropriate GoK departments should externally displaced people seek refuge within the concessional area.

3.6.2 Monitoring Changes to Vulnerability

KISIP will assess the vulnerability of individual and groups who may be potential candidates for vulnerability status. Particular attention shall be afforded to the most vulnerable, least visible and voiceless for whom special consultation measures may be required.

The CLO will maintain and update existing records of vulnerable stakeholder groups and will screen potential individual and group candidates using the criteria developed in the Vulnerability Screening Checklist (see format in Appendix 4). This process requires an update to relevant data and an evaluation of vulnerability status, which will be undertaken either when the CLO identify a specific need or at a minimum frequency of annually during construction and the first two years of operations.

3.6.3 Differentiated Engagement Measures

KISIP will ensure that such groups remain subject to culturally appropriate, differentiated measures in engagement and/or consultation campaigns. The type and nature of such measures will vary according to circumstances and may consist of any combination of the following:

- Ensuring the legitimacy of any designated representatives for vulnerable groups;
- Respecting traditional decision-making governance;
- Engaging separately with women and men whenever pertinent;
- Subsidizing travel and/or subsistence expenses of vulnerable stakeholders attending engagement events; and
- Focusing any mitigation on sustainable livelihood development for such groups.

The appropriate actions shall be recommended by the CLO and approved by the Head of Safeguards.

3.7 Indigenous Peoples

The World Bank uses the term “Indigenous Peoples” in a generic sense to refer to a distinct social and cultural group possessing the following characteristics in varying degrees:

- a. Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- b. Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
- c. Customary cultural, economic, social, or political institutions that are separate from those of the mainstream society or culture; or
- d. A distinct language or dialect, often different from the official language or languages of the country or region in which they reside.

Such groups are generally considered to be amongst the most marginalized and vulnerable segment of population and they can be more vulnerable to impacts associated with project development. Their inability to defend their rights to, and interest in lands, natural resources and ecosystems services may also impact their social and cultural life.

Their peculiar circumstances may require special protective measures in the event that they are adversely impacted by the project as required by country laws, World Bank OP 4.10 on Indigenous Peoples (2012), and the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). Those standards set out an approach that aims to avoid any impacts (especially relocation) and requires a distinct, culturally appropriate process for information disclosure, consultation and informed participation. That process can under certain circumstances trigger the principle of Free Prior and Informed Consent, which requires projects to obtain a clear mandate to proceed from bona fide indigenous peoples.

4.0 Stakeholder Engagement

It is acknowledged that effective engagement will be critical throughout construction to keep community members and stakeholders informed and involved in the project. In order to be effective, engagement needs to take place over a period of time – providing information to community and stakeholders about the project as it develops, listening to their feedback and responding to it.

Stakeholder engagement at all levels will take place throughout the life of the sub-projects. KISIP II will deploy Community Liaison officers in project areas who are conversant with the local communities to be in charge of community engagement.

This section sets out KISIP’s plans to ensure it meets its objectives and goals for stakeholder engagement throughout the Project in respect for each stakeholder group identified.

4.1 Principles and Goals of Engagement

KISIP recognizes that project progress and decisions can be enhanced through dialogue with the community and relevant stakeholders, including residents, businesses, government and other interested parties. Understanding the interests, concerns, requirements and preferred outcomes of these groups enables KISIP and the works contractors to find solutions to the issues and challenges likely to arise in delivering the sub-projects.

The table below sets out the core principles and goals of KISIP’s Community and Stakeholder Engagement Management Framework throughout planning and construction phases.

Table 5: Principles of Goals of KISIP Engagement

Principle	Goal
Effective	Engagement is open, consistent, inclusive, accessible and transparent throughout planning and delivery of the project.
Timely	Engagement spans all stages of the project, ensuring information is provided to stakeholders as the project develops and feedback is responded to and incorporated in the project’s development.
Meaningful	Engagement is clear on the elements of the project that can be influenced by the community and stakeholders, how the feedback will be used and is explicit on which elements of the project are fixed and the reason for this.
No surprises	Engage early to gain understanding of interests, concerns, requirements and preferred outcomes. Close the loop to demonstrate how feedback has been considered.

4.2 Engagement Guidelines and References (IAP2 Spectrum)

International Association for Public Participation (IAP2) is an international member association, which seeks to promote and improve the practice of public participation or community engagement, incorporating individuals, governments, institutions and other entities that affect the public interest throughout the world.

The IAP2 Spectrum is an internationally recognized tool for planning public participation in major projects. The Spectrum is designed to assist with the selection of the level of participation that defines the public's role in any community engagement program. The Spectrum shows that differing levels of participation are legitimate depending on the goals, time frames, resources and levels of concern in the decision to be made.

KISIP and the works contractors will use the IAP2 Spectrum to guide how the community and stakeholders will be engaged during the project planning and delivery phases.

Table 6: IAP2 Spectrum

	INFORM	CONSULT	INVOLVE
GOAL	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, plans and/or decisions	To work directly with the community and stakeholders to ensure that concerns and aspirations are consistently understood and considered.
PROMISE	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations and provide feedback on how public input influenced the decision. We will see your feedback on draft proposals.	We will work with you to ensure that your concerns and aspirations are directly reflected in the project and provide feedback on how input influenced the decision.
STAKEHOLDERS	The broader Melbourne community. Stakeholders interested in engaging about the project – educate on key elements of the project and explain how they can be involved.	All community and stakeholders including directly impacted stakeholders – encourage feedback on fixed project elements.	Key stakeholders, government agencies, directly impacted stakeholders and community - feedback on options, benefits and potential

			construction impacts.
ACTIVITIES AND TOOLS	Advertising Newsletters / publications Displays / information stalls eNews Letters (direct mail / letter drops) Media articles / releases / kits Project website Site signage / posters Social media Videos / DVDs (animations and photography) Works notifications	Briefings / info sessions Feedback forms Formal consultation (e.g. written submissions) Social research Interviews (phone / person) Project info line Project email enquiries Presentations Project documents and reports Reports on engagement outcomes Online engagement	Interactive briefings / info sessions Feedback forms Formal consultation (e.g. written submissions) Online engagement Working / reference groups

4.3 Engagement Methods and Tools

The project(s) intend to utilize various methods of engagement that will be used by as part of its continuous interaction with the stakeholders. For the engagement process to be effective and meaningful, a range of various techniques need to be applied that are specifically tailored to the identified stakeholder groups. The format of every consultation activity should meet general requirements on accessibility, i.e. should be held at venues that are easily reachable and do not require long commute, entrance fee or preliminary access authorization, cultural appropriateness (i.e. with due respect to the local customs and norms), and inclusiveness, i.e. engaging all segments of the local society, including disabled persons, the elderly, minorities, and other vulnerable individuals. If necessary, logistical assistance should be provided to enable participants from the remote areas, persons with limited physical abilities and those with insufficient financial or transportation means to attend public meetings scheduled by the project.

Ensuring the participation of vulnerable individuals and groups in project consultations may require the implementation of tailored techniques. Since their vulnerable status may lead to people’s diffidence and reluctance or physical incapacity to participate in large-scale community meetings, visiting such individuals/ families at their homes or holding separate small group discussions with them at an easily accessible venue is a way for the project to reach out to the groups who, under standard circumstances, are likely to be insufficiently represented at community gatherings.

Various methods of engagement will be used as part of the project’s interaction with the stakeholders, to ensure that different stakeholder groups are successfully reached and are involved in the process of consultation, decision-making and the development of impact management solutions.

International standards increasingly emphasize the importance of a consultation being ‘free, prior and informed’, which implies an accessible and unconstrained process that is accompanied by the timely provision of relevant and understandable information. In order to fulfil this requirement, a range of consultation methods are applied that specifically focus on this approach.

Information that is communicated in advance of public consultations primarily includes an announcement thereof in the public media – local, regional and national, as well as the distribution

of invitations and full details of the forthcoming meeting well in advance, including the agenda. It is crucial that this information is widely available, readily accessible, clearly outlined, and reaches all areas and segments of the target community.

These parameters can be achieved by implementing the following approach:

- a. Advance public notification of an upcoming consultation meeting follows the same fundamental principles of communication, i.e. it should be made available via publicly accessible locations and channels. The primary means of notification may include mass media and the dissemination of posters/ advertisements in public places. The project keeps proof of the publication (e.g. a copy of the newspaper announcement) for the accountability and reporting purposes. Existing notice boards in the communities may be particularly useful for distributing the announcements, such as boards adjacent to the widely visited public premises – Chief's offices, post offices, stores, bus parks, and offices of the local NGOs. When the notifications are placed on public boards in open air, it should be remembered that the posters are exposed to weather, may be removed by by-passers or covered by other advertisements. The project's staff will therefore maintain regular checks in order to ensure that the notifications provided on the public boards remain in place and legible.
- b. Another critical aspect of the meeting preparation process is selecting the methods of communication that reach the potential audience with lower levels of literacy or those who are not well-versed in the technical aspects of the proposed. Oral communication is an option that enables the information to be readily conveyed to such persons. This includes involving the selected community representatives / village leaders/ SEC/ local NGOs and initiative groups to relay up-to-date information on the project and consultation meetings to other members of the community. Advertising the project and the associated meetings via radio or television and making direct calls (in case fixed-line or mobile phone communication is available) is another method that allows reaching out to most audiences. The announcement of a public meeting or a hearing is made sufficiently in advance, thereby enabling participants to make necessary arrangements, and provides all relevant details, including date, time, location/venue and contact persons.
- c. Placement of the project materials in the public domain is also accompanied by making available a register of comments and suggestions that can be used by any member of the affected community and general public to provide their written feedback on the contents of the presented materials. As a rule, the register is made available for the entire duration of the requisite disclosure period. Where necessary, a project representative or an appointed consultant should be made available to receive and record any verbal feedback in case some stakeholders experience a difficulty with providing comments in the written form.
- d. Drafting an agenda for the consultation meeting is an opportunity to provide a clear and itemized outline of the meeting's structure, sequence, chairpersons, a range of issues that will be discussed and a format of the discussion (e.g. presentation/ demonstration followed by a Questions & Answers – Q&A session, facilitated work in small groups, feature story and experience sharing, thematic sessions with a free speaking format enabling the exchange of ideas). A clearly defined scope of issues that will be covered at the meeting gives the prospective participants an opportunity to prepare their questions

and comments in advance. It is essential to allocate a sufficient amount of time for a concluding Q&A session at the end of any public meeting or a hearing. This allows the audience to convey their comments and suggestions that can subsequently be incorporated into the design of the project. Keeping a record of all public comments received during the consultations meetings enables the project's responsible staff to initiate necessary actions, thereby enhancing the project's overall approach taking onto consideration the stakeholders' priorities. The recorded comments and how they have been addressed by the project becomes an appropriate material for inclusion in the project's regular reporting to the stakeholders.

e. Distribution of targeted invitations to the consultation meeting or a hearing is an important element of the preparation process and is based on the list of participants that is compiled and agreed in advance of the consultation. Invitations may be sent both to certain individuals that have been specifically identified as relevant stakeholders (e.g. representatives of authorities, leaders of local NGOs and initiative groups, village chairpersons) and as public invites (e.g. addressed to initiative and professional bodies, local organizations, and other public entities). Text of individual invitations can be tailored to reflect the specifics of an invitee and their role in the process, whereas the text of public invitations normally indicates general details. Means of distributing the invitations should be appropriate to the customary methods of communication that prevail locally in the Project Area of Influence (PAI). Depending on the availability and technical feasibility, the following means of distribution can be used: direct mail (post); as an inclusion with other existing public mailings, utility bills, or circulates from a local authority. The invitation should typically contain a clear request for confirmation of the participation, also specifying a date by which the confirmation is expected. All invitations that were sent out are tracked in order to determine and manage the response rate. If no response has been received, the invitation can be followed up by a telephone call or e-mail where possible.

KISIP II will use a range of techniques to fulfill the main purpose of its consultation activities aimed at raising the community's and stakeholder awareness about the planned and current activities undertaken by the project, as well as to solicit public feedback that can subsequently be input into the project's mitigation and enhancement measures. As discussed above, due consideration will be given to the cultural appropriateness and inclusiveness of the consultation settings as well as gender and other sensitivities that may prevail in the local communities. Knowledge and advice of the community representatives and local NGOs are invaluable to ensure that these aspects are fully observed. If deemed necessary, separate meetings and focus group discussions will be held, as described above.

An attendance list is made available at the commencement of the consultation/hearing in order to record all participants who are present at the meeting and their affiliation. Wherever possible, attendees' signatures should be obtained as a proof of their participation. Details of the attendees who were not initially on the list (e.g. those participating in place of somebody else, or general public) should be included in addition to those who have registered for the meeting in advance.

In most cases and as a general practice, the introductory initial part of the meeting or a hearing should be delivered in a format that is readily understandable to the audience of laypersons and should be free of excessive technical jargon. If necessary, preference should be given, whenever possible, to the oral and visual methods of communication (including presentations, pictorials,

illustrations, graphics and animation) accompanied by hand-out materials imparting the relevant information in understandable terms rather than as text laden with technical intricacies. Where technical specifics of the project's particular activities or solutions are required to be delivered in a greater level of detail, it will be ensured that the information conveyed remains comprehensible to all members of the audience and that the description of complex technicalities is adapted to their level of understanding, thereby enabling productive feedback and effective discussion.

If a large audience is expected to attend a public meeting or a hearing, necessary arrangements will be made to ensure audibility and visibility of the presentation and any demonstrations involved. This includes provision of a microphone, proper illumination, projector, places allocated for the wheelchair users, etc.

Taking records of the meeting is essential both for the purposes of transparency and the accuracy of capturing public comments. At least three ways of recording may be used, including:

- a. taking written minutes of the meeting by a specially assigned person or a secretary;
- b. audio recording (e.g. by means of voice recorders); and
- c. photographing.

The latter should be implemented with a reasonable frequency throughout the meeting, allowing notable scenes to be captured but at the same time not distracting or disturbing the audience excessively. Where feasible, the video recording may also be undertaken. Combination of these methods assures that the course of the meeting is fully documented and that there are no significant gaps in the records which may result in some of the important comments received from the stakeholder audience being overlooked.

As a possible option in addition to the Q&A session nearer the close of the public meeting/hearing, evaluation (feedback) forms may be distributed to participants in order to give them an opportunity to express their opinion and suggestions on the project. This is particularly helpful for capturing individual feedback from persons who may have refrained from expressing their views or concerns in public.

Questions provided in the evaluation form may cover the following aspects:

- a. Participant's name and affiliation (these items are not mandatory if the participant prefers to keep the form confidential)
- b. How did they learn about the Project and the consultation meeting?
- c. Are they generally in favour of the Project?
- d. What are their main concerns or expectations/hopes associated with the Project or the particular activity discussed at the meeting?
- e. Do they think the Project will bring some advantages to their community as a whole?
- f. Is there anything in the Project and its design solutions that they would like to change or improve?
- g. Do they think that the consultation meeting has been useful in understanding the specific activities of the Project, as well as associated impacts and mitigation measures?
- h. What aspects of the meeting they particularly appreciated or would recommend for improvement?

Bearing in mind that some of the participants might find completion of the evaluation form challenging due to the literacy constraints or concerns about their confidentiality, the distribution of the feedback forms should always be explained that filling the form is optional. Some persons may be willing to express their feedback verbally and in this case a member of Project staff will be allocated to take notes.

A summary description of the engagement methods and techniques that will be applied by project developer is provided in Table 5 below. The summary presents a variety of approaches to facilitate the processes of information provision, information feedback as well as participation and consultation.

Table 7: Methods, Tools and Techniques for Stakeholder Engagement

Method / Tool	Description and Use	Contents	Dissemination Method	Target Groups
Information provision				
Distribution of printed public materials: leaflets, brochures, fact sheets	Used to convey information on the Project and regular updates on its progress to local, regional and national stakeholders.	Printed materials present illustrative and written information on Project activities, facilities, technologies and design solutions, as well as impact mitigation measures. Presented contents are concise and adapted to a layperson reader. Graphics and pictorials are widely used to describe technical aspects.	Distribution as part of consultation meetings, public hearings, discussions and meetings with stakeholders, as well as household visits. Placement at the offices of local administrations and NGOs, libraries and other public venues.	Households in Project Area of Influence, as well as interested parties.
Distribution of printed public materials: newsletters/ updates	A newsletter or an update circular sent out to Project stakeholders on a regular basis to maintain awareness of the Project development.	Important highlights of Project achievements, announcements of planned activities, changes, and overall progress.	Circulation of the newsletter or update sheet with a specified frequency in the Project Area of Influence, as well as to any other stakeholders that expressed their interest in receiving these periodicals. Means of distribution – post, emailing, electronic subscription, delivery in person.	<ul style="list-style-type: none"> • Households in Project Area of Influence. • Public venues in Project Area of Influence- local administrations, libraries. • Residents in project area
Printed advertisements in the media	Inserts, announcements, press releases, short articles or feature stories	Notification of forthcoming public events or commencement	Placement of paid information in local, regional and national	<ul style="list-style-type: none"> • Residents in project area • Interested parties

	in the printed media – newspapers and magazines	of specific Project activities. General description of the Project and its benefits to the community	printed media, including those intended for general reader and specialized audience	
Radio or television entries	Short radio programmes, video materials or documentary broadcast on TV.	Description of the Project, Project development updates, solutions for impact mitigation. Advance announcement of the forthcoming public events or commencement of specific Project activities.	Collaboration with media producers that operate in the region and can reach local audiences.	Residents in project area
Visual presentations	Visually convey Project information to affected communities and other interested audiences.	Description of the Project and related solutions/impact management measures. Updates on Project development.	Presentations are widely used as part of the public hearings and other consultation events with various stakeholders.	Affected communities in in the project area, participants of the public hearings, consultations, rounds tables, focus group discussions and other forums attended by Project stakeholders. Authorities and other governmental bodies.
	<ul style="list-style-type: none"> • Hazard warning signage • Visual, informative displays at project sites 	<ul style="list-style-type: none"> • Hazard warning signage will be erected to inform stakeholders of specific risks - e.g. for road works, dangerous road junctions etc.; • Visual, informative displays at project sites to explain the Project to 	At project sites	Persons in the project area.

		provide an outline of essential information such as access restrictions and security requirements		
Notice boards	Displays of printed information on notice boards in public places.	Advance announcements of the forthcoming public events, commencement of specific Project activities, or changes to the scheduled process.	Printed announcements and notifications are placed in visible and easily accessible places frequented by the local public, including libraries, village cultural centers, post offices, shop, local administrations.	Directly affected communities in the project area
Information Feedback				
Information repositories accompanied by a feedback mechanism	Placement of Project-related information and printed materials in dedicated/designated locations that also provide visitors and readers with an opportunity to leave their comments in a feedback register.	Various Project-related materials, ESMF documentation, environmental and social action plans.	Deposition of materials in publicly available places (offices of local NGOs, local administrations, libraries) for the duration of a disclosure period or permanently. Audience are also given free access to a register of comments and suggestions.	Directly affected communities in the project area
Dedicated telephone line (hotline)	Setting up a designated and manned telephone line that can be used by the public to obtain information, make enquiries, or provide feedback on the Project. Initially, telephone numbers of Project's	Any issues that are of interest or concern to the local communities and other stakeholders.	Telephone numbers are specified on the printed materials distributed to Project stakeholders and are mentioned during public meetings. Project's designated staff should be assigned to answer and respond to	Local communities within the Project Area of Influence. Any other stakeholders and interested parties.

	specialized staff can be shared with the public, particularly staff involved in stakeholder engagement, public relations and environmental protection.		the calls, and to direct callers to specialist experts or to offer a call-back if a question requires detailed consideration.	
Internet/Digital Media	Launch of Project website to promote various information and updates on the overall Project, impact assessment and impact management process, procurement, employment opportunities, as well as on Project's engagement activities with the public. Web-site should have a built-in feature that allows viewers to leave comments or ask questions about the Project. Website should be available in two languages – English and Kiswahili.	Information about Project operator and shareholders, Project development updates, health and safety, community relations, community updates, employment and procurement, environmental and social aspects.	A link to the Project website should be specified on the printed materials distributed to stakeholders. Other online based platforms can also be used, such as web conferencing, webinar presentations, web-based meetings, Internet surveys/polls etc. Limitation: Not all parties/stakeholders have access to the internet.	Affected and interested parties
Surveys, Interviews and Questionnaires	The use of public opinion surveys, interviews and questionnaires to obtain stakeholder views and to complement the statutory	Description of the proposed Project and related solutions/impact management measures. Questions targeting	Soliciting participation in surveys/interviews with specific stakeholder groups or communitywide.	Directly affected households in the Project Area of Influence. Other communities within the Project Area of Influence.

	process of public hearings.	stakeholder perception of the Project, associated impacts and benefits, concerns and suggestions.	Administering questionnaires as part of the household visits.	
Feedback & Suggestion Box	A suggestion box can be used to encourage residents in the affected communities to leave written feedback and comments about the Project. Contents of the suggestion box should be checked by designated Project staff on a regular basis to ensure timely collection of input and response/action, as necessary.	Any questions, queries or concerns, especially for stakeholders that may have a difficulty expressing their views and issues during public meetings.	Appropriate location for a suggestion box should be selected in a safe public place to make it readily accessible for the community. Information about the availability of the suggestion box should be communicated as part of Project's regular interaction with local stakeholders.	Directly affected households in the Project Area of Influence. Other communities within the Project Area of Influence.
Consultation & Participation				
Public hearings	Project representatives, the affected public, authorities, regulatory bodies and other stakeholders for detailed discussion on a specific activity or facility that is planned by the Project and which is subject to the statutory expert review.	Detailed information on the activity and/or facility in question, including a presentation and an interactive Questions & Answers session with the audience.	Wide and prior announcement of the public hearing and the relevant details, including notifications in local, regional and national mass media. Targeted invitations are sent out to stakeholders. Public disclosure of Project materials and associated impact assessment documentation in advance of the hearing.	Directly affected communities in the Project Area of Influence. Other communities within the Project Area of Influence. Residents of in the Project Area of Influence

			Viewers/readers of the materials are also given free access to a register of comments and suggestions that is made available during the disclosure period.	
Household visits	Household-level visits can be conducted to supplement the statutory process of public hearings, particularly to solicit feedback from community members and vulnerable persons who may be unable to attend the formal hearing events.	Description of the Project and related solutions/impact management measures. Any questions, queries or concerns, especially for stakeholders that may have a difficulty expressing their views and issues during formal community-wide meetings.	Visits should be conducted by Project's designated staff with a specified periodicity. Limitation: logistical challenges in reaching households in remote locations.	Directly affected in the Project Area of Influence.
Focus Group Discussions and Round Table Workshops	Used to facilitate discussion on Project's specific issues that merit collective examination with various groups of stakeholders.	Project's specific activities and plans, design solutions and impact mitigation/management measures that require detailed discussion with affected stakeholders.	Announcements of the forthcoming meetings are widely circulated to participants in advance. Targeted invitations are sent out to stakeholders.	Directly affected households in the Project Area of Influence, youth, elderly, women, and other vulnerable groups.
Information centers and field offices	Project's designated venue for depositing Project-related information that also offers open hours to the community and other members of the public,	Project-related materials. Any issues that are of interest or concern to the local communities and other stakeholders.	Information about the info center or a field office with open hours for the public, together with contact details, is provided on the Project's printed materials	Directly affected communities in the Project Area of Influence and any other stakeholders and interested parties.

	with Project staff available to respond to queries or provide clarifications.		distributed to stakeholders, as well as during public meetings and household visits.	
Site Tours	Visits to Project Site and facilities organized for local communities, authorities and the media to demonstrate Project solutions. Visitors are accompanied by the Project's staff and specialists to cover various aspects and to address questions arising from the public during the tour.	Demonstration of specific examples of Project's design solutions and approaches to managing impacts.	Targeted invitations distributed to selected audience offering an opportunity to participate in a visit to the Project Site. Limitation: possible safety restrictions on the site access during active construction works.	Local communities within the Project Area of Influence. Elected officials. Media groups. NGOs and other initiative groups.

4.4 Past Stakeholder Engagement for KISIP I

Consultations for KISIP I were held in 2010 as part of project preparation. More specifically, during the preparation of the Environmental and Social Management Framework (ESMF) and Resettlement Policy Framework (RPF). KISIP I continued with stakeholder engagement during construction phase. Issues from these engagements will largely inform KISIP II. More detailed stakeholder engagement will be undertaken once the project sites and interventions are determined.

The following table presents a summary of stakeholder concerns from KISIP I.

Table 8: Summary of Stakeholder Concerns to Date

Topic / Issue	Stakeholder Concerns	LTWP's Comments and Actions
Employment opportunities	<ul style="list-style-type: none"> Very high expectations of employment. 	<ul style="list-style-type: none"> KISIP and contractors committed to employment of local people, but will need to manage unrealistic expectations. Establishment of Recruitment Office to register potential candidates. KISIP to monitor number of locals employed by Project.
Training opportunities	Implicit desire of affected people for training to develop new / existing skills needed for employment or to support entrepreneurial ambitions	<ul style="list-style-type: none"> The nature and timescale of construction works and the small operations phase workforce means that there is only very limited scope for any substantial skills training. However, skills development is part of the project interventions
Education opportunities	Implicit desire of affected people to receive education / support for children as compensation.	As for training, the Project has little scope for direct interventions in education provision.
Health and safety	Traffic accidents because the access roads being upgraded pass through heavily settled areas-from a high volume of heavy goods vehicles carrying materials and equipment plus workforce transport during the construction period.	<ul style="list-style-type: none"> Extensive prior consultation and further planned engagement on the road rehabilitation component and traffic safety. Elaboration of the Transport Management Plan and liaison with relevant public roads authorities. Installation of temporary / permanent road warning signage. Stakeholder grievance mechanism to address complaints.
Land acquisition and resettlement /	Uncertainty due to changes to homes, businesses and lands – e.g.	<ul style="list-style-type: none"> Avoidance and minimization of land take.

loss of livelihood	replacement of assets; compensation levels may not be sufficient to meet actual costs; etc.	<ul style="list-style-type: none"> • Definition and implementation of RAPs in accordance with RPF. • Stakeholder grievance mechanism to address complaints.
Local economic stimulation and business development	<ul style="list-style-type: none"> • Potential local service providers could be keen to participate in providing services to KISIP and its contractors, but lack information on how to adjust their businesses to meet new needs. • Local entrepreneurs may want support (e.g. capacity building, access to microfinance and order commitments) to develop and sustain their businesses. 	<ul style="list-style-type: none"> • KISIP committed to stimulating business and ensuring local content in procurement activities where practicable, but may need to manage any unrealistic expectations • Consideration of range of measures to facilitate local procurement/ services.
Environmental / nuisance impacts	<ul style="list-style-type: none"> • Dust and noise impacts, particularly along the main road corridor • Environmental degradation and noise disturbance during road construction and use. • Loss and change of vegetation due to soil degradation. • Increased waste near construction sites and Project facilities. 	<ul style="list-style-type: none"> • Implementation and enforcement of range of environmental management measures to deal with nuisance impacts, including noise and dust monitoring. • Participative community monitoring of dusts along the road rehabilitation route. • Stakeholder grievance mechanism.
Access to water / water quality	Increased demand for water which is already in scarce supply due to introduction of Project workforce and possibly other in-migrants.	<ul style="list-style-type: none"> • Implementation and enforcement of range of environmental management measures to deal with protection and conservation of water resources. • Participative community monitoring of water resources. • Stakeholder grievance mechanism.
Biodiversity and protected areas	<ul style="list-style-type: none"> • Preservation of the nearby protected sites - National Parks, Biosphere Reserve and other parks / forestry reserves etc. 	<ul style="list-style-type: none"> • Avoidance of direct impacts upon any protected areas. • Implementation and enforcement of range of environmental management measures to protect flora and fauna and deal with invasive alien species.

Protection of cultural heritage	Protection of any historically significant heritage, traditional ways of life and the diffusion of cultures alien to local ethnic identities in the project sites.	<ul style="list-style-type: none"> • Consultation with communities and National Museums of Kenya (NMK) on any concerns. • Definition and implementation of robust Chance Finds Procedure in accordance with international standards.
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4.5 Stakeholder Consultations for KISIP II

Stakeholder’s consultations were undertaken with the aim of providing a platform for project stakeholders to air their views, concerns and recommendations on the draft safeguards instruments for incorporation into the final instruments.

A 2-day consultation workshop specifically targeting the County governments was held with the 14 counties who participated in KISIP 1. This was attended by two officers from each county – an Environmentalist and a Community Development Officer, and held on 26th and 27th September 2019 in Nairobi. Targeting the communities, and in order to have a representative sample of the fourteen counties and 137 informal settlements that KISIP I is working in, a sample of three counties i.e. Nairobi, Machakos and Nakuru (Naivasha) was drawn. Out of these, 11 settlements were selected for the consultations with a mix of settlements benefitting from Infrastructure upgrading and/or tenure regularization.

The findings from the consultative workshops is summarized below:

1. Consultations during project planning and implementation need to involve as diverse stakeholders as possible, as per project requirements at the time, and in a timely manner. A possible list of stakeholders includes:
 - Political stakeholders (Member of County Assembly, Member of National Assembly)
 - Water and Sewerage service providers
 - Settlement people
 - Settlement Executive Committee
 - Kenya Urban Roads Authority
 - Road Agencies and Kenya railways
 - National Land Commission (NLC)
 - Civil society/Non-Governmental Organizations/ Community Based Organizations/Faith based organizations
 - Water Agencies
 - Neighborhood associations
 - Relevant County Government Ministries E.g. Ministry of lands and physical planning, Education, Public Health
 - County Administration
 - Relevant National Government Ministries E.g. Ministry of Interior, Education
 - Business community/bodaboda/matatu saccos
 - Kenya Power and Lighting Company

- Town Managers
- National Environmental Management Authority (NEMA)
- Kenya Forestry Service
- County commissioners
- Contractors and Consultants
- Farm owners/Private residents surrounding the settlements

2. **SEC/GRC:** The two committees are effective but some lapses in resolving grievances escalated to contractor and KISIP County/National were cited. In addition, it was noted that there is a need for KISIP to strengthen the working relationship of SEC/GRC with contractors. Suggestions were made to formally introduce the parties to each other at commencement of the projects and ensure sustainability through participation in site activities, namely, monthly progress review site meetings and regular monitoring of project impacts.

The capacity of the SEC/GRC needs enhancement through training and provision of necessary resources e.g. office space in the settlements, airtime, stationery and for GRCs to provide Logs, blackbooks/registers. Where facilitation of SEC/GRC is done by contractors, these are considered to be less effective.

SEC/GRC roles and responsibilities need to be better defined due to overlapping mandate to avoid conflict and duplication.

There is need to consider SEC/GRC timelines more so lifeline of the committees. The committees need to be revisited in a timely manner to assess their effectiveness, composition changes, and enable action on the same.

There is need for a mechanism to track grievances progress at settlement and county/national level.

3. **Livelihood Restoration:** There is a need to enhance livelihood restoration provisions for affected traders since current allocations are reportedly insufficient for the intended purpose.
4. **Operation and Maintenance of infrastructure:** O&M of infrastructure is insufficient, where both County and community are not maintaining the infrastructure to the required levels. Specifically, poor solid waste management affects existing is a key threat to drainage infrastructure.
5. **Project Handing over:** Generally, the consulted communities alleged that they were not aware that infrastructure projects had been completed and handed over to the County Government. This is with the exception of flood mast lighting where the community was trained and adequately involved. The lack of community involvement at this critical stage was cited as a major cause for Contractor's getting off the hook without addressing some defects, omissions and pending community claims.
6. **Design of Infrastructure:** Designs are not effectively informed by emerging issues, the community understanding of the settlements, and other needs e.g. presence of vulnerable groups despite socio-economic surveys been undertaken. In some cases, these designs exacerbate existing problems e.g. flooding rather than seeking to address them or pose some safety threats to residents especially children, disabled, elderly.
7. **Information Disclosure:** The use of existing sources and linking to newer concepts of Government of Kenya run Huduma centers was encouraged. KISIP PCT should liaise with

county communication offices; make use of existing resource centers in the settlements, social media, magazines, brochures, documentaries et al.

8. In all consultations carried out with the various stakeholder groups, the message was the same across the board; the vulnerable and marginalized groups in the sense of the VMGF do not exist within the target informal settlements. However, other categories of vulnerable groups exist e.g. street children.
9. **Unintended Project impacts:** The project has in some cases brought about undesired impacts to e.g. an increase in house rent is a positive impact for structure owners but negative for tenants.
10. **Vulnerable Persons:** Opportunities (based on case examples) exist to enrol chiefs, county in providing additional non-monetary assistance to some groups in e.g. rebuilding of structures.
11. **Training on safety awareness** was indicated as inadequate and needs enhancement and budgeting in contracts.
12. There is a general perception that County focus/enforcement of safeguards is lacking despite their attendance of the various meetings at settlement level.

The issues from consultations were used to improve the design of KISIP II in such areas as:

- a) Strengthening community involvement in the project from planning, designing, implementation, and operation and maintenance
- b) Provide for capacity building for safeguards management at all levels: Community, technical staff at County and National PCT, Grievance Redress Committees, contractors
- c) Strengthen grievance redress procedures by publicizing them, and ensuring their effectiveness
- d) Plan for operational and maintenance of infrastructure before hand
- e) Improve procedures for reporting and acting on occupational health and safety issues

The record of Stakeholder Engagement is presented as a separate document.

4.6 Planned Engagement with Affected Communities and Parties

Stakeholder engagement activities will need to provide stakeholder groups with relevant information and opportunities to voice their views on topics that matter to them. Table 7 presents the stakeholder engagement activities KISIP II will undertake for the sub- project(s). The activity types and their frequency are adapted to the three main project stages: project preparation (including design, procurement of contractors and supplies), construction, and operation and maintenance.

Table 9: Planned Stakeholder Engagement Activities

Stage	Target stakeholders	Topic(s) of engagement	Method(s) used	Location/frequency	Responsibilities
<p>STAGE 1: PROJECT PREPARATION (PROJECT DESIGN, SCOPING, RESETTLEMENT PLANNING)</p>	<p>Project Affected People:</p> <ul style="list-style-type: none"> • People potentially affected by land acquisition • People residing in project area • Vulnerable households 	<ul style="list-style-type: none"> • ESMF, ESMP, RPF, SEF, RAP, VMGF/VMGP (if triggered) disclosures • Project scope and rationale • Project E&S principles - Resettlement and livelihood restoration options • Grievance mechanism process 	<ul style="list-style-type: none"> • Public meetings • Face-to-face meetings • Mass/social media communication (as needed) • Written information: brochures, posters, flyers, website Information boards or desks • Newsletter 	<ul style="list-style-type: none"> • In the settlements/ project sites at beginning of construction that would affect the area • Continuous communication through mass/social media and routine interactions - Throughout RAP development as needed 	<ul style="list-style-type: none"> • Safeguard team • CLO • Specialists responsible for land acquisition • RAP consultant

	Other Interested Parties (External)	<ul style="list-style-type: none"> • ESMF, ESMP, RPF, SEF, RAP, VMGF/VMGP • Project scope, rationale and E&S principles • Grievance mechanism process 	<ul style="list-style-type: none"> • Face-to-face meetings - Joint public/community meetings with PAPs 	<ul style="list-style-type: none"> • Throughout RAP development as needed • Project launch meetings • Quarterly meetings in affected settlements • Disclosure meetings 	<ul style="list-style-type: none"> • Safeguards Team • CLO • Specialists responsible for land acquisition • RAP consultant
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	<p>Other Interested Parties (External)</p> <ul style="list-style-type: none"> • Press and media • NGOs and CBOs, • Businesses and business organizations • Academic institutions • National Government Ministries • General public, jobseekers 	<ul style="list-style-type: none"> • ESMF, ESMP, RPF, SEF, RAP, VMGF/VMGP disclosures • Grievance mechanism • Project scope, rationale and E&S principles 	<ul style="list-style-type: none"> • Public meetings, trainings/works hops (Separate meetings specifically for women and vulnerable as needed) • Mass/social media communication • Disclosure of written information: Brochures, posters, flyers, website • Information boards or desks in Counties/settlements • Notice board for employment recruitment 	<ul style="list-style-type: none"> • Project launch meetings • Meetings in affected settlements as needed • Communication through mass/social media (as needed) • Information desks with brochures/posters in affected settlements (continuous) 	<ul style="list-style-type: none"> • Safeguard team • CLO
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	<p>Other Interested Parties (External)</p> <ul style="list-style-type: none"> • Other Government Departments from which permissions/clearances are required; • Other project developers, donors 	<ul style="list-style-type: none"> • Legal compliance issues • Project information scope and rationale and E&S principles • Coordination activities • Land acquisition process • Grievance mechanism process • ESMF/ESMP/RPF/VMGF/VMGP/SEF disclosures 	<ul style="list-style-type: none"> • Face-to-face meetings • Invitations to public/community meetings • Submission of required reports 	<ul style="list-style-type: none"> • Disclosure meetings • Reports as required 	<ul style="list-style-type: none"> • Safeguard team • CLO
	<p>Other Interested Parties (Internal)</p> <ul style="list-style-type: none"> • Other Project staff • Supervision Consultants • Contractors, sub-contractors, service providers, suppliers, and their workers 	<ul style="list-style-type: none"> • Project information: scope and rationale and E&S principles • Training ESMF/ESMP/VMGP requirements and other management plans • Grievance mechanism process • E&S requirements - Feedback on consultant/contractor reports 	<ul style="list-style-type: none"> • Face-to-face meetings • Trainings/workshops • Invitations to public/community meetings 	As needed	<ul style="list-style-type: none"> • Safeguards team • Project management team • CLO

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">STAGE 2: CONSTRUCTION AND MOBILIZATION ACTIVITIES</p>	<p>Project Affected People</p> <ul style="list-style-type: none"> • People potentially affected by land acquisition • People residing in project area • Vulnerable households 	<ul style="list-style-type: none"> • Grievance mechanism • Health and safety impacts (EMF, community H&S, community concerns) • Employment opportunities • Project status 	<ul style="list-style-type: none"> • Public meetings, open houses, trainings/works hops • Separate meetings as needed for women and vulnerable • Individual outreach to PAPs as needed • Disclosure of written information: brochures, posters, flyers, website Information boards in settlements • Notice board(s) at construction sites • Grievance mechanism monthly newsletter 	<ul style="list-style-type: none"> • Quarterly meetings during construction seasons • Communication through mass/social media as needed • Notice boards updated weekly • Routine interactions • Brochures in local offices 	<ul style="list-style-type: none"> • Safeguards team • Project management team • CLO • Supervision and RAP consultants • Contractor/subcontractors
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<p>Other Interested Parties (External)</p> <ul style="list-style-type: none"> • Governmental institutions for land use and compensation (MBC) • Settlements Executive Committees (SECs) 	<ul style="list-style-type: none"> • Project scope, rationale and E&S principles • Grievance mechanism • Project status • World Bank compensation requirements 	<ul style="list-style-type: none"> • Face-to-face meetings • Joint public/community meetings with PAPs 	<p>As needed (monthly during construction season)</p>	<ul style="list-style-type: none"> • Safeguards team • CLO • Supervision and RAP consultants • Contractor/subcontractors
<p>Other Interested Parties (External)</p> <ul style="list-style-type: none"> • Press and media • NGOs • Businesses and business organizations • Academic institutions • National Government Ministries and Departments • General public, jobseekers 	<ul style="list-style-type: none"> • Project information - scope and rationale and E&S principles • Project status • Health and safety impacts • Employment opportunities • Environmental concerns • Grievance mechanism process 	<ul style="list-style-type: none"> • Public meetings, open houses, trainings/workshops • Disclosure of written information: brochures, posters, flyers, website, Information boards in settlements • Notice board(s) at construction sites • Grievance mechanism 	<p>Same as for PAPs</p>	<ul style="list-style-type: none"> • Safeguards team • CLO

	<p>Other Interested Parties (Internal)</p> <ul style="list-style-type: none"> • Other project staff • Supervision Consultants • Contractor, subcontractors, service providers, suppliers and their workers 	<ul style="list-style-type: none"> • Project information: scope and rationale and E&S principles • Training on ESMF/ESMP requirements and other sub-management plans • Worker grievance mechanism 	<ul style="list-style-type: none"> • Face-to-face meetings - Trainings/workshops • Invitations to public/community meetings 	Daily, as needed	<ul style="list-style-type: none"> • Safeguards team • Supervisors
STAGE 3: OPERATION AND MAINTENANCE	<p>Project Affected People:</p> <ul style="list-style-type: none"> • People residing in project area • Vulnerable households 	<ul style="list-style-type: none"> • Satisfaction with engagement activities and GRM - Grievance mechanism process • Damage claim process 	<ul style="list-style-type: none"> • Outreach to individual PAPs • Website • Grievance mechanism • newsletter 	<ul style="list-style-type: none"> • Outreach as needed • Meetings in affected settlements (as needed/requested) • Monthly (newsletter) 	<ul style="list-style-type: none"> • County Safeguards team

	<p>Other Interested Parties (External)</p> <ul style="list-style-type: none"> • Press and media • NGOs • Businesses and business organizations • Workers' organizations • Academic institutions • Local Government Departments • General public 	<ul style="list-style-type: none"> • Grievance mechanism process • Issues of concern • Status and compliance reports 	<ul style="list-style-type: none"> • Grievance mechanism • Website • Face-to-face meetings • Submission of reports as required 	As needed	Safeguards team & management
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4.7 Stakeholder Engagement Process

Table 9 presents a provisional Stakeholder Engagement Action Plan for the Project. The provisional version has been prepared by KISIP to facilitate project appraisal. The will be reviewed and updated frequently, a minimum 6-monthly basis or as needed by specific circumstances during the construction and operation phases.

Routine engagements may simply be planned using the Community Liaison diary to record date/time, location, purpose and participants. If needed for new or more complex engagement plans, individual Stakeholder Engagement / Community Liaison Planning Form (Appendix B) are completed by the CLO and authorized by the HoS to ensure proper preparation of each new engagement campaign, event or activity, including consideration of any practical issues, potential risks associated and whether or not differentiated measures such as a culturally appropriate approach are needed when engaged with vulnerable groups.

Contact Reports (Appendix 3) are used to record feedback from all pertinent interactions with stakeholders, except for grievances which are recorded and processed as per the GRM procedure. This form will be completed by the CLO or any other project employee or consultant undertaking stakeholder engagement activities.

The stakeholder database will be updated with information from the Contact Reports to facilitate key word searches on specific topics, generate lists of target stakeholder groups and support the planning of engagement and liaison activities.

In addition, the Stakeholder Commitments Register (Appendix 5) is used to track all new environmental and social commitments made by KISIPP to its various stakeholders over the life of the Project and ensure timely follow-through on its promises. This is another 'live' document which is maintained by the CLO. It records all specific commitments to action made to various stakeholders, assigning the various actions and timescale needed to discharge the obligation.

A formal review of the stakeholder engagement process shall be undertaken annually or whenever a significant change is needed in order to fulfil KISIP's commitment to continual improvement. Additionally, KISIP will undertake Human Rights due diligence reviews at appropriate intervals during the Project in order to identify any new or changed risks and impacts in line with the principle of continual improvement.

Human Rights Due Diligence is an iterative risk management process that is undertaken in order to identify, prevent, mitigate and account for any negative human rights impacts. It considers the host country context, potential and any actual human rights impacts resulting from Project activities; and the business relationships connected to those activities (e.g. between the proponent and its clients, suppliers / contractors, public authorities / agencies and other organizations).

The process is defined in the UN's Guiding Principles on Business and Human Rights and includes 4 key steps:

- (i) assessing actual and potential human rights impacts
- (ii) integrating and acting on the findings
- (iii) tracking responses, and
- (iv) communicating how the impacts are addressed.

4.8 Measures to Improve Stakeholder Engagement

To improve its stakeholder engagement methodology, integrating it within its management systems and meeting the international standards required by the World Bank, the following will be introduced:

- Review of existing stakeholder database and identification records to include consideration of stakeholders' rights and/or duties as well as their capacity to engage meaningfully with KISIP (i.e. factors such vulnerability,

literacy, traditional lifestyle and decision-making via village elders, etc.). Records will be reviewed and updated to reflect any notable changes in stakeholder status or circumstances;

- A Commitments Register is introduced to collate and track all new environmental and social commitments made by KISIP to its various stakeholders over the life of the project and ensure timely follow-through on its promises. This is an essential tool for building trust and establishing good working relationships with stakeholders and will sit alongside the Framework ESMP and its Consolidated Register of ESIA Obligations;
- Implement a Stakeholder categorization to facilitate the prioritization of both “affected communities, groups and individuals” and “other interested parties” in order to ensure the effective of planned engagement and liaison activities. A stakeholder mapping process is being added to help define appropriate levels and types of engagement required for each defined stakeholder category, facilitating due attention to vulnerable or marginalized groups;
- Key Stakeholder Profiles (see example format in Appendix 1) will be maintained for both designated key informants and those affected parties which have influence or are subject to high impacts, the knowledge and legitimacy, and are capable and willing to engage with KISIP;
- A Vulnerability Screening Checklist (see Appendix 4) to facilitate evaluation of capacity and identify any future change in status to facilitate a re-evaluation of mitigation assistance where essential;
- Stakeholder Engagement / Community Liaison Planning Form (see example format in Appendix 2) introduced to ensure proper preparation of each event or activity, including consideration of range of practical issues, the potential risks associated and a culturally appropriate approach; and
- Contact Reports (see example in Appendix 3) are being introduced to record all interactions with stakeholders, except for grievances which are recorded and processed as per the GRM. This form will be completed by the CLO or any other employee or consultant undertaking stakeholder engagement activities. The stakeholder database will be updated with information from the Contact Reports to facilitate key word searches on specific topics, generate lists of target stakeholder groups and support the planning of engagement and liaison activities.

5.0 Disclosures

The KISIP website will be used to disclose project documents, including those on environmental and social performance. This will begin with disclosure of this draft SEF and the draft ESMF and RPF. Besides the draft disclosure documents (and the final documents in future), project brochures and updates will be posted. An easy-to-understand guide to the terminology used in the environmental and social reports or documents will also be posted on the website. In addition, the site will provide details about the Grievance Redress Mechanism and contact details for the Community Liaison Officer (CLO). KISIP will update and maintain the website regularly.

5.1 Disclosure of ESMF, RPF, and SEF

Project materials (ESMF, ESMP, SEF, RFP, VMGF) shall be disclosed for public review and comment. KISIP will continue applying the similar approach to disclosure for any additional E&S appraisal materials that will be prepared as part of the project development.

The ESMF report (together with the associated environmental and social management plan – ESMP), RPF, VMGF and SEF shall be made available for public review for the period of 60 days in accordance with the international requirements.

Distribution of the disclosure materials will be accomplished by making them available at venues and locations frequented by the community and places to which public have unhindered access. Free printed copies of the ESMF/ESMPs, VMGF/VMGP, RPF/RAP and the SEF will be made accessible for the general public at the following locations:

- a. The National Project office;
- b. All the County Project Offices
- c. At the Ward Administrator's and Chief's Offices in the project report
- d. Community Settlement Executive Committees
- e. Local NGO offices where available; and
- f. Other designated public locations to ensure wide dissemination of the materials.

Electronic copies of the ESMF, ESMP, VMGF, RFP, RAP (as required) and SEF shall be uploaded on the KISIP website: <http://www.urbandhousing.co.ke/kisip/>. This allows stakeholders with access to Internet to view information about the planned development and to initiate their involvement in the public consultation process.

The mechanisms used for facilitating input from stakeholders include press releases and announcements in the media, notifications of the aforementioned disclosed materials to local, regional and national NGOs as well as other interested parties.

The disclosure process will include the following:

- a. Placement of the ESMF, RPF, and SEF in public domain
- b. 60-day disclosure period
- c. Public consultation meetings in project affected communities and with other stakeholders to present and discuss findings of the documents.
- d. Addressing stakeholder feedback received on the entire disclosure package.

The SEF will remain in the public domain for the entire period of project development and will be updated on a regular basis as the project progresses through its various phases, in order to ensure timely identification of any new stakeholders and interested parties and their involvement in the process of collaboration with the project. The methods of engagement will also be revised periodically to maintain their effectiveness and relevance to the project's evolving environment.

Apart from disclosure in the project areas, the safeguard instruments will also be disclosed in the World Bank external website.

6.0 Grievance Mechanism

Effective and timely response to community complaints is essential for maintaining good community relations. KISIP is committed to having an effective complaints handling system that reflects the needs, expectations and rights of complainants.

The guiding principles for managing complaints are:

- a) **Fairness:** The grievance redress system will treat complainants with respect and courtesy. The rules of natural justice apply and, where appropriate, all parties involved in the complaint will be given the opportunity to respond to any issues raised.
- b) **Transparency and accessibility:** The complaints handling system will be well known to stakeholders, staff and contractors. It includes information about the right to complain, how to do it, where to do it and how the complaint will be handled. Details on the complaints handling process will be available to all. There is no charge to the complainant for accessing the complaints handling system. The complaints handling system and supporting information aims to be easy to understand, use, and be in plain language. Interpreter services should be provided, where possible, for people from a non-English speaking background.

- c) Responsiveness: Complaints will be dealt with quickly, courteously, fairly and within established timelines. Complainants will be advised of how long it will take to deal with the complaint in accordance with complaint handling timelines and kept informed of the progress. If additional time is required to resolve the issues the complainant will be kept informed and advised of the additional time required and the reasons for the delay. If the complaint is still not resolved to the complainant’s satisfaction, we will explain our decision clearly, and offer any possible alternative actions or review opportunities.
- d) Privacy and confidentiality: The complaint handling process will ensure complainant confidentiality and also ensure confidentiality in the case of complaints against staff. Details of complaints should only be known by those directly concerned.
- e) Accountability: The complaint handling system is open to scrutiny by members of the public and other oversight bodies e.g. the Ombudsman. An appropriate reporting mechanism on the operation of the complaints process will be maintained. KISIP shall maintain a complaints register and regularly audit the complaints handling system with appropriate action plans formulated to address any deficiencies.

KISIP has a developed methodology of recording and resolving grievances in the Resettlement Policy Framework (RPF) based on the lessons learnt in KISIP I. The channels of uptake at all levels will include walk-ins, face-to-face communication, toll-free calls, letters, e-mails, text messages, WhatsApp, etc. The mediation process shall be confidential, transparent and objective, as well as accountable, easy, fast, accurate and participative. The general steps of the grievance process have been summarized in **Table 6-1** below and comprise:

1. Registration/receipt/Acknowledgment of Complaints
2. Investigate and determine solution to the complaint
3. Implementing the Redress Action;
4. Verifying the Redress Action;
5. Monitoring and Evaluation; and
6. Recourse or Alternatives

Table 0-1: Grievance Redress Mechanism

Step	Process	Description	Timeframe	Responsibility
1	Grievance receipt and registration/ logging	<ul style="list-style-type: none"> • Face to face; phone; letter, recorded during public/community meetings; WhatsApp etc. • Significance assessed and grievance recorded or logged using the model complaint form and filed. 	1-2 Days	An aggrieved party or PAPs. GRCs
2	Development and implementation of response	<ul style="list-style-type: none"> • GRC meets or takes a decision on the grievance • Grievance assigned to appropriate party for resolution if necessary • Response development with input from relevant stakeholders • Redress response/action approved by GRC and 	5- 10 Days	GRC

		<ul style="list-style-type: none"> logged Redress response/update of progress on resolution communicated to the complainant Start implementing redress action 		
3	Verifying the implementation of redress action	<ul style="list-style-type: none"> Redress action implemented and verified by GRC. GRC satisfied with implementation of redress action Complainant duly signed the grievance resolution form 	10-15 Days	Environmental (Social) Officer/Safeguard Specialist at County
4	Close grievance or refer grievance to 2nd tier resolution	<ul style="list-style-type: none"> Completion of redress action recorded or logged Confirm with complainant that grievance can be closed or determine what follow up is necessary Record final sign off of grievance If grievance cannot be closed, return to step 2 or recommend to the next tier- County, National 	15-25 Days	Environmental (Social) Officer/Safeguard Specialist at County/ Grievance Officer
5	Court of law	If 2nd and third level settlement does not address dispute, complainant can resort to court of law	Unknown	Safeguard Specialist at KISIP
6	Monitoring and evaluation, and reporting	Grievance Redress Mechanism Process is documented and monitored		Safeguard Specialist at KISIP

The Grievance Officers at County and National level will establish a register of grievances and disputes. The receipt of complaints will include its logging and registration as this will help with monitoring the status of the grievances and ease reporting on them. The existence and conditions of access to this register (where, when, how) will be widely disseminated within the project community/town as part of the consultation undertaken for the project in general. The person designated to receive complaints shall receive all complaints and shall officially register these complaints using the first section of the proposed complaint registration and resolution form provided in Appendix 9.

This RPF recommends a four-tier grievance mechanism- at the community, County, national and resolution through courts of law. It is desirable to resolve all the grievances at the community level to the greatest extent possible. To achieve the community or settlement level grievance mechanism must be credible and generally acceptable. The grievance redress mechanisms will aim to solve disputes at the earliest possible time in the interest of all parties concerned.

The first level in addressing grievances will be at the settlement. The settlement will form a Settlement Grievance Redress Committee comprising of two members from SEC, and three other respected community members who are not PAPs. The committee should be elected by the community in a transparent manner and after sensitisation by KISIP PCT.

The second level of grievance mechanism will involve the County Resettlement Implementation Committee (CRICs). The CRICs will consider grievance reports forwarded to it from the community grievance committee and make a determination. The CRIC will comprise of the County Coordinator, Environment Officer, Social/Community Officer, Component Heads for Infrastructure, and Land tenure, Assistant Deputy County Commissioners, and Ward Administrator⁴.

The third level of grievance mechanism will involve the National PCT, (NRIC) which will comprise of the National Project Coordinator, Heads of Components, Environment and Social Safeguard heads, and a designated Grievance Redress Officer who will be the Secretary. It will handle grievances referred to it by the CGRCs and monitor the performance of the whole GRM for the project. The NRIC will also provide overall coordination of the implementation of this RPF.

If complainants are not satisfied by the decisions of the grievances committees, they can seek redress from the High court.

Grievance procedures may be invoked at any time, depending on the complaint. No person or community from whom land or other productive assets are to be taken will be required to surrender those assets until any complaints he/she has about the method or value of the assets or proposed measures are satisfactorily resolved.

6.1 Worker Grievance Procedure

KISIP is committed to enforcing comprehensive labor and employment policies, including its requirements on workplace discrimination and harassment, across the entire workforce. This policy requires that all employees and contractor workers are to be treated fairly, with dignity and respect, and have equal employment opportunities.

KISIP contractors will be required to develop a Labour Management Plan that includes an authorized process for workers to raise grievances and concerns to senior management, covering any issues that are work related, that affect an employee or contractor, or that an employee deems unfair. Such concerns may relate (but are not limited) to the following:

- Management decisions;
- Occupational health and safety concerns;
- The behavior or conduct of another employee, manager, or contractor; and
- The effects of KISIP's contractors' Human Resources policy or procedures.

KISIP will ensure that all grievances raised by workers are treated impartially, respectfully and confidentially. The employee grievance process is separate from the aforementioned RAP grievance procedures.

7.0 Outreach Approaches

7.1 Project Tours

At appropriate points during the construction phase, if there is sufficient interest, KISIP may organize site visits or demonstration tours for selected stakeholders from media organizations or local governments.

⁴ One staff based at County Government will be designated as a grievance officer for monitoring and tracking progress.

7.2 Citizen/PAP Perception Survey

A perception survey examining citizen's experience and feedback about the project will be carried out twice during the project's lifecycle: during mid-term review and end-of Project review. Results of these surveys will be reviewed carefully to identify refinements or changes in project methods and procedures that may be needed to reduce impacts or improve efficiency.

7.3 Trainings and workshops

Finally, trainings on a variety of social and environmental issues will be provided to KISIP and contractor staff and possibly to interested government or nongovernment service providers. Issues covered could include such topics as the worker code of conduct, gender based violence and the worker grievance mechanism. KISIP may also provide training to residents on various topics including hygiene and sanitation, operation and maintenance.

8.0 Monitoring, Evaluation and Reporting

8.1 Monitoring and Reporting

The Stakeholder Engagement Plan will be periodically revised and updated as necessary in the course project implementations in order to ensure that the information presented herein is consistent and is the most recent, and that the identified methods of engagement remain appropriate and effective in relation to the project context and specific phases of the development. Any major changes to the project related activities and to its schedule will be duly reflected in the SEF.

Monthly summaries and internal reports on public grievances, enquiries and related incidents, together with the status of implementation of associated corrective/preventative actions will be collated by responsible staff and referred to the senior management of the project(s). The monthly summaries will provide a mechanism for assessing both the number and the nature of complaints and requests for information, along with the Project's ability to address those in a timely and effective manner.

Contact Reports are to be prepared by CLO or other relevant function whenever an external consultation event is conducted. Meeting minutes are also to be kept for community meetings and other ESHS engagement activities held with affected stakeholders.

Where considered beneficial, participative community monitoring programmes will be introduced to check project impacts and the effectiveness of mitigation programs). The HoS and/or the CLO will establish suitable environmental and/or social topics for this approach, identify potential participants from amongst the affected communities, and provide any capacity building / training. The output (reports from participants) from such monitoring is likely to be verbal (meetings or telephones) and will be recorded by the CLO.

Other project teams shall maintain suitable monitoring measures for engagement with interested parties / other stakeholders such as national government and its agencies, non-government organizations and the general public. All new commitments made by KISIP or its representatives to stakeholders are to be entered into the Commitments Register.

Information on public engagement activities undertaken by the Project during the year may be conveyed to the stakeholders in a standalone annual report on project's interaction with the stakeholders.

8.2 Monitoring Indicators

A number of Key Performance Indicators (KPIs) will also be monitored by the project on a regular basis, including the following parameters:

- a) Number of public hearings, consultation meetings and other public discussions/forums conducted within a reporting period (e.g. monthly, quarterly, or annually);
- b) Number of participants attending consultation meetings and other forums disaggregated to show women, and vulnerable and marginalized persons;
- c) Frequency of public engagement activities;
- d) Geographical coverage of public engagement activities – number of locations and settlements covered by the consultation process, including the settlements in remote areas within the Project Area of Influence (PAI);
- e) Number of public grievances received within a reporting period (e.g. monthly, quarterly, or annually) and number of those resolved within the prescribed timeline;

- f) Type of public grievances received;
- g) Number of press materials published/broadcasted in the local, regional, and national media;

8.3 Information Sharing

Information sharing and knowledge transfer is an important part of the successful transition from the planning and design phase to detailed design and delivery phase of the sub-projects.

KISIP and sub-project contractors will work together to ensure the contractors have a strong understanding of the project’s stakeholders and their interests, concerns and desired outcomes for the project, based on engagement undertaken to date. This will minimize the need for contractors to revisit matters that stakeholders have previously raised with KISIP.

To ensure ongoing information sharing, KISIP will establish regular coordination meetings with the works contractors, involve contractors in the reference groups and encourage contractors to engage with each other, particularly where work packages overlap or construction issues are similar.

9.0 Implementation Budget

The implementation of the SEF is a shared responsibility between the National Government (National PCT) and the County Governments (County PCT). The Costs will therefore be spread over the two levels of Government. The following is an indicative budget for implementation of Stakeholder Engagement Plan (SEP) for each sub-project.

No.	Activities	Approx. Cost(USD)
1	Stakeholder consultation meetings	60,000.00
2	Information products e.g. brochures	40,000.00
3	Publicity/media	30,000.00
4	Capacity building	50,000.00
5	Monitoring and evaluation	70,000.00
6	Setting and operationalizing community liaison offices in settlements	20,000.00

References

1. Guidance Note Managing the Risks of Adverse Impacts on Communities From Temporary Project Induced Labor Influx – December 2016
2. Good Practice Note Addressing Gender Based Violence in Investment Project Financing involving Major Civil Works September 2018

APPENDICES

APPENDIX 1: Key Stakeholder Profile

Last updated:													
Stakeholder group:													
Primary subject/ issue of engagement with this group													
Stakeholder objective													
Preferred level of engagement with this group													
Stakeholder group representative													
Specific representative(s) / representing organisation													
KISIP contact person													
Stakeholder's general view													
Specific expectations													
Engagement history													
Stakeholders' usual or preferred approach to engagement													
Stakeholders' sources of funding													
Relationships/ conflicts with other stakeholders	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>												
Knowledge of the issue	<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; text-align: center;">Leading Opinion</td> <td style="width: 33%; text-align: center;">Good Knowledge</td> <td style="width: 33%; text-align: center;">Medium Knowledge</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: center;">Lacking Knowledge</td> <td style="text-align: center;">No Knowledge</td> <td></td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/> <input type="checkbox"/></td> </tr> </table>	Leading Opinion	Good Knowledge	Medium Knowledge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lacking Knowledge	No Knowledge		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
Leading Opinion	Good Knowledge	Medium Knowledge											
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
Lacking Knowledge	No Knowledge												
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>											
Legitimacy	High Legitimacy Limited Legitimacy Low Legitimacy No Legitimacy												
Willingness to engage	Willing Moderately interested but friendly Uninterested Hostile												
Actual and/or potential impacts of stakeholder on business – associated risks and opportunities	Positive Impacts/ Opportunities: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Negative Impacts / Risks:												
Scale at which they operate	Global National Regional Local Internal to Project												
Cultural issues to consider													
Practical issues to consider (e.g. ability to engage given literacy, resources, staff, etc)													
Is it necessary to engage with this stakeholder?													

Other comments	
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APPENDIX 2: Community Liaison Planning Form

Overview			
Subject / scope of engagement			
Strategic objectives and intended outcomes:			
Engagement approach / method(s) / tools):			
Target groups & representatives:			
Practical Issues	Activities & resources	Responsibility	Timeframe
Ground rules and terms of reference			
Invitation / publicity / pre-information			
Logistics (Transport, food / refreshments, etc.)			
Venue, timing (if not ongoing)			
Equipment etc.			
Participants' reimbursement of expenses (?)			
Process to ensure satisfactory outcomes			
Agenda/ plan for the event			
On-the-day roles and facilitation			
Record keeping and assurance			
Feedback to participants			
Wider communication of results			
Signals of success (inputs and outcomes)			
Participant satisfaction feedback			
Risk Assessment of Proposed Engagement			
Risks (including security):			

Contingency plan:	
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APPENDIX 3: Stakeholder Contact Report

Record Number	Entry Date	CLO / Other	
Name/Title of Contact and Organisation		Location of Interaction	Date
Stakeholder Contact Details	Tel. no.: Email address: Street address:		
LTWP Participants			
Who Initiated the Interaction?		Interaction Objective:	
LTWP <input type="checkbox"/>	Contact <input type="checkbox"/>		
Nature of Interaction: Complaint <input type="checkbox"/> Commitment <input type="checkbox"/> Request <input type="checkbox"/> Other <input type="checkbox"/>			
Summary: 			
Recommendations: 			
Action / Decision	Person Responsible		Due date
Close-out	Comments	Date	

APPENDIX 4: Vulnerability Screening Checklist

So far there is no indication that the Project will adversely impact indigenous persons as it targets urban areas. As such the nature and extent of the likely impact is unknown. However, if by chance indigenous people are encountered, then KISIP II will fully comply with all the guidelines and implement comprehensive mitigation strategies. This will be done through a comprehensive social assessment plan. Identification of Indigenous Peoples will be reported to the World Bank as soon as possible and next steps will be discussed and agreed.

Step 1: Initial Checkpoints	
Define the vulnerable / marginalised social group (where appropriate refer to Indigenous Peoples criteria in the SEF):	
Why are they vulnerable? What are the underlying causes of vulnerability?	
Has their vulnerability evolved or changed as a result of the Project or other factors? If worsened, what are the main contributory factors?	
What are the vulnerable stakeholders doing to address their circumstances?	
What mitigation was targeted by the Project and how successful has it been / likely to be?	
What assistance, if any, does the group receive from central / local government, NGOs, aid agencies or others? What are their policies and how successful have their interventions been / likely to be?	
What are the capacities of the vulnerable group and any supporting NGOs?	
What recent engagement has the Project had with the group and their legitimate representatives?	
What are the main concerns?	
Step 2: Research and Analysis Checkpoints	
What additional data and research is needed?	
What additional mitigation options are available? How much? From whom? Over what timescale?	
What recommendations for further Project interventions? How feasible / what cost?	
How will success be judged and by whom? What performance indicators are needed?	
What further engagement is needed with this vulnerable group?	

Step 3: Action Plan and Approval

Confirm what actions are needed to implement recommendations and who needs to approve the plan?

APPENDIX 5: Stakeholder Commitments Register

Item No.	LTWP Commitment /Obligation									
	Who to?	Date	Type	Nature (Commitment Request /Other)	Source (e.g. Contact Report)	Scope	Details	Comments	Actions	Close -out
A. Commitments to National Government										
A1										
B. Commitments to County / Regional Authorities										
B1										
C. Commitments to Civil Society (NGOs / CBOs / FBOs)										
C1										
D. Commitments to Local Communities										
D1										
E. Commitments to Vulnerable / Marginalised Groups / Individuals										
E1										

APPENDIX 6: GRIEVANCE TOOLS

A. Grievance Form

H1 - Grievance Form			
Reference:		Date Received:	
Complainant / site details			
Name (or withhold name if you wish to be anonymous):			
Address:			
Telephone / other contact details:			
Details of complaint:			
Form completed by:			
Name:		Position:	
Location / Organisation:			
Actions required and details of complaint passed to:			
Name:			
Position:			
Department / organisation:			
Project / site:			
Date:			
Resolution and notification of completion to be sent on:			

B. Acknowledgement Template

Grievance Acknowledgement Template (use if formal reply needed, otherwise telephone)

[Claimant Address]

[Date]

[Reference]

Dear [name of claimant]

I refer to [*correspondence / meeting*] on [*date, month*]. We understand that you wish to lodge a complaint associated with the KISIP Project in relation to [*subject of grievance*].

We will attempt to contact you within 14 days of the date of this letter in order to discuss your concerns and to decide up an appropriate course of action should this be appropriate. This will be without prejudice to your statutory rights.

Sincerely yours,

Community Liaison Officer [*or other respondent*]

KISIP

B. Close out Record

Close-out Records (where legal record required)		
Reference Details:		
Grievance Reference Number:	CLO:	
Summary of Grievance:		
Steps Identified for Corrective Action:		Due Date:
1		
2		
3		
4		
5		
6		
Resolution Actions and Close-out:		
Notes:		
Complainant Signature	LTWP Representative (Title-Name-Signature)	Official Witness (Title-Name-Signature)
Date:		

C. Example of Grievance Monitoring Indicators

Example Monitoring Indicators			
Step	Indicator	Result against indicator	Corrective action
1. Confirm receipt of grievance	Percentage of total number of grievances received identified as requiring resolution		
	Percentage of total number of grievances received being confirmed in writing by the Community Relations Officer within 7 days of receipt (target 100%)		
2. Investigate and seeking of resolution	Percentage of total grievances (requiring resolution) for each identified grievance category		
	Percentage of meetings with claimant held within 14 days of receipt of grievance (target 100%)		
	Percentage of grievances (requiring resolution) resolved by grievance officer within 7 days of meeting the claimant (target 100%)		
	Percentage of grievances (requiring resolution) resolved by grievance officer in more than 7 days of meeting the claimant		
3. Involve senior KISIP management or third party authorities where required	Percentage of grievances requiring the involvement of senior KISIP management resolved within 14 days from the grievance officer meeting with the claimant (target 100%)		
	Percentage of grievances requiring the involvement of senior LTWP/ATL management resolved in more than 14 days from the grievance officer meeting with the claimant		
	Percentage of grievances requiring the involvement of third party authorities resolved within 30 days from receipt of grievance (target 100%)		
	Percentage of grievances requiring the involvement of third party authorities resolved in more than 30 days from receipt of grievance		
4. Close Out	N/A		
5. Facilitate provision of adjusted entitlements (if required)	N/A		
6. Follow up	N/A		
7. Legal redress	Percentage of grievances (requiring resolution) resulting in legal action (target 0)		

