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# KENYA DIGITAL ECONOMY ACCELERATION PROJECT

# P170941

## KENYA DIGITAL ECONOMY ACCELERATION PROJECT (KDEAP)

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## STAKEHOLDERS ENGAGEMENT PLAN (SEP)

**February 2023**

# CONTENTS

CONTENTS ..... 2
List of Abbreviation and Acronyms ..... 4
1 Background ..... 6
1.1 Overview of the Project ..... 6
1.1.1 Main Project Activities and Location ..... 6
1.1.2 Component 4: Project Management. ..... 7
1.1.3 Component 5: Contingent Emergency Response Component ..... 7
1.2 The Purpose and Objectives of the Stakeholders Engagement Plan ..... 7
2 Stakeholders Engagement Plan Regulations and International Standards ..... 8
2.1 Kenya's Legislative Framework ..... 8
2.1.1 The Constitution of Kenya, 2010 ..... 8
2.1.2 Environmental Management Coordination Act (EMCA), 1999 ..... 8
2.1.3 The Urban Areas and Cities Act (2011) ..... 9
2.2 World Bank's Environmental and Social Sustainability Standards (ESS) ..... 10
3 Brief Summary of Previous Stakeholder Engagement Activities ..... 11
3.1 Stakeholders Engagement During the Project Preparation Phase ..... 11
3.2 Consultation related to the Preparation of Environment and Social Instruments ..... 12
3.3 Outcomes of Process Stakeholder Engagement ..... 13
3.4 Post ESMF Engagement ..... **Error! Bookmark not defined.**
3.5 Disclosure ..... 17
3.6 Next Steps in the Project's Stakeholder Engagement ..... 17
4 Stakeholders Identification and Analysis ..... 18
4.1 Project-Affected Parties (PAPs) ..... 18
4.1.1 People Affected by Land Acquisition ..... 18
4.1.2 People Residing in the Project Areas ..... 18
4.1.3 Wards and Village Representatives ..... 18
4.2 Other Interested Parties (OIPS) ..... 18

4.2.1 Other Interested Parties – External ..... 18
4.2.2 Other Interested Parties – External ..... 21
4.3 Disadvantaged/Vulnerable Individuals or Groups ..... 21
4.4 Summary of Stakeholder Interest in and influence over the project ..... 21
5 Stakeholder Engagement Program ..... 23
5.1 Planned Stakeholder Engagement Activities ..... 23
5.2 Detail on Engagement Methods to be Used ..... 25
5.2.1 Public/Community Meetings ..... 25
5.2.2 Mass/Social Media Communication ..... 25
5.2.3 Communication Materials ..... 25
5.2.4 Project Tours for Media, Local Representatives ..... 25
5.2.5 Information Desks ..... 25
6 Roles, Responsibilities and Resources for Stakeholder Engagement ..... 26
6.1 Implementation Arrangements ..... 26
6.2 Roles and Responsibilities ..... 26
7 Stakeholders Engagement Plan Budget ..... 28
7.1 Estimated Budget ..... 28
8 Grievance Mechanism ..... 29
8.1 Background of the GRM ..... 29
8.2 Proposed Grievance Redress Mechanism ..... 29
8.2.1 Grievance Redress Mechanism Levels ..... 29
8.3 GBV Related Grievance Redress Mechanism ..... 33
8.4 Building Grievance Redress Mechanism Awareness ..... 34
8.5 Recommended Grievance Redress Time Frame ..... 34
8.6 Grievance Documentation and Reporting ..... 35
9 Monitoring And Reporting ..... 37

**List of Abbreviation and Acronyms**

| | |
|---|---|
| CA | Communications Authority |
| CERT | Computer Emergency Response Team |
| CSO | Civil Society Organisations |
| CIDP | County Integrated Development Plans |
| DLP | Digital Learning Program |
| DOSHS | Directorate of Occupational Safety and Health Services |
| EMCA | Environmental Management and Coordination Act |
| ESCP | Environmental and Social Commitment Plan |
| ESMF | Environment and Social Management Framework |
| ESF | Environment and Social Framework |
| ESS | Environmental and Social Standard |
| ESIA | Environmental and Social Impact Assessment |
| EWIK | E-Waste Initiative Kenya |
| FGD | Focus Group Discussions |
| GA&GBVAP | Gender Assessment and Gender-Based Violence Assessment and Action Plans |
| GCCN | Government Common Core Network |
| GRM | Grievance Redress Mechanism |
| ICT | Information Communication and Technology |
| ICTA | Information Communication and Technology Authority |
| ID | Identification |
| IDA | International Development Association |
| IT | Information and Technology |
| IPOs | Indigenous Peoples Organizations |
| KDEAP | Kenya Digital Economy Acceleration Project |
| KENET | Kenya Education Network Trust |
| KETRACO | Kenya Electricity Transmission Company |
| KII | Key Informant Interview |
| KPLC | Kenya Power and Lighting Company |
| LMP | Labor Management Plan |
| US | United States |
| M | Million |
| MDA | Ministries, Departments and Agencies |
| M&E | Monitoring and Evaluation |
| MS | Micro Soft |
| NEMA | National Environmental Management Authority |
| NHIF | National Hospital Insurance Fund |
| NOFBI | National Optic Fiber Backbone Infrastructure |
| NGO | Non-Governmental Organisations |
| OIP | Other Interested Parties |
| IPO | Organizations Representing Indigenous Peoples |
| RPF | Resettlement Policy Framework |
| SA | Social Assessment |
| SEF | Stakeholder Engagement Framework |
| SEP | Stakeholder Engagement Plan |
| SOC | Security Operations Center |
| SMP | Security Management Plan |
| TA | Technical Assistance |
| TVET | Technical and Vocational Education and Training |

| | |
|---|---|
| TTL | Task Team Leader |
| PAP | Project Affected Parties |
| PPA | Project Preparation Advance |
| PIU | Project Implementation Unit |
| PWD | Persons with disabilities |
| PKI | Public Key Infrastructure |
| PCK | Postal Corporation of Kenya |
| NGEC | National Gender and Equality Commission |
| NLC | National Land Commission |
| MoDA | Ministry of Devolution and Arid and Semi-Arid Lands |
| MICDE | Ministry of Information communication and the Digital Economy |
| RPF | Resettlement Policy Framework |
| NCPWD | National Council for Persons with Disabilities |
| VMGF | Vulnerable and Marginalized Groups Framework |
| VMGP | Vulnerable and Marginalized Group Plan |
| WBG | World Bank Group |

**List of Tables**

Table 1 : Stakeholders to be Consulted during the Preparation Project ..... 11

Table 2 : Details of ESMF Process Consultation ..... 12

Table 3 : Outcomes of ESIA Process Stakeholder Engagement ..... 13

Table 4 : Next Steps in Stakeholder Engagement ..... 17

Table 5 : Other Interested Parties ..... 19

Table 6 : Analysis and Prioritization of Stakeholder Groups Based on Level of interest in and Influence Over the Project ..... 22

Table 7 : Planned Stakeholder Engagement Activities by Project Phase ..... 23

Table 8 : Responsibilities of key actors/stakeholders in SEP Implementation ..... 26

Table 9 : Estimated SEP Budget Over the 4-year Implementation Period ..... 28

Table 10 : Grievance Redress Mechaism Levels ..... 29

Table 11 : Proposed GRM Time Frame ..... 34

Table 12 : Monitoring of SEP Performance ..... 37

# 1 Background

Kenya Digital Economy Acceleration Project (KDEAP) seeks to harness opportunities to develop the Kenyan Digital Economy as a driver of growth and job creation and leverage digital technologies to improve service delivery and resilience. It also supports efforts to promote digital inclusion and mitigate growing digital era risks of data protection and cybersecurity to ensure that every individual and business has the opportunity to engage in the digital economy confidently, safely, and securely. It is complemented by a range of parallel investment and technical assistance support programs that promote private sector innovation and entrepreneurship, education system strengthening and deeper integration of digital markets across the region.

This Stakeholder Engagement Plan (SEP) is prepared by the Information, Communication and Technology Authority (ICTA) the main project implementing agency. The SEP is a guide for the identification of different stakeholders who have a role or interest in the project as well as developing ways of involvement during the project implementation phase. This SEP will be a living document which can be updated through the course of the project to incorporate changes and updates in the stakeholders.

## 1.1 Overview of the Project

### *1.1.1 Main Project Activities and Location*

The project will be implemented in all the forty-seven (47) counties of Kenya. The project components for Phase 1 are (a) Component 1: Digital Infrastructure and Access; including expanding the national fiber backbone and enabling last mile connectivity to schools, Technical and Vocational Education and Training (TVETs), and universities, through incentivizing greater private investment, and strengthening Kenya's role as a regional digital transit point and enhancing the enabling environment for Kenya's digital economy and regional digital market participation; (b) Component 2: Digital Government and Services: including connecting government offices at national and county levels and establishing a Unified Communications System, a whole of government data/Information and Technology (IT) architecture, digitizing selected public services, and the establishment regional centers of excellence for cybersecurity and data protection; and (c) Component 3: Digital Skills: supporting the Digital Literacy Program (digital labs, teacher training, digital educational content for all secondary schools); strengthening specialized digital skills trainings to increase the pipeline of digital professionals in Kenya and the East Africa region, and facilitating access to affordable Internet-enabled devices.

Phase 2: Kenya Digital Economy Acceleration Project, US$150 million national International Development Association (IDA) plus US$30 million regional, 2026–2030. Phase 2 aims to "Build a data driven and secure environment for enhanced digital service delivery and innovation for the regional digital economy." The activities will build on the digital infrastructure, digital platforms, and enhancement of digital skills financed under Phase 1.

The three components initially proposed for inclusion in Phase 2 are (a) Component 1: Data Driven Public Service Delivery: including an integrated digital public services platform; customer-centric redesign and digitization of key public services/transactions; (b) Component 2: Digitization of Strategic Sectors: including supporting data-driven analytics and services and innovation, with an extension of connectivity also in the health care sector (both public and private) and the judiciary; and (c) Component 3: Digital Jobs and e-Commerce/Creative Economy Enablers: focusing on

initiatives facilitating digital entrepreneurship and measures to strengthen the online trust environment, including the national digital addressing system. These components will be revised based on experience gained and lessons learned in implementing Phase 1.

### *1.1.2 Component 4: Project Management.*

This component will support project implementation, coordination, and capacity building. It will include support for dedicated project managers and technical specialists, procurement and financial management specialists, environmental, health and safety specialist and social specialist . It will also provide support for office equipment, incremental operating costs, and audits. If necessary, this component will also fund Technical Assistance (TA) to support Monitoring and Evaluation (M&E). Relevant Ministries, Departments and Agencies (MDAs) will also receive training on measures to be taken during emergencies such as on emergency response procedures at times of heath or climate emergencies, to ensure continuity of operations and minimize disruptions.

### *1.1.3 Component 5: Contingent Emergency Response Component*

This will allow for an agile response to an eligible crisis or emergency.

## 1.2 The Purpose and Objectives of the Stakeholders Engagement Plan

The objective of the stakeholder engagement strategy is to build informed stakeholder support base, ownership and provide adequate stakeholder participation space and modes of communication for the successful implementation of the project. Effective stakeholder engagement enhances project acceptance and ownership and strengthens the social and environmental sustainability and benefits of supported interventions. This is also a means of upholding the rights of citizens and others to participate in decisions that may affect them, as well as an effective means for achieving project outcomes, including those related to democratic governance, protecting the environment, promoting respect for human rights, and preventing and resolving conflict.

## 2 Stakeholders Engagement Plan Regulations and International Standards

This Stakeholder Engagement Framework (SEF) is underpinned by 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 so that they 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 including among others involvement of the people in the process of policy making;

#### *2.1.2 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. National Environmental Management Authority (NEMA) assumes primary responsibility for overseeing the implementation of the requirements of the Act. Part 2 of EMCA 1999, consist of General principles:

- Principle of public participation in the development of plans, policies and processes for the management of the environment.
- 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 Environmental and Social Impact Assessment (ESIA) process. 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:

- 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;
- Issue project notification in a nationwide newspaper for two successive weeks;
- 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;
- 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;
- Send out notice of consultations at least one week prior to the meetings; and
- Ensure, in consultation with the Authority that a suitably qualified coordinator is appointed to receive and record both written and oral comments.

### *2.1.3 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 and making of strategic decisions relating to delivery of service.

## 2.2 World Bank's Environmental and Social Sustainability Standards (ESS)

The World Bank ESS10, states that the Borrower should continue to engage with, and provide sufficient information to stakeholders throughout the life cycle of the project, in a manner appropriate to the nature of their interests and the potential environmental and social risks and impacts of the project. The ESS states that, in case of high Risk and Substantial Risk projects, the Borrower will provide to the Bank and disclose documentation, as agreed with the Bank, relating to the environmental and social risks and impacts of the project prior to project appraisal. The documentation will address, in an adequate manner, the key risks and impacts of the project, and will provide sufficient detail to inform stakeholder engagement and Bank decision making. The Borrower will provide to the Bank and disclose final or updated documentation as specified in the Environmental and Social Commitment Plan (ESCP). If there are significant changes to the project that result in additional risks and impacts, particularly where these will impact project-affected parties, the Borrower will provide information on such risks and impacts and consult with project-affected parties as to how these risks and impacts will be mitigated. The Borrower will disclose an updated ESCP, setting out the mitigation measures.

# 3 Brief Summary of Previous Stakeholder Engagement Activities

## 3.1 Stakeholders Engagement During the Project Preparation Phase

The project preparation phase commenced from 2020, during this period, consultations were held with relevant stakeholders at the community, county government, and national levels. At the national and county level, strategic government ministries, departments, non-state actors, non-governmental organizations were involved and engaged in the project design. At the local level, local communities, vulnerable groups were consulted and provided feedback to the project design. Four main types of stakeholder engagement activities have taken place to date:

- Formal and informal communication with government agencies (throughout 2020)
- public hearings and initial informal meetings during preparation of Environmental and social instruments (late 2022)
- Communication with government agencies (late 2022, early 2023)
- Meetings with organizations representing vulnerable groups (late 2022)

These stakeholders provided inputs into the project design. Among other issues to be discussed during the consultation process include the following:

- project design
- sourcing of labor force from surrounding communities
- selection of beneficiary institutions i.e. schools, hospital and government institutions
- prevention of child labor
- occupational safety and health issues
- minimizing potential and unintended negative consequences of the project activities;
- availability of adequate resources for the project; and
- processes of compensation to individuals whose livelihoods will likely be affected by the project activities

The objective of each level of consultation has been highlighted in Table 1 below with a summary of the issues.

**Table 1 : Stakeholders Consulted during the Preparation Project**

| Engagement Activity | Objective | Targeted Stakeholders | Key issues raised | Time |
|---|---|---|---|---|
| National stakeholder consultations | Collect views on the design and implementation arrangement of the project, environmental and social risks, mitigation measures, grievance redress mechanisms, and Stakeholder engagement plan | Representatives of national Government, Ministry of Health, Ministry of Education, ICTA<br>Representative bodies of persons living with disability and indigenous peoples, non-governmental organizations, the council of the governor, and civil society organization. | Project design<br>Criteria for the selections of beneficiaries hospitals, counties, and schools.<br><br>Project fiduciary processes.<br><br>Environment and social risk management plus the capacity building | July 2020 |

| Engagement Activity | Objective | Targeted Stakeholders | Key issues raised | Time |
|---|---|---|---|---|
| County Government Stakeholder consultations | Collect views on the design of the project, environmental and social risks, mitigation measures, grievance redress mechanisms and Stakeholder engagement plan | Members of the county assembly, County government officials | The consultation should be ongoing. There will be new members of county assembly with the new government that will require to under standard the project activities.<br><br>Workers under the project should have compensation (if injured at work), Personal Protective Equipment, first Aid kit | July 2020 |
| Community-level Stakeholder consultations | Collect views lessons learned in the previous or related project, challenges, social risks, and their mitigation measures | Community members, and extension workers<br><br>Women groups consulted separately<br><br>VMGs/IPs were consulted during the preparation of the social assessment and the VMGF/VMGP<br><br>Persons with disabilities organisations. | Project design with the VMGs<br>Social and environmental risks and impacts.<br>Gender-based violence prevalence rates in the community.<br>Gender assessment.<br>Workers under the project should have the opportunity to be compensated (if injured at work); use Personal Protective Equipment, availability of first Aid kit<br><br>Compensation should be provided to people that will lose land and livelihoods due to construction works under the project | August 2020 |

## 3.2 Consultation related to the Preparation of Environment and Social Instruments

Table 2, presents a summary of the stakeholder consultations conducted during the preparation of the environmental and social risk management instruments , while a summary of the key issues raised/comments made is presented in the next section.

**Table 2 : Details of ESMF Process Consultation**

| Stakeholder | Mode of Engagement | Engagement Date | Venue |
|---|---|---|---|
| ICTA Team | Meeting | December 2 2022 | Via MS Teams |
| ICTA/WBG | Meeting | December 7 2022 | Via MS Teams |
| Various i.e. WBG, ICTA, Private Sector, NGOs/CSOs, | Workshop | December 13 2022 | Sarova Stanley |
| Various i.e. WBG, ICTA, Counties | Workshop | December 13-14 2022 | Sarova Stanley |
| E-Waste Initiative Kenya (EWIK) | KII & Observation | December 21 2022 | Nyayo Market, Ngara |

The stakeholder engagements sought to identify, engage, build relationship, share information and empower stakeholders as far as participation in KDEAP is concerned. Specifically, during the workshop the following were covered:

- The overview of the KDEAP including the project components
- Implementation of Kenya Digital Master Plan (2022-2032) and integration with County Integrated Development Plans (CIDPs); and
- Discussion on the environmental and social risks of the project and preparation of the environment and social instruments that included:
    - Gender Assessment and Sexual Exploitation and Abuse/Sexual Harassment Assessment and Action Plans (GA&SEA/SH AP)
    - Resettlement Policy Framework (RPF)
    - Vulnerable and Marginalized Groups Framework, and Vulnerable and Marginalized Group Plan (VMGP)
    - Social Assessment (SA)
    - Environmental and Social Management Framework (ESMF) – includes Stakeholders Engagement Plan (SEP); Labor Management Procedures (LMP); and Security Management Plan (SMP)

### 3.3 Outcomes of Process Stakeholder Engagement

The key outcomes from the project's stakeholder's engagement process include:

**Table 3 : Outcomes of ESIA Process Stakeholder Engagement**

| Main theme raised by stakeholders | Key Stakeholder comment | Response to questions raised. |
|---|---|---|
| KDEAP sustainability | • What measures has the project designed to ensure sustainability of the Project? | • KDEAP *sustainability is assured through a greater focus on mobilizing private capital in existing markets, creating new markets in underserved areas, and optimizing long-term use of public infrastructure.*<br>• |
| Stakeholder engagement | • Need to change approach from information sharing to communication integration since it's the outreach to the community. | • Its critical to ensure there is communication exchange to build a strong relationship with the community and other stakeholders.<br>• Community sensitization and awareness to be done during all project phases. |
| Key expert recruitment | • Recruitment of the key experts sometimes leads to creation of a parallel organization | • A consideration should be done to instead upskill and build capacity of current staff through training. |
| Knowledge management | • It is important to document lessons learned and other experiences of similar projects and any interventions required. | • The project will document the lessons learned. This will be used to inform future projects. |
| Political Interference | • How will the Project handle political interference issues to avoid the delays in | • This will be resolved through stakeholder engagement and obtaining |

| Main theme raised by stakeholders | Key Stakeholder comment | Response to questions raised. |
|---|---|---|
| | implementation?<br>• | political goodwill. |
| On positive impacts/ opportunities | • Increased access to information to a wider group<br>• Job creation (temporary construction and creative economy)<br>• Device affordability<br>• Reduced environmental pollution<br>• Increased e-resources to institutions<br>• Infrastructure sharing<br>• Liberalization to allow competition<br>• Efficiency through improved service delivery<br>• Standardization<br>• Data management<br>• Bridging of the digital divide<br>• Visibility in government<br>• Increased digital skills | • The project will have positive impacts and will support the new government's agenda to increase and improve digital connectivity. |
| On negative impacts/risks | • Misinformation<br>• E-waste generation<br>• Social Media addiction<br>• Exposure to fraud<br>• Cyber security risks<br>• Marginalization of people with disability<br>• Erosion of culture | • All negative impacts will be mitigated. An Environmental and Social Impact Assessment will be prepared for each subproject.<br>• Mitigation measures will be proposed. |
| Negative impacts from repeated trenching | • The number of times fiber cables trenches are being dug is a lot: Why are we digging so many trenches?<br>• The methodology for public works involves the use of locals to dig the trenches and some cases involve use of machinery. In some areas, locals demand digging jobs, and machines are used especially in areas with hard rocks.<br>• It was agreed that there is need for standardization to avoid many trenches being dug by different agencies. Unification of ducts<br>• Best practices of laying fiber globally<br>• The ICT Authority has laid down standards on best practices, as well as International Telecommunication Union (ITU) standards.<br>• Public and civil works 1.5m/0.3m uses machinery for areas where its rocky and gravel.<br>• The blowing & pulling of the cable is based on ITU standards. | • All negative impacts will be mitigated. An Environmental and Social Impact Assessment will be prepared for each subproject.<br>• Mitigation measures will be implemented. |
| Sexual | • Number of children born along the way | • The project has proposed a Sexual |

| Main theme raised by stakeholders | Key Stakeholder comment | Response to questions raised. |
|---|---|---|
| Exploitation and Abuse/Sexual Harassment (SEA/SH) – children sired by project workers | from Kakuma to Lodwar is high!<br>• The gender-based violence action plan (SEA/SH AP) covers sexual exploitation issues.<br>• If there are issues around children, cases should be reported to the ICTA. The Authority has laid down various mechanisms for reporting and handling such cases. In addition, the Authority holds quarterly meetings with governors where grievances can be heard. | Exploitation and Abuse/ Sexual Harassment (SEA/SH) Action Plan that will ensure that risks related to SEA/SH will be mitigated. |
| Family breakdowns | • Family breakdowns due to people receiving a lot of money and becoming drunkards, spreading Human Immunodeficiency Virus/Acquired immunodeficiency (HIV/AIDS). Issue of re-compensation/lives that will be infringed by the project<br>• Creation of awareness is key before dissemination of huge monies to the beneficiaries to avoid cases of mismanagement of funds amongst beneficiaries | • All contractors will have a HIV/AIDs prevention and management interventions to mitigate these risks. |
| Network redundancies | • How well will ICTA partner with other agencies for redundancies?<br>• | • ICTA has laid down mechanisms for ensuring redundancies where in some cases Safaricom is offering ICTA with secondary links. In addition, there is an integrated infrastructure-building policy, that focuses on ensuring that when an agency is building infrastructure it incorporates other agencies to avoid multiple trenches being dug on the same areas as well as unified cabling. |
| E-waste management | • E-Waste environmental code of practice has been prepared as part of ESMF. The E-Waste ECOP reviews relevant legal frameworks, identifies capacity building needs as well as awareness creation among MCDAs staff. | • Risk mitigation proposed. |
| E-waste management II | • E-Waste Initiative Kenya (EWIK), an NGO of e-waste managers<br>• A lot of e-waste is produced daily in Nairobi. EWIK is supported by GIZ and are piloting a training school in Kiambu/Limuru.<br>• There are opportunities in e-waste management in Kenya e.g. refurbishing, repurposing (creating new products e.g. solar inverters from UPS and laptop batteries), mining precious metals, etc.<br>• Some challenges; poor working conditions (no PPE), lack of the right | • Risk mitigation proposed. |

| Main theme raised by stakeholders | Key Stakeholder comment | Response to questions raised. |
|---|---|---|
| | tools or equipment to recover precious metals which are a crucial component of most PCBs (printed circuit boards), with gold, silver, platinum, and palladium all present and all becoming difficult to find, fire risk could lead to air pollution. | |
| Public WIFI | • Who caters for budget equipment and how is public wifi requested for, is it through the letter(s)?<br>• | • Government plans to roll out 25,000 public WIFI hotspots nationally. Counties are encouraged to partner with ICTA on the creation of public hot spots for fibre but standards have to be adhered to. All counties will receive public hotspots equally. |

All stakeholder comments were noted and were considered in the assessment of the Project at all phases. Where necessary, responses were given by both the environment and social focal persons and the ICTA present in the various meetings.

### 3.4 Continuous Stakeholders Engagement Process

The Project is committed to continuous engagement with stakeholders throughout the life of the Project, from the current stages of planning and design, through construction into operation, and eventually to closure and decommissioning.

Plans and activities implemented during the next stages of Project planning and development will therefore feed into and inform on-going stakeholder engagement as the Project moves into these stages, ensuring that two-way dialogue with those affected, both positively and negatively by the proposed Project is maintained.

The aim will be to ensure that the Project remains in contact with all interested parties and cognizant of their concerns, and that these are addressed in an effective and timely manner. At each stage, a detailed schedule of activities and events will be developed and widely disseminated so that people know how to interact with and participate in the Project.

After the preparation and disclosure of the environment and social instruments stakeholder engagement is expected at the following Project stages:

- ESIA process: ESIA will be commissioned once exact locations of specific Project infrastructure and detailed construction schedule is known. In this process, information regarding the Project i.e. activities in each component, inputs, outputs, benefits, adverse impacts, will be shared with stakeholders;
- Mobilisation phase: At this stage, information regarding the exact locations of specific Project infrastructure, detailed construction schedule, contractor(s) (including employment opportunities) will be shared with the Project stakeholders;
- Construction phase: Periodic Project updates as well as any changes in planning will be shared with Project stakeholders. The WBG ESS 2 and 10 also requires consultation with

stakeholders and the implementation of a Labour Management Procedure (LMP) that includes a worker and community Grievance Redress Mechanism (GRM);

- Demobilisation phase: Notifying the stakeholders the end of the construction activities and close- out of outstanding construction phase related grievances. This is also expected to mark the start of the operation phase;
- Operations Phase: Periodic updates to Project stakeholders on the operations issues, share operation information where required or deemed necessary and communicate any changes in operation plans. The WBG ESS 2 and 10 also requires consultation with stakeholders and the implementation of an LMP that includes a worker and community GRM; and
- Decommissioning Phase: inform stakeholders when the project comes to an end as well as future plans for the project sites.

## 3.5 Disclosure

The environmental and social instruments will be disclosed on ICTA website and the World Bank's External Website. The environment and social instruments will also be disclosed in local languages through community and stakeholders engagement process targeted at project areas where sub-projects will be implemented.

## 3.6 Next Steps in the Project's Stakeholder Engagement

During the stakeholder workshop on environmental and social safeguards the following action points were agreed on:

**Table 4 : Next Steps in Stakeholder Engagement**

| **Action Points** | **Way Forward** |
|---|---|
| Overview KDEAP | Approval of Budget by the Bank by April 2023 |
| Social Assessment | Conducting of social assessment |
| Resettlement policy framework | Conducting further stakeholder engagement to finalize on the framework |
| Presentation on ESMF | After clearance from the World Bank there will be public disclosure of the ESMF. |
| Presentation on Digital Infrastructure | ICTA to work with counties on the Roll out of 100,000 KM of NOFBI |
| Presentation on Digital Government Services and Digital Products | Conduct the automation survey across all the counties to ascertain the level of automation before rolling out digitization program |
| Presentation on Digital Skills | ICTA to Partner with counties to conduct the Digital skills training |
| Presentation on Digital Innovation, Entrepreneurship and Digital Business | ICTA to partner with counties in the development of Innovation hubs |
| Presentation of County ICT Projects cascaded to the CIDP | • Counties to incorporate projects in Master Plan in their CIDP<br>• ICTA to have a framework of working with counties on matters ICT |

# 4 Stakeholders Identification and Analysis

Under this stakeholder engagement plan, "project-affected parties" include "those likely to be affected by the project because of actual impacts or potential risks to their physical environment, health, security, cultural practices, wellbeing, or livelihoods. These stakeholders may include individuals or groups, including local communities. They are the individuals or households most likely to observe changes from environmental and social impacts of the project.

The term "Other interested parties" (OIP) refers to "individuals, groups, or organizations with an interest in the project, which may be because of the project location, its characteristics, its impacts, or matters related to public interest. For example, these parties may include regulators, government officials, the private sector, academics, unions, women's organizations, other civil society organizations, and cultural groups.

## 4.1 Project-Affected Parties (PAPs)

### *4.1.1 People Affected by Land Acquisition*

The construction works involving laying of the fiber optic cable will result in physical or economic displacement of persons residing or operating businesses on the right of way. This will include project affected persons who will lose assets and sources of income mostly on a temporary basis.

### *4.1.2 People Residing in the Project Areas*

In the framework of the current project, a second key category of PAPs will be people living in the vicinity of contractor's sites. These PAPs are likely to be affected by disturbances caused by the Project's heavy vehicles traffic, construction impacts, etc., but may also benefit from project-related employment opportunities.

### *4.1.3 Wards and Village Representatives*

A third category of important PAPs will be wards and village representatives. Each ward will be represented by the ward administrators, chair persons of committees. Villages will be represented by chiefs, assistance chiefs, elders, church elders and other community leaders.

## 4.2 Other Interested Parties (OIP)

### *4.2.1 Other Interested Parties – External*

Table 5 below summarizes the key categories of OIP and the respective justification for their interest in the project.

**Table 5 : Other Interested Parties**

| Other interested parties | Interest in the project |
|---|---|
| • Office of the president<br>• Ministries and Government agencies<br>• National Land Commission (NLC)<br>• Ministry of Devolution and Arid and Semi-Arid Lands (MoDA)<br>• National Council for Persons with Disabilities (NCPWD)<br>• National Cohesion and Integration Commission<br>• Kenya Commission on Human Rights<br>• Ministry of Public Service, Youth, and Gender<br>• Information Communication Technology Authority (ICTA)<br>• Ministry of Information communication and the Digital Economy (MICDE)<br>• Ministry of Education<br>• Ministry of Health<br>• Communications Authority (CA)<br>• Ministry of Youth and Sports<br>• National Gender Equality commission (NGEC)<br>• Ministry of Roads and Transport<br>• National Environment Management Authority (NEMA)<br>• Directorate of Occupational Safety and Health Services (DOSHS)<br>• Kenya Power and Lighting Company (KPLC)<br>• Kenya Electricity Transmission Company (KETRACO)<br>• Kenya Urban Roads Authority (KURA)<br>• Kenya National Highways Authority (KeNHA)<br>• Postal Corporation of Kenya (PCK)<br>• Telecommunication companies – Safaricom, Airtel, Huawei, and Telkom<br>• National Government Administration Officers (NGAO) across the project footprint<br>• Women's groups<br>• Youth Groups (National Youth Council at the national level)<br>• National smart agriculture initiatives e.g., KAAA, KCEP-CRAL, KCSAP, etc.<br>• | • Articulate the Kenya Kwanza priorities on digital connectivity.<br>• Support in the project funds flow.<br>• Contribute to the design of the project.<br>• Primary beneficiaries of internet connection.<br>• Support in land acquisition under the project.<br>• Project awareness creation.<br>• Beneficiary agencies |
| Local government departments Municipalities and villages<br><br>• All 47 county governments and the Council of Governors' ICT & Knowledge Committee<br>• County commissioners<br>• Deputy county commissioners<br>• Ward representatives | • Beneficiaries of the project<br>• Support in the project design process.<br>• Involved in land acquisition and resettlement of affected communities and persons.<br>• Support the management of grievances.<br>• Support community participation activities.<br>• Environmental and social risks including e-waste management. |

| | |
|---|---|
| Non-governmental organizations (local, regional, national)<br><br>• Civil society organizations at both national and local level<br>• Civil society organizations run by or representing indigenous peoples (IPOs)<br>• Civil society organizations run by or representing people with disabilities<br>• Religious Organizations<br>• Kenya Education Network Trust (KENET)<br>• Digital Humanitarian | • Ensure the environmental and social performance of the Project is protecting the environment and affected people and complies with international E&S standards.<br>• Universal access. |
| Business and workers' organisations<br><br>• e.g., KNCCI, KEPSA, KMA, etc. | • Interest in procurement and supply chain, potential environmental and social impacts as well as community health and safety |
| Local communities<br>VMGs/IPs<br>Women<br>Students in lower and tertiary education institutions.<br>Persons living with disability<br>Local businesses and medium and micro enterprices. | • Improved access to government services.<br>• Internet connection to homes, hospitals, schools and resource centers.<br>• Project information and benefits including jobs.<br>• Cost of services.<br>• Internet connections to government institutions including huduma centers.<br>• Job opportunities.<br>• Access to project benefits including the device affordability scheme under the project.<br>• Child online protection. |
| Press and media<br>Distil media | • Inform residents in the project area and the wider public about the Project implementation and planned activities. |
| General public, jobseekers | • Interest in the general socio-economic impacts of the project, both adverse and beneficial.<br>• Access to project benefits including the device affordability scheme under the project.<br>• Having children protected as they access online materials. |
| Academic institutions<br>• Tertiary intuitions/ Colleges/ Universities and Other Institutes of Higher Education/ academicians, polytechnics<br>• Primary and Secondary schools<br>• Academia e.g., Moi University, JKUAT, etc. | • Project benefits.<br>• Internet connections and speeds of the connections.<br>• Cost of internet connections.<br>• Access to project benefits including the device affordability scheme under the project.<br>• Child online protection. |
| Environment bodies | |

| | |
|---|---|
| • National Environmental Management Authority (NEMA),<br>• E-Waste managers e.g. WEEE Centre, EWIK, etc. | • e-waste disposal.<br>• Management of environmental and social risks.<br>• Child online protection. |
| Minority and marginalized groups<br><br>• Traditional representatives of local communities<br>• Traditional representatives of indigenous peoples.<br>• Women.<br>• Refugees and refugee groups | • Universal access.<br>• Use of local language in the project communication materials and mediums.<br>• Access to project benefits by indigenous and minority groups.<br>• Child online protection.<br>• Access to project benefits including the device affordability scheme under the project.<br>• Child online protection. |
| Persons living with disabilities<br><br>• People Living with Disabilities (PWDs) | • Universal access.<br>• Access to project benefits including the device affordability scheme under the project.<br>• Child online protection. |

### *4.2.2 Other Interested Parties – External*

Internal interested parties with stakes in the project include MICTE staff, ICTA staff, supervision consultants; contractors; subcontractors; service providers, suppliers and their workers.

## 4.3 Disadvantaged/Vulnerable Individuals or Groups

Disadvantaged/vulnerable individuals or groups are potentially disproportionally affected and less able to benefit from opportunities offered by the project due to specific difficulties to access and/or understand information about the project and its environmental and social impacts and mitigation strategies. These groups include the following:

1. Persons living with hearing and visual disability that will benefit from universal access
2. Minority and marginalized groups
3. Internally displaced persons in refugee camps
4. those registered as poor with the local social services.
5. women-headed households.
6. elder-headed households without any other household member bringing in income.
7. Households headed by disabled people
8. Ethnic or religious minorities

## 4.4 Summary of Stakeholder Interest in and influence over the project

Table 6 provided below summarizes the level of interest in and potential influence over the project of the various stakeholder categories identified above. Categories color-coded in red will require regular and frequent engagement, typically face-to-face and several times per year, including written and verbal information. Categories color-coded in orange will require regular engagement (e.g., every half-a-year), typically through written information. Finally, categories color-coded in green will

require infrequent engagement (e.g., once a year), typically through indirect written information (e.g. mass media).

**Table 6 : Analysis and Prioritization of Stakeholder Groups Based on Level of interest in and Influence Over the Project**

| | High ability or likelihood to influence or impact the project | Medium ability or likelihood to influence or impact the project | Low ability or likelihood to influence or impact the project |
|---|---|---|---|
| High level of interest in the project | • National Ministries and<br>• Government Agencies<br>• County government<br>• People affected by land acquisition<br>• People residing in project areas<br>• Persons living with disability<br>• Service providers<br>• Academic institutions<br>• Telecommunication companies – Safaricom, Airtel, Huawei, and Telkom | • County Government Departments<br>• Wards<br>• Villages | • Religious leaders |
| Medium level of interest in the project | • Civil society organizations<br>• Other donor agencies<br>• Press and Media<br>• Small and medium enterprices | • Businesses<br>• Workers<br>• General public<br>• Jobseekers | General public, tourists, jobseekers |
| Low level of interest in the project | | | Other project developers and their financiers. |

# 5 Stakeholder Engagement Program

## 5.1 Planned Stakeholder Engagement Activities

ICTA will provide specific stakeholder groups with relevant information and opportunities to voice their views on topics that matter to them. Table 7 below presents the stakeholder engagement activities envisaged under the project. The activity types and their frequency are adapted to the three main project stages. A more detailed explanation of the stakeholder engagement methods used.

**Table 7 : Planned Stakeholder Engagement Activities by Project Phase**

| Project Stage | Consultation topics | Method | Target Groups | Timeframe | Responsible Parties |
|---|---|---|---|---|---|
| Prior to Loan Effectiveness | Project design Identification of beneficiaries (schools and educational facilities, , persons living with disability, government facilities, government offices, county governments etc.) | Formal meetings with various government agencies. Workshops and Focus Group Discussions (FGDs) | MICDE ICTA County Government Telcom service providers. NGOs | Tentative (by September 2023) | Information Communication Technology Authority (ICTA)Ministry of Information Communication and the Digital Economy (MICDE) |
| | Environment and social instruments.<br><br>Disclosure of the project's environmental and social instruments | Workshops and Focus Group Discussions (FGDs) | MICDE ICTA sub-national government agencies, NGOs/CSOs | Tentative (by June, 2023) | MICDE ICTA |
| | Manuals/technical Guidelines | Workshops | MICDE ICTA | Tentative (by June 2023) | ICTA - PIU |
| | Updates on the project's Stakeholder Engagement Plan (SEP) | Workshops, FGDs, community meetings | MICDE ICTA NGOs/CSOs, and community representatives (if the situations are conducive) | Tentative (by September 2023) | MICDE ICTA |
| Project implementation | Environmental and Social Assessment | Workshops, FGDs Barazas | Government agencies, County governments, Community members, Project affected persons and communities, NGOs/CSOs | Prior to construction (following loan effectiveness) | MICDE ICTA NEMA |

| | | | | | |
|---|---|---|---|---|---|
| | Project sub-projects | Community meetings Workshops, FGDs | County and ward administrators, Local communities, NGO/CSOs, Vulnerable groups | Prior to construction or following location identification for relocated facilities/utilities | MICDE ICTA |
| | Land due diligence | Community meetings, workshops and field investigation | National Land Commission, KURA, KeNHA, NGOs/CSOs, community representatives | Prior to construction (following proposal on locations | MICDE ICTA |
| | Updates on project status | Workshops and FGDs | Central government partners, sub-national government agencies, community representatives, NGOs/CSOs | Periodic (during project implementation) | MICDE ICTA |
| Project/sub-project completion | Project handover and evaluation | Workshops and FGDs | Central government partners, sub-national government agencies, community representatives, NGOs/CSOs | Following construction completion and final inspection | MICDE ICTA |
| | | | | | |

## 5.2 Detail on Engagement Methods to be Used

### *5.2.1 Public/Community Meetings*

At the start of the project, MICDE and ICTA will organize the project launch. The PIU at the ICTA will hire a social specialist who will support the update and implementation of the SEP. During project implementation and construction works phase, the supervision consultant's team will include 1 environmental, health and safety specialist and 1 social specialist, while the Contractors will be required to have 1 environmental, health and safety specialist, 1 social specialist and 1 community liaison officer. This will ensure that community meetings are organized and held throughout the project implementation phase. Further, consultation report will be shared with the MICDE and ICTA on a quarterly basis. The sociologists and community liaison officers will be contracted under the specific contracts. The bills of quantities of the contractors will include bill items on community meetings.

### *5.2.2 Mass/Social Media Communication*

The MICDE and ICTA have communication teams that will be engaged in the project. Their role will be to provide project information, updates and post information on the dedicated project and MICDE and ICTA Facebook page, and to communicate with the local population via social media campaigns or tools like WhatsApp throughout the project's lifecycle. Social media channels will be used as much as possible to disseminate information as rates of social media use (especially Facebook) appear to be high across users of different age and background in project affected communities.

### *5.2.3 Communication Materials*

Written information will be disclosed to the public via a variety of communication materials including brochures, flyers, posters, etc. A communication strategy to be financed under the project will be prepared and designed specifically and distributed both in print and online form. MICDE and ICTA will also update its website regularly (at least on a quarterly basis) with key project updates and reports on the project's environmental and social performance both in English and Kiswahili. The website will also provide information about the grievance mechanism for the project.

### *5.2.4 Project Tours for Media, Local Representatives*

At appropriate points during the construction phase, site visits will be organized for selected stakeholders from media organizations or local government. On average, it is planned that 4 such tours will be planned per year.

### *5.2.5 Information Desks*

Information desks will provide local communities with information on stakeholder engagement activities, construction updates, job opportunities, contact details of the sociologist, community Liaison Officer etc. The information desks will be set up once a week in all the villages locations where the subprojects are implemented .

# 6 Roles, Responsibilities and Resources for Stakeholder Engagement

## 6.1 Implementation Arrangements

ICTA will mobilize human and material resources to implement the SEP and manage the Grievance Resolution Mechanism (GRM). The ICTA PIU coordinator will be responsibility for all SEP activities.

SEP activities will be led by ICTA with additional responsibility assigned to the MICDE, design consultants, supervision consultants and contractors. A social specialist will be hired as part of the PIU as the technical support responsible for the implementation of the SEP.

During the sub-projects design process, the design engineer will be responsible for the stakeholder's engagement and will have a sociologist as part of the team. During project construction, the supervision teams and contractors will have a team of sociologists and community liaison officers that will take the lead in the stakeholders' engagement within communities and at the county level. The communication department within ICTA will support the development of the project communication plan.

The project sociologist at the PIU will be the grievance focal point.

Environmental and Social experts at ICTA will be responsible for the overall environmental and social impact assessments and performance of the Project. Specific named personnel will be established for these roles as the project progresses. The material resources that ICTA will mobilize are – (i) a Project specific area on the ICTA website; (ii) an electronic grievance database; (iii) a stakeholder engagement register; (iv) a Facebook page and a WhatsApp group for the project; (v) printed documents (manuals, brochures, posters, etc.) that will be used, based on the needs of the SEP.

## 6.2 Roles and Responsibilities

The social specialist and community liaison officer will have staff from ICTA, relevant government departments, communication teams, supervision contractor's teams and contractors. ICTA will take responsibility for and lead all aspects of stakeholder engagement. However, to implement the various activities envisaged in the SEP, the community liaison officers will need to closely coordinate with other key stakeholders – other national and local government departments/agencies, county governments and relevant departments, the Supervision and Environmental and Social Impact Assessment (ESIA)/Resettlement Action Plan (RAP) consultants, contractors and sub-contractors, affected communities and project affected persons. The roles and responsibilities of these actors/stakeholders are summarized in the Table 8 below.

**Table 8 : Responsibilities of Key Actors/Stakeholders in SEP Implementation**

| Institutions/ Focal persons/ Unit | Roles and Responsibilities |
|---|---|
| Ministry Of Information Communication and Technology, Communication & Digital Economy (MICDE) | Oversight responsibility for entire project implementation |
| Project Implementation Unit – ICTA | • Overall Coordination<br>• Manage and implement the Stakeholder |

| | |
|---|---|
| | Engagement Plan (SEP)<br>• Dissemination of project information |
| Environmental, Health and Safety specialist and Social Specialist at the PIU, ICTA | • Facilitate and monitor implementation of the SEP<br>• Incorporate SEP guidelines in contractors' agreement<br>• Organize and conduct training on the SEP to teams at the national and county level.<br>• Develop manuals and modules for capacity building and awareness creation<br>• Facilitate monitoring and coordinate monitoring activities<br>• Develop and ensure effective implementation of Grievance Redress Mechanism (GRM)<br>• Liaise with relevant institutions on environmental and social issues<br>• Ensure provisions for disability and gender inclusion and GRM under the SEP are implemented effectively<br>• Interface with stakeholders and respond to comments or questions about the project or consultation process.<br>• Provide contact information if stakeholders have questions or comments about the project or consultation process.<br>• Document any interactions with external stakeholders.<br>• Maintain database, records for SEP and the grievances.<br>• Coordinating public meetings, workshops, focus groups etc.<br>• Makes sure the SEP is being adhered to and followed correctly.<br>• Raise awareness of the SEP among project implementation unit, employees contracted firms and relevant external stakeholders<br>• Deliver information to stakeholders on complaint mechanism and procedures of the SEP |
| Contractors and sub-contractors | • Support the implementation of the SEP and GRM as assigned by the supervision engineer's teams.<br>• Reporting on the stakeholder's engagement process and grievance redress mechanism. |

# 7 Stakeholders Engagement Plan Budget

## 7.1 Estimated Budget

A tentative budget for implementing the stakeholder engagement plan over five years is attached in Table 9. The stakeholder engagement activities featured below cover a variety of environmental, social issues, which may be part of other project documents, so it is possible that they have also been budgeted in other plans.

ICTA will review this plan every six months to determine if any changes to stakeholder classification or engagement are required. If so, the plan will be updated, and a new revision distributed. The budget will be revised accordingly.

The implementation of the SEP will be funded by the MICDE and ICTA and coordinated by the PIU. The PIU will be established to perform day-to-day project management and project coordination under oversight. The PIU will have the overall responsibilities of implementation of the SEP.

The overall financing of SEP will be part of the overall project management and specific budget expenditure including the financing of the communication strategy for the project. Stakeholders' engagement costs related to activities under design, and constructions will be included in bidding documents and costed as bill items. Further costing for the SEP will be provided together with the overall project costing.

**Table 9 : Estimated SEP Budget Over the 4-year Implementation Period**

| Activity | Number | Unit Cost (kes) | Number of years | Total costs (KES) |
|---|---|---|---|---|
| Recruitment of environmental,health and safety specialist and social specialist | 2 | 1,000, 000 per month | 4 | 15,000,000 |
| Consultation meetings | 120 | 200,000 | 4 | 10,000,000 |
| Project communication strategy | - | - | 4 | 10,000,000 |
| Travel for communication activities. | - | - | 4 | 10,000,000 |
| Grievance redress mechanism | - | - | 4 | 15,000,000 |
| **Total** | | | | **60,000,000** |

# 8 Grievance Mechanism

## 8.1 Background of the GRM

The main objective of a Grievance Redress Mechanism (GRM) is to assist ICTA to receive and resolve complaints and grievances in a timely, effective, and efficient manner that satisfies all parties involved. The GRM is an integral part of the SEP and helps to create avenues for receiving and responding to stakeholder concerns and complaints about issues related to the project. Further, the GRM provides a transparent and credible process for fair, effective and lasting outcomes. It also builds trust and cooperation as an integral component of broader community/citizen engagement that facilitates corrective actions.

The project GRM will:

a) provide affected people with avenues for making a complaint or resolving any dispute that may arise during the implementation of the projects;
b) ensure that appropriate, timely and mutually acceptable redress actions are identified and implemented to the satisfaction of complainants; and
c) avoid the need to resort to judicial proceedings.

Having multiple stakeholders and implementing agencies on board the project could lead to complaints, misunderstandings, conflicts and disputes. The project will provide a grievance redress mechanism that will provide all direct and indirect beneficiaries, service providers and other stakeholders the opportunity to raise their concerns and/or ask for information. Stakeholders will be informed of the grievance redress mechanism in place, as well as the measures put in place to protect them against any reprisal for its use. This will be done during sensitization activities and other interactions with stakeholders.

## 8.2 Proposed Grievance Redress Mechanism

Grievances arising with the implementation of the project could typically include access and quality of services, issues about targeting for services and availability of facilities and resources. Grievances may also relate to physical and economic displacement and delay is payment of livelihoods related compensation.

All grievances no matter where they received, they will be registered in writing by the PIU for tracking and monitoring

### *8.2.1 Grievance Redress Mechanism Levels*

**Table 10 : Grievance Redress Mechanism Levels**

| | |
|---|---|
| Level 1-Project level | 1. Receive grievance<br>2. Acknowledge grievance<br>3. Register/Log<br>4. Screen<br>5. Investigate<br>6. Resolution<br>7. Provide feedback |

| | |
|---|---|
| Level 2 - | Grievance Redress Committee |
| Level 3 | Mediation |
| Level 4 | Court of Law-Refer to the Environment and Land Courts |

**First Level of Grievance Redress:**

The project institutions within which project activities are carried out are the first level of grievance redress. Each institution (ICTA), MICDE, MDA, counties, design engineers, supervision engineers, contractors) where project activities are undertaken will use existing grievance mechanisms to receive, review and address grievances. The Resident Engineer or Project Manager will be responsible for resolution of all sub-project related grievances at sub-project level. The Resident Engineer or Project Manager will appoint a grievance officer who will be responsible for the management of all grievances in the sub-project. This officer will also follow up resolution of all grievances and ensure that timelines at every level are observed.

The first level of grievances will be handled at the project levelReceiving: there will be various avenues for the uptake of grievances.. Grievances can be received in person, verbally via toll free phone, in writing or via e mail, fax, text message, dedicated complaint boxes available in all project offices or any other media. Anonymous grievances will be received and allowed under this grievance mechanism.If the complaint cannot be resolved at this level, it can be escalated to the next level including the judicial process in the country at any time of the complainant choosing.

Register/Log Grievance: After receiving and recording the grievance, it will be accepted and registered for review. This will take 24 hours.

Acknowledgement: All grievances will be acknowledged by telephone or in writing by the grievance body of the institution within 24 hours of receipt and the complainant informed of the approximate timeline for addressing the complaint, if it can't be addressed immediately.

Screen: The complaint will be forwarded to the grievance officer that is responsible for ensuring that the grievance is allocated to the appropriate officers within the project for resolution. This will take 3 days.

Investigate: The grievance officer and the relevant officer related to each grievance will carry out initial investigations within 6 days. This investigation will include but not be limited to meetings with the aggrieved parties, site visits, consultations with relevant government authorities, meetings/interviews with the project staff and collection of any relevant documentation and forms of evidence. The outcome of the investigation should be communicated to the aggrieved.

Resolution: The resolution at the first tier should normally be completed within 15 working days of receipt of the grievance and notified to the concerned party. If the grievance is not resolved within this period, it can be referred to the next level of the Grievance Redressal system. However, once it is determined that progress is being made towards a resolution, the grievance will be retained at this first level. The complainant will be informed of this decision and an estimated time for the resolution of the matter will be given either verbally or in writing. If the issue cannot be resolved within 25 working days, it will be transferred to the next level.

Once a resolution has been agreed and accepted, the complainant's acceptance will be obtained. If the proposed resolution is not accepted the grievance will be escalated to level 2.

The complainant will receive weekly updates on the progress of resolving the grievance by the grievance officer.

**Second level of Grievance Redress:**

A Grievance Redress Committee (GRC) at sub-county level will be formed comprising of key stakeholders as follows: local chief, county government representative, one women representative, one representative from the persons living with disability, one male community representative, two representatives from the project affected persons and the deputy county commissioner. The GRC will be called into place when a first-tier resolution is not found, but it could also meet monthly basis to evaluate the performance of the project level GRM.

This committee will be chaired by the deputy county commissioner. The implementing partner ministries/agencies will assign representatives to the GRC. The functions of the GRC are as follows:

a. provide relief and support to the affected persons in a timely manner;
b. prioritize grievances and resolve them at the earliest reasonable time;
c. provide information to PIU on serious cases at the earliest plausible time;
d. coordinate the process of the affected persons getting proper and timely information on the solution worked out for his/her grievance;
e. study the normally occurring grievances and advise the PIU as to their scale and scope.

The project coordinator at the PIU will coordinate the convening of the meetings of the GRC. He/She is also responsible for briefing the GRC on the deliberations of the first level of Redressal. The GRC will hold the necessary meetings with the affected party/complainant and the concerned officers and attempt to find a solution acceptable at all levels. GRC will record the minutes of the meeting.

The decisions of the GRC will be communicated to the complainant formally and if she/he accepts the resolutions, the complainant's acceptance will be obtained. If the complainant does not accept the solution offered by the GRC, then the complaint is passed on to the next level/or the complainant can activate the next level. It is expected that the complaint will be resolved at this level within 30 working days of receipt of the original complaint. However, if both parties agree that meaningful progress is being made to resolve the matter may be retained at this level for a maximum of 60 working days.

**Third Level of Grievance Redress:**

Failure to resolve the complaint at the 2nd level will require a mediation by a group or an individual mediator agreed to by both parties. The mediation group will consist of the Project Coordinator at the PIU Level, the County Commissioner, a representative from the Kenya Human Rights Commission, a representative from the Commissioner of Administrative Justice (Ombudsman). The mediation group will be convened on an as-needed basis. The officer in-charge of grievance redress at the PIU will trigger the resolution process at this level. It is expected that the complaint is resolved within Ten (10) working days upon the receipt of complaint. The decision rendered in the mediation shall constitute final resolution of the dispute at this level.

**Fourth Level of Grievance Redress:**

If the affected party/complainant does not agree with the resolution at the 3rd level, or there is a time delay of more than 60 working days in resolving the issue, the complainant can opt to consider taking it to the fourth level. This level involves the complainant taking legal recourse within the local courts.

However, the complainants have the right to take matters to courts of law any time they choose.

### 8.3 Sexual Exploitation and Abuse/Sexual Harassment (SEA/SH) Related Grievance Redress Mechanism

When SEA/SH related complaint is received at the first or second tier of GRM, the complaint should be kept confidential by the person/persons receiving the complaint. The complaint should be reported to the SEA/SH officer/expert under each contract and immediate actions should be taken that is consistent with the wishes and choices, rights and dignity of the complainant. The complainant should be given information in simple and clear terms on the steps for filing complaints and the possible outcomes, the timelines and the types of supports available to be able to make informed decision.

For SEA/SH cases, it is important to ensure that access to the complaints processes is as easy and as safe as possible for the complainant survivor. The recording of incidence should be limited to the nature of complaint put exactly in the words of the complainant, the age of the survivor and if to the best of their knowledge, the perpetrator was associated with the project.

The complainant should decide on whether they would like to be referred to the grievance committee and the complainant should give consent to share basic monitoring data.

Safety & Well-Being: The safety of the survivor shall be ensured at all times including during reporting, investigation, and the provision of victim assistance. Those involved in the management of complaints will need to consider potential dangers and risks to all parties and streamline ways to prevent additional harm in all the complaint handling process.

The survivor is never to blame for reporting an act of SEA/SH and should never be made to feel investigated. On the contrary, it is important that she/he feels that her story is heard, believed and valued. The actions and responses of the complaint mechanism will be guided by respect for the choices, needs, rights, and the dignity of the survivor.

Confidentiality: The confidentiality of complainants, survivors, and other relevant parties must be respected at all times. All SEA/SH-related information must be kept confidential, identities must be protected, and the personal information on survivors should be collected and shared only with the informed consent of the person concerned and on a strict need-to-know basis.

Survivor-Centered Approach: All prevention and response actions will need to balance the respect for due process with the requirements of a survivor-centered approach in which the survivor's choices, needs, safety, and wellbeing remain at the center in all matters and procedures. As such, all actions taken should be guided by respect for choices, needs, rights and dignity of the survivor, whose agency and resilience must be fostered through the complaint process.

Accessibility and non-discrimination: The mechanism must be accessible to all potential complainants and sufficient information must be given on how to access them, making the

complaints process accessible to the largest possible number of people. This includes identifying and instituting various entry points that are both gender and context sensitive. To facilitate incidents reporting and avoid stigmatization, reports from third parties (witnesses, people suspicious or aware of an incident, etc.) must also follow accountability protocols.

The SEA/SH assessment and action plan will provide the guidance for the SEA/SH referral pathway under the project.

### 8.4 Building Grievance Redress Mechanism Awareness

In compliance with the World Bank's ESS10 requirement, a specific grievance mechanism will be set-up for the project. Dedicated communication materials (GRM pamphlets, posters) will be created to help local residents and communities familiarize themselves with the grievance redress channels and procedures. A GRM guidebook/manual will also be developed, and suggestion boxes installed in each affected villages and government offices. In order to capture and track grievances received under the project, a dedicated GRM focal person within MICDE and ICTA.

GRM committees at subcounty level will benefit from training on how to receive, respond to, address and close grievances in line with best international practices. Internal GRM training will also take place for MICDE, ICTA, supervising engineers and contractor staff. The MICDE and ICTA website will include clear information on how feedback, questions, comments, concerns and grievances can be submitted by any stakeholder and will include the possibility to submit grievances electronically. It will also provide information on the way the GRM committee works, both in terms of process and deadlines.

The GRM will also be published on the MICDE and ICTA website and those of the implementing partners and the project website or Facebook page if there is one. A project notice board will be erected on the sites of sub-projects indicating the existence of the mechanism and a toll free phone number, email and address for further information. The GRM will be translated into local languages if needed.

The GRM guidebook will be available broadly within the project area and stakeholders and provided in local languages where project will be implemented.

### 8.5 Recommended Grievance Redress Time Frame

Table 11 below presents the recommended time frames for addressing grievance or disputes related to project activities. It is anticipated that resettlement/compensation disputes could be resolved at the community or regional levels.

**Table 11 : Proposed GRM Time Frame At All Levels**

| Step | Process | Time frame |
|---|---|---|
| | 1st Level | |
| 1 | Receive and register grievances | within 24 hours |
| 2 | Acknowledge | within 24 hours |
| 3 | Assess grievance | within 2 days |
| 4 | Assign responsibility | within 2 days |

| | | |
|---|---|---|
| 5 | Investigations | Within 6 days |
| 5 | Development of response | within 15 days |
| 6 | Implementation of response in agreement is reached | within 21 days |
| 7 | Close grievance | within 30 days |
| 8 | Referral of Grievance to Level 2 to the grievance committee | Within 2 days |
| 9 | Meeting of the grievance committee and development of the response from the grievance committee | within 30 days |
| 10 | Implement review recommendation and close grievance | within 30 days |
| 11 | Referral of Grievance Mediation | Within 2 days |
| 10 | Mediation | within 10 days |
| 11 | Court process | As per country systems |

### 8.6 Grievance Documentation and Reporting

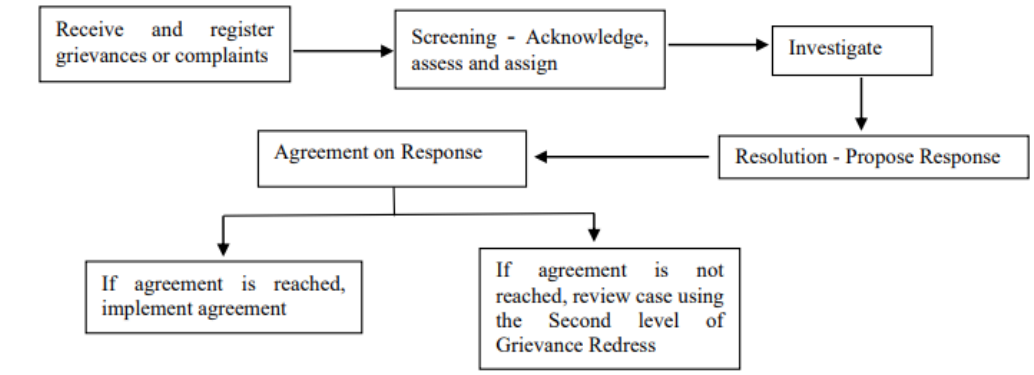
Resolved and escalated grievances/cases would be documented daily into the centralized GRM system by the assigned grievance managers at the PIU. The Environmental and Social Safeguards Specialist would exercise oversight over the system and track the resolution of all grievances/cases. Monthly case/grievance reports will be generated from the system by the Environmental and Social Safeguards Specialist at the PIU and report to the Project Coordinator to inform management decisions.

Quarterly reports will also be generated and reported to the MICDE as part of the Project's Progress Reporting to the World Bank. Periodic reports will also be generated within a reasonable time frame for stakeholders upon request irrespective of the period (e.g. bi-annual, annual etc.).

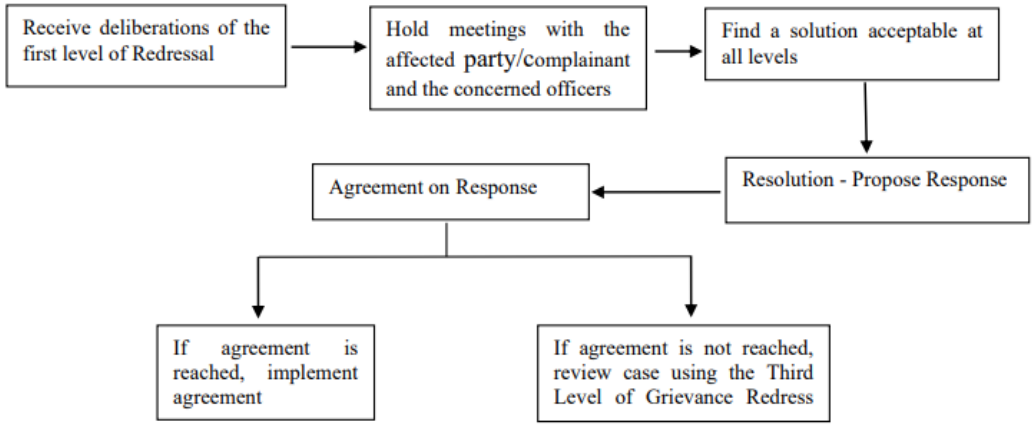
The following indicators could be used as monitoring purposes:

- number of active project complaints and appeals recorded and reported in each institution
- 90 percent of grievance redressed claims settled within the specified period
- 10 percent of unresolved complaints or disputes during the monitoring period
- comments received by government authorities, women & youth, family, community leaders and other parties and passed to the Project.

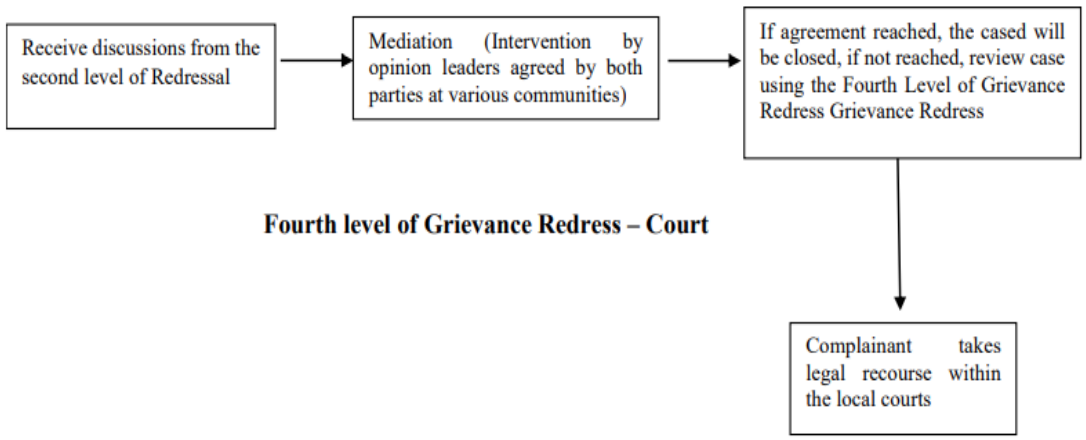
**First Level of Grievance Redress – PIU, MIEDC and Implementing Partners**




**Second level of Grievance Redress - Grievance Redressal Committee**




**Third level of Grievance Redress - Mediation**




**Fourth level of Grievance Redress – Court**




**Figure 1 : Grievance Redress Mechanism Structure**

## 9 Monitoring And Reporting

Mid-year and annual progress reports on project activities will be available at the ICTA offices. The SEP monitoring, which will build on the overall project Monitoring and Evaluation (M&E) arrangement, will focus on the overall implementation quality of the stakeholder engagement. The following indicators to assess the quality of the SEP implementation will be finalized and agreed by ICTA. The Project Operational Manual (POM) will reflect these indicators as part of the overall project's M&E indicators.

An independent M&E team may be deployed to assist with the overall monitoring of the SEP, particularly to assess the implementation of stakeholder engagement under the project. The M&E team should carry out their role independently.

**Table 12 : Monitoring of SEP Performance**

| Key elements | Timeframe | Methods | Responsibilities |
|---|---|---|---|
| Stakeholders' access to project information and consultations | Periodic (during project preparation and maintained throughout project implementation) | Interviews, observations, survey | MICDE and ICTA with support from an independent M&E team |
| Project beneficiaries' awareness of project activities, their entitlements and responsibilities | Periodic (during project implementation) | Interviews, observations, survey | MICDE and ICTA with support from an independent M&E team |
| Acceptability and appropriateness of consultation and engagement approaches | Periodic (during project implementation) | Interviews, observations, survey, score-card as relevant | MICDE and ICTA with support from an independent M&E team |
| Community facilitators' engagement with target beneficiaries | Periodic (during project implementation) | Interviews, observations, survey, score-card as relevant | MICDE and ICTA with support from an independent M&E team |
| Public awareness of GRM channels and their reliability | Periodic (during project implementation) | Spot checks, interviews, observations | MICDE and ICTA with support from an independent M&E team |
| Accessibility and readability of public information dissemination materials | Periodic (during project implementation) | Spot checks, interviews, desk-review | MICDE and ICTA with support from an independent M&E team |
| Tones in social media and broader public perceptions (including NGOs/CSOs) | Periodic (during project implementation) | Social media monitoring, interviews, observations | MICDE and ICTA with support from an independent M&E team |
| Rate of grievances and complaints (reported and unreported) | Periodic (during project implementation) | Desk review, interviews, survey | MICDE and ICTA with support from an independent M&E team |
| Categories and trend of grievances | Periodic (during project implementation) | Desk review, interviews, survey | MICDE and ICTA with support from an independent M&E team |

## Annex 1

**KDEAP Safeguard Instruments Stakeholder Consultative Workshop - 15th December 2022**

| No. | Name | Organization |
|---|---|---|
| 1 | Ambaya John | Environmental Consultant |
| 2 | Arnold Muchiri | Embu County |
| 3 | Basele Stephen | Marsabit County |
| 4 | Ben Kosgei | Elgeyo Marakwet County |
| 5 | Benard Kinyua | Nyandarua County |
| 6 | Benard Matu | Laikipia County |
| 7 | Collins Taipau | Kajiado County |
| 8 | Elvis O  Otieno | Kisumu County |
| 9 | Emilio M. Kathuri | Embu County |
| 10 | Emmanuel Athoo | Homa Bay County |
| 11 | Ephantus Maina | DOSHS |
| 12 | Eric Kimutai | ICTA |
| 13 | Evalyne Oloo | World Bank Group |
| 14 | Felix Muriuki | Kiambu County |
| 15 | Frankline Limo | Nandi County |
| 16 | Gibran Mwadime | Taita Taveta County |
| 17 | Gideon Tirok | Baringo County |
| 18 | Isaac Ereyae | Turkana County |
| 19 | Jacqueline Macharia | ICTA |
| 20 | James Gatuna | Muranga County |
| 21 | James Koech | ICTA |
| 22 | James Mukoma | Garissa County |
| 23 | Josa Garote | Wajir County |
| 24 | Linus Nairimo | Narok County |
| 25 | Lovinter Onyango | Homa Bay County |
| 26 | Luther Odongo Olonde | ICTA |
| 27 | Martha Nadupoi | Narok County |
| 28 | Martin Lottee | West Pokot County |
| 29 | Mary W Kamande | Nyandarua |
| 30 | Mathew Chemwei | ICTA |
| 31 | Maurine Limashap | Baringo County |
| 32 | Migot Nicholas | Kisumu County |
| 33 | Millah Were | ICTA |
| 34 | Mohabed Shahid | Wajir County |
| 35 | Moses Maina | ICTA |
| 36 | Okimain Thomas | Samburu County |
| 37 | Oliver Pyoko | ICTA |

| | | |
|---|---|---|
| 38 | Patrick Masika | ICTA |
| 39 | Paul Mwero | Kwale County |
| 40 | Paul Rono | Baringo County |
| 41 | Penina Sarisar | Narok County |
| 42 | Philip Irode | ICTA |
| 43 | Robert Kivutha | Machakos County |
| 44 | Rotich Kamatia | West Pokot County |
| 45 | Saitoti Ntiyani | Narok County |
| 46 | Sammy Unyasi | Siaya County |
| 47 | Tim Kelly | World Bank Group |
| 48 | Titus Kimaiyo | Uasin Gishu County |
| 49 | Vainusa Yussuf | Mandera County |
| 50 | Rael Awuor | ICTA |
| 51 | Scholastica Kamanthe Mutuku | ICTA |
| 52 | Daniel Kilonzo Mutinda | ICTA |
| 53 | Moses Kijugu | ICTA |
| 54 | Dan Kimutai | ICTA |
| 55 | Rachael Keteko | Kajiado County |
| 56 | Truphena Ogonda | Nairobi County |
| 57 | Elly Wafula | Garissa County |
| 58 | Umuro O. Hassan | Isiolo County |
| 59 | Anthony Kuria | Muranga County |
| 60 | Sammy Linus | Laikipia County |
| 61 | Charles Muiruri | Laikipia County |
| 62 | Thomas Odhiambo | ICTA |

| **No.** | **Name** | **Organization** |
|---|---|---|
| 1 | James Mukoma | Garissa County |
| 2 | Patrick Masika | ICTA |
| 3 | Maurine Limashap | Baringo County |
| 4 | Ephantus Maina | DOSHS |
| 5 | Ambaya John | Environmental Consultant |
| 6 | Tim Kelly | World Bank Group |
| 7 | Evalyne Oloo | World Bank Group |
| 8 | Vincent Kaweru | ICTA |
| 9 | Martha Nadupoi | Narok County |
| 10 | Penina Sarisar | Narok County |
| 11 | Gibran Mwadime | Taita Taveta County |
| 12 | Linus Nairimo | Narok County |

| | | |
|---|---|---|
| 13 | Ben Kosgei | Elgeyo Marakwet County |
| 14 | Josa Garote | Wajir County |
| 15 | James Wafula | ICTA |
| 16 | Emmanuel Athoo | Homa Bay County |
| 17 | Emilio M. Kathuri | Embu County |
| 18 | Okimain Thomas | Samburu County |
| 19 | Anthony Wamalwa | KETRACO |
| 20 | Jacqueline Macharia | ICTA |
| 21 | Isaac Ereyae | Turkana County |
| 22 | Paul Mwero | Kwale County |
| 23 | Mary W Kamande | Nyandarua |
| 24 | Saitoti Ntiyani | Narok County |
| 25 | Sammy Unyasi | Siaya County |
| 26 | Rotich Kamatia | West Pokot County |
| 27 | Martin Lottee | West Pokot County |
| 28 | Victor Ouya | Migori County |
| 29 | Mohabed Shahid | Wajir County |
| 30 | Arnold Muchiri | Embu County |
| 31 | Oliver Pyoko | ICTA |
| 32 | Philip Irode | ICTA |
| 33 | Mary Kerema | ICTA |
| 34 | Benard Kinyua | Nyandarua County |
| 35 | Gideon Tirok | Baringo County |
| 36 | Frankline Limo | Nandi County |
| 37 | Titus Kimaiyo | Uasin Gishu County |
| 38 | Monica Kaithiori | Meru County |
| 39 | Benard Matu | Laikipia County |
| 40 | James Gatuna | Muranga County |
| 41 | Diana Nyabuto | ICTA |
| 42 | James Koech | ICTA |
| 43 | Moses Maina | ICTA |
| 44 | Eric Kimutai | ICTA |
| 45 | Felix Muriuki | Kiambu County |
| 46 | Collins Taipau | Kajiado County |
| 46 | Mathew Chemwei | ICTA |
| 47 | Millah Were | ICTA |
| 48 | Anthony Lenaiyara | ICTA |
| 49 | Alex Njihia | ICTA |
| 50 | Ron Henry | ICTA |
| 51 | Lovinter Onyango | Homa Bay County |

| | | |
|---|---|---|
| 52 | Luther Odongo Olonde | ICTA |
| 53 | Vainusa Yussuf | Mandera County |
| 54 | Robert Kivutha | Machakos County |
| 55 | Basele Stephen | Marsabit County |
| 56 | Migot Nicholas | Kisumu County |
| 57 | Elvis O  Otieno | Kisumu County |
| 58 | Paul Rono | Baringo County |

| **No.** | **Name** | **Organization** |
|---|---|---|
| 1 | Otieno Vinicent Odhiambo | Sapashe Group |
| 2 | Tim Kelly | World Bank Group |
| 3 | Tomno Sylas | ICTA |
| 4 | Moses Kijugu | ICTA |
| 5 | James Wafula | ICTA |
| 6 | Ambuya John | World Bank Group Consultant |
| 7 | Salma N. Sheba | World Bank Group Consultant |
| 8 | Vincent Kaweru | ICTA |
| 9 | Koech Jairus | ICTA |
| 10 | Edward Ontita | Consultant |
| 11 | Victor Ngandi | ICTA |
| 12 | Ephantus Maina | DOSHS |
| 13 | Kibet Langat | JKUAT -IP |
| 14 | Patrick Masika | ICTA |
| 15 | Oliver Pyoko | ICTA |
| 16 | Daniel Kiniti | KPLC |
| 17 | Alex Njihia | ICTA |
| 18 | Anthony Wamalwa | KETRACO |
| 19 | Ashush Malhotra | Airtel |
| 20 | Mathew Chemwei | ICTA |
| 21 | Kebay Wang | Huawei |
| 22 | Albert Plung | Airtel |
| 23 | Samel Andati | CA |
| 24 | Kenneth Matiba | Huawei |
| 25 | Philip Irode | ICTA |
| 26 | Sostanis Okoth | ICTA |
| 27 | Benjamin Langa | MIST - Mozambique |
| 28 | Octavio Zefanias | APIEX |
| 29 | Olive J Jerotich | JTL |
| 30 | Samuel Kiacilo | PCK |

| | | |
|---|---|---|
| 31 | Judah Opuck | KENET |
| 32 | Joyce Komen | Moi University |
| 33 | Andrew Amutalla | ICTA |
| 34 | Pius M Kaua | MICDE |
| 35 | Anthony Kyengo | Safaricom |
| 36 | Jacquiline Macharia | ICTA |
| 37 | Stanely Kamanguya | ICTA |
| 38 | Thomas Odhiambo | ICTA |
| 39 | Karimi Ruria | Safaricom |
| 40 | Evelyne A Oloo | World Bank Group |
| 41 | Daniel Gichumbi | NGEC |
| 42 | Happi Adan | NGEC |
| 43 | Sydney Baraza | NGEC |
| 44 | Stephen Wachira | KeNHA |
| 45 | Eng. Joseph Kivanguli | KURA |
| 46 | Joan Mburu | Airtel |
| 46 | Philip Ogola | Distil (Media) |
| 47 | Millah Were | ICTA |

**Annex 2.1 - Grievance Information Form**

| | | |
|---|---|---|
| Date/Time received: | Date: (dd-mm-yyyy) Grievance ID #:<br><br>Time: | |
| Name of Grievant: | | □ You can use my name, but do not use it in public.<br>□ You can use my name when talking about this concern in public.<br>□ You cannot use my name at all. |
| Company (if applicable) | | □ You can use my company name, but do not use it in public.<br>□ You can use my company name when talking about this concern in public.<br>□ You cannot use my company name at all |
| Contact Information | Phone:<br>Email address:<br><br>Address:<br><br>Location:<br><br>(Kindly indicate the preferred language and method of communication) | |
| Status of Occurrence | □ One-time incident/complaint<br>□ Happened more than once (indicate how many times): _____<br>□ Ongoing (a currently existing problem) | |
| Description of the grievance | | |

_____ _____

Grievant/Complainant Signature (if applicable) Date (dd-mm-yyyy)

_____ _____

Project personnel Signature (to confirm receipt only) Date (dd-mm-yyyy)

For PIU use only:

Grievance No: _____

Grievance Category:

□ Problems during material transport

□ Smell

□ Blocked road access

□ Problem with project staff

□ Dust

□ Other (specify): _____

□ Noise Grievance

Owner/ Department: _____

Grievant/Complainant Signature (if applicable): _____

**Grievance Acknowledgement Form**

The project acknowledges receipt of your complaint and will contact you within 10working days.

| | |
|---|---|
| Grievance ID #:<br><br>Date of grievance/complaint:<br><br>(dd/mm/yyyy) | |
| Name of Grievant/Complainant: | |
| Complainant's Address and Contact Information: | |
| Category of grievance (access, discrimination, compensation, traffic, GBV/SEA, security, etc.) | |
| Summary of Grievance/Complaint: (Who, what, when, where) | |
| Name of Project Staff<br><br>Acknowledging Grievance: | |
| Signature: | |
| Date: (dd/mm/yyyy) | |

**Annex 2.2 - Grievance Redressal Registration Monitoring Form**

| No. | Grievance ID #. | Name of Grievant/ Complainant | Date Received | Grievance Description | Action(s) to be taken | Responsible Unit | Due Date | Result(s) of Intervention | Closing Date of Complaint |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |

**Annex 2.3 Grievance Closure Form**

| | |
|---|---|
| Grievance ID #: | |
| Name of Grievant/Complainant: | |
| Summary of Complaint: | |
| Summary of Resolution: | |
| Resolved at: | □ First Level<br>□ Second Level<br>□ Third Level<br>□ Forth Level |
| Date of Complaint: Date of grievance resolution<br><br>(dd/mm/yyyy): | |

_____ _____

Grievant/Complainant Signature (if applicable) Date (dd-mm-yyyy)

_____ _____

Project personnel Signature (to confirm receipt only) Date (dd-mm-yyyy)