

REPUBLIC OF GHANA



**GHANA SECONDARY EDUCATION IMPROVEMENT PROJECT (GSEIP)  
ADDITIONAL FINANCING**

**RESETTLEMENT POLICY FRAMEWORK (AF-RPF)**

**MAY 12, 2017**

## CONTENTS

<b>1</b>	<b>INTRODUCTION AND BACKGROUND</b>	<b>11</b>
<b>2</b>	<b>DESCRIPTION AND JUSTIFICATION OF THE PROPOSED PROJECT</b>	<b>13</b>
<b>3</b>	<b>COUNTRY LEGAL AND INSTITUTIONAL GUIDELINES AND REQUIREMENTS</b>	<b>17</b>
3.1	Resettlement/Compensation Policy in Ghana	17
3.2	Land and Property laws in Ghana	17
3.3	Overview of Land Ownership in Ghana	21
3.4	Customary Ownership	21
3.5	Local Government Act, 1994, Act 480	23
<b>4</b>	<b>WORLD BANK SAFEGUARD POLICIES</b>	<b>23</b>
<b>5</b>	<b>SOCIO-ECONOMIC CHARACTERISTICS</b>	<i>Error! Bookmark not defined.</i>
<b>6</b>	<b>DESCRIPTION OF ELIGIBILITY CRITERIA</b>	<b>26</b>
6.1	Lands Policy and World Bank OP 4.12	26
6.2	Eligibility	26
6.3	Redress	26
<b>7</b>	<b>VALUATION OF AFFECTED ASSETS</b>	<b>28</b>
7.1	Valuation Methodology	28
7.2	Valuing Entitlement	28
7.3	Procedures for Delivery of Entitlements	28
<b>8</b>	<b>RESETTLEMENT ENTITLEMENT POLICY</b>	<b>30</b>
8.1	Legal Basis for Resettlement Entitlement	30
8.2	Entitlements Relating to Various Categories of Impacts	30
8.3	Compensation Process	30
<b>9</b>	<b>ARRANGEMENTS AND PROCEDURES FOR DELIVERY OF ENTITLEMENTS</b>	<b>34</b>
9.1	Institutional Arrangements/Responsibilities	34
9.2	Internal Compliance Monitoring	37
9.3	Trainings and Capacity Building	37
9.4	Community & Participatory Consultation	<i>Error! Bookmark not defined.</i>
<b>10</b>	<b>IMPLEMENTATION AND MONITORING ARRANGEMENTS</b>	<b>41</b>
10.1	Implementation Schedule	41
10.2	Grievance Redress Mechanisms	41
10.3	Budget and Source of Funding	43
10.4	Resettlement Cost Estimates and Budget	44

<b>11</b>	<b>MONITORING AND EVALUATION</b>	<b>44</b>
	<i>Annex 1: MoE Site Verification Checklist used for Screening</i>	<b>47</b>
	<i>Annex 2: RAP Outline</i>	<b>48</b>
	<i>Annex 3: Socioeconomic and Environmental Characteristics in the Education Sector</i>	<b>39</b>
	<i>Annex 4. Sample of Land Acquisition Documents</i>	<b>48</b>

## **Executive Summary**

### ***Background***

The Government of Ghana's Education Sector Plan (ESP) covering 2010-2020, aims to "increase equitable access to high quality second cycle education that prepares young adults for the various options available within tertiary education and the workplace." The Government strategy aims to rapidly expand both access and quality making it gradually universal and also progressively free. Among other plans, the Government intends to expand SHS facilities through new construction and rehabilitation above and beyond recent investments into the SHS infrastructure.

The Secondary Education Improvement Project (SEIP) was approved by the World Bank Board on May 20, 2014, signed on July 30, 2014 and declared effective on October 3, 2014 with an original closing date of November 30, 2019. The project has two components:

Component 1 -- Support to Increase Access with Equity and Quality in Senior high Schools and,

Component 2 – Management, Research and Monitoring and Evaluation.

Component 1 used a results-based financing approach (including disbursement-linked indicators) and has two pillars (or results areas) Pillar 1 (results area 1) focuses on expanding senior secondary places through the construction of approximately 23 new senior high schools (SHS) in underserved districts; rehabilitating and expanding existing low performing SHSs and supporting attainment of disadvantaged students (e.g., through scholarships to students from low income families, especially girls). Pillar 2 (results area 2) focuses on improving the quality of education in selected low-performing SHS through: (i) strengthened school management and accountability; (ii) improved mathematics and science teaching and learning; (iii) expanded information and communication technology (ICT) and internet connectivity in schools; and (iv) the introduction of school performance partnerships. Component 2 finances technical assistance, management, research and monitoring and evaluation for effective project implementation and uses a traditional investment approach (i.e., IPF).

The original SEIP supports senior secondary education in Ghana, through a five-year Investment Project Financing (IPF) using a results-based approach. The project development objective is to increase access to upper secondary education in underserved school districts and improve quality in low-performing senior high schools in Ghana. The SEIP also finances results of the Government's program to expand space through the construction of new senior secondary schools in underserved areas, rehabilitation and expansion of existing low performing schools and through support for SHS attainment of disadvantaged students. The Government plans include expansion and rehabilitation of existing infrastructure in selected senior high schools. The ultimate objective is to create additional spaces for those demanding seats in SHS and to fill these spaces with new students coming from previously underserved communities. In addition to new schools, this component would focus on improving existing SHS, particularly those with capacity for expansion, meeting criteria of school age population not attending SHS, and poverty criteria in addition to a needs assessment which will determine level of deficiency (bathrooms, science labs, computer facilities, etc.). This pillar will improve the government's targeting of resources to support increased access by further supporting scholarship and other demand side investment to encourage girls' attendance and poorer students.

### ***Need for RPF***

The implementation of Component 1 will involve civil works that includes the construction of classroom blocks, toilet facilities, libraries and science laboratories, and the rehabilitation of existing facilities. This may lead to potential land acquisition, re-location, and/or restriction of access to sources of livelihoods

and thus the need for this RPF. The RPF was originally prepared and disclosed on the Ghana EPA website, as well on the World Bank's website for the parent project.

In the course of the implementation of the parent project, a Resettlement Action Plan (RAP) was prepared that guided the management of involuntary displacement and compensation issues in six (6) beneficiary communities.

In 2017, the Government of Ghana has request Additional Financing for the Secondary Education Improvement Project. To this end, The RPF is being updated for the SEIP Additional Financing in accordance with OP 4.12 (Involuntary Resettlement) in order to provide appropriate guidance on resettlement and compensation should the occasion arise during the implementation of SEIP-AF sub-project activities. Thus, this updated Resettlement Policy Framework (RPF) serves as the required practical tool (e.g. screening checklist) to guide the preparation of Resettlement Action Plans (RAPs) for sub-projects during the implementation of the Additional Financing. It is vital to note that for each sub-project supported under the Project that involves land acquisition or relocation of people, a separate Resettlement Action Plan (RAP) satisfactory to the Bank is required prior to signing a work order.

It is imperative under these considerations to have a RPF which provides guiding principles and outlines procedures for managing issues of involuntary resettlement and compensation as they come up. The SEIP AF RPF provides:

- Screening checklist for site selection under the project;
- Legal framework for compulsory land acquisition in Ghana,
- Valuation of affected assets,
- The eligibility criteria for receiving entitlements to compensation, and
- Institutional structure that assigns responsibility for various activities within the framework.

The land ownership system in Ghana is governed by a complex operation of customary, statute, and common law resulting in a rather uniquely complicated land ownership structure. There are three principal land ownership patterns in Ghana namely:

- Customary-owned;
- State-owned;
- Customary-owned but state-managed lands also known as vested lands.

Vested lands are lands owned by a Stool but managed by the state on behalf of the land-owning Stool. Under such ownership, the legal rights to sell, lease, manage, and collect rent is taken away from the customary landowners by the application of specific law to that land and vested in the state. The landowners retain the equitable interest in the land (i.e., the right to enjoy the benefits from the land). This category of land is managed in the same way as state lands. Unlike state lands, however, the boundaries are not cadastral surveyed and they are usually larger in size, covering wide areas. Vested lands are often the lands used for social infrastructure, such as the secondary schools to be supported under the project.

The SEIP-AF will support the upgrading and expansion of facilities in existing low performing senior high schools in some 75 yet-to-be selected districts. The beneficiary districts will be determined based on agreed targeting criteria for school performance, absorption capacity, population demand, and poverty indicators. In selecting the beneficiary schools, the MoE has requested that the schools select suitable and unencumbered lands on the school compounds so as to avoid any displacement No site under any form of contention is to be offered for the project. It is also noteworthy that all construction will be on

existing school lands, and no new lands will be acquired under the SEIP-AF. Site verification and screening visits will be conducted in June 2017 to confirm the status of these offered sites and confirm their suitability for the project. The Terms of Reference for the site visits and the checklists include proximity to compatible adjoining school facilities, proximity to incompatible activities outside the school boundaries, such as a highway, a market or a milling machine, etc.,. The site screening criteria incorporated under SEIP are designed to optimize the utility of the new facilities by avoiding conflict with adjoining facilities and with the external environment. If any offered site is encountered in the screening, the School Head would be required to present an alternative site. That failing, the beneficiary school will be substituted with another school with a better suited site.

In the event that any sub-project under the SEIP AF will lead to displacement, a resettlement Action Plan acceptable to the World Bank would be prepared, consulted upon, disclosed (in country and on the Bank's external website) and implemented before the commencement of civil works.

### ***Grievance Redress Mechanism***

Under the original RPF, a Grievance Redress Mechanism was installed to register resettlement/compensation related grievances and disputes at all levels. The receipt of complaints will include its logging and registration, to help with monitoring the status of the grievances and ease reporting on them. This had to be updated and modified due to non-patronage. Ultimately, a revised and updated mechanism was set up that involved the publishing of telephone numbers that terminate at the Client Services Unit (CSU) of the Ghana Education Service. The GES-CSU would document the name of the complainant, date, time and nature of the complaint and a call back number, and forwarded to the Safeguards Coordinator of the MOE, who would have it transcribed on a Grievance and Redress Form (see Annex 4), and the necessary action taken. This updated mechanism will be utilized under the SEIP-AF RPF. Grievances will be tracked with the use of a grievance redress form. Section 6(4) of the State Lands Act 1963 stipulates that where any person is dissatisfied with the amount of compensation assessed by the Minister, the matter may be referred by the Minister to a tribunal established in accordance with the following:

The tribunal shall consist of three persons appointed by the president, following consultation with the chief justice, and one of those persons shall be a judge of the high court who shall be the chairman of the tribunal.

### ***RPF Coordination and Implementation***

A Project Steering Committee comprising the Ministry of Education, the Ghana Education Service and the Ministry of Finance will provide oversight on the project's implementation activities. The PSC will meet to provide guidance and to help resolve key implementation bottlenecks.

The implementing agency will be the Ministry of Education in close collaboration with the Ghana Education Service. The MOE will be responsible for the project's coordination, procurement and contract management, financial management, and oversight of environmental and social due diligence.

The Safeguards unit in the MOE implementing agency will be responsible for implementing the RPF and subsequent Resettlement Action Plans while the M&E unit in Ministry of Education and the Ghana Education Service will be responsible for all sector level monitoring and evaluation under the SEIP. The Ministry of Education (MOE) is responsible for policy formulation, programming, coordination and monitoring and evaluation in the education sector. At the head of the MOE is the Chief Director who leads the technical team and reports to the Minister for Education.

Overall, the Ministry of Education will be responsible for Component 1 of the SEIP AF specifically programming, coordinating and supervising with the assistance of relevant units, the expansion of senior secondary schools in order to increase access with equity in upper secondary education in underserved districts. The responsibility of the MOE will include: (i) coordination and support of all implementing departments of the SEIP; (ii) reporting on progress against the indicators and DLIs, EEP and TA; (iii) ensuring timely and comprehensive reporting of results for disbursements; including Withdrawal Applications; (iv) ensuring that Bank fiduciary (financial reporting, procurement) and safeguard regulations and requirements are followed; (v) ensuring timely communication to all stakeholders on the SEIP progress; and (vi) managing and coordinating the Technical Assistance component with relevant departments.

The Regional and District Directorates for Education will be responsible for supervising all senior secondary school related interventions with respect to senior secondary institutional heads and will monitor the activities of senior secondary schools in their districts and regions. The Ghana Education Service will oversee all activities including, institutional leadership training, preparation of school partnership for quality plans, resourcing of schools for quality improvement, improvement of mathematics and science teaching, ICT interventions and monitoring and evaluation.

### ***Consultation Review and Disclosure***

For the parent SEIP RPF, extensive public consultations and stakeholder meetings were held, including engagements in all the participating regions and communities. Further consultations were held in the course of preparing a Resettlement Action Plan (RAP), including Consultation under the AF RPF will build on the previous consultations, and continue throughout project implementation. Details of consulted stakeholders, the dates of consultations, concerns of stakeholders and the response of RPF/RAMP 2 to these concerns are presented in Table 8.1.

The updated RPF will be re-disclosed in country to the general public for review and comment at designated locations in the participating regions and in the World Bank's external Website. In addition, subsequent site specific Resettlement Action Plans (RAPs) that may be prepared for each sub-project as may be necessary, based on the guidelines and procedures highlighted in this RPF are also to be disclosed in in country and on the Bank's external website.

### ***Monitoring and Evaluation***

The Ministry of Education will have overall responsibility for achieving outcomes and agreed Disbursement Linked Indicators (DLI) under the project and be responsible for implementing the results-based Component 1 of the project. The Ghana Education Service will be responsible for implementing Component 2. The accounting and reporting of expenditures will use country financial management systems within the MOE. The MOE/PBME and GES will be responsible for coordinating and overseeing all M&E activities under the SEIP. The project's M&E framework will build upon established systems and will strengthen the Government's capacity to routinely collect, analyze and verify education data from schools, regional authorities, district education offices and budget offices. The MOE/PBME will be responsible for providing the following: (i) status reports on project implementation by activity, including summary description of outputs and outcomes achieved at the school- and district levels (annually) (ii) status reports on the progress made on all PDO and intermediate-level indicators specified in the RF; (iii) and level of achievement for the various milestones within each DLI; and (iv) consolidated annual progress reports.

***Indicative Budget***

An estimated amount of \$80,400 is budgeted to be used for implementing the AF RPF. This is proposed to cover activities like the hiring of a Social Safeguards Specialist, community consultations, Resettlement Action Plan(s), and RAP Implementation Monitoring.



## ABBREVIATIONS AND ACRONYMS

ACs	Area Councils
AESL	Architectural Engineering Services Limited
AfDB	African Development Bank
BECE	Basic Education Certification Exam
CAGD	Controller and Accountant General Department
CAMFED	Campaign for Female Education
CHASS	Conference of Heads of Assisted Secondary Schools
CSO	Civil Society Organization
DAs	District Assemblies
DFID	Department for International Development
DLIs	Disbursement-linked Indicators
DSSEE	Development of Senior Secondary Education- Education III
ECOWAS	Economic Community of West African States
EEPs	Eligible Expenditure Programs
EMIS	Education Management Information System
ESMF	Environmental and Safeguard Monitoring Framework
ESPR	Education Sector Performance Report
ESP	Education Sector Plan
FPMU	Funds and Procurement Management Unit
GAS	Ghana Audit Service
GDP	Gross Domestic Product
GES	Ghana Education Service
GEU	Girls Education Unit
GETFUND	Ghana Education Trust Fund
GIFMIS	Ghana Integrated and Financial Management Information System
GLSS	Ghana Living Standards Survey
GSGDA	Ghana Shared Growth and Development Agenda
GPEG	Ghana Partnership for Education
ICT	Information and Communication Technology
ICU	Infrastructure Coordination Unit
INTOSAI	
IFRs	Interim Financial Reports
IPSAS	Public Sector Accounting Standards
MDG	Millennium Development Goal
MOE	Ministry of Education
MOF	Ministry of Finance
MTEF	Medium Term Expenditure Framework
NESAR	National Education Sector Annual Review
NITA	National Information Technology Agency
PBME	Planning, Budget, Monitoring and Evaluation
PSC	Project Steering Committee
PTAs	Parent Teachers Associations
PIM	Project Implementation Manual
RBF	Result-Based Financing
RPF	Resettlement Policy Framework
SHS-s	Senior High Schools
STEM	Science and Technology and Math

STEP	Skills Towards Employment and Productivity Survey
SRIMPR	Statistics, Research, Information Management and Public Relations
SPPPs	School Performance Partnership Plans
USAID	United States Agency for International Development
WASSCE	West Africa Senior Secondary Certificate Examination

## 1.0 INTRODUCTION AND BACKGROUND

The Government of Ghana's Education Sector Plan (ESP) covering 2010-2020, aims to "increase equitable access to high quality second cycle education that prepares young adults for the various options available within tertiary education and the workplace." The Government strategy aims to rapidly expand both access and quality making it gradually universal and also progressively free. Among other plans, the Government intends to expand SHS facilities through new construction and rehabilitation above and beyond recent investments into the SHS infrastructure.

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The original SEIP supports senior secondary education in Ghana, through a five-year Investment Project Financing (IPF) using a results-based approach. The project development objective is to increase access to upper secondary education in underserved school districts and improve quality in low-performing senior high schools in Ghana. The SEIP also finances results of the Government's program to expand space through the construction of new senior secondary schools in underserved areas, rehabilitation and expansion of existing low performing schools and through support for SHS attainment of disadvantaged students. The Government plans include expansion and rehabilitation of existing infrastructure in selected senior high schools. The ultimate objective is to create additional spaces for those demanding seats in SHS and to fill these spaces with new students coming from previously underserved communities. In addition to new schools, this component would focus on improving existing SHS, particularly those with capacity for expansion, meeting criteria of school age population not attending SHS, and poverty criteria in addition to a needs assessment which will determine level of deficiency (bathrooms, science labs, computer facilities, etc.). This pillar will improve the government's targeting of resources to support increased access by further supporting scholarship and other demand side investment to encourage girls' attendance and poorer students. The implementation of Component 1 will involve civil works that includes the construction of classroom blocks, toilet facilities, libraries and science laboratories, and the rehabilitation of existing facilities. This may lead to potential land acquisition, re-location, and/or restriction of access to sources of livelihoods and thus the need for this RPF. The RPF was originally prepared and disclosed on the Ghana EPA website, as well on the World Bank's website for the parent project.

In April 2017, the Government of Ghana requested Additional Financing for the Secondary Education Improvement Project. To this end, the original RPF is being updated for the SEIP Additional Financing in accordance with OP 4.12 (Involuntary Resettlement) in order to provide appropriate guidance on

resettlement and compensation should the occasion arise during the implementation of SEIP-AF sub-project activities. Thus, this updated Resettlement Policy Framework (AF RPF) serves as the required practical tool (e.g. screening checklist) to guide the preparation of Resettlement Action Plans (RAPs) for sub-projects during the implementation of the SEIP AF, should the need arise. It is vital to note that all construction works under SEIP AF will be undertaken in existing schools. To this end, significant land take is not anticipated. However, some of the activities under Pillar 1, of Component 1 may lead to land acquisition, re-location, and/or restriction of access to sources of livelihoods. In the event that project sub project will lead to displacement, a separate Resettlement Action Plan (RAP) satisfactory to the Bank will be prepared the Government of Ghana, consulted upon, disclosed and implemented prior to signing a work order, as was done under the parent SEIP.

Pillar 1 entails expansion and rehabilitation works to achieve its objective to increase access to senior secondary education. Additional Financing (AF) for the SEIP has been requested to scale up activities under the project. The additional financing has necessitated an update of the original RPF to guide the implementation of the new scope. This updated SEIP AF Resettlement Policy Framework (SEIP-AF RPF) has been updated from the previous RPF to guide the management of issues of involuntary resettlement during the implementation of the subsequent phase of the Secondary Education Improvement Project (SEIP), being prepared for IDA support of US\$40 million (Forty Million United States dollars). The AF-RPF will provide guidance for the management of issues of involuntary resettlement on the sites where additional school facilities are to be constructed, and will be used by project implementation operatives, districts, institutions, contractors, and other stakeholders including beneficiaries of the senior secondary school rehabilitation and expansion under the project. The AF provides an additional two years' funding and scale up in the number of schools to receive facilities upgrading and quality interventions.

In implementing the SEIP, a Resettlement Policy Framework (RPF) was prepared in 2014 that was approved by the World Bank and Ghana's Environmental Protection Agency (EPA) and disclosed by both institutions on their respective websites. Additional Financing (AF) for the SEIP has been requested to scale up activities under the project. The AF has necessitated an update of the original RPF to guide the implementation of the new scope. This updated SEIP AF Resettlement Policy Framework (SEIP-AF RPF) has been updated from the previous RPF to guide the management of issues of involuntary resettlement during the implementation of the subsequent phase of the Secondary Education Improvement Project (SEIP), being prepared for IDA support of US\$40 million (Forty Million United States Dollars). The AF-RPF will provide guidance for the management of issues of involuntary resettlement on the sites where additional school facilities are to be constructed, and will be used by project implementation operatives, districts, institutions, contractors, and other stakeholders including beneficiaries of the senior secondary school rehabilitation and expansion under the project. The AF provides an additional two years' funding and scale up in the number of schools to receive facilities upgrading and quality interventions.

Seventy-five (75) senior high schools in 75 districts will be selected for expansion and rehabilitation of facilities by the Government, and it is imperative under these considerations to have a RPF which provides guiding principles and outlines procedures for managing issues of involuntary resettlement and compensation as they come up. The SEIP AF RPF provides:

- Screening checklist for site selection under the project;
- Legal framework for compulsory land acquisition in Ghana,
- Valuation of affected assets,
- The eligibility criteria for receiving entitlements to compensation, and
- Institutional structure that assigns responsibility for various activities within the framework.

## 2.0 DESCRIPTION AND JUSTIFICATION OF THE PROPOSED PROJECT

The SEIP-AF would cover the costs associated with scaled-up activities to enhance the impact of a well-performing project. Based on the implementation experience from the original project, this AF would extend project coverage to additional low-performing secondary schools in the SEIP targeted districts to strengthen outcomes for increased equitable access and improved quality of teaching and learning. Funds would also be provided to finance the incremental management and technical assistance activities associated with the expansion and extension of the closing date of the parent project. The AF would help achieve the overall Project Development Objective (PDO) to increase access to senior secondary education in underserved districts and improve quality in low-performing senior high schools in Ghana. As with the original project, the AF would continue to be aligned with the National Education Strategic Plan (2016-2030) and the Bank's Country Partnership Strategy (2013-2018).

Support under the AF focuses on the results based Component 1 and scaling up outcomes related to five out of the six disbursement linked indicators. The results to be supported by the AF include:

- An increase in the number of seats utilized in existing low-performing schools
- Increased enrollment in Senior High Schools (SHS) in targeted districts/schools for students from low-income families, especially girls
- Annual publication of School Performance report/school mapping
- Increased number of School Performance Partnerships
- Improved learning outcomes in selected SHS

In addition, the AF would support activities under Component 2 related to management, research and monitoring and evaluation including:

- Incremental operating costs associated with scale up and extended closing date
- Increased capacity building for school leadership, procurement and financial management
- Independent verification of results
- Research and diagnostic activities to support analysis on education policies

### 2.1 Component 1: Program Support to Increase Access with Equity and Quality in SHS

Component 1 uses a results-based financing (RBF) modality. Disbursements up to a capped absolute amount will be made against specific line items in the Education sector annual budgets, referred to as eligible expenditure programs (EEPs). These disbursements will be conditioned on achievement of specified results, as measured by disbursement-linked indicators (DLIs). A matrix of indicators has been developed to measure performance annually and monitor the results achieved as reflected in the results framework.

Policies and interventions to be supported under the first component of SEIP are grouped into two pillars: (i) increasing access with equity (geographic, gender, poverty, etc.); and (ii) enhancing quality of low performing SHS.

**Pillar 1: Increase Access with Equity:** The objective of this pillar is to improve access to senior secondary education and improve equity in underserved districts and subsidize students especially girls from low income households. This pillar will support and monitor key activities to accomplish these goals through the construction of new schools and the improvement and expansion of existing schools where demand is high and the schools have inadequate facilities to absorb and retain students.

The SEIP is financing results of the Government's ambitious program to expand space through the construction of new senior secondary schools in underserved areas, rehabilitation and expansion of existing low performing schools and through support for SHS attainment of disadvantaged students. In

addition to new schools, this component would focus on improving existing SHS, particularly those with capacity for expansion, meeting criteria of school age population not attending SHS, and low performance criteria in addition to a needs assessment which will determine level of deficiency (bathrooms, science labs, computer facilities, etc.) and scope for upgrading. This pillar will improve the government's targeting of resources to support increased access by further supporting scholarship and other demand side investments to encourage girls' attendance and poorer students.

Given the operation's focus on under-served areas and promoting access with equity, disbursement will be linked to indicators (disbursement linked indicators) that measure increases in seat availability in these targeted locations for new construction. In addition, a second indicator would be used to measure progress of utilization of existing schools where new seats are made available in selected schools. Targeting resources for girls and students from low income families in underserved communities would strengthen equity reforms. Therefore, the release of IDA credit funds will be linked to achievement of the following DLIs: (i) selection based on targeting of school expansion in underserved school districts (DLI1); (ii) increasing new seats for SHS students in underserved school districts (DLI 2); (iii) increasing utilized seats in existing low-performing schools (DLI 3); and (iv) increased enrolment in SHS in targeted districts (for girls and low-income students) (DLI 4).

**Pillar 2: Enhancing quality in low-performing Senior High Schools:** The objective of this pillar is to improve the quality of SHS, with a focus on math and science education in selected low performing schools. The SEIP would also strengthen school management, leadership and expansion of ICT in the selected low-performing schools. The low performing schools typically have inadequate: infrastructure, management, equipment, learning resources and sources of internally generated funding. In order to improve quality, the Project will support the government's program to (i) strengthen school management, leadership and accountability; (ii) target interventions to improve the quality of science and math education; and (iii) introduce School Performance Partnerships based on School Improvement Plans to capture quality improvements. The School Performance partnerships would develop mutual accountability between school management and the MOE to improve learning performance with the commitment from government agencies to provide the necessary resources and the responsibility of schools to implement quality improvement activities with verifiable outcomes. In addition to school-based quality inputs, training and financing, this pillar will support the systematic collection and publication of school data for stakeholders, (i.e., parents, guardians and wards to make better informed decisions about the choice of senior secondary school to attend.

The focus on math and science subjects is aligned with the government strategy to encourage these program areas throughout all education levels. The expansion of ICT wireless connectivity would also allow strengthened science, math and other subject education through digital content for teachers and students. Schools will have access to an education portal where teachers and students can utilize multiple online resources that are expected to support improved teaching and learning. ICT will be used for intensive in-service support to teachers to improve content knowledge as well as lesson plan preparation, teaching and learning aids, and videos on good teaching practices and classroom management. The portal could also serve as a platform for knowledge exchange with national and international networks and for participation in relevant discussion forums. The SEIP will provide connectivity to 200 secondary schools.

As an intermediate result, completion rates in the targeted schools would be expected to increase. A longer term impact would be an increase in student achievement in science and math (as measured by performance in the WASSCE) which is a year 4 DLI. For this pillar, release of IDA credit funds would be linked to the achievement of the following DLIs: (i) annual publication of School Performance Report (DLI 5); (ii) School Performance Partnerships in beneficiary schools (DLI 6); (iii) improved skills in math and

science among teachers and students (DLI 7); and (iv) improved information, communication and technology capacity in selected secondary schools (DLI 8).

## **2.2 Component 2: Management, Research and Monitoring and Evaluation**

This component aims to strengthen the implementation capacity of the Ministry of Education and Ghana Education Service and its related implementing agencies and assist them to achieve the objectives of the Government's SHS strategy. This component will support monitoring and evaluation, coordination, planning, communication, financial management, procurement, and safeguards. In addition, it will support an active and evolving research agenda to continue to inform Government SHS policy, particularly with regard to financing, social targeting, quality initiatives, teacher rationalization, and curriculum relevance. This component would complement implementation of the program pillars with ongoing analyses, strengthening data collection for school mapping, and establish priorities for new construction, renovations and maintenance. The establishment of a web platform for school reporting and real time monitoring of all SHS implementation activities would enhance and strengthen the Education Management Information System (EMIS) and ongoing school mapping in order to help government report on achievement of results. In addition, funding will be provided to support the independent verification of disbursement linked indicators and achievement of results. Support would also be provided to help the MOE to design and realize policy reforms, including piloting and evaluating innovative approaches. This component would finance training, recruitment of short and long-term technical experts, procurement of goods needed for specific activities, and incremental operating costs.

## **2.3 Description of Civil Works**

The project under the AF will be implemented in selected administrative districts as identified by the Ministry of Education using specific selection criteria based on education indicators and poverty data. Most of the planned activities would be located at the district and school level. The Government intends to select seventy-five (75) eligible SHSs to benefit from rehabilitation and upgrading. These schools would fall within districts that have been selected based on meeting certain criteria.

Civil works under the AF are primarily small rehabilitations of existing structures, and will not require the acquisition of land parcels as all sub-projects would be on existing school compounds. A needs assessment would be conducted to indicate sub-projects. The works are likely to include classroom expansion, rehabilitation, construction of toilets, modernization of science and computer labs and other small works within the school compound.

## **2.4 Implementation Arrangements**

A Project Steering Committee comprising the Ministry of Education, the Ghana Education Service and the Ministry of Finance will provide oversight on the project's implementation activities. The PSC will meet to provide guidance and to help resolve key implementation bottlenecks.

The implementing agency will be the Ministry of Education in close collaboration with the Ghana Education Service. The MOE will be responsible for the project's coordination, procurement and contract management, financial management, and oversight of environmental and social due diligence. The M&E unit in Ministry of Education and the Ghana Education Service will be responsible for all sector level monitoring and evaluation under the SEIP. The Ministry of Education (MOE) is responsible for policy formulation, programming, coordination and monitoring and evaluation in the education sector. At the head of the MOE is the Chief Director who leads the technical team and reports to the Minister for Education. The Ministry of Education will be responsible for Component 1 of the SEIP AF specifically programming, coordinating and supervising with the assistance of relevant units, the expansion of



senior secondary schools in order to increase access with equity in upper secondary education in underserved districts. The responsibility of the MOE will include: (i) coordination and support of all implementing departments of the SEIP; (ii) reporting on progress against the indicators and DLIs, EEP and TA; (iii) ensuring timely and comprehensive reporting of results for disbursements; including Withdrawal Applications; (iv) ensuring that Bank fiduciary (financial reporting, procurement) and safeguard regulations and requirements are followed; (v) ensuring timely communication to all stakeholders on the SEIP progress; and (vi) managing and coordinating the Technical Assistance component with relevant departments.

The Regional and District Directorates for Education will be responsible for supervising all senior secondary school related interventions with respect to senior secondary institutional heads and will monitor the activities of senior secondary schools in their districts and regions. The Ghana Education Service will oversee all activities including, institutional leadership training, preparation of school partnership for quality plans, resourcing of schools for quality improvement, improvement of mathematics and science teaching, ICT interventions and monitoring and evaluation.

The Ministry of Education will have overall responsibility for achieving outcomes and agreed Disbursement Linked Indicators (DLI) under the project and be responsible for implementing the results-based Component 1 of the project. The Ghana Education Service will be responsible for implementing Component 2. The accounting and reporting of expenditures will use country financial management systems within the MOE. The MOE/PBME and GES will be responsible for coordinating and overseeing all M&E activities under the SEIP. The project's M&E framework will build upon established systems and will strengthen the Government's capacity to routinely collect, analyze and verify education data from schools, regional authorities, district education offices and budget offices. The MOE/PBME will be responsible for providing the following: (i) status reports on project implementation by activity, including summary description of outputs and outcomes achieved at the school- and district levels (annually) (ii) status reports on the progress made on all PDO and intermediate-level indicators specified in the RF; (iii) and level of achievement for the various milestones within each DLI; and (iv) consolidated annual progress reports.

In selecting the beneficiary schools, the MoE has requested that the schools select suitable and unencumbered lands on the school compounds so as to avoid any displacement. No site under any form of contention is to be offered for the project. It is also noteworthy that all construction will be on existing school lands, and no new lands will be acquired under the SEIP-AF. Site verification and screening visits will be conducted in June 2017 to confirm the status of these offered sites and confirm their suitability for the project. The Terms of Reference for the site visits and the checklists include proximity to compatible adjoining school facilities, proximity to incompatible activities outside the school boundaries, such as a highway, a market or a milling machine, etc.,. The site screening criteria incorporated under SEIP are designed to optimize the utility of the new facilities by avoiding conflict with adjoining facilities and with the external environment. If any offered site is encountered in the screening, the School Head would be required to present an alternative site. That failing, the beneficiary school will be substituted with another school with a better suited site.

In a worst case scenario that an encumbered school land has to be used, properties to be affected by the proposed school construction in the targeted regions and districts should be inspected/referenced or enumerated. Where land or assets need to be valued, this should be contracted out to an independent evaluator to avoid any doubts of under-valuing. The Land Valuation Board, which is the government's statutorily accredited valuation authority, should be involved in the process.



### **3.0 LEGAL AND INSTITUTIONAL FRAMEWORK**

The project is being implemented under the relevant laws of the Government of Ghana, as well as the Operational Guidelines of the World Bank. These have been detailed below.

#### **3.1 Ghanaian Legal Framework**

The various Ghanaian laws and regulations that are applicable under this project are presented and discussed below.

##### **3.1.1 Resettlement/Compensation Policy in Ghana**

This section describes the existing legal, institutional and regulatory framework in Ghana that relates with land administration, land tenure and land use. It also involves the appraisal of different legal instruments regarding government and individual acquisitions, resettlement and compensation policies in Ghana.

It is the policy of the Government of Ghana to pay compensation or offer resettlement assistance to people whose properties, lands, or landed property are affected by projects being undertaken by the government.

The regulatory, policy and legal context for the preparation and implementation of this Resettlement Policy Framework have been reviewed under this section. The RPF is mainly governed by the following:

1. The Constitution of Ghana (1992),
2. The Ghana National Land Policy (1999),
3. Administration of Lands Act, 1962, Act 123
4. The State Lands Act, 1963, Act 125, as amended, and the
5. The Arbitration Act, 1961, Act 38
6. Lands (Statutory Wayleaves) Act 1963, (Act 186).

These laws principally govern the compulsory acquisition of land in Ghana and define the environmental regulatory framework in which the RPF will be implemented.

##### **3.1.2 Land and Property laws in Ghana**

The Constitution provides that everyone has the right to own property, either individually or in conjunction with a group, and that “no person shall be subjected to interference with the privacy of his home, property, correspondence, or communication except in accordance with law and as may be necessary in a free and democratic society for public safety or the economic well-being of the country, for the protection of the rights and freedom to others.” (1992 Constitution, Article 18).

##### **3.1.3 The Constitution of Ghana (1992)**

*The Constitution of Ghana (1992)* upholds the rights of citizens to own property and receive adequate reparation from the state when lands are compulsorily acquired by the state. The Constitution provides for individual property rights, the protection of those rights, and appropriate compensation from the government if it compulsorily acquires a private person’s property. The right to acquire land is governed by enabling legislation and this right is exclusively vested in the President. The, right to so acquire by the state can only be exercised if the “taking of possession or acquisition is necessary in the interest of defense, public safety, public order, public morality, public health, town and country planning or the

development or utilization of property in such a manner as to promote the public benefit” and “the necessity for the acquisition is clearly stated and is such as to provide reasonable justification for causing any hardship that may result to any person who has interest in or right over the property.” (Constitution, Article 20). Again by Article 20(3) the 1992 Constitution requires that where compulsory acquisition or possession of land is effected by the State involves displacement of any inhabitants, the State shall resettle the displaced inhabitants on suitable alternative land with due regard for their economic well-being and social and cultural values. The Constitution grants all people the right of access to the High Court in the event that there is a dispute with regard to his/her right or interest over the land or the amount of compensation being offered.

### **3.1.4 The Ghana National Land Policy (1999)**

The Government of Ghana in 1999 put in place the above policy to serve as a broad framework and policy guidelines for land administration and utilization. The main objective is to provide guidelines aimed at enhancing land management systems, land use, conservation of land resource and enhancing environmental quality. All these are intended to ensure coordinated and orderly use of land, a vital resource, by present and future generations.

Summarily, the policy seeks to give protection to proprietary rights and promote the concept of prompt payment of adequate compensation for compulsorily acquired lands and also create the enabling environment for community participation in sustained land management.

### **3.1.5 Administration of Lands Act, 1962, Act 123**

Act 123 of 1962 was enacted to facilitate the management and administration of stool lands (and other lands). The Act empowers the Minister responsible for lands to manage stool lands in accordance with the provision of the law.

By section 7 of the Act 123 the President of the Republic may by Executive Instrument declare any stool land to be vested in trust and accordingly the state could administer such land as a trustee for the stool involved. In such situation the legal rights to sell, lease, collect rent, litigate and manage generally is taken away from the customary land owners and vested in the state. However, the equitable right in the land, which is right to enjoy the benefits, is retained by the land owner.

Similarly, the Act provides in section 10 that “the President may authorize the occupation and use of any land for any purpose which, in his opinion, is conducive to public welfare or the interest of the state”. It is a requirement that a public notice shall be published in the Gazette giving particulars of the lands to be taken and the use to which it will be put. Persons whose interests are affected by “reasons of disturbance as a result of the authorization” so made are entitled to be paid.

The entitlements are however to be assessed by giving due consideration to the values of the land (and other losses suffered) and the benefits to be derived by the people in the area (by way of the use to which the state is going to put the land).

The difficulty of this law is that the nature of interest taken is not expressed in definite terms. Again stakeholder consultation and community involvement is not highlighted. It must be observed that the state does not normally use this section of the Act and thus occupation of lands is rarely exercised.

### **3.1.6 The State Lands Act, 1962, Act 1125**

This is the principal Law under which private lands could be compulsorily acquired. The Law empowers the President to acquire any land for the public benefit. The Act and its Regulation, (the State Lands Regulation 1962, L1 230) detail out the mechanism and procedure for compulsorily acquiring lands. It is a mandatory requirement that a copy of the instrument of acquisition be served on any person having an interest in or possession such lands or be affixed at a convenient place on the land and be published thrice in a newspaper circulating in the district where the land is situate.

The Act emphasizes the payment of compensation to the victims of acquisition made under the Act. The basis of the said Compensation should be either the market value or Replacement value. Costs of disturbance and incidental expenses or other damage suffered are to be considered in the award of compensation. One critical limitation of the Act is that not much premium has been given to the issue of public involvement in the acquisition process. Community consultations and involvement is therefore not mandatory.

### **3.1.7 The Lands Statutory Wayleaves Act, 1963, Act 186**

The Lands Statutory Wayleaves Act 1963, Act 186 was enacted to facilitate the entry on any land for the purposes of construction, installation and maintenance of public utility works and creation of right of ways and other similar right for such works.

The Act and its accompanying Regulation, the Lands Statutory Wayleave Regulation 1964 (LI 334) provides the modalities and procedures for the acquisition of the statutory right of ways. Thus, the mechanism for entry for survey works and construction has been spelt out in details. The owner/occupier is required to be given formal notification at least one week, about the intent to enter, and at least 24 hours prior to actual entry. The right of way is legally established by the publication of an executive instrument. Losses and damages suffered are to be compensated for in accordance with the states procedure on compensation. Provision has also been made for restoration of affected lands where that is possible. In assessing compensation to be paid, consideration must be given to the increases of land values as a result of the installation or construction of works. A right of appeal by an aggrieved person is also provided for. Clearly the desired issue of community consultation has not been given serious consideration. Again the provision of compensation assessment is unfair; especially the exemption from payment of compensation in cases where the land affected does not exceed twenty (20) percent of the affected persons total land holdings.

*The Land Valuation Division* is responsible for the computation of compensation on the basis of market value in the case of land and replacement value for houses and other properties damaged or destroyed as a result of the acquisition. The *State Lands Act* defines *market value* as the amount the land would sell for on the open market at the time the wayleave is declared, using the principle of willing buyer – willing seller. *Replacement value* is used for compensation if there is no demand or market for the land due to the situation of the land or the purpose for which the land was used when the declaration of intent to acquire the land was made. The replacement value is the amount required for “reasonable reinstatement equivalent to the condition of the land at the date of said declaration”. *Cost of Disturbance* is defined as the reasonable expenses incidental to any necessary change of residence of place of business by any person having a right or interest in the land.

Land-for-land will be provided where appropriate. The State Lands Act 1963 section 6(1) provides that any person whose property is affected by public projects shall be entitled to compensation. The same Act provides avenues for those who are not satisfied with the compensation to seek redress.

The Lands (Statutory Wayleaves) Act, 1963, Act 186 provides for entry on any land for the purpose of the construction, installation, and maintenance of works of public utility, and for the creation of rights of way and other similar rights in respect of such works and for purposes connected with the matters aforesaid. For the creation of statutory wayleaves, it is required under Act 186 that, where the President is of the opinion that it is in the public interest that any right of way or other similar right over any land (“statutory wayleave”) be created in respect of the whole or any part of any of the works specified under section 2(1) of Act 186, subject to the provisions of this Act, by executive instrument (“wayleave instrument”) declare the land specified in the instrument to be subject to such statutory wayleave as specified therein; and on publication of a wayleave instrument and without further assurance the land shall be deemed to be subject to that wayleave which shall, in accordance with the terms of the instrument, ensure to the benefit of the Republic, any statutory corporation specified in the instrument, or the public generally.

A wayleave instrument shall contain the following particulars:

- A description (with measurements) of the land affected by the statutory wayleave together with a plan showing the position of the works constructed thereon;
- Particulars of the person or body for whose benefit the wayleave is to ensure; and
- Such other particulars of the said works as the president think necessary or expedient to include in the instrument.

A copy of every wayleave instrument shall be served on the owner or occupier of the land affected by the statutory wayleave, and if neither the owner nor occupier can be found shall be posted in a conspicuous place on the land and published in a newspaper circulating in the locality. Under section 2(1) a statutory wayleave may be created in respect of any of the following works:

- Any highway; and
- Any other structure or works for the purpose of, or in connection with, any public utility service;
- Any “specified works.”

Under Section 6(1) of the Act, any person who suffers any loss or damage as a result of the carrying out of any survey as a result of installation, construction, inspection, maintenance, replacement, or removal of any specified works that person shall, save in so far as the loss or damage resulted from or arose out of the acts of that person, his servants or agents, and subject to the provisions of this section, be entitled to compensation of an amount assess by the minister in respect of such loss or damage; and in assessing such compensation the minister may take into account in reduction thereof any amount by which the person’s land has increased in value as a result of the installation or construction of the works.

Any claim for compensation under section 6(1) shall be made to the minister in the prescribed form not more than three months (or such longer period as the minister may either generally or in any particular case direct) after the date of declaration made by the president under section 1 of Act 186. Under section 6(3) no person shall be entitled to any compensation for any loss or damage if, in the opinion of the minister:

- The alleged damage is to land, that land has been sufficiently reinstated;
- The alleged loss arises out of the deprivation of the use of any land, the person alleging the loss has been offered other land of equivalent value;
- The alleged damage is to movable property, that property has either been replaced or sufficiently restored; or

- The works constructed do not substantially interfere with the enjoyment of the land.

Where any person is dissatisfied with the amount of compensation assessed by the minister, but in no other case, the matter may be referred by the minister to tribunal. The tribunal shall consist of three persons appointed by the president, following consultation with the chief justice, and one of those persons shall be a judge of the high court who shall be chairman of the tribunal.

### **3.1.8 Overview of Land Ownership in Ghana**

The section provides a brief overview of the land ownership regimes in Ghana. The land ownership system in Ghana is governed by a complex operation of both customary, statute, and common law resulting in a rather uniquely complicated land ownership structure. There are three principal land ownership patterns in Ghana namely:

- Customary-owned;
- State-owned;
- Customary-owned but state-managed lands also known as vested lands.

*The Land Title Registration Law of 1986* recognizes these types of interests in land.

#### **3.1.8.1 Customary Ownership**

Customary ownership occurs where the right to use or to dispose of use-rights over land is governed purely by customary laws of the land-owning community. Customary laws in Ghana vary from one community to another, and the Ghanaian society is made up of various ethnic communities with their varying social structures, customary practices, and norms. These customary laws and norms rest neither on the exercise of brute force, nor on the evidence of rights guaranteed by government statute, but on the fact that they are recognized as legitimate by the community, the rules governing the acquisition and transmission of these rights being usually explicitly and generally known, though not normally recorded in writing (Bower, 1993). Such ownership may occur in any one or a combination of the following ways:

1. Discovery and long uninterrupted settlement;
2. Conquest through war and subsequent settlement;
3. Gift from another land-owning group or traditional overlord; and
4. Purchase from another land-owning group.

Within the customary land-owning system, various schemes of interest with varying quantum of rights exist. The *Allodial Title* is the highest quantum of land rights capable of ownership and it forms the basis of all land rights in Ghana. The *Allodial Title* in land is equivalent to the common law freehold rights. These rights are vested either in a Stool, a clan, a family, an earth priest, or a private individual person.

Other lesser interests such as usufructuary interest, tenancies, licenses, and pledges emanates from the *Allodial Title*. In Ghana customary lands are managed by a custodian (a chief or a head of family) together with a council of principal elders appointed in accordance with the customary law of the land-owning community. The custodian and the elders are necessarily members of the land-owning community and are expected by customary law to hold the land in fiduciary capacity in trust for the members of the land-owning community. They are thus accountable to the members of the land-owning community for their stewardship. Membership is obtained by birth. All grants of land rights by the custodian require the concurrence of at least two of the principal elders for the grant to be valid. The customary freehold is an interest or title which a member of the larger community which holds the

allodial title acquires in the communal land. It is an interest which is held as of right by virtue of being a member of the community. It is of indefinite duration and thus potentially subsists forever. The holder of this interest has the right of beneficial occupation and may, subject to the laws of the land, use in any manner. This type of freehold is created only by express grant. The grantor may thus impose terms on the grantee provided such terms are reasonable and not contrary to public policy. Currently, the laws of the land forbid non-Ghanaians from acquiring freehold in lands in Ghana.

The member who holds such interest has the right of beneficial occupation; unfettered use (also subject to the laws of the country). Upon death, the interest devolves on his/her successors in title and infinitum. This interest prevails against the whole world including the allodial title from which it was derived. The customary freehold may however be terminated by the occurrence of any of these occasions; failure of successors, compulsory acquisition by the state; sale or gift by owner, abandonment or forfeiture in rare circumstances where for example the holders deny the absolute title of the allodial owner.

These are lesser interests in land and are created by the holder of the allodial title or customary freehold (or common law freehold). These types of tenancies are in nature share cropping arrangements. They are quite common in Ghana and occur when a tenant-farmer gives a specified portion of the farm produce to the land owner at each harvest time in consideration for use of the land. The two popular tenancy arrangements are the 'Abusa' and 'Abunu' schemes.

Other forms of customary tenancies in which the consideration from the tenant is not sharing of crops but cash or a combination of crops and money exist. The customary license is in this category. Customary leasehold is a creation of the common law and not Ghanaian customary law. It is an interest in land for a specified period. The leasehold may be granted by the allodial holder in respect of lands in which no conflicting interest exists; or by a customary freeholder; or common law freeholder. In Ghana, leasehold may be for a maximum duration of 99 years. (Again non-Ghanaians can only acquire leases up to 50 years). Various terms and conditions may be imposed by the grantor including the payment of rent as consideration for the grant.

Customary ownership presents considerable land acquisition problems in Ghana. The boundaries of most customary-owned lands are not generally surveyed and in some cases undefined. It is also plagued with land ownership squabbles, and trying to identify the true owner of any piece of land can be risky. There is improper record keeping of judgments, dispositions, and other records relating to the land by the custodians. In many instances, there is the need to distinguish between jurisdictional rights of custodians and propriety rights in land.

### **3.1.8.2 State Lands**

State lands are those specifically acquired by government under an appropriate enactment using the state powers of eminent domain. Currently the principal acquiring legislation is the State Lands Act of 1962, Act (122) for public purposes or in the public interest. Under such ownership the *Allodial* rights become vested in the government which can then proceed to dispose of the lands by way of leases, certificate of allocations, licences, etc. to relevant beneficiary state institutions as well as private individuals and organizations. The boundaries of these lands are cadastrally surveyed but are scattered throughout the country.

### **3.1.8.3 Vested Lands**

The third category of land in Ghana is the generally referred to as vested lands and they are lands owned by a Stool but managed by the state on behalf of the land-owning Stool. Under such ownership,

the legal rights to sell, lease, manage, and collect rent is taken away from the customary landowners by the application of specific law to that land and vested in the state. The landowners retain the equitable interest in the land (i.e., the right to enjoy the benefits from the land). This category of land is managed in the same way as state lands. Unlike state lands, however, the boundaries are not cadastral surveyed and they are usually larger in size, covering wide areas.

In Ghana, there is no land without an owner; it is presumed that any parcel of land in Ghana would fall within one of the above-discussed categories. And since state and vested lands are acquired expressly through legislation, all other lands outside these categories belong to the class of customary lands – Stools, clans, or families. The acquisition of land for government projects is regulated by the Lands Act 1963. Under Section 6(1) of the Act, any person who suffers any loss or damage as a result of construction, rehabilitation, maintenance, etc. shall be entitled to compensation. A claim for compensation shall be made through the minister in the prescribed form not more than three months after the date of declaration made by the president under Section 1 of the Act.

### **3.2 Local Government Act, 1994, Act 480**

Under the Local Government Act, Act 480, 1994, MMDAs are mandated to assist, support and coordinate the establishment of educational infrastructure within their areas of geographical jurisdiction. Their involvement and support has therefore been sought under the project to facilitate the execution of the project.

The Lands Commission is responsible for handling compensation claims flowing out of State acquisitions. The Land Valuation Division of the Lands Commission establishes compensation levels, using market value for lands, and generally replacement values for structures. Ghanaian law does not give illegal squatters or settlers the right to compensation, unless they can claim a right to the property under the *Limitation Decree*.

The lands which will be acquired in order to help meet the SEIP objectives consist of vested lands (See Annex). The 14 district sites where new schools will be constructed are on land owned by a chief or stool or District Assembly and managed by the state. In these cases, as evidenced in the Annex, the lands have been donated to the Ministry of Education for the school construction. The MoE expects that any additional sites acquired will fall in the same category.

### **3.3 World Bank Safeguard Policies**

The World Bank Operational Policy explicitly makes adequate provision for project-affected persons who are either displaced or suffer other losses, as a result of projects, to be adequately catered for. Livelihoods of persons to be affected must be preserved, but in cases when this is inevitable, minimal displacements should occur. In instances where displacement is unavoidable, compensation should be paid to PAPs to help them to restore their social, economic and environmental livelihoods. Annex 1 shows the full text of World Bank OP 4.12 on Involuntary Resettlement.

The Ghana statutes makes provision for compensation to be paid to only persons who have suffered any loss and can produce any form of title that is legal in the form of deeds, leaseholds, or legally binding tenancy agreement to the land in question. However, the Operational Policy expects all forms of losses without exception to be catered for.

Under the Ghanaian statute, it is the preserve of the Minister to assess losses due to works done but the World Bank OP 4.12, advocates the involvement of the project-affected persons through surveys etc. to ensure that the project enjoys the full support of the Bank and affected persons. The Operational Policy



advises that project-affected persons be assisted during their transition period in the resettlement site and efforts made to restore their livelihoods whereas the Ghana laws are silent on that. Table 4.1 below highlights some comparison between the Ghanaian Laws and the World Bank policy.

To operate within the policy of the Bank, resettlement instrument, a RAP or an ARAP has to be developed in line with the OP 4.12 with the involvement of affected persons through consultations. Where compensation has to be paid and disturbance and restoration of livelihood taken care of, they will be based on full replacement cost. In the case of the SEIP, some land has already been acquired, so a resettlement audit may be appropriate to determine consistency with World Bank Operational Policy 4.12 with respect to the districts where MoE has agreed to improve access with equity and quality.

**Table 3.1: Comparison of Ghanaian Laws with World Bank Policies**

Topic	Ghana legislation requirement	WB policy requirement	Gaps Filling Procedures
Timing of compensation payment	Prompt	Prior to displacement	Compensation payments are done prior to displacement.
Calculation of compensation	Fair and adequate	Full replacement cost	The Replacement Cost Approach (RCA) will be adopted for the calculation of compensation.
Squatters including settlers/Migrants	No provision. Are deemed not to be eligible	Are to be provided resettlement assistance (but no compensation for land)	Are to be provided resettlement assistance (but no compensation for land)
Resettlement	In the event where inhabitants have to be physically displaced, the State is to resettle them on <i>“suitable land with due regard for their economic well-being and social and cultural values”</i> .	Affected people who are physically displaced are to be provided with residential housing, or housing sites, or, as required, agricultural sites at least equivalent to the old site. Preference to be given to land-based resettlement for displaced persons whose livelihoods are land-based.	Physically displaced PAPs are to be provided with housing sites at least equivalent to the old site. Preference to be given to land-based resettlement for displaced persons whose livelihoods are land-based (i.e. farmers, etc.).



<b>Topic</b>	<b>Ghana legislation requirement</b>	<b>WB policy requirement</b>	<b>Gaps Filling Procedures</b>
Resettlement assistance	No specific provision with respect to additional assistance and monitoring.	Affected people are to be offered support after displacement, for a transition period.	Affected people are to be offered resettlement support to cover a transition period.
Vulnerable groups	No specific provision.	Particular attention to be paid to vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children.	Particular attention to be paid to vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children.
Information and consultation	The owner/occupier of the land must be formally notified at least a week in advance of the intent to enter, and be given at least 24 hours' notice before actual entry.	Displaced persons and their communities are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement.	Displaced persons and their communities are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement.
Grievance	Access to Court of Law.	Appropriate and accessible grievance mechanisms to be established.	Appropriate and accessible grievance mechanisms to be established in the RPF.

## **4.0 DESCRIPTION OF ELIGIBILITY CRITERIA**

### **4.1 Lands Policy and World Bank OP 4.12**

Under SEIP, efforts are being made to minimize impact on land, people and property, loss of livelihood, and access to resources due to school construction. However, in cases where land acquisition will cause adverse impact on people and property or people's access to land or property, the resettlement and compensation payment shall be made in accordance to the World Bank OP 4.12 as well as the Lands Act 1963 Section 6(1).

#### **4.1 Eligibility**

Persons that may be classified according to the following three groups as displaced persons shall be eligible for compensation and resettlement assistance:

Those who have formal legal rights to land (including customary and traditional rights recognized under the Lands Act).

Those who do not have formal legal rights to land at the time the census begins but have a recognizable legal right or claim to such land or assets.

Those who have no recognizable legal right or claim to the land they are occupying (i.e., squatters, ownerships under dispute, etc.).

It is the policy of the Government of Ghana to pay compensation or offer resettlement assistance to people whose properties, lands or landed properties are affected by projects being undertaken by the government. Land for land will be provided where appropriate. The State Lands Act 1963 section 6(1) provides that any person whose property is affected by public projects shall be entitled to compensation. The same Act provides avenues for people who are not satisfied with compensation to seek redress. This however refers to only those with legal titles.

#### **4.2 Redress**

Under the original RPF, a Grievance Redress Mechanism was installed to register resettlement/compensation related grievances and disputes at all levels. The receipt of complaints include its logging and registration, to help with monitoring the status of the grievances and ease reporting on them. This had to be updated and modified due to non-patronage. Ultimately, a revised and updated mechanism was set up that involved the publishing of telephone numbers that terminate at the Client Services Unit (CSU) of the Ghana Education Service. The GES-CSU would document the name of the complainant, date, time and nature of the complaint and a call back number, and forwarded to the Safeguards Coordinator of the MOE, who would have it transcribed on a Grievance and Redress Form (see Annex 4), and the necessary action taken. This updated mechanism will be utilized under the SEIP-AF RPF. Grievances will be tracked with the use of a grievance redress form. Section 6(4) of the State Lands Act 1963 stipulates that where any person is dissatisfied with the amount of compensation assessed by the

Minister, the matter may be referred by the Minister to a tribunal established in accordance with the following:

The tribunal shall consist of three persons appointed by the president, following consultation with the chief justice, and one of those persons shall be a judge of the high court who shall be the chairman of the tribunal.

## **5.0 VALUATION OF AFFECTED ASSETS**

### **5.1 Valuation Methodology**

Losses due to land acquisition will be compensated on the basis of replacement costs.

### **5.2 Valuing Entitlement**

Properties that may be affected by the proposed school construction in the targeted regions and districts should be inspected/referenced or enumerated. As noted elsewhere, the MoE is has instituted measures aimed at avoiding the presentation of encumbered lands for the sub-projects by school heads. However, where land or assets need to be valued, this should be contracted out to an independent evaluator to avoid any doubts of under-valuing. In addition, individuals who dispute values for their assets can take their own evaluator. Where there are discrepancies between the Government evaluator and the private evaluator, discussions are held to come to an agreement. The Land Valuation Board, which is the government's statutorily accredited valuation authority, should be involved in the process. The preliminary site selections indicate that the most likely valuation necessary will be that of existing crops on the sites. To the extent possible, construction timing is expected to allow for harvesting of annual crops on the site, such as cassava. The MoE is avoiding encumbered sites in selection. Replacement Cost method of valuation should be used so as to arrive at values which could secure replacement properties for the affected persons.

### **5.3 Procedures for Delivery of Entitlements**

Entitlements for Project-Affected People (PAP) would range from cash payments to the provision of new land, and non-cash compensation for other lost properties in accordance with the identification of the impact on their property. Subject to the final decision on the exact position of the site and its dimensions, the approved entitlements or amounts would be communicated to the implementing agency or unit for delivery or payment to the beneficiaries. Compensation would be paid before the owners/occupiers are made to vacate their properties for commencement of construction or works. The National Coordination Office (NCO) will ensure that no construction begins until project-affected persons have been resettled if physical relocation is necessary and/or received their compensations (according to World Bank Operational Policies OP 4.12). All compensation, whether cash payments and /or alternative land and house provisions, would be given to project-affected persons prior to any request for vacation of land/property and before commencement of construction.

Compensation and resettlement will be funded by the MoE similar to any other activity eligible under the government's administrative and financial management rules and manuals. The compensation process should incorporate the following:

#### **Involvement of Public Sector Agencies**

Institutions such as the EPA, District, Municipal and Metropolitan Assemblies and the Town and Country Planning Department must be involved in the process of resettlement and land acquisition and their roles clearly spelled out.

**Notification of Land Resource Holders** All property owners or users would have to be identified and located. The user or his representative should be informed through both a formal notification in writing and by verbal notification delivered in the presence of all stakeholders or their representative.

**Documentation of Holdings and Assets** – Officers of the implementing agency and Land Valuation Board should arrange meetings with affected individuals and/or households to discuss the compensation process. For each individual or household affected, officers of the implementing agency and LVB should compile a compensation dossier containing necessary personal information on, the affected party and those that s/he claims as household members, total land holdings, inventory of assets affected, and information for monitoring their future situation. This information should be confirmed and witnessed by EPA and District/Municipal Assemblies. Dossiers will be kept current and will include documentation of lands surrendered. This is necessary because it is one way in which an individual can be monitored over time. All claims and assets will be documented in writing.

**Agreement on Compensation and Preparation of Contracts** – All types of compensation should be clearly explained to the individual or household. A land acquisition team comprising the Land Owner(s), the Local Community, Area Council, District Assembly with the support of the Regional Lands Commission and Land Valuation offices should draw up a contract listing all property and land being surrendered, and the types of compensation (cash and/or in-kind) selected. A person selecting in-kind compensation has an order form, which is signed and witnessed. The compensation contract should be read aloud in the presence of the affected party and other stakeholders prior to signing.

**Compensation Payments** –The handing over of properties such as land and buildings and compensation payments will be made in the presence of the affected party and officials of EPA and the District/Municipal Assemblies. The appropriate documentation will be done, and documents appropriately tracked, in both hard and soft copies.

As noted elsewhere, World Bank financing support for the government’s program will be dependent on adherence to Ghanaian law and World Bank safeguard policies as well as to the disbursement linked indicators identified in the financing agreement.

## **6.0 RESETTLEMENT ENTITLEMENT POLICY**

### **6.1 Legal Basis for Resettlement Entitlement**

Although the Lands Act provides for payment of compensation and resettlement of displaced people, whose lands or landed property are affected by projects being undertaken by the government, where there are gaps or discrepancies between the Lands Act and the World Bank resettlement and compensation policy, the World Bank's Resettlement and Compensation Policy would apply and an abbreviated Resettlement Action Plan (RAP), based on the guidance set forth in the Resettlement Policy Framework (RPF) completed.

### **6.2 Entitlements Relating to Various Categories of Impacts**

Valuing methods for affected land and assets depend on the type of asset. State-owned land would be allocated freely (perhaps except for processing and registration fees); however the DAs and ACs, beneficiary communities, and groups would be expected to pay to acquire land in this category in cases where the state-owned land is being used by individual and or household farmers. Privately-owned property and land would have to be acquired at the market value. The guiding principle is that whoever was using the land to be affected by the project would be provided alternative land of equal size and quality or affected person would be paid compensation.

Compensation rates would be market rate (plus transaction costs) as of the date and time that the replacement is to be provided. As such, current prices for cash crops would have to be determined. As part of the compensation processes under SEIP, a cut-off date would have to be established for specific resettlement action plans preparation informed by the end date of the socio-economic survey/data collection. No one who moves to the site after the declaration of the cut-off date will be eligible for consideration for any form of assistance. Compensation would not be made after the cut-off date in compliance with this policy. The Ministry of Education through the District Assemblies would be responsible for compensations payment for affected assets and investments, including land, economic trees, crops, etc according to the provisions of the resettlement plan. Individual and household compensation will be made in cash, in kind and/or through assistance. The type of compensation will be determined by the PAP/PAF, although every effort will be made to instill the importance of accepting in-kind compensation if the loss amounts to greater than 20 percent of the total loss of subsistence assets. As school construction will likely require the use of vested lands which may be currently used for crop production (e.g., cassava), project-affected peoples should be provided with land elsewhere in the community for agricultural activities. Making compensation payments raises some issues regarding inflation, security, and timing. One purpose of providing in-kind compensation is to reduce inflationary pressures on the costs of goods and services. The time and place for in-kind compensation payments shall be decided upon by each recipient in consultation with the DAs and ACs and beneficiary communities. Monetary payments should be paid at a time in relation to the seasonal calendar.

### **6.3 Compensation Process**

The compensation process shall involve several steps to be carried out in accordance with the measures set out in this AF RPF and any follow up ARAPS/RAPs prepared under the SEIP-AF. These steps include:

#### **6.3.1 Public Participation**

Public participation of local communities shall be an ongoing process throughout resettlement planning. PAPs shall be notified by DAs and ACs during the identification sub-projects and consulted with as part of the screening process. To ensure that any sensitive areas are accurately identified during this

procedure, chiefs, religious leaders, other elders and individuals who will be affected will be fully engaged during all the processes. The subsequent socio-economic survey will record all relevant information about PAPs, and ensure that this is accurately reflected in the RAPs in order to allocate the appropriate compensation. Periodic monitoring will ensure that PAPs have been consulted and that compensation and relocation have been carried out satisfactorily.

### **6.3.2 Notification**

Notification includes discussions on the desire to acquire land for SEIP-AF results, alternatives and options, compensation arrangements, and grievance mechanisms, together with land owners. The user shall be informed by the DAs and ACs and Beneficiary Community or Group through a formal notification, both written and verbal, to be delivered in the presence of the chief. The cut-off date for affected prosperities enumeration and valuation for compensation payment shall be disclosed to affected parties and stakeholders as part of the notification processes.

### **6.3.3 Documentation of Holdings and Assets**

Officials and the local community shall arrange meetings with PAPs/PAFs to discuss the compensation process. For each individual or household affected, the local community shall complete a compensation dossier containing necessary personal information on the affected party and those individuals considered as household members, total land holdings, inventory of assets affected, and information for monitoring future arrangements. The dossier must be confirmed and witnessed by officials and shall be kept up to date. This is necessary as it is possible for an individual to surrender parcels of land over time and can eventually become eligible for resettlement. All claims and assets shall be documented.

### **6.3.4 Agreement on Compensation and Preparation of Contracts**

The types of compensation shall be clearly explained to, and agreed with PAPs/PAFs. The local community shall draw up a contract listing all property and land being surrendered, and types of compensation (cash and/or in-kind) selected and agreed upon by the PAP/PAF and the DAs and ACs and beneficiary communities and groups. This contract shall then be explained in the presence of the affected party and the chief and local leaders prior to signing. Agreed terms of compensation shall be signed by PAP/PAF, DA and AC under the appropriate supervision by the Regional Lands Commission and Land Valuation Board.

**Table 6.1: Compensation Matrix**

General Description	Definition	Compensation approach/Types	Compensation Mechanism	Implementation Approach
<i>Loss of Agricultural Land:</i>	Area in cultivation, being prepared for cultivation, or that was cultivated during the last agricultural season	Loss of land, labor, and crops shall be compensated by the DAs and ACs and Beneficiary Community and groups with funds from the MLGRD/DA/AC through provision of land of equal productive capacity and which is satisfactory to the PAP/PAF.	Using a single rate regardless of the crop, incorporating the combined at market value of all staple crops lost, preparing new land (the average costs of clearing, ploughing, sowing, weeding twice, and harvesting the crop), which is to be updated to reflect values at the time compensation is paid.	Land mapping shall be performed at the time of micro screening by the DAs and ACs and Beneficiary Community and groups or a contracted service provider.
Temporary Loss Of Land:  By voluntary agreement between a contractor and a landowner only	Land that will be acquired for a set period of time as a result of the project	PAP/PAF shall be compensated for their (temporary) loss of income, standing crops, and or the cost of soil restoration and damaged infrastructure based on prevailing market rates.	All damages to private land or property including crops shall be compensated at prevailing market rates including compensation for tenants, if any, that includes rental fees and dislocation allowances for when the land/structure is inaccessible.	Negotiations between contractors and landowners so that expenses can be included in the bid price.
Loss of Other Assets	Fixed assets other than land (e.g., fencing, houses, shelters, kiosks)	Replacement shall be negotiated with the owner and shall form part of the construction contract for the sub-project.	Replacement shall be of an equivalent value and in-kind. Replacement costs shall be determined prior to construction, taking into account market values for structures and materials, and included as part of the bid price.	The DAs and ACs and Beneficiary Community and groups and the PAP/PAF shall negotiate prices based on prevailing market rates.
Loss of non-productive fruit and	Trees/vegetation that does not provide income-	These trees often have recognized local market values,	Younger trees may be replaced with trees of the same species, in	The DEOC/Regional Land Valuation Board shall provide an initial



shade trees	generating activities, but are used for other purposes.	depending on species and age.	addition to supplies to support the trees' growth (e.g., a water bucket, fencing and a shovel).	review of compensation measures at the time of application for a micro-project, subject to World Bank's approval
Loss of crops and productive trees	Trees/crops that provide income-generating activities, but are used for other purposes.	Owners will be identified	Market value for individual trees will be paid]	Land Valuation Division will enumerate affected trees and provide valued cost for approval and payment.
Loss of access to resources: materials (e.g., fruit, wood, herbs, etc.)	Compensation shall be paid for those resources that provide the foundation for livelihoods – whether these are used for domestic or productive use.	No cash compensation will be paid to PAPs. Alternative livelihoods will be provided for identified beneficiaries.	PAPs losing access to resources shall be identified and notified as part of the compensation process. The DAs and ACs and the Beneficiary Community and groups shall take all possible measures to provide alternative sources of income-generating activities for PAPs, particularly those identified as vulnerable	Any issues with regard to access to resources shall be addressed in the Annual Audit, in collaboration with the National Coordination Office.
Squatters	Those with no recognizable legal right or claim to the land they are occupying	No compensation to land. Assistance in relocating to a place where they can legally reside and work. Right to salvage assets. Compensation for lost assets, taking into account market values for materials.	Provision of vehicle to move PAPs' belongings to new location. Assets that could not be re-used upon relocation will be replaced. Near-mature annual crops will be allowed to mature and then harvested.	Date(s) for relocation will be agreed upon with PAPs.

## **7.0 ARRANGEMENTS AND PROCEDURES FOR DELIVERY OF ENTITLEMENTS**

To minimize the major problem of resettlement management and implementation, the establishment of an appropriate institutional framework at both the agency and field levels is essential. It is therefore important that appropriate agencies mandated to plan and implement compensation, income restoration, and rehabilitation programs are identified as early as possible in project preparation.

### **7.1 Institutional Arrangements/Responsibilities**

Although secondary education is within the mandate of the Ghana Education Service, oversight of the SEIP implementation will be in the Ministry of Education (MOE). This section deals with the relevant institutional arrangements—existing and proposed—which would facilitate the implementation of the safeguards requirements and the project as a whole.

#### **7.1.1 Project Oversight**

A Project Steering Committee (PSC) and a Project Management Team of the MOE will be established to coordinate and oversee implementation.

The Project Steering Committee (PSC) will:

- Provide guidance on strategic, policy and implementation issues;
- Coordinate activities of the ministries, agencies and other stakeholders involved in the project implementation;
- Review and approve annual work plans, budget and annual reports;
- Review and discuss quarterly and annual project progress reports and make necessary recommendations; and
- Assess the progress towards achieving the project's objectives and take corrective action if necessary.
- Resolving cross-sectoral and issues above the Project Management Team.

The PSC will be chaired by the minister of MOE or his/her designee. The PSC will include representatives at the chief director level for the ministries and at the director levels for the agencies of relevant ministries and institutions and civil society organizations, including: (i) Ministries of Finance; and Ministry of Local Government and Rural Development; (ii) Ghana Statistical Service; Environmental Protection Council; and West African Examination Council; (iii) Civil Works Contractors Associations; and Ghana National Education Campaign Coalition. The PSC will meet quarterly to assess the project implementation progress on the ground including ensuring safeguards due diligence and undertake site visits as necessary.

#### **7.1.2 Project Management Team**

The Project Management Team will derive from the Project Implementation Committee at the national level. The PMT's main functions (i) assume project control, (ii) ensure any land acquisition is done in accordance with the RPF, (iii) monitor the actual construction of work executed in the four (4) zones of the country namely: Zone 1- Northern, Upper East and Upper West regions; Zone 2- Ashanti and Brong Ahafo regions; Zone 3- Central, Western and Greater Accra regions; and Zone 4- Volta and Eastern regions; (iv) review reports submitted by the supervising consultant on a zonal basis and bring up issues to the Project Implementation Committee for resolution; (v) liaise with the District Assemblies to ensure their full participation in the supervision of the project; (vi) prepare and update the schedule of

activities/procurement plans to be executed under the project; (vii) vetting claims submitted by the consultants on behalf of the contractors; (viii) vetting consultancy claims submitted by the supervising consultants; (ix) agree on design modification to suit topography of the land; (x) prepare bi-monthly briefs to the Ministerial leadership; (xi) follow up and ensure that contractors and consultants are paid for properly prepared claims; (xii) review any recommendations for the payment of fluctuations/variations and for advice to the PSC; (xiii) take over completed structures and commission them for usage by the schools; and (xiv) accompany Ministerial leadership on monitoring in the respective zones.

The PMT will include the following:

- The Social Safeguards Specialist
- The Environmental Safeguards specialist
- The Project’s Safeguards consultant
- 1 Procurement specialist (MOE)
- 1 technical advisor (MOE)
- 4 architects (FPMU + 3 others)
- 4 quantity surveyors (FPMU, GETFund and 2 others)
- 4 civil engineers (FPMU + 3 others)
- 1 electrical engineer (on retainer basis)
- Project management consultancy firm (providing the others)

Table 7.1 below is a table of the institutional arrangements and responsibilities for environmental assessment and resettlement.

**Table 7.1: Institutional Arrangements/Responsibilities for Environmental Assessment and Resettlement**

<b>Institutional Responsibilities Task</b>	<b>Institution(s) Responsible</b>
Project coordination and management	- Project Steering Committee (PSC) - Project Management Team - District Education Oversight Committee - School Management
Implementation and monitoring of ESMF and RPF	PMT (E&S Consultants) DEOC (including Land Valuation Division) Environmental Protection Agency (EPA)
Determination of affected persons and compensation levels	PSC PMT DEOC
Payment of compensation	PMT DEOC
Dispute resolutions	DEOC

**District Level:** District Assemblies (DAs) are empowered under Act 462 of 1993 to be responsible for development, improvement and management of human settlements and the environment in their districts. In order to facilitate the work of the DAs in this regard, the District Education Oversight Committee (DEOC) which includes the (i) MCE or DCE; (ii) District Director of Education; (iii) District Engineer; (iv) District Planner; (v) District Environmental/Social Officer; and (vi) representative from the Land Valuation Division of the Lands Commission will have responsibility for the project implementation in collaboration with the beneficiary communities. The District Environmental/Social Officer will be responsible for site screening and reporting to the DEOC. There will be the need for capacity building at the DEOC level. The District Engineer will lead in the monitoring and supervision of contractors and recommend the signing of work certificates against work done.

**Role of DEOC**

The key functions envisaged for the DEOCs with regard to environmental issues are:

- Responsibility for liaising with EPA and other relevant agencies
- Work with project environmental consultants (PM Consultancy) when required
- Responsible for registering all project components within the zones with the EPA, including completing Form EA1, any other documentation, and/or the attached project environmental screening checklist.
- Ensure compliance with all recommendations by EPA and other regulatory agencies
- Play a lead role in site selection for relevant SEIP components within the district and initiating collation of baseline data
- Inspecting and Monitoring of environmental components of pre- constructional, constructional and operational stages and providing the PMT with reports on a regular basis.

The following table outlines the institutional setup for timely identification and reporting of the environmental and social issues relating to the SEIP and for taking necessary preventive or corrective measures at the national and district levels of responsibility under the ESMF and RPF:

**Table 7.2: Organizations and Focal Persons for RPF Implementation**

S/o	Responsibility	Focal person	Organization
1	Responsible for implementing various activities required for safeguard compliance under the ESMF and RPF.	Social Safeguards Consultants (to be recruited)	Project Management Team /Ministry of Education

2	Responsible for project implementation in collaboration with the beneficiary communities as well as site screening and reporting to the DEOC.	District Environmental/Social Officer	District Education Oversight Committee /Respective Districts
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The Social Safeguards Specialist to be recruited as part of the PMT will be required as part of their TOR to strengthen the capacity of the DEOC.

## 7.2 Internal Compliance Monitoring

- Compliance to environmental and social guidelines will be effected through an internal compliance monitoring mechanism comprising the channels, as described below:
- The head of institution being the environmental moderator at the school site level will ensure observance of the RPF guidelines at the construction and operational phase. He/she approaches the contractor to do the right thing as the first level of resolution. The next level is to bring the issue to the attention to the DEOC through the District Director of Education.
- The DEOC of the respective districts will make routine as well as surprise visits to the schools during construction/rehabilitation as well as occupancy phases of the project. They will act on resolving issues and will submit their monitoring reports to the PSC.
- The DEOC will process monitoring reports and forward the consolidated report of the district to the PMT for decision making. The PMT will analyze and summarize the report for the information and guidance of the PSC.
- The PMT will engage the services of an independent auditor (technical audit) to provide final completion reports. Each completed school project will submit to MOF the E&S Due Diligence Checklist, which will serve as the evidence of compliance with all national and equivalent World Bank safeguards.

## 7.3 Trainings and Capacity Building

The principal objective of the trainings is to ensure long-term sustenance of the ESMF and RPF principles for sound and sustainable project implementation. Social conflict can best be addressed by bringing all stakeholders on board through sustained and regular training. The training will also correlate with means of empowering the community, enhancing decision-making capacity of the School Management Committees for social conflict resolution.

### 7.3.1 District Level Training

It is recommended to hold one-day training workshops at the District level for DEOCs. These workshops will focus on identifying and discussing environmental and social issues that will arise during the implementation of the ESMF-AF and RPF-AF. These will also sensitize participants about environmental and social considerations of the SEIP-AF, managing the site relevant problems, and strategizing implementation of the ESMF-AF guidelines.

### 7.3.2 National Level Training

Similarly, a one-day workshop will be held at the national level every year during which key stakeholders involved in SEIP field implementation will focus primarily on policy issues and share

ideas and experiences. The E&S consultants in the PMT will be responsible organizing and reporting on these annual trainings. At the national level, it is also recommended that contractors working in the various districts are oriented on safeguards and their responsibility to ensure compliance trained.

### **7.3.3 Development of Training Manual**

In order to make the training efforts meaningful, the PMT, in consultation with the two environmental and safeguards consultant, will develop comprehensive “Training Manuals” for the participants. The training manuals will contain outline of the program, training methodology, glossary of terms, methodologies for avoiding and correcting environmental and social impacts, gender issues, tips on observing the guidelines, problem solutions with examples, excerpts of the relevant literature/legislations, and linkages to further sources of information and guidelines. The environmental and social consultants will be responsible for reviewing and updating the training manuals as necessary.

## **8.0 CONSULTATIONS**

### **8.1 Introduction**

Public consultation and participation are essential because they afford PAPs the opportunity to contribute to both the design and implementation of the project activities and reduce the likelihood for conflicts. One key factor that exists in all successful approaches to project development and implementation is participation by all stakeholders and communities in project

Consultations play a major role in identifying the potential impacts of any project. Community consultations assist in the identification of socio-economic, religious and cultural impacts. Stakeholder consultation to support the AF-RPF and the resettlement process, if any, would specifically aim to achieve the following objectives:

- To provide information about the project and its potential impacts to those interested in or affected by the project, and solicit their opinion in that regard
- To manage expectations and streamline misconceptions regarding the project
- To agree on resettlement preferences, if any, and discuss concerns
- To ensure participation and acceptance of the project by the communities

Information obtained during consultations can be used to make an inventory of existing infrastructures and to collect information on land management, socio-economic activities, infrastructure, and expectations of the local residents.

### **8.2 Methodology**

Under the parent SEIP, extensive consultations were held for the RPF. A team consisting of the staffs of Ministry of Education and representatives of the Environmental Consulting Firm collected data for the consultations. Community opinion leaders such as assemblymen/women, faith based organization leaders, youth leaders, chiefs, or headmen served as key contacts to encourage meeting attendance.

The meetings that were held either at the community center were interactive, with questions from the communities and answers and explanations from the consultant and Ministry of Education Staff. The main issues discussed were regarding compensations, jobs creation, and provision of schools.

Presented below are the list of people consulted, attendees, contact details of the opinion leaders and the socioeconomic and cultural issues forming the bases of the discussions.

### **8.3 Community & Participatory Consultation**

The Ministry of Education conducted country-wide consultations in February 2014 (See Annex 4). These consultations were led by teams covering the four zones into which the country has been divided into, for the purpose of SEIP. The consultations were led by: the Minister of Education, two Deputy Ministers and the Chief Director, Chairman of the Parliamentary Select Committee on Education and the Director of Secondary Education for the Ghana Education Service. This high-level attention to consultation demonstrates the commitment to on-the-ground feedback on the project. Each district team then was complemented by district level officials, including the District Chief Executive and the Lands Commission official of the respective districts. The team visited sites, met with the chiefs, interviewed local opinion leaders and community members. They also presented the project plan in the District Assemblies in all

districts. Issues discussed in the meetings were: land acquisition processes, issues related to litigation on land in that district, access to electricity and other social infrastructure. In all districts, chiefs expressed support for having senior high schools in their communities. In some districts, there was some heated discussion regarding exact siting within the district, as Chief Executives and MPs both wanted the school location within their zone of influence. In general, such siting issues were resolved by the Minister.

In addition to the country-wide consultations conducted by the Ministry, the WB team participated in a two day pre-appraisal/appraisal workshop in Dodowa from March 18-19, 2014 to discuss the project with stakeholders at the regional, district and senior secondary school level. The team solicited views and validation of the design of the project from a representative group of education professionals and stakeholders including heads of schools, district representatives, regional directors, District Assembly members, CSOs, CHASS, GSS, and MOE officials. During the SEIP implementation, the Safeguards Team undertook further stakeholder consultations to update communities on the process. These consultations will continue throughout the SEIP AF, and the implementation of the AF RPF.

Table 8.1 below is a summary of stakeholder groups engaged, their concerns/comments and how they will be addressed under the project.

**Table 8.1 Summary of Stakeholders’ Concerns and Responses**

<b>Stakeholders Engaged</b>	<b>Groups</b>	<b>Summary of Comments/Concerns</b>	<b>Mitigation Measures</b>
Local chiefs and queen mothers, Assemblymen/women, opinion leaders, youth leaders, faith-based organizations, general public.  District Chief Executives, Headmasters/Head mistresses, District Education Officers, Regional Education Officers, Civil Society Organizations, Ghana Statistical Service		<ul style="list-style-type: none"> <li>• Prompt, fair and adequate compensation payment for PAPs.</li> <li>• Job creation for the youth. There was a cyclical request for employment particularly unskilled labor to be sourced from the various affected communities.</li> <li>• Upholding and respect of community values (reverence towards the communities’ cultural heritage-shrines, sacred groves, etc).</li> <li>• The health implication of the proposed school project without adequate provision of water facilities.</li> <li>• Request for the provision of basic social amenities, not necessarily in the context of the proposed project.</li> </ul>	<ul style="list-style-type: none"> <li>• PAPs will be compensated according World Bank Environmental and Social Safeguard Policies.</li> <li>• Contractors’ Clauses will oblige Contractors to recruit local labour as much as is available.</li> <li>• Community sensibilities have been taken into consideration in site selection.</li> <li>• Sanitary facilities have been included in the project design, and provision made for running water.</li> <li>• Transport infrastructure/facilities will be improved under the project</li> </ul>

#### **8.4 Disclosure**

The AF-RPF document will be disclosed nationally and at the World Bank external Website. The country level disclosure will take the form of newspaper advert, notices in participating districts, offices of the Environmental Protection Agency and the Ministry of Education. Comments received from potential



project impacted people or communities will be discussed and included in implementation arrangements and plans for the safeguards.

## **9.0 IMPLEMENTATION AND MONITORING ARRANGEMENTS**

### **9.1 Implementation Schedule**

Payment of compensation and provision for other rehabilitation entitlements (in-cash or in-kind), and relocation, if that is the case, will be completed at least one month prior to the scheduled start-up date of works at the respective school construction site. Public consultation and participation are essential because they afford potentially displaced persons with the opportunity to contribute to both the design and implementation of sub-projects. Consultations will occur throughout the entire project cycle but particularly during the following stages: (i) the preparation of resettlement action plans where applicable; (ii) the environmental impact assessment; (iii) the drafting and reading of the compensation contract; and (iv) project planning and implementation. . Potentially affected individuals must be informed that they are not obligated to voluntarily contribute land for SEIP purposes, that involuntary acquisition of land without appropriate compensation is not permitted. The Environmental and Social Safeguards Co-ordinator will review the implementation schedule to ensure adequate time is allocated for grievances to be recorded.

Additional information to be disclosed includes:

- Entitlement to replacement in kind or compensation at the replacement cost;
- Methods to be used in establishing compensation rates; and
- Procedures for pursuing grievances, including contact information.

Information should be presented in a language and medium accessible to those potentially involved or affected.

### **9.2 Grievance Redress Mechanisms**

#### **Definition of Grievance**

Any query, call for clarification, problems, concerns raised by individuals or groups related to activities undertaken or processes applied by the project. These when addressed are expected to ensure support, results and sustainability of project activities. The goal is to create an avenue to prevent and address potential adverse environmental and social impacts emanating from project activities.

#### **Objectives**

- To amicably resolve grievances raised by Aggrieved Parties (APs) during project implementation
- To ensure successful and timely completion of projects, without creating adverse environmental, social and health conditions on the community.

#### **Scope**

The grievance mechanism applies to all project activities to be financed by the original project activities and the additional financing activities. It includes issues related to environmental, involuntary resettlement and social issues in that come up during project implementation.

It is most likely that there will be no resettlement impacts under the SEIP-AF, and the site screening to be conducted by the MoE on selected sites will eliminate any likelihood. However, this AF-RPF is being prepared to address any resettlement issue in the unlikely event of involuntary resettlement under the SEIP-AF. The timely redress of such grievances is vital to the satisfactory implementation of land acquisition and to completion of the project on schedule.

The Project Management Team and the District Education Oversight Committee shall install a Grievance Mechanism that will allow project-affected persons who are not satisfied with compensation and/or resettlement packages or procedures to lodge a complaint or a claim without cost and with the assurance of a timely and satisfactory resolution of that complaint or claim. The office of the District Physical Planning Officer will be the designation point, and the Planning Officer and his deputy will be the responsible officers. A complaint form will be available for any aggrieved person(s), who will be assisted to complete the complaint form in copy, sign and submit a copy to the office. (S)he will keep the other for reference. The DEOC will receive and review all complaint forms. Arbitration shall be an option for grievance redress, as per the Arbitration Act, 1961, Act 38 and aggrieved persons shall be allowed to name up to a maximum of two arbiters from the community to join the DEOC in addressing disputes. Should an aggrieved person not have confidence in, or not be satisfied by the outcome of the arbitration process, (s)he reserves the right to take the matter up to a court of competent jurisdiction for redress. To facilitate this process, the GRM will be at three levels: community, district and national level. Even though the district level is likely to be the main recipient of complaints, provision has been made to spread access to the use of the mechanism to the community and the national level. Details are as follows:

### **The Grievance Redress Committee**

Under the original SEIP RPF, a hierarchy for grievance redress was set up outlined below.

#### ***Community level***

The Chief, Youth Leader, Women's Leader, Chairman of the PTA (where applicable), Assembly member and an NGO known in the community will constitute the committee.

#### ***District level***

The Planning Officer, District Engineer, District Education officer (DEO) Civil Society representative, District Security official will constitute the committee. Overall responsibility is on the DEOC

#### ***National level***

The Ministry of Education, Environmental Protection Agency (EPA), Project implementation representative, Ministry of Lands and Natural Resources, Ministry of Local Government and Rural Development (MLGRD).

This GRM was never activated under SEIP, for indeterminate reasons. However, it has been speculated that the lodging of the grievance complaint form at the District Assembly offices, and the inability of most PAPs to write may have been the cause of this inactivity. A new mechanism has subsequently been installed, which is explained below.

### **Revised Grievance Redress Procedure**

A revised and updated mechanism has been set up that involved the publishing of telephone numbers that terminate at the Client Services Unit (CSU) of the Ghana Education Service. The GES-CSU would document the name of the complainant, date, time and nature of the complaint and a call back number, and forwarded to the Safeguards Coordinator of the MOE, who would have it transcribed on a Grievance and Redress Form (see Annex 4), and the necessary action taken. This updated mechanism will be utilized under the SEIP-AF RPF. Grievances will be tracked with the use of a grievance redress form. Section 6(4) of the State Lands Act 1963 stipulates that where any person is dissatisfied with the amount of compensation assessed by the Minister, the matter may be referred by the Minister to a tribunal established in accordance with the following:

- i. The tribunal shall consist of three persons appointed by the president, following consultation with the Chief Justice, and one of those persons shall be a judge of the High Court who shall be the chairman of the tribunal.

### 9.3 Budget and Source of Funding

Resettlement Action Plans (RAP) would include a detailed budget for compensation and other rehabilitation entitlements. It will also include information on how funds will flow as well as compensation schedule. The Action plans will also clearly state where the sources of replacement lands and funds will come from. As the Borrower, the Government of Ghana carries official responsibility for meeting the terms of this framework, including financial obligations associated with land acquisition. Table 9.1 below is an indicative budget for the AF RPF implementation.

#### Estimated Budget for the Implementation of Resettlement Policy Framework

**Table 9.1: Estimated Cost for RPF implementation**

Activity	Unit Cost (\$)	Total Cost	Basis of Estimates
RAP preparation	40,000	40,000	This estimation include cost for census, public consultations and RAP report preparation
RAP implementation	10,000	10,000	Estimate based on comparable projects approved by the World Bank, adjusted to cover inflation. Cost per sub-project will depend on the number of households affected, land required and other structures
Capacity building for compensation committee	5,000	5,000	Based on comparable projects approved by the World Bank
Provision of technical assistance	12,000	12,000	Assumes assistance will be provided by project at no additional cost.
Contingency fund for other costs such as inflated land and crop prices	13,400	13,400	20% of sub-total
<b>Total</b>	<b>80,400</b>	<b>80,400</b>	

## **9.4 Resettlement Cost Estimates and Budget**

As indicated elsewhere, no new lands will be acquired under the SEIP-AF. However, assuming, in the worst case scenario, that 10 percent of the sub-project sites have issues of involuntary resettlement, budgetary provisions will need to be made for the various implementation commitments outlined in the AF-RPF and interventions proposed in the AF-RPF. A budget estimate has been made in Table 9.1 above to cover land replacements and compensation for crops and/or properties.

## **10.0 MONITORING AND EVALUATION**

Monitoring and Evaluation by the implementing agency are key components of any RAP. Arrangements for monitoring of RAP activities by the implementing agency, and the independent monitoring of these activities, shall be included in the RAP section on monitoring and evaluation. The final evaluation should be done by an independent monitor or agency to measure RAP outcomes and impacts on PAPs' livelihood and living conditions. The GoG has examples of performance monitoring indicators to measure inputs, outputs, and outcomes for RAP activities; involvement of PAPs in the monitoring process; evaluation of the impact of RAP activities over a reasonable period after resettlement and compensation, and using the results of RAP impact monitoring to guide subsequent implementation. The M&E of the parent SEIP will feed into and inform that of the SEIP AF. As SEIP-AF utilizes disbursement-linked indicators, the project has established significant arrangements for M&E, including possible use of ICT tools.

### **10.1 Monitoring Plan Procedure**

The arrangements for monitoring would fit the overall monitoring plan of the Project.

Ghana SEIP AF will institute an administrative reporting system that:

- (a) alerts project authorities to the necessity for land acquisition in a particular feeder/rural road sub project;
- (b) provides timely information about the valuation and negotiation process;
- (c) reports any grievances that require resolution; and,
- (d) document timely completion of project resettlement obligations ( i.e. payment of the agreed-upon sums, construction of new structures, etc.) for all permanent and temporary loses, as well as unanticipated, additional construction damage.

The Environmental/Social Specialists of the MOE will prepare a long term monitoring strategies that will encompass clear and definitive criteria and parameters to be monitored for each specific sub project. The monitoring plan will take into consideration the scope of development, environmental and social sensitivities including the available financial and technical requirements for monitoring. The plan will identify and describe the indicators to be used, the frequency of monitoring and the standard (baseline) against which the indicators will be measured for compliance with the RPF.

Monthly monitoring plans will be prepared by the PMT while quarterly and annual reports will be submitted to relevant Ministries, Departments and Agencies. All monitoring components will be subject to audit, internally by the PMT and externally by Ghana EPA. Each monitoring programme will follow the established schedule; monitoring may be performed daily, weekly, quarterly, semi-annually, annually,

biennially, or continuously, depending upon the resource, regulatory requirements for regulatory monitoring, and the project-specific requirements for other monitoring. Monitoring results will be compiled when due and communicated to Ghana EPA as appropriate.

The PMT, beneficiary District Assemblies, Ministry of Lands and EPA will be responsible for overall monitoring of the implementation of this RPF. This will include:

- (i) **Monitoring of Project Screening**, through visual verification of potential resettlement situations;
- (ii) **Monitoring of Resettlement Action Plan Preparation:** monitoring of Consultant activities and reports and verifying the validity of all community-based agreements;
- (iii) **Establishment of Project Monitoring Files:** for each Resettlement Action Plan (Abbreviated or full), PMT will establish a file appropriate for implementation monitoring. This will include at a minimum:
  - The Resettlement Action Plan
  - The mutually signed community – based agreement, which includes a list of each affected person or household and the agreed terms of either land donation and/or structure replacement.
  - The agreed timetable for delivery of any structure replacement.
- (iv) **Monitoring of Resettlement Action Plan Implementation:** Monitoring of Abbreviated or full Resettlement Plans will involve:
  - Disbursement of cash compensation
  - Implementation of in-kind compensation
  - Implementation of assistance

Following its exercise of prior review, the World Bank will monitor the implementation of road specific Resettlement Action Plans. The Bank will also carry out targeted and spot review of specific social cases and resettlement action plans, as part of regular supervision, or separate missions.

## 10.2 Evaluation

Consistent with the Resettlement Policy Framework, the Social Safeguards Specialists in the PMT and his/her counterpart in the EPA would be responsible for periodically transferring the information compiled at the local government level to the PIU so that it is alerted in a timely manner to any difficulties arising at the local level.

The objective will be to make a final evaluation in order to determine;

- (i) if affected people have been paid in full and before the commencement of civil works,

- (ii) if the people who were affected by the project have been affected in such a way that they are now living a higher standard than before, living at the same standard as before, or they are they are actually poorer than before.

The resettlement and compensation action plans will contain indicators and benchmarks for achievement of the objectives under the resettlement program. These indicators and benchmarks should be of three kinds:

- Process indicators, indicating project inputs, expenditures, staff deployment, etc
- output indicators, indicating results in terms of numbers of affected people compensated and resettled, training held, credit disbursed, etc.
- impact indicators, related to the longer term effect of the project on people's lives.

The benchmarks and indicators should be limited in number, and combined quantitative and qualitative types of data. The first two types of indicators, related to process and immediate outputs and results, will be monitored internally by the project. This information will serve to inform project management about progress and results, and to adjust the work program where necessary if delays or problems arise. The results of this monitoring will be summarized in reports, which will be submitted to authorities and the World Bank on a regular basis.

Each time land is used or acquired by the project, the records will be updated to determine if the individual or household is being affected to the point of economic non-viability and eligibility for compensation/resettlement or its alternatives. These dossiers will provide the foundation for monitoring and evaluation, as well as documentation of compensation agreed to, received, and signed for.

It is normal that some compensation procedures and rates may be required revision at some point during the project cycle. The DAs, PMT and the Lands Valuation Division will implement changes through the Change Management Process in the Monitoring and Evaluation (M&E) manuals of the project, which will require feedback from:

- Indicators monitored by the PMT and DAs to determine whether goals are being met; and
- a grievance procedure for the local community to express dissatisfaction about implementation of compensation and resettlement.

This framework is suggesting that District Assemblies, PMT and EPA are structured into the whole M&E component of the project. This would take the form of giving the MDAs and the PMT the mandate to carry out independent monitoring of the implementation plans at periodic intervals of quarterly or half yearly (as circumstances dictate) during the project life. Their joint report will become part of the official documents of the project.

**ANNEX 1: MOE SITE VERIFICATION CHECKLIST USED FOR SCREENING**

<b>S/ N o.</b>	<b>ITEM</b>	<b>Y E S</b>	<b>N O</b>
1	Does the land belong to the School?		
2	Is there an existing Master Layout Plan for the School?  If yes, does the proposed location conform to the planned land use?		
3	What school structure are in the immediate vicinity of the presented land?		
4	Is the site on or close to the boundary of the school land?		
5	If it is, what structures and facilities are behind the school boundary adjacent to the site? .....		
6	Is there an alternative site in school or the project?  If yes, can we inspect it?		
6	Is there a consensus among the School Management Board about the intended use of the land?  <ul style="list-style-type: none"> <li>○ School Head</li> <li>○ Staff</li> <li>○ School Board</li> <li>○ District Director for Education</li> <li>○ District Assembly</li> </ul>		
7	What is the plot size?		
8	Is there any structure(s) on the site currently?		
9	Is the land being used for any purposes currently? For e.g. cultivation, animal rearing, etc.?		
10	Is there an electricity cable or water pipeline across the site?		
11	What was the previous land use? Has the site been previously used as a garbage dump?		
12	Is there road access to the site?		
13	General Remarks/Comments ..... ..... ..... .....		

## ANNEX 2: RAP OUTLINE

### OUTLINE OF A RESETTLEMENT ACTION PLAN

Reference: OP 4.12, Annex A.

#### 1. Description of the sub-project and of its potential land impacts

##### 1.1 General description of the project and identification of the project area

##### 1.2 Potential impacts. Identification of:

1.2.1 the project component or activities that give rise to resettlement;

1.2.2 the zone of impact of such component or activities;

1.2.3 the alternatives considered to avoid or minimize resettlement; and

1.2.4 the mechanisms established to minimize resettlement, to the extent possible, during project implementation.

#### 2. Objectives. The main objectives of the resettlement program.

#### 3. Socio-economic studies and census of affected assets and affected livelihoods. The findings of socio-economic studies and census to be conducted with the involvement of potentially displaced people, include:

3.1 The results of a census survey covering current occupants of the affected area to establish a basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;

3.2 Standard characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;

3.3 The magnitude of the expected loss—total or partial—of assets, and the extent of displacement, physical or economic;

3.4 Information on vulnerable groups or persons as provided for in OP 4.12, para. 8, for whom special provisions may have to be made;

3.5 Provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement.

#### 3.6 Other studies describing the following:

3.6.1 Land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct



systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;

3.6.2 The patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project;

3.6.3 Public infrastructure and social services that will be affected; and

3.6.4 Social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

#### 4. Legal and Institutional Framework.

##### 4.1 Summary of the information included in this RPF

##### 4.2 Local legal specificities if any

##### 4.3 Local institutional specificities

4.3.1 Identification of agencies locally responsible for resettlement activities and NGOs that may have a role in project implementation;

4.3.2 Assessment of the institutional capacity of such agencies and NGOs

5. Eligibility and entitlements. Based on the definitions and categorization in this RPF (see entitlement matrix), definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.

6. Valuation of and compensation for losses. The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.

#### 7. Resettlement measures:

7.1 Description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons to achieve the objectives of the policy (see OP 4.12, para. 6).

7.2 Site selection, site preparation, and relocation. Alternative relocation sites considered and explanation to those selected.

7.3 Legal arrangements for regularizing tenure and transferring titles to PAPs.

7.4 Housing, infrastructure, and social services.

7.5 Environmental protection and management.

7.6 Community participation. Involvement of PAPs and host communities

7.7 Integration with host populations. Measures to mitigate the impact of resettlement on any host communities

7.8 Specific assistance measures intended for vulnerable people, to be identified for instance amongst those listed in section 9 of the RPF

8. Grievance procedures. Based on the principle mechanisms described in this RPF, description of affordable and accessible procedures for third-party settlement of disputes arising from resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.

9. Organizational responsibilities. The organizational framework for implementing

### **Annex 3 Socioeconomic and Environmental Characteristics in the Education Sector**

The total population of the selected districts is computed, as per formula (1) to be 6,124,068 by the end of 2003, out of which 3,034,028 are males and 3,090,040 are females. It must be mentioned that 4,848,469 people in the area are found in the rural areas and 1,274,600 people are in the urban areas.

#### **1. Distribution of Rural–Urban Population**

The study area is predominantly rural. The rural-urban split of the study area is 20.8- 79.2%.

#### **2. Rural-Urban Distribution**

*Source: Computed from 2010 Population & Housing Census: Ghana Statistical Service*

#### **3. Education**

While literacy can be acquired through reading and private informal channels, the formal schooling system remains the best process for improving access to information and broadening the horizon of the people.

According to the 2000 Population and Housing Census, educational attainment in Ghana (3 years and more) was pre-school (3.2%), primary (18.6%), Middle/JSS (21.1%), Secondary SSS (6%), Vocational/Technical (2.2%), Post Secondary (1.5%), Tertiary (2.8%), and None (43.3%), and the school attendance (3 years and more) was pre-school (13.8%), primary (54.3%), Middle/JSS (16.5%), Secondary SSS (8.3%), Vocational/Technical (2.0%), Post Secondary (1.7%), and Tertiary (3.5%).

#### **4. Availability of Schools in Rural Areas**

About 86% of rural households live in communities that have access to a primary school; 62% of households live in areas, which have access to a junior secondary school, while 10% live in communities, which have access to a senior secondary school. Almost all rural schools are public schools. About 19.5% of the Secondary School in the districts visited during the fieldwork have sanitation facilities. A good number of these Secondary Schools are relatively new. The table below shows the rural households with access to schools.

#### **5. Rural Households with access to schools**

<b>Ecological Zone</b>	<b>Primary</b>	<b>JSS</b>	<b>SSS/technical</b>
Coastal	88%	64%	5%
Forest	91%	71%	15%
Savannah	80%	51%	11%

86%

62%

10%

#### 6. Distance rural households travel to get to the nearest primary school

The Secondary Schools are usually in the communities, where the rural households live. Other households however have to travel between 1 and 10 miles to get to the nearest primary school depending on the ecological zones, as per the table below:

#### 7. Distance rural households travel to get to the nearest primary school

Ecological Zone	<1 mile	1 mile	2miles	3miles	4miles	>5 miles	
Coastal	88.0%	5.0%	2.5%	0.0%	2.5%	2.0%	100%
Forest	91.0%	3.0%	2.0%	2.0%	1.0%	1.0%	100%
Savannah	80.0%	4.0%	8.0%	3.0%	1.0%	4.0%	100%
	86.3%	4.0%	4.2%	1.7%	1.5%	2.3%	100%

#### 8. Proportion of boys and girls of primary school age enrolled

Boys and girls in the Forest zone appear to be much more likely to be enrolled in primary schools than their counterparts from the Coastal and Savannah zones. In the Savannah zone, girls are less likely than boys to be enrolled in Secondary School. This is illustrated in Tables below:

#### 9. Proportion of boys of primary school age enrolled

Ecological Zone	Almost all	At least half	Less than half
Coastal	27.0%	44.0%	29.0%
Forest	54.0%	41.0%	5.0%
Savannah	16.0%	46.0%	38.0%
	32.3%	43.7%	24.0%

## 10. Proportion of girls of primary school age enrolled

### 11. Main reasons why some children in rural communities are not enrolled in Secondary School

The most common reasons why children some children in the rural communities are not enrolled in Secondary Schools, by ecological zones have been summarized in the table below. Lack of finance appears to be the main reason for non-enrolment of children in rural areas in Secondary Schools.

It must be mentioned that, due to the same reasons, a lot of the enrolled children in Secondary School miss classes continuously. It was observed in a primary school visited in Kintampo District (Savannah Zone) during the fieldwork that more than half the children skip school during market days.

### 12. Main reasons why some children in rural communities are not enrolled in Secondary School

Ecological Zone	A	B	C	D	E	F	G	H
Coastal	58.0%	10.0%	10.0%	6.0%	3.0%	2.0%	0.0%	11.0%
Forest	70.0%	7.0%	5.0%	2.0%	7.0%	2.0%	0.0%	7.0%
Savannah	64.0%	6.0%	7.0%	8.0%	0.0%	1.0%	11.0%	3.0%
	64.0%	7.7%	7.3%	5.3%	3.3%	1.7%	3.7%	7.0%

A: *Inability of parents to fund child's education*

B: *Lack of Parental Interest*

C: *Lack of Interest in School going children*

D: *School too far away*

E: *Inadequate schools/classrooms*

F: *Dangers faced by children on their way to school e.g. getting drowned in rivers*

G: *Children are used for work e.g. work in the field, work during market days, and taking care of younger siblings or weak and aged parents*

H: *Other Reasons*

### 13. Schooling Problems

The most serious schooling problems in the rural communities include lack of school building, insufficient furniture, lack of qualified teachers, high cost of schooling, lack of textbooks, and lack of accommodation for teachers, among others. It was noted in all the districts visited during the fieldwork that some primary school children carry their chairs to school.

The Parent and Teachers Associations contacted during the said fieldwork also indicated that they usually fund the purchase of furniture for their children in school. The table below summarizes the schooling problem.

### 14. The most serious schooling problems in the rural communities

Ecological Zone	A	B	C	D	E	F	G	H
Coastal	43.0%	25.0%	2.0%	5.0%	5.0%	10.0%	0.0%	10.0%
Forest	38.0%	19.0%	10.0%	10.0%	6.0%	2.0%	3.0%	12.0%
Savannah	59.0%	8.0%	9.0%	1.0%	4.0%	3.0%	1.0%	15.0%
	46.7%	17.3%	7.0%	5.3%	5.0%	5.0%	1.3%	12.3%

A: *Lack of school building*

B: *Insufficient Furniture*

C: *Lack of Qualified Teachers*

D: *High Cost of Schooling*

E: *Lack of Textbooks*

F: *Inadequate supply of stationery and other school materials*

G: *Lack of accommodation for teachers*

H: *Other Reasons*

### **15. Secondary Schools with Sanitation Facilities**

About 19.5% of the Secondary Schools in the districts visited during the fieldwork have sanitation facilities. A good number of these Secondary Schools are relatively new. The practice with regards to schools without sanitation facilities is either free ranging or walking to the nearest public toilet in the community.

### **16. Secondary Schools with Water Points**

With regards to water points, only about 3.47% of the Secondary School of the districts visited during the fieldwork have water points. The water points are pipe borne water taps and boreholes. In almost all the cases, the surrounding residents were noted to be patronizing the water points. In most of the schools without water points, the school authorities each day buy or fetch water, which is kept in each classroom in a bucket with cover and a cup for the pupils.

### **17. Secondary Schools with Electricity**

It was observed during the fieldwork that about 4.6% of the Secondary School in the visited districts have electricity. They are new and are found in the urban sections of the districts. It has been recommended in the guidelines that electricity be incorporated into the designs of the project facilities, even if the area, where the school is sited does not have electricity. This is to make it easy to access electricity without extra costs and inconvenience, when the facility reaches the area.

### **18. Secondary Schools with Telephone**

All of the SHS in the districts visited has telephone.

### **19. Secondary Schools with Refuse Cans**

With regards to refuse cans, only 0.83% of the schools in the districts, which were visited during the fieldwork, have refuse or garbage cans. The pupils in the bulk of the primary schools pick the rubbish around the schools and dump them onto a chosen site or burn them.

### **20. Secondary Schools with Landscape**

10% of the Secondary School in the districts visited during the fieldwork have some sort of landscape, which is of utmost importance in checking erosion. It must be mentioned that in the forest zone, due to the abundance of rainfall, landscape is easily carried out and maintained.

### **21. The Need for Facilities as per Order of Importance**

The need for sanitation facility, water points, electricity, telephone, refuse disposal system, and landscape was discussed during the fieldwork with District Authorities, District Directorate of Education, members of Parent-Teachers Associations, Head teachers, Teachers, and school pupils. It was observed that water points and sanitation facilities were chosen equally as the most important necessity of Secondary School. These were followed by electricity, refuse disposal system, landscape and telephone, in that order.

### **22. Adult Literacy**

Adult literacy programs appears to have been most active in the savannah zone, with three quarters of the households living in communities, where there is or has been an adult literacy program. The table below shows households living in communities, where there is or has been an adult literacy program.

### 23. Households living in communities, where there is or has been an adult literacy program

Ecological Zone	Households living in communities, where there is or has been adult literacy program
Coastal	61.0%
Forest	56.0%
Savannah	76.0%

### 24. Major Health Problems Facing Households in Rural Communities

Rural community dwellers are exposed to a host of health problems related directly to inadequate water (quality) and quantity) and lack of proper sanitary provisions. These problems are compounded by absence of basic health infrastructure and health education. Some of the common diseases are malaria, guinea worm, kwashiorkor, cholera and diarrhea. The table below shows the major health problems facing household in rural communities by ecological zones.

### 25. Major Health Problems Facing Households in Rural Communities

#### Communities

Ecological Zone	Malaria	Hernia	Guinea Worm	Bilharzias	Measles	Cholera	Others	Total
Coastal	59%	5%	19%	2%	3%	5%	7%	100%
Forest	63%	2%	2%	13%	4%	6%	10%	100%
Savannah	40%	25%	11%	1%	11%	0%	12%	100%
	54%	11%	11%	5%	6%	4%	10%	100%

### 26. Industry of economically active Population



The economically active population as per ecological zone are employed or engaged in different sectors i.e. agriculture, mining and quarry, manufacturing, construction, public administration, and education among others. The details have been presented in the table below:

## 27. Industry of Economically Active Population

<b>Industry</b>	<b>Savannah</b>	<b>Forest</b>	<b>Coastal</b>
Agriculture, Hunting, Forestry	71.81%	54.34%	50.04%
Fishing	3.04%	3.86%	6.12%
Mining and Quarry	1.18%	1.87%	1.71%
Manufacturing	7.27%	9.49%	11.89%
Electricity, Gas, Water	0.53%	0.50%	0.42%
Construction	0.72%	1.65%	2.24%
Wholesale and Retail Trade	6.60%	13.19%	11.70%
Hotels and Restaurants	1.42%	2.68%	2.89%
Transport, Storage and Communication	1.15%	2.87%	2.94%
Financial Intermediation	0.17%	0.29%	0.34%
Real Estate & Business Activity	0.78%	0.66%	1.14%
Public Administration	0.54%	0.86%	0.91%
Education	1.49%	2.91%	3.09%
Health and Social Work	0.36%	0.79%	0.74%

Other Community Service	1.47%	3.49%	3.30%
Private Households	1.43%	0.51%	0.50%
Extra-territorial organization	0.04%	0.03%	0.03%

*Source: Computed from 2000 Population and Housing Census*

## 28. Household Expenditure

The mean annual household expenditure and the mean annual per capita expenditure according to ecological zones have been presented in the Table below:

## 29. Household Expenditure

	Mean annual household expenditure, ₵	Mean annual per capita expenditure, ₵
Savannah	8,689,724	1,393,150
Forest	15,056,307	3,704,038
Coastal	16,937,427	4,255,723

*Source: Ghana Living Standard Survey, 2000*

## 30. Solid Waste Management Practices

Solid Waste Management forms an essential part of the primary school construction and operation. It involves technical, managerial, administrative, logistical and financial support at the local level. It is aimed at:

- Ensuring and protecting public health within communities and the schools and
- Promoting environmental hygiene and cleanliness in the schools and the communities.

## 31. Solid Waste Composition

Knowledge on the source and types of solid wastes, along with the data on its composition and generation rates, is basic to the design and operation of all elements of the Solid Waste Management System. The term solid waste is all- inclusive and encompasses all source, classifications, compositions and properties. The following major solid waste categories related to this project can be distinguished:

- i. Domestic Solid Waste

- ii. Commercial Solid Waste
- iii. Constructional/Demolition waste.

Visits to the schools showed little variations in composition as well as in quantities generated per capita. The similarities are mainly linked to the similarities in socio- economic conditions, climate, school size, personal consumption habits etc. The solid waste generation is estimated to be between 0.2 – 0.5kg per capita per day.

### **32. Solid Waste Collection, Transportation, and Disposal**

Mostly, solid waste bins are placed at vantage points in the schools for waste collection. The waste after having been collected is mostly not segregated. The means of transportation have been either wheelbarrows or carried by pupils to the various disposal sites.

These disposals sites are some pits 10-30m away from the schools where they are dumped and at times burnt. Because of the nature of the waste, not all are burnt and thus rendering the pits full within a very short time. The waste usually contains large quantities of sand which also contribute to making the pits full very fast. Pits are therefore dug very often all around the school premise with its associated environmental impact.

Generally, solid waste from within the communities are collected and transported to selected solid waste dumpsites by the District or Metropolitan Assemblies. In most urban areas, private companies have been involved in the collection, transportation and disposal of solid waste.

### **33. Estimating Quantity of Solid Waste Generation**

An average weight of 0.2 – 0.5-kg/capital/day of solid waste is generated in the schools visited. A class should have an average of 25-35 pupils. Normally a primary school would have six classes, and a head teacher's office. The average population of the schools visited including the teachers is 220. The teachers' accommodation, which is part of the project, is likely to provide an additional population of 20 making the total population to be 240. This population multiplied by the average capita waste generation per day is 84 –120 kg/day per school.

**Annex 4: Sample Grievance and Resolution Form**

**(Can be used for Complaint Recording or for Resolution)**

**Name (Filer of Complaint):** \_\_\_\_\_  
**ID Number:** \_\_\_\_\_ (PAPs ID number)  
**Contact Information :** \_\_\_\_\_ (Village ; mobile phone)  
**Nature of Grievance or Complaint:**  
\_\_\_\_\_

<u>Date</u>	<u>Individuals Contacted</u>	<u>Summary of Discussion</u>
_____	_____	_____

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Signed (Filer of Complaint): \_\_\_\_\_  
Name of Person Filing Complaint : \_\_\_\_\_ ( if different from Filer)  
Position or Relationship to Filer: \_\_\_\_\_

**Review/Resolution**

Date of Conciliation Session: \_\_\_\_\_  
Was Filer Present? : Yes No  
Was field verification of complaint conducted? Yes No  
Findings of field investigation:  
\_\_\_\_\_

**Summary of Conciliation Session**

**Discussion:** \_\_\_\_\_

Issues \_\_\_\_\_

Was agreement reached on the issues? Yes No

If agreement was reached, detail the agreement below:

If agreement was not reached, specify the points of disagreement below and proposed next steps:

Signed (Conciliator): \_\_\_\_\_ Signed (Filer): \_\_\_\_\_

Signed: \_\_\_\_\_  
Independent Observer

Date: \_\_\_\_\_

