



KPLC

**The IPF (Technical Assistance)
Phase 1 Component of the Kenya Green and
Resilient Expansion of Energy (GREEN)
Program**

STAKEHOLDER ENGAGEMENT PLAN

DECEMBER 2022

LIST OF ACRONYMS

| | |
|-------|---|
| CSO | Civil Society Organization |
| DOHSS | Directorate of Health & Safety Services |
| ESHS | Environmental, Social, Health & Safety |
| ESIA | Environmental & social Impact Assessment |
| ESF | Environmental and Social Framework |
| ESMF | Environmental and Social Management Framework |
| ESS | Environmental and Social Standards |
| FPIC | Free Prior Informed Consent |
| ICP | Informed Consultation and Participation |
| | |
| | |
| KEMP | Kenya Electricity Modernization Project |
| KPLC | Kenya Power & Lighting Company Ltd |
| LMCP | Last Mile Connectivity Project |
| MPA | Multi-phase Programmatic Approach |
| NEMA | National Environment Management Authority |
| NGO | Non-Governmental Organization |
| | |
| RE | Renewable Energy |
| | |
| SEF | Stakeholder Engagement Framework |
| SEP | Stakeholder Engagement Plan |
| SHE | Safety Health & Environment |
| TA | Technical Assistance |
| | |
| | |
| VMGF | Vulnerable & Marginalize Group Framework |
| WB | World Bank |

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1. Program Description

The Government of Kenya's development blueprint pledged to stimulate economic growth and accelerate job creation for the economic wellbeing of all Kenyans. In the blueprint, energy access has been identified as a key enabler of the development process. This pledge is being achieved through various projects, including the expansion of power distribution systems to be within the reach of more Kenyans, thus enabling them to connect to the national grid at affordable costs.

Given the need for a long-term, sustained engagement to achieve a financially and operationally sustainable power sector and achieve the vision of universal access to electricity, a four-phase Multi-phase Programmatic Approach (MPA) with a combination of a Program for Results (PforR) and Investment Project Financing (IPF) operations is proposed with the objective of increasing access to electricity in Kenya in a financially and environmentally sustainable manner.

The first phase of the MPA will include the IPF component, supporting Technical Assistance (TA) activities, which is the focus of this Stakeholder Engagement Plan (SEP). The proposed TA activities include updating the Kenya National Electrification Strategy, the least cost plan for generation and distribution master plan; conducting feasibility studies for distribution network including distribution substations; undertaking strategic environment and social assessments; training and capacity building for affected persons, KPLC staff and other relevant entities, and preparing other strategies, plans, and policies.

2. The Stakeholder Engagement Plan

This SEP is prepared to guide the engagement of all relevant stakeholders when implementing TA activities in a manner consistent with the requirements of Environmental and Social Standard (ESS) 10. Undertaking TA activities will require the involvement and participation of different stakeholder groups, including those who will be directly affected as well as those who have other interests in the proposed project interventions. These will include affected persons-vulnerable individuals and households; VMGs; relevant government departments, agencies, and ministries; development partners, consultants, NGOs and CSOs at both the national and county levels as well as organizations representing the rights of VMGs, and traditionally excluded groups.

The SEP establishes the general framework for the effective participation of all the stakeholders. The SEP also presents the activities, schedule, responsible parties, the mechanism for handling complaints and claims, resources, monitoring, and, reporting activities. The SEP identifies all key existing and potential stakeholders and describe, among others, the characteristics of each stakeholder, including their level of interest, influence, and support, timelines (including frequency of consultations) and methods of engagement with them throughout the life of the project. The SEP includes differentiated stakeholder engagement and consultation measures to allow the equal and effective participation of those identified as VMGs, disadvantaged / vulnerable groups or traditionally excluded groups. The SEP also describe ways in which feedback will be solicited from stakeholders, recorded, and monitored and how the grievance mechanisms to be deployed as well as how the engagement process will be monitored and reported.

The Kenya Power and Lighting Company (KPLC) will consult affected groups and other stakeholders, and take their views into account. KPLC will initiate such consultations as early as possible, and to ensure meaningful consultations between KPLC and all stakeholders, KPLC will disclose relevant information about TA activities in a timely manner prior to consultation, and in a form and language that are understandable and accessible to the groups being consulted.

Finally, the SEP will include a Grievance Mechanism (GM) that is functional and efficient. The GM will allow stakeholders to raise concerns and for KPLC to facilitate resolution in a timely manner.

3. Legislative and Policy Requirements Relevant to Stakeholder Engagement

3.1 Kenyan Regulations and Legislations

The Constitution of Kenya 2010

Public participation is considered a crucial pillar of the Constitution. Article 1(2) states that all sovereign power belongs to the people of Kenya, and section 35 provides for access to information for every citizen. The Constitution has provided for stakeholder engagement on environmental and social matters in article 42, and articles 69-73 have elaborated on the same. Provisions are made for public participation under Article 35, such that the right to information has been recognized as a fundamental right for the enjoyment of all other rights. Article 10 (2) includes participation of the people as part of the national values and principles of governance. Article 201 (a) also outlines public participation as one of the principles of public finance alongside openness and accountability.

On minorities and marginalized groups, the Constitution of Kenya has recommended putting in place affirmative action programmes designed to ensure that minorities and marginalized groups--

- (a) participate and are represented in governance and other spheres of life;
- (b) are provided special opportunities in educational and economic fields;
- (c) are provided special opportunities for access to employment;
- (d) develop their cultural values, languages and practices; and (e) have reasonable access to water, health services and infrastructure.

All stakeholder segments including minority and marginalized groups will be meaningfully engaged, effectively participate and access social and economic benefits that are also culturally appropriate, throughout TA implementation.

The Environment Management and Coordination Act, 1999 (revised 2015)

EMCA is the substantive legislation governing the various environmental and social issues specifically section 58 and 68 of the Act. While the Constitution encourages public participation in the management of protection, and conservation of the environment, the principle of public participation in the development of policies, plans and processes for the management of the environment is outlined under the EMCA.

The Access to Information Act, 2016

The Access to Information Act, 2016 establishes the right of access to information by citizens of Kenya in line with the Constitution of Kenya, 2010. KPLC will comply with the provisions of this Act, particularly Section 5(2) in implementing TA activities, to ensure that information dissemination to stakeholders considers the need to reach people with disabilities, literacy and mobility challenges; any financial/cost implications; languages used, and the communication techniques employed.

Gender Policy of 2011

It articulates the policy approach of gender mainstreaming and empowerment of women. The policy seeks to have a society where women, men, children, and persons with disabilities enjoy equal rights, opportunities, and a high quality of life. This KPLC will ensure that both men and women are consulted about, effectively participate in, and benefit from TA activities.

HIV and AIDS Prevention and Control Act, 2006

The Act provides measures for the prevention, management and control of HIV and AIDS. Stakeholder engagement will comply with the guidelines as set in this Act, and KPLC will put in place appropriate measures to prevent and control the spread of HIV/AIDS throughout TA implementation.

The Sexual Offences Act, 2006 (amended 2012)

The Act of Parliament makes provision about sexual offences, their definition, prevention, and the protection of all persons from harm, unlawful sexual acts, and for connected purposes. The Act emphasis on observing a standard work ethic to ensure persons from both genders are not subjected to sexual offences such as GBV (Sexual Exploitation and Abuse of communities by service providers and Sexual Harassment amongst TA workers). KPLC will ensure that the GBV-SEA/SH mitigation and response measures are instituted and disclosed to affected communities and other relevant stakeholders.

3.2 World Bank Environmental and Social Framework (ESF)

The implementation of the TA activities will be guided by the ESF requirements as outlined in the various Environmental and Social Standards (ESSs). The ESSs that are applicable to the TA activities include:

ESS1 Environment and Social Assessment

This standard will be applied to guide the development of the Strategic Environmental and Social Assessment (SESA) ToRs and in the implementation of the SESA

ESS 2 Labor and Working Conditions

This standard will be applied by the TAP consulting firms to guide the recruitment and treatment of all TA employees and other contracted workers as may be necessary in carrying out the TA activities in line with the Labor and SH Management Procedures that will have been prepared for the TA activities

ESS 4 Community Health and Safety

This standard will be applied to ensure the health and safety of community members who will be involved in the TA activities, e.g. during consultations and data collections, and among whom the TA activities will be carried out. Particular attention will be on SEA management

ESS5 Land Acquisition, Restrictions on Land Use and Involuntary Resettlement

The requirement of this ESS will guide the preparation of the ToRs for the SESA which will be undertaken as part of the TA activities

ESS6 Biodiversity Conservation and Sustainable Management of Living Natural Resources

The requirement of this ESS will guide the preparation of the ToRs for the SESA which will be undertaken as part of the TA activities

ESS7 Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities

A process of Free, Prior, and Informed Consultation (FPIC) with the affected Indigenous Peoples' communities while undertaking the TA activities will be guided by this standard to fully identify their views and ascertain their support for the project.

ESS 10 Stakeholder Engagement and Information Disclosure

This SEP and its implementation are based on, and guided by the requirements of ESS 10. It will also be implemented in line with the ESS 10 requirements.

4. Objectives of the Stakeholder Engagement Plan (SEP)

The SEP seeks to define a technically and culturally appropriate approach to stakeholder consultation and information disclosure. The goal of this SEP is to improve and facilitate decision-making and create an atmosphere of understanding that actively involves affected people and other stakeholders in a timely manner, and that these groups are provided

sufficient opportunity to voice their opinions and concerns that may influence implementation of the TA activities. The SEP is also a useful tool for managing communications between KPLC and stakeholders. The TA activities will present different environmental and social risks and impacts, which will require proper mitigation measures, hence the need to engage all stakeholder segments.

5. Stakeholder Identification and Analysis

In order to develop an effective SEP, it is necessary to determine who the stakeholders are and understand their needs and expectations for engagement, and their priorities and objectives in relation to the TA activities, as well as their level of influence on the project. This information is then used to tailor engagement to each type of stakeholder. As part of this process, it is particularly important to identify individuals and groups who may find it more difficult to participate and those who may be differentially or disproportionately affected by the TA activities because of their marginalized or vulnerable status.

KPLC will utilize a robust process of stakeholder identification and analysis, involving an assessment of different groups and interests in the community, to determine potential supporters and partners, as well as those who may oppose the project. Further, KPLC will consult VMGs, vulnerable individuals and households separately, to ensure that they fully and effectively participate and benefit from the TA activities, and these consultations will take into consideration gender, intergenerational and cultural sensitivity.

KPLC will create a database of all stakeholders with contact information of specific individuals, households, and office holders/local leadership. Leaders will include descriptions of the section or sub-section of the community that they represent, and where possible, the spatial extent of leaders' jurisdiction will be documented. The database will be regularly updated with any new stakeholders, individuals, contact information, etc. All stakeholders in the database will be disaggregated by gender, as well as their level of impact or influence, and how the project is benefitting them.

For effective and tailored engagement, stakeholders are divided into the following core categories:

- **Affected Persons:** They include individuals, households, institutions to be consulted during the implementation of TA activities, including as applicable, preparation of the E&S instruments and plans, policies, procedure.
- **Interested Parties:** individuals/groups/entities that may not be direct beneficiaries of TA activities but who consider or perceive their interests in the project and the process of its implementation in some way (government entities, media, academia, civil society etc.).
- **Vulnerable Groups:** persons and households who may be disproportionately impacted or further disadvantaged by the TA activities as compared with any other groups due to their vulnerable status, and that may require special engagement efforts to ensure their equal representation in the consultation and decision-making process associated with the project.
- **Vulnerable and Marginalized Groups (VMGs):** persons who are included among the vulnerable and marginalized groups in Kenya and who meet the ESS7 requirements.

The TA stakeholders have been identified and grouped as shown in Table 1 below.

Table 1: Stakeholder identification and mapping

| No. | Stakeholder | Potential Role in Project | Interest | Influence |
|-----|--|---|----------|-----------|
| 1. | Affected Persons , including key representatives of communities, VMGs and persons with disabilities (e.g., council of elders, representatives of women, youth groups, and people with disabilities and other disadvantaged groups such as minority clans) | Provide information or their views on the concerned TA activities which will assist the project team to make informed decisions while providing support during the implementation of the TA activities | High | Low |
| | Interested Parties | | | |
| 2. | National Treasury | Provide oversight and control of disbursement of TA funds to the implementing agency. Monitor compliance of financial reporting of funds by the implementing agency. | Medium | High |
| 3. | County Governments | As appropriate, facilitate the work of the TA personnel in accessing various parts of the county and ensuring security for them Participate in TA activities, and provide information to TA consultants on aspects of the TA activities that are relevant to, or have implications for the respective counties | Medium | medium |
| 4. | Ministry of Energy & Petroleum | Ensure TA activities compliance and reporting. | High | High |
| 5. | Kenya Power | TA activities implementation and coordination including stakeholder engagement | High | High |
| 6. | EPRA | as relevant, the use of TA outputs to strengthen related rules and regulation | High | High |
| 7. | REREC | Application of TA outputs, in particular, the SESA recommendations in its work since KPLC and REREC's work have implications for each other | Medium | Medium |
| 8. | TA service providers/consultants/their workers | Implement community Entry meetings. Construct electrification systems. Implement consumer safety awareness. | High | Low |
| 9. | Media | They are intermediaries for information dissemination to the stakeholders and the | Low | Medium |

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|-----|---------------|--|--------|--------|
| | | public about the planned activities of the developer(s) and for information disclosure in connection with the proposed project(s). | | |
| 10. | Civil Society | Ensure project compliance. Represents the interests of different interested parties and vulnerable groups and VMGs. | Medium | Medium |
| 11. | World Bank | Ensure project compliance. | High | High |

6. Stakeholder Engagement and Consultation Process

Stakeholder engagement is the basis for building strong, constructive, and responsive relationships that are essential for the successful management of a project's environmental and social impacts. The Constitution of Kenya (2010), as well as other national laws and regulations, contain a multitude of provisions regarding public participation through the engagement and consultation of all key stakeholders. Public participation allows individuals and communities to contribute to decision-making processes by expressing concerns, needs, and values.

Implementation of the TA Activities will involve engaging different stakeholders across the country, including affected persons and interested parties (government agencies, media, service providers/consultants, civil Society, suppliers etc.) thus requiring KPLC to develop a stakeholder engagement plan, in order to effectively engage all stakeholders throughout the TA implementation. The stakeholder engagement and consultation process will also include differentiated measures to allow the participation of those identified as vulnerable or disadvantaged, as well as VMGs, and when the stakeholder engagement process depends substantially on community representatives, KPLC will make every reasonable effort to verify that such persons do in fact represent the views of affected persons, and that they can be relied upon to faithfully communicate the results of consultations to their constituents.

KPLC will document each consultation process, in particular the measures taken to avoid or minimize environmental and social risks and impacts on beneficiaries and will inform those likely to be affected by TA activities about how their concerns have been considered. The stakeholder engagement process will take place in a variety of contexts and using a range of vehicles. Against this backdrop, stakeholder engagement will include consultations, joint planning, capacity building, partnerships, community-based monitoring and reporting.

The SEP therefore defines a process for stakeholder engagement, including the disclosure of relevant information and consultations throughout the implementation of TA activities. The SEP outlines the mechanism by which affected persons can raise concerns, provide feedback, or make complaints about the TA activities. The involvement of the local population is essential to the success of the TA activities in order to ensure smooth collaboration between KPLC staff, service providers/consultants and local communities and to minimize and mitigate environmental and social risks related to the proposed TA activities.

6.1 Principles of stakeholder engagement and consultations

In order to ensure effective engagement and consultation of all stakeholders, KPLC will apply the following principles.

- Undertake the consultation process in a manner that provides the affected persons with opportunities to express their views on risks, impacts and mitigation measures, and allows the KPLC to consider and respond to them.
- Ensure the extent and degree of consultations will be commensurate with the risks and impacts and with the concerns raised by affected persons.

- Begin consultations early in the process of identification of environmental and social risks and impacts and continue on an ongoing basis as risks and impacts arise.
- Base consultations on the prior disclosure and dissemination of relevant, transparent, objective, meaningful and easily accessible information, which is in a culturally appropriate local language(s) and format and is understandable to affected persons.
- Focus consultations on project affected persons and interested parties, free of external manipulation, interference, coercion, or intimidation.
- Enable meaningful engagement and participation of all stakeholders.
- Tailor its consultation process to the language preferences of the affected persons, their decision-making process, and especially the needs of VMGs, vulnerable individuals and households.

6.2 Summary of Project Stakeholder Needs and Methods, Tools and Techniques for Stakeholder

Engagement

Dissemination of information on TA activities will allow stakeholders to express their opinions, observations, and suggestions, to help maintain a constructive relationship with them. KPLC will employ a variety of engagement techniques and methods to build relationships, gather information, consult, and disseminate project information to stakeholders. When selecting an appropriate consultation technique, culturally appropriate and accessible consultation methods, and the purpose for engaging with a stakeholder group will be considered. **Table 2** below provides a list of different methods that KPLC will utilize to disseminate information to each group of stakeholders.

Table 2: Project Stakeholder information Needs and Methods, Tools and Techniques for Stakeholder Engagement

| No. | Stakeholder | Engagement Techniques | Stakeholder information needs (theme of interest) |
|-----|--|---|--|
| 1. | Affected Persons , including key representatives of communities, VMGs and persons with disabilities (e.g., council of elders, representatives of women, youth groups, and people with disabilities and other disadvantaged groups such as minority clans) | Public meetings One-on-one interviews/meetings Formal meetings Correspondences (Phone, Emails/ text / instant message) | Objectives of each TA activity such as the SESA, grievances Redress Mechanism; Stakeholder Engagement Plan; mitigation and response to SEA/SH; Health and safety impacts; feasibility studies engagements etc. |
| | Interested Parties | | |
| 2. | County Governments | Formal meetings Correspondences (Phone, | Objectives of each TA activity such as SESA; Stakeholder Engagement Plan and Grievances Redress |

| No. | Stakeholder | Engagement Techniques | Stakeholder information needs (theme of interest) |
|-----|--|--|--|
| | | Emails/ text / instant message) | Mechanism; regular updates on project development; additional project information and Consultations, and how these affect or relate to the respective counties |
| 3. | Ministry of Energy | Formal meetings Correspondences (Phone, Emails/ text / instant message) | Objectives of each TA activity such as SESA, Energy Master Plan, Policies, procedures and Plans preparation, Stakeholder Engagement Plan and Grievances Redress Mechanism; regular updates on TA Activities; additional project information if required for purposes of project coordination. |
| 4. | Kenya Power | Formal meetings Correspondences (Phone, Emails/ text / instant message) | SESA Preparation, feasibility studies, energy master plan preparations, consultant Contracts, Stakeholder Engagement Plan and Grievances Redress Mechanism; regular updates on TA activities; additional project information if required for purposes of project management and coordination with other stakeholders. |
| 5. | EPRA | Formal meetings Correspondences (Phone, Emails/ text / instant message) | Status on project compliance on legal issues; relevant project information e.g.,TA activities scope and rationale and E&S principles, project coordination activities; way leaves acquisition process; Grievance Redress mechanism, KEMP frameworks (ESMF, VMGF, RPF) for purposes of regulation, permitting and overall compliance. |
| 6. | REREC | Formal meetings Correspondences (Phone, Emails/ text / instant message) | Objectives of each TA activity such as SESA preparation and implementation, feasibility studies, energy master plan preparations, consultant Contracts, Stakeholder Engagement Plan and implications of these activities for REREC's work as legally mandated |
| 7. | NEMA | Formal meetings Correspondences (Phone, Emails/ text / instant message) | Status on project compliance on legal issues; SESA ToRs with relevant project information e.g.,TA activities scope and rationale and E&S principles, project coordination activities for purposes of regulation, permitting and overall compliance. |
| 8. | TA service providers/consultants and their workers | Formal meetings Correspondences (Phone, Emails/ text / instant message) | SESA ToRs; Grievances Redress Mechanism; Stakeholder Engagement Plan; mitigation and response to GBV (SEA/SH); Training on E&S requirements and other sub-management plans; and worker grievance redress mechanism. |
| 9. | Media | Formal meetings Correspondences (Phone, Emails/ text / instant message) | TA implementation status Project beneficiaries including VMGs GBV/SEA-SH issues Project related complaints and grievances Grievance redress mechanism |

| No. | Stakeholder | Engagement Techniques | Stakeholder information needs (theme of interest) |
|-----|---------------|--|---|
| 10. | Civil Society | Formal meetings Correspondences (Phone, Emails/ text / instant message) | concerns and complaints GBV issues TA activities Interventions for VMGs ESHS compliance reports Status of Project affected persons Project Beneficiaries |
| 11. | World Bank | Formal meetings Correspondences (Phone, Emails/ text / instant message) | TA activities Compliance status Environmental & Social risks Monitoring reports |

7. Strategy for Information Disclosure

7.1 Implementation of TA Activities

KPLC will disclose relevant project information to affected persons and other relevant stakeholders, for them to understand the risks, impacts and opportunities of TA activities as well as their full rights and entitlements. KPLC will provide affected persons with access to relevant information on: (i) the purpose, nature, and scale of the TA activities (ii) the duration of proposed TA activities; (iii) any risks to and potential impacts on such communities and relevant mitigation measures; (iv) the envisaged stakeholder engagement process; and (v) the grievances mechanism, among others.

KPLC will also disclose TA activities-specific plans such as the Stakeholder Engagement Plan, Grievance Mechanism, and GBV-SEA/SH mitigation and response measures (e.g. employee code of conduct, survivor referral pathways), among others, to affected persons and interested parties, and create awareness on key social issues such as Sexual Exploitation and Abuse (SEA) of community members by Consultant workers and Sexual Harassment (SH) amongst consultant workers.

7.1.1 Disclosure of TA Output

KPLC will convene meetings with all stakeholders to consult on the TA output including the SESA, Energy Master Plans, Polies, Plans and Procedures and pre-feasibility studies. These consultations will involve various stakeholders including persons affected by TA activities (including VMGs and vulnerable individuals), relevant national and county government entities, local and international NGOs etc.

KPLC will disclose to affected persons and other relevant stakeholders the TA-related E&S risks and impacts, and the appropriate mitigation measures, key concerns raised from stakeholders, and agreements and conclusions from all disclosure sessions documented. This process will inform the development of the Strategic Environmental and Social Assessment Management and Monitoring Plan, to identify the TA needs and effectively mitigate any risks and impacts throughout the implementation of TA activities.

8. Feedback Strategy

KPLC is committed to having meaningful dialogue with stakeholders using different mechanisms and space for feedback. KPLC has developed the Grievances Redress Mechanism and it will utilize the periodic field monitoring and evaluation

missions to receive feedback from affected persons. KPLC will seek to include comments and suggestions, relevant and feasible, which allow a better implementation of TA activities and strengthening KPLC information dissemination and feedback mechanisms.

9. Stakeholder Engagement Program

Table 3 below presents the scope of anticipated stakeholders who may be engaged for the TA activities, parties responsible for engaging stakeholders, methods/techniques used, and frequency of engagements.

Table 3: Stakeholder Engagement Program

| Project Stage | Topic/ Messages | Stakeholders Involved | Responsibility | Methods Used | Timeframe |
|--|--|---|---|--|--|
| Pre-activity initiation stage | <p>Disclosing relevant TA information. E.g.,</p> <ul style="list-style-type: none"> -TA objectives and Activities -TA service providers -TA beneficiaries -TA benefits, potential negative impacts and opportunities. <p>TA output such as summaries of E&S instruments and plans, policies, plans, procedures as relevant.</p> <p>Program Information</p> <ul style="list-style-type: none"> -SEP, SEA/SH prevention and response measure, requisite workers code of conduct especially in relation to SEA/SH, GM and Labor Management Procedures -Sensitization and rolling out the SEP and the GM - s - | <p>Affected Persons (see examples in Table 1 above)</p> <p>Other relevant stakeholders</p> | <p>PIU/ KPLC E&S teams-</p> <p>TA service providers/consultants</p> | <p>Workshops, FGDs, Public Barazas, roadshows and leaflets as applicable</p> | <p>Prior to the start of TA activities, especially the SESA and prefeasibility and feasibility studies, and at the start of these activities</p> |
| Design and Preparation Phase of each TA activities | The Project PIU staff | <p>KPLC Management and departments relevant to the TA activity</p> <p>Ministry of Energy</p> <p>Other relevant MDAs</p> | The PIU and KPLC-corporate communication department | face to face meetings, internal (KPLC) design workshop | during the preparation of the TA activity ToRs |
| TA Implementation stage | Soliciting feedback from affected persons and other stakeholders and providing and disclosing information on activity progress according to | Affected Persons (as outlined above) | Program PIU | Public barazas, and sharing of relevant information of progress | At mid term and end of TA activities |

| | | | | | |
|--|--|--|--|--|--|
| | stakeholder information needs as outlined in the SEP | | | reports based on stakeholder information needs | |
|--|--|--|--|--|--|

10. Resources and Responsibilities for Implementing Stakeholder Engagement Activities

The management, coordination and implementation of the SEP and its integral tasks will be the responsibility of the PIU.

10.1 Project Implementation Unit (PIU)

The PIU will have sole responsibility for the overall management and coordination of the TA implementation. The PIU will be reporting to the KPLC Management on agreed times. The PIU will comprise of the team leader, project coordinator, procurement specialist, financial specialist, environmental and social safeguards specialists, among others. The E&S safeguards specialists will be very crucial in ensuring the successful implementation of TA activities. They will oversee all stakeholder engagement related activities, manage grievances, proactively identify stakeholders, risks, impacts and opportunities and inform the PIU to ensure that the necessary mitigation measures are put in place.

10.2 KPLC Senior Management

A senior PIU staff will represent KPLC at the corporate level in overseeing stakeholder consultation and grievances management. He/she will be expected to review the findings or observations regarding stakeholder engagement and grievances management forwarded from the project level and assign responsibility for implementing the agreed actions.

10.3 TA Service Providers/Consultants

TA service providers will employ adequate and qualified E&S specialists to be responsible for managing all the E&S issues arising from their operations. The specialists will be responsible for implementing ESF requirements for TA activities, including ongoing engagement and inclusion of affected persons and other stakeholders as required under ESS10, as well as handling any complaints that may arise during TA implementation.

11. Budgetary Requirements for SEP Implementation

The financial resources required for the implementation of the SEP and the GM will be included in the overall TA budget and adequate amounts will be allocated in this regard. The specific budget lines for the SEP and GM implementation will include trainings, workshops, meetings, awareness sessions, printing materials, and field visits, among others. These are estimated to cost approximately USD 1 (one) million, but the actual budget will be affirmed when the TA activities budget lines are prepared.

12. Grievance Mechanism (GM)

The aim of the GM is to achieve mutually agreed resolution of grievances raised by stakeholders, managed through a transparent process, acceptable to all segments of affected persons and other stakeholders, with no cost and without retribution to the party that originated the issue or concern. The GM should be appropriate to the scale of impacts and

risks presented by TA activities and beneficial to the proponent, affected persons and other stakeholders and must not impede access to other judicial or administrative remedies.

KPLC has developed a GM as a stand-alone document to address concerns from stakeholders promptly and effectively and in a transparent manner. The GM will be made available to stakeholders prior to the start of TA implementation to enable them channel their TA related grievances to KPLC as necessary. Specifically, the GM:

- Provides affected persons and interested parties with avenues for making a complaint or resolving any dispute that may arise throughout the implementation cycle.
- Ensures that appropriate and mutually acceptable redress actions are identified and implemented to the satisfaction of complainants.
- Avoids the need to resort to judicial proceeding. However, if the aggrieved are dissatisfied with the resolution reached, they are free to seek judicial and other administrative mechanisms without retribution. These mechanisms include law courts (costs borne by the aggrieved), the World Bank Grievances Redress System (GRS) and Inspection Panel (at no cost). KPLC will disclose these mechanisms to affected persons and other stakeholders.

Some of the anticipated grievances stakeholders may raise include the following.

- Unacceptable behavior by TA service providers/consultants and their employees. E.g., sexual exploitation and abuse (SEA) and sexual harassment (SH).
- Labor related grievances.

It is critical that stakeholders understand that all grievances lodged, regardless activity being implemented will be managed through the project GM.

12.1 Summary of the GM Process

Grievances will be submitted through the various channels as shown in Table 4 below. All grievances received will be forwarded to the KPLC GM Focal Point who will be responsible for recording them in a Grievance/Complaints Register/log, and for implementing the grievances redress measures as outlined in the KPLC GM.

Table 4: Summary of the GM Process

| Process | Description | Time Frame | Other Information |
|---------------------------------------|--|------------|--|
| Grievance's submission and recording. | Face to face; phone; letter, e-mail. Recorded during public/community. Interactions. Anonymous complaints. | 1 Day | KPLC hotline no. / contacts 95551 or *977#; KPLC email address – info@kplc.co.ke; KPLC addresses |
| Grievance's assessment and logging. | Grievance significance assessed and recorded or logged (i.e., in a logbook) | 3-6 Days | Significance criteria: Level 1 –one off event. Level 2 – complaint is widespread or repeated. Level 3- any complaint (One off or repeated) that |

| | | | |
|------------------------------|--|-----------|--|
| | | | indicates breach of law procedures and protocols governing the TA activities |
| Grievance's acknowledgement. | Acknowledgement of grievance through appropriate medium. | 3-5 Days | Email, letter, call. |
| Development of response. | Grievance assigned to appropriate party for resolution. Response development with input from management/ relevant stakeholders. | 4-10 Days | Response would take the form of meeting with aggrieved person/s, investigations and resolution agreed. |
| Response communication. | Redress action approved as appropriate. | 5-10 Days | Resolution delivered. |
| Implementation of response. | Redress action implemented and update of progress on resolution communicated to complainant. | 5-10 Days | Progress of implementation |
| Grievance's closure. | Grievance Closure. | 3-10 days | Grievance Closure report. |

Note: KPLC will endeavor to resolve and close all complaints in a timely and transparent manner; however, the complainant has the right to seek legal redress in case they are not satisfied with the resolution.

12.2 Grievance Management and Appeal Process

Stakeholder grievances related to the TA activities will be received and managed in line with the KPLC GM that will be availed to stakeholders prior to the start of the TA activities and addressed in line with the timeframes outlined in Table 4 above. This will include the appeal process as outlined in the KPLC GM.

13. Monitoring and Reporting

The SEP and GM will be periodically revised and updated as necessary during TA implementation in order to ensure that the information presented therein is consistent and most current, and that the identified methods of engagement remain appropriate and effective in relation to the TA context, stakeholder needs, and specific phases of the development. Any major changes to the TA activities and to its schedule will be duly reflected in the SEP. Monitoring of the stakeholder engagement process allows the efficacy of the process to be evaluated. Specifically, by identifying key performance indicators that reflect the objectives of the SEP and the specific actions and timings, it is possible to both monitor and evaluate the process undertaken. Periodic reporting will be undertaken, and as appropriate, relevant information disclosed to stakeholders according to their information needs, and in line with ESF 10 disclosure requirement. At a minimum, sharing of relevant TA activities progress reports with external stakeholders according to the information needs, will be undertaken at midterm and end of TA activities (or bi-annually based on the duration of each activity). Stakeholders will be required to provide feedback on progress reports and TA implementation in general, and their feedback will be incorporated to enhance TA activities and/or reports.

13.1 Internal Reporting

The PIU will prepare and present TA activities to the KPLC management and the various departmental head concerned with the respective TA activities. Such reports will incorporate aspects of stakeholder engagement and the status of grievance management as appropriate.

13.2 External Reporting

External Reporting means the reporting requirement for external client including the funding agency (World Bank), government (Ministry of Energy) and other regulatory bodies as appropriate. KPLC will provide to external stakeholderstheTAactivity reportsincluding aspects onstakeholders'engagement and grievances management, among others, and in line with their requirements. the PIU project Manager is expected to manage the external reporting requirements of the TA activities.

13.3 Internal Monitoring

The internal monitoring will be carried out by the PIUon quarterly basis. PIUwillengage stakeholders on key social aspects such as GBV-SEA/SH, grievance management, stakeholder consultations and information disclosure, among others.

13.4 Third party monitoring

KPLC will engage a third-party consultant to conduct the external monitoring periodically. The third-party consultant will monitor the progress of stakeholder engagements, and grievances management and the overall E&S safeguards compliance.

13.5 Methods and Frequency of Reporting to Stakeholders

KPLC will undertake face to face consultations with stakeholders to give feedback on the implementation of the TA activities, and on issues that involve ongoing risk to or impacts on stakeholders, and aspects that the stakeholder consultation process or grievance mechanism have identified as a concerning to stakeholders.

On a quarterly basis, the PIU will produce and submit to the MoE and the World Bank progress reports on TA implementation as well as the E&Scompliance. Information management for every meeting and interaction related to TA activities engagement will be documented.