

Republic of Kenya



**MINISTRY OF AGRICULTURE LIVESTOCK AND FISHERIES
STATE DEPARTMENT OF FISHERIES AND THE BLUE ECONOMY**

**TERMS OF REFERENCE FOR
SOCIAL SAFEGUARDS SPECIALIST**

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| NAME | |
| Job Title: Social Safeguards Specialist | |
| Department: State Department for Fisheries Aquaculture and the Blue Economy (SDFA-BE) | |
| Project Name: Kenya Marine Fisheries and Socio-Economic Development Project (KEMFSED) | |
| Location: Nairobi | |
| Expected Start Date of Assignment: December 2019 | Duration: 6 months renewable once based on performance |
| Reports to: Name: Susan Imende | Title: PPA Team Leader |

1. Background

The GoK, through the State Department for Fisheries, Aquaculture, and Blue Economy (SDFA&BE) and with support from the World Bank, is implementing the Kenya Marine Fisheries and Socio-Economic Development (KEMFSED) project, which aims at supporting the country in its efforts to leverage emerging opportunities in the Blue Economy. The KEMFSED project, which will be implemented in Kenya's coastal counties including Kwale, Mombasa, Kilifi, Tana River, and Lamu, will strengthen the management of fisheries that are priority to coastal livelihoods, thereby securing stocks at sustainable levels of harvesting. At the same time, the project will strengthen coastal households' access to complementary livelihood activities toward diversifying sources of household income to reduce dependence on capture fisheries. By better managing and conserving marine and inland water resources, reducing illegal fishing activity, and enhancing the value of the fish products in the value chains, the sector is expected to enhance its contribution to the overall economy.

The project is expected to have several positive environmental and social impacts and socioeconomic benefits at both the country level and coastal counties. The scale of project interventions is not expected to result in significant adverse environmental, health or social

impacts. However, some activities could result in negative impacts, which are expected to be site-specific, temporary, and reversible in nature.

Social impacts resulting from project activities are expected to be positive, however for any potential negative social impacts, mitigation measures will be proposed and implemented. Positive social impacts expected include: enhanced economic growth and benefits-more fisheries-related activities will bring more jobs and income to the fishermen; improved nutrition and food security; empowerment of beneficiaries (fishers and non-fishers) by providing access to grants and complementary livelihoods in fisheries and non-fisheries sectors; source of employment to the fishers including women in fisheries related value addition activities; capacity building, awareness raising and training to enhance skills and knowledge of the fishers in various activities; and promotion of ecotourism related activities and businesses. Potential negative social impacts include: temporary loss of employment and livelihoods especially indigenous people in the project area (including ethnic minorities); physical displacement of local communities due to land acquisition; land grabbing at fish landing sites; changes to land rights and/or restricted access to resources because of the project development; and road safety and occupational health and safety related risks at construction sites; impacts on cultural heritage/archaeological interest/existing ecologically sensitive areas; and gender-related risks.

The Bank's social safeguards policies triggered by the project include: Indigenous Peoples (OP 4.10) and Involuntary Resettlement (OP 4.12). Since the exact location of works were not identified during project preparation, social safeguards instruments that are prepared to meet the requirements of the triggered policies include Resettlement Policy Framework (RPF), Process Framework (PF), and Vulnerable and Marginalized Group Framework (VMGF), following a Social Assessment (SA) and Gender Assessment. The SA was undertaken as a requirement for the preparation of the VMGF. These reports guide the design of the project since separate VMGP will not be prepared. The preparation of these instruments was founded on robust stakeholder engagement process, and all instruments were publicly disclosed in-country and on the Bank's website on [add date once disclosed].

2. Objective of the Assignment and Scope of Work

SDFA&BE seeks the services of an individual consultant who will work in the National Project Coordination Unit (NPCU) of the KEMFSED Project as a Social Safeguards Specialist. The objectives of this Specialist are to promote the social sustainability of the KEMFSED project and to ensure that no adverse social impacts are caused by the project. More specifically, the Social Safeguards Specialist is expected to:

- Review safeguards instruments (e.g., Environmental and Social Impact Assessment/ESIA, Environmental and Social Management Plan/ESMP, Integrated Pest Management Plan/IPMP, Resettlement Action Plan/RAP, Vulnerable and Marginalized Groups Plan/VMGP) and ensure all safeguards issues are accurately addressed as stipulated in the respective TOR and ESMF, and provide expert guidance to the NPCU and county governments;
- Ensure that project activities are carried out in line with WB safeguards policies and safeguards instruments (i.e., ESMF, RPF, VMGF, PF) prepared for the project, and national

legislation; more specifically enforce social safeguards measures of the project as stipulated in the RAP and ESMP;

- Monitor the enumeration and valuation of land, crops and property and other assets and facilitate prompt processing and timely and accurate payment of compensation by relevant institutions (where applicable); coordinate community interactions and activities with the Project Affected Persons (PAPs) and other stakeholders (where applicable);
- Conduct and facilitate outreach programs to educate affected persons on the social benefits of the project;
- Pay full attention to opportunities to enhance the social impact of the project and to reduce and mitigate against its potential social risks;
- Prepare training materials and carry out technical trainings on social safeguards with SDF&BE staff, county government staff, and other relevant stakeholders;
- Serve in the panel evaluating bids on environmental and social works and consultancies; assess potential social impacts of civil works planned under the Project, provide recommendations for adjusting designs for decreasing negative impacts to the extent possible, and identify measures for mitigating negative social impacts;
- Brief contractors engaged under the project on the applicable safeguards policies and their requirements;
- Oversee compliance by all project contractors with good social practices adopted by the Project (including stakeholder consultation, beneficiary feedback, gender sensitivity, etc.), and ensure that social risks that relate to child protection, and labor and working conditions for workers are properly managed; carry out supervision and/or inspections of sites where works are taking place to verify the compliance levels, with and without the contractor, as necessary;
- Collect data on project social impact and keep records of social supervision of project activities in a systemic manner that allows easy search-and-find out all documents upon request of NPCU, the World Bank, and national authorities;
- Oversee community engagement, including with VMGs and regularly liaise with communities that are benefiting from the project to facilitate communities' access to economic opportunities resulting from project activities;
- Prepare and execute specific stakeholder engagement plans as per each project county;
- Be responsible for project-related Grievance Redress Mechanism (GRM), both during its establishment and implementation and oversee the grievance redress mechanisms to ensure any issues are resolved in a timely manner;
- Prepare regular safeguards monitoring reports for the NPCU, including preparation of the social safeguards, gender sensitivity, labor-related issues, and beneficiary engagement content of project progress reports submitted to the World Bank;
- Draft reports on safeguards and social development matters, and other relevant project documentation in line with project reporting requirements;
- Other relevant duties as requested.

3. Required qualifications

The Social Safeguards Specialist shall have the following minimum qualifications:

- Higher education in social science, sociology, social work or other relevant social discipline;
- At least 10 years of full-time and documented experience in similar assignments;
- Experience with social safeguards issues in development projects, including gender sensitivity, involuntary resettlement, community inclusion and community development, inclusion of VMGs, stakeholder consultation, citizen engagement and grievance redress;
- Knowledge and/or familiarity with coastal Kenya, and specifically the social issues in the project area;
- Experience with operational policies of the World Bank social safeguards (especially OP 4.10 Indigenous Peoples and OP 4.12 Involuntary Resettlement), and with ensuring project compliance with social safeguards requirements;
- Good command of national social legislation, both at the national and county level;
- Excellent leadership, technical competence and professional skills for timely implementation, coordination and management of activities;
- Proven ability to effectively coordinate activities involving multiple disciplines and organizational units, as well as to maintain high service standards under pressure, and meet deadlines;
- Excellent knowledge of Kiswahili and full English fluency, including report-writing skills;
- Computer literacy.

4. Reporting Arrangements

The Social Safeguards Specialist will report to the KEMFSED Project Coordinator.

5. Deliverables

The Social Safeguards Specialist shall submit the following deliverables to the NPCU:

- Action plans, reports/master plans/research/project findings, proposals, etc. as required;
- Regular safeguards monitoring reports, including updates on social safeguards, stakeholder engagement, gender sensitivity and beneficiary engagement as input to project progress reports, mid-term reports, and completion report;
- Records of social supervision of project activities;
- Review documents on preparation of any Resettlement Action Plans (RAPs), VMGPs and ESIA/ESMPs and specific IPMPs;
- Establishment, operationalization, and monitoring of GRM logs;
- Other deliverables as required by the NPCU and the World Bank;
- Monthly progress report on the above activities under the Project to keep track of the project activities during the entire implementation phase. Such progress reports shall be submitted not later than five calendar days following the reporting month;
- Review reports, ToRs and Social Safeguards Plans as required to the acceptable standard and quality;
- Submit reports on key learning's and lessons learned and the way forward.

6. Responsibility of the Employer

SDFA&BE will provide technical, administrative and support in coordinating activities as well as office, furniture, office equipment, stationery, and other materials as required by the Contract Administration to perform his/her duties as specified in this TOR.

7. Place of Work

The Social Safeguards Specialist will be stationed in Nairobi at the NPCU, with travel to project areas as required. Where travelling individually on programme duties, expenses will be incurred and reimbursed accordingly, in accordance with GOK procedures. All individual travel shall be approved by the KEMFSED Project Coordinator.

8. Remuneration and Mode of Payment

The Social Safeguards Specialist shall be remunerated on a monthly basis, with the rate being negotiated with the successful candidate.

9. Remuneration and Mode of Payment

The Social Safeguards Specialist shall be remunerated on a monthly basis, with the rate being negotiated with the successful candidate upon submission of monthly reports (deliverables) and based on performance (performance-based contract).

10. Selection method

The consultant selection will follow the both the Government approval procedures and the World Bank's Procurement Regulations for Investment Project Financing (IPF) Borrowers for Individual Consultants.