

**STATE DEPARTMENT FOR YOUTH AFFAIRS & CREATIVE ECONOMY**

**NATIONAL YOUTH OPPORTUNITIES TOWARDS ADVANCEMENT**

**(NYOTA) PROJECT**

**PROJECT REFERENCE: P179414**

**TERMS OF REFERENCE (TOR)**

**FOR A FULL TIME ENVIRONMENTAL AND SOCIAL CONSULTANT**

**SEPTEMBER, 2024**

#

# PROJECT BACKGROUND

The Government of Kenya, in partnership with the World Bank, is supporting Youth Employment in all the Counties of Kenya through the National Youth Opportunities Towards Advancement (NYOTA) Project. The project development objective of NYOTA is to increase employment, earnings and promote savings for targeted youth at a national scale. There are 2.4 million youth aged 18-29 among the poorest 40 percent of Kenyans who fulfill one or more of these criteria. Such youth face exclusions and are often unable to access government sponsored jobs programs. As such, the project will cover approximately 35 percent of this pool.

The NYOTA Project is expected to impact 800,000 vulnerable youth across all 47 counties of Kenya including refugees in the counties of Garissa and Turkana. The project beneficiaries are youth aged 18-29 and 35 years for Persons with Disabilities (PWDs), with little or no education,who are unemployed, underemployed, or in low-tier employment with very low earnings. The project is anchored on a solid premise that better employment outcomes are realized when there are more jobs with better pay, better protection and better earnings, and more inclusive jobs for disadvantaged groups of youth.

# PROJECT DESCRIPTION

NYOTA project aims to support better employment outcomes and improved savings through integrated interventions that address the myriad of constraints that the youth face. **Component 1** of the project focuses primarily on labor supply side constraints and offers **knowledge transfer and skills development in addition to intermediation related initiatives**. The component also addresses childcare related constraints for young mothers. **Component 2** focuses on the labor demand side constraints and facilitates **youth with aptitude for entrepreneurship with development on core business skills and provides them with seed money to start or expand their businesses**. It also supports social enterprises to provide similar support to the hard-to-serve youth. **Component 3** of the project focuses on **enhancing savings opportunities** among targeted youth, and **Component 4** supports **strengthening of youth employment systems and project management**

**1.2 Institutional Arrangements**

The MoYACES will be responsible for the overall coordination and supervision of the project. MoYACES will lead the implementation of component 1. Further, on Component 1, the State Department of Labor and Skills Development (SDL&SD), National Industrial Training Authority (NITA) and National Employment Authority (NEA) will implement those parts for which they have the mandate. Micro and Small Enterprises Authority (MSEA) will take the lead in implementing Component 2 and NSSF will take the lead in supporting Component 3. Under component 4, the State Department for Micro, Small and Medium Enterprise Development (SD-MSMED) will be responsible for development of M&E system for catalytic funds. MoYACES will work closely with Department of Refugee Services (DRS) and United Nations High Commissioner for Refugees (UNHCR) on the Window for Host Communities and Refugees (WHR) components implemented in the refugee hosting areas.

# Environment and social risk and mitigation measures

The environmental and social risk rating is moderate since there are no civil works of any kind included in the project activities. The only environmental risks may emanate from occupational, safety and health (OHS) risks and impacts based on the host institutions or the organizations the youth will be assigned to. There are risks related to exclusion of target youths from accessing project benefits and opportunities; exacerbating or potentially giving rise to sexual exploitation and abuse, sexual harassment (SEAH), and other forms of gender-based violence (GBV); exploitation and abuse of the apprentices; the limited and developing capacity of MoYACES, NSSF and the other implementing agencies (IAs) to manage social risks and impacts arising from the project. These risks and others that emerge during project implementation will be addressed through putting in place appropriate mitigation measures and effective engagement of key stakeholders. Toward this, the project has prepared various environmental and social instruments to ensure the project is implemented in line with both Kenyan laws and regulations as well as the relevant World Bank’sEnvironment and Social Standards (ESS). The instruments include, the Stakeholder Engagement Plan, Grievance Mechanism, Vulnerable and Marginalized Groups Framework, Labor Management Procedures and SEAH prevention and Response Action Plan. The Consultant is expected to play a lead role in the implementation of all these instruments alongside building capacity of all the project staffs on environmental and social

## 2.0 Objective of the assignment

The objective of this assignment is to guide in the implementation of the E&S aspects on NYOTA to ensure project compliance with the national laws and the World Bank Environmental and Social Framework (ESF).

## 3.0 Scope of Services

The scope of this assignment will entail the following but not limited to:

1. Familiarize with the Project Environmental and Social commitment Plan (ESCP), project instruments and other existing project documents, and guide in its implementation and adoption by all the project beneficiary entities.
2. Provide overall guidance to the National Project Management Unit (NPMU) and all beneficiary agencies on the implementation of the project regarding Environmental and Social Safeguards standards (ESSs) as per the World Bank ESF and relevant Kenyan laws and regulations.
3. Provide overall environmental and social expertise for the project including environmental and social screening of project-implemented activities as well as monitoring ESF compliance.
4. Ensure the environmental and social requirements under the project are implemented efficiently and effectively.
5. Prepare annual ESS work plans for approval by the PMU and submit quarterly, annual environmental and social performance progress reports, and completion report at the end of the project.
6. Review environmental and social instruments and other documents prepared by the beneficiary entities to ensure compliance with relevant environmental and social policies of the Government of Kenya and the World Bank.
7. Guide in the development of differentiated approaches to ensure transparency and inclusion of VMGs, PWDs, minority groups, hard to serve youth and refugees, and disseminate information of their participation in the project in collaboration with communication team.
8. Develop ESS capacity development plans, convening ESS learning activities including in-house training for PMU staff & other key implementing entities.
9. Conduct audits in matters pertaining to environmental and social compliance during project implementation.
10. Contribute to overall project progress reports pertaining to the implementation of environmental and social requirements of the project.
11. Support development of communication protocols relating to Environmental and Social Safeguards
12. Document stakeholder engagements both formal and informal, grievance committee meetings, and grievance logs as well as trainings.
13. Develop Terms of Reference for the Grievance Management (GM) Committees at all levels.
14. Participate in weekly meetings with the project implementing agencies on ESS or whenever required.

Perform any other tasks related to Environmental and Social Safeguards (ESSs) as assigned by the National Project Manager (NPM).

##  Capacity Building and Knowledge Transfer

Capacity building and training is one of the objectives of this assignment. The Consultant is expected to build the capacity of all project staff, service providers, and target beneficiaries. The Consultant will identify good practices and develop dissemination strategies. The Consultant shall propose approach and methodology for capacity building and knowledge transfer.

##  Location of Assignment

The Consultant will be based at the PMU offices, within the Ministry of Youth Affairs, Creative Economy and Sports, Head Quartered in Nairobi, with site visits to various parts of the country.

##  Timeframe, Duration and Commencement of the Assignment

The Consultant will be engaged for 24 months in 5 years contract period based on the deliverables. The contract may be renewed subject to satisfactory performance or on need basis and will report to the National Project Manager. The assignment will commence immediately after signing of the contract.

##  Deliverables

The Environmental and Social Consultant shall submit the following deliverables:

* 1. Inception Report. The Consultant shall submit to the NPM within two months after commencement of services a Draft Inception Report including but not limited to the following information for review and consideration: An understanding of the assignment; methodology; proposed work plan for the first One (1) year and a clear monitoring and reporting framework.
	2. Environmental and Social quarterly performance report for each Agency detailing social compliance, project social achievements, successes, lessons learnt and challenges experienced during project implementation period and conclusion, recommendations and action plan. The quarterly report shall be submitted within five days after the end of the reporting period.
	3. Annual Environmental and Social performance report for the project, consolidating inputs from each participating agency. The report shall detail social performance status, key observations, audit report, lessons learnt and recommendation on how to enhance performance. It shall further report on any changes in the overall setting relevant to the work packages against the baseline situation. The performance report shall be submitted by the fifth day after the end of the year.
	4. A time bound ESS awareness creation, sensitization and capacity building work plan within three months of commencement.
	5. Training of the project team on the World Bank Environmental and Social Framework (ESF).
	6. A clear work plan and timelines for preparation of environmental and social management plan for the implementing agencies.
	7. ESS performance review feedback: Review ESS reports before submission and acceptance by the Project Implementation Team and follow-up on any necessary actions arising for prompt closure.
	8. Contribute to World Bank bi-annual Supervision support missions Aide Memoire
	9. Any other document as may be required by PMU and the World Bank.

##  Procedure for Review of Reports and other Deliverables

The procedure for submission and reviewing reports will be as follows:

* 1. All reports shall be submitted in hard copy with an electronic copy in English in PDF and Ms Word. The Consultant shall submit 2 No. hard copies and 3 No. soft copies for every report. The recipient of reports will be the Project Management Unit.
	2. The standard review period for PMU and World Bank is 10 working days.
	3. Draft reports, Final reports and documents should be submitted in editable MS Word and PDF versions. Final version of the reports should be submitted one week after receiving feedback on draft version.

#  Submission of Reports

The above reports shall be submitted to:

PRINCIPAL SECRETARY

SDYACE – NYOTA PROJECT

Bruce House - 3rd Floor

P.O. Box 34303-00100

# Nairobi, Kenya

MoYACES will be the substantive owner of the reports and will have copyright ownership.

## Required Competencies, Qualifications and Experience

This assignment requires Environmental and Social Consultant with the following qualifications and experience:

1. Minimum of a Master’s degree in, Social sciences or any other relevant field
2. A minimum of 10 years relevant, proven and hands-on professional experience in ESS risk management, including thorough demonstration in preparing and implementing ESS instruments to strengthen the engagement of Vulnerable and Marginalized Groups, Grievance management, stakeholder engagement and inclusion.
3. Minimum of 3 years’ experience in formulating and implementing ESS risk management and opportunity enhancement measures in accordance with the World Bank’s Environmental and Social Framework (ESF) or similar policies in other international financial institutions in complex and challenging settings and across practices;
4. Experience in designing and delivering capacity building programs on ESS aspects.
5. Proven familiarity with environmental and social conditions prevailing in Kenya;
6. Solid understanding of issues relating to human development projects, , including the ability to speak persuasively and present ideas clearly and concisely; Possess excellent oral and written communication skills in English and Kiswahili, as well as team participation and management skills, analytical, interpersonal, writing, advocacy and presentation skills;
7. Strong organizational skills and ability to interface with national, county and sector players in the discipline;
8. Proficiency in computer applications.

**12.0 Client Obligations**

The Client will provide the following support to the Consultant:

a) Office space;

b) All available relevant documentation to the Consultant, such as the Project Appraisal Document, Periodic Reports, Program Manual, etc.

c) Introductory letters to key stakeholders to facilitate communication;

d) Facilitate review and dissemination meetings with key stakeholders;

e) Facilitate liaison with other program-implementing partners

MoYACES will be the substantive owner of the reports and will have copyright ownership.

**15.0 Remuneration and Payment Schedule**

Remuneration will be based on national competitive rates for this specific specialized field of knowledge and will reflect the selected candidate’s area of expertise and relevant work experience, provided he or she has satisfactorily fulfilled all requirements to become a candidate for this Consultancy.

The Consultant will be paid on a monthly basis, based on schedules agreed at the negotiation stage, and the actual calendar of payments and the specific amounts to be paid per month will be disclosed by the PMU. Subsistence expenses will be reimbursed.

**16.0 Selection Method**

Selection of an Individual Consultant in accordance with provided Consultant ToRs, Kenya laws and World Bank’s Procurement Regulations for IPF Borrowers’ fifth edition revised September 2023.

**17.0 Financial Proposal**

The Consultant will propose his/her rates for these services as per attached schedule in the invitation for expression of interest. The rates in the proposal shall include all of the Consultant’s costs including the applicable statutory deductions.

 **18.0 Acceptance**

All rights are reserved with SDYACE to either approve or disapprove any proposal without giving any reasons whatsoever.

**19.0 Confidentiality Statement**

All data and information received during the assignment, from respondents, NYOTA Agencies and the World Bank are to be treated confidentially and are only to be used in connection with the execution of these Terms of Reference. All intellectual property rights arising from the execution of these Terms of Reference are assigned to SDYACE. The content of written materials obtained or prepared in this assignment will not be disclosed to any third parties without the expressed advance written authorization of SDYACE and/or the World Bank.

**20.0 Complete application documents consisting of:**

Applications accompanied with detailed Curriculum vitae and copies of relevant documents and testimonials should be submitted in a plain sealed envelope, clearly marked with the contract reference number and title of the consultancy in two sets with Sealed financial proposal labelled ‘FINANCIAL PROPOSAL’ sent or delivered to the address below: and deposited to the Tender Box at Bruce House, 3rd Floor., Standard Street, addressed to:-

**The Principal Secretary,**

State Department of Youth Affairs and Creative Economy,

Bruce House, 3rd Floor,

P. O. Box 34303 – 00100, Nairobi,

Kenya.