

(Final ESMF)

Environmental and Social Management Framework



**NEPAL: COVID-19 SCHOOL SECTOR
RESPONSE (GPE) PROJECT**

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Ministry of Education, Science and Technology
Centre for Education and Human Resource
Development, Kathmandu, Nepal**

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Executive Summary

The SSDP Covid-19 Response Plan is a project designed to support the implementation of the SSDP parent program aiming to prevent or reverse the unintended effects and impacts of Covid-19 in the public sector education of Nepal. Currently, a total of about 8.2 million children, enrolled in the school level education with about 6.5 million at the basic level, have been impacted directly by the Covid-19 pandemic. As the disease continued to rise fast since its first incidence in January 2020, GoN enforced phase-wise lockdowns for a couple of times from March to September 2020 as a strategy to combat the problem. As a result of lockdowns, government schools have remained fully closed for more than six months already.

The Covid-19 response planning project will be implemented in about 100 local governments (municipalities) of the country. The implementation will focus mainly on providing education to the children through technically viable alternative teaching-learning options such as radio, TV, computer and internet services, and a learning portal that has already been created. Recently, MoEST has issued a directive instructing the local governments and schools to develop the alternative learning mechanism and initiate distance learning measures and prevent/minimize further losses.

The implementation of the project entails certain risks and impacts. Anticipated risks and impacts of the project are diverse with varied features and magnitudes that are complex to quantify or measure. This framework is developed inconsistent with the applicable World Bank's standards. These are ESS1, ESS2, ESS3, ESS4, ESS7, and ESS10. Similarly, relevant GoN legislative and policy provisions have been reviewed to draw legislative measures that are fully supportive of the implementation of the project. Information gaps between GoN legal provisions and the World Bank's standards have also been identified to suggest measures and bridge the gaps. The ESMF is a live document and will be updated as per the requirements of GoN and the World Bank.

The environmental impacts may occur in various forms such as contaminated water supply and poor sanitation as well as noise and dust pollution, waste generation from refurbishment works. The nature of impact is insignificant, however, the excess water consumption and demand for water supply in the school sector will likely have an impact on resource efficiency (groundwater/spring source depletion) and effluent generation from WASH and sanitation facilities which will add burden in the existing environment. On the other hand, the cumulative environmental impacts associated with the subproject activities are predicted on the water source, noise, traffic congestion due to the vehicles carrying refreshment raw materials, health and safety hazards, generation of solid wastes and spoils from refurbishment earth works. The nature of solid waste identified are masks, soap wrappers, liquid soap bottles, disinfectants, and hand sanitizer poly bottles used by School staff and children. The potential risks also involve working conditions of labor as well as persistent risks of COVID transmission among children, teachers, officials, and communities at a large.

On the social side, the risks related to potential exclusion of children from the alternative learning system appear quite pervasive. Children from poor and marginalized communities, mainly girls and children with disabilities (CwD) and those having no or limited access to alternative teaching-learning technologies or those without electricity connections, will encounter more chances of exclusion from the learning process. Other social risks associated are increased dropouts of children, mainly girls and CwD, increased risks of SEA/SH of girls, child marriage as well as the potential for switching to the worst forms of labor as a result of deepening poverty caused by the COVID pandemic. The children of socially disadvantaged/vulnerable groups, mainly the indigenous groups (*Adivasi/Janajati*), ethnic/religious minorities, Dalits, poor and women-headed households are likely to be affected most.

Representatives from different LGs and EDCUs raised various issues and concerns on the implementation of SSDP Covid-19 Response Project during the online stakeholder consultation held on 20th April, 2021. Some of environmental and social issues shared by the participants were: i) unsustainability of water supply facilities to the schools due to the water source issues where the water sources are located in other LGs than LGs of beneficiary schools, ii) solid waste management in school where waste generated from different kinds of packing materials used for food and drink products and wastage from use of mask, gloves during the COVID response activities, iii) unsatisfactory performance of learning packs distributed to the children iv) problems in teaching and learning among the CwDv) poor compliance of Covid-19 protocols (social distance, mask, sanitizer etc) and lack of supervision and monitoring vi) very limited access to distant learning tools such as internet and TV among large number of children.

The ESMF provides approaches to identify and manage the potential environmental and social risks by developing school specific ESMPs. Normally, the risk mitigation measures to specific environmental and social issues and impacts will be integrated into the subproject design and implemented carefully once the issues are clearly understood by local implementing bodies which constitute mainly the local governments and schools. Experienced environmental and social experts will provide close guidance to the local government and schools to undertake the risk assessment using appropriate planning tools and methods involving site visits, walkthrough, consultations, information collection, validation, etc.

The ESMF describes the steps and procedures of environmental and social assessment succinctly. Subproject selection, including exclusion criteria, as well as mandatory requirements of screening, ESMP preparation, approval, and disclosure of documents have also been outlined. The CEHRD/PCU is the responsible agency to provide overall oversight on safeguards procedures from the center whereas the local governments (municipalities) and schools have major roles for safeguards planning, implementation, and monitoring locally. At subproject/school levels, the client will hold consultations including free prior informed consent with the indigenous groups as per World Bank's requirements and ensure their participation during the planning, implementation, and monitoring of subproject activities.

Stakeholder consultations are key strategies to identify, prioritize, manage, or minimize the potential risks and impacts. Consultations provide not only the opportunities to ensure the participation of various stakeholders in key decisions making but also provide useful feedback to develop effective teaching-learning practices that are locally suitable and culturally appropriate. MoEST/CEHRD has developed and put in place a three tier Grievance Redress Procedure (GRP, 2074) with the objective of recording, processing and resolving the complaints / grievances efficiently and timely. The existing GRM will also be used for addressing GBV, SEA/SH related issues along with e-mechanism for confidential reporting.

Institutional arrangement for the implementation of E and S safeguards planning and design has already been built within CEHRD/ SSDP (original financing) program. At the local level, local governments and schools will take responsibility for the implementation, monitoring and reporting the progress on ESMF interventions. Whereas EDCU will take responsibility for monitoring and submission of safeguard reports from school and local government to safeguard team at CEHRD/PCU for preparation of consolidate report on trimester basis and share it with World Bank. CEHRD/PCU have responsibility to monitor and supervise the progress status of implementation of project at school level.

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ABBREVIATIONS

AF:	Accelerated Fund
CEHRD:	Centre for Education and Human Resource Development
CWD:	Children with Disabilities
DWSS:	Department of Water Supply, Sewerage and Sanitation
ECCCP:	Education Cluster COVID-19 Contingency Plan
ECED:	Early Childhood Education Development
EMIS:	Education Management Information System
ESMF:	Environmental and Social Management Framework
ESMP:	Environmental and Social Management Plan
EPA:	Environmental Protection Act
EPR:	Environment Protection Rule
FM:	Financial Management
GBV:	Gender-Based Violence
GPE:	Global Partnership for Education
GoN:	Government of Nepal
GRM:	Grievance Redress Mechanism
IPDP:	Indigenous People Development Plan
IPF:	Investment Project Financing
JFPs:	Joint Financing Partners
LEG:	Local Education Group
MoEST:	Ministry of Education Science and Technology
MOFE:	Ministry of Forest and Environment
MOPE:	Ministry of Population and Environment
NEGSIFMIN:	National Environmental Guidelines for School Improvement and Facility Management in Nepal
OHS:	Occupational Health and Safety
PCU:	Project Coordination Unit
PDO:	Program Development Objective
PTA:	Parent Teacher Association
SC:	Steering Committee
SEP:	Stakeholder Engagement Plan
SMC:	School Management Committee
SSDP:	School Sector Development Plan
VCDP:	Vulnerable Community Development Plan
WASH:	Water Sanitation and Hygiene
WB:	World Bank

CHAPTER 1: INTRODUCTION

1. This Environmental and Social Management Framework (ESMF) is prepared to support the GoN, School Sector Development Project (SSDP) under COVID-19 School Sector Response, Global Partnership for Education (GPE) project. The Framework will enable the project implementing agency i.e Center for Education and Human Resource (CEHRD) under the Ministry of Education Science and Technology (MoEST) and other stakeholders, mainly the federal and local governments as well as schools, to adopt environmental and social approaches under SSDP- COVID -19 activities. It will also guide the authorities on key safeguards approaches, procedures and maintaining compliances in implementation of COVID -19 SSDP – programs fighting against the pandemic and restoring the teaching learning environment in Schools.

1.1 Background

2. In Nepal, the first case of COVID-19 was detected on January 24, 2020. With the new cases of infections recorded in the subsequent months, GoN imposed a nationwide lockdown since March 24, 2020, to reduce the potential spread of the disease. Despite protracted phase-wise lockdowns which has come into effect through the number of announcements by the government, the cases of infections rose fast and steadily. According to WHO, Nepal, a total of 56,787 COVID-19 cases were confirmed in the country through polymerase chain reaction (RT-PCR) by 16 September 2020. All seven provinces and 77 districts have reported one or more cases since the beginning of the disease. The country's daily new infection rate has surpassed 1000 cases per day in recent weeks with health experts suggesting that the situation may worsen further in the days ahead as the government has lifted the lockdowns with all daily activities becoming normal without measures to check the disease transmission such as social distancing, use of masks and sanitation practices.

3. Like all sectors, the education sector is also highly affected by the Covid-19 pandemic. As a result of the lockdown, Nepal's educational institutes are fully shut down. In consequence, an estimated 8.2 million children from pre-primary to Grade 10 are out of schools for a period of about six months. The pandemic threatens the education sector, mainly in two ways: (i) the immediate impacts of school closures, and (ii) the impacts sparked by reduced economic activities and income which will push many economically poor and vulnerable households into the poverty trap.

4. Nepal has placed education at the center of its COVID emergency response and has pursued remote and e-learning opportunities to offset the losses caused by school closures. The recent Directive of MoEST on "Facilitation of students' Learning" clearly outlines that the government will initiate the teaching-learning process using different IT means such as e-learning/ remote learning, digital learning, etc. The Directive states that the students who have been out of schools due to the COVID crisis will be classified into five different groups based on their access and availability of diverse learning means and will be delivered the courses through one or other options available to them. The local governments and schools are instructed to develop their specific teaching-learning practices and initiate alternative teaching methods as appropriate locally.

1.2 Project Description

5. On March 31, 2020, the Global Partnership for Education (GPE) Board voted to create a US\$250.0 million COVID-19 Accelerated Funding Window under the GPE Fund. Nepal's maximum allocation under this window is US\$15 million. For this allocation, the World Bank has been selected as the Grant Agent (GA) for processing and supervising the proposed grant through the consensus of the Government of Nepal (GoN) and the Local Education Group (LEG). The implementation period of the proposed grant would be for 18 months and will support the GON's Education Cluster COVID-19

Contingency Plan (ECCCP) to mitigate COVID-19 impacts in the public education sector of Nepal. The Project has three components as follows.

6. **Component 1: Remote learning methods for continued learning of all children, including children with disabilities (CWD) and children from a marginalized background (US \$ 0.9 million):** This component will finance activities to ensure continuity of learning for all children; communication campaign and sharing of information; and continued professional development of teachers.

- (i) Mitigate learning loss through inclusive distance learning programs for all children.
- (ii) Development and updating of learning packs for children from marginalized backgrounds with no access to media or the internet.
- (iii) Strengthening the Education Management Information System (EMIS).

7. **Component 2: Support to sub-national level to support safe re-opening and continued learning (US \$ 9.26 million):** This component will support three subcomponents.

- (i) **Sub-component 2.1: Printing and distribution of learning packs to children from the marginalized background** with no access to media or internet:
- (ii) **Sub-component 2.2: Continued Professional Development of Teachers and Head-teachers:**
- (iii) **Sub-component 2.3 Schools grants to schools from selected local governments**

- a) **Welcome to School campaigns:** This involves educating parents, caregivers, and communities on disease prevention for safe and sustained re-opening of schools, and motivating students to return to school. This will specifically target CWD and adolescent girls who are the most vulnerable to the effects of the pandemic in terms of their return to school.
- b) **School sanitation & health protocols,** including health screening: The project will support the implementation of the school reopening framework at the school level. The project will support (i) sanitization of schools before reopening, especially schools that have been used as quarantine facilities; (ii) availability of hygiene products, including menstrual hygiene products; (iii) minor refurbishment of Water Sanitation and Hygiene (WASH) facilities (including ensuring the availability of water) with a focus on ensuring accessibility for girls and CWD; (iv) safety protocols for school re-opening; (v) implementation of staggered shifts and alternating weeks to reduce student contact; and (vi) psycho-social support for students, parents and teachers at the school level.
- c) Teaching at the right level, including conducting formative assessments in classrooms when schools reopen to estimate the learning gaps and providing additional support to children falling back, including remedial instruction.
- d) **Sub-component 2.4: Grants to schools with resource classrooms and special schools¹:** The Accelerated Fund (AF) will support special schools and schools with resource classrooms that cater to the education of CWD. Activities under this sub-component will be similar to sub-component 2.3 with a focus on CWD. Selected schools will be required to develop a response plan for the implementation of project activities, including a timeline, physical and financial reporting mechanism.

8. **Component 3: Management, and Monitoring and Evaluation (US\$ 0.51 million):**

The component will support; (i) analytical work, including evaluation of the remote learning practices with the objective to inform future interventions and expansion; (ii) development and dissemination of school reopening framework and creation of national guidelines and strategies that will enable continued learning of students; (iii) building capacity and coordination among the provinces and LGs to equip them

¹ Schools with resource classrooms and special schools selected under component 2.3 will be excluded to avoid duplication

to respond to the effects of COVID-19 and potential further disruptions; (iv) project management, monitoring and evaluation.

1.3 Program Development Objective

9. The Program Development Objective (PDO) of School Sector Development Plan (SSDP) is to improve the quality, equitable access, and efficiency of basic and secondary education in Nepal by supporting the Government's School Sector Development Program. The proposed Accelerated Fund (AF) will add a new component to the SSDP using the Investment Project Financing (IPF) modality to support with the objective to preserve the achievements made under SSDP, including maintaining access to basic education in grant-supported local governments and build resilience for continued learning. The AF component will contribute to the implementation of MOEST's Education Cluster COVID 19 Contingency Plan (ECCCP), to support the continuation of learning for approximately 6.5 million children in basic education in Nepal.

1.4 Objectives of ESMF

10. The ESMF intends to provide guidance environmental and social considerations into all stages of project design, implementation and compliance monitoring.

The key objectives of ESMF are:

- Review World Bank Environmental and Social Standards applicable to the project and GoN's existing policies, regulations, operational guidelines, and institutional arrangements to address and mitigate environmental and social impacts.
- Assess the compatibility of the GoN regulations and policies with the World Bank safeguard standards.
- Describe the tools and procedural steps to assess the environmental and social issues/risks for project-related activities and describe corresponding management measures to address the issues during the project cycle.
- Recommend further requirement of environmental and social safeguard management assessment tools, Plans and procedures to be applied in School sector development program activities, and;
- Comply with the Environmental and Social Commitment Plan (ESCP) prepared during the project appraisal stage of the COVID-19, GPE.

1.5 Scope of Work

11. The proposed AF adds a new Investment Project Financing (IPF) component with the objectives of maintaining access to basic education in grant-supported LGs and building resilience for continued learning to the parent operation, SSDP, which is a Program-for-Results (PforR) operation. The scope of work of the project is considered as Components (Component 1,2 and 3) and its subcomponents wise activities identified in "Program Paper (Proposed Additional Grant) for COVID-19 School Sector Response (GPE)".The AF is designed to support the schools in restoring teaching-learning environments and will be implemented in all seven provinces and all regions of the country covering hills, mountains, and terai. The AF will provide support through school grants to ensure safe re-opening of schools and continued learning. It also supports to minimize the adverse effects of COVID -19 on school sector in Nepal. The project will explicitly focus on safeguarding access and learning of girls and the most marginalized groups and use the crisis response for long term improvements and sustainability.

12. The ESMF is a live document and will be updated as per the requirements of GoN and the World Bank. The ESMF covers applicable World Bank Environmental and Social Standards (ES) and GoN legislative measures. World Bank Environmental and Social Standards (ESS) that are directly relevant in managing E&S risks and impacts and management of the project as highlighted below.

Table-1: World Bank standards and Relevancy to the project.

World Bank ES Standards	Relevance and areas assessed
ESS1: Assessment and Management of Environmental and Social Risks and Impacts	It provides project implementing agency's responsibilities in identifying and managing the E&S risks for the AF. The subprojects/ activities carried out under component 1 and 2 are relevant to assess E&S risk assessment and management systems.
ESS2: Labor and Working Conditions	This standard applies to the workers and project staff directly involved in project activities. The laborers in the project works will be quite limited and hired locally, mostly on daily wage basis. Safety measures will be complied to control potential disease transmission and spread, mainly Covid-19
ESS3: Resource Efficiency and Pollution Prevention and Control	The project is not expected to have a significant direct impact on resource efficiency. However, the availability of drinking water supply source (spring/ground water) will lead to sustainable consumption of water which in turn is relevant to resource efficiency and pollution generation in terms of potential effluent/chemical waste generation from cleaning of School infrastructures and WASH facilities.
ESS4: Community Health and Safety	This standard applies to all project interventions, mainly the Covid-19 response activities, including potential transmission of disease in the local communities and individuals due to mobility and close contact of project staffs, labors and contractors as well as in communities.
ESS7: Indigenous People	This standard is applied to ensure that the planned teaching-learning facilities under the project are accessed by the children of marginalized communities and IPs. Key principles of these policy are relevant considering the possibilities of exclusion of children of these communities to benefit from the targeted interventions for one or more reasons.
ESS10: Stakeholder Engagement and Disclosure	The application of this policy becomes relevant as the project involves several categories of stakeholders with their diverse interest and possibility to influence the project works directly or indirectly. As the project activities are implemented in the schools located in many provinces, effective interactions and consultation will be necessary with the stakeholders, specifically to share project related information, disclose the documents publicly and implement effective GRM.

1.6 Methodology:

13. Considering the COVID pandemic situation, primary data collection, and field-level consultations with key stakeholder was not possible. Therefore, information captured in this ESMF is based on evaluation and assessment of secondary information such as review of E & S safeguard standards, international good practices, government legal requirements, Project documents, and review of literature applicable with the SSDP- COVID- 19 School Sector Response (GPE) Project. But virtual

meetings with stakeholders was conducted to seek feedback from the project team on the planned activities and target groups, mainly the project locations and beneficiaries.

1.7 Limitations:

14. As a result of ongoing COVID-19 pandemic, the study team encountered the following limitations.

- The protracted lockdowns imposed by the government due to Covid-19 pandemic fully restricted field travels and consultations with the Local government (Municipalities), School Management Committees and relevant stakeholders; and
- The interactions were confined to few virtual meetings with limited Officials of CEHRD/ DoE.

CHAPTER -2: POTENTIAL ENVIRONMENTAL AND SOCIAL IMPACTS AND MITIGATION MEASURES

2.1 Context

15. The COVID-19 response plan is intended to support the implementation of SSDP parent program of GoN. The nature of sub-project activities under different components of this project will be largely site-specific and the impacts will be localized. The activities to be carried out under sub-components of the project require environmental and social risk assessment and management as per ESS1. Subcomponents 2.3 School Grants to school from selected local government (School sanitation and hygiene protocols), sub-component 2.4 (grant to schools with resource classrooms special schools) triggers ESS2, ESS3, ESS4. Similarly, the subcomponent 2.1 and 2.3 are relevant to ESS7 and ESS10.

16. Based on the assessment of the subproject activities, the overall environmental risk is assessed as – “Moderate” and social risk of the project is rated as “Substantial”. The magnitude, extent, or duration of the environmental impacts and social impacts of a sub-project depends upon the nature of activities, sensitivity and location, and the subproject is planned to be implemented. The predicted environmental and social issues and mitigation measures from the subproject activities are described below.

2.2 Environmental Safeguard:

2.2.1 Environmental risk

17. The environmental risks predicted are associated with the i) unsafe disposal of disinfectant and discharge of chemicals/effluents due to cleaning of all school sites facilities including offices, accommodation, canteens, common spaces, ii) disposal of solid waste from refurbishment, improvement and rehabilitation of water supply schemes and WASH facilities (hygiene and sanitation), iii) issues related to safe drinking water supply, wastewater generated from excess use of water consumption and, iv) disposal of solid waste, sanitary waste, earthwork from trenching of water supply pipelines, v) landslide and erosion from refurbishment work done in sloppy and fragile geographical locations where water supply pipelines are laid down and vi) air and noise pollution due to open burning of sanitary waste, canteen waste and movement of vehicles carrying construction materials i.e cement, aggregates and stone. All these kinds of practices likely to cause adverse impact in surrounding environment of the School, students and community.

18. However, these impacts depend on in-situ condition program activities intervened and can be managed through application of established COVID- 19 response protocols and measures as guided in the ESMF. Since there will be no major civil works, significant environmental impact is not likely to occur. Additionally, the AF interventions are not likely to trigger any activities related to biodiversity, natural/critical habitat, and ecosystem or living natural resources.

19. The benefit of the proposed investments under AF is to create an opportunities for enhancing school sanitation & health protocols including COVID -19 response health screening, minor refurbishment of WASH facilities, sanitization of schools before reopening, especially schools that have been used as quarantine facilities. The nature of risk is manageable and short term in duration. Hence the environmental risk is assessed as – “Moderate”.

20. Resource Efficiency and Pollution Prevention and Management (ESS3) applies to the implementation of Project result area 4.2 which will support the minor refurbishment of WASH facilities

ensuring the availability of water focusing on girls and children with disabilities. WASH-related activities are expected to have adverse environmental impacts in the form of effluent containing detergent/chemical cleaning solution discharged from the cleaning of canteens, rooms. Excess consumption of water resources available to meet the accumulated demand for water supply in the School sector will adversely cause depletion of water source (spring/groundwater). The environmental impacts associated with project activities are as follows;

a. Issues related to Impact on quality of water supply

21. The regular water supply to the School will be ensured through the refurbishment of existing water supply equipment such as supply pipes, storage tanks, and to some extent maybe maintenance of water sources intakes (gravity/deep tube well) which will lead to deterioration of water quality.

22. The School using ground water source for the purpose of drinking water in the region of Terai is vulnerable to arsenic contamination. Similarly, due to the closure of Schools as part of the pandemic response, many Schools may experience low or no water flow over weeks or months. This may result in water stagnation and associated deterioration of water quality in reservoir/water tank and pipelines (e.g. survival or re-growth of microbial pathogens due to chlorine decay and leaching of harmful metals from pipe work) which will impact on water quality and vis- a - vis to the health and hygiene condition of the end user of water i.e. school staffs and students. The impact is thus predicted as direct in nature, medium in magnitude, and short term in duration.

Mitigation measures:

- Water quality testing should be performed in advance of re-opening Schools to verify that the water used meets national drinking-water quality regulations and standards and that it is safe for School students and other relevant uses i.e. sanitation.
- Regular cleaning and flushing of pipes and storage facilities to remove built-up sediments and decomposition of settling materials.
- Analyze the system to determine areas where pipes and other components are vulnerable to corrosion.
- Protect structures to prevent damage and avoid infiltration of contaminated surface water into the well.
- If wells (groundwater) are the source of water, raise the height of casing above any known level of water-logging and source protection in the gravity system to reduce/minimize foundation at a height that pollutes source by contamination during the rainy season.
- Periodically inspect exposed parts of water supply facilities for cracked, corroded, broken, or damaged.

b. Issues related to water pollution/Effluent discharge:

23. Waste water discharge in the form of unmanaged water consumption and cleaning of School canteens, rooms, corridors etc will cause waste water pondage and prone to breeding of flies and mosquitoes without the proper drainage facilities available in School infrastructure. Adversely, the School children will threaten to high number of water-borne diseases such as diarrhea, dysentery, typhoid, gastroenteritis, and cholera. The type of impact is considered as an indirect, moderate magnitude, local in extent and short term duration.

Mitigation measures:

- Refurbish drainage system and avoid pondage of waste water within or nearby School premises.
- Apply water conservation strategy like reduce, minimize or reuse where applicable.

c. Issues related to impact on Dust pollution/Debris /spoil management:

24. The water supply component's repair and maintenance works will generate earthwork and debris. Lack of safer management of excavated materials will lead to dust pollution in the dry season and soil erosion in a sloppy area where refurbishment activities such as the digging of trenches for the laying of pipes are done. It will likely affect the local land system causing silt runoff and ponding of street surfaces or sometimes School premises. The type and level of impact are considered as a direct and moderate magnitude with a higher extent and short term duration.

Mitigation measures:

- Proper and timely backfilling of the excavated trenches
- Reuse of the excavated earth and proper disposal of the surplus excavated soil.
- Refilled the excavated trench immediately after laying of pipes and brought back to normal conditions.
- Manage spoil to reclaim land with landscaping and vegetation;

d. Issues related to Solid Waste Management:

25. Haphazard disposal of solid waste and improper sanitary conditions generated by the refurbishment activities and WASH facilities may generate solid waste and cause pollution (odor, leachate, and spread of communicable disease) in the surrounding environment and affect the health of the School students, teachers and local people. Likewise, the other sources of solid waste are likely produced from the dispose and burning of waste learning resources materials, poly printed materials, and e- wastes. School administration may feel burden to safe disposal of hygiene and sanitation materials. Solid waste management is a direct type of impact which is of moderate magnitude, with a medium extent covering a smaller area and is for short term duration.

Mitigation measures:

- Prohibit open burning of solid waste in school premises
- Dispose of in designated site location
- Provision of bins to separate degradable and non-degradable wastes
- Minimize or reduce the level of product consumption

e. Impacts on Air Quality and Noise pollution:

26. Impacts on air quality: Dust will be generated from inadequately managed or haphazard: (i) earthworks such as clearing, grubbing, excavations, and digging of trenches to laid downpipes; (ii) demolition works; (iii) stockpiling of natural aggregates, excavated materials and spoils; (iii) transport, loading and unloading of natural aggregates; (iv) movement of construction-associated vehicles.

Noise pollution: due to refurbishment activities; (i) on-site concrete mixing works, maybe; (ii) movement and operation of construction vehicles and equipment, and (iii) loading and unloading of coarse aggregates. The significance of noise impact will be higher in areas where noise-sensitive institutions such as health care and educational facilities are situated.

The impact predicted is thus direct in nature, local in extent, low in magnitude, and short term in duration.

Mitigation measures:

- Air quality: watering of dry exposed surfaces of pipeline and stockpiles of aggregates as necessary;
- if re-surfacing of disturbed roads (i.e. pipeline laid alignment) cannot be done immediately, spreading of crushed gravel over backfilled surfaces;
- Requiring trucks delivering aggregates and cement to have tarpaulin cover;
- Noise Pollution: restricting noisy activities to day time specifically School time; avoiding the use of noisy equipment or doing noisy works at night time;

f. Hazardous waste:

27. In general, waste generated in the School sector – COVID – 19 responses are masks, soap wrapper, liquid soap bottle containing residual quantity of liquid, disinfectants, and hand sanitizer, poly bottles and School sanitized waste materials.

The impact predicted is thus direct in nature, local in extent, higher in magnitude, and long term in duration.

Mitigation measures:

- General waste should be segregated from infectious in clearly marked bins, bagged and tied, and disposed of as general standards and guideline
Infectious waste produced from those with suspected or confirmed COVID-19 infection Students, Staffs, should be collected safely in clearly marked lined containers.

2.3 Social Safeguard

2.3.1 Social Risk

28. The implementation of the proposed project, during ongoing Covid-19 context and later after reopening of schools, apparently entails some risks. A major risk factor associated with the project is possible exclusion of a large number of children who may be refrained from participating in the planned interventions which include primarily different alternative teaching-learning methods to be adapted in the school level education. The targeted inclusive distance learning measures through a number of low to high tech devices (i.e radio, TV, computers, internets, learning portals etc) would not be easily accessible to many children. Similarly, children from marginalized ethnic communities, in particular, will be excluded from distance learning measures in absence of culturally and linguistically appropriate contents and materials. Large number of children would also be prevented from accessing updated information on Covid-19, including sanitary and social distancing practices, prevention of SEA/SH, and other coping strategies and continue learning from different technologies. Inability to mitigate these challenges may result in significant increase in school drop outs, increased out of school children, increased child marriage and adolescent pregnancy, increased GBV, SEA/SH as well as forced child labor in various sectors including several worst forms of labor works.

29. The risks related to planned deliveries of learning packs to the children from marginalized communities with no access to media or internets also appear quite pertinent. Other risks involved directly or indirectly are: timely release of grant funds to the local governments/schools, particularly in schools with resource classrooms and special needs schools as well as use of funds in proper headings on time. Lack of capacity of local governments in handling the Covid situation in schools, lack of clear guidelines on channling the funds and their utilization, poor coordination between central, provincial and local governments further elevate the social risks. Putting all these together, the social risk in the proposed Project is deemed to be “Substantial”.

30. The major social risks associated with subproject activities includes risk of exclusion or deprivation of access and information provided by the project. Potential victims of this are children/students, mainly from marginalized indigenous communities and other vulnerable groups like Dalits, ethnic and religious minorities, poor, women headed households, persons with disability etc. Followings are the specific areas of potential social risk and impacts.

a. Exclusion from Teaching-Learning Interventions:

31. GoN has placed education at the center of its COVID emergency response and has started pursuing remote learning opportunities through digital platforms and a learning portal (<http://learning.cehrd.gov.np>) which has already been designed. Since the onset of Covid-19, MoEST has issued number of guidelines and directives in an effort to initiate the teaching-learning process using different alternatives such as e-learning/ remote learning, digital learning, etc and mitigate the learning

losses caused by school closure. One of the Directives issued by GoN mandates the local governments and schools to classify the students into five different groups based on their access and availability of diverse learning means such as radio, TV, computer, internet, etc, and launch the teaching courses using one or other options available to them². Despite the measures taken, there are possibilities that certain groups of children/students, especially those in community (public) schools, maybe excluded or discriminated from accessing the distance learning services for single or multiple reasons as follows.

- i) The distance teaching-learning programs, in absence of appropriate content/curriculums and teaching strategies to suit the specific needs of children, may result in the exclusion of children. In such a case, even if the children attend the e-learning classes, the learning outcome may be very poor or non-productive for many children, especially the CWD enrolled in the resource classes or special needs schools.
- ii) Children from marginalized communities, especially girls from indigenous groups, Dalits, ethnic and religious minorities appear at higher risk from being excluded. Teaching methods/materials/languages and socio-cultural norms will be the major barriers affecting their learning. Children of primary school Grades who were learning in mother tongues or bilingual/ multilingual teaching methods may be impacted most.
- iii) Many children/students will be deprived of important communications or accessing correct messages about Covid-19 and its prevention such as handwashing and recommended social distancing as well as other coping measures to prevent disease transmission.
- iv) Children of remote communities, low-income groups, and those with limited or without access to learning technologies such as media/internet may refrain from learning opportunities. In many households with limited facilities/technologies (internets, computers, TV, etc), parents would place higher preference to sons/ boys over girls on using the facilities resulting in low learning and dropout among girls.
- v) Exclusion may also occur in many areas where communities still do not have an uninterrupted power supply, media, or internet services. This will particularly affect the communities in geographically remote areas and poverty pockets with no or reliable power supply. It is to be noted that about 22% of households in the country still have no electricity connection and the children of these households will be excluded from any kind of digital learning.
- vi) The inability to mitigate the added challenges posed by the COVID-19 pandemic may result in a significant increase in school dropouts, increased out of school children, increased child marriage and adolescent pregnancy, increased GBV, SEA/SH, and forced child labor.
- vii) The poverty dimension of Covid-19 has precarious impacts on education in the short and long run and it will hit the children hard. Loss of jobs and reduced income among already poor households will pose further challenges on their children in attending the schools after reopening. A large number of children of this group, mainly girls will be forced to engage in low paid works in the informal sector such as housemaid and other worst forms of labor like carpet, garment, brick factories, small restaurants, bars/hotels, etc to support the livelihoods of the families. With the deepening poverty, chances are also high for increased girl trafficking for prostitution within the country and abroad.
- viii) The onling teaching-learning mechansim also involves risks of misuse of technologies and cyber crimes. In case of school level education, young students are most likely to get

² One of the five groups will be without access/availability of any means.

engaged in downloading of music, movies, pictures and may indulge long hours in playing games or uploading photos, videos and profiles. Communicating and chatting with unknown people may also be common which may invite various crimes among the students, particularly sexual harassment and assault on girls.

Mitigation Measures:

The exclusion issues and associated social risks in the proposed project are diverse and complex and require multifaceted coping measures to address them effectively. The followings are the key mitigation measures that should be taken into account and implemented by the implementing agency.

- Design and implement inclusive teaching methods/contents/ curriculums that is appropriate and accessible to the school-going age children of marginalized /indigenous groups as well as CWD.
- Disseminate Covid-19 response measures including disease prevention/control and treatment through different mass media radio/FM, TV, and campaigns locally ensuring that the marginalized and poor communities have fully accessed information.
- Conduct consultations with vulnerable indigenous groups enhancing their participation in planning and implementation of teaching-learning practices that are culturally appropriate and viable locally. This would take care of appropriate teaching methods including languages/tools as well as the cultural norms and values of the communities.
- Provide access to GRM to all stakeholders including children, mainly girls and CWD from marginalized and indigenous communities.
- Obtain regular feedback on the interventions and their effectiveness, and make necessary adjustments in the teaching-learning procedures or take corrective measures for improvement, including legal actions against cybercrimes, and
- Develop Covid-19 response plans locally for the safe reopening of schools including the use of disinfection and health/ hygienic practices by trained medical teams, particularly in areas where the schools have been used for quarantine and disseminate the message effectively in the communities.

b. Risks of SEA/SH

32. One major area of social risks associated with school sector education is risk related to SEA/SH. The teenage girl students from poor, vulnerable and marginalized communities as well as CwD may fall victim of this risk in particular. The prolonged closure of schools, already more than six months with no certainties of reopening in near future, makes this risk to rise further. The main contributing factors to elevate the risks related to SEA/SH among the school going girls are as follows.

- Forced coexistence and/or isolation in quarantines with potential abusers in the family and community during the period of Covid-19;
- Potential SEA/SH abuse triggered by coercion, threats or other reasons by family members, relatives, school teachers/staff and neighbors in the communities; and
- Increased risks of girl trafficking due to prolonged stay at home without schooling as well as loss of income of family heads or other social factors.

33. In case of Nepal, the potential victims of SEA/SH have no or very limited options available to seek help to prevent these risk. In most cases, incidences related to SEA/SH are kept silent in the family

or communities which contribute to further repetitions of the incidences. When the abusers are close relatives in the family or influential persons in the community, the chances of exposing or reporting the cases are quite low. Lack of updated information about possible coping measures, including legal measures, among the victims and their families often makes these issues more complicated. Appropriate mitigation measures have been identified and developed into SEA/SH prevention and response action plan (Annex-5). The action plan focuses on strengthening and building on existing institutional mitigation and reporting mechanism of the school sector like ‘Grievance Redress Procedure 2074’ and ‘suggestions/complaint boxes’ that redress SEA/SH/VAC grievances as well.

Mitigation Measures:

- Raise mass awareness on different coping measures to prevent and control the potential risks related to SEA/SH to teachers, students, parents and communities;
- Social norms including GBV, VAC, GESI campaigns around zero tolerance of SEA/SH through community radios, radio discussions, awareness session, posters and social media;
- integrating sessions on SEA/SH and VAC in the teacher/ head-teacher professional development (TPD) program;
- review codes of conduct for teachers under the “Act relating to Children” and include SEA/SH and develop new codes of conduct for other school staffs with subsequent training and signing of the CoCs

34. Awareness about and coordination with the 24-hour, toll-free GBV Helpline “KhabarGarau 1145” the 24/7 government helpline service that is available across Nepal Grievance Redress Procedure 2074 and Adolescence Friendly Information Corner model operational guideline 2077 to be followed for documentation of complaint registration and management with survivor centric approach. Forms of GBV including SEA/SH and Violence Against Children are also of concern which includes bullying, teasing, sexual abuse and use of digital platforms as a means for cyber related exploitation and harassment especially of girl students, CwD, and other marginalized children.

c. Community Health and Safety:

35. The World Bank’s ESS4 recognizes that project activities may lead to various forms of risks related to the health and hazards of the people and communities where the project has been implemented. These risks, however, could vary largely depending upon the nature and scale of the project. The health-related risks in the communities may be more pronounced, particularly, among the vulnerable marginalized groups viz children, women, poor, elderly people etc. Lack of knowledge and information on the potential risks poses further challenges in community health and safety.

36. The SSDP Covid-19 Response Plan places the children /students, schools, and communities at the center of its planning and implementation attempting to prevent and reduce the transmission of diseases among students, teachers, and communities. Nepal Health Ministry reported in a briefing (2 September) that the country entered community transmissions in 12 districts including the capital, Kathmandu. These 12 districts host around 73 percent of the active cases indicating a high level of infections and community transmissions. Although there are no disaggregated data on the infections of corona diseases by schools, communities, or municipalities, it is believed to have been transmitted widely than what has been reported officially. It is more likely that the potentially affected communities with a higher chance of disease infections are as follows.

- i) Poor and vulnerable communities including ethnic minorities/indigenous groups who are unaware and/or unable to take adequate preventive measures such as social distancing and use of masks, sanitizers;

- ii) Urban areas with dense settlements/slums with no or minimal preventive measures to control (including tracing, testing, and treatment) potential transmission of the disease;
- iii) Communities or social groups who do not refrain from indulging or observing their social functions/ events including major festivals like Dashain, Tihar, Chait which are approaching close;
- iv) Communities where schools have been used for quarantine facilities and opened without adequate measures to disinfect and sanitize them fully; and
- v) Communities where schools are reopened without complying with the standard guidelines or operating procedures issued by relevant authorities.

Mitigation Measures:

Following mitigation measures are suggested to prevent, reduce, and control the risks of Covid-19 transmissions in the communities.

- Develop and implement effective measures including emergency actions to prevent/minimize potential risks of community transmission of COVID-19 with additional care to the children/students and vulnerable communities with higher risks of transmission;
- Support for operating quality quarantines and isolation centers in line with the applicable requirements i.e ESS3, the ESHGs of World Bank standards and other relevant guidelines;³
- Ensure compliance of avoidance of any form of SEA/SH based on the WHO Code of Ethics and Professional Conduct;
- Support for gender-sensitive infrastructures such as segregated toilets and adequate lighting in quarantine and isolation centers and schools after reopening;
- Ensure training to educating parents, caregivers, and communities on disease prevention for safe and sustained re-opening of schools, and motivating students to return to school targeting the deprived groups of children, mainly girls from marginalized /indigenous communities and CWD.

d. Labor and Working Condition:

37. The use of labor is indispensable in most of the projects although labor requirements are varied considerably depending on the project works. In SSDP Covid-19 Response Project, labor requirements are expected to be low because of limited construction activities. Labor requirements and construction work anticipated in the project are rehabilitation of water supply schemes; improvement and rehabilitation of WASH facilities, In addition, laborers will be needed for transporting, handling and installing the teaching –learning materials such as computers, IT equipment/devices, printed materials, sanitation and disinfectants etc. Given the nature of works, the laborers may be hired and mobilized locally from the communities. Only the skilled laborers will be recruited from outside.

38. During the working period, the workers/laborers will be exposed to different types of risks which should be managed efficiently. The most common risks likely to face by workers are inadequate supply of safe and potable water; poor sanitation facilities/practices on working site; inadequate PPE, poor labor camp conditions; poor handling and operation of construction equipment; handling of hazardous substances; exposure to extreme weather and non-observance of health and safety measures. The workers may be potentially exposed to communicable diseases, primarily COVID-19, leading to

³This will include, besides others, WHO guidelines on “Key considerations for repatriation and quarantine of travelers in relation to the outbreak of novel coronavirus 2019-CoV”.

further transmission in the community and other workforce as well as students and teachers in the schools. The impact is direct in nature, local in extent, medium in magnitude, and short term in duration.

Mitigation measures:

- Implementation of occupational health and safety plan/guidelines developed by local governments/ projects to address the health risks of the workers and staff focusing mainly on Covid-19;
- The occupational health and safety plan should be included in the ESMP which should focus mainly on managing the health problems of workers in close coordination with the local health facilities i.e hospitals/health posts, clinics;
- The OHS plan should also cover international best practices on occupational health and safety such as those in Section 4.2 of World Bank EHS Guidelines;
- Occupational health and safety plan shall ensure the followings:
 - (i) Communication and Training
 - a) Training of all workers on occupational health and safety prior to construction or other works;
 - b) Conduct of orientation to visitors on health and safety procedures at work sites; and
 - (ii) Suitable arrangements of PPE and cater for emergencies, including: first aid equipment; personnel trained to administer first aid; communication with, and transport to, the nearest hospital with an accident / emergency department,

CHAPTER -3: REVIEW OF GoN LAWS, POLICIES AND WB STANDARDS

3.1 GoN Legal and Policy Guidelines

39. The Government of Nepal is committed to ensuring the rights of all children to education. School education is one of the sectors that are most devolved in the new federal structure of the country. With the change in government structure, all the responsibilities for basic (early childhood education and development [ECED]- Grade 8) and secondary education (Grade 9-12) have shifted to the local level governments whereas the federal government continues to play role in providing policy guidance and setting standards.

40. The constitution of Nepal together with many educational policies, Acts, regulations, guidelines, and directives fully affirm measures to ensure educational services to its citizens. Recently, the government has issued a Directive for the facilitation of student's learning through e-learning/remote learning means amid Covid-19 attempting to provide continuity to the education and offset the losses due to school closure. The followings are GoN relevant legislative measures guiding to manage the SSDP-Covid-19 Project.

Table-3.1: Legislative Measures, Policy Guidelines and Directives

S.N	Provisions	Descriptions of Measures
1.	Constitution of Nepal, 2015	Article 31 of the constitution ensures right relating to education with different clauses proclaiming that (1) Every citizen shall have the right of access to basic education (2) Every citizen shall have the right to get compulsory and free education up to the basic level and free education up to the secondary level from the State (3) The citizens with disabilities and the economically indigent citizens shall have the right to get free higher education following the law (4) The visually impaired citizens shall have the right to get free education through brail script and the citizens with hearing or speaking impairment, to get free education through sign language, and (5) Every Nepalese community residing in Nepal shall have the right to get an education in its mother tongue.
2.	National Education Policy, 2019	Clause 10.4 of the Policy ensures compulsory and free basic education for all improving their access and participation. Clause 10.6 protects continuity in education for all school-going age children.
3.	President Educational Reform Program Implementation Guideline, 1919	The guideline has come into force to improve the quality of public sector educational facilities such as scholarships and learning materials/tools, laboratories, and sports materials and ensure quality education to children.
4.	The Act Relating to Compulsory and Free Education, 2018	Chapter-2 of the Act guarantees access of citizens to education and liability of the State. Clause 3 of the Act stipulates about right to get education such that: (1) Every citizen shall have the right of equal access to quality education. No one shall be discriminated on any ground to get education. Chapter-3, Clause 6 of the Act proclaims about Compulsory and Free Education. (1) After the commencement of this Act, the State shall make provisions to provide compulsory education up to the basic level to every child who has completed four years but not completed thirteen years of age, through every local level (2) In addition to the education mentioned in sub-section (1), at least one year's early childhood development and education shall be provided after the completion of the age of four years (3) the local level shall make provision to provide education up to the basic

S.N	Provisions	Descriptions of Measures
		level safely for the children affected due to other reasons, including a natural disaster, accident, unexpected incident.
5.	Local Government Operations Act, 2017	The Local Government Operations Act 2017, places 23 functions related to planning, monitoring, and management of basic and secondary education under the jurisdiction of the Local Governments (LG).
6.	The directive for Facilitating Student's Learning, 2020	The Directive has been issued recently by the MoEST to provide continuity to the school level education in response to the Covid-19 pandemic. Clause 3 of the Directive mandates the local governments and schools to categorize the students in five different categories based on their access to low to high tech means like radio, TV, computer, internet, etc. One of the five categories include students who are out of reach of all these means.
7.	Infectious Disease Act, 1964	Clause 2 of the Act states powers to make special provisions: (1) where any infectious disease develops or spreads or is likely to spread on the human beings throughout Nepal or any part thereof, Government of Nepal may take necessary action to root out or prevent that disease and may issue necessary orders applicable to the general public or a group of any persons.
8.	Environment Protection Act 2019 (2076 BS) and Rule 2020 2077)	Environment Protection Act 2076 and Environmental Protection Rules 2077 are the major legislation that provides a holistic framework for the protection and improvement of the environment during the project/proposal implementation. The EPA (2019) provides the provision to prepare a brief environmental study report, Initial Environmental Examination, and Environmental Impact Assessment. Section 8 of the Act prohibits implementation of development proposals without prior approval of the environmental assessment study reports adhering to this act. and inclusion of environmental management plan (Section 10) and provisions relating to climate change (Section 23 to 28) are some of the new characteristics of this act.
9.	Solid Waste Management Act of 2011	This Act enables local government to manage waste at the local level.
10.	Labor Act, 2074 BS (2017A.D.), Labor Rules, 2075 B.S. (2018 A.D.)	Labor Act and Labor Rules, 2075 deals with manual labor. Section 2, clause 6 depicts that there must be no gender, religion, cast or ethnicity based discrimination among working labors. Section 2, clause 5 depicts that it cannot make the child works under the age of 16. The employer has the responsibility to ensure healthy environmental conditions of the workplace as defined by the law.
11.	National Environmental Policy, 2076 (2019)	The Government has endorsed the "National Environmental Policy, 2019" to control pollution, manage waste and promote greenery so as to ensure citizens' right to live in a fair and healthy environment. The policy is framed to guide the implementation of environment related laws and other thematic laws, realize international commitment and enable collaboration between all concern government agencies and non-government organizations on environmental management actions.
12.	National Drinking Water Supply Standard, 2006	The Nepal Drinking Water Quality Standards and Guidelines (including standard limits, guidelines for the required frequency for water quality monitoring, and the process and schedule for measuring the standards in active use in the country).
13.	Nepal Ambient Air Quality Standards	Standard mentions the mentions 24 hourly maximum concentration of TSP, SOX, NOX and CO in ambient air due to the pollution generating

S.N	Provisions	Descriptions of Measures
	2012 (2069 B.S)	activities.
14.	National Water Supply and Sanitation Policy 1993	The policy aims to adopt effective measures to safeguard the environment and emphasizes achieving a balance with other competing uses of water through adoption of demand and supply management measures. One of the objective of policy is drinking water source protection and conservation.
15.	Climate Change Policy, 2076 (2019), GoN	The policy includes climate adaptation and disaster risk reduction; low carbon development and climate resilience; access to financial resources and utilization; capacity building, peoples’ participation, and empowerment; study, research, technology transfer; climate-friendly natural resources management; and institutional set up with legal provisions for monitoring and evaluation.

3.2 Gaps in Country Legislation and WB Policies:

41. Gaps in World Bank standards and government’s prevailing laws, regulations, and policies applicable to the project warranting the SSDP- COVID -19 Project are briefly highlighted below.

Table -3.2: Relevant Country Legislations and Gaps vis-à-vis World Bank ESS

World Bank ESS Relevant Nepal Laws,	Regulations and Policy Issuances	Gaps vis-à-vis WB ESS
Assessment and Management of Environmental and Social Risks and Impacts	National Environmental Impact Assessment Guidelines (1993) Environment Protection Act (EPA,,(2019 Environment Protection Regulation (EPR) ,2020	No provision for SSDP – COVID response associated projectsactivities; •Requirement of environmental study is based on the threshold value provisioned in EPA and Environmental study/assessment is categorized into three types i.e. project requiring Brief Environmental study, Initial Environmental Examination (IEE) and Environmental Impact Assessment (EIA) • Terms of Reference requiring Environmental study may not cover all WB ESS.
Labor and Working Conditions	Labor Act (2017) Child Labor Act (2001)	OHS mandate is provided in Chapter 12 of the Labor Act • Lack of industry-specific standards
Resource Efficiency and Pollution Prevention and Management	EPA (2019),EPR (2020) National Ambient Air Quality Standards (2003),Nepal Vehicle Mass Emission Standard (2012),National Ambient Sound Quality Standard (2012), National Water Quality Standard (2008) Tolerance Limits for Industrial	Lack of legislation on resource use efficiency in projects. But the current EPA clause (4) section 23 addresses the issue of climate change. It has mandatory on theauthorities to make the public aware ofclimatechange and obligates the government to recognize the sectors that produce greenhouse gas and mitigate its effects in the

	<p>Effluents to be discharged into Inland Surface Waters (2003)</p> <p>The Solid Waste Management Act (2011)</p> <p>Solid Waste Management Rule (2013)</p> <p>Water Resources Act (1992)</p> <p>Water Resources Rules (1993)</p> <p>Drinking-Water Regulation (1998)</p> <p>Drinking-Water Quality Standards (2205)</p>	<p>environment.</p> <ul style="list-style-type: none"> • Management of hazardous waste is done as Solid Waste Management Rule (2013) section (5) Discharge and Management of Harmful and Chemical Waste which deals that No one shall discharge solid waste by mixing harmful, chemical, organic, or inorganic waste with other waste, The collection, storage, and transportation of harmful, chemical, organic or inorganic waste shall only be done by applying a safe mode. <p>EHS guidelines are not followed except for donor-funded projects.</p>
Indigenous Peoples	<p>National Foundation for the Development of Indigenous Nationalities Act (2002)</p> <p>Local Self-Governance Act (1999)</p> <p>ILO Convention 169 (2007)</p>	<p>GoN legal framework does not require “Free and Prior Informed Consultation /Consent” for projects in IP territories</p> <p>Does not require focus social assessment on the IP population</p> <p>Does not require preparation of IP Plan</p>

42. Above table highlights critical regulatory and operational level gaps between GoN and World Bank. Besides, the Federal General Education Act which is a vital legislative apparatus in school-level education has been pending for quite a long and is yet to be enacted. This Act is expected to define the roles and responsibilities of various levels of governments and would be an important legal gadget in avoiding confusion, contradictions, and overlapping in legislative measures.

CHAPTER – 4: PROCEDURES FOR ENVIRONMENTAL AND SOCIAL ASSESSMENT AND MANAGEMENT

4.1 Context

43. This chapter presents sequential steps that will be followed for the assessment of environmental and social risks and management that are required during the implementation of COVID-19, SSDP-AF project activities. This chapter will provide systematic guidance to the project implementing agencies (CEHRD, provincial and local governments, schools management committees), and focal person involved in assessment of E & S Safeguard to assess, identify, predict and manage the COVID induced risks and impacts limiting access to teaching-learning facilities for millions of students who are affected by the closure of schools during Covid-19 pandemic.

44. Following the closure of schools for about six months, the government has initiated remote and e-learning opportunities to offset the losses in education. Recently, MoEST has also developed and issued new directive to facilitate students' learning through alternative means including radio, TV as well as offline and online services. However, considering Nepal's socio-economic conditions and geographical remoteness, the implementation of planned teaching-learning intervention is likely to face some challenges to be effective among the target groups.

45. In the above context, the project implementing agencies will require a constant and close assessment of the risks and impacts of pandemic and ensure that the benefits of teaching-learning facilities have been realized by the target groups. The procedures, approaches and tools to address the environmental and social aspects of the project are highlighted as briefed below.

4.2 Criteria for Project Selection:

46. The SSDP-AF will broadly support the activities that will contribute to implementing the parent SSDP program of GoN which has been significantly affected by the Covid-19. The activities will, therefore, have a focused area of underpinning the teaching-learning process as well as addressing the Covid-19 issues in the schools and communities and improve the learning environment of children ensuring the availability of water supply and improvement of WASH facilities. It should, however, be noted that the following types of activities will not be funded under SSDP-AF project.

Project exclusion criteria:

- Activities that may cause long term, permanent and/or irreversible or adverse impacts to the natural environment (e.g. loss of major natural habitat, protected parks, conservation area etc).
- Any investments that may attract requirement of IEE and EIA level of study would also be excluded from funding under the project.
- Activities that may cause long term, permanent and /or irrepressible or adverse impacts on Biodiversity conservation and sustainable management of living natural resources and cultural heritage.
- Activities that may require land acquisition, cause permanent resettlement and/or physical or economic displacements of the people.
- Activities that may impact adversely on the rights of indigenous peoples or other vulnerable groups including ethnic minorities.

4.3 Description of Key steps in Environmental and Social Assessment:

47. The procedures to be applied for the identification, assessment, and management of environmental and social risks are as follows.

Step 1: Environmental Social Screening and Risk Categorization:

48. Environmental and social screening is the first step in the ESMF process. The purpose of screening is to determine the nature, scale, and magnitude of the issues and the need for further investigations requiring additional E&S reports.

49. All the activities supported by the project are subject to carry out “Screening”. The subproject activities triggering to the World Bank ESF standards as mentioned in the previous section and complying with GoN EPA 2019 (2076) is mandatory to assess the Environmental and Social risks for the selection/identification of subproject which will provide necessary information on the potential negative impacts likely to be encountered during implementation of the subprojects. It will also help to identify opportunities for avoidance and/or minimization early in the project cycle so that the design process can be managed appropriately. Screening assist in decision making process to identify the level of environmental and social assessment/documents required to reduce, avoid and mitigate environmental and social risks associated with the subproject activities. The E&S screening checklist is presented in Annex - 1. Based on the findings of environmental and social screening carried out for each relevant subproject activities, the project will assess the risk associated with the nature and scope of subproject activities envisaged for the implementation. The categorization of risks will be as;

- a) **High Risk:** Under this category of subproject activities will be non-eligible for support to finance under COVID- 19 SSDP activities.
- b) **Substantial Risk:** Under this category of subproject activities may require preparation of Brief Environmental Study (As per EPR 2020) or Environmental and Social Management plan (ESMP), Indigenous People Development Plan (IPDP) or Vulnerable Community Development Plan (VCDP) as applicable.
- c) **Moderate Risk:** Under this category, application of Code of Best Practices to reduce, minimize E & S risk during implementation of subproject will be sufficient. The generic Code of Best Practises may include; i) Solid Waste Management should be based on Reduce, Reuse, and Recycle (3R) principles and require site management for disposal, ii) Health and Safety Standards (e.g., use of personal protective equipment, use of safety signs) and COVID -19 Response Protocol (SOP) should be adopted in activities, iii) Adherence to GoN Rules, Regulations, Policies and World Bank policies, and compliance with formats and checklists developed by Project.
- d) **Low Risk:** Screening document will be sufficient for this category of risk. No further assessment will require.

Step 2: Preparation of ESMP/IPDP and Management

50. Based on the findings and recommendations of screening categorization, further assessment may require which include a separate ESMP, IPDP/VCDP to address and manage the environmental and social issues. The ESMP is an overall plan, which addresses the substantial safeguard issues arising from implementation of the Project investments and suggests a strategy and action plan to mitigate the adverse

environmental and social impacts and enhance the beneficial impacts of the interventions. The ESMP for a COVID – 19 SSDP /AF investment consists of the set of mitigation, monitoring, and institutional measures to be taken during implementation and operation to eliminate adverse environmental and social impacts, offset them, or reduce them to acceptable levels.

The ESMP includes:

1. Site Specific activity, Schedule, including cost for implementation of mitigation measures.
2. Site Specific Monitoring Schedule, including monitoring responsibility delineation.

51. Screening and ESMP reports will be prepared by LGs/Education Unit and EDCU under the guidance of CEHRD safeguard experts. CEHRD/PCU will provide clearance of screenings and ESMPs. A summary copy of Screenings and ESMPs will be shared with Bank. A template for ESMP is attached in Annex-2.

Step 3: Incorporation of E&S Issues in Subproject Design and Contract Documents

52. According to the identifications of the risk categorization, the subproject will incorporate the relevant aspects of ESMP, ESCP, including Education Cluster COVID -19 Contingency Plan (ECCCP) and any other required ESHS measures, into the ESHS specifications of the procurement documents and contracts with contractors and supervising firms. At school level SMCs and consultant will supervise the compliance on ESHS specifications of their respective contracts in National bidding documents.

53. The Project will prepare, adopt, and implement Environmental and Social Management Plans (ESMPs) or other instruments required for the respective Project activities based on the assessment considering ESSs, ESMF, EHSs including the relevant WHO guidelines on COVID 19 and Framework for Reopening School (UNICEF/World Bank), COVID 19 Education Cluster Sector Contingency Plan 2020 in a manner acceptable to the Bank.

54. In addition, the Bidding document will include Labor Management Plan (LMP). ESS2 standard relates to the Labor and Working conditions and required to develop LMP. LMP details out the type of workers likely to be deployed, provisions of Occupational Health and safety (OHS), labor camp management, risk associated with labor risk (including GBV), child labor etc. Of the project components, subcomponent 2.2 is School sanitation and health and safety protocols which will include refurbishment of water sanitation and hygiene WASH facilities that are likely to be also well lift ensuring the water availability. The use of labor in the form of civil works contractors is expected to involve. Civil work is considered as minor in nature therefore the project will source core materials from selected suppliers and primary supply workers are not relevant to the project. Given the nature of the works, expectation is that the labor will be locally hired.

55. The requirements of LMP will be incorporated into bidding and contractual agreements (refer Annex-4). The project tender document will streamline the relevant clauses related to labor camp, OHS, prohibition of child labor, forced labor employed and relevant mitigation measures included in ESMF.

Step 4: Supervision and Implementation Monitoring

56. The School Management Committee/contractors, in the cases of minor refurbishment works will take the lead role in the implementation of ESMPs and Code of Best Practices whereas the safeguards team will undertake supervision and carry out implementation monitoring. Environmental and Social safeguard supervision and implementation monitoring will be carried out as dealt in separate Chapter – Institutional Arrangement of the ESMF.

CHAPTER - 5: INDIGENOUS PEOPLE DEVELOPMENT FRAMEWORK

5.1 Introduction

57. The school sector education is one of the areas that have been disrupted severely by the Covid-19 pandemic. Although this problem is faced by all school-going children throughout the nation, the impacts are potentially deeper among the children of vulnerable and indigenous communities⁴ who are likely to face additional challenges such as exclusion and high dropouts from the learning process. In view of addressing the issues of these groups and inconsistent with the project's design, this framework has been developed to address the potential risks and impacts among the children of these communities. In particular, the following categories of people will be considered for supports under this framework.

- Indigenous people (*Adivasi/Janajati*) as defined by NFDIN;
- Poor and women-headed households under vulnerable categories; and
- Dalit and ethnic minorities.

The framework will apply to all subprojects/interventions under SSDP COVID-19-AF.

5.2 Objectives

58. The main objective of the framework is to avoid any potential adverse risks/ impacts to all school-going children ensuring their access to the learning process in the school during and after the Covid-19 pandemic. The specific objectives of the framework are as follows.

- Ensure that the project engages in free, prior, and informed consultation with the targeted communities, where necessary;
- Avoid, minimize and mitigate any potential adverse impacts on indigenous and vulnerable communities; and
- Ensure vulnerable peoples' participation in the process of planning, implementation and monitoring of the sub-project facilities.

5.3 Legal Framework and Policies

59. This framework has been developed in consistent with the broader legal and policy frameworks of the Government of Nepal (GoN) as well as the World Bank (ESS7). The framework accords high importance to the children of vulnerable and indigenous communities and suggests procedures and measures to identify, prevent and mitigate the risks and vulnerabilities.

5.3.1 GoN Policies

60. The National Foundation for the Development of Indigenous Nationalities (NFDIN), which was set up with the formulation of upliftment of Adivasi/Janajatis Act, 2058 (2002), is the formal entity recognized by the Government to hear the voices of indigenous people and address their issues. Ever since its existence, the foundation has come a long way in crafting and reforming policies and safeguarding the interests of indigenous people. Nepal's 2015 Constitution has further expanded the scope and opportunities to protect the interest and promote the socio-economic and cultural development of indigenous people.

⁴In Nepal, the term indigenous people (*Adivasi*) and ethnic nationalities (*Janajati*) are used interchangeably as well as jointly as *Adivasi/Janajati*.

61. Nepal is also a signatory to the ILO Convention on Indigenous and Tribal Peoples, 1989 (No.169). As a member country of this convention, the Government shall have the responsibility for developing actions to protect the rights of these peoples and respect their integrity.

5.3.2 World Bank Policy

62. The World Bank (ESS7) policy on “Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities,” applies to this project. This ESS recognizes that indigenous peoples have identities and aspirations that are distinct from mainstream groups and often are disadvantaged by traditional models of development. A key purpose of this ESS is to ensure that indigenous peoples of the project area are fully consulted about and have opportunities to actively participate in project design and implementation through a process of free, prior, informed consultations (FPIC).

5.4 Indigenous People and Vulnerable Groups

63. Nepal is a multi-ethnic, multi-lingual and multi-cultural country with a total of 125 castes/ethnic groups and 123 languages which are spoken by indigenous group also referred as *Adivasi/Janajati*. According to census survey 2011, the total population of *Adivasi/Janajati* was 9,267,870 (34.97%). Of the total population, 50 groups were from the Hill and Mountain districts and another 13 groups from the Terai.

64. The National Foundation for the Development of Indigenous Nationalities (NFDIN) has defined indigenous people as ‘those ethnic groups or communities who have their own mother tongue and traditional customs, distinct cultural identity, distinct social structure and written or oral history of their own’. Based on this definition, NFDIN has identified 59 groups in Nepal as ethnic indigenous groups or nationalities.

Table 5.1. Indigenous Communities of Nepal by Regions

Regions	Indigenous Groups	Total No.
Mountain	BarahGaunle, Bhote, Byansi, Chhairontan, Dolpo, Larke, Lhomi (Shingsawa), Lhopa, Marphali, Mugali, Siyar, Sherpa, Tangbe, Thakali, Thudam, Topkegola and Wallung.	17
Hills	Baramo, Bhujel, Chepang, Chhantyal, Dura, Fri, Gurung, Hayu, Hyolma, Jirel, Kusunda, Lepcha, Limbu, Magar, Newar, Pahari, Rai, Sunuwar, Surel, Tamang, Thami, Kumal, Yakkha and Tin Gaunle Thakali.	24
Inner Terai	Bankaria, Bote, Danuwar, Darai, Majhi, Raji and Raute.	7
Terai	Dhanuk (Rajbanshi), Dhimal, Gangai, Jhangad, Kisan, kushubadia, Meche, Rajbanshi (Koch) Satar (Santhal), Tajpuria and Tharu.	11
	Total	59

Source: NFDIN, *Indigenous Nationalities Bulletin (Issue 3) 2005*.

65. Indigenous peoples have their wide presence in many districts of Nepal. Among the identified groups, the highest 24 groups have settled in hills followed by 17 groups in the mountain, 11 groups in terai, and 7 groups in inner terai.

66. Indigenous people (*Adhibasi/Janajati*) among themselves are diverse and also differ considerably in terms of socio-economic conditions. NFDIN has further classified these groups into five different categories mainly by their livelihoods or economic conditions as follows.

- i) **Endangered groups** viz Bankariya, Kusunda, Kushbadia, Raute, Surel, Hayu, Raji, Kisan, Lepcha, Meche (10 groups)
- ii) **Highly marginalized groups** viz Santhal, Jhangad, Chepang, Thami, Majhi, Bote, Dhanuk (Rajbansi), Lhomi (Singsawa), Thudamba, Siyar (Chumba), Baramu, Danuwar (12 groups)
- iii) **Marginalized Groups** viz Gangai, Dhimal, Bhote, Darai, Tajpuria, Pahari, Dhokpya (Topkegola), Dolpo, Free, Magal, Larke (Nupriba), Lhopa, Dura, Walung (20 groups)
- iv) **Disadvantaged Groups** viz Jirel, Tangbe (Tangbetani), Hyolmo, Limbu, Yakkha, Rai, Chhantyal, Magar, Chhaintan, Tingaunle Thakali, Bahragaunle, Byansi, Gurung, Marphali Thakali, Sherpa (15 groups)
- v) **Advanced Groups** viz Newar, Thakali (2 groups)

67. Apart from the indigenous groups, other social groups not included in the indigenous category but identified by the GoN as marginalized disadvantaged groups. These include mostly Dalits (scheduled castes) and *Madhesis* including the *muslim* (ethnic minority).

68. The National Dalit Commission in 2002 has prepared a schedule of 28 Dalit groups as presented in the table below. Dalit people, generally, tend to lag behind other groups in every human development indicators, as well as in terms of representation in state mechanisms.

Table 5.2: Dalit Communities of Nepal

Hill Group	Newar Group	Tarai Group
Badi, Chunar, Damai, Gaine, Kadara, Kami, Parki, Sarki, Sunar (9 groups)	Chyame, Kasai, Kuche, Kusule, Pode (5 groups)	Bantar, Chamar, Chidimar, Dhainr, Dom, Dusadh, Gothe, Halkhar, Jhangad, Khatawe, Lohar, Musahar, Paswan, Tatma (14 groups)

Source: National Dalit Commission, 2002

5.6 Potential Social Risks and Impacts

69. The subproject and/or school level interventions under SSDP-AF are potentially linked with some social issues and risks which may cause further impacts to the children of vulnerable groups in absence of sustained measures to identify and address them. The major potential issue or risk of the project, while operating during the stage of the pandemic, is likely exclusion of children, particularly the girls and CwD from vulnerable indigenous communities from the proposed teaching-learning mechanisms. The first three categories of indigenous people group (i.e. endangered, highly marginalized, and marginalized groups) and all Dalit communities of Nepal are comparatively at higher risk to face such exclusion. Other factors such as remote locations, language barriers, extreme poverty could further lead to higher exclusion.

5.7 Impact Assessment Procedure

5.7.1 Screening

70. Screening determines the magnitude of impacts on indigenous and vulnerable groups at the early stage of project planning. In case of SSDP-AF, social screening generates information on (i) the affected students living in the impact area, including students from vulnerable/indigenous groups (ii) risks of exclusion from learning for various reasons (iii) risks related to early /child marriage, forced labor,

SEA/SH (iv) the cultural and communal issues affecting the children adversely v) overall impacts on health, livelihood and social security.

71. Screening will be carried out by responsible authorities (local governments and/or schools) under the guidance of CEHRD safeguards team at the centre. It will use the consultation process with the affected stakeholders, households and communities and come up with the extent or categorization of the impacts, normally of three categories: a) subproject interventions with significant adverse risks/ impacts that require a full Indigenous People Development Plan (IPDP) or Vulnerable Community Development Plan (VCDP) b) subproject interventions with moderate/ limited impacts that require moderate actions to address the impacts, and c) subproject interventions with no impacts and not requiring further investigation and assessment and plan. These findings will be crucial to inform the project team and respective authorities to take decisions on the process and measures to manage the social risks of indigenous communities. .

5.7.2 Assessment of Social Risk and Impacts

72. If the social screening confirms risks/ impacts on indigenous and vulnerable groups and their children, the project will require to undertake further assessment. The assessment is a systematic planning tool to evaluate the project's positive and adverse risks/ impacts more closely and examine alternatives to mitigate the risks that are linked with potential exclusion factors depriving the children from participating in the learning process. Consultations and communications are critical during the SA process which provides opportunities to hear the voices of the people from IP/VC groups and provide feedback that are critical to address the issues.

Table 5.3: Anticipated Risks/Impacts of Vulnerable Children and Mitigation Measures

Project Activities	Risks /Impacts	Mitigation Measures
<p>Component 1: Remote learning methods for continued learning:</p> <p>i) Mitigate learning loss through inclusive distance learning programs for all children.</p> <p>ii) Development and updating of learning packs for children from marginalized background with no access to media or internet.</p>	<ul style="list-style-type: none"> No or poor access to the distance learning facilities/ media (viz radio, TV, computer, internet etc) leading to exclusion among the children of IP/VC group, mainly girls and CwD; Risk of learning packs/ materials that may mismatch in terms of contents/ language or cultural norms of indigenous groups and ethnic minorities; and Risk of exclusion of girls/CwD from learning practices due to discriminations or other traditional values in the families. 	<ul style="list-style-type: none"> Implement distance teaching-learning facilities using appropriate media/technologies that are accessible and affordable to the children of IP/VC groups. Develop and implement culturally appropriate contents/curriculums and languages for teaching the children of IP/VC groups; and Launch awareness campaigns for online/offline learning and for avoiding any type of discriminations.
<p>Component 2: Support to sub-national level to support safe re-opening and continued learning:</p> <p>i) Printing and distribution of learning packs to children with no access to media or internet:</p> <p>ii) Sub-component 2.3 Schools grants through selected local governments for activities such as welcome to School campaigns; school sanitation & health protocols etc.</p>	<ul style="list-style-type: none"> Risk of delayed or no delivery of printed learning materials to the children of IP/ vulnerable communities; Possibility of misusing funds in activities other than teaching-learning interventions targeting IP/VC children; Uncertainty in launching planned campaigns/ information dissemination and communications about Covid-19 coping measures; and Higher risks of SEA/SH including cyber crimesandforced employment in low paid jobs viz housemaid, restaurant, dance bar, brick and other factories for girls. 	<ul style="list-style-type: none"> Put effective and functional system in place (both at CEHRD and LGs) and ensure that all the planned activities are implemented as per schedule; Enforce robust tracking system for timely delivery of inputs/services; and Put in place effective monitoring and reporting system at the centre and local level so that work progresses are reported on time.

5.7.3 Preparation of Plans

73. When screening and SA determine adverse risks or impacts on IPs/VCs, another step is to prepare the IP/VC plan based on the assessment and further information collection as required. An IPDP or VCDP is prepared not only with the aim to help mitigate the adverse impacts on the school going children and the communities but also considers other interventions that will contribute to alternative and improved teaching-learning opportunities to the target beneficiary groups.

74. The IPDP/ VCDP will include appropriate teaching-learning measures as well as health and sanitation measures (including nutrition) to address potential learning risks of target groups. In case, the project results in the loss of education and learning of the children, the project will ensure that their rights will not be violated and that they will be supported through alternative means of learning in a manner that is socially and culturally acceptable to them.

Contents of an IPDP/ VCDP

75. A typical IPDP/VCDP will have generally the following contents. These are, however, subject to differ depending on the type and nature of project.

- | |
|--|
| <ul style="list-style-type: none">i). Description of the Covid-19 subproject (subproject site/communities, teaching-learning issues of children;ii) Covid-19 issues and implications on local IP/VCs and their children, girls, CWD etc extent and magnitude of impacts and potential losses in learning;iii) Baseline information i.e IP/VC children/ households/communities affected including issues such as forced child labor, SEA/SH;iv) Consultations with vulnerable indigenous communities to ascertain their views about SSDP-AF sub-project design/ activities (both positive and adverse and proposed mitigation measures and outcomes of consultations;v) Proposed mitigation measures/ assistance to the children of these groups, including teaching-learning technologies/facilities/learning packs, enhancement measures in their education and grievance procedures;vi) Modalities to ensure regular and meaningful consultations with these affected vulnerable/indigenous groups on key issues;vii) Institutional arrangement and linkages to implement the measures/actions;viii) Monitoring and evaluation mechanism and Implementation schedule. |
|--|

5.8 Disclosure of Plans

76. The implementing agencies (CEHRD, provincial/ local governments and schools) will be responsible for the preparation and implementation of the plans. It should also be ensured that these plans/documents are available to the affected indigenous and vulnerable communities in an appropriate form, manner, and local language (Nepali and other), if required. The hard copies of the framework and plans should be disclosed at PMU, unit offices and project offices as well as in the communities as relevant. Soft copies of the plans will be disclosed in the websites of the implementing agencies.

CHAPTER-6: INSTITUTIONAL ARRANGEMENT, IMPLEMENTATION MECHANISM AND STAKEHOLDER CONSULTATION

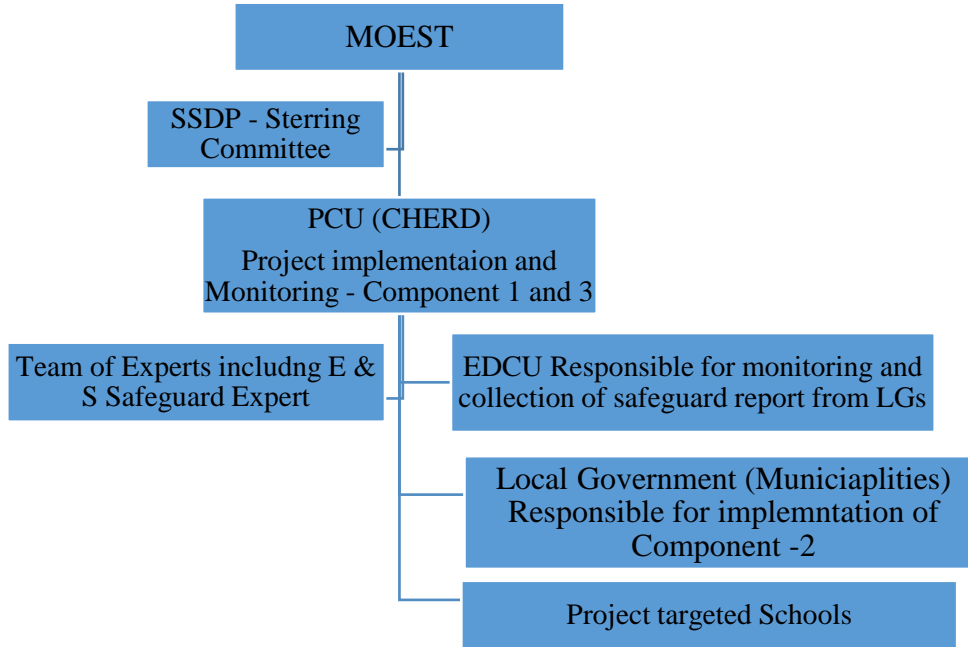
6.1 Institutional Arrangements

77. The MoEST is the executing agency of this project and will have overall responsibility for policy formulation and oversight of the proposed project. The pre-existing SSDP Steering Committee (SC) for the parent SSDP will provide guidance and review the implementation progress. The Project Coordination Unit (PCU), which is already established and functional under CEHRD, will provide overall guidance to the designated authorities at local levels to implement the project activities under SSDP-AF.

78. Component 1 and 3 activities will be implemented jointly by the PCU and other stakeholders at local level as necessary under the guidance of CEHRD. The PCU consists of: (a) a Project coordinator; (b) Component-2 Coordinator; (c) financial management specialist; and (d) a procurement specialist and (e) an environment and social safeguard specialist. CEHRD will supervise and coordinate the overall financial management (FM), internal audit, disbursement, procurement, monitoring and evaluation (M&E), planning operations, environmental and social (E&S) matters, and communication of the project. CEHRD will carry out the compilation of overall activities of project including work plans; Results Framework and M&E reports; and periodic progress reports incorporating E&S safeguards compliance and also facilitate internal and external communication from central level.

79. The provincial and local Governments (LGs), mainly the municipalities, will be responsible for the implementation of Component 2. This includes various supports for safe re-opening of schools; support for printing and distribution of learning packs to the children from the marginalized background; support for the continued professional development of teachers and head-teachers and grants to schools. The PCU will be responsible for transferring grants directly to LGs/schools together with the guidance for expenditures and reporting back at the centre. The educational units in the LGs will be responsible to provide oversights in planning, implementation and monitoring of safeguards compliance. Whereas EDCU will take responsibility for monitoring and submission of safeguard reports from school and local government to safeguard team at CEHRD/ PCU. The School Management Committee will be responsible for Screening and implementation of mitigation measures. PCU/CEHRD will support the LGs and schools for capacity building through training and orientation on safeguards compliance.

Fig-1: Institutional Arrangement and Implementation Mechanism.



80. CEHRD is the lead agency responsible for overall planning and implementation of ESMF and will operate from the centre. However, it will work under close coordination with the local governments, and the schools. Key safeguards tasks, detailed activities and responsibilities are as provided.

Table-6.1: Key safeguard tasks and responsibility.

S.N.	Key Safeguards Tasks	Activities	Responsibility
1.	Overall ESMF planning and implementation	Training/ orientation /consultations and development of guidelines	MoEST/CEHRD/PCU/LGs/ Schools
2.	Subproject level E&S Screening, risk assessment and categorization	Desk study/Walkthrough/ meetings/ consultations	LGs/Schools under the guidance of PCU /CEHRD
3.	Preparation of subproject level ESMPs/IPDP/VCDPs/LMPs	Desk study/site visit/ consultations	LGs/School with support of PCU/CEHRD

4.	Implementation of ESMPs and other safeguards plans	Mitigate and manage the environmental and social risks/impacts Ensure benefits to the targeted groups	LGs/EDCUs/schools/Contractor
5.	Monitoring and Reporting	Monitor the work progress regularly Compile information and report the progress on regular basis	CEHRD/ EDCUs/ LGs/Safeguards team

6.2 Implementation Schedule

81. The Covid-19- AF will be implemented over 18 months. The ESMF activities which include mainly screening and ESMPs will be prepared in parallel at local government and school levels under the guidance of PCU. All safeguards activities will be implemented as recommended by screening and ESMP reports in collaboration with the Local Education Group (LEG) and education cluster formed from among the education development partners and civil society organizations.

6.3 Capacity Building

82. Implementation of ESMF will require enhanced institutional capacity from central to local governments as well as schools which, however, is limited currently. MoEST/ CEHRD is the central level agency responsible for planning and implementation of all activities under SSDP including the Covid-19 Response Project. CEHRD is relatively equipped with adequate human resources necessary to plan and implement the safeguards measures from the centre. The CEHRD/ PCU safeguards team will be responsible to impart training to the staff/consultant at the provincial and local levels. However, the provincial and local governments are new and have almost no or very limited experience and capacity for planning and implementation of safeguards activities.

83. Capacity building would be possible through relevant training, orientation, and knowledge sharing among the implementing agencies, mainly the provincial and local governments, and andSafeguards focal persons based in Schools as well as the staff of local governments (municipalities) should be provided the training and orientations. The main areas of training/orientation will be as follows.

- Training/orientation about ESMF and its compliance including screening/ information collection for ESMPs; ;
- Orientation on stakeholder consultations, communication strategies, grievance handling and disclosure;
- Information dissemination to the communities at large, focusing particularly the potentially excluded children, mainly girls and CwD from marginalized communities;
- Orientation on implementing ESMP measures; M&E and Reporting; and
- Exchange visits and knowledge sharing

6.4 Budgetary Requirement

84. As per the fund provided and allocated by the CEHRD, budget for ESMF implementation shall be used.

6.5 Stakeholder Consultation

CEHRD organized an online consultation of EDCUs, LGs representing 100 Municipalities/schools selected for support under SSDP Covid-19 Response Project on 20th April 2021. The consultation was participated by about 50 representatives (Annex-6 List of participants). The LG's representatives of different districts viz Baitadi, Morang (Biratnagar), Kavrepalanchowk (Bethanchowrk), Rautahat raised key issues and concerns during the consultation is presented in Annex 7

CHAPTER - 7: MONITORING AND REPORTING ARRANGEMENTS

7.1 Monitoring

85. The MoEST's Monitoring, Evaluation, and Supervision Division and the CEHRD's Planning and Monitoring Division are responsible for the overall M&E function of school education at the central level. The Education Management Information System (EMIS) is the main database system capturing information related to schools, students, and teachers. However, as the SSDP Covid-19 Response Plan is implemented locally at school and local government (municipality) level, the monitoring role will be held by respective implementing bodies. However, CEHRD/PCU will guide monitoring of the project which may require capacity strengthening locally. Key monitoring indicators of the project will include, however, not limited to the followings:

- i) Number of LGs/schools preparing COVID response plans/guidelines to implement alternative teaching-learning practices;
- ii) Number of LGs/schools agreed with the service providers to implement the distance learning services by types (radio, TV, computer, internet,etc);
- iii) Number of students attending the distance teaching-learning program by gender;
- iv) Number of learning packs/materials developed, printed, and distributed by Grades;
- v) Number and types of information (including campaigns, guidelines, other printed materials) disseminated/ communicated to the children/students and communities about the Covid-19 pandemic;
- vi) Number of Environmental and Social screening checklist and ESMP/VCDP/IPDP prepared as per requirement.
- vii) Status of implementation of Environmental and Social compliances in schools
- viii) Incorporating ESHS specification in bill of quantities.

7.2 Reporting

86. The CEHRD/PCU is the lead authority to provide oversight for implementing, monitoring, and reporting of the project at the center. However, as this project is implemented locally at the community level, the local agencies will be responsible for reporting. The Education Representative in each LG will be responsible for carrying out environmental and social compliance reporting. The safeguard expert available within the PCU/ CEHRD will consolidate the status of environmental and social safeguard compliance reports (Screenings/ESMPs/Commitment Plans) and submit quarterly progress reports (3 monthly) to PCU with a copy to the Bank. Bank report format is presented in Annex-3.

Annexes

Annex 1: Environmental and Social Screening Checklist

1. Name of Program:

Name of the School	
Name of Head Teacher	
Address, Telephone/ Fax, email	
<i>Proposed activities (Please list the specific type of activities taking place):</i>	

2. Environment and Social Screening Checklist

S.N	Screening Questionnaire	Yes	No	(In the case select "yes", provide detailed information)
Environmental Screening				
1.	Is the project vulnerable to affect water supply-demand (water source) in the future?			
2.	Was the water supply stopped during the COVID period/school close period?			
3.	Will the project activities/works discharge effluent?			
4.	Is the drinking water supply available regularly?			
5.	Will the refurbishment activities cause an increase in solid waste/debris generation			
6.	Will the WASH facilities release of hazardous materials or chemicals?			
7.	Will the refurbishment activities of the water supply component generate air, noise pollution/ degrade existing ambient air			
8.	Will the project lead to slope instability due to water supply refurbishment activities?			
9.	Will the project activities			

	generate sanitation waste/Solid waste?			
10.	Others (if any)			
Social Screening				
1.	Land owned by school (<i>Mention if there are enough documentation in the remark section</i>) ⁵ (area, ownership)			
2.	Conflict on land ownership, if any?			
3	Presence of squatters/encroachers in the construction site?			
4	Are there any significant adverse impacts on cultural heritage?			
5	Are overall labor and working conditions expected to be satisfactory, related to communicable disease/Covid-19?			
6	Are Covid-19 guidelines/protocols) developed and distributed?			
7	Is information about Covid-19 disseminated in the communities? If yes, how and what? Specify			
8	Are children (less than 14 years of age) are employed?			
9	Adverse impact on women including economic and safety concerns			
10	Are there indigenous groups (Adivasi/Janajati) in the communities? If yes, specify.			
11	Any risks to the children/students of indigenous/vulnerable groups from learning?			

Major findings and Recommendations of Screening:

<p>A. Environmental Issues/Risks :</p> <p>Findings:</p> <p>Recommendations:</p> <p>B. Social Issues/Risks:</p> <p>Findings:</p> <p>Recommendations:</p>

1. Screening done by:	
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⁵ The WB ESS 5 is not triggered in this project. Nevertheless, land issues, if any should be documented.

(Environmental and Social)	
Name and designation: Date:	Name: Designation: Date:
Position:	
2. Screening verified by:	
Name and designation: Date:	Name: Designation: Date:

Annex-2 ESMP Reporting Template

SN	E & Issues identified in Screenings	Mitigation measures	Cost	Implementation schedule	Responsibility to implement	Remarks
Environmental Issues:						
1.						
1.1						
1.2						
1.3 and so on						
Other (if any)						
Social Issues:						
2.						
2.1						
2.2						
2.3 and so on						
Others (if any)						

<p>Prepared by:</p> <p>Name:</p> <p>Designation:</p> <p>Date:</p>	<p>Verified by:</p> <p>Name:</p> <p>Designation:</p> <p>Date:</p>
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Annex – 3 ReportingFormat

1. Project name:
2. The total number of schools selected for the project activities and Provinces.
3. Nature of works carried out in subprojects:
 - A.
 - B.
 - C.
 - D.
3. Total number of subprojects identified for Screenings and number of screenings completed:
4. Total number of ESMPs recommended preparing and Number of ESMPs completed.
5. Nature of E & S Safeguard issues identified/assessed during the Screenings.
 - A.
 - B.
 - C.
 - D.
6. Please mention the implementation status of E & S mitigation measures.

7. Recommendations/ suggestions.

Annex-4:LMP Template for Contractors

Items:	Description	Remarks
1. Type of labor employed for civil works	Contracted works/community worker	
2. Number of workers	Male: Female:	
3. Characteristic of labor (Nos)	Unskilled.....Skilled.....Semi skilled	
4. Terms of condition of contracts	Leave entitlement/wage, daily, weekly or monthly/	
5. Occupational health and safety (OH)	Fall prevention and working at heights/emergency response procedures/Excavation safety,ladders/welding and cutting safety/construction PPEs etc.	
6. Records of OHS violation		Please mention
7. Workers payroll records		
8. Avail of workers code of conduct		Please mention
9. Labor camp cleanness/Waste management, spoil disposal etc.		Please mention
10. Other if any		

Annex-5: Project Specific SEA/SH/VAC Mitigation Measures

E&S Documents	<ul style="list-style-type: none"> SEA/SH, VAC mitigation measures will be included in the overall project design including in the ESCP, ESMF/Ps
Sensitization and Awareness	<ul style="list-style-type: none"> Orientation to Local government, SMC, and Head Teacher Mass awareness, consultation, discussions, on SEA/SH, VAC prevention measures to teachers, students, parents and communities, School Management Committees, through posters, social media SEA/SH, VAC zero-tolerance signs around and inside schools Include SEA/SH and VAC session in the teacher/ head-teacher professional development (TPD) program Awareness about and coordination with the 24-hour, toll-free GBV Helpline “KhabarGarau 1145” , the 24/7 government helpline service that is available across Nepal, which also provides needed services.⁶ Awareness about "Grievance Redress Procedure 2074" and Adolescence Friendly Information Corner model operational guideline 2077 Information about necessity of complain box at schools.
Human Resource	<ul style="list-style-type: none"> The existing Safeguard desk in CEHRD, with assigned Gender Focal person and social safeguard focal person to implement, advise, report on and monitor SEA/SH/VAC action plan during project implementation. The procedures of Education Act 2028, Teacher and Students code of conducts and School zone of peace national format and implementation directive 2068, Grievance Redress Procedure 2074 (Annex 7), and Adolescence Friendly Information Corner Model Operational Guideline 2077 to be followed for holding individuals accountable and penalizing teachers, school staffs and students who have violated SEA/SH policies and code of conduct.
Budget Allocation	<ul style="list-style-type: none"> Budget will be allocated to all activities mentioned in this SEA/SH mitigation action plan <ul style="list-style-type: none"> Sensitization and awareness programs Review/development of codes of conduct including possible pandemic like COVID- 19 Review and development of SEA/SH/VAC materials for trainings (relating COVID 19) and publication SEA/SH/VAC related information materials including posters, leaflets, brochures
Codes of Conduct	<ul style="list-style-type: none"> Review codes of conduct for teachers developed under the “Act relating to Children” and improve them with including SEA/SH. Client has to facilitate in training and ensuring that all teachers are trained on the Code of Conduct and have them signed. Client will facilitate in reading,

⁶<https://www.nwchelpine.gov.np/>. NWC’s 24 hr. helpline provides access to existing response services on shelter, psychosocial support), legal aid and child support to the survivors of GBV. The Helpline also has a GBV service Directory of GBV response service providers across Nepal.

	<p>understanding and signing of the CoCs by each labor/worker hired by the project</p> <ul style="list-style-type: none"> • Proper arrangement and establishment of 24-hour well-lit project site (school compound and environment) including WASH, child care facilities, sleeping area. • Orientation and training on SEA/SH and CoCs will be provided to Head teacher, teacher, SMCs and Local government.
Response Mechanism	<ul style="list-style-type: none"> • Grievance Redress Procedure 2074 and Adolescence Friendly Information Corner model operational guideline 2077 will be followed for documentation of complaint registration and management.

Annex 6 List of Participants from Different EDCUs/Schools and Other Stakeholder during Consultation, 20th April, 2021

SN	Name of Participants	SN	Name of Participants
1	Gokarna Dhoj Karki, Kavrepalanchok	36	Kartika Radhakrishnan
2	Baikuntha Subedi, Kailali	37	Jaya Sharma
3	Rajendra Chapagain	38	Annu Rajbhandari
4	Gopal Silwal, Jugal Gaunpalika, Sindhupalchowk	39	Sara Subba
5	Keshab Lamsal, Rajpur Gaunpalika, Dang	40	Bipana Sharma
6	Nageswor Rai Yadav, Haripur Nagarpalika, Sarlahi	41	Dron Pun
7	Damber Bahadur Thapa, Dhankaul Gaunpalika, Sarlahi	42	Ishwor Neupane
8	Dal Bahadur Thapa Magar, Myagdi	43	Sunil Paudel
9	Keshab Bhattarai, Sankhuwasabha	44	Rajan Shrestha
10	Hem Raj Dahal, Barju Ga. Pa Sunsari	45	Prabhakar Pandit
11	Salikram Ghimire, Tripurasundari Gaupalika, Sindhupalchowk	46	Keshab Dahal
12	Kul Prasad Khanal, Rajpur Nagarpalika, Rauthahat	47	Ghanashyam Aryal,
13	Deepak Khatri, Dakshinkali Nagarpalika, Kathmandu	48	Ganesh Paudel
14	Guru Prasad Paudel, Syangja	49	Padma Sapkota
15	Srijal Shrestha	50	Bishnu Prasad Adhikari
16	Nagendra Prasad Awasthi	51	Ramchandra Timilsina
17	Ganesh B Katuwal , Annapurna Gaunpalika, Myagdi	52	Medinee Prajapati
18	Ramesh Paudel		
19	Singh Raj Dangi, Bajura		
20	Nanda lal Paudel, Kathmandu		
21	Pawan Kushawaha, Chakrahatta Gaunpalika, Sarlahi		
22	Ashok Rijal, Malika Gaunpalika, Myagdi		
23	Surendra Thakur, Katahariya Nagarpalika, Rautahat		
24	Tikaram Acharya, Dharche Gaunpalika, Gorkha		
25	Dhani Prasad Sharma, Suddhodhan Gaunpalika, Kapilbastu		
26	Laxmi Parajuli, Sammarimai Gaunpalika, Rupandehi		
27	Uddhimraj Paudel		
28	Sita Bhattarai		
29	Bimala Kumari Ghartimagar, Birndaban Nagarpalika, Rautahat		
30	Chandeshwor Sah, Maulapur Nagarpalika, Rautahat		
31	Krishna Paudel		
32	Tara Prakash Pun		
33	Oppo A5s		
34	Acer		
35	Puspa Rai, Bethanchwok Gaupalika , Kavrepalanchok		

Photos

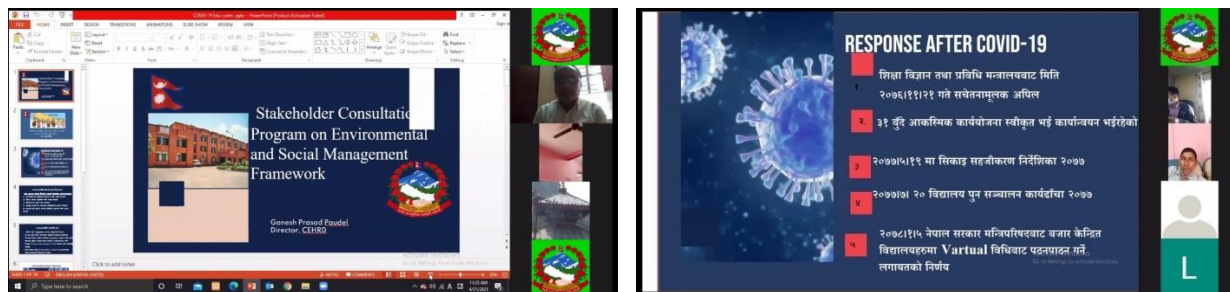


Figure: Virtual Stakeholder Consultation Meeting

Annex-7: Stakeholder's feedback received during online consultation held on April 20,2021

Key issues and concerns during the consultation and suggested measures were as follows:

Social Issues and Mitigation Measures

- i) The alternative learning measures such as distribution of learning packs and distance teaching methods that were put in places by the Government did not perform as envisaged. Lack of clear performance indicators and monitoring of alternative learning initiatives were amongst the key issues.
- ii) EDCU representative, Baitadi District, shared that simple measures such as wearing mask, effective water supply system, sanitizer and physical distance among the students and teachers are essential measures to be complied during face to face teaching. Strict compliance of these protocols are essential to restore and retain the teaching- learning activities in the schools.
- iii) Participant from Morang (*BiratBahira*Resource Class Room, Biratnagar) shared that given the special needs education of CwDs, teachers and students could hardly get connected by net and such children needed face to face teaching. It was also shared that about 30-35% students from urban area had access to the net facilities and for most of the students, masks were hardly affordable. School waste, toilet and sanitation were other key issues of the school.
- iv) Representative from Kavrepalanchowk district (Bethanchowk), observed that close supervision was necessary for effective performance of alternative teaching initiatives. Although CEHRD distributed the printed learning packs to the children in places without net facility, these were hardly used by the children. One of the reasons for this was that the learning materials were not in mother tongue of the children. Another underlying problem for poor performance was lack of awareness among children, teachers and parents for using the materials distributed.
- v) Participant from Rautahat noted that only 5-7% students had access to advanced alternative learning technologies such as net and TV, and a large number of students were excluded from these teaching methods. No protocols of Covid-19 were maintained in the school making the situation quite challenging. He further noted that *Haatbazars* (temporary markets) and schools were the main sites that contributed to the spread of corona virus.
- vi) CEHRD officials shared that the key activities to be performed during Covid-19 were: i) distribution of books /learning materials to the students and ii) maintaining continued relationship among teachers, parents and students in order to be able to cope with the Covid-19 problems and address the damage in the school level education.

Environmental issues and concerns:

- I. Kul Prasad Khanal- shared his view that performance indicators of school should be prepared as it will help in monitoring and reporting process of Schools.
- II. Narendra Prasad Awosti(EDCU Chief, Baitadi)- expressed that water supply facilities to the schools are located in other Municipality rather than in Municipality relevant to beneficiary schools. His concern was about how to manage water source issues between municipalities and school. He additionally, raised query that solid waste management is an emerging issue in school where student dispose different kinds of packing materials used for food and drink products and furthermore, wastage is generated from use of mask, gloves during the COVID response activities. If the school could provide water and bucket to students for hygiene and sanitation facility, it will be meaningful to address the COVID response measure at large in School.
- III. Ms. PushapaRai, Bethanchowk, Kavre: suggested that program monitoring and evaluation activities should be given high priority.
- IV. Mr. Deepak Khatri, Rauthat Municipality: suggested that outside the School premises, students violet the COVID protocol. Therefore, parents and guardians should be orientated on COVID awareness and monitoring is important.
- V. Mr. Durga Prasad Khatiwada, Biratnagar Metropolitan City, informed that Metropolitan city had lunched face to face education program in Birat Deaf Children School. Students were provided face mask and sanitizer to avoid the spread of COVID-19. But the distribution of mask and sanitizer could not longer due requirement of large quantity of mask to students to be used daily. One mask can be used for a day and procurement cost of mask which was Rs.3/pc.
- VI. Participant also raised query on provision of Monitoring cost, overall project implementation modality, share list of selected schools and consultation with LGs.

Response:

Mr. Ghanshyam Aryal responded the queries of participants. He mentioned that Monitoring cost is not included in budget which will be provisioned in coming next budget program. Program activity monitoring aspects will be strengthened and CEHRD has planned to carry out consultation with LGs and has been preparing guideline.