

COMMUNITY- BASED CHILDCARE CENTER PROJECT

ENVIRONMENTAL and SOCIAL
COMMITMENT PLAN (ESCP)

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PLANETE
ENFANTS &
DEVELOPPEMENT

Planète Enfants & Développement

Community-based Childcare for Garment Factory Workers Project P171063

Draft

ENVIRONMENTAL and SOCIAL COMMITMENT PLAN (ESCP)

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ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. Planète Enfants & Développement (PE&D) will implement the Community-based Childcare for Garment Factory Workers Project (the Project), with the involvement of the following Ministries/agencies/units: Ministry of Labour and Vocational training (MoLVT) and Ministry of Education Youth and Sports (MoYES) and some health centers of the Ministry of Health (MoH).
2. PE&D will implement material measures and actions so that the Project is implemented in accordance with the Environmental and Social Standards (ESSs). This Environmental and Social Commitment Plan (ESCP) sets out material measures and actions, any specific documents or plans, as well as the timing for each of these.
3. PE&D will also comply with the provisions of any other E&S documents required under the ESF and referred to in this ESCP, such as Construction Guidelines and Operational Manuals and the timelines specified in those E&S documents.
4. PE&D is responsible for compliance with all requirements of the ESCP even when implementation of specific measures and actions is conducted by the MoLVT, MoYES agency or health centers under the MoH. referenced in 1. above.
5. Implementation of the material measures and actions set out in this ESCP will be monitored and reported to the World Bank by PE&D as required by the ESCP and the conditions of the legal agreement, and the World Bank will monitor and assess progress and completion of the material measures and actions throughout implementation of the Project.
6. As agreed by the World Bank and PE&D this ESCP may be revised from time to time during Project implementation, to reflect adaptive management of Project changes and unforeseen circumstances or in response to assessment of Project performance conducted under the ESCP itself. In such circumstances, PE&D will agree to the changes with the World Bank and will update the ESCP to reflect such changes. Agreement on changes to the ESCP will be documented through the exchange of letters signed between the World Bank and the PE&D. The PE&D will promptly disclose the updated ESCP.
7. Where Project changes, unforeseen circumstances, or Project performance result in changes to the risks and impacts during Project implementation, the PE&D shall provide additional funds, if needed, to implement actions and measures to address such risks and impacts.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
MONITORING AND REPORTING			
A	<p>REGULAR REPORTING</p> <p>As a part of its regular project reporting, PE&D will prepare and submit to the World Bank every 6 months monitoring reports on the environmental, social, health and safety (ESHS) performance of the Project, including but not limited to the implementation of the ESCP, status of preparation and implementation of E&S documents required under the ESCP, stakeholder engagement activities, and functioning of the feedback response and grievance mechanisms.</p>	Frequency of reporting: once every 6 months throughout project implementation.	Project Manager
B	<p>INCIDENTS AND ACCIDENTS</p> <p>PE&D will promptly notify the World Bank of any incident or accident related to the Project which has, or is likely to have, a significant adverse effect on the environment, the affected communities, the public or workers including people with disability, indigenous group and or disadvantaged people. Potential risks of the project during the construction and operations are listed in the construction guidelines.</p> <p>PE&D will prepare an Incident Reporting Mechanism and will cover concerns of any workers and any affected communities. It will provide sufficient detail regarding the incident or accident, indicating immediate measures taken or that are planned to be taken to address it, and any information provided by any contractor and supervising entity, as appropriate.</p> <p>The Incident Reporting Mechanism will be annexed to the construction company contract and the CBCC (Community-based Childcare Centre) Operational Guidelines. It will be displayed in PE&D Phnom Penh and Kampong Speu office and in the CBCCs.</p>	<p>Incident Reporting Mechanism will be prepared during the first quarter of project implementation and before the start of construction.</p> <p>We will notify the Bank as soon as we know the incident and with a delay based on the severity of it. In case of acute severity, the Bank will be notified within 24 hours and in case of moderate severity within 3 days.</p>	Project Manager

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	<p>ORGANIZATIONAL STRUCTURE</p> <p>PE&D country representative is the permanent staff responsible for managing environmental and social risks within the project. PE&D will establish and maintain an organizational structure with qualified staff and resources to support strong management of E&S risks including:</p> <ul style="list-style-type: none"> • The project manager will cover E&S risks during preconstruction period (site selection and stakeholder consultation). • The construction supervision consultant for E&S risks during construction periods. • The CBCC coordinator for E&S risks during CBCC operations. 	<p>The PE&D country representative is in place prior to project effectiveness and will guide project start-up including the implementation of the requirements of the ESCP and management of ESHS.</p> <p>The new positions will be recruited with the following timeframe:</p> <ul style="list-style-type: none"> • Project manager at the starting of the project (consultant full time). • Construction supervision (consultant during construction periods) and CBCC coordinator (consultant full time) will be recruited within 3 months of project start-up. 	Country Representative
1.3	<p>MANAGEMENT TOOLS AND INSTRUMENTS</p> <p>PE&D will review its existing policies and instruments related to all aspects of the ESCP and update to ensure alignment with the relevant standards of the ESF where necessary.</p> <p>As part of the Construction Guidelines, to understand and manage E&S risks, PE&D has in place:</p> <ul style="list-style-type: none"> • Summary of the E&S risks. • Design of the centers taking into consideration E&S considerations. • Approach to stakeholder engagement and grievance redress. • A site screening form. • A land and/or building use protocol. • Environmental and Social Management Plan/ESMP for CBCC Construction stage <p>As part of the Project Implementation Manual, and related to the construction and operations, PE&D will have in place additionally</p>	<p>The Construction Guidelines are in place prior to the project start and will be implemented all along the project.</p> <p>The Project Implementation Manual is in place prior to project effectiveness but the tools announced will be added in annexes three months after project start-up.</p> <p>Review of the existing policies will be undertaken on an ongoing basis to ensure alignment with the requirements of the project and the Bank's ESF, where necessary.</p>	Country Representative

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ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
	<ul style="list-style-type: none"> Waste Management Plans. A Grievance Mechanism. An Incident Reporting Mechanism <p>As part of permanent policies within the organization, PE&D has also labour management procedures and a child protection policy.</p> <p>PE&D will develop procedures for all direct and contracted workers, as necessary, based on any gaps with WB requirements, and continue to implement its existing management policies and child policy also for all direct and contracted workers.</p> <p>All of these tools will be implemented, monitored, updated if necessary and reported in a manner acceptable to the Bank.</p>		
1.4	<p>MANAGEMENT OF CONTRACTORS</p> <p>PE&D will incorporate the relevant aspects of the ESCP, ESMP and the Labour Management Procedures, into the ESHS specifications of the procurement documents with contractors.</p> <p>Thereafter PE&D will ensure during the field monitoring of the constructions that the contractors comply with the ESMP and other documents (1.3 above) and ESHS specifications of their respective contracts.</p>	<p>The tools listed in 1.3 will be in place prior to the preparation of procurement documents.</p> <p>The CBCC construction supervision consultant will supervise the contractors throughout the project implementation. He will be on the site construction half of his time and ensure the tools are correctly implemented and used.</p>	CBCC Construction Supervision Consultant

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ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOUR MANAGEMENT PROCEDURES</p> <p>The project will have the following categories of workers: direct workers, consultants, PE&D permanent local and expatriate staff and contracted construction workers and staff from sub-granted partners (local or international NGO's).</p>	Within the first quarter of the project and throughout project implementation.	PE&D Administrative officer

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ESS 2: LABOR AND WORKING CONDITIONS		
<p>For each category PE&D will ensure the labour and working conditions are in line with the requirements of the World Bank and the Government of Cambodia.</p> <p>Direct workers under PE&D Management</p> <ol style="list-style-type: none"> 1. <u>Consultants contracts</u> will specify the expected outcomes, the conditions of collaboration (working hours, leaves, reporting, security and safety, grievance mechanism), health insurance requirements. 2. <u>PE&D permanent local staff</u> are recruited under the Cambodian Labour law and the existing “PE&D Cambodia terms and conditions of employment”. The rules include their rights relatives to hours of work, wages, compensations and benefits, probationary period, termination of contract, OHS, health coverage, grievance mechanism. 3. <u>PE&D permanent expatriate staff</u> are working under the status of volunteers, or “Volontaire de la Solidarité Internationale” (VSI) covered by the French law. The Labor procedures for them are also specified by the French law and are detailed in the “PE&D guide of VSI”, which is provided with their contract. It details their rights relatives to hours of work, wages, compensations and benefits, probationary period, termination of contract, OHS, health coverage, grievance mechanism. 4. <u>CBCC workers</u> will be contracted by PE&D, and as the permanent staff of PE&D will be employed under the Cambodian law and the existing “PE&D Cambodia internal rules”. The rules include their rights relatives to hours of work, wages, compensations and benefits, probationary period, termination of contract, OHS, health coverage, grievance mechanism. 	<p>The review of the existing labour and working conditions will be done during the first quarter of the project and prior to the procurement of any workers.</p> <p>The annex of the Construction Guidelines related to the labour management will be prepared before the bidding.</p>	

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ESS 2: LABOR AND WORKING CONDITIONS			
	<p>Contracted Workers</p> <ol style="list-style-type: none"> 1. For the contracted workers, employed on the construction sites by construction company, the project will make sure they are employed under the Cambodian Labour Law and the requirements of the World Bank. These will be specified in the annexes of the contract signed between PE&D and the construction companies. 2. NGO partner workers (third parties): the contracts will specify the necessity for them to respect the Cambodian Labour Law for the staff recruited for the project and the requirements of the World Bank. <p>PE&D will review and update its policies related to the labor and working conditions of the direct workers to ensure alignment with World Bank requirements and implement these policies, particularly with the new worker grievance mechanism which will be prepared.</p>		
2.2	<p>GRIEVANCE MECHANISM FOR PROJECT WORKERS</p> <p>PE&D internal terms and conditions of employment contain already worker grievance procedures. PE&D will review, operate and extend the grievance mechanism for all the direct workers (the PE&D volunteers, the consultants and the CBCC workers). It will allow them to bring easily their complaints to a focal point in case of lack of application of the labour management procedures, or in case of difficulties in the exercise of their role.</p> <p>Contractors and sub granted partners will also be required, through the signed contract/agreement, to set up a grievance mechanism. PE&D will conduct an orientation on its worker grievance procedure for all project staff, consultants, subgrantees, and volunteers to ensure that they are aware of their rights and benefits when they sign their contracts.</p>	Worker grievance mechanism will be operational prior to engaging project workers -and maintained throughout Project implementation.	PE&D finance and HR officer/ project manager/Construction supervision consultant.

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
ESS 2: LABOR AND WORKING CONDITIONS		
<p>2.3 OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES</p> <p>PE&D employment terms and conditions contain information about the occupational health and safety measures provided by the organization for its workers.</p> <p>Direct workers: Local staff: specified in paragraph 3 – Social benefits. Volunteers: specified in the “Volunteer guide” page 24, 27 and 32. Consultants: specified in their contract.</p> <p>Contracted workers: the measures are specified in the section A of the Environmental and Social Management Plan for the CBCC Construction stage.</p> <p>Sub granted partners will be engaged also by agreements to set up or update their OHS measures for making sure they comply with the World Bank requirements.</p> <p>PE&D will review and amend all their existing OHS instruments, including the safety manual to meet the required standards of the World Bank.</p>	<p>The review will be done prior to the project and to ensure workers well understand and are aware OHS requirements before they start work on this project.</p> <p>For the contracted workers, documents are already prepared and annexed to the construction guideline and the Project Implementation Manual.</p> <p>Policies on OHS will be implemented throughout the duration of the project.</p>	<p>Country Representative and HR manager</p>

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT		
<p>3.1 WASTE MANAGEMENT PLAN:</p> <p>PE&D will avoid the generation of hazardous waste and take measures to reduce non-hazardous waste during operation. Where waste generation cannot be avoided, PE&D will minimize the generation of waste and reuse, recycle and recover waste in a manner that is safe for human health and environment. Where waste cannot be reused, recycled or recovered, PE&D will treat and destroy in an environmentally sound and safe manner.</p> <ul style="list-style-type: none"> Waste management during construction is specified in the "Environmental and Social Management Plan for CBCC Construction stage", in Annex 2 of the construction guidelines. A waste management plan during CBCC operations will be prepared as an annex of CBCC operational guideline A waste management plan for the other activities of the project and particularly the offices of PE&D and the sub granted partners will be prepared and will include electronic waste management. <p>The waste management Plans will be adopted, implemented and monitored throughout the life of the project</p>	<p>The Environmental and Social Management Plan for CBCC construction is part of the construction guideline and will be signed by the construction company.</p> <p>The waste management Plan in the CBCC operational guidelines will be developed 6 months after Project effectiveness and prior to the CBCC operations.</p> <p>The waste management plan for the other activities of the project will be prepared 3 months after the project effectiveness.</p> <p>They will thereafter implemented throughout Project implementation.</p>	<p>Project Manager/ECCD consultant. Construction supervision consultant</p>
<p>3.2 RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT</p> <p>In the Environmental and Social Management Plan for CBCC Construction, annexed to the CBCC construction guideline, the management of toxic materials, dust, wastes (solid waste and waste water) and water resources are incorporated.</p> <p>The CBCCs/project will not involve the use scarce resources or impact the natural environment. The project will not invest in the use of scarce resources that would deplete the existing ecosystem in the project areas.</p>	<p>The Environmental and Social Management Plan for CBCC construction is part of the construction guideline and will be signed by the construction company and implemented during the contract period.</p>	<p>Project manager/Construction supervision consultant</p>

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ESS 4: COMMUNITY HEALTH AND SAFETY			
4.2	<p>COMMUNITY HEALTH AND SAFETY: PE&D has specified in the construction guidelines, and will eventually in the Operational Guidelines, how they will implement measures and actions to assess and manage specific risks and impacts for health and safety to the community arising from Project activities including physical risks during construction of the CBCC's and sanitation risks.</p> <p>Community health and safety during constructions has been specified in the Environmental and Social Management Plan for CBCC Construction stage.</p> <p>Community health and safety during operations are explained in the ESMP of the Construction Guidelines and will be also developed in the CBCC operational guidelines.</p> <p>PE&D will implement and monitor the measures related to community health and safety throughout the life of the project.</p>	<p>Construction guidelines and the ESMP annex is developed prior to the project and implemented throughout Project implementation.</p> <p>CBCC operational guidelines will be developed 6 months after project effectiveness.</p>	Project manager/CBCC construction Supervision Consultant/ECCD consultant
4.3	<p>CHILD PROTECTION MEASURES PE&D has already a child protection policy which has to be signed by any staff, consultant and third party. This contains risks assessment, code of conduct, mechanism of reporting in case of child abuse and information about workers training in child protection. All workers will be made aware and trained on the policy and the policy will be implemented for the life of the project.</p>	Prior to the project and implemented throughout Project implementation	Project manager
4.4	<p>SECURITY PERSONNEL PE&D and their contractors will not be using Security Personnel for protecting their assets. If the circumstances change, the Bank will be notified, and a Security Management Plan will be developed and implemented.</p>	The non-presence of Security personnel on the construction site will be checked with the contracted firm.	Project manager

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ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
5.1	<p>AGREEMENT FOR LAND AND/OR BUILDING USE</p> <p>PE&D will undertake meetings with relevant stakeholder to explain clearly the full steps of the project, engage them to actively participate and visit the plot of land they want to allocate.</p> <p>PE&D will implement the Land and/or Building Use Protocol and ensure that the land use agreement for each center.</p> <p>This protocol and agreement will be implemented, recorded and reported on for the life of the project.</p>	<p>Agreement of land use template is annexed to the construction guideline prior to the project. They will be signed by each communes for each CBCC's throughout the project implementation.</p>	<p>Project manager/ technical advisor</p>

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ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL			
6.1	<p>BIODIVERSITY RISKS AND IMPACTS</p> <p>The CBCCs will not be built in areas that could provide access to or deplete natural critical habitats, wildlife sanctuary, protected areas and/or scared resources. However, to protect biodiversity and natural resources, the ESMP annexed to the construction guidelines includes protection measures for the water bodies.</p>	<p>Construction guidelines and the ESMP annex is developed prior to the project start-up and implemented throughout Project implementation.</p>	<p>CBCC project manager/Construction supervision consultant.</p>

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ESS 8: CULTURAL HERITAGE			
8.1	<p>CHANCE FINDS</p> <p>Th Construction Guidelines include a chapter on Social and Environmental screening and mitigation measures during Construction. This includes a section about “protection on historic and cultural resources on Land site” which specify:</p> <ul style="list-style-type: none"> - The necessity to asses whether the land plot is nearby cultural heritage and to avoid conversion of land. - The necessity to protect sites of known antiquities, historic and cultural resources by the placement of suitable fencing and barriers. - the chance finds procedures for screening for cultural heritage and managing chance finds are in place to identify, assess and manage such risks. These procedures are incorporated in the Construction Guidelines. . <p>The site Environmental and screening form also allows assessment of whether the land plot is near cultural heritage.</p> <p>These tools will be implemented, recorded and reported on for the life of the project.</p>	Construction guideline and “Environmental and screening form” annexed is developed prior to the project and. implemented throughout Project implementation.	CBCC project manager/Construction supervision consultant.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	<p>STAKEHOLDER ENGAGEMENT</p> <p>PE&D has in place an approach to stakeholder engagement as part of the construction guidelines and with a “stakeholder consultation summary template” annexed in the guidelines. These will be implemented, monitored and reported during the construction periods from year 1 to 3.</p> <p>The approach to stakeholder engagement is also included in the Project Implementation Manual. PE&D will engage in consultations with all interested and affected stakeholders, from the national level, included MoLVT, MoEYS and MoH to the local level, included commune councils, provincial and district governors, communities, factories, brands. PE&D will provide stakeholders with timely, relevant, understandable and accessible information, and consult with them in a culturally appropriate manner, which is free of manipulation, interference, coercion, discrimination and intimidation. These will be implemented, monitored and reported all along the Project.</p>	Developed prior to the project start-up and implemented throughout Project implementation.	PE&D country representative and Project manager
10.2	<p>PROJECT GRIEVANCE MECHANISM:</p> <p>The construction guidelines will include a Feedback Response Mechanism which will allow every stakeholder and any members of the communities to raise a complaint. The mechanism will specify to who it can be reported through which channel and media, the delays of treatment and how to solve the problem, through mediation or request to the court of justice</p> <p>The Project Implementation Manual also includes a grievance mechanism. There will be a register in each CBCC, reviewed each week by the CBCC’s supervisors. In case of a complaint a report will be immediately transferred to the project manager.</p>	The feedback mechanism will begin implementation during the first month of the project.	Country representative and Project manager.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
CAPACITY SUPPORT (TRAINING)			
CS1	<p>Training will be organized on:</p> <ol style="list-style-type: none"> 1. Child Protection Policy for project consultants and caregivers; 2. E&S risks mitigation during project for consultants, PE&D staff and NGO sub-granted; and 3. Community health and safety for CBCC caregivers, 4. Grievance mechanisms for all direct and indirect workers. 5. Incident reporting mechanism for all direct and contracted workers 	<ol style="list-style-type: none"> 1. Child protection policy is annexed to the contracts with direct workers and third parties. Training and refreshment will be organized twice a year. 2. Training will be organized in a timely fashion once each worker is on board and each time a contract is signed with third parties. 3. The topic will be part of their initial training. 4. Training will be organized when every worker will be on board and each time a contract is signed with third parties. 5. Training will be organized when every worker will be on board and each time a contract is signed with third parties. 	Country representative, PE&D technical advisor, Project Manager