



**REPUBLIC OF KENYA**

**THE NATIONAL TREASURY AND ECONOMIC PLANNING**

**FINANCING LOCALLY-LED CLIMATE ACTION (FLLoCA) PROGRAM**

**CREDIT NO: 6980-KE**

**PROJECT ID NO: P173065**

**PROGRAM IMPLEMENTATION UNIT (PIU)**

**TERMS OF REFERENCE (TOR) AND SCOPE OF SERVICES (SOS)**

**CONSULTANCY SERVICES FOR GENDER ASSESSMENT AND MAPPING OF  
GENDER BASED VIOLENCE (GBV) SERVICE PROVIDERS FOR FINANCING  
LOCALLY-LED CLIMATE ACTION (FLLoCA) PROGRAM**

**PROGRAM IMPLEMENTATION UNIT (PIU)**

**Reference No: KE-CFGEU-384516-CS-CQS**

**December 2023**

**Client:**

The Principal Secretary  
The National Treasury  
P.O Box 30007-00100  
Nairobi

Treasury Building- Harambee Avenue, Nairobi

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## 1. Background information

The Government of Kenya has received financial support under Financing Locally-Led Climate Action Program (FLLoCA) program. The overall program coordination and management is based at the National Treasury and Economic Planning. The Program Implementation Unit (PIU) has been established to manage the program on a day-to-day basis and coordinates with the beneficiaries and key stakeholders. In this regard, the National Treasury and Economic planning intends to use part of the financing to hire a Consultancy firm to undertake gender and Gender Based Violence (GBV) assessment for the program in accordance with the World Bank requirements and standards.

The program development objective is to strengthen local resilience to the impacts of climate change, natural hazards, and other shocks/stressors by building local capacity to plan, budget, implement and monitor resilience investments in a way that promotes collaborative partnerships between communities, national and county governments. The program focuses on capitalizing the National and County Climate Change Funds; building county level capacity for planning, budgeting, reporting, and implementation of local climate actions in partnership with communities; and strengthening of national level capacity for coordination, monitoring, and reporting.

The climate change impacts have grave implications on the economy, poverty reduction efforts, water availability, food security, and health among other challenges. Extreme weather events are already having serious impacts on poor communities and the Country's development agenda. In line with the devolved system of government, most climate change-related development activities in Kenya are now being implemented at county level. Kenya's economy is highly dependent on its natural base. This makes the country highly vulnerable to the impacts of climate change. Climate change, if left unattended, will impede Vision 2030 goal of creating a globally competitive and prosperous Nation with a high-quality standard of life. Globally, Kenya is a party to the United Nation Framework Convention on Climate Change (UNFCCC), the Kyoto Protocol (KP) and Paris Agreement (PA). The Paris Agreement aims to strengthen the global response to the threat of climate change in the context of sustainable development.

In 2016 the Government of Kenya enacted the *Climate Change Act (Revised 2023)* which was followed by the adoption of the *National Climate Finance Policy in 2018 as Sessional Paper No. 3 of 2017 by Parliament as well as the development of the draft Public Finance Management (Climate Change Fund) Regulations (2019) under the Public Finance Management Act (2012)*. Towards this end, the government of Kenya recognizes the fact that all the forty-seven (47) counties in Kenya are highly exposed to the potential negative impacts of climate change and require substantial financial support from both the exchequer and the development partners. In view of the above, many Counties have enacted County Climate Change legislations thus setting stage for the establishment of decentralized County Climate Change Funds (CCCF). The CCCF can be capitalized from various sources, such as county development budgets, national climate fund or in-country bilateral and multilateral development partners.

The National Treasury and Economic Planning established a *Climate Finance and Green Economy Unit in 2013 to coordinates efforts in all matters of climate finance in the country as provided for under the: Vision 2030's MTP III, Climate Change Act 2016 (Revised 2023), the National Climate Finance Policy-2018, Green Economy and Implementation Plan 2016-30, Kenya's Nationally Determined Contributions (NDCs) and National Adaptation Plan-2015-30.*

The **Climate Finance and Green Economy Unit** identify, code/tag, track and report mobilization and application of climate finance in the country to further national sustainable development goal of low carbon emission-climate resilience green economy development path”. Additionally, the Unit has been taking a leading role in the coordination and implementation of National Climate Finance Policy (Sessional Paper No. 3, 2017) directives and activities in the country in collaboration with the line ministries, county governments, private sector, civil society, and development partners. This has been achieved through the crowding in of climate finance for green investments at national and county levels; mainstreaming of climate and disaster risk screening for projects; strengthening of the capacity to mainstream climate change in national and county levels budgeting processes; rolling out, coding, tracking, and reporting of climate finance; undertaking a second national Climate Public Expenditure and Budget Review (CPEBR); and issuance of Kenya’s first sovereign green bond.

The World Bank Group (WBG) Gender Strategy, 2016–2023: *Gender Equality, Poverty Reduction, and Inclusive Growth* aims to address the serious challenges related to gender equality and empowerment, by setting ambitious targets and adopting a rigorous methodology to assess gender progress. Achieving gender equality is one of the Sustainable Development Goals (SDG5), and women play an important role in attaining progress in several other SDGs. Moreover, there is growing evidence that women’s empowerment can contribute to broader community resilience. Empowering women is therefore essential for the achievement of goals and aspiration of the FLLoCA program. To better understand the gender dimensions of local climate action, relevant gender gaps must be closed and addressed in a rigorous and meaningful manner, so that both men and women participate and benefit from the program activities equally, and both men and women’s capacities, skills and talents are harnessed to generate sustainable and resilient livelihoods.

The WBG’s Gender “Tag” distinguishes projects and programs that: (1) identify relevant gaps between women and men, boys and girls in the analysis, particularly as they relate to the Bank’s broader country engagement framework (e.g. country gender assessments, poverty and social impact analysis, Systematic Country Diagnostic, Country Partnership Framework, Country Gender Action Plan etc.); (2) aim to address these gaps through specific actions supported by the project; and, (3) link them to indicators in the results framework.

The impacts of climate change exacerbate gender inequality. The climate crisis affects men and women differently. Women and girls experience the greatest impacts of climate change, which amplifies existing gender inequalities and poses unique threats to their livelihoods, health, and safety. Climate change risks are acute for women and girls in our communities including women and girls with disabilities. However, women are not only vulnerable to climate change, but they are also effective actors or agents of change in relation to both mitigation and adaptation.

Women often have a strong body of knowledge and expertise that can be used in climate change mitigation, disaster reduction and adaptation strategies. Furthermore, women’s responsibilities in households and communities, as stewards of natural and household resources, position them well to contribute to livelihood strategies adapted to changing environmental realities. Therefore, existing climate financing mechanisms must be flexible enough to reflect women’s priorities and needs. The active participation of women in the development of funding criteria and allocation of resources for climate change initiatives is critical, particularly at the local level.

Women are disproportionately affected by the devastation of climate change. FLLoCA program, therefore, aims to bring the gender lens into programming for gender transformative climate actions. Gender assessment of climate change intervention programs is thus needed to ensure gender-sensitive investments in programmes for adaptation, mitigation, technology transfer and capacity building. Gender inequalities in access to resources, including credit, extension services, information, and technology, must be considered in developing activities designed to curb climate change. Women should also have equal access to training, credit, and skills-development programmes to ensure their full participation in climate change initiatives.

Women and men experience poverty differently, as gender differences are pervasive within the household and in the society. The causes of poverty are structural and systemic and hinge on the social organization that relegates women to a position of lesser power over resources, decision making in the management of national affairs and access to opportunities. Poverty makes it difficult for women to realize rights in areas such as politics, decision-making, education, health, the economy, and access to justice even when these are provided for in the law. Therefore, climate change intervention policies, strategies and programs require a gender equality approach to ensure equal access to protection from extreme poverty, vulnerability, and social exclusion throughout the life cycle.

Kenya's national policy for gender mainstreaming is contained in the National Policy on Gender and Development<sup>1</sup>, formulated in 2019<sup>2</sup> by the State Department for Gender Affairs. The aim of the policy is to provide a framework for equal gender participation and benefit from development initiatives and to ensure women empowerment and the specific needs of women, men, girls, and boys are mainstreamed in all development sectors. The 2018-2022 Strategic Plan of the State Department of Gender Affairs provides a blueprint to coordinate gender mainstreaming in national development planning and promote equitable political and socioeconomic development and includes socio-economic empowerment among its key five thematic areas.

Moreover, a National Gender and Equality Commission (NGEC) is in place, as established by the 2010 Constitution (Article 249), with the aim to promote gender equality and freedom from all forms of discrimination in Kenya, especially for special interest groups through ensuring compliance with policies, laws, and practice. Importantly, its mandate encompasses not only the gender dimensions but also other "special interest" groups, namely youth, persons with disabilities, children, the older members of society, minorities, and marginalized groups.

Women's sources of income are in sectors that are hard hit by climate change. Women in Kenya comprise 70% of low wage earners<sup>3</sup>. Many women work in the informal sector where they are employed or running micro and small enterprises characterized by daily wages and limited savings, making them particularly vulnerable.

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<sup>1</sup> National Policy on Gender and Development, 2019 update, Ministry of Public Service, Youth and Gender Affairs (MOPSYG)

<sup>2</sup> The first National Policy on Gender and Development (NPGAD) of Kenya was adopted in 2000.

<sup>3</sup> Kenya Economic Survey 2019

## **2. Objective of the Assignment**

The main objective of the Consultancy are to (i) assess gender inclusivity in FLLoCA program; (ii) assess status of Gender Based Violence in 47 counties; (iii) Map Out Gender Based Violence Service Providers in the 47 counties. The approach is to conduct a participatory in-depth gender analysis to refine and inform the execution of activities in order to make sure the activities and outputs of FLLoCA are gender-responsive and transformational. The Consultant will explore the project's opportunities to contribute to closing the gender gaps relevant to this project with a view to provide concrete evidence and advice on how gender gaps can be addressed by specific project actions. In addition, the assignment should provide how the gender-related outcomes of FLLoCA activities can be measured. The result of the assignment will ensure that gender aspects are mainstreamed within the program activities, outputs/outcomes and considerations are fully implemented as part of the program.

## **3. Scope of the consulting services and specific tasks**

The Scope of the assignment include:

### **3.1 Gender Assessment and Preparation of gender strategy and Action Plan**

- a) Ensuring that gender issues are appropriately considered during the implementation of the Project. Support the development of an in-depth gender assessment to better understand whether there are inherent inequalities along gender lines in the project implementation process and describe the barriers for women's empowerment and participation in the project.
- b) Recommending the opportunities that would enhance/Strengthen the integration of gender equality into the Project's implementation processes.
- c) Preparation of a gender strategy and action plan to address the identified gender issues and gaps. This will provide timeframes and implementation activities/roles, reporting responsibilities, description and technical details of monitoring measures, assessment of the institutional needs, staffing requirements and cost outlay for implementation.
- d) Development of sex and gender disaggregated data for evidence-based identification of gender differences in vulnerabilities, gaps in resources, and opportunities for supporting gender mainstreaming and mitigation actions, the development of indicators, and a baseline for monitoring and reporting.

### **3.2 Gender Based Violence Assessment and Mapping out GBV Service Providers**

- a) Assessment of the risk of exacerbation of GBV at the community level; and assessment of the local capacity to prevent and respond to GBV, including the availability of safe and ethical service provision for survivors.
- b) Development of a GBV Action Plan that will properly mitigate the impacts of GBV risks identified in the assessment and recommend a series of mitigation measures to address and monitor these risks throughout the life of the project.
- c) Mapping of GBV service providers in the Counties.

### 3.3 Tasks

#### a. Tasks for Gender assessment

The Consultant shall:

- i. Identify key gender gaps between women and men, boys and girls in the climate change interventions in the country/region/ counties that relate to the objectives of FLLoCA.
- ii. Carry out an analysis of cultural norms and beliefs, gender roles, responsibilities and time use and how climate change interventions will affect these aspects of the lives of men and women (positive and negative).
- iii. Determine the specific situation of women and men with regard to access to opportunities in employment, decision making, land and resource ownership and access to services, patterns of power and decision making; paying attention to intersectionality and suggest how these dynamics can be aligned to FLLoCA outcomes.
- iv. Assess how well current climate change interventions meet the needs of men and women and identify possible constraints (technical, logistical, and attitudinal, power dynamics) to improvements in the delivery of intervention programs and suggest possible solutions.
- v. Assess availability of gender disaggregated data and data gaps relevant to climate change intervention implemented through FLLoCA.
- vi. Undertake analysis of the integration of gender into the national climate finance policy, climate change fund and county climate change funds as well as planning, budgeting, monitoring and reporting instruments at international, regional, national, county, sub-county and local community levels;
- vii. Assess and identify potential gender-differentiated impacts of the project;
- viii. Collect sex-disaggregated baseline data that could be used to monitor potential gender impacts;
- ix. Based on gender analysis, develop a plan of action that identifies opportunities and entry points for mainstreaming gender into the project. The plan of action for gender mainstreaming should mirror the project's log frame and include the development of gender specific project components, gender responsive targets and indicators, timelines, assigned responsibilities, and implementation arrangements;
- x. Provide cost estimates for the implementation of the plan of action for gender mainstreaming.

#### b. Tasks for GBV assessment and mapping of GBV service providers

The Consultant shall:

- i. Develop a GBV Action Plan that will properly mitigate the impacts of GBV risks identified in the assessment and recommend a series of mitigation measures to address and monitor these risks throughout the life of the project.
- ii. Assess potential risks for GBV and violence against children including child labour related risks; and propose measures for FLLoCA projects related prevention and response;
- iii. Map out any hotspot counties and regions for GBV and assess the prevalence of all types of GBV within hot spot counties;
- iv. Assess the availability, accessibility and affordability of GBV prevention and response services.

- v. Identify best practices on GBV prevention and referral pathways that could be replicated and implemented in the counties; and undertake an assessment of GBV service providers that maps out services available to survivors of GBV.

**4. Duration of assignment**

The duration of this assignment shall be six (6) months from contract commencement date.

**5. Reporting requirements and timelines for deliverables/reports**

The consultant shall submit all draft and final outputs/reports to the Client in accordance with the schedule indicated in Table 1 below:

**Table 1: Reporting requirements and timelines for deliverables/reports**

<b>S/No.</b>	<b>Deliverables/Reports</b>	<b>Timeline for submission of deliverable/report after the contract commencement</b>	<b>Format of presentation of Deliverables/Reports</b>
1	Inception report	2 weeks	3 hard copies and 1 soft copy in pdf format
2	Draft gender assessment report and strategy	12 weeks	3 hard copies and 1 soft copy in pdf format
3	Draft GBV assessment report and Action Plan	12 weeks	3 hard copies and 1 soft copy in pdf format
4	Final gender assessment report and strategy  Final GBV assessment report and Action Plan	24 Weeks	3 hard copies and 1 soft copy in pdf format

All reports shall be submitted to the address:

The Principal Secretary  
 The National Treasury  
 P.O BOX 30007-00100  
 Nairobi.

**Attention: FLLoCA Program Coordinator**

## 6.0 Payment schedule/Remuneration

The proposed payment schedules based on satisfactory performance of the contract which will be negotiated with the successful consultant will be as presented in Table 2 below.

**Table 2: Proposed payment schedule**

S/N	Deliverable/Reports	Percentage of the contract amount
1	Inception report	20 %
2	Draft gender assessment report and strategy	25 %
3	Draft GBV assessment report and Action Plan	25%
4	Final gender assessment report and strategy Final GBV assessment report and Action Plan	30 %

Upon submission of every report, the consultant is expected to make a presentation of the submitted report to the Client in a scheduled meeting. The acceptance of the report shall be recorded in the minutes of the meeting.

## 7.0 Minimum Consultant's qualifications and experience requirements

The shortlisting criteria are:

- a) **Core business and years in business:** The firm shall be registered/incorporated as a consulting firm with vast experience in conducting gender assessment and GBV assessment or related field for a period of at least ten (10) years.
- b) **Relevant experience:** The firm shall demonstrate as having successfully executed and completed at least three assignments of similar nature, complexity and in a similar operating environment in the last five (5) years. Details of similar Assignments-Name and address of the client, scope, value, and period should be provided and submitted Expression of Interest should include enumeration of these similar past assignments.
- c) **Technical and managerial capability of the firm:** The firm shall demonstrate as having the requisite technical capacity including relevant equipment and managerial capacity to undertake the assignment in the submitted company profile(s).

## 8.0 Team Composition and Minimum Qualification and Experience Requirements for the Key Experts

The Firm shall demonstrate availability of well qualified and experienced professionals as required and appropriate for completion of the exercise. They should possess necessary resources to undertake assignments of such nature including equipment and software required. The key professionals shall personally carry out (with any assistance of other experts deemed appropriate) the services as described in this TOR. The key experts to be provided by the Consultant for this assignment are as follows: -



**a) Team Leader (Sociologist)**

The expert must meet the minimum qualifications outlined below:

- i. Masters degree in sociology, gender studies, community development or related social sciences from a university recognized in Kenya.
- ii. Ten (10) years of general experience in conducting gender and GBV assessment.
- iii. Five (5) years of specific experience conducting gender assessment or related assignments in similar operating environment.

**b) Gender Specialist**

The expert must meet the minimum qualifications outlined below:

- i. Masters degree in sociology, gender studies, community development or related social sciences from a university recognized in Kenya.
- ii. Seven (7) years of general experience in conducting gender and GBV assessment.
- iii. Five (5) years of specific experience conducting gender assessment or related assignments in similar operating environment.

**c) Monitoring and Evaluation Specialist**

The expert must meet the minimum qualifications outlined below:

- i. Bachelor's degree in M & E studies, community development or related social sciences from a university recognized in Kenya.
- ii. Six (6) years of general experience in conducting M & E for development projects.
- iii. Four (4) years of specific experience of M & E in climate change programs or related assignments in similar operating environment.

**c) Socio-Economist**

The expert must meet the minimum qualifications outlined below:

- i. Bachelor's degree in Economics, community development or related social sciences from a university recognized in Kenya.
- ii. Five (5) years of general experience in conducting socio-economic analysis for development project.
- iii. Four (4) years of specific experience in socio-economic analysis in climate change programs or related assignments in similar operating environment.

**d) Institutional Development Specialist**

The expert must meet the minimum qualifications outlined below:

- i. Bachelor's degree in management, community development or related social sciences from a university recognized in Kenya.
- ii. Five (5) years of general experience in institutional analysis for GBV service providers or other related institutions.

- iii. Three (3) years specific experience in institutional analysis for GBV service providers or other related institutions

**9.0 Estimated Time Inputs for Key Experts**

The number of key experts and the estimated time input for each key expert for the assignment are presented in Table 3.

**Table 3: Estimated Time Inputs for Key Experts**

<b>Key Experts</b>	<b>Time-inputs in person-months</b>
Team Leader (Sociologist)	6 months
Gender Specialist	6 months
Monitoring and Evaluation Specialist	4 months
Socio-Economist	3 months
Institutional development Specialist	3 months
<b>Total person months</b>	<b>22 Months</b>

**10.0 Management and accountability of the assignment**

Throughout the process of the consultancy, the consultant will provide regular updates of the assignment to the client. These updates will summarize, among others, the status of tasks, resources, schedules, coordination with county governments, etc., as well as issues that require attention. It is essential to ensure that the client and consultant agree about the scope and progress of the preparation, and that there is an opportunity to review on a regular basis any difficulties or assistance that is required to enable the firm to complete its assignment.

The assignment will be conducted with National Treasury as the Client and the Principal Secretary National Treasury as the Client’s Representative. Representing the Principal Secretary will be the Program Coordinator -FLLoCA under which this assignment will be housed will ensure overall quality control and coordinate various aspects of the project. Thus, the consultant will report directly to the Program Coordinator. The National Treasury will share with the World Bank updates on the consultancy progress and activities

**11.0 Obligations of the Client**

The Client shall:

- i) Manage the contract on a day-to-day basis including processing of funds for disbursement to the consultancy.
- ii) Support in provision of required secondary data source(s) to the Consultant.
- iii) Support in facilitating activities as arranged by the Consultant through liaison with key stakeholders.
- iv) Facilitation in provision of operational support in terms of technical inputs necessary and approval where required.
- v) Quality assurance for the outputs of the consultancy through timely review of reports.

## **12.0 Obligations of the Consultant**

The Consultant shall be responsible for their own transport, accommodation, insurance, Airtime and other associated costs. The consultant is expected to undertake activities that will ensure that outputs are consistent with the professional and legal requirements. It is also required that the data is generated through a consultative process that guarantees authenticity and ownership.

## **13.0 Propriety rights of Client in reports and records**

The Consultant shall submit the reports as per the schedule to the Principal Secretary National Treasury. The National Treasury will be the substantive owner of the study reports and will have copyright ownership. All data and information received during the assignment, from respondents, The National Treasury and the World Bank are to be treated confidentially and are only to be used in connection with the execution of these Terms of Reference. All intellectual property rights arising from the execution of these Terms of Reference are assigned to The National Treasury. The content of written materials obtained or prepared in this assignment will not be disclosed to any third parties without the expressed advance written authorization of The National Treasury and/or the World Bank.