

KENYA URBAN ROADS AUTHORITY (KURA)



STAKEHOLDER/INTERESTED PARTIES ENGAGEMENT POLICY

7TH JANUARY, 2021

EXECUTIVE SUMMARY

Kenya Urban Roads Authority (KURA) acknowledges that in the process of undertaking its mandate its activities have the potential to affect or impact on a wide range of institution, individuals, businesses and the environment. This Policy outlines the Authority's commitment to engage with its stakeholders/interested parties with a view of addressing their interest and concerns. . Engagement with interested parties is essential to enhance the Authority's capability to create and deliver valuable service that meets their expectation.

The ISO 9001:2015 Standard considers engagement of people as the third of the seven principles of quality management and we shall endeavour to implement this policy for the benefit of all stakeholders. KURA prides itself for exhaustive consultations in all our projects. The policy goes a long way to guide our staff and all stakeholders on how they can meaningfully engage and influence our decision making process for mutual benefit.

The Kenya Constitution 2010 puts lots of emphasis on the need for public participation and the need to involve stakeholders in the design and implementation of the Authority's projects and programs. This goes a long way to enhance transparency and accountability in decision making for the operations of the Authority. It also helps in enhancing public awareness and understanding of the Authority's Mandate, Activities, Projects and Programs and promotes ownership of these projects among citizens who are the primary beneficiaries.

Eng. Silas M. Kinoti, MBS
DIRECTOR GENERAL

1.0 Introduction

Kenya Urban Roads Authority (KURA) is a State Corporation established under Roads Act 2007 with the Mandate to Develop, Maintain, Manage and Rehabilitate Urban Road Network in Kenya. The Authority acknowledges that its programs, projects and activities have the potential to affect or impact on a wide range of institution, individuals, businesses and the environment. This Policy outlines the Authority's commitment to engage with its stakeholders/interested parties with a view of addressing their interest and concerns. The ISO 9001:2015 Standard considers engagement of people as the third of the seven principles of quality management. Engagement with interested parties is essential to enhance the Authority's capability to create and deliver valuable service.

2.0 Scope

This Policy provides a framework for establishing and maintaining good relationships with stakeholders during project planning, development, maintenance and management. It applies to all KURA Directors, Employees, Suppliers, Contractors and Agents.

3.0 Purpose

This policy aims at enhancing, promoting and facilitating public participation in the governance of the Authority. The following are the specific objectives which guide in the achievement of this purpose to:

- 1) Effect the implementation of the principles of public participation as provided for in the Constitution;
- 2) Promote the participation of stakeholders in the design and implementation of the Authority's projects and programs;
- 3) Enhance transparency and accountability in decision making for the operations of the Authority;
- 4) Enhance public awareness and understanding of the Authority's Mandate, Activities, Projects and Programs;
- 5) Promote public participation and collaboration in the governance of the Authority's processes and operations;

4.0 Stakeholder/interested Parties Mapping

Stakeholders: - A Stakeholder is an individual and/or group who is affected by KURA operations, have an interest in KURA operations, or can influence KURA operations. Stakeholders also referred as interested parties may include, but are not limited to:

a) Government and other regulatory agencies:

- ✓ Includes; National, County Government and their Agencies or representatives
- ✓ Emergency Services
- ✓ Utility companies (e.g. Phone, power, fibre, water & sewer and Pipeline company)
- ✓ Regulators

b) Corporate interests:

1. KURA staff, contractors and suppliers
2. KURA customers (Motorists/Pedestrians and other road users)
3. Investors
4. Development Partners
5. Financial Institutions
6. Media

5.0 Stakeholders Interests and Influence

1. Policy formulation
2. Planning and prioritization
3. Project identification and implementation
4. Information sharing
5. Financing
6. Quality control
7. Decision-Making
8. Safety and Security
9. Services

6.0 Stakeholder Engagement Principles

Stakeholder engagement utilizes a wide range of principles to enable decision-makers and stakeholders have an opportunity to share information and to develop a common understanding. KURA's stakeholder engagement processes are guided by the following engagement principles:

Principle 1 – Consultation

KURA will actively seek to ensure that the public, communities and organizations that are likely to be affected by its activities and projects shall have a right to be consulted and involved in the decision-making process.

Principle 2 – Involvement

KURA will provide for effective mechanisms for the involvement of the public, communities, organizations and citizens that are likely to be affected by or that would be interested in a decision for projects and programmes undertaken by the Authority

Principle 3 –Access to Information

KURA will enhance effective and meaningful participation of participants through equitable access to relevant information in a timely manner

Principle 4- Timely Feedback

The Authority shall endeavour to process all the relevant requests and concerns from stakeholders and give timely and accurate response using appropriate and suitable mechanisms.

Principle 5 - Recognition of the needs and interests of stakeholders

In order to promote sustainable decision-making, the Authority shall recognize the needs and interests of all stakeholders including the decision-making Agencies.

Principle 6 -Recognition of the Rule of law

In implementing this Stakeholder Engagement Policy the Authority shall comply with all applicable laws, regulations and corporate commitments on national values and principles of governance as Outlined in Chapter 2

Article 10 of the Constitution of Kenya 2010.

7.0 Stakeholder Engagement Guidelines

a) The Authority shall pursue reasonable and meaningful opportunities for public participation by considering:

1. The nature of the decision to be made;
2. The importance and significance of the decisions; and
3. The intensity of the impact of the decision to the public

b) The authority shall enhance public awareness by

1. Identifying the target audience
2. Developing a public awareness programme
3. Give adequate notice to the public
4. Establish mechanisms for wide reach to the public such as T.Vs, ICT Centres, Websites, Radio, Public Meetings, Traditional Media
5. Establish and maintain an online platform for consultation at each reasonable period of such consultation
6. Prepare a simple and concise consultation document with a summary of issues and clearly setting out questions to be addressed
7. Publish and distribute the consultation documents for consideration as widely as possible in a language and form that can be used by the public
8. Establish measures for participation of persons with disabilities
9. Providing an interpreter for those not conversant with the national languages and wish to make remarks in local languages

8.0 Management of Stakeholders interests and Responses

a) Handling Stakeholders Interests

The Authority shall receive all requests through the Director General or any such designated person(s). Such information may, where the Authority incurs expenses in providing the information, be subject to payment of a reasonable fee

May be subjected to confidentiality requirements of the Authority Subject to the provisions of Article 35 of the Constitution and the law relating to freedom of information and data protection.

The Authority may decline to give information to an applicant where; the request is unreasonable in the circumstances, or b) the applicant fails to satisfy any confidentiality requirements imposed by the Authority.

The right to access to information under Article 35 of the Constitution shall be limited to the nature and extent specified as such therein.

b) Handling Stakeholders Feedback/Responses

1. The Authority shall carefully and independently analyse all responses from stakeholders

2. The Authority shall make available to the public the final decisions taken
3. The Authority shall disclose relevant information for the public to understand and evaluate the decision made
4. The Authority shall build trust and credibility in the public participation process
5. The Authority shall validate the data or plans it has developed or developed under its direction
6. The Authority or its agents shall not engage in dishonesty, fraud, deceit, misrepresentation or discriminatory conduct
7. The Authority or its agents shall not accept any payments or gifts given contingent on an interested party's desired results where that desire might result in conflicts with its professional judgement
8. The Authority or its agents in conducting public participation shall avoid relationships or actions, which could be legitimately interpreted as a conflict of interest by clients, officials or the public
9. The Authority shall ensure that there is no misrepresentation of facts relating to the relevant body

c) Conducting public participation process

- a. All the participants shall be courteous, respectful and civil in public participation processes
- b. Individuals who are disruptive shall be given a warning and if necessary be removed from a meeting
- c. A person's freedom of expression under Article 33 of the Constitution shall be limited to the nature and extent specified therein

9.0 Monitoring and Evaluation

In order to Monitor and evaluate the impact of KURA's mandate on stakeholders the Authority will:

1. Analyse feedback from stakeholder on real or perceived impacts and add to the KURA Risk Register as well as EISA Reports.
2. Proactively identify potential impacts as part of the stakeholder analysis and road planning processes, and identify feasible solutions to reduce impact as far as practicable.
3. In accordance to the scale and intensity of operations, actively engage with stakeholders to identify and evaluate potential impacts and develop mutually agreeable solutions.
4. Use available information resources to assist in the effective evaluation of impacts.

5. Maintain communication and relationships with a range of stakeholders including County Government, relevant government agencies and various stakeholder Associations/ groups.
6. Attend and/or address relevant events including stakeholder group meetings

10.0 Redress mechanism

The Authority will ensure that all grievances or complaints regarding implementation of projects and activities are addressed in a consistent manner with guarantee of protection from harassment, prosecution or any other form of reprisal or retaliation. The following grievance process is to be used in the event that a stakeholder is not satisfied with KURA's response, the stakeholder must be notified of this process:

- a) The stakeholder should seek first to resolve their complaint directly with specific KURA staff member, or his/her direct manager, whose action or decision they challenge.
- b) Stakeholders who are unable to resolve their issue directly should refer their complaint, in writing, to the Director General within 20 days. The stakeholder should describe the basis for the complaint; identify potential parties involved in the complaint; summarize the proceedings and results to date; and suggest solutions.
- c) The Director General will decide whether the issue can be addressed by him/herself. If not, the Director General will appoint a Dispute Resolution Committee.
- d) This Dispute Resolution committee, will be chaired by the Director General or someone nominated by the Director General on ad-hoc basis.
- e) The principal tool for resolving the dispute will be written submissions. However, the Dispute Resolution Committee has discretion to conduct face-to-face negotiations and site visits where necessary. Complainants will receive copies of all documents filed regarding the dispute.
- f) KURA will bear the costs of routine communication with parties to the dispute. Additional expenses must be agreed, in advance, in writing, between the parties.
- g) The committee chairman will communicate, in writing, the outcome of the dispute resolution procedure to all parties directly involved within 30 days of receipt of the complaint.

All complaints shall be recorded in the Complaints Register. Corrective Actions shall be added to the stakeholder register and tracked to completion.

11.0 Media Handling

The Authority has put in place Communication Policy that handles issues related to media and communication to all stakeholders. The policy shall guide and will be referred to in handling the media and communication to all relevant stakeholders.

12.0 Policy Review

KURA is committed to continually improving the effectiveness of stakeholder engagement. A key element of this improvement will be evaluating our performance under these Policy and Procedures and, if necessary, amending and adding to this document.

Informal monitoring of the effectiveness of the Policy and Procedures will be ongoing and incorporates feedback from staff and stakeholders. A formal systematic review will be undertaken every two years or earlier if considered necessary

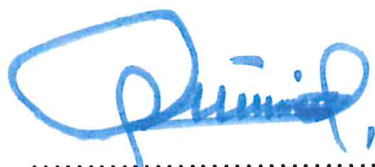
13.0 Breach of Policy

A breach of this policy will be handled as provided for in the Human Resource Manual and other relevant policies and Regulations.

14.0 Effective Date

This policy shall be effective from the date on which it is approved by the Board of Directors.

PRESENTED TO AND ADOPTED BY THE BOARD OF DIRECTORS OF KENYA URBAN ROADS AUTHORITY on this 12th .Day of January 2021



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ENG. SILAS M. KINOTI, MBS
DIRECTOR GENERAL

STAKEHOLDER DATABASE MAPPING MATRIX

S. NO	CATEGORY OF STAKEHOLDER	REASON FOR ENGAGEMENT	METHOD OF ENGAGEMENT	FREQUENCY OF ENGAGEMENT
1.	Staff	☐ Instructions ☐ Direction ☐ To pass information ☐ Feedback ☐ To nurture an environment of understanding their	☐ Intranet ☐ Correspondence ☐ E-mail ☐ Meetings ☐ phonecalls ☐ Social media	Continuous
2.	Suppliers	☐ Instructions ☐ Direction	☐ E-mails ☐ Website ☐ Correspondence ☐ Telephone	On a need be basis
3.	Contractors	☐ Work Instructions ☐ Notification of award ☐ Approval of Work Programs	☐ E-mails ☐ Website ☐ Correspondence ☐ Telephone ☐ Email	On a need be basis

S. NO	CATEGORY OF STAKEHOLDER	REASON FOR ENGAGEMENT	METHOD OF ENGAGEMENT	FREQUENCY OF ENGAGEMENT
4.	Development Partners	☐ Project Information ☐ Implementation briefs ☐ Communicate	☐ E-mails ☐ Website ☐ Correspondence Telephone ☐ Email	On a need be basis
5.	Regulators	☐ Project Information ☐ Implementation briefs ☐ Communicate	☐ E-mails ☐ Website ☐ Correspondence Telephone ☐ Email	Continuous
6.	Media	☐ To inform the public ☐ To appraise the development ☐ To issue alerts	☐ Project briefs ☐ Press releases ☐ Press interviews ☐ Site visits/inspections	Continuous

