

**Municipality of São Paulo - Municipal Secretariat
for Assistance and Social Development (SMADS)**

**Strengthening Social Assistance and Service
Delivery for Vulnerable Families at Social
Risk in the Municipality of São Paulo
(P504899)**

**ENVIRONMENTAL AND SOCIAL
COMMITMENT PLAN (ESCP)**

DRAFT

Appraisal

November 22, 2024

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Municipality of São Paulo (the Borrower) will implement the Strengthening Social Assistance and Service Delivery for Vulnerable Families at Social Risk in the Municipality of São Paulo (P504899) (the Project), with the involvement of the Municipal Secretariat for Assistance and Social Development (SMADS), as set out in the Loan Agreement. The International Bank for Reconstruction and Development (the Bank) has agreed to provide financing for the Project, as set out in the referred agreement.
2. The Borrower shall ensure that the Project is carried out in accordance with the Environmental and Social Standards (ESSs) and this Environmental and Social Commitment Plan (ESCP), in a manner acceptable to the World Bank. The ESCP is a part of the Loan Agreement. Unless otherwise defined in this ESCP, capitalized terms used in this ESCP have the meanings ascribed to them in the referred agreement.
3. Without limitation to the foregoing, this ESCP sets out material measures and actions that the Borrower shall carry out or cause to be carried out, including, as applicable, the timeframes of the actions and measures, institutional, staffing, training, monitoring and reporting arrangements, and grievance management. The ESCP also sets out the environmental and social (E&S) instruments that shall be adopted and implemented under the Project, all of which shall be subject to prior consultation and disclosure, consistent with the ESS, and in form and substance, and in a manner acceptable to the Bank. Once adopted, said E&S instruments may be revised from time to time with prior written agreement by the Bank.
4. As agreed by the World Bank and the Borrower, this ESCP will be revised from time to time if necessary, during Project implementation, to reflect adaptive management of Project changes and unforeseen circumstances or in response to Project performance. In such circumstances, the Borrower through SMADS and the Bank agree to update the ESCP to reflect these changes through an exchange of letters signed between the Bank and SMADS. The Borrower shall promptly disclose the updated ESCP.
5. The subsection on “Indicators for Implementation Readiness” below identifies the actions and measures to be monitored to assess Project readiness to begin implementation in accordance with this ESCP. Nevertheless, all actions and measures in this ESCP shall be implemented as set out in the “Timeframe” column below irrespective of whether they are listed in the referred subsection.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
IMPLEMENTATION ARRANGEMENTS AND CAPACITY SUPPORT			
A	<p>ORGANIZATIONAL STRUCTURE</p> <p>Establish and maintain a Project Management Unit (PMU) under SMADS, which is tasked with ESHS management, with qualified staff and resources to support the management of ESHS risks and impacts of the Project, including a socio-environmental coordination composed of at least: 1 Socio-environmental Coordinator (SMADS); 1 Social Control Specialist; 1 Environmental Specialist; and 1 Works Specialist. Other specialists may be included as needed during the implementation of the Project.</p>	<p>Establish PMU by the Project Effective Date as established in the Loan Agreement and subsequently maintain the PMU throughout Project implementation. As follows:</p> <ol style="list-style-type: none"> 1. A socio-environmental coordinator by effectiveness; 2. Remaining staff 90 days after effectiveness. 	SMADS/ PMU
B	<p>TRAINING AND ORIENTATION</p> <p>a. Provide the environmental and social staff of the PMU, and other members of the PMU (as relevant) with training on:</p> <ul style="list-style-type: none"> • Procedures of continuing stakeholders engagement; • procedures for recording, processing, responding and resolving complaints; • emergency preparedness and response; • aspects to be considered in the environmental and social management and supervision of civil works, and other Project activities of relevant environmental and social risk • community health and safety. <p>b. Provide project workers with guidance on health and safety at work, measures to counter sexual harassment, exploitation, and abuse for Project workers and the appropriate behavior standards in relationships with the population in intervention areas. Within the framework of these trainings and actions, workers shall be informed, inter alia, about the applicable regulations, protocols, and procedures that exist within and outside of their workplace, including ways of accessing the Project's grievance mechanisms (GRM). Ensure that all Project workers receive orientations about their terms of employment and working conditions.</p>	<p>a. Periodically, throughout the implementation of the Project, holding the first session up to 90 days after the Effective Date.</p> <p>b. Periodically, throughout the implementation of the Project, holding the first session up to 90 days after the Effective Date or at least before starting civil works.</p>	SMADS/ PMU
MONITORING AND REPORTING			
C	<p>REGULAR REPORTING</p>	<p>Submit six-monthly reports to the Bank throughout Project implementation, commencing after the Effective Date.</p> <p>Submit each report to the Bank no later than 45 days after the end of each reporting period.</p>	SMADS/PMU

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Prepare and submit to the Bank regular monitoring reports on the environmental, social, health and safety (ESHS) performance of the Project, including but not limited to the implementation of the ESCP, stakeholder engagement activities, and functioning of the grievance mechanism(s), information on labor management and GRM for Project workers, which shall also include any corrective action plans or measures identified according to the ESSs. Subsequently, implement any action plans or corrective measures, as appropriate.		
D	<p>CONTRACTORS' MONTHLY REPORTS</p> <p>Require contractor firms (for civil works) and supervising firms to provide monthly monitoring reports on ESHS performance in accordance with the metrics specified in the respective bidding documents and contracts, and submit such reports to the Bank.</p>	Submit the summary of the contractor's regular reports to the Bank upon request or as annex to the reports to be submitted under action C above.	SMADS/ PMU
E	<p>INCIDENTS AND ACCIDENTS</p> <p>Promptly notify the 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, inter alia, cases of sexual exploitation and abuse (SEA), sexual harassment (SH), and accidents that result in death, serious or multiple injury. Provide sufficient detail regarding the scope, severity, and possible causes of 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/or supervising firm, as appropriate.</p> <p>Subsequently, at the Bank's request, prepare a report on the incident or accident and propose any measures to address it and prevent its recurrence.</p>	<p>a. Notify the Bank no later than 48 hours after learning of the incident or accident or no later than 24 hours after learning of cases of SEA/SH and fatal accidents.</p> <p>b. Provide subsequent report and Corrective Action Plan to the Bank within a timeframe acceptable to the Bank.</p>	SMADSPMU
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	<p>ENVIRONMENTAL AND SOCIAL ASSESSMENTS AND/OR PLANS</p> <p>1. Prepare and implement the Environmental and Social Specifications for project design, upgrade, and/or repair, following applicable regulatory requirements as well as the guidelines from São Paulo municipality's Sustainability Manual for Public Buildings (Manual de Sustentabilidade para Edificações Públicas: Projetos e Obras); and the Guidelines for Universal Design and Accessibility in São Paulo City (Desenho Universal e Acessibilidade Na Cidade de São Paulo)</p> <p>The Environmental and Social specifications must also include the E&S specifications for construction contractors following Federal, São Paulo State and Municipality regulatory requirements, also following applicable guidelines from São Paulo municipality's Sustainability Manual for Public Buildings.</p>	1. Incorporate them as part of the respective bidding documents for the respective SMADS buildings renovations that requires the preparation of such ES Specifications. Once finalized, implement the respective ES Specifications throughout Project implementation.	SMADS/PMU

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<p>2. Adopt and implement the Action Plan for Preventing and Responding to Sexual Exploitation, Abuse and Harassment (EAS/AS).</p> <p>3. Adopt and implement the Code of Conduct for Project workers.</p>	2 and 3. Prepare the documents within 90 days of the Effective Date, adopt them before the implementation and then implement them throughout the Project.	
1.2	<p>MANAGEMENT OF CONTRACTORS</p> <p>Incorporate the relevant aspects of the ESCP, including, inter alia, Environmental and Social Specifications for Contractors, and Code of Conduct, into the ESHS specifications for bidding documents and contracts for design and build of SMADS facilities. E&S specifications for renovation designs must include the Life and Fire Safety requirements from São Paulo State fire authority, Safety of Electrical circuits in accordance with NR10 and applicable NBR/ABNT standards, and specific requirements for natural electrical discharges (lightening) protection. Also include in the construction contractors: (i) the requirements to complete a waste management plan following Sao Paulo Municipality requirement for segregation and disposal of wastes, including hazardous wastes; and (ii) an OHS Risk Prevention Plan as described in 2.2 section below. Thereafter ensure that the contractors and supervising firms comply and cause subcontractors to comply with the ESHS specifications of their respective contracts.</p>	<p>As part of the preparation of procurement documents and respective contracts.</p> <p>Supervise contractors throughout Project implementation.</p>	SMADS/ PMU
1.3	<p>TECHNICAL ASSISTANCE</p> <p>Carry out the consultancies, studies (including feasibility studies, if applicable), capacity building, training, and any other technical assistance activities under the Project in accordance with terms of reference acceptable to the Bank, that are consistent with the ESSs. Thereafter prepare and finalize the outputs of such activities in compliance with the terms of reference.</p>	Throughout Project implementation.	SMADS/ PMU
1.4	<p>USE OF BORROWER ENVIRONMENTAL AND SOCIAL FRAMEWORK</p> <p>a. Ensure that the ESHS risks and impacts of the Project, including in relation to labor and working conditions, to stakeholder engagement and to the management of environmental and social risks related to the renovations that will be carried out, are managed in accordance with this ESCP and the Borrower's ES Framework, which includes inter alia, the country's relevant policy, legal and institutional framework, including its national, state, or local implementing institutions and applicable laws, regulations, procedures, and implementation capacity.</p>	<p>a. Throughout Project implementation.</p> <p>b. Notify the Bank immediately after taking notice of the change to the Borrower's E&S Framework. Subsequent actions, if requested by the Bank, shall reflected in an updated ESCP as indicated in paragraph 4 of the Initial Section of this ESCP.</p>	SMADS/ PMU

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	b. Promptly notify the Bank of any changes to the Borrower's Framework that may materially adversely affect the Borrower's ability to manage the ESHS risks and impacts of the Project in line with the ESSs and the immediate measures taken or that are planned to be taken to address said changes and the ensuing potential risks and impacts of the Project. If, in the opinion of the Bank, such changes adversely affect relevant ESHS risk management aspects of the Project, the Borrower shall agree to implement measures and actions to address them in a manner acceptable to the Bank and shall update the ESCP to reflect such agreed actions.		
1.5	ACTIVITIES SUBJECT TO RETROACTIVE FINANCING Carry out an E&S Assessment of activities that may be subject to retroactive financing under the project in a manner consistent with the applicable Environmental and Social Standards (ESSs), and reflect such audit in a report, which shall also include any corrective action plans or measures that are identified pursuant to the audit, in accordance with the ESSs. Subsequently, implement any corrective action plans or measures, as applicable.	As a condition to submit these activities as eligible expenditures.	SMADS/ PMU
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	LABOR MANAGEMENT a. Ensure that the labor management and working conditions of Project workers are consistent with this ESCP and with the Borrower's ES Framework, as set out in action 1.4 above. b. Ensure that all Project workers receive, through written agreements or other documents provided together with orientation sessions, information, and documentation that is clear and understandable regarding their terms and conditions of employment under the Borrower's ES Framework, including, inter alia, rights relating to working hours, wages, overtime, compensation and benefits, prior written notice of termination of employment, and details of severance payments, as appropriate. c. Public entities and State enterprises and contractors that employ Project workers shall promote a fair and inclusive workplace preventing discrimination from origin, race, sex and creed, in line with, inter alia, National Law No. 9.029/1195 which prohibits discriminatory practices, for admission purposes or for the continuation of the legal employment relationship; National Law No. 12.288/2010 on Racial Equality Statute, Law No. 14.611/23 on Equal Pay; National Law No. 13.146/2015 on Statute of Persons with Disabilities	Throughout Project implementation.	SMADS/ PMU
2.2	OCCUPATIONAL HEALTH AND SAFETY MANAGEMENT PLAN	Complete the PGR, PAE and PCMSO prior to commence of the construction works and implement through the life of the contract.	SMADS/ PMU

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	All construction contractors must complete and adopt an OHS Risk Management Program (Programa de Gerenciamento de Riscos – PGR), an Emergency Response Plan (Plano de Atendimento de Emergência – PAE) and the Workers’ Health Monitoring Program (Programa de Controle Médico Ocupacional - PCMSO) in accordance with the requirements from Regulatory Standards from ministry of Labor (NR1, NR7), and following the standard requirements from NR18 (Construction) and all other applicable regulatory Standards (NR 1 to NR 35).		
2.3	GRIEVANCE MECHANISM FOR PROJECT WORKERS Maintain the operation of SMADS’s grievance mechanisms (Portal SP 156 and Ouvidoria) accessible for Project workers and consistent with ESS2, and report on its operation to the World Bank.	Establish grievance mechanism prior engaging Project workers and thereafter maintain and operate it throughout Project implementation.	SMADS/ PMU
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	WASTE MANAGEMENT PLAN Manage the wastes from SMADS facilities and requires construction contractors to complete and implement waste management plan to manage construction, hazardous and non-hazardous wastes, in accordance with São Paulo municipality “Manual de Sustentabilidade para Edificações Públicas - Desenhos e Obras” from São Paulo Secretary of Services and Works and ESS3.	Same timeframe as action 1.2	SMADS/PMU
3.2	RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT Incorporate energy and water efficiency measures in the requirements for buildings remodeling designs ToRs in accordance with “Manual de Sustentabilidade para Edificações Públicas - Desenhos e Obras” from São Paulo Secretary of Services and Works.	Same timeframe as action 1.2	SMADS/ PMU
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	COMMUNITY HEALTH AND SAFETY Ensure the adoption and implementation of adequate measures for risks and impacts to the community arising from Project activities, including, inter alia, behavior of Project workers, construction traffic hazards, environmental noise and vibration emissions, and response to emergency situations, following Project’s mitigation measures in accordance with Borrower’s ES Framework and with Environmental and Social Specifications for Contractors	Prior to commence of the renovation works and implement through the project implementation.	SMADS/ PMU
4.2	SEA AND SH RISKS Develop and implement a Prevention and Response Action Plan for SEA/SH, including: <ul style="list-style-type: none"> Measures to address aspects of GBV/SEA/SH, defining referral pathways for GBV and a framework for accountability and response; Support measures for workers who may become victims of SEA/SH and also the requirement for project workers to undergo training on their behavioral obligations and for all those with a physical presence in the project areas (e.g., service providers/contractors) to sign and understand the Codes of Conduct on SEA/SH; 	Finalize the Prevention and Response Action Plan for SEA/SH 90 days after the Effective dAt e and subsequently implement the Prevention and Response Action Plan for SEA/SH during the Project implementation.	SMADS/ PMU

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<ul style="list-style-type: none">Guidance procedures for field teams.		
4.3	<p>SECURITY PERSONNEL MANAGEMENT</p> <p>Ensure that SMADS and contractors and subcontractors only retain private security personnel to safeguard personnel and properties who:</p> <ul style="list-style-type: none">Have been properly trained by private security professional training schools authorized to operate according to Law 14,967/2024 (the Statute of Private Security and Security of Financial Institutions).Have been trained on appropriate conduct and use of force only for preventive and defensive purposes and in proportion to the threat.Have not a history of allegations or incidents of abuse of power and retaliation, sexual harassment and exploitation, gender-based violence, bribery and corruption.	Throughout project Implementation	SMADS/ PMU
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
	ESS 5 is not relevant to the project. No investments will be supported that require the involuntary taking of land resulting in temporary or permanent resettlement impacts.		
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
	This Standard is not currently relevant since the project will be located at urbanized and modified landscapes, therefore, not resulting in direct impacts to, or loss of natural or critical habitats.		
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
	Not relevant because there are no indigenous peoples in the Project area, according to the definition in ESS7.		
ESS 8: CULTURAL HERITAGE			
	ESS8 is not relevant to the project. Although the project will involve only a small number of small-scale and site specific works and the Borrowers commitment to adopt measures to avoid impacts on known cultural heritage.		
ESS 9: FINANCIAL INTERMEDIARIES [This standard is only relevant for Projects involving Financial Intermediaries (FIs).]			
	This standard is currently not relevant.		
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	<p>STAKEHOLDER ENGAGEMENT</p> <p>Carry out stakeholder engagement actions in relation to the Project, in line with the Borrower’s ES Framework for Stakeholder Engagement including, inter alia, Decree No. 8,243/2014 and Law No. 12.527/2011 support civil participation and information access, which shall include measures to, inter alia, 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.</p>	Throughout the Project implementation.	SMADS/ PMU

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
10.2	<p>PRIOR CONSULTATION PROCESS</p> <p>Prepare and submit to the World Bank a Social Control and Participatory Processes Report (Relatório de Controle Social e Processos Participativos) attesting to the fact that the São Paulo Municipal Secretariat for Social Assistance and Development has carried out the consultation processes routinely implemented by SMADS, such as the model adopted for the revision of Ordinance nº. 46/2010.</p> <p>The Report should present the methodologies used for the consultation, the main questions received, how they were answered and the next steps regarding the participation and consultation procedures relating to the Project's activities.</p>	Submit the Report no later than 90 days after the Effective Date.	SMADS/PMU
10.3	<p>PROJECT GRIEVANCE MECHANISM</p> <p>Establish, publicize, maintain, and operate an accessible grievance mechanism of Municipality of São Paulo and SMADS (Portal SP 156 e Ouvidoria), to receive and facilitate resolution of concerns and grievances in relation to the Project, promptly and effectively, in a transparent manner that is culturally appropriate and readily accessible to all Project-affected parties, at no cost and without retribution, including concerns and grievances filed anonymously, in a manner consistent with ESS10.</p> <p>The grievance mechanism shall be equipped to receive, register, and facilitate the resolution of SEA/SH complaints, including through the referral of survivors to relevant gender-based violence service providers, all in a safe, confidential, and survivor-centered manner.</p> <p>Report to the World Bank on the operation of these grievances and their resolutions.</p>	<p>Throughout the Project implementation.</p> <p>Report on the operation of the grievance mechanism in the scope of the reports to be submitted under action C above.</p>	SMADS/ PMU
10.4	<p>TRANSPARENCY, ACCESS TO INFORMATION AND DATA PROTECTION</p> <p>Carry out stakeholder engagement in relation to the Project, in line with the Borrower's ES Framework, which for stakeholder engagement includes, inter alia, National Law No. 12.527/2011 on Access to Public Information, Law No. 13.709/2018 on Personal Data Protection, Law No. 13.460/2017 on participation, protection rights of users of public services and regulates ombudsman services.</p>	Throughout Project implementation.	SMADS/ PMU
INDICATORS FOR IMPLEMENTATION READINESS			
<p>The following actions are indicators for implementation readiness:</p> <ul style="list-style-type: none"> • Action A • Action 4.2 • Action 10.1 • Action 10.2 			

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
<ul style="list-style-type: none"> Action 10.3 		

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