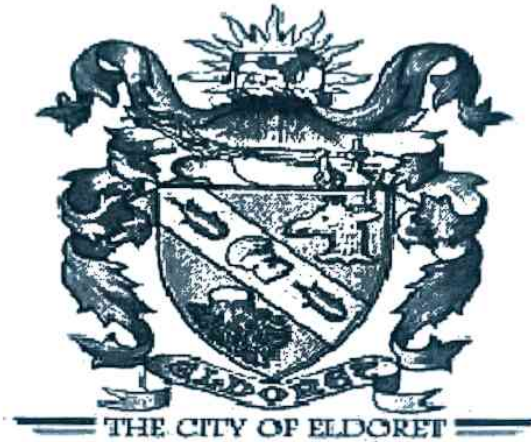


CITY OF ELDORET



GRIEVANCE REDRESS MECHANISM FRAMEWORK

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CITY OF ELDORET GRIEVANCE REDRESS MECHANISM FRAMEWORK (GRM).

The City of Eldoret Grievance redress Mechanism (GRM) frame work designed to address complaints and grievances raised by the residents of the City of Eldoret, concerning services, governance and local development projects.

The framework is structured to ensure that the residents have a clear, accessible and responsive process to express their concerns, seek resolutions and government accountable.

PURPOSE

The purpose of the frame work is to establish a formal, transparent and effective grievance redress mechanism in City of Eldoret, ensure that complaints from citizens are addressed efficiently, improving governance and services delivery.

SCOPE

The framework applies to all city services and issues managed by city, including waste management, road maintenance, public health, planning and development issue and water supply.

OBJECTIVE

- To provide citizen with an accessible way to file grievances.
- To enhance citizen satisfaction by improving services delivery and community engagement.
- To enhance that grievance are handled in a fair, transparent and timely manner.

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INTRODUCTION

1.1 ADDRESSING GRIEVANCE FROM PROJECTS- AFFECTED COMMUNITIES.

A Grievance Redress Mechanism (GRM) is an instrument through which dispute resolution is sought and provided. It involves the receipt and processing of complaints from individuals or groups negatively affected by the activities of a particular project. The City of Eldoret will use this guideline to provide a framework for the resolution of grievances emanating from project beneficiaries, project implementer, and other stakeholders during the implementation of its projects and programs including donor-funded projects and programs. This will ensure smooth implementation of the projects, timely and effectively addressing the social conflicts that would be encountered during implementation.

1.2 Definition of Terms

Complaint - An expression of dissatisfaction by a person or persons or a group, institution or organization about an unsatisfactory or unacceptable situation, including an act or omission, or about the standard of a service; whether the action was taken or the service provided by the person, the institution itself or a body acting on behalf of the public institution.

Complainant - A person, group of persons, organization or institution making a complaint within the meaning of this guide.

Respondent - A person or office that answer or deals with the complaint

Lodging - is the making of a formal or official complaint about a public institution or a public officer.

Resolution - its situation where the County or city of Eldoret has provided sufficient information or a remedy or solution to the satisfaction of the complainant, or where the of Practice complainant is unsatisfied and the public institution has taken the complaint through due process and made a just decision.

Complaints mechanism - refers to the institution, procedure and process that has been adopted by a public institution to handle complaints.

Root cause- is the primary source or basis of the complaint.

Project Management Committee - Project Management Committee is a team of community members elected by the project beneficiaries to represent them in the supervision and monitoring the day-to-day implementation of the project/program and

linking the project to communities, development committees, implementation departments and the rest of the world.

1.3 Objectives of Grievance Redress Mechanism

The main objective of the GRM guidelines is to operationalize the provisions of grievance redress mechanism as provided for in the public participation and civic education policy. More specifically, the GRM guidelines enhance the following objectives:

- a) To provide a framework for addressing complaints and grievances and enhance conflict resolution arising from, and during and after public participation outcomes and actual Programme implementation.
- b) Ensure transparency and accountability throughout the collaborative decision making processes and the implementation of projects and programs among-st the relevant stakeholders including project beneficiaries.
- c) Resolve any emerging environmental and social grievances in project areas as a basis for facilitating effective project risk management at implementation level.
- d) To promote relations between the project implementers, executers and beneficiaries.
- e) Strengthen Promote public participation in the delivery of public goods and services

1.4 Scope of the GRM

The City GRM Framework provides a channel for dispute resolution for effective public participation. It is basis of negotiation on agreements made between the county, non-state actors and the people of Uasin gishu from the identification of their needs, prioritization, resource allocation, to implementation and handing over. It is aimed at operationalization of the grievance mechanisms provided for in the public participation and civic education policy and expands to petitions and citizen referendums. However, the GRM serves to complement but not replace the existing legal channels such as courts, tribunals; administrative recording of occurrence books through the county administration and other recourse mechanisms for addressing grievances.

The targeted audience for this GRM will range from the county departments, city of Eldoret project management committees, development committees and general communities.

1.5 Principle of the GRM

The effectiveness of the GRM Framework is guided by the following principles:

- a) **Accessibility:** The GRM should be accessible to everyone and at any time. It should take into consideration potential barriers such as language, literacy, awareness, cost or fear of reprisal and seek to address them.
- b) **Predictability:** GRM should be time-bound at each stage, and have specified time frames for the responses.
- c) **Fairness:** All the procedures therein should be widely perceived as unbiased in regards to access of information and meaningful public participation.
- d) **Rights compatibility:** The outcomes of the mechanism should be consistent with the international and national standards. It should also not restrict access to other redress mechanisms.
- e) **Transparency and accountability:** The entire GRM process should be done out of public interest.
- f) **Capability:** For an effective GRM, the system needs to be endowed the necessary resources, that is, technical, financial and human resources.
- g) **Feedback:** It should serve as a means to channel citizen feedback to improve project outcomes for the people.

1.6 Legal Framework for Grievance Redress Mechanism

- i. Section 15 The County Government Act,2012 states that any person has a right to petition a County Assembly to consider any matter within its authority, including enacting, amending, or repealing any of its legislation.
- ii. Section 88 (1) of the County Government Act, 2012 also gives the citizens the right to petition the county government on any matter under the responsibility of the county government.
- iii. Section 88 (2) of the County Government Act,2012 stipulates that citizen petitions shall be made in writing to the county government.
- iv. Section 89 of the County Government Act,2012 states that County Government authorities, agencies, and agents must respond expeditiously to petitions and challenges from citizens.

1.7 Principal of the GRM.

PRINCIPLES	CONTEXT
Accessibility	The GRM should be accessible to everyone at any time. It should take into consideration potential barriers such as literacy, awareness, cost or fear.
Transparency:	The process should be clear and open, with regular updates provided to complainants on status of their grievance.
Timeliness	Grievances should be addressed and resolved within a reasonable period, with a set timelines communicated to the complainant.
Fairness	All the procedures therein should be widely perceived as unbiased in regards to access of information and meaningful public participation
Accountability	City officers responsible for handling grievances must be accountable for the resolution of complaints and services improvements.
Feedback	It should serve as a means to channel citizen feedback to improve project outcomes for the people.

1.8 GRIEVANCE CHANNELS

a) Citizen of Eldoret City can file grievances through the following channels:

Mobile Apps: one can use mobile applications allowing residents to file grievances send images or videos.

Walk -in : complaints can be submitted in person at the city of Eldoret offices or designated grievance desks.in

Phone /Hotline: a dedicated phone line or helpline (toll- free numbers) for citizens to lodge complaints

Email/ Website : citizens can send emails or log in the website to the city designated grievances redress address.

Social media/ whats-up groups: citizens can send complains through the what up groups within their areas.

Any other mode as may be determined by the city.

Besides the complaints lodged through the modes stated above, considerations will be made to the following complaints:

- Own motion matters: where the City picks up matters that are relevant to their mandate, for instance, issues exposed through the media.
- Anonymous complaints: these are complaints presented by people who do not wish to have their identity known.
- Complaints originating from reports, including social audits: this shall be addressed and feedback given to the public.

b.) Receipt and Acknowledgement of Complaints:

Upon receipt of a complaint, the GRM officer shall assign it a reference number and acknowledge receipt within one (1) working day.

c.) Documentation of the Complaint:

For every complaint received, the particulars of the complainant or the group shall be documented in the log register which may include complainant details, the nature of the complaint (what, who, when, where etc.), parties involved, relevant dates, and action taken.

All documents relating to complaints shall be kept in safe custody and a record of the chain of custody shall be maintained. Complaints records shall be maintained for at least six years as required by law.

d.) Assessing the Complaint:

An initial assessment of the nature and gravity of the complaint shall be made by the receiving officer to allow for categorization into minor, moderate, and major and further prioritization to avoid the lumping together of simple, easy-to-resolve complaints with complex time consuming ones. Assessment is done to ensure the admissibility of the complaints. This will involve reviewing of complaints to determine whether they are within the mandate of the City. Other factors that may be considered to determine admissibility would be: whether a complaint is already being handled by another competent institution, e.g. the courts; and, the period within which a complaint is lodged, based on the timelines that may be determined by the Municipality.

e.) Action:

When the process for determining admissibility is completed, a file will be allocated to an action officer or referred to the relevant county department or institution if not within the functions of the city. An inquiry into the complaint will then be conducted to verify the facts and other details of the complaint before action is taken. At this stage, the respondent should be contacted to give a response to the lodged complaint.

f.) Investigation:

Where investigation is required, the city shall properly plan with a clear indication of the time and resources required. The planning should clearly establish what is to be investigated, what evidence will be gathered, who is to be interviewed, documents to be

recovered, the expectations of the complainant and also whether the complaint has special considerations to be taken into account. The investigation should be for the purposes of establishing the facts and exploring options for resolution. The investigation itself should be carried out in an impartial manner. Confidentiality should be maintained and great care taken to ensure that the complainant's privacy is protected and their safety is not endangered through exposure of his or her identity.

g.) Authentication of evidence:

At this step, the city will give both the complainant and respondent fair treatment and chance to advance/respond to claims/allegations and/or produce any relevant evidence.

The parties will be given adequate opportunity to be heard before the designated complaints officer. Parties may object to the hearing of their complaints by officer/s that they suspect may be biased against them. All matters shall be handled in a manner that complies with the Constitution and the laws of Kenya

h.) Responding to/resolving the complaint:

Resolving the complaint involves addressing the issue(s) complained about and offering the best possible remedy in the circumstances. The complaint should be handled impartially and objectively. An officer who has any interest in the matter shall disqualify themselves from handling the case. Complex matters may involve mediation, negotiation, or conciliation.

The remedies for addressing the complaints should be clearly set out and the parties should all be aware of the possible solutions. The complainant should be informed of the decision reached and reasons should be given for the decision by the complaints officer. Any decision reached should be communicated within 30 days.

i.) Closing the file:

Once a decision is arrived at, it shall be communicated to the complainant the respondent, and other interested parties. The complaints database shall be updated to reflect the decisions made.

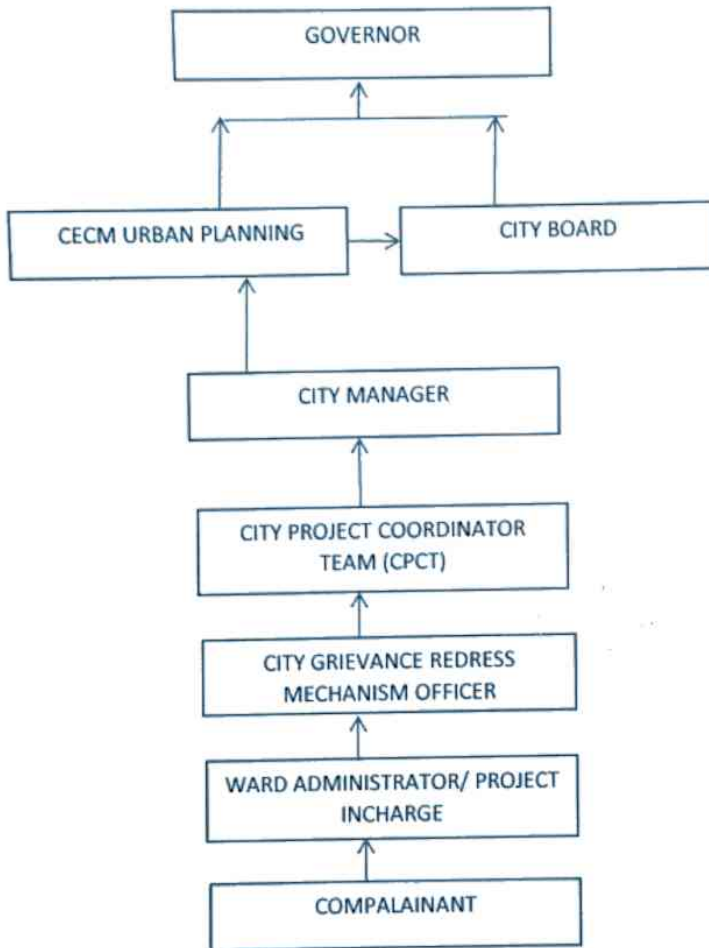
j.) Process:

a) The complaints mechanism will have an appeal or review provision for those who are dissatisfied with the decision of the complaints officer of the first instance. The action officers document what they consider to be the root cause of the complaint as a way of preserving knowledge.

2.0 TIMELINE FOR RESOLUTION OF GRIEVANCES

The received complaints/petition shall be acknowledged within one (1) working day of receipt. The resolution period shall be between 14-21 working days and decision communicated within 30 working days.

3.0 GRM STRUCTURE



There shall be established committees to resolve and manage complaints emanating from service delivery within the city.

The shall be as follows;

3.1 City GRM Steering Committee

This shall be the Apex city GRM committee and shall be appointed by the County Executive Committee Member responsible for urban development. The committee shall be reporting quarterly to the City Board.

The committee shall have the following membership;

- Chief officer responsible for Urban Development -Chairperson
- Chief Officer responsible for public participation
- 2no. City board Members (considering gender parity)
- County solicitor or representative
- City manager - secretary
- City Grievance Redress Officer

Roles and responsibilities

- i. Coordinate grievance redress within the City.
- ii. Ensure budgetary allocation, equipping, and capacity building of GRM structures.
- iii. Provide policy guidance to the City GRM committees.
- iv. GRM Policy development for approval by the City Board.
- v. Promote strategic partnerships for resource mobilization in GRM.
- vi. Promote the sensitization of staff, communities, and other stakeholders on complaints handling.
- vii. Approve processing of requests for access to information.
- viii. Ensure proactive disclosure of information held by the city.
- ix. Monitor, evaluate, and review complaints handling activities in the city and report to the Board.
- x. Submit quarterly and annual reports to the Board.

3.2 City Technical GRM Committee

The committee shall be appointed by the City Manager. The committee shall have the following membership;

- City Manager - Chairperson
- City Grievance Redress Officer- Secretary
- City Engineer
- City planner
- City surveyor
- City Accountant
- City Human resource
- City Monitoring and Evaluation
- City Environment Officer

Roles and responsibilities

- Promote access to information on project implementation.
- Mainstreaming environmental and social safeguards in the programming.
- Provide regular status updates on grievances to cabinet claimants and other relevant stakeholders, as applicable;
- Provide technical support to GRM committees.
- Review, process, and propose solutions to complaints escalated by the project-level GRM Committee.
- Capacity building of GRM Committees and other stakeholders
- Identify growing trends in grievances and recommend possible measures to avoid the same
- create awareness, accessibility, predictability, transparency, legitimacy, and credibility of the GRM process;
- Ensure consolidation of quarterly and annual GRM reports for submission to the GRM steering committee.

3.3 City GRM Desk Officer

This is a one-stop GRM office with a full-time designated GRM officer appointed by the City Manager. The officer will be responsible for;

- Complaints receipt, documentation, acknowledgment, tracking/follow-ups, and resolution.
- Provide feedback for complaints resolved to the complaints/petitioners/memoranda
- Capacity development for all levels of GRM committees and desks.
- Capacity building of staff, communities, GRM committees, and desks on the GRM framework.
- Make referrals for cases outside the city GRM mandate
- Provide a central point for the municipality grievance redress mechanism.
- Capacity building of County staff, communities, and other stakeholders on County and donor/partner-funded programs
- Providing technical support to County departments, committees/desks, and other stakeholders on GRM
- GRM policy development
- Prepare monthly, quarterly, and annual reports for submission to the municipality technical committee.
- Monitor, evaluate, and review complaints handling activities in the municipality and report to the municipality technical committee.

3.4 Project-level Grievance Redress Committee.

This committee shall comprise of;

- Project management committee (PMC).
- The committee may invite the project manager, ward administrator, and respective village administrator to their meetings.

Their roles and responsibilities shall be;

- i. Receive, record, and resolve grievances reported at the project site. Thus, providing first link of grievance handling.
- ii. Sensitize the project beneficiaries on GRM mechanisms.
- iii. Updating and managing project GRM register log.
- iv. Escalation of complaints relating to the project for resolution.
- v. Provide feedback to the complainant or communities.

4.0 MEETINGS

The established GRM Committees under this framework shall be meeting quarterly or on a need basis to resolve complaints reported or escalated and prepare quarterly reports for submission to subsequent committees or offices.

5.0 TRAINING

The City Manager shall be responsible for ensuring GRM committees and desk officers are properly trained to resolve and manage grievances. Manager may collaborate with other organizations or development partners to train/induct the GRM Focal Person, Committees, and any other stakeholder to strengthen their capacity, skills, and knowledge and enhance the awareness of GRM and ways of implementing equitable and inclusive approaches in GRM implementation within the city.

6.0 MONITORING, EVALUATION AND REPORTING

Monitoring, reporting, and evaluation are critical in assessing the effectiveness of the GRM management activities.

6.1 Monitoring

Monitoring will involve tracking grievances and assessing the extent to which progress is being made to resolve them, based on the following output indicators.;

- i. Total number or percentage of complaints reported.
- ii. Number or percentage of resolved cases.
- iii. Total number or percentage pending.
- iv. Number of new complaints and grievances.
- v. Nature/category of complaints.
- vi. Number of closed complaints and grievances with acceptance of outcome.
- vii. Average resolution time and complaint resolution trends.

6.2 Evaluation

Evaluation will involve analyzing grievance data and using it to make policy decisions. This will be done City Manager in conjunction with the GRM focal person and will evaluate the strategy for efficiency, effectiveness, impact, and sustainability.

6.3 Reporting

The City Manager shall ensure the reporting of the GRM activity and monitor and evaluate the implementation of the grievance redress mechanism to track and assess achievements. It shall monitor frequency of grievances and status of the resolution including tracking status of escalated grievance. There will be monthly and quarterly

monitoring reporting of the GRM implementation done in by every committee or desk and shared with the Board.

All grievances received shall be recorded on the register log. Received complaints/petitions and memoranda should be filed by the committee desk officer

6.4 Frequency of Monitoring and Reporting

The GRM Focal Person shall in liaison with the M&E officer ensure submission of the reports at the following intervals:

- i. Monthly - by the 15th of the following month;
- ii. Quarterly - by 15th after the end of quarter; and
- iii. Annual - within 30 days from the end of the financial year.

GRM LOG.

No	Date received	Location of Project (village/Cluster/Sub ward)	Complaint Received from	Nature of Complaint	Action taken towards resolving	Date of Resolution
1.						

7.0 APPENDICES

7.1 Complaints Form

COMPLAIN RECEIVING FORM (GRM- 001)

1. Date: (dd/mm/yyyy) 2. Complain No.....

3. Complainant's details

Name.....

ID NO. Gender.....

Telephone no.....

Address (postal/Email).....

Location of complainant (Ward/town/city/area).....

4. Mode of Receipt (please tick where applicable)

Writing	<input type="checkbox"/>	Verbal	<input type="checkbox"/>	Phone	<input type="checkbox"/>	Email	<input type="checkbox"/>	Website	<input type="checkbox"/>
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5. Nature of your Complain (land, infrastructure, labor, social and others)

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.....

6. Description of grievance's/complaints

.....
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.....
.....

Signature..... Date.....

Name of the recipient.....

Signature..... Date.....



ACKNOWLEDGEMENT RECEIPT (GRM -002)

1.Date of issue.....(dd/mm/yyyy) 2. complaint no.....

3.Place of issuing complaint:

4.Village/Town/city/Area..... County.....

5.Details of Complainant:

Name..... Age..... Gender.....

Phone No..... Email.....

6.Supporting documents submitted;

- i)
- ii)
- iii)

7.Summary of complaint:

.....
.....
.....
.....
.....

Name of Officer receiving Complaint:

Signature of Officer receiving Complaint:



MEETING RECORD STRUCTURE (GRIEVANCE REDRESS COMMITTEE & OTHER MEETING) (GRM -003)

1. Date of meeting 2. Venue of meeting.....

3 .Complaint no:

4. Summary of Grievance:

.....

5. List of participants:

Complainant Side	Grievance Redress Committee Members
1.	1.
2.	2.
3.	3.
4.	4.

6. Recommendations by the Grievance Redress Committee:

1)

2)

7. Status of Grievance (tick where applicable)

Solved	Unsolved	Escalated
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Chair person's name.....

Chair person's signature.....

Date..... (dd/mm/yyyy)



DISCLOSURE FORM (GRM-004)

Results of Grievance Redress

1. Name of complainant.....

2. Complainant no..... 3. Date of complaint.....(dd/mm/yyyy)

3. Summary of the Complainant:

.....
.....
.....
.....

4. Summary of Resolution:

.....
.....
.....
.....

5. Level of Redress (please tick where applicable)

NATIONAL		CITY/COUNTY		COMMUNITY	
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6. Date of grievance redress (dd/mm/yyyy):

Name and Signature of the Complainant, indicating acceptance of the solution

Name: Signature.....

Date(dd/mm/yyyy)

Name of Grievance Handling Officer.....

Signature of Grievance Handling Officer:.....Date (dd/mm/yyyy).....

