

REPUBLIC OF KENYA



GOVERNMENT OF MAKUENI COUNTY



Department of Lands, Urban Planning & Development, Environment & Climate
Change

&

Department of Devolution, Public Participation, County Administration & Special
Programs

**MAKUENI COUNTY FINANCING LOCALLY LED-CLIMATE ACTION
GRIEVANCE REDRESS MECHANISM FRAMEWORK
(FLLoCA-GRM)**

Approved by County Chief Officers

August, 2023

COUNTY VISION AND MISSION

Vision

A prosperous value based county with a high quality of life

Mission

To transform the livelihoods of each household through accountable leadership that creates an enabling environment for inclusive, effective and efficient service delivery

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1.0 Introduction

"A Grievance Redress Mechanism is a system by which queries or clarifications about the project are responded to, problems that arise out of implementation are resolved and grievances and grievances are addressed efficiently and effectively" – Kalahi-CIDSS, Philippines

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 activities of a particular project.

The County Government of Makueni will use this guideline to provide a framework/procedure for resolution of grievances emanating from project beneficiaries, project implementers and other stakeholders during implementation of Financially Locally Led Climate(FLLoCA) programme and the county's general service delivery. This will ensure smooth implementation of the projects, timely and effectively addressing of the social conflicts that would be encountered during implementation.

1.1 Objectives of Grievance Redress Mechanism

The following are objectives of establishing GRM for FLLoCA program;

- i. To address grievances and enhance conflict resolution arising from, and during FFLoCA programme implementation and general devolved service delivery;
- ii. Ensure transparency and accountability throughout the implementation of projects and programmes amongst the relevant stakeholders including project beneficiaries
- iii. Resolve any emerging environmental and social grievances in project areas as a basis for facilitating effective project risk management at implementation level.
- iv. To promote relations between the project implementers, executers and beneficiaries
- v. Promote public participation, community feedback and access to information in county service delivery

1.2 The Purpose of the Grievance Redress Mechanism Framework.

The object and purpose of this framework is to:

1. Provide for a guiding framework for handling complaints in the implementation of FLLoCA projects and general devolved service delivery;

2. Promote service delivery and accountability in the county government;
3. Enhance responsiveness to complaints in the county government;
4. Provide an integrated framework for resolution of complaints in the county government;

1.3 Scope of the FLLoCA Grievance Redress Mechanism

The FLLoCA GRM Framework provides a channel for dispute resolution during the implementation of FLLoCA programme. However, the GRM will serve to complement but not replace the existing legal channels such as courts, tribunals and alternative dispute resolution mechanisms for addressing grievances.

The GRM is designed to improve participatory development processes, project outcomes by creating public awareness about the county FLLoCA investments, their objectives, and the County's commitment to deter corruption and delayed development, mitigating socio-economic and environmental risks and providing practical suggestions and feedback to ensure timely, corruption free and relational project implementation.

The targeted audience for this GRM will range from the funding bodies, county departments, implementing committees and general communities.

1.4 Importance of Grievance Redress Mechanism

- i. Gives voice to the marginalized
- ii. Builds greater trust and mutual respect between citizens and project authorities
- iii. Helps project management by enhancing efficiency as resources are targeted properly
- iv. Provides feedback in a systematic and timely manner
- v. Generates awareness and demand among citizens to utilize the services properly
- vi. Deters project-related fraud and corruption
- vii. Allows beneficiaries to express their voices creating a sense of ownership

1.5 Legal Framework for Grievance Redress Mechanism

- i. Section 15 of 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 of County Government Act, 2012 (1) also gives the citizens 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 have a duty to respond expeditiously to petitions and challenges from citizens.

1.6 Principle of the FLLoCA Grievance Redress Mechanism

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

Principle	Principle details
Public focus	The county is committed to effective complaint handling and values feedback.
Visibility	Information about how and where to complain is well publicized to the public, county staff and other interested parties.
Accessibility	The process of making a complaint and investigating it is easy for complainants to access and understand.
Responsiveness	Complaints are acknowledged promptly, addressed urgently, and the complainant is kept informed throughout the process.
Predictability	GRM should be time-bound at each stage, and have specified time frames for the responses.
Objectivity and fairness	Complaints are dealt with in an equitable, objective and unbiased manner. This will help ensure that the complaint handling process is fair and reasonable. Unreasonable complainants are not allowed to become a burden.
Confidentiality	Personal information related to complaints is kept confidential.
Remedy	If a complaint is upheld, the organization provides a remedy.
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

Principle	Principle details
Review	There are opportunities for internal and external review or appeal about the organization's response to the complaint, and complainants are informed about these avenues.
Feedback	It should serve as a means to channel citizen feedback to improve project outcomes for the people.
Accountability	Accountabilities for complaint handling are clearly established, and complaints and responses are monitored and reported to the county government and other stakeholders.
Continuous improvement	Complaints are a source of improvement for county governments

1.7 How grievances can be lodged.

- Orally/verbal narration from walk-in complainants- which will be recorded in writing by the receiver
- In writing – Letters/filling complaints/petition/memorandum forms
- Text Messages – to GRM focal person/Committees' contacts
- Phone calls - 0792432744/0792432745
- Email – grievances@makueni.go.ke
- County website
- MYCOUNTY APP (*clicking on report*)
- Directly to implementing line department project managers/GRM departmental representatives

1.8 Procedure for Handling Grievances, Petitions, Memorandums and Complements

- i. Once a complaint is received, it shall be recorded, acknowledged and resolved and feedback provided to the complainant.
- ii. Where the complaint cannot be resolved immediately, it shall be forwarded to the relevant or subsequent unit/department or committee respectively for investigation and resolution and complainant informed.
- iii. Where appropriate, GRM Focal Person or committee shall obtain feedback from complainant whose grievances/petitions have been resolved.

- iv. Complaints that cannot be resolved by the GRM structure established by this framework shall be referred to the County Executive Committee and the concerned shall be notified. Should the grievance not be solved within 21 working days, the complainant will be advised to seek recourse through other alternative dispute resolution mechanisms.

NB- The complainant have a right to appeal any committee decision if they feel dissatisfied to the next level committee/office or other constitutional offices and bodies on administrative justices.

1.9 Timeline for Resolution of Grievances

The received complaints/petition shall be acknowledged within 24 hours upon receipt. The resolution period shall be between 14-21 working days.

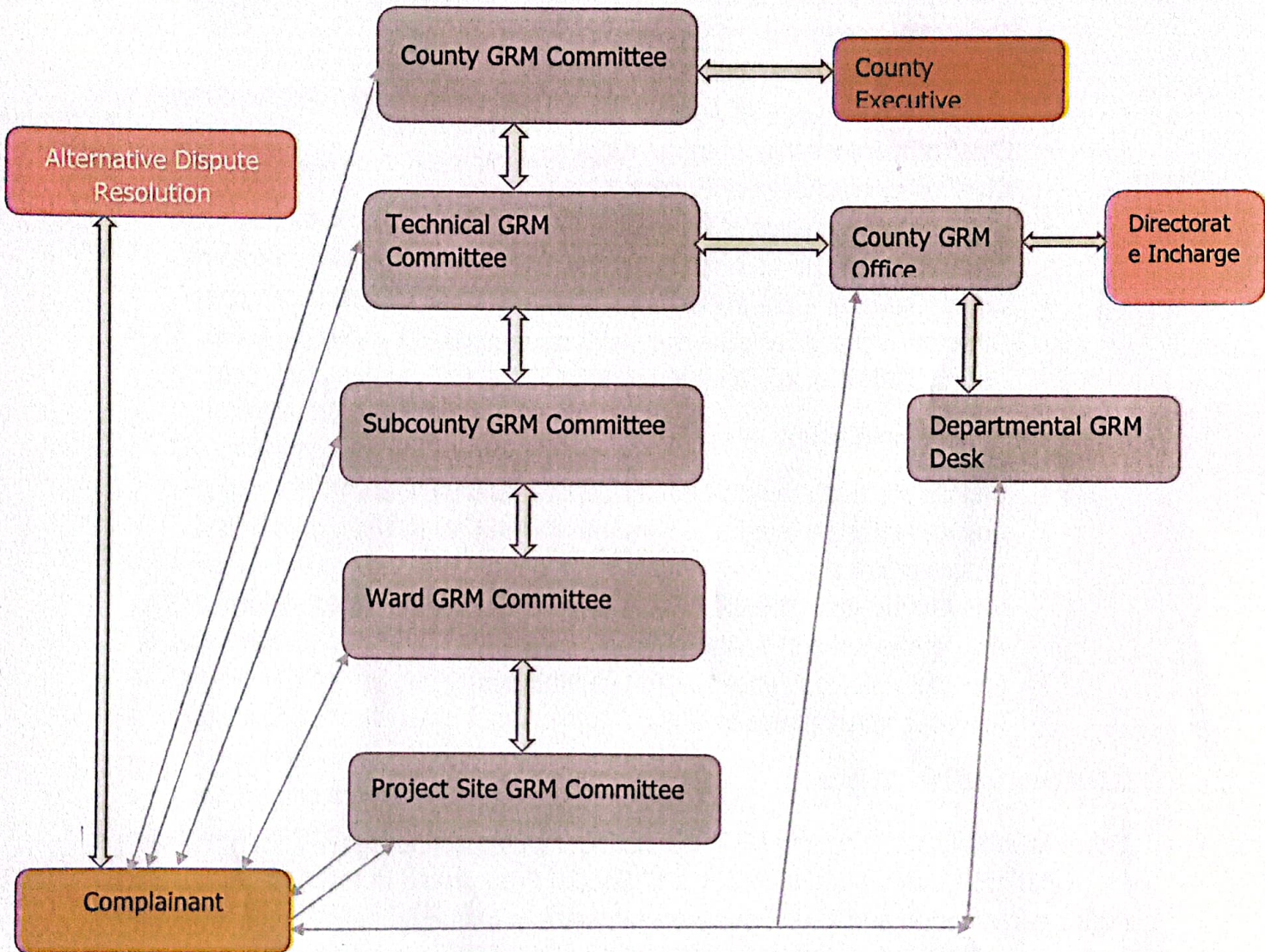
2.0 Points of receipt and recording of complaints for FLLoCA programme

Any aggrieved person/organization can physically and formally report their complaints to the following points;

- i. County GRM Committees
- ii. County Administration offices
- iii. Departmental GRM office desks
- iv. PMC Secretaries
- v. Project managers
- vi. County GRM office

2.1 Grievance Redress Mechanism Structure

A five level Grievance Redress mechanism is put in to address all complaints during FLOCA programme implementation as illustrated below.



2.2 County GRM Committee

The committee shall have the following membership;

- Chief Officer incharge of Devolution – Co- Chairperson
- Chief officer In charge of Climate Change -chairperson
- Chief Officer incharge of Water
- Chief officer incharge social development
- Chief office incharge of Agriculture
- Chief officer incharge of infrastructure
- Chief officer incharge of Energy
- Chief officer incharge of financial accounting services
- Chief officer incharge of planning
- County solicitor – Legal Matters lead
- Director in charge of grievance redress mechanism – secretary
- County GRM Officer- Joint Secretariat

Roles and responsibilities

- Coordinate and manage GRM at departmental levels
- Ensure Mainstreaming of environmental and social safeguard in the programming.
- Ensure budgetary allocation and capacity development for GRM, environmental and social safeguard structures
- Provide policy guidance to GRM committees.
- Promote partnerships in GRM.

2.3 County GRM Office

There is established a county GRM Office under Department of Devolution, Public Participation, County Administration and Special Programme in the Directorate of Public Participation and Civic Education pursuant to Executive Order No. 1 of 2022 on Reorganization of Government. The office has designated officer responsible for the following;

- Provide central/focal point for Grievance redress mechanism FLLoCA programme and general project led GRM frameworks
- Directly or indirectly receive, acknowledge, resolve or forward complaints/petitions/memoranda for resolution by respective departments/SAGA
- Provide feedback for complaints resolved to the complaints/petitioners/memoranda
- Capacity building of county staff, communities and other stakeholders on county and FLLoCA programmes

- Providing technical support to county departments, committees/desks and other stakeholders on GRM
- GRM Policy development
- Prepare quarterly and annual report for submission to County GRM Committee/County Executive Committee

2.4 Technical GRM Committee

The committee shall have the following membership;

- Director incharge of county administration
- Director incharge of Public participation - chairperson
- Director in charge of Climate Change – Co-Chair Person
- Director incharge of Water
- Director incharge of Agriculture
- Director incharge of infrastructure
- Director incharge of Energy
- Director incharge of financial accounting services
- Director incharge of planning
- Director incharge of monitoring and evaluation
- Director incharge of social development both National and County Governments.
- County GRM focal person - secretary
- County social safeguard focal person
- County environment focal person
- Fund Administrator
- Communication officer

Roles and responsibilities

- Promote access to information on project implementation.
- Mainstreaming environmental and social safeguard in the programming.
- Track the implementation status of GRM for enhanced stakeholder satisfaction and service delivery.
- Provide regular status update 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 subcounty 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 report by secretariat.
- Establish E-GRM App for grievances reporting

2.5 County Departmental GRM Office Desks

Every county department or semi- autonomous agency shall have a GRM Office Desk with officers appointed by Chief Officer Department of Devolution, Public Participation, County Administration and Special Programme upon nomination by respective chief officers or managing directors or managers. Their roles and responsibilities shall be;

- Link with the County GRM office in matters of receiving, acknowledging, resolving of grievances/petitions/memoranda directly/indirectly reported to the department.
- Provide feedback to complainants for grievances/petitions resolved.
- Ensure mainstreaming of social safeguards (GRM, Environmental and social safeguards) in departmental programming.
- Creating awareness to departmental staff and other stakeholders on grievance redress mechanism.
- Promote access to information on project implementation.
- Ensure implementation of recommendations of county GRM committee.
- Prepare departmental quarterly and annual report for chief officer's submission to the County GRM office/focal person.

2.6 Sub county GRM Committees

The committee shall be appointed by Chief Officer in charge of Climate Change with the following membership;

- Subcounty Administrator – Chairperson
- Subcounty Environment Officer – Secretary
- Subcounty M&E Officer
- Subcounty water engineer
- Social Development Officer- National and County Government
- Subcounty roads engineer
- Subcounty Civic Education Coordinator
- Subcounty Agriculture officer
- Subcounty Energy
- Subcounty social development officer

Roles and Responsibilities

- Receive, record and resolve grievances reported at subcounty service delivery centres.
- Updating and managing subcounty GRM log/register.
- Tracking resolution of grievances with Technical GRM committee.
- Consolidate and submit subcounty GRM reports to Technical GRM Committee.
- Provide regular status update on Grievances to technical and ward claimants and other relevant stakeholders, as applicable;
- Provide technical support to the Ward GRM committee.
- Review, process, analyze and propose solutions to complaints escalated by the Ward GRM Committee.
- Capacity building ward GRM Committees and other stakeholders.
- Implement recommendations of the technical GRM Committee
- create awareness, accessibility, predictability, transparency, legitimacy, and credibility of the GRM process;

2.7 Ward GRM Committee

The committee shall be appointed by Chief Officer in charge of Climate Change with the following membership;

- Ward Administrator – Chairperson
- Ward Development Officer – Secretary
- Village Administrators
- Ward Climate Change Planning Committee Members representatives (Chairperson and Vice secretary)
- Ward Water Officer
- Ward Agriculture Officer
- Ward Energy Champion
- Subcounty environment officer – coopted

Roles and Responsibilities

- Receive, record and resolve grievances reported at ward service delivery centres.
- Updating and managing ward GRM log/register
- Tracking resolution of grievances with subcounty GRM committee.
- Consolidate and submit quarterly and annual ward GRM reports to subcounty GRM Committee.
- Provide technical support to the project based GRM committee.

- Review, process, analyze and propose solutions to complaints escalated by the project-based GRM Committee.
- Capacity building project-based GRM Committees and other stakeholders.
- Implement recommendations of the subcounty GRM Committee.
- create awareness, accessibility, predictability, transparency, legitimacy, and credibility of the GRM process;

2.8 Project Site Grievance Redress Committee (PMC)

This committee shall be established at project site by project beneficiaries and the secretary/GRM Focal Person shall be Ward Climate Change Planning Committee Member.

Roles and Responsibilities

- Sensitize the project beneficiaries on GRM mechanisms.
- Receive, record and resolve grievances reported at the project site.
- Updating and managing project GRM log/register.
- Escalation of complaints to ward GRM committee for resolution.
- Tracking resolution of grievances with ward GRM committee.
- Provide feedback to the complainant or communities.

3.0 Meetings

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

4.0 Reporting and Documentation

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

The established GRM committees/offices shall be required to submit quarterly and annual reports. The reports should indicate number of complaints received, number of complaints resolved, complaints referred to other agencies, challenges and proposed reforms.

5.0 Appendices

5.1 Complaints Form - GMC/GRM/001

Date: <i>(Date complaint is received)</i>	
Personal Details: <i>(Name, contact details, if necessary)</i>	
Nature of Complaint:	
Detail of Complaint:	
Who dealt with the complaint?	
How it was dealt with:	
Outcome: <i>(Outline of what has happened as a result of the complaint)</i>	
Follow up required:	

5.2 Public Petition Form –(GMC/GRM/002)

To: The Government of Makueni County/ County Assembly of Makueni

WE/I, the undersigned and humble Petitioner(s) of

.....
.....

(Here insert the names or description of the petitioner(s) and address including their status: residents of a particular area, workers, particular part of the community, minority or marginalized group etc.)

DRAW, the attention of the County Government/Assembly to the following:

(Here, briefly state the reasons underlying the petition and request for the intervention of the Government/Assembly by outlining the grievances or problems and summarizing the facts which the petitioners wish the Government / Assembly to consider)

THAT:

(Here confirm that efforts have been made to have the matter addressed by the relevant body, and it failed to give satisfactory response.)

THAT:

(Here confirm that the issues in respect of which the petition is made are not pending before any court of law, or constitutional or legal body.)

THEREFORE, your humble petitioners PRAY that the County Government of Makueni/ County Assembly of Makueni: -

(Here, set out the prayer, by stating in summary what action the petitioners wish the County Government/Assembly to take or refrain from)

And your PETITIONERS will ever pray.

Name of petitioner

Full Address

National ID or Passport No.....

Signature/thumb print

Subsequent Pages

PETITION concerning

(Here, repeat the summary in first page)

*This form may contain such variations as the circumstances of each case may require.

* An attachment of all signatories of the petition shall be provided

5.3 Memorandum Template - GMC/GRM/003

Date:

Personal Details: *Name, contact details (if any) e.g. phone number, postal, email address*

Policy/legislation/development plan up for public participation:

Specific proposals to policy/legislation/development plan:

Justification for the proposal (what will be achieved if the proposal is implemented):

5.4 Grievance Log Register – GMC/GRM/004

S/No.	Date that complaint was received	Details of petitioner/ complainant	Nature of complaint/ details	Action Taken
1.				
2.				
3.				
4.				
5.				
6.				

5.5 Acknowledgement Receipt (GMC-GRM/005)

Complaint no.:

Date of issuing complaint:

Place of issuing complaint:

Subward/Ward/subcounty/HQ office:

Details of the Complainant:

Name: Age:

Address: Gender:

Email address: Phone no.:

Supporting documents submitted:

- i.
- ii.
- iii.

Summary of complaint:

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

Name of Officer receiving Complaint:

Designation of Officer receiving complaint:

Signature of Officer receiving Complaint:

5.6 Quarterly Report Template (GMC/GRM-006)

(Insert county logo/letterhead)

Level of Committee Date: Reporting Period:

i. Details of complaints received

Complaint No.	Place of issuing complaint	Name & Address of complainant	Location of complaint/concern	Date of Receipt

ii. Details of Grievance Redress Meetings

Date of meeting	Venue of meeting	Name of participants	Committee Decisions/recommendation

iii. Details of grievances addressed

Date of issuing complaint	Category of complaints	Category of grievance	Brief description of grievance	Date of complete resolution


iv. Appendices – Minutes/GRM register log/complaints/petition

Submitted for approval by;

Bernard Wambua -FLLoCA Grievance Redress Mechanism Focal Person

Department of Devolution, Public Participation, County Administration and Special Programmes

Directorate of Public Participation and Civic Education


Signature:  Date: 21/08/2023

Adopted by County Chief Officers and approved by:

Irene N. Makau

Chief Officer


Department of Devolution, Public Participation, County Administration and Special Programmes

Signature:  Date: 25/08/2023

Japheth M. Kiminza

Chief Officer - Environment, Natural Resources, Mining and Climate Change

Department of Lands, Urban Planning & Development, Environment and Climate Change

Signature:  Date: 25/8/2023