

**REPUBLIC OF KENYA**



**GOVERNMENT OF MAKUENI COUNTY**



**WOTE MUNICIPALITY GRIEVANCE REDRESS MECHANISM FRAMEWORK (GRM)**

**A framework for the resolution of grievances emanating from project beneficiaries, project implementers, and other stakeholders during the implementation of its projects and programs including donor-funded projects and programs.**

**APPROVED BY WOTE MUNICIPAL BOARD**

**AUGUST, 2024**

## **Vision**

A world-class dynamic municipality with a high quality of life

## **Mission**

To enhance the livelihoods of each household through the integration of socio-economic development and environmental protection for inclusive, effective, and efficient service delivery.

## 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 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.
- Conflict:** Conflict is a state of disagreement or misunderstanding resulting from actual or perceived dissent of needs, resources, beliefs, and ideas between the members of the organization.
- Complainant:** A person or group of persons, or organization, or institution making a complaint within the meaning of this guide.
- Respondent:** A public or state officer or a public institution against which the complaint is made. Public institution Any institution of the national or Wote municipality, constitutional or statutory commission, tribunal, bodies or committee, a parastatal or state corporation, or any other Institution funded directly from the government Consolidated Fund or receiving money provided by Parliament.
- Lodging:** Is the making of a formal or official complaint about a public institution or a public officer.
- Resolution:** It is a situation where the Wote municipality has provided sufficient information of a remedy or solution to the satisfaction of the complainant, or where the complainant is unsatisfied and the public institution has taken the complaint through due process and made a just decision.
- Complaints mechanism:** Refers to an organizational system for handling, managing, responding to, and reporting public complaints.
- Root cause:** This is the primary source or basis of the complaint.
- Project Management Committee:** The Project Management Committee is a team of community members elected by the project beneficiaries to represent them in the supervision and monitoring of the day-to-day operations of the municipality of the project/program and linking the project to communities, and development committees.

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## **1.0 INTRODUCTION**

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 Wote Municipality will use this guideline to provide a framework for the resolution of grievances emanating from project beneficiaries, project implementers, 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.

### **1.1 Objectives of the Grievance Redress Mechanism**

The Municipality framework will be anchored under the following objectives;

- a. To ensure continuous improvement in service delivery.
- b. To address grievances and enhance conflict resolution arising from, and during program implementation and general devolved service delivery;
- c. To provide a user-friendly feedback system for the institution.
- d. To promote transparency and accountability throughout the implementation of projects and programs amongst the relevant stakeholders including project beneficiaries
- e. To promote public participation in service delivery.
- f. Resolve any emerging environmental and social grievances in project areas as a basis for facilitating effective project risk management at the implementation level.

### **1.2 The Purpose of the Grievance Redress Mechanism Framework.**

The objects and purpose of this framework is to:

- a. Provide an integrated framework for the resolution and management of complaints in the Municipality.
- b. Provide a guiding framework for handling complaints in the implementation of Municipal projects and programs.
- c. Promote accountability and transparency in the delivery of services within the municipality.
- d. Enhance responsiveness to complaints in the Municipality.

### **1.3 Scope of the Municipal Grievance Redress Mechanism**

The Wote Municipality GRM Framework provides a channel for dispute resolution during the implementation of Municipal programs and projects. 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 targeted audience for this GRM will range from funders, development partners, county departments, county entities, implementing committees, municipality stakeholders and the general community.

#### **1.4 Importance of Grievance Redress Mechanism**

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

#### **1.5 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.

## 1.6 Principles of the Wote Municipality GRM

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

<b>Principle</b>	<b>Principle details</b>
<b>Public focus</b>	The Municipality is committed to an effective complaint-handling system that is citizen-centered.
<b>Accessibility</b>	A complaint-handling system should be accessible to clients.
<b>Responsiveness</b>	Complaints are acknowledged promptly and addressed urgently, and the complainant is kept informed throughout the process. This will require, proper training of staff, adequate resources for the complaint unit or function, and constant review and improvement of the system.
<b>Objectivity and fairness</b>	Complaints are dealt with in an objective and unbiased manner. It should be recognized that there is often a power imbalance between them and the organization they are complaining about.
<b>Efficiency</b>	The complaint handling system should be efficient. Methods of dealing with a complaint will differ from one complaint to another. Simple complaints should usually be resolved quickly on first contact with an agency; often this will not require the involvement of specialized complaint-handling staff. More complex or sensitive matters may take longer to resolve and might need specialist attention.
<b>Confidentiality</b>	Personal information related to complaints is kept confidential.
<b>Integration</b>	The complaint handling will be integrated with other County Departments and Entities' GRM mechanisms.
<b>Accountability</b>	Accountabilities for complaint handling are established, and complaints and responses are monitored and reported to the Municipality and other stakeholders.

## **2.0 THE MUNICIPALITY GRIEVANCE HANDLING PROCESS**

Grievance redress requires a systematic approach through which a step-wise procedure is followed and the responsibility for handling is assigned to specific individuals, competent and adequately empowered for the task. These steps are:

### **a. Lodging of complaints**

A complaint can be lodged in an individual's own name or on behalf of another person, a group, an organization, or an institution. Once a complaint is made it shall be recorded in the grievances register log. The Municipality will designate a GRM desk office where complaints will be lodged.

Ways of lodging a complaint may include:

- i. In person (Orally/verbal narration from walk-in complainants)
- ii. Complaints on behalf of persons unable to lodge complaints
- iii. County/municipality website
- iv. Telephone calls via **0731773980**
- v. In writing - including braille
- vi. Text messages to **0731773980**
- vii. Email: [complaints.wotemunicipality@makueni.go.ke](mailto:complaints.wotemunicipality@makueni.go.ke) or [wote.municipality@makueni.go.ke](mailto:wote.municipality@makueni.go.ke)
- viii. Social media - Facebook, WhatsApp group etc
- ix. Any other mode as may be determined by the municipality.

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

- Own motion matters: where the municipality 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 Municipality. 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 municipality. 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 Municipality 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 – issues such as the security of the complaint, confidentiality, or available evidence that should be dealt with at the planning stage. 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. Review/authentication of evidence:**

At this step, the Municipality 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 complaints handling officer should have an open mind and examine the evidence objectively. 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. Appeal 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.

## **2.1 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 MUNICIPALITY GRM STRUCTURE**

There shall be established committees to resolve and manage complaints emanating from service delivery within the municipality. The Tiers shall be as follows;

#### **3.1 Municipal GRM Steering Committee**

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

The committee shall have the following membership;

- Chief officer responsible for urban planning and development -Chairperson
- Chief Officer responsible for decentralized units and public participation
- 2 Municipal board Members (considering gender parity)
- County solicitor or representative
- Municipal manager - secretary
- Municipal Grievance Redress Officer

#### **Roles and responsibilities**

- i. Coordinate grievance redress within the municipality.
- ii. Ensure budgetary allocation, equipping, and capacity building of GRM structures.
- iii. Provide policy guidance to the municipality GRM committees.
- iv. GRM Policy development for approval by the Municipal 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 municipality.
- ix. Monitor, evaluate, and review complaints handling activities in the municipality and report to the Board.
- x. Submit quarterly and annual reports to the Board.

#### **3.2 Municipal Technical GRM Committee**

The committee shall be appointed by the Municipal manager. The committee shall have the following membership;

- Municipal Manager - Chairperson
- Municipal Grievance Redress Officer- Secretary
- Municipal engineer
- Municipal planner
- Municipal surveyor
- Municipal Accountant
- Municipal Budget Officer
- Municipal Monitoring and Evaluation
- Municipal 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 Municipality GRM Desk Officer**

This is a one-stop GRM office with a full-time designated GRM officer appointed by the Municipal 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 municipality 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) with representation outlined in County PMC Guidelines. The PMC secretary shall be the Municipality GRM Desk at the project site.
- 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 Municipal 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 municipality.

#### **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 Municipal Manager in conjunction with the GRM focal person and will evaluate the strategy for efficiency, effectiveness, impact ,and sustainability.

## **6.3 Reporting**

The Municipal 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.

**7.0 APPENDICES**

**7.1 Complaints Form - WM/GRM/001**

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

**7.2 Grievance Log Register - WM/GMC/GRM/002**

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

**7.3 Acknowledgement Receipt (WM-GRM/003)**

Complaint no.: .....

Date of issuing complaint: .....

**Place of issuing complaint:**

Subward/Ward/Wote municipality/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: .....

**7.4 Quarterly Report Template (WM/GMC/GRM-004)**

(Insert municipality letterhead)

Level of Committee ..... Date: ..... Reporting Period: .....

**i. Details of complaints received**

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



**ii. Details of Grievance Redress Meetings**

<b>Date of meeting</b>	<b>Venue of meeting</b>	<b>Name of participants</b>	<b>Committee Decisions/recommendation</b>

**iii. Details of grievances addressed**

<b>Date of issuing a complaint</b>	<b>Category of complaints</b>	<b>Category of grievance</b>	<b>Brief description of the grievance</b>	<b>Date of complete resolution</b>

**iv. Appendices - Minutes/GRM register log/complaints/petition**

**7.5 Petition Form**  
**FORM OF A PUBLIC PETITION**

To: The Wote Municipality

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

---

.....(Here insert the names or descriptions 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 Wote municipality to the following:

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

**THAT:**

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

THEREFORE, your humble petitioners PRAY that the Wote municipality of Makueni

**PETITIONED ISSUES**

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An attachment of all signatories of the petition shall be provided (**list of aggrieved community members, any other attachments**)

## 7.6 GRIEVANCE INVESTIGATION REPORT TEMPLATE

<b>Investigation report for an allegation/complaint of:</b>	<i>Give the details of the complaint/allegation.</i>
<b>Type of Grievance e.g., Labour related/Sexual Harassment/Property destruction etc.</b>	
<b>Name of contractor/officer accused</b>	
<b>Name of the complainant (if appropriate)</b>	
<b>Date when Grievance was reported</b>	
<b>Place of reporting (County, City/Municipality, NPCT, Other)</b>	
<b>Date investigation commenced</b>	

<b>Background</b>	
<p><i>This may cover:</i></p> <table border="1" style="margin-left: 20px;"> <tr> <td> <ul style="list-style-type: none"> <li>• <i>How did the issue come to light?</i></li> <li>• <i>Have any other actions been taken prior to the investigation?</i></li> </ul> </td> </tr> </table> <p><i>When we are thinking about an allegation context is very important. There may be a history of complaints; a staff member you already have concerns about; a client group where complaints may be more likely due to the nature of the work</i></p>	<ul style="list-style-type: none"> <li>• <i>How did the issue come to light?</i></li> <li>• <i>Have any other actions been taken prior to the investigation?</i></li> </ul>
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<b>Nature of Investigation</b>	
<p><i>This may cover:</i></p> <p><input type="checkbox"/> <i>What specific allegations/concerns were investigated (bullet point each allegation/concern)</i></p>	
<b>Investigation Process</b>	


<p><i>This may cover:</i>  <i>A brief description of method(s) used to gather information</i>  <i>A record of who was interviewed</i>  <i>Any documents that were reviewed</i>  <i>The timeline/chronology of significant/relevant events</i>  <i>Review of policies/procedures that should have been followed</i></p>		
<b>Witnesses</b>		
<p><i>List of witnesses interviewed; dates and by whom</i>  Other evidences</p>		
<b>Findings</b>		
<p><i>Should cover:</i>  <input type="checkbox"/> <i>A summary of findings taking into consideration the allegations, observations and evidence for each specific allegation/issue of concern investigated, cross-referencing any documentation where needed.</i></p>		
<b>Conclusions</b>		
<p><i>This may cover:</i></p> <table border="1" style="width: 100%;"> <tr> <td> <ul style="list-style-type: none"> <li>• <i>For each concern/allegation investigated an overall opinion based 'on the balance of probabilities' on whether there is evidence to support allegations made</i></li> <li>• <i>If the allegations/complaints are upheld – substantiated; not substantiated malicious, unfounded;</i></li> <li>• <i>Recommendations on whether further actions under the relevant laws and regulations and contractual obligations are required</i></li> </ul> </td> </tr> </table>		<ul style="list-style-type: none"> <li>• <i>For each concern/allegation investigated an overall opinion based 'on the balance of probabilities' on whether there is evidence to support allegations made</i></li> <li>• <i>If the allegations/complaints are upheld – substantiated; not substantiated malicious, unfounded;</i></li> <li>• <i>Recommendations on whether further actions under the relevant laws and regulations and contractual obligations are required</i></li> </ul>
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<b>Appendices</b>		
<p><i>These should be attached and may include witness statements, investigatory interview notes/statements, timeline/chronology of events etc.</i></p>		
<b>Date investigation completed</b>		
<b>Signed by Investigating Officer(s)</b>		
<b>Date</b>		

**8.0 Adoption of the framework**

This framework was adopted by Wote Municipal Board and with approval of:


Everlyn Mulewa Kimuli  
Municipal Board Chairperson

WOTE MUNICIPALITY

Signature.....  ..... Date..... 21/08/2024

Everlyn Mutua  
Municipal Manager

WOTE MUNICIPALITY

Signature.....  ..... Date..... 21/8/2024