

MURANG'A COUNTY GOVERNMENT



KENOL MUNICIPALITY

GRIEVANCE REDRESS MECHANISM FRAMEWORK

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MUNICIPALITY VISION AND MISSION

Vision

An archetypal local authority committed to the total well-being of all its residents

Mission

To transform the Municipality into an efficient corridor that is infilled with green spaces, vibrant commercial activities, and agro-based industrial zones featuring operational and socially integrated neighbourhoods

Core Values

- ❖ Institutionalized People participation
 - ❖ Efficiency and Effectiveness
- ❖ Transparency and Accountability
 - ❖ Equity and Equality



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Abbreviations and Acronyms

ESMF	Environmental and Social Management Framework
ESSIA	Environmental and Social Safeguards Impact Assessment
ESSIMP	Environmental and Social Safeguards Implementation Management Plan
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
M&E	Monitoring and Evaluation
PAP	Project Affected Person
PMC	Project Management Committee
RAP	Resettlement Action Plan



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 public or state officer or a public institution against which the complaint is made. Public institution Any institution of the national or county government, 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	the making of a formal or official complaint about a public institution or a public officer.
Resolution	its situation where the county government has provided sufficient information or 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 the institution, procedure and process that has been adopted by a public institution to handle complaints.
Municipal Manager	An official responsible for the administration and management of a municipality. The position is typically appointed by the County Public Service Board
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



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1. BACKGROUND

1.1. PREAMBLE

'A grievance Redress Mechanism is not just a tool for resolving complaints; it is a cornerstone of trust between community and its governance, ensuring that every voice is heard and every issue addressed.'

The Grievance Redress Mechanism (GRM) facilitates the reporting and responding to complaints raised by residents regarding Municipal service infrastructure provision and also from project-affected individuals and communities. It serves as a platform to address grievances by providing feasible solutions to the complaints raised, and ensuring swift and effective resolution of issues. The GRM desk at the Municipal Manager's office acts as a centralized entry point for submitting complaints directly to the Municipality, thereby enhancing the municipality's responsiveness and accountability.

1.2. Objectives of Grievance Redress Mechanism Framework

GRM Framework typically provide a systematic approach to address complaints and grievances from municipal residents regarding municipal services and governance. The overall objective of the municipal GRM framework is to operationalize the provisions of grievance redress mechanism as provided for in the county public participation and civic education policy. More specifically, the GRM framework seek to achieve the following objectives:

- a) To provide a platform for addressing residents' complaints and grievances and to fast-track conflict resolution arising from, and during and after service infrastructure provision, and project implementation.
- b) To amicably resolve any emerging environmental and social grievances during project implementation as a basis for facilitating effective project risk management at implementation level.
- c) To foster understanding and enhance relations between the project implementers, executors and beneficiaries.
- d) To enhance transparency and accountability during the participatory decision-making processes throughout the project cycle
- e) Strengthen and promote public participation in the delivery of municipality service infrastructure



1.3. Scope of the GRM

The Municipality's GRM Framework provides a channel for issue reporting and dispute resolution. It provides a platform that establishes a transparent, accountable, and responsive system to address grievances effectively. The framework ensure timely and satisfactory resolution of complaints, enhance trust between the municipality and residents, and improve service delivery. It entails negotiation and resolving emerging issues, and brings together state actors, non-state actors and the residents of the Municipality.

The Kenol municipality GRM framework is aimed at operationalization of the grievance mechanisms provided for in the county public participation and civic education policy and expands to petitions and citizen referendums. It noteworthy that municipal 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 Municipal GRM is designed to improve participatory development processes, project outcomes by creating public awareness about the county 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 the GRM ranges from municipal business owners, resident associations, transporters, hawkers, visitors, owners of residential houses to employees of the municipality. Types of grievances covered include:


- a) Service delivery issues
- b) Infrastructure development concerns
- c) Environmental issues
- d) Land and property-related disputes
- e) Public safety and security concerns
- f) Administrative and procedural complaints

1.4. Principle of the GRM

The foundational guidelines that ensure effectiveness of the GRM Framework is guided by the following principles:


a. **Accessibility**

- **Inclusive Access:** The GRM ensure everyone including marginalized and vulnerable groups, can easily access the GRM and at any time.

- 
- **Different Media:** The mechanism provides various channels for submission of grievance (in person, online, through calling, and via email).
 - b. **Transparency**
 - **Public Reporting:** Regular publicization of reports on grievances received, resolved, and pending via the municipal website
 - **Clear Information:** Providing clear process on lodging of complaints/ grievances and timelines, and contact points
 - c. **Accountability:**
 - **Objective Handling:** Grievances reviewed and resolved without bias or conflict of interest
 - **Equal Treatment:** Ensuring all grievances are accorded the required fair attention without bias or discrimination
 - d. **Timeliness:**
 - **Timed Resolution Frame:** Resolving complaints/ grievance within a reasonable and predefined time period
 - **Acknowledgement:** Prompt communication on receipt of complaint. grievance
 - e. **Legal and Ethical Compliance:**
 - **Adherence to Rule of Law:** Ensuring the GRM complies with all relevant local and national laws and regulations
 - **Ethical Standards:** Guided by Mwongozo code of conduct
 - f. **Empowerment:**
 - **Capacity Building:** Training municipal staff and municipal residents on the GRM process and principles
 - **Participatory Governance:** Encouraging citizens to actively participate in municipal governance through use of GRM
 - g. **Confidentiality:**
 - **Privacy Protection:** Protecting the identity and privacy of individuals who submit grievances.
 - **Secure Handling:** Ensuring grievances information are securely managed and only accessible to authorized persons.
 - h. **Responsiveness:**
 - **Effective Communication:** Keeping complainants on the loop throughout the grievance resolution process
 - **Simplified Procedures:** Working with the complainants to identify local simplified resolutions

1.5. Legislative Framework

A. The Constitution of Kenya (2010)



The Articles 35 and 47 on Bill of Rights guarantees the right to access information and the right to fair administrative action. Again Article 10 and 174 on public participation mandates public participation in governance.

B. The Public Service (Values and Principles) Act (2015)

Principles of Public Service emphasizes transparency, accountability, and responsiveness in public service delivery and requires public institutions to establish mechanisms for receiving and addressing public complaints.

C. The Fair Administrative Action Act (2015)

Fair Administrative Action Act, 2015 provides for the right to fair administrative action that is expeditious, efficient, lawful, reasonable, and procedurally fair. It also establishes the right to be given reasons for any administrative action and to seek redress.

D. The Access to Information Act (2016)

Access to Information Act, 2016 guarantees the right of access to information held by public bodies and private entities performing public functions. It also requires public institutions to proactively disclose information and respond to information requests.

E. The County Governments Act (2012)

The County Governments Act, 2012 mandates county governments to establish structures for citizen participation in decision-making processes. The Act also requires county governments to establish mechanisms for handling complaints and grievances related to service delivery.


F. The Leadership and Integrity Act (2012)

The Act sets out the ethical and integrity standards for public officers. And requires public officers to create complaint-handling mechanisms.

G. The Commission on Administrative Justice Act (2011)

The Act establishes the Commission on Administrative Justice (CAJ) as the office of the Ombudsman and empowers the CAJ to investigate complaints of maladministration, abuse of power, and unfair treatment by public officers.

H. The Public Procurement and Asset Disposal Act (2015)



The Public Procurement and Asset Disposal Act, 2015 provides for mechanisms to address grievances related to public procurement processes. The Act also establishes the Public Procurement Administrative Review Board (PPARB) to handle procurement-related complaints.

I. The Urban Areas and Cities Act (2011)

The UACA, 2011 mandates urban areas and cities to establish citizen forums for public participation and grievance redress. It also mandates urban areas and cities to create mechanisms for addressing grievances related to municipal services.

J. The Environmental Management and Coordination Act (EMCA) (1999)

The EMCA, 1999 provides for mechanisms to address grievances related to environmental management and conservation. It is established to investigate complaints and make recommendations on environmental issues.

K. National and County Policies

The County as well as the Municipality are expected to develop local policies and frameworks to operationalize the national laws on grievance redress and to ensure the mechanism effectively addresses the issues raised

2. GRIEVANCE REDRESS FRAMEWORK

2.1. Preamble

A mechanism is scaled to a project's risk and impact when specific processes behind basic grievance-handling steps, as well as associated resources, are adequate to deal with the volume and types of grievances anticipated during the project's impact assessment.

2.2. GRM Institutional Flow Chart

The Municipal pictorial flow of the GRM resolution mechanism provides a snapshot process through which the municipality receives complaints from residents and manages such grievances via the various institutional offices. The GRM desk at the municipal manager's office provides a physical single-entry point to submit complaints directly to the municipality, and structured responsiveness and accountability.

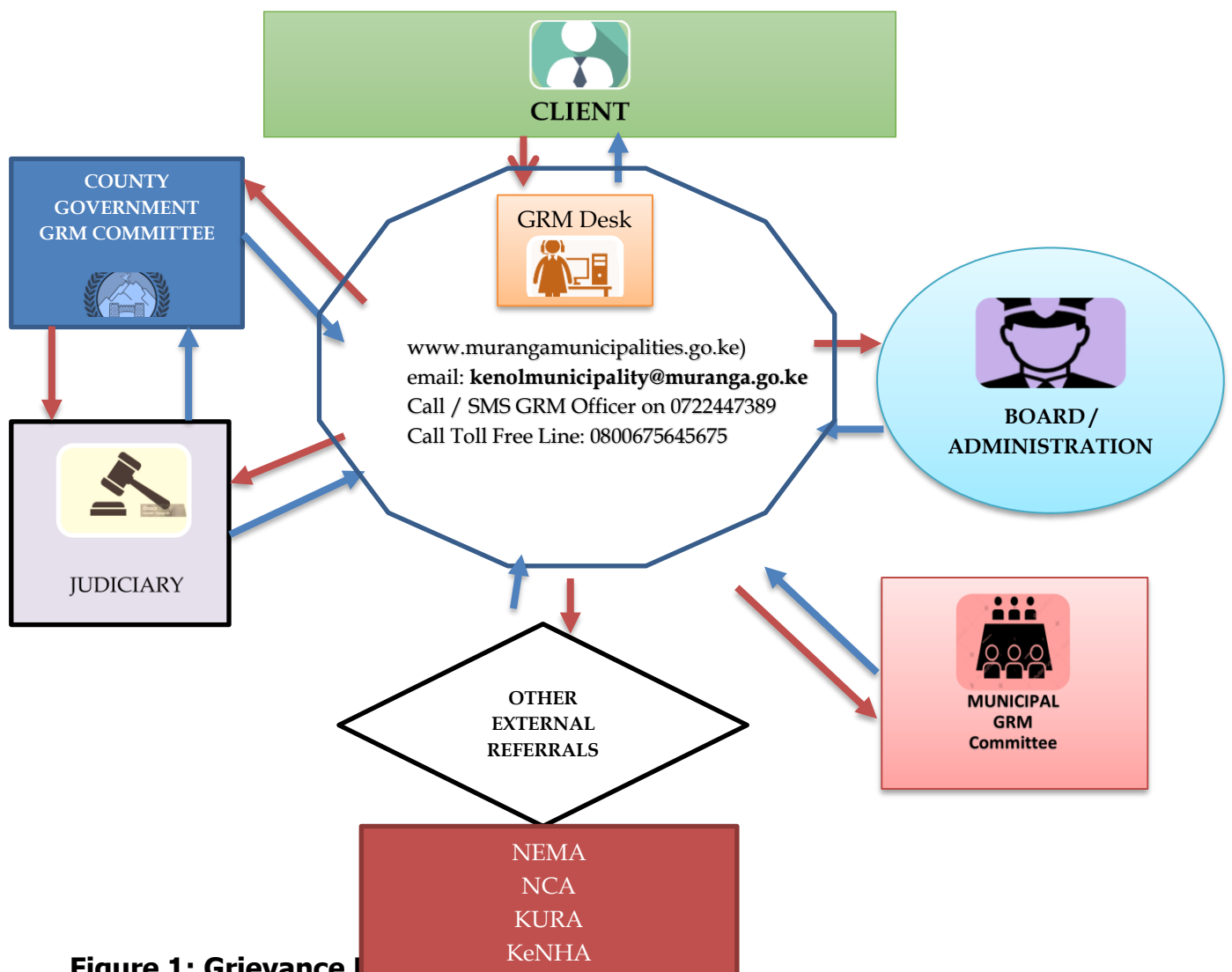


Figure 1: Grievance

2.3. Grievance Submission and Resolution Framework

The GRM submission and resolution framework for the municipality is designed to systematically address complaints and manage integrity issues as well. This is in an effort to pursue efficient service delivery and accelerate the realization of the municipal vision of being a model, vibrant municipality.

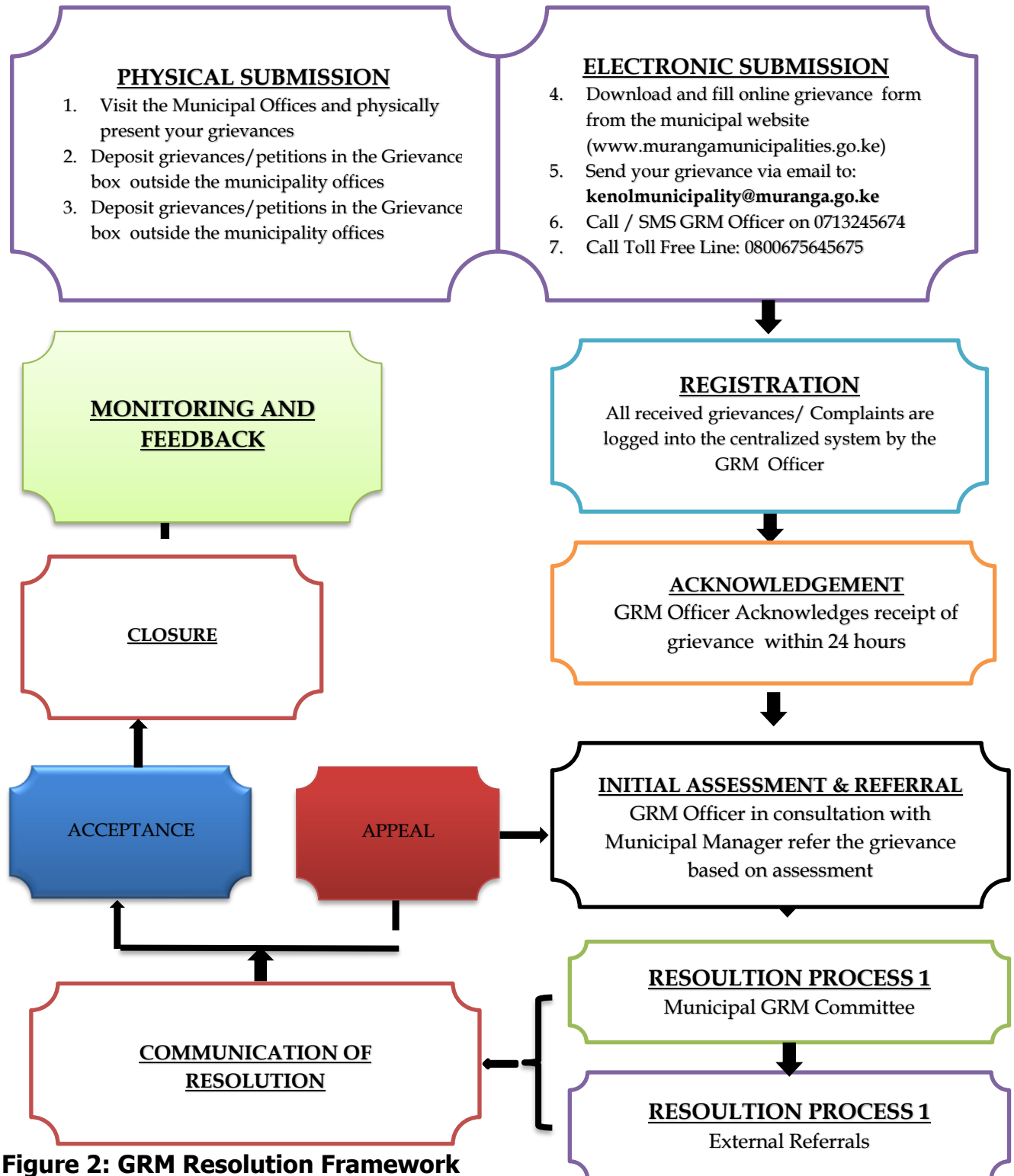


Figure 2: GRM Resolution Framework




3. INSTITUTIONAL FRAMEWORK FOR GRM IMPLEMENTATION

3.1. Introduction

Institutional Framework for GRM Implementation aims to establish a robust system for receiving, referring, investigating, and reporting on grievances to ensure timely and effective resolution of complaints/grievances, uphold ethical standards, and foster public trust.

3.2. Procedures and Rules Governing Handling of Complaints Emerging from Projects

- a) **Detailed Investigation into the conflict:** When Project conflict arises; the PMC is expected to gather information about the conflict. Find out why the project conflict occurred, what caused and influenced the conflict, what does each party in the conflict want and what would be the result of each possible scenario.
- b) **Scenario Resolutions:** The PMC Define the goal of the resolution after gathering information. This will enable the project teams to determine their ability to meet project deadlines without compromising values of any party in the conflict
- c) **Possible Impacts of Scenario Resolutions:** Some resolutions may result in lost wages and disciplinary actions, which may cause additional problems in the project. The project team should be a good moderator in conflict, view the problem as each affected party views the problem and how the problem can be solved without stepping on the toes of other person.
- d) **Feedback and Reporting from Affected Parties:** Affected individuals in a conflict are likely to agree if asked for their feedback and proposed solutions. This makes both parties opinions felt, valued and respected during conflict resolution. This will help in making a decision on how to approach a potential resolution with an insider's view of the problem.
- e) **Alternative Mechanisms:** When resolving conflict, one party will likely disagree with your decision. The PMC to try to and come up with at least one alternative solution to help the losing party. This will prevent future problems.
- f) **Publicizing the goal of the project:** The basis of conflict management is in attaining the goals of the project as opposed to individual differences. When neither party feels the proposed resolution is appropriate, the PMC need to exert appropriate power within the project confines. Explain the goals, and benefits of the project to the community. Reiterate how each



person's duties influence the outcome of the project and advice conflicting parties to put differences aside in lieu of a greater good of the project.

To strengthen tracking, documentation and escalating of grievances between the different stakeholders, municipalities and individual residents, the one stop GRM desk at the municipal manager's office facilitates the GRM mechanism through the GRM framework. The Municipality GRM Committee will maintain a working partnership with the County GRM Committee for conflict referrals and speedy resolutions.

3.3. GRM Communication Channels

It shall be mandatory for Municipality to share with the project beneficiaries on the available GRM mechanism put in place for each particular project and to share the GRM Reporting details through which reported grievances are logged. Further, the general public is made aware of the GRM through the Board, Administration, as well as lodging through use of ICT. The following communication channels shall be availed by the Municipality


- i. Complaint Box
- ii. Email Address
- iii. Website
- iv. Tollfree line
- v. Mobile Phone
- vi. In person Reporting

3.4. GRM Committee

The Municipal Manager is mandated to appoint Heads of Departments to serve as technical committee for GRM as well as doubling for the entire public participation mainstreaming and social risk management. One Director from the Board shall be integrated into the Committee. This Committee shall provide a network of conflict resolution mechanism that link the communities to the departments and the central GRM desk. It is envisaged that appointed officers are persons of the highest integrity and, as far as possible persons of impeccable character. They are also expected to be persons with the right skills and attitudes, including active listening, warmth, empathy, patience and self-control.

3.5. Training and Capacity Development of GRM Committee and PMC

The GRM Committee and PMC as well as individual technical officers involved in implementing municipal projects shall be trained on complaints handling areas, such as communication skills, public relations and customer care, to enable them to



discharge their responsibilities effectively. The training is expected to equip the officers with thorough knowledge of the role of the public service in democratic governance, the national values and principles of governance, the values and principles of the public service, best practices in complaints handling, and the fundamentals of an effective complaints handling system. The GRM Committee and the PMCs will also be trained on filling the complaint forms, launching, tracking and following up of complains to conclusion.

3.6. Financial resources

The GRM system requires clearly identifiable budget, sufficient to execute its mandate and the enhancement of the capacities of the GRM Committee and the PMCs. As a function, the finances will be allocated the Municipality budget and work plan.

3.7. Offices and Equipment

The Municipal GRM is domiciled in the office of the municipal manager. This is due to the role of the manager as the head of municipal administration and the secretary to the Municipal Board. The Office shall therefore, be provided with adequate tools and equipment to undertake the GRM function. As much as practicable the mechanism shall leverage on technology to make its operations efficient, effective, and clearly linked to the municipality's GRM Desk.

3.8. Reporting and Documentation

The grievances/complaints shall be recorded as received and analysis of various performance metrics done reported quarterly and annually. The reports shall clearly state the nature and number of complaints received during the period, number of complaints resolved, complaints referred to other agencies, the rate of settling complaints, timelines for processing and completion of cases, achievements and challenges, and proposed reforms.

4. ANNEXES

4.1. Municipal Complaints Log/ Register

The Municipal Complaints Register shall aptly capture the summary information of the complaint submitted, date submitted, location of occurrence, action taken and time period of resolution as shown in the matrix:

Ref. No.	Date Received	Location of Complaint	Complaint Received from	Nature of Complaint	Referred to	Action Taken	Date of Resolution	Remarks

4.2. Complaints Form

The Complaints form is simple to enable easy capture of all necessary information to facilitate effective resolution. Below is a sample of complaints form found in the County website, administrators office and field officers offices for use in launching complaints.

Date:	
Personal Details: (Name, contact details, if necessary)	
Category of Complaint (Service Delivery, Infrastructure, Environment, Land & Property etc.)	
Description of Complaint	
Supporting Documents (If any)	
Desired Resolution	
Follow up required:	
Declaration that the information provided is true and accurate	



	Name: _____ Signature: _____
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4.3. Sample Petition Form

MURANG'A COUNTY GOVERNMENT



KENOL MUNICIPALITY

FORM OF A PUBLIC PETITION

To: Manager, Kenol Municipality

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

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

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

DRAW the attention of Kenol Municipality to the following:

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

(Here, briefly state the reasons underlying the petition and request for the intervention of the Municipality by outlining the grievances or problems and summarizing the facts which the petitioners wish the Municipality 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 Kenol Municipality:-
.....
.....
.....

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

And your PETITIONERS will ever pray.

Name(s) of petitioner(s), Full Address, National ID, Signature/Thumb Print
.....
.....

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