



**KENYA DIGITAL ECONOMY ACCELERATION
PROJECT**

P170941

GRIEVANCE REDRESS MECHANISM

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INTRODUCTION

Project Description

Objective

The objective of KDEAP is to expand access to high-speed internet, improve the quality and delivery of education and selected government services, and build skills for the regional digital economy.

KDEAP coverage is nationwide. It will support the expansion of last mile internet connectivity for 1,450 national ward-level public offices, Ministries, Counties, Departments, and Agencies (MCDAs), at least 2,000 schools in underserved rural areas, as well as universities and TVETs, and later healthcare centers, and judicial bodies.

Project Components

The project comprises five components as highlighted below:

Component 1: Digital Infrastructure and Access – The aim of this component is to increase access to high-speed internet for individuals, industry, and government—the ‘foundation of the foundations’ of a digital economy and strengthen Kenya’s role as regional digital leader.

Component 2: Digital Government and Services – This component will invest in automating and digitizing selected government services while strengthening the legal and policy frameworks and the technical architecture needed to enable a whole-of-government transition to paperless Government.

Component 3: Digital Skills and Markets – This component aims to equip young Kenyans with digital skills and strengthen their abilities to access and compete in domestic and regional markets through supporting skills development, to study mechanisms to improve access to affordable devices and through enhancing the enabling environment for e-commerce to support Kenya’s role as a regional digital hub.

Component 4: Project Management – This component will support project implementation, coordination, and capacity building for the Project Implementation Unit (PIU).

Component 5: Contingent Emergency Response Component (CERC) – A CERC with an initial zero value, may be financed during the project to allow for an agile response to an eligible crisis or emergency.

Background of the Grievance Redress Mechanism

The main objective of a Grievance Redress Mechanism (GRM) is to assist ICTA to receive and resolve complaints and grievances in a timely, effective, and efficient manner that satisfies all parties involved. The GRM is an integral part of the SEP and helps to create avenues for receiving and responding to stakeholder concerns and complaints about issues related to the project. Further, the GRM provides a transparent and credible process for fair, effective and lasting outcomes. It also builds trust and cooperation as an integral component of broader community/citizen engagement that facilitates corrective actions.

The project GRM will:

- a) provide affected people with avenues for making a complaint or resolving any dispute that may arise during the implementation of the projects;
- b) ensure that appropriate, timely and mutually acceptable redress actions are identified and implemented to the satisfaction of complainants; and
- c) avoid the need to resort to judicial proceedings. Having multiple stakeholders and implementing agencies on board the project could lead to complaints, misunderstandings, conflicts and disputes. The project will provide a grievance redress mechanism that will provide all direct and indirect beneficiaries, service providers and other stakeholders the opportunity to raise their concerns and/or ask for information. Stakeholders will be informed of the grievance redress mechanism in place, as well as the measures put in place to protect them against any reprisal for its use. This will be done during sensitization activities and other interactions with stakeholders.

Grievances arising with the implementation of the project could typically include access and quality of services, issues about targeting for services and availability of facilities and resources. Grievances may also relate to physical and economic displacement and delay in payment of livelihoods related compensation. All grievances no matter where they received, they will be registered in writing by the PIU for tracking and monitoring.

Grievance Redress Mechanism levels

Table 1: Grievance Redress Mechanism Levels

Level 1- Project Level	1. Receive grievance 2. Acknowledge grievance 3. Register/Log 4. Screen 5. Investigate 6. Resolution 7. Provide feedback
Level 2	Grievance Redress Committee
Level 3	Mediation
Level 4	Court of Law-Refer to the Environment and Land Courts

First Level of Grievance Redress:

The project institutions within which project activities are carried out are the first level of grievance redress. Each institution (ICTA), MICDE, MDA, counties, design engineers, supervision engineers, contractors) where project activities are undertaken will use existing grievance mechanisms to receive, review and address grievances. The Resident Engineer or Project Manager will be responsible for resolution of all sub-project related grievances at sub-project level. The Resident Engineer or Project Manager will appoint a grievance officer who will be responsible for the management of all grievances in the sub-project. This officer will also follow up resolution of all grievances and ensure that timelines at every level are observed.

The first level of grievances will be handled at the project level Receiving: there will be various avenues for the uptake of grievances. Grievances can be received in person, verbally via toll free phone, in writing or via e mail, fax, text message, dedicated complaint boxes available in all project offices or any other media. Anonymous grievances will be received and allowed under this grievance mechanism. If the complaint cannot be resolved at this level, it can be escalated to the next level including the judicial process in the country at any time of the complainant choosing.

Register/Log Grievance: After receiving and recording the grievance, it will be accepted and registered for review. This will take 24 hours.

Acknowledgement: All grievances will be acknowledged by telephone or in writing by the grievance body of the institution within 24 hours of receipt and the complainant informed of the approximate timeline for addressing the complaint, if it can't be addressed immediately.

Screen: The complaint will be forwarded to the grievance officer that is responsible for ensuring that the grievance is allocated to the appropriate officers within the project for resolution. This will take 3 days.

Investigate: The grievance officer and the relevant officer related to each grievance will carry out initial investigations within 6 days. This investigation will include but not be limited to meetings with the aggrieved parties, site visits, consultations with relevant government authorities, meetings/interviews with the project staff and collection of any relevant documentation and forms of evidence. The outcome of the investigation should be communicated to the aggrieved.

Resolution: The resolution at the first tier should normally be completed within 15 working days of receipt of the grievance and notified to the concerned party. If the grievance is not resolved within this period, it can be referred to the next level of the Grievance Redressal system. However, once it is determined that progress is being made towards a resolution, the grievance will be retained at this first level. The complainant will be informed of this decision and an estimated time for the resolution of the matter will be given either verbally or in writing. If the issue cannot be resolved within 25 working days, it will be transferred to the next level.

Once a resolution has been agreed and accepted, the complainant's acceptance will be obtained. If the proposed resolution is not accepted the grievance will be escalated to level 2. The complainant will receive weekly updates on the progress of resolving the grievance by the grievance officer.

Second level of Grievance Redress:

A Grievance Redress Committee (GRC) at sub-county level will be formed comprising of key stakeholders as follows: local chief, county government representative, one women representative, one representative from the persons living with disability, one male community representative, two representatives from the project affected persons and the deputy county commissioner. The GRC will be called into place when a first-tier resolution is not found, but it could also meet monthly basis to evaluate the performance of the project level GRM.

This committee will be chaired by the deputy county commissioner. The implementing partner ministries/agencies will assign representatives to the GRC. The functions of the GRC are as follows:

- a) provide relief and support to the affected persons in a timely manner;
- b) prioritize grievances and resolve them at the earliest reasonable time;
- c) provide information to PIU on serious cases at the earliest plausible time;
- d) coordinate the process of the affected persons getting proper and timely information on the solution worked out for his/her grievance;
- e) study the normally occurring grievances and advise the PIU as to their scale and scope.

The project coordinator at the PIU will coordinate the convening of the meetings of the GRC. He/She is also responsible for briefing the GRC on the deliberations of the first level of Redressal. The GRC will hold the necessary meetings with the affected party/complainant and the concerned officers and attempt to find a solution acceptable at all levels. GRC will record the minutes of the meeting.

The decisions of the GRC will be communicated to the complainant formally and if she/he accepts the resolutions, the complainant's acceptance will be obtained. If the complainant does not accept the solution offered by the GRC, then the complaint is passed on to the next level/or the complainant can activate the next level. It is expected that the complaint will be resolved at this level within 30 working days of receipt of the original complaint. However, if both parties agree that meaningful progress is being made to resolve the matter may be retained at this level for a maximum of 60 working days.

Third Level of Grievance Redress:

Failure to resolve the complaint at the 2nd level will require a mediation by a group or an individual mediator agreed to by both parties. The mediation group will consist of the Project Coordinator at the PIU Level, the County Commissioner, a representative from the Kenya Human Rights Commission, a representative from the Commissioner of Administrative Justice (Ombudsman). The mediation group will be convened on an as-needed basis.

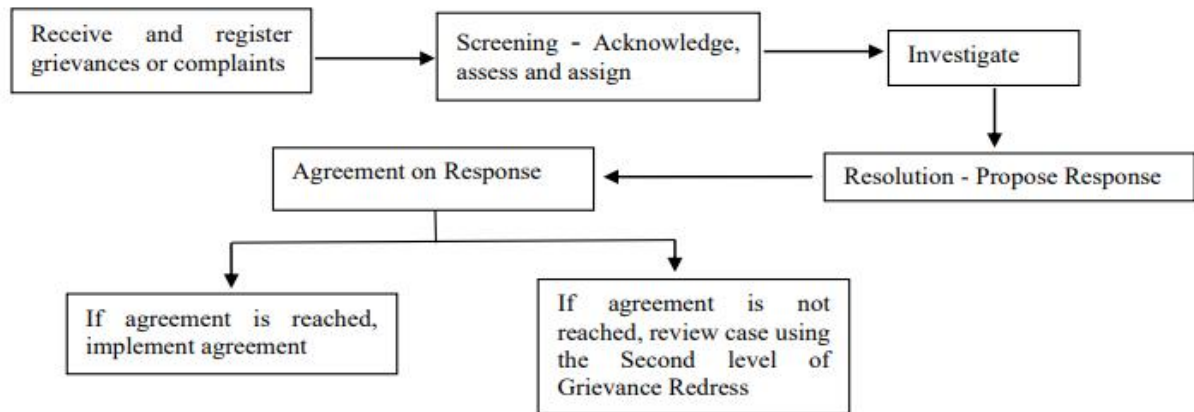
The officer in-charge of grievance redress at the PIU will trigger the resolution process at this level. It is expected that the complaint is resolved within Ten (10) working days upon the receipt of complaint. The decision rendered in the mediation shall constitute final resolution of the dispute at this level.

Fourth Level of Grievance Redress:

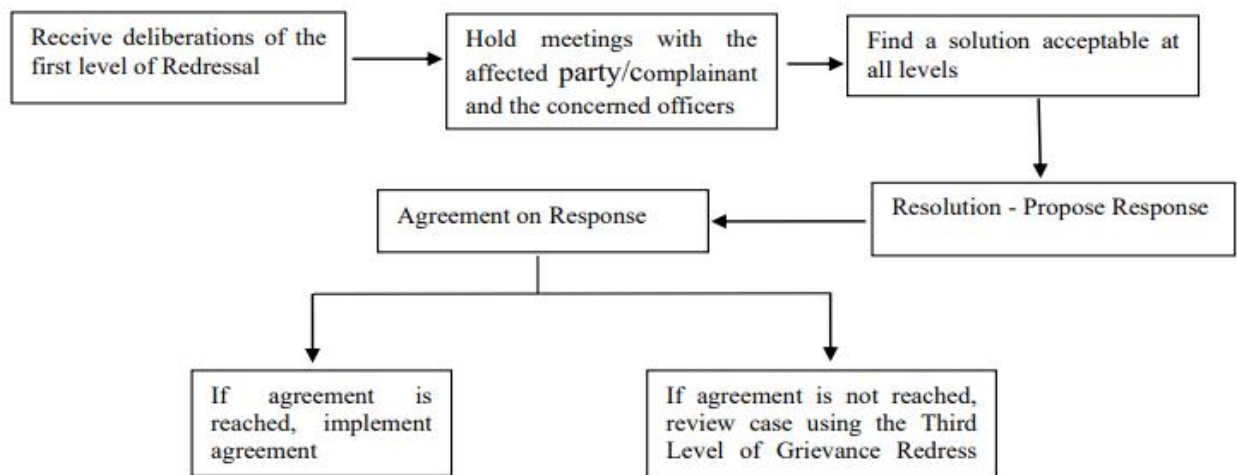
If the affected party/complainant does not agree with the resolution at the 3rd level, or there is a time delay of more than 60 working days in resolving the issue, the complainant can opt to consider taking it

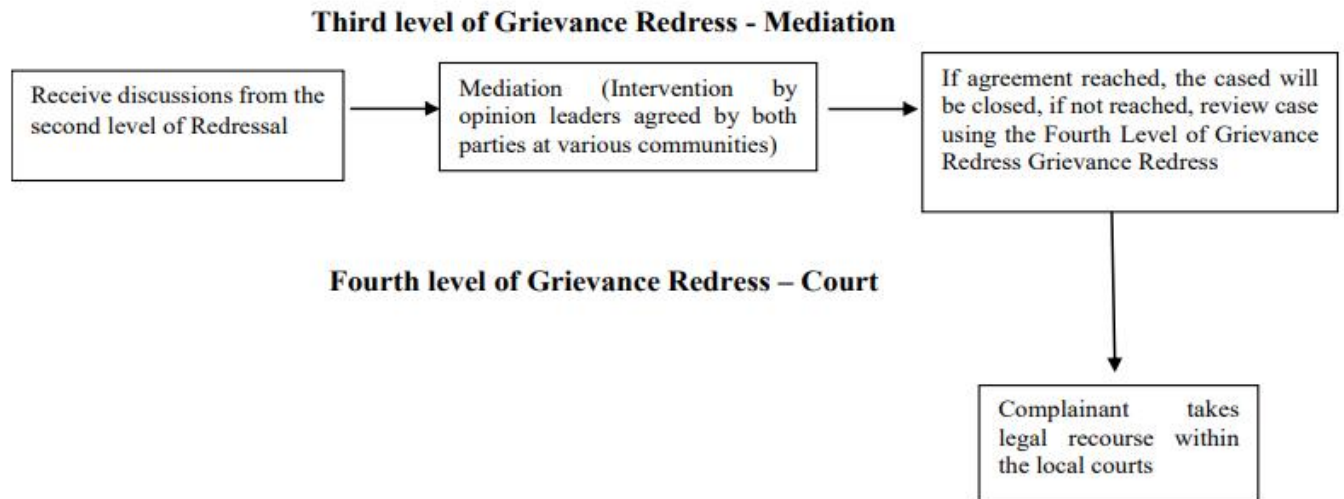
to the fourth level. This level involves the complainant taking legal recourse within the local courts. However, the complainants have the right to take matters to courts of law any time they choose.

First Level of Grievance Redress – PIU, MIEDC and Implementing Partners



Second level of Grievance Redress - Grievance Redressal Committee





Building Grievance Redress Mechanism Awareness

In compliance with the World Bank's ESS10 requirement, a specific grievance mechanism will be set-up for the project. Dedicated communication materials (GRM pamphlets, posters) will be created to help local residents and communities familiarize themselves with the grievance redress channels and procedures. A GRM guidebook/manual will also be developed, and suggestion boxes installed in each affected villages and government offices. In order to capture and track grievances received under the project, a dedicated GRM focal person within MICDE and ICTA.

GRM committees at subcounty level will benefit from training on how to receive, respond to, address and close grievances in line with best international practices. Internal GRM training will also take place for MICDE, ICTA, supervising engineers and contractor staff. The MICDE and ICTA website will include clear information on how feedback, questions, comments, concerns and grievances can be submitted by any stakeholder and will include the possibility to submit grievances electronically. It will also provide information on the way the GRM committee works, both in terms of process and deadlines.

The GRM will also be published on the MICDE and ICTA website and those of the implementing partners and the project website or Facebook page if there is one. A project notice board will be erected on the sites of sub-projects indicating the existence of the mechanism and a toll free phone number, email and address for further information. The GRM will be translated into local languages if needed.

The GRM guidebook will be available broadly within the project area and stakeholders and provided in local languages where project will be implemented.

Recommended Grievance Redress Time Frame

The table below presents the recommended time frames for addressing grievance or disputes related to project activities. It is anticipated that resettlement/compensation disputes could be resolved at the community or regional levels.

Table 2: Proposed GRM Time Frame at All Levels

Step	Process	Time frame
	1st level	
1	Receive and register grievances	within 24 hours
2	Acknowledge	within 24 hours
3	Assess grievance	within 2 days
4	Assign responsibility	within 2 days
5	Investigations	Within 6 days
6	Development of response	within 15 days
7	Implementation of response in agreement is reached	within 21 days
8	Close grievance	within 30 days
9	Referral of Grievance to Level 2 to the grievance committee	Within 2 days
10	Meeting of the grievance committee and development of the response from the grievance committee	within 30 days
11	Implement review recommendation and close grievance	within 30 days
12	Referral of Grievance Mediation	Within 2 days
13	Mediation	within 10 days
14	Court process	As per country systems

Grievance Documentation and Reporting

Resolved and escalated grievances/cases would be documented daily into the centralized GRM system by the assigned grievance managers at the PIU. The Environmental and Social Safeguards Specialist would exercise oversight over the system and track the resolution of all grievances/cases. Monthly case/grievance reports will be generated from the system by the Environmental and Social Safeguards Specialist at the PIU and report to the Project Coordinator to inform management decisions.

Quarterly reports will also be generated and reported to the MICDE as part of the Project's Progress Reporting to the World Bank. Periodic reports will also be generated within a reasonable time frame for stakeholders upon request irrespective of the period (e.g. bi-annual, annual etc.).

The following indicators could be used as monitoring purposes:

- number of active project complaints and appeals recorded and reported in each institution
- 90 percent of grievance redressed claims settled within the specified period
- 10 percent of unresolved complaints or disputes during the monitoring period
- comments received by government authorities, women & youth, family, community leaders and other parties and passed to the Project.

Monitoring, Reporting and Evaluation

Monitoring, reporting and evaluation are critical in assessing the effectiveness of the GRM management activities. The PIU will have the overall responsibility of monitoring, reporting and evaluation of results. The PIU will gather data from the various levels of grievance resolution and enter the data into the electronic grievance register thereby keeping it updated. The PIU will require all the actors in the GRM value chain to support in the monitoring, reporting and evaluation function.

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.

- Number of pending cases at the beginning of the month.
- Number of new complaints and grievances.
- Number and percentage of closed/resolved cases.
- Nature/category of complaints/grievances.
- Number of closed complaints acknowledging a fair process.
- Number of closed complaints and grievances with acceptance of outcome.
- Number and percentage of complaints/grievances resolved within 20 days.
- Total number or percentage pending (i.e., up to 20 days).
- Number or percentage late (i.e., beyond 20 days).
- Average resolution time and complaint resolution trends.

Evaluation

Evaluation will involve analysing grievance data and using it to make policy decisions. PIU will evaluate strategy for efficiency, effectiveness, impact and sustainability.

Reporting

PIU will provide regular monthly/quarterly monitoring reports. Daily report will also be prepared for high-risk grievances. Quarterly reports will be prepared by the E& S specialists at the PIU and shall include at the minimum participation of the stakeholders including the VMGs, main grievances reported,

progress summary (actions to taken and status), risks to the Project, limitations (resources, internal alignment) and priorities for the next quarter.

IMPLEMENTATION ACTION PLAN

The overall responsibility for the management and resolution of grievances will rest with the Project Implementation Unit (PIU) and implementing institutions who will complement the PIU in this role. These institutions include the Community, Ministry of Education, MICDE, and relevant government agencies.

Action Plan

Table 3: Outlines the results framework for the operationalization and implementation of the GRM function for the project. The overall objectives are: (1) establishing and equipping GRM structures; (2) Publicising the GRM procedures; (3) capacity building/awareness of GRM structures and processes; (4) GRM management; and (5) monitoring and evaluation.

Training

PIU will undertake activities that strengthen the capacity and enhance the awareness of GRM within the responsible agencies on site or at the agency and ministry level on ways of implementing equitable and inclusive approaches. Such activities will include training all implementing agencies to increase their knowledge, skills and capacities with respect to GRM implementation management.

To disseminate important GRM management information including Capacity Building/Awareness to all the project stakeholders in the most effective and efficient way possible, the PIU will engage a consultancy firm to provide technical assistance to undertake these activities.

Table 3: Implementation Action Plan

#	Objectives	Activities & Responsibilities	Indicative Timeline	Approximate Budget (USD)
1	Establishment of GRM Committees	- Establish GRCs for Project Sites (PIU) - Create simple, visually engaging outreach	30 days	10,000
	Awareness			

	Campaigns ○ Equipping GRM Structures	materials (notice boards, posters, flyers, brochures) (PIU) ○ Establishing uptake channels, Email, telephone hotline, Complaint Boxes (PIU) ○ Translate engagement (PIU)		
3	Consultancy Services ○ Capacity Building Sessions of GRM System (local communities, and beneficiaries) and Awareness Campaigns	○ Engage a consultancy firm to undertake awareness campaign and capacity building on GRM management.	60 days	90,000

4	Monitoring and Evaluation	○ Conduct monitoring and evaluation activities (PIU, Implementing Partners)	Annually	10,000
6	Grand Total			110,000

Annex 1 - Grievance Information Form

Date/Time received:	Date: (dd-mm-yyyy) Grievance ID #: Time:
Name of Grievant:	☐ You can use my name, but do not use it in public. ☐ You can use my name when talking about this concern in public. ☐ You cannot use my name at all.
Company (if applicable)	☐ You can use my company name, but do not use it in public. ☐ You can use my company name when talking about this concern in public. ☐ You cannot use my company name at all
Contact Information	Phone: Email address: Address: Location:

	(Kindly indicate the preferred language and method of communication)
Status of Occurrence	☐ One-time incident/complaint ☐ Happened more than once (indicate how many times): _____ ☐ Ongoing (a currently existing problem)
Description of the grievance	

For PIU use only:

Grievance No: _____

Grievance Category:

- ☐ Problems during material transport
- ☐ Smell
- ☐ Blocked road access
- ☐ Problem with project staff
- ☐ Dust
- ☐ Other (specify): _____
- ☐ Noise Grievance

Owner/ Department: _____

Grievant/Complainant Signature (if applicable): _____

Grievance Acknowledgement Form

The project acknowledges receipt of your complaint and will contact you within 10 working days.

Grievance ID #: Date of grievance/complaint: (dd/mm/yyyy)	
Name of Grievant/Complainant:	
Complainant's Address and Contact Information:	
Category of grievance (access, discrimination, compensation, traffic, GBV/SEA, security, etc.)	
Summary of Grievance/Complaint: (Who, what, when, where)	
Name of Project Staff	
Acknowledging Grievance:	
Signature:	

Grievance Redressal Registration Monitoring Form

No.	Grievance ID #.	Name of Grievant/Complainant	Date Received	Grievance Description	Action(s) to be taken	Responsible Unit	Due Date	Result(s) of Intervention	Closing Date of Complaint

Grievance Closure Form

Grievance ID #:	
Name of Grievant/Complainant:	
Summary of Complaint:	
Summary of Resolution:	
Resolved at:	☐ First Level ☐ Second Level ☐ Third Level ☐ Forth Level
Date of Complaint: Date of grievance resolution (dd/mm/yyyy):	

Grievant/Complainant Signature (if applicable) Date (dd-mm-yyyy)

Project personnel Signature (to confirm receipt only) Date (dd-mm-yyyy)