Grievance Redress Mechanism (GRM) Guidelines Manual

Version 1 2019

Grievance Redress Mechanisme Guidelines Manual
FOREWORD

The Government recognizes the importance of Grievance Redress Mechanism in the development of the Kenyan economy.

Functional institutional collaboration, networking and partnership structures will be required among the agricultural sector stakeholder in order to strengthen the Grievance Redress Mechanism.

The Kenya Climate Smart Agriculture Project (KCSAP) has therefore endeavoured to develop Grievance Redress Mechanism guidelines to guide effective resolution of grievances within the project.

This GRM guidelines manual will creates a culture, of positive and open attitude towards grievances throughout the project. The project is committed to deal with grievances as they arise in a manner commensurate with the seriousness of the allegations. KCSAP team is committed to publicize a grievance redress guideline that clearly embraces grievance reports and views them as opportunities for improvement. The guideline has identified guiding principles, defined the scope and types of grievances to be addressed; set out a procedure for lodging grievances; outlined a grievance redress structure; described performance standards; and spell out internal and external grievance review mechanisms.

I sincerely hope that KCSAP implementers and stakeholders will find these Grievance Redress Mechanism guidelines useful.

Mr. Francis Muthami
National Coordinator
Kenya Climate Smart Agriculture Project (KCSAP).
ACKNOWLEDGMENT

This KCSAP Grievance Redress Mechanism (GRM) guidelines was prepared by the KCSAP Secretariat members under the guidance of the National Project Coordinator, Mr. Francis Muthami and Ms Muta Muthoni, the project’s Information and Communication Officer, as convener. Valuable inputs were also provided by the Regional Pastoral livelihood Resilience Project (RPLRP), Western Kenya Community Driven Development and Food Mitigation Project (WKCDD&FMP); and individual experts. The KCSAP is committed to the successful operationalization of a GRM towards achievement of the project development objective.
EXECUTIVE SUMMARY

A sound GRM Guidelines for KCSAP is imperative to effective project implementation at all levels. These guidelines has been designed to: (a) to provide standard operating procedure, tools and instruments to support implementation of a GRM through establishing structures and process and (b) to provide an opportunity to address project implementation concerns and grievances in a timely and effective way through stakeholder engagement that brings about assurance, trust and transparency. This will ensure effective implementation of the project and achievement of KCSAP PDO. The overall objective of GRM will be to collect, analyse and provide feedback to different levels of the project management on grievances raised by various stakeholders. The KCSAP GRM as designed will meet the following specific objectives:-

i  Generate public awareness about the project and its objectives; (To provide an opportunity for KCSAP implementers to be accountable to beneficiary communities and the public at large concerning the implementation of the project)

ii  Increase stakeholder involvement in the project;

iii  Provide feedback to different levels of the project management on project performance;

iv  Act as an early warning mechanism to resolve grievances before they become more serious and/or widespread, thereby preserving project integrity and its reputation at the initial stages;

v  Reduce risk for fraud and corruption practices;

vi  Provide project staff with practical suggestions/feedback;

vii  Allow staff to be more accountable, transparent and responsive to beneficiaries;

viii  Assess the effectiveness of internal organizational processes; and

ix  Provide VMGs and other stakeholders with a channel for making their concerns known among others.

Grievance redress and public complaints are governed by certain principles, some of these principles are global in nature and are provided in key conventions of which Kenya is a signatory. The core principles that guide the GRM’s procedures and by which their performance will be evaluated are: Accessibility, predictability, fairness, right to compatibility, transparency and accountability, capability, feedback, and legitimacy. For the purposes of this project, the guiding principles have been further screened and evaluated against the country circumstances and some strategic actions are recommended to help the project meet the threshold of these core principles of the GRM.

KCSAP has adopted a five level GRM structure to address all reported grievances: First level: Beneficiary Groups level GRCs Second Level: An integrated SAIC at the Ward Level: Third Level: Integrated Ward at Sub-County Level; Fourth Level: County Level GRC. Fifth Level: Comprises
representatives from SAIC, NTAC, implementing and executing agencies. Gender and VMG representation is taken into consideration at all levels.

For the KCSAP staff more specifically, an effective GRM can help identify grievances/ concerns before they become more serious and/or widespread, thereby preserving the project’s funds and its reputation. KCSAP is committed to the successful operationalization of a GRM as it is fundamental tool for effective project implementation and achievement of the PDO.
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<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>ASTGS</td>
<td>Agricultural Sector Transformation and Growth Strategy</td>
</tr>
<tr>
<td>ATC</td>
<td>Agricultural Training Colleges</td>
</tr>
<tr>
<td>CBO</td>
<td>Community Based Organization</td>
</tr>
<tr>
<td>CDDC</td>
<td>Community Driven Development Committee</td>
</tr>
<tr>
<td>CDDO</td>
<td>Community Driven Development Organization</td>
</tr>
<tr>
<td>CIG</td>
<td>Common Interest Group</td>
</tr>
<tr>
<td>CAADP</td>
<td>Comprehensive Africa Agriculture Development Program</td>
</tr>
<tr>
<td>CAJ</td>
<td>Commissioner of Administrative Justice</td>
</tr>
<tr>
<td>CEC</td>
<td>County Executive Committee</td>
</tr>
<tr>
<td>CPCU</td>
<td>County Project Coordination Unit</td>
</tr>
<tr>
<td>CPSC</td>
<td>County Project Steering Committee</td>
</tr>
<tr>
<td>CTAC</td>
<td>County Technical Advisory Committee</td>
</tr>
<tr>
<td>CTD</td>
<td>County Technical Department</td>
</tr>
<tr>
<td>CVCDC</td>
<td>County Value Chain Development Committee</td>
</tr>
<tr>
<td>EOI</td>
<td>Expression of Interest</td>
</tr>
<tr>
<td>ESIA</td>
<td>Environment and Social Impact Assessment</td>
</tr>
<tr>
<td>FBO</td>
<td>Faith Based Organization</td>
</tr>
<tr>
<td>GDP</td>
<td>Gross Domestic Product</td>
</tr>
<tr>
<td>GHG</td>
<td>Green House Gas</td>
</tr>
<tr>
<td>GRM</td>
<td>Grievance Redress Mechanism</td>
</tr>
<tr>
<td>ICT</td>
<td>Information Communication technologies</td>
</tr>
<tr>
<td>KALRO</td>
<td>Kenya Agriculture and Livestock Research Organization</td>
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<tr>
<td>KCSAP</td>
<td>Kenya Climate Smart Agriculture Project</td>
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<td>KCSAS</td>
<td>Kenya Climate-Smart Agriculture Strategy</td>
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<tr>
<td>KMC</td>
<td>Knowledge Management and Communication</td>
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<tr>
<td>KMD</td>
<td>Kenya Meteorological Department</td>
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<tr>
<td>Abbreviation</td>
<td>Full Form</td>
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</tr>
<tr>
<td>LAN</td>
<td>Local Area Network</td>
</tr>
<tr>
<td>MIS</td>
<td>Management Information System</td>
</tr>
<tr>
<td>MOALF&amp;I</td>
<td>Ministry of Agriculture Livestock Fisheries and Irrigation</td>
</tr>
<tr>
<td>NARS</td>
<td>National Agricultural Research Systems</td>
</tr>
<tr>
<td>NASEP</td>
<td>National Agricultural Sector Extension Policy</td>
</tr>
<tr>
<td>NGOs</td>
<td>Non-Governmental Organization</td>
</tr>
<tr>
<td>NPC</td>
<td>National Project Coordinator</td>
</tr>
<tr>
<td>NPCU</td>
<td>National Project Coordination Unit</td>
</tr>
<tr>
<td>NPSC</td>
<td>National Project Steering Committee</td>
</tr>
<tr>
<td>NTAC</td>
<td>National Project Advisory Committee</td>
</tr>
<tr>
<td>PAD</td>
<td>Project Appraisal Document</td>
</tr>
<tr>
<td>PAP</td>
<td>Project Affected Persons</td>
</tr>
<tr>
<td>PIM</td>
<td>Project Implementation Plan</td>
</tr>
<tr>
<td>PO</td>
<td>Producer Organization</td>
</tr>
<tr>
<td>PPP</td>
<td>Public Private Partnership</td>
</tr>
<tr>
<td>RAP</td>
<td>Resettlement Action Plan</td>
</tr>
<tr>
<td>RPF</td>
<td>Resettlement Policy Framework</td>
</tr>
<tr>
<td>SAIC</td>
<td>Social Accountability and Integrity Committee</td>
</tr>
<tr>
<td>SDG</td>
<td>Sustainable Development Goals</td>
</tr>
<tr>
<td>SMS</td>
<td>Short Message Service</td>
</tr>
<tr>
<td>SP</td>
<td>Service Provider</td>
</tr>
<tr>
<td>TIMPs</td>
<td>Technologies, Innovations and Management Practices</td>
</tr>
<tr>
<td>VC</td>
<td>Value Chain</td>
</tr>
<tr>
<td>VMG</td>
<td>Vulnerable and Marginalised Group</td>
</tr>
<tr>
<td>VMGF</td>
<td>Vulnerable and Marginalised Group Framework</td>
</tr>
</tbody>
</table>
1. INTRODUCTION

1.1 Background of KCSAP

Agriculture is a major driver of the Kenyan economy and the dominant source of employment for about half of the population. The sector employs over 80 percent of the rural work force and accounts for more than 20 percent of formal employment therefore playing a key role in poverty reduction. In 2016, agriculture, forestry and fishing sector contributed 32.6 percent to the national gross domestic product (GDP). The Kenya Vision 2030 recognizes the importance of transforming smallholder subsistence agriculture into an innovative, commercially oriented, and modern sector. It identifies the major challenges as low productivity, underutilized land, inefficient markets and limited value addition. Addressing these challenges is crucial in attaining the Sustainable Development Goals (SDGs); SDG1 ending poverty and SDG2 of eradicating hunger in Kenya. The Government’s efforts to address these challenges are articulated in a number of policy and strategies which includes Agricultural Sector Development Strategy (ASTGS) 2010–2020, National Agricultural Research Systems (NARS) and National Agricultural Sector Extension Policy (NASEP). Following introduction of the Government Big 4 Agenda, the project fits into enhancing food security, moving the communities into manufacturing, leading to improved livelihoods.

The Centre for Global Development ranks Kenya 13th out of 233 countries for “direct risks” from “extreme weather and 71st for “overall vulnerability” to climate change (KCSAP, PAD). The country is active in the international and regional dialogue on mainstreaming climate change into agricultural policies, plans and actions and is a signatory to the UNCCD and UNFCC. Kenya is also implementing the Compressive Africa Agriculture Development Program (CAADP 2015-2025) and the East African Community Climate Change Policy (EACCCP), Master plan and Strategy, which also informs Kenya’s National Climate Change Policy. At national level, the Kenya Climate-Change Act, 2016 envisions “a climate resilient and low carbon growth sustainable agriculture that ensures food security and contributes to the national development goal. Further, Kenya Climate-Smart Agriculture Strategy (KCSAS, 2017-2026) provides framework for action on effects of climate change. The KCSAP project focuses on increasing agricultural productivity, enhancing resilience to impacts of climate change and reduction in GHG emissions.

The Project Development Objective (PDO) is “to increase agricultural productivity and build resilience to climate change risks in the targeted smallholder farming and pastoral communities in Kenya, and in the event of an Eligible Crisis or Emergency, to provide immediate and effective response.” To achieve this objective the project will support:

i Improving water/soil management, especially within smallholder maize systems in the marginal rainfall zones—specifically, in smallholder mixed crop-livestock,
crop-livestock-tree (agro-silvo-pastoral) production systems and in crop forest (agro-forestry) production systems;

ii Promoting sustainable, community-driven rangeland management and improved access to quality livestock services in ASALs—specifically, in pastoral/extensive livestock production systems;

iii Supporting the generation and dissemination of improved agricultural Technology, Innovation, Management Practices (TIMPs) and building sustainable seed systems

iv The project interventions will be concentrated in 24 selected counties in Arid Areas, Semi-Arid Areas and Medium-to-High Rainfall Areas (Table 1). Each county will select four to six wards in up to three sub-counties using the following criteria: (i) Poverty level of ward; (ii) Vulnerability to climate risks; (iii) Presence of priority value chains; (iv) geographic proximity and contiguity of wards; (v) Absence of similar initiatives to avoid duplication; and (vi) Presence of ward-level technical department officials.

Table 1: Project Implementing Counties

<table>
<thead>
<tr>
<th>Arid Counties</th>
<th>Semi-Arid Counties</th>
<th>Non-ASAL Counties</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Marsabit</td>
<td>1 West Pokot</td>
<td>1 Busia</td>
</tr>
<tr>
<td>2 Isiolo</td>
<td>2 Baringo</td>
<td>2 Siaya</td>
</tr>
<tr>
<td>3 Tana River</td>
<td>3 Laikipia</td>
<td>3 Nyandarua</td>
</tr>
<tr>
<td>4 Garissa</td>
<td>4 Nyeri</td>
<td>4 Bomet</td>
</tr>
<tr>
<td>5 Wajir</td>
<td>5 Tharaka Nithi</td>
<td>5 Kericho</td>
</tr>
<tr>
<td>6 Mandera</td>
<td>6 Lamu</td>
<td>6 Kakamega</td>
</tr>
<tr>
<td></td>
<td>7 TaitaTaveta</td>
<td>7 UasinGishu</td>
</tr>
<tr>
<td></td>
<td>8 Kajiado</td>
<td>8 Elgeyo Marakwet</td>
</tr>
<tr>
<td></td>
<td>9 Machakos</td>
<td>9 Kisumu</td>
</tr>
</tbody>
</table>

The direct beneficiaries of the project are estimated at about 521,500 households of smallholder farmers, agro-pastoralists, pastoralists and fisher folks. These beneficiaries include members of Common Interest Groups (CIGs), Vulnerable and Marginalized Groups (VMGs), Public Private Partnerships (PPPs), including Producer Organizations (POs), and thus recipients of grants, as well as beneficiaries that benefit from landscape-level investments implemented by counties. Of these, 163,350 represent households organized into about 4,950 CIGs and 18,150 represent households organized into 1,100 VMGs. All these groups will also benefit from community climate smart agriculture (CSA) micro-projects. About 240,000 and 100,000 households will benefit from the county-level and public-private partnership (PPP) investments (subprojects), respectively. More than 600 micro small- and-medium enterprises (MSMEs) will also benefit directly from project interventions.

The total project cost is estimated at US$279.7 million, of which the International Development Association (IDA) will finance US$250 million under an Investment Project Financing (IPF)
instrument. The estimated project cost takes into account GoK counterpart funds (US$15.9 million equivalent), county governments (US$8.3 million), and beneficiary contributions (US$5.5 million equivalent) for a total of US$29.75 million equivalent.

6 The purpose of GRM guidelines is (a) to provide standard operating procedures for implementing a GRM and (b) to facilitate handling of project concerns and grievances in a timely and effective way through stakeholder engagement that enhances assurance, trust and transparency.

1.2 Rationale of GRM

7 The constitution of Kenya 2010 provides for access to information and also gives prominence to human rights such as right to be heard and public participation; for this reason the country has national laws that provide for constitutional offices to follow-up on grievances raised by the public. Such offices include; Commission of Administrative Justice (CAJ) also referred to Ombudsman’s office, National Environment Grievance Committee, Appeal Boards, judiciary, Kenya Human Rights Commission, Directorate of Public Prosecution, National Environment Tribunal, Ethics and Anti-Corruption Commission. Further, it is a World Bank requirement that there is a functioning, accessible and documented GRM for all its funded projects.

8 A well-designed and functional GRM assists the project management to enhance its operational efficiency in many ways, such as; deterring fraud and corruption; mitigating risk; providing project staff with practical suggestions/feedback that allows them to be more accountable, transparent, and responsive to beneficiaries; assessing the effectiveness of internal organizational processes; and increasing stakeholder involvement in the project. An effective GRM enables task teams to identify, assess and resolve grievances/ concerns early enough before they become more serious and/or widespread, thereby preserving the project’s funds and its reputation.

9 Understanding when and how a GRM may improve project outcomes assists both project teams and beneficiaries to improve results. Grievance redress, consultations, and transparency measures are mandatory for all safeguards triggered projects, particularly under; Operational Policy (OP) 4.01 - Environmental Assessment Policy, OP 4.12 - Involuntary Resettlement Policy, and OP 4.10 - Indigenous Peoples Policy. The Kenya Climate Smart Agriculture Project (KCSAP) has effectively triggered all the above policies. The above policies require affordable and accessible procedures for settlement of disputes arising from project implementation. Such grievance mechanisms take into account the availability of traditional dispute settlement mechanisms and judicial recourse. An effective GRM should ensure that Project Affected People (PAP) can freely express their grievances.

10 KCSAP will achieve this through: -
a Establishing grievance uptake in project implementation areas

b Engaging local intermediaries (community based or civil society organizations) to facilitate handling of grievances.

c Enhancing a conducive environment and community-specific communication strategies to handle grievances.

d Treating grievances confidentially.

1.3 Objective

To provide a standard operational procedure for efficient and effective grievance redress. The specific objectives are:

a Create public awareness about the project and its objectives;

b Increase stakeholder involvement in the project;

c Act as an early warning mechanism to resolve grievances before they become more serious and/or widespread, thereby preserving project integrity and reputation;

d Entrench accountability, transparency and responsiveness to beneficiaries;

e Reduce risk for fraud and corruption practices;

f Provide feedback to different levels of the project management on project performance;

g Provide VMGs and other stakeholders with a channel for making their concerns known.

1.4 Principles of GRM and Strategic Actions

KCSAP GRM will be governed by global principles and conventions to which Kenya is a signatory. The Constitution of Kenya 2010 has codified these International obligations into National statutes and the Country has legislated many of these provision for example the ‘the bill of rights’ including the right to access of information and the right to be heard. The guiding principles have been further screened and adapted to the Kenyan circumstances and strategic actions (refer to Table 2 below) recommended to help the project meet the threshold of these core principles of the GRM. The World Bank advocates for respect of these conventions and their core principles that include:

a **Accessibility**: It shall be accessible to everybody who wishes to submit a complaint and shall provide assistance to those who face potential barriers such as gender,
vulnerability, language, literacy, awareness, cost, or fear of reprisal.

b **Predictability**: It shall offer a clear procedure with time frames for each stage and clarity on the types of results it can and cannot deliver.

c **Fairness**: Its procedures shall be widely perceived as fair, especially in terms of access to information and opportunities for meaningful participation in the final decision.

d **Rights compatibility**: Its outcomes shall be consistent with applicable national and international standards and shall not restrict access to other redress mechanisms.

e **Transparency and accountability**: Its procedures and outcomes shall be transparent enough to meet the public interest concerns at stake.

f **Capability**: It shall have the necessary technical, human and financial resources to deal with the issues at stake.

g **Feedback**: It shall serve as a means to channel citizen feedback to improve project outcomes for the people.

h **Legitimacy**: has clear, transparent, and sufficiently independent governance structures to ensure that no party to a particular grievance process can interfere with the fair conduct of that process.

1.5 **Publicizing the GRM**

KCSAP shall publicize the existence of the GRM, its structure and procedures to stimulate external demand through communication as integrated in the communication strategy. The publicity messages will include: the importance of raising grievances; who can raise grievances; the established grievances committees; and guarantee for rights and protection. The proposed publicizing pathways will be through community barazas, during extension service provision forums, county leadership forums, stakeholders’ leadership, project website; county and national project related WhatsApp group among others. Resources for GRM implementation will be included in the annual work Plans and Budget.
Table 2: Grievances Redress Mechanisms Principles and Strategic Actions

<table>
<thead>
<tr>
<th>Principle</th>
<th>Strategy/Action</th>
</tr>
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<tbody>
<tr>
<td>Accessibility</td>
<td>• Deploy practically known community conflict resolution systems &amp; structures at community level</td>
</tr>
<tr>
<td></td>
<td>• Mainstream or introduce grievance redress at all levels of the project (level 1: CIGs, VMGs, POs; level 2: CPSC; level 3: NTSC; level 4: NTAC)</td>
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<tr>
<td></td>
<td>• Publish procedures in simple language and distribute widely</td>
</tr>
<tr>
<td></td>
<td>• Publish and share modalities of assisting those with barriers i.e language, literacy, fear of reprisals</td>
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<tr>
<td></td>
<td>• Share these publications in community forums such as Barazas and meetings</td>
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<tr>
<td></td>
<td>• Provide and encourage individual complain modalities such as –telephone /SMS /drop box etc /pick general grievances from regular meetings</td>
</tr>
<tr>
<td></td>
<td>• Pick general complain from meetings, barazas and informal interactions</td>
</tr>
<tr>
<td></td>
<td>• Clearly provide tel. no, email, sms, location of drop box</td>
</tr>
<tr>
<td></td>
<td>• Identify all project beneficiaries and stakeholders and engage them on GRM</td>
</tr>
<tr>
<td>Predictability (effectiveness, responsiveness)</td>
<td>• Identify the disadvantaged/minority in the community (indigenous people etc) and list and understand their challenges and expectations.</td>
</tr>
<tr>
<td></td>
<td>• Provide a list of expectations/results /deliverables and the time frame for those deliverables (i.e receive acknowledgement in 1 day) ‘ our GRM commitments’</td>
</tr>
<tr>
<td>Fairness</td>
<td>• Define confidentiality requirements and penalty for violation.</td>
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<td></td>
<td>• Define requirement for appointment as a GRM officer or a team member i.e. provision on declaration of conflict of interest</td>
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<tr>
<td></td>
<td>• Define boundaries for PI on GRM decision</td>
</tr>
<tr>
<td></td>
<td>• Provide requirement for team approach and deploy teams for GRM</td>
</tr>
<tr>
<td>Principle</td>
<td>Strategy/Action</td>
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<td>----------------------</td>
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<tr>
<td>Rights compatibility</td>
<td>• Abide and uphold constitutional provisions/threshold for Complains and GRM&lt;br&gt;• Abide by and Uphold UBHR (Bill of rights) requirements&lt;br&gt;• Provide clear procedures for escalation of Grievance redress horizontally and vertically</td>
</tr>
<tr>
<td>Transparency and Accountability</td>
<td>• Organize monthly public disclosure meetings to disclose the resolutions&lt;br&gt;• Purpose to use the findings and resolutions to improve the GRM process and structures&lt;br&gt;• Publish and circulate grievance redress resolution or closure report&lt;br&gt;• Develop a robust GRM documentation system and a database&lt;br&gt;• Deploy IT /IMS for GRM with clear protocols&lt;br&gt;• Develop and deploy a standard operation procedure (SOP) for GRM including flow paths diagrams.</td>
</tr>
<tr>
<td>Capability</td>
<td>• Provide training or Skills transfer process to ESS and the GRM staff&lt;br&gt;• Include GRM in the ESS officer Terms of reference for appointment&lt;br&gt;• Provide a budget line for GRM&lt;br&gt;• Include GRM in the ESS officer performance contract</td>
</tr>
<tr>
<td>Feedback</td>
<td>• Ensure the complainant is aware of the process to resolution&lt;br&gt;• The complainant must have informed of the resolution arrived at and if not satisfied;&lt;br&gt;• Provide recourse by escalating the grievance</td>
</tr>
<tr>
<td>Legitimacy</td>
<td>• Deploy a team approach at every level rather than assigning one individual&lt;br&gt;• Encourage regular review of decisions of lower teams by higher teams&lt;br&gt;• Enhance communication of independence of the GRM process.</td>
</tr>
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</table>
2. THE GRM STRUCTURE

2.1 The Structure

KCSAP has adopted a five level GRM structure to ensure grievances emanating from all stakeholders are captured and resolved. The NPCU and CPCU shall execute the following:

i. The formation and training of Grievance Redress Committees (GRCs) at Community, County level and National level;

ii. Creation of awareness of the Grievance Redress Mechanism (GRM) amongst all the stakeholders through public awareness campaigns;

iii. Establish free, easy, accessible, focal points for logging of grievances;

iv. Maintenance of all records of grievances and redress;

v. Analysing of common grievances, lessons learning to inform effective program implementation and mitigation measures in future.

2.2 Establishment of Grievance Redress Committees (GRC)

Terms of Reference requisite skills/competencies and membership at each level of Grievance Redress Committee has been developed by the KCSAP Officers responsible for GRM at the NPCU and presented to NTAC for recommendation and approved by the NPSC. These TORs will be customized for the various lower levels (County, Sub-county and Community).

It is a mandatory requirement that the GRC members should be: Available in project area, knowledgeable with the local language (at the community level), trustworthy, and uphold confidentiality.

2.3 Community Level GRC

2.3.1 Level 1: CIGs/VMGs/POs

The project beneficiaries (CIGs/VMGs/POs) will be democratically elect a 3-member social accountability and integrity committee (SAIC) that will play the role grievance redress. Similarly, the beneficiaries at each sub-project site will also elect their SAIC. These members must not be serving in any political leadership capacity and the one third gender rule will be applied to ensure representation of women, youth and ethnic balance. It will be appropriate to avoid choosing local leaders (County/National Government representatives and political leadership within the beneficiary community. All the group level SAICs for each value
chain will hold further elections at the ward level to establish a ward level value chain SAIC comprising of 3 members.

2.3.2. Level 2: Integrated SAIC at ward Level

The various ward level value chain SAICs will elect an integrated ward level SAIC with one representative from each value chain. The one third rule will be applied to ensure participation of VMGs and women. Members at the ward level integrated SAIC.

2.3.3. Level 3: Integrated SAIC at sub county Level

The integrated SAIC at the Ward level will democratically elect one representative to form the integrated sub-county SAIC. The one third rule will be applied to ensure participation of VMGs and women.

2.3.4. Level 4: County Level GRC

The integrated SAIC at the sub county level will democratically elect one representative from each sub county to form a 9-member integrated County SAIC. These SAIC will democratically elect 3 of its members who together with one representative from other county level institutions (CTAC, CPCU, and CDDO) to form the County Grievance Redress Committee. The one third rule will be applied to ensure participation of VMGs and women.

2.3.5. Level 5: National GRC

The NPCU in collaboration with NTAC has identified representatives from the implementing and executing agencies to form the national GRC. In KCSAP, the crisis communication team will be composed of the NPC, Communication Officer, Environment and Social Safeguards Officer, concerned Component Coordinator, CPC, Chair of the CPSC, Chair CTAC, Executive Committee of the CDDC, Executive Committee of the CDDO and representatives of the Project Affected Persons (PAP).
Table 3: Established Levels of Grievance Redress Committees

**First level:** Beneficiary Groups level GRCs [The Social Audit and Integrity Committee (SAIC)] are constituted at CIG, VMG, sub-Project, PO level.

**Second Level:** An integrated SAIC at the Ward Level that is an integrated SAIC formed from CIG, VMG, PO SAICs

**Third Level:** Integrated SAIC at Sub-County Level

**Fourth Level: County Level GRC** to handle county level grievance with representation drawn from SAIC, CTAC, CDDO and CPCU.

**Fifth Level:** Made up of representatives from SAIC, NTAC, implementing and executing agencies.

2.3.6. Role of the Grievance Redress Committees

The role of GRCs are:

- Sensitize the community and other stakeholders on the existence and utilization of the GRM.

- Receive, record, sort, and resolve grievance that may arise from project implementation within their mandate at the Community, County and National levels.

- Escalate unresolved grievances to the next level.

- Receive the feedback on the escalated grievances resolutions and relay to the complainant and stakeholders.

- Acts as an intermediary between the project coordinating units and the target communities and stakeholders for GRM.

- Analyse and document the resolved grievance and report on a quarterly basis.

- Participate in the monitoring and evaluation of GRM.
2.3.7. Capacity Building for GRCs

Capacity building will be undertaken to equip the GRC’s with essential skills, knowledge and attitude to promote, publicize and operationalize the GRM. This will include; Training of Trainers (TOT) backstopping and peer learning.

Scheduled annual progress review workshops will be held at various levels to share experiences; and lessons learnt towards continued improvement of the GRM.

2.3.8. Who can raise a Grievance?

Grievance can emanate from various sources, individuals and groups, to include:

i Beneficiary of KCSAP (direct and indirect),

ii KCSAP’s implementing and executing agencies,

iii Service Provider consortia,

iv Affected community members within the project areas,

v Other stakeholders affected by the implementation of KCSAP interventions e.g. Local leaders, County Government representatives, CSOs, CBOs, SHG, County technical department staff etc.
3. THE PROCESS

24 The GRM process involves six steps: sorting and processing; acknowledgement and follow-up; verification, investigation and action; monitoring and evaluation; and feedback. These steps will be undertaken by the GRCs at each level.

3.1 Receiving Acknowledging and Recording Grievance (s)

25 The GRC will be in charge of receiving the grievance and recording in the GRM log register. Acknowledgement will be within 24 working hours and will include: outlining the grievance process; providing contact details of the contact person that is responsible for handling the grievance; give an indication of how long it is likely to take to resolve the grievance and notify the same to the CPC. Complainants should periodically be updated on the status of their grievances according to a clearly defined format.

3.2 Sorting and categorizing

26 Acknowledgement of a grievances received will be followed by sorting and categorizing it for appropriate action. The analysis and categorization will be based on the following criteria:

   i  Is the grievance within the scope of the project, i.e. is it attributable to KCSAP project activities or staff?

A GRC has no role in addressing a grievance that is outside the scope of the project but should give a feedback on the same to the complainant, and where possible forward it to relevant offices

   ii Is it a sensitive or non-sensitive grievance?

Non-sensitive grievances are those that relate directly to the projects interventions by KCSAP or its partners and have a potential of being verified and resolved within the GRM structures according to the procedures laid out in this guidelines. Such include grievances related to the project activities, project funding, discrimination and communications.

Sensitive grievances are those that relate to the project but may require a more complex investigation and resolution processes. Such include: misuse of funds, corruption or fraud, conflict of interest, political interference, contravention of signed agreements, as well as gender and sexual based harassment or exploitation. Investigation may extend beyond the GRC to involve the processes that include those set out in the Kenya government’s Policies and procedures as well those related World Bank’s Implementation Guidelines.
Further analysis of grievances will be undertaken to identify the specific nature of the grievances as per the following criteria:

i  Non-Inclusion,  
ii  Quantity of Services,  
iii  Quality of Services,  
iv  Timeliness of aid or services  
v  Conflict of Interest  
vi  Behaviour of Staff  
vii  Recruitment  
viii  Procurement of Commodities or Services  
ix  Political Interference  
x  Bribery  
xi  Embezzlement  
 xii  Fraud  
 xiii  Data or Information provision  
xiv  Environmental Degradation  
xv  Environmental Pollution  
xvi  Timeliness of Services or Contract  
xvii  Access to sub-project resources  
xviii  Resource Based Conflicts  
 xix  Gender based violence  
xx  Child abuse

3.3 Verification and Resolution

Verification of the grievances logged at each level will be done by the GRC to establish whether it is genuine or not and to ascertain its authenticity. The merit of grievances should be judged objectively against GRM principles (refer to table 2 above).

Grievances that are straightforward (such as queries and suggestions) will be resolved on the spot or immediately by contacting the complainant. Whenever possible, GRC and project affected persons are encouraged to resolve grievances immediately. However, even if a grievance is resolved on the spot it must be recorded for knowledge management. If a grievance cannot be resolved immediately the complainant should receive a response within seven (7) working days. A sensitive or complex grievance, that require further investigation, shall be completed within twenty-one (21) working days.

Grievances at CIG/VMG/PO level will be resolved by community level SAICs using the group constitution as well as integration of the existing customary mechanisms as appropriate. Those not resolved will be escalated to the higher level of GRCs’ for further verification and investigation. GRC will ensure neutrality in the process and outcome of the investigation.

If after exhausting the project institutional structures, beneficiaries are still dissatisfied with explanations and solutions offered, they will have the option of seeking justice through the Office of the Ombudsman or through court of law.
3.4 Giving Feedback

Feedback refers to the process of informing the complainant, all GRM users and the public at large about the result of the grievances investigated and resolved as well as the actions taken. Once a grievance has been resolved the GRC will provide feedback to the complainant. The feedback shall have clarity in conveying the decision reached to allow the complainant whether to appeal or not. GRC will provide feedback to the complainant directly through verbal communication (if his or her identity is known) and/or by posting the results of cases in high profile locations, disclosure in public meetings or publish and circulating the resolutions or closer report. Both the date and the resolution shall be recorded in the grievance log register.

3.5 Safe handling of grievance records

The grievance forms and the grievance log register shall be kept in a safe place that is only accessible by the person within the GRC in charge of managing the GRM. The grievance records should be archived at the end of the project and be subjected to the government data disposal guidelines.

3.6 Anonymous grievances

A grievance received anonymously needs to be assessed to identify whether it is substantial or not and if found substantial, actions shall be taken to resolve it. Despite lack of an avenue to acknowledge and respond directly to the complainant, such a grievance should be considered as a warning signal to the project or an indication of underlying discontent. Such grievances including those found to be malicious should be documented and taken into account during the general risk analysis of the project.

3.7 Right to Appeal

A complainant who is not satisfied with the response received despite having had the opportunity to request for further clarification or feedback, he/she has the right to make formal communication to CPCU/NPCU. This should happen within one month of receipt of the response and the case reviewed by the officer in charge of the GRM. The complainant shall be informed about the appeal process and notified that response to the appeal shall be final; however, the complainant is at liberty to pursue the matter legally if s/he is still unsatisfied with the decision.

3.8 Grievances under Specific Performance Requirements

Grievances under Specific Performance Requirements are those that may require collaboration with other institutions outside the project for verification and resolution. These grievances include:
3.8.1. Land Acquisition

Grievances related to land acquisition and resettlement may need to be managed separately from other community grievances, particularly if the institutional responsibilities and arrangements would require CPCU/NPCU to establish a recourse mechanism along the principles outlined in law. Land acquisition often gives rise to a considerable number of grievances and disputes, particularly if land records are not up to date and land markets not fully developed. In case such grievances arise, the project will collaborate with the relevant organizations to effectively handle such.

3.8.2. Marginalized Groups

The project will undertake a social assessment and gender analysis study whose outcomes will be used to identify the appropriate strategies to be integrated in the grievance redress mechanism for the marginalized groups. These mechanisms will conform to the existing community grievance management systems and the World Bank social safeguards requirements.

3.8.3. Procurement

Grievances related to procurement will be handled with reference to the project’s procurement guidelines; the Kenya procurement government Act 2015 and World Bank procurement requirements.

3.8.4. Sexual Exploitation and Abuse (SEA)/ Gender Based Violence (GBV)

Sexual Exploitation and Abuse Gender Based Violence is defined as any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes, including but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. Sexual harassment includes unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature.

KCSAP GRM will adopt existing tools to track grievances related to SEA/GBV, including a feedback system on actions taken to respond to such grievances. These mechanisms will ensure protection, confidentiality of individuals and preservation of evidence without compromising access to justice, while also enabling links to referral pathways and local organizations for support services. Mechanisms should include development of a protocol outlining reporting procedures and an appropriate timeline for response actions, depending on the severity of the allegation. Preventing or mitigating against project-related risk of sexual exploitation and abuse will be handled as per the National Guidelines on Management of Sexual Violence in Kenya 2009. It will also requires interaction and collaboration between project staff and the affected persons.
KCSAP GRM for SEA approach will;

i  Be Survivor-centred - that ensures the response to the incident is in line the safety, respect, confidentiality and non-discrimination of the survivor.

ii  Prevent SEA of women and children through improved project risk assessment, active community engagement and the design and monitoring of systems to minimize risks.

iii  Strengthen the speed and effectiveness of response (should such an incident occur) through well-functioning protocols and remedial actions to enable safe and ethical care of survivors.

iv  Build the capacity of all actors: the World Bank, government (national and county), contractors and communities, to take on their respective responsibilities for action, while also working together to protect women, children and other vulnerable groups.

3.8.5. A “Closed” Grievance

KCSAP grievance will be referred to as “closed” when a resolution is satisfactory to both parties has been reached. In certain situations, for example, if the complainant is unable to substantiate a grievance, or if there is an obvious speculative or fraudulent attempt, the KCSAP may “close” a grievance. In such situations, the GRC’s efforts to investigate the grievance and to arrive at a conclusion should be well documented and the complainant advised of the closure.
Figure 1: Grievance/Complaint Flow Chart

Key

Flow of Complaint

Feedback
4. **KCSAP GRM MONITORING AND EVALUATION**

40 Monitoring and Evaluation (M&E) is critical to the success of the KCSAP GRM. GRM Monitoring will be a process of tracking grievances and assessing the extent to which progress was made to resolve them. While GRM evaluation will involve the analysis of grievances data so that policy and/or process changes can be made to minimize similar grievances in future.

4.1 **Objectives of GRM Monitoring and Evaluation**

41 KCSAP will conduct a comprehensive monitoring and evaluation of the GRM with specific objectives to:

i. Assess the effectiveness of the GRM guidelines in meeting its stated objectives/outcomes and determine the sustainability and relevance of projects achievements to community needs;

ii. Identify the gaps of the GRM and areas for improvement.

iii. Contribute to providing a basis for accountability to target beneficiaries, partners, donors and the general public.

42 The environment and social safeguards officer at the County Project Coordinating Unit (CPCUs) will take charge of monitoring and evaluating of GRM. He/ She will involve GRCs to participate in the joint supervision of project investments under their jurisdiction on a quarterly basis to assess the GRM feedback. The NPCU will backstop County GRCs on a biannual basis. Outstanding Community and County GRCs will be co-opted the joint supervision Teams in order to backstop and coach their peers.

43 GRM M&E will be embedded in the project M&E systems to include PMIS; routine and adhoc M&E. This will also serve to generate information towards continual improvement of the GRM.

5. **REPORTING**

44 The overall reporting of the GRM will be based on the established channels at the community, county and national levels. This will be through the participatory Management Information System (PMIS).
6. ANNEXES
### Annex 1: Complaints Log Register

**KCSAP GRIEVANCE REDRESS MECHANISM (GRM) LOG REGISTER**

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<tr>
<th>S/NO</th>
<th>DATE</th>
<th>COMPLAINANT NAME</th>
<th>CONTACTS: PHONE/ADDRESS</th>
<th>COUNTY</th>
<th>BELONG TO A CIG/MICRO-PROJECT/SUB-PROJECT</th>
<th>CHANNEL OF REPORTING</th>
<th>COMPLAINT</th>
<th>COMPLAINT ADDRESS STATUS</th>
<th>RESPONSE MECHANISM</th>
<th>DATE OF RESPONSE</th>
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