

Sample Terms of Reference: Project-level Grievance Redress Mechanism (GRM)¹

V2, revised 19 October 2022

Notes: Please complete relevant sections and annex this TOR to the Project Document and include as necessary in the relevant Social and Environmental Assessments and Management Frameworks/Plans

This document aims to support UNDP projects to meet the Social and Environmental Standard (SES) requirement that, all projects categorized as complex Moderate Risk, Substantial Risk, or High Risk, as determined by the Social and Environmental Screening Procedure (SESP), have made available an effective project-level grievance redress mechanism. The scope of the project GRM is therefore to address grievances related to the social and environmental impacts of a UNDP project (see Section III below regarding eligibility). Grievances related to other topics should be referred to the appropriate mechanisms, in accordance with their mandates².

I. Introduction and Overview

These ToR provide guidance on the mandate and functions of the grievance redress mechanism (GRM) for this UNDP-supported Project. The GRM provides one avenue for stakeholder engagement and the management of social and environmental risks and impacts. However, it is not a substitute for proactive outreach to stakeholders to inform them about the Project, seek their input, and respond to their suggestions and concerns regarding social and environmental benefits, risks and impacts. Proactive stakeholder engagement should begin early in project design and continue throughout the project cycle.

The Project GRM provides an additional, formal channel for project stakeholders to register complaints about project social and environmental risks and impacts. UNDP requires the establishment of project GRMs when its Social and Environmental Screening Procedure (SESP) identifies the potential for significant, adverse social and/or environmental impacts.

Project GRMs also facilitate timely identification and treatment of potential emerging Project risks, strengthening effective risk management at the Project-level, in line with UNDP's Enterprise Risk Management Policy.³ Grievances are an ERM sub-risk category.

In the case that an existing national mechanism for grievance resolution may be appropriate for the Project, the UNDP Country Office, jointly with the Project Board, will assess the mechanism's effectiveness against a set of criteria specified in UNDP's Supplemental Guidance Note on Project GRMs and will determine who will be responsible for undertaking the GRM function as outlined in this TOR.

The UNDP corporate Accountability Mechanism (www.undp.org/secu-srm) provides an additional recourse for Complainants who are not satisfied with the response they have received from the Project GRM or who are concerned about an adverse response if they raise concerns with the Project GRM.

II. Mandate

The mandate of the Project GRM will be to receive and seek to resolve complaints about actual or potential environmental or social harm to affected person(s) arising from Project. In its accessibility to complainants and in its

¹ This document should be read and applied in conjunction with other GRM-related requirements and Guidance notes, which can be found in the [UNDP Social and Environmental Standards \(SES\) Toolkit](#), including: [SES Guidance Note: Stakeholder Engagement](#); [SES Guidance Note: Stakeholder Response Mechanism](#); [SES Supplemental Guidance: Grievance Redress Mechanisms](#); [Summary of Steps for Setting up Stakeholder Response Mechanism](#).

² For example, grievances related to fraud, abuse or misconduct should be referred to the Office of Audit and Investigations (OAI).

³ [UNDP Enterprise Risk Management \(ERM\) Policy and Procedures](#).

responses to complaints, the GRM will be gender-responsive, culturally sensitive, non-discriminatory, and inclusive. Complaints related to sexual abuse and exploitation (SEA) will be treated in a survivor-centered manner and ensure referrals for safe and confidential survivor assistance.

The Project GRM will provide:

- (i) an accessible, predictable and transparent procedure for receiving and responding to complaints
- (ii) direct engagement and dialogue with Complainants to clarify issues and interests and develop mutually acceptable responses
- (iii) equitable and rights-compatible resolution of complaints, including contribution to remedy for environmental or social harm demonstrably caused or contributed to by the project⁴
- (iv) opportunity for learning from complaints and their resolution, in ways that contribute to improved management of environmental and social risks and ensure alignment with UNDP's Social and Environmental Standards as well as applicable laws, regulations and policies.

III. Eligible Complaints

To be eligible for a Project GRM response, the complaint must pertain to this UNDP Project and its activities after signature of the Project Document and prior to Project closure. In addition, the complaint must:

- (a) Indicate how Project activity(ies) have caused or contributed, or may cause or contribute to social or environmental harm
- (b) Be made by a person or people (directly or through an authorized representative) who could plausibly be affected by the harm(s) referenced in the complaint.

If further information is needed to determine eligibility, the GRM should seek such information from the complainant before making an eligibility determination.

Complainants may request and receive confidentiality, but the GRM cannot respond to anonymous grievances. Record keeping and information sharing about SEA survivor assistance will adhere to the 'do no harm' and confidentiality principles and the survivor's personally identifiable information will remain confidential unless the victim expressly consents to it being shared.

With the complainant's agreement, the GRM will refer requests alleging non-compliance with UNDP Social and Environmental Standards, fraud, or corruption to the appropriate offices within UNDP and to the relevant national authority(ies).

IV. Functions of the GRM

The GRM will function on two levels: at the Project Management level, under the direction of the Project Manager (supported by the project management unit), and as part of UNDP's Project Assurance role in consultation with and in support of the Project Board. UNDP is responsible for the Project Assurance function, under the direction of the UNDP [Deputy] Resident Representative.

⁴ Remedy (or contribution to remedy when the risk/impact is not solely the responsibility of the Project) may be provided through prevention, mitigation, and/or compensation, as appropriate.

A. GRM at Project Management level:

The Project Manager will [establish a system] OR [use NAME OF EXISTING GRM⁵] for receiving and responding to complaints through direct engagement with Complainants. The GRM at Project Management level will:

- (i) Establish communications channels to receive complaints and identify staff responsible for documenting and responding to complaints.
- (ii) Establish procedures to engage with the complainant, seek resolution, and document all complaints and responses.
- (iii) Establish procedures to ensure that complaints related to sexual exploitation and abuse are treated in a survivor-centered manner and ensure referrals for safe and confidential survivor assistance⁶
- (iv) When responding to complaints, engage directly with the complainant to clarify issues, identify options for resolution, and provide or support remedy for any environmental or social risks or impacts that are demonstrably associated with the project.
- (v) Inform potentially affected community members and other stakeholders (e.g. workers employed in project activities) how to make a complaint about the project (including the option to bring complaints to the Project Management level of the GRM, the Project Assurance function, or the UNDP Accountability Mechanism). Where there are CSOs or NGOs that have well-established communication with affected stakeholders, seek their assistance (voluntary or contracted) to promote awareness and understanding of the GRM.
- (vi) Log and track all complaints received.
- (vii) Within 5 business days of receipt of a complaint, review the complaint and
 - a. If further information is needed to determine eligibility, seek further information from the complainant and/or project staff to make the determination;OR
 - b. If it is very clear that the complaint does not meet one or more of the eligibility criteria, refer the complainant to appropriate national or local institution(s) that may be able to respond to the complaint;OR
 - c. If the complaint is determined eligible, respond to the complainant through direct, good faith engagement to clarify issues, develop and seek agreement on options for resolution, and address and remedy risks and harms that the project is causing or contributing to (with the option to provide technical assistance to the complainant to support the complainant's effective engagement).

⁵ Existing GRMs should be assessed by UNDP and the Project Board to determine whether they are sufficiently accessible and effective to be used by the Project, and whether institutional strengthening is needed prior to designation as the project GRM and how this could be provided outside the scope of this project. See the [UNDP Supplemental Guidance: Grievance Redress Mechanisms](#) for guidance on assessing and strengthening project GRMs.

⁶ Procedures will be aligned with the UN Protocol on Provision of Assistance to Victims of Sexual Exploitation and Abuse: <https://psea.interagencystandingcommittee.org/victim-survivor-centred-assistance>.

- (viii) If the complaint is resolved within 60 days, document the complainant's acceptance of resolution, and continue to monitor until all project actions that were agreed to as part of the resolution have been taken.
- (ix) If the complaint is unresolved 60 days after initial receipt (or if requested by the complainant at any time), offer the complainant the option of referral to the Project Board through the UNDP Project Assurance function, to the UNDP Accountability Mechanism, or to national institution(s) with a mandate to address the issues raised.
- (x) Provide quarterly reports on complaints, responses, and outcomes to the Project Board through the Project Assurance function, and collaborate with Project Assurance to identify successes, challenges, trends and lessons learned in responding to complaints.

B. GRM at Project Assurance Level (in consultation with Project Board)

Complainants who are not satisfied with the Project Management GRM response, or who are concerned about an adverse response, may bring their complaint to the Project Assurance function of the Project Board which is exercised by UNDP. In addition, UNDP Project Assurance will receive unresolved complaints referred from the Project Manager.

Complaints submitted to the UNDP Project Assurance function will be addressed per the procedures outlined below. UNDP will seek resolution of complaints together with national and other relevant partners (e.g. Implementing Partner, other members of the Project Board), with due consideration of confidentiality if requested by Complainants. The process for addressing complaints submitted to the UNDP Project Assurance function would typically involve the Project Manager and any necessary staff, external mediators, etc., under the direction of the UNDP Resident Representative and/or Deputy Resident Representative.

For complaints referred from the Project Manager (or project management unit), the Project Assurance function will:

- (i) Log and track the complaint.
- (ii) Review documentation received from the Project Manager and consult with the Project Manager on the case.
- (iii) Within 5 days of receipt, engage with the complainant to review and clarify the issues raised in the case and explore options for resolution (with the option to provide technical assistance to the complainant to support the complainant's effective engagement).
- (iv) As appropriate, engage with senior representatives of the Implementing Partner and other Project Board members to clarify issues and explore options for resolution.
- (v) As appropriate, play a mediating role between the parties to seek resolution of the complaint (with the option to contract with an external mediator).
- (vi) When risks are identified that may affect overall project governance (e.g. potential need to put project components on hold or change the design of the project), ensure that the Project Board has full information about the risks and guides project decision making on the appropriate response;
- (vii) Support the Project Board to address and remedy risks and harms that the project is demonstrably causing or to which it is demonstrably contributing.
- (viii) If the complaint is resolved within 60 days of receipt, document the complainant's acceptance of resolution, and continue to monitor until all project actions that were agreed to as part of the resolution have been taken.

- (ix) If the complaint is unresolved 60 days after referral to the project assurance function (or if requested by the complainant at any time), offer the complainant the option of referral to the UNDP Accountability Mechanism and/or to any national institutions that have a mandate to address the issues raised.

For complaints received directly from Complainants, the Project Assurance function will first make an eligibility determination (identical to step (iv) of the operational Project Management level of the GRM outlined above) and then continue from step (ii) of the Project Board process as outlined above, except that step (ii) for complaints that are received directly by the Project Assurance function will be “Consult with the Project Manager on the case, protecting Complainant confidentiality if requested.”

Additionally, the Project Assurance function will perform these tasks in support of the Project Board:

- (i) Review complaints received by the GRM and their outcomes, work with the Project Manager to identify successes, lessons learned, challenges and trends, and report its assessments to the Project Board. Should an outcome to a grievance be compensation, the UNDP Project Assurance function is responsible for confirming this outcome and for working with the Project Board to determine how compensation will be achieved as necessary.
- (ii) Receive quarterly reports on complaints from the Project Management level of the GRM, and collaborate with its staff to identify successes, challenges, trends and lessons learned in responding to complaints.
- (iii) Provide summary reports to the PB of all complaints received (both those received by the operational level GRM and directly by the Project Assurance function) with any recommended actions.
- (iv) Disclose the GRM’s work (including case registry, summary reports on individual cases, reports on trends or patterns, and actions taken in response to trends and patterns) to the PB and to project stakeholders, through periodic reporting (at least semi-annual) in media/forums accessible to project stakeholders and protecting confidentiality of complainant identities where necessary;
- (v) Monitor the Project Manager’s efforts to inform project stakeholders about the GRM, and ensure the accessibility, predictability, transparency, legitimacy, and credibility of the GRM process;
- (vi) Provide continuing education of PB members and their respective institutions regarding policies, procedures, and capacities needed to prevent risks and impacts which could lead to complaints, and to promote the constructive resolution of complaints.

V. Submitting a complaint

- (i) *Who can Submit a complaint?*

A complaint can be submitted by any individual or group of individuals that believes it has been or will be harmed by the Project.

If a complaint is to be lodged by a different individual or organization on behalf of those said to be affected, the Complainant must identify the person/people on behalf of who the complaint is submitted and provide written confirmation by the person/people represented that they are giving the Complainant the authority to present the complaint on their behalf. The GRM will take reasonable steps to verify this authority.

- (ii) *How is the complaint submitted?*

The GRM will maintain a flexible approach with respect to receiving complaints in light of known local constraints with respect to communications and access to resources for some stakeholders. A complaint can be transmitted to

the GRM by any means available (i.e. by email, letter, phone call, meeting, SMS, etc.). The contact information is the following:

[Project Web site: complaint portal]

[Project Manager email, address, phone number, fax, etc.]

UNDP Project Assurance function email, address, phone number, fax, etc.(typically DRR or RR)

UNDP Accountability Mechanism Web complaint portal (www.undp.org/secu-srm), stakeholder.response@undp.org; project.concerns@undp.org; secuhotline@undp.org

(iii) *What information should be included in a complaint?*

The Grievance should include the following information:

- (a) the name(s) of the person/people submitting the complaint (“the Complainant”);
- (b) a means for contacting the Complainant (email, phone, address, other);
- (c) if the submission is on behalf of those alleging a potential or actual harm, the identity of those on whose behalf the complaint is made, and written confirmation by those represented of the Complainant’s authority to lodge the complaint on their behalf;
- (d) a description of the potential or actual harm;
- (e) names of the individual(s) or institutions responsible for the risk/harm (if known), and the location(s) and date(s) of harmful activity (if Complainant states that harm has already occurred);
- (f) what has been done by Complainant thus far to resolve the matter;
- (g) whether the Complainant wishes for their identity to be kept confidential; and
- (h) the specific response requested from the GRM.

However, Complainants are not required to provide all of the information listed above. Initially, the Complainant need only provide enough information to determine eligibility. If insufficient information is provided, the GRM has an obligation to make a substantial, good faith effort to contact the Complainant to request whatever additional information is needed to determine eligibility, and if eligible, to develop a proposed response.

Complainants may request and receive confidentiality, but the GRM cannot respond to anonymous grievances. With the Complainant’s agreement, the GRM will refer requests alleging fraud or corruption to the appropriate offices within UNDP and to the relevant partner(s). For complaints regarding sexual exploitation, abuse or harassment (SEAH) the GRM will ensure complete confidentiality, and may refer the complainant to [NAME OF SPECIALIZED SEAH INVESTIGATIVE BODY] and/or [NAME OF SURVIVOR ASSISTANCE BODY].

VI. Logging, Acknowledgment, and Tracking of Complaints

The Project Manager (with the support of the project management unit) will receive grievances, assign each a tracking number, acknowledge each to the Complainant, record the main points electronically in a database that is shared with the Project Assurance function, and provide periodic updates to the Complainant as well as the GRM file. The Project Assurance function will use the same system as the Project Manager for tracking of complaints. When a complaint comes directly to the Project Assurance function, it will log the case with a new case record.

Within five (5) business days from the receipt of a grievance, the GRM will send a *written* acknowledgement to Complainant of the grievance received with the assigned tracking number.⁷

Each Grievance file will contain, at a minimum:

- i. the date of the request as received;
- ii. the date the written acknowledgment was sent (and oral acknowledgment if also done);
- iii. the dates and nature of all other communications or meetings with the Complainant and other relevant Stakeholders;
- iv. specific concerns raised by the complaint, and additional information regarding those concerns provided by the PB and any other relevant parties (if relevant);
- v. the eligibility determination and rationale;
- vi. any requests, offers of, or engagements of a Mediator or Facilitator;
- vii. the dates of discussions between the Complainant, Project Manager and/or Project Assurance staff, and any other relevant parties related to the proposed resolution/way forward, and the main substantive points from each discussion;
- viii. the Complainant's acceptance or objections to proposed resolutions, and the responses of other relevant parties to proposed resolutions;
- ix. the proposed next steps if objections arose;
- x. the alternative resolution if renewed dialogues were pursued;
- xi. notes regarding implementation of any agreed resolution; and
- xii. any conclusions and recommendations arising from monitoring and follow up.

VII. Maintaining Communication and Status Updates

Summary documentation of each complaint will be available for review by the Complainant and other stakeholders involved in the complaint, or their designated representative(s). Appropriate steps will be taken to maintain the confidentiality of the Complainant if previously requested.

The GRM will provide periodic updates to the Complainant regarding the status and current actions to resolve the complaint. Not including the acknowledgment of receipt of the complaint, such updates will occur within reasonable intervals (no less frequent than every thirty (30) days).

VIII. Protection from Reprisal and Retaliation

UNDP seeks to identify, reduce and address the risk of retaliation and reprisals against people who may seek information on and participation in project activities, express concerns and/or access project-level grievance redress processes/mechanisms or UNDPs Stakeholder Response Mechanism or Social and Environmental Compliance Unit. To minimize the risk of reprisal or retaliation, the GRM will maintain confidentiality of Complainants' identities when requested, will respond to complainant concerns about reprisal or retaliation and in consultation with the Complainant bring the complaint to the Project Board and/or the UNDP Accountability Mechanism for review and

⁷ Oral acknowledgments can be used for expediency (and also recorded), but must be followed by a written acknowledgment.

action. For complaints regarding SEAH, the GRM will take additional steps as necessary to protect the confidentiality of the complainant and minimize reprisal and retaliation risks.

IX. Without Prejudice

The existence and use of this GRM is without prejudice to any existing rights under any other complaint mechanisms that an individual or group of individuals may otherwise have access to under national or international law or the rules and regulations of other institutions, agencies or commissions.