

Supplemental Guidance: Grievance Redress Mechanisms (GRM)

1. What is a Grievance Redress Mechanism and what is its purpose?

Definition: For purposes of this guidance note, GRMs are defined as organizational systems and resources established by national government agencies (or, as appropriate, by regional or municipal agencies) to receive and address concerns about the impact of their policies, programs and operations on external stakeholders. The stakeholder input handled through these systems and procedures may be called “grievances,” “complaints,” “feedback,” or another functionally equivalent term.

GRMs are intended to be accessible, collaborative, expeditious, and effective in resolving concerns through dialogue, joint fact-finding, negotiation, and problem solving.¹ They are generally designed to be the “first line” of response to stakeholder concerns that have not been prevented by proactive stakeholder engagement. GRMs are intended to complement, not replace, formal legal channels for managing grievances (e.g. the court system, organizational audit mechanisms, etc.). Stakeholders always have the option to use other, more formal alternatives, including legal remedies. It is important to emphasize that national GRMs are **not** intended to replace the judiciary or other forms of legal recourse. The existence of a GRM should not prevent citizens or communities from pursuing their rights and interests in any other national or local forum, and citizens should not be required to use GRMs before seeking redress through the courts, administrative law procedures, or other formal dispute resolution mechanisms.

Purpose: GRMs act as recourse for situations in which, despite proactive stakeholder engagement, some stakeholders have a concern about a project or program’s potential impacts on them. Not all complaints should be handled through a GRM. For example, grievances that allege corruption, coercion, or major and systematic violations of rights and/or policies, are normally referred to organizational accountability mechanisms or administrative or judicial bodies for formal investigation, rather than to GRMs, which are designed for collaborative problem solving. For all UNDP-supported projects, it is important to inform project stakeholders of the existence of the UNDP Accountability Mechanism, including the Stakeholder Response Mechanism (SRM) and the Social and Environmental Compliance Unit (SECU), its purpose, and of the procedure they should follow to raise complaints with SRM and/or SECU if they are not satisfied with the GRM’s response.

2. What principles should guide the design of a GRM?

Several guiding principles should drive the design of GRMs. GRMs designed according to these principles are more likely to provide effective resolution of stakeholder grievances.²

a. Legitimate: enabling trust from the stakeholder groups for whose use they are intended, and being accountable for the fair conduct of grievance processes. Accountability for ensuring that the parties to a

¹ GRMs may also offer adjudication or arbitration (meaning a judgment rendered by a neutral party to resolve a dispute). In GRMs, adjudication/arbitration is an option that the participating stakeholders may choose, rather than a process to which they must submit.

² UN Human Rights Council, 2011. Report of the UN Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, John Ruggie: Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework. A/HRC/17/31, 21 March. Though developed initially as a guide for businesses with potential operational impacts on the rights of affected communities and other stakeholders, these Guiding Principles, and particularly the guidance on grievance mechanisms as a key component of remedy, are rapidly gaining global support among multilateral agencies as a basis for developing and refining their organizational grievance mechanisms. Likewise, though the Principles are not officially addressed to government agencies or NGOs, they provide a strong foundation for Governments in reviewing, developing and refining their GRMs.

grievance process cannot interfere with its fair conduct is typically one important factor in building stakeholder trust.

b. Accessible: being known to all stakeholder groups for whose use they are intended, and providing adequate assistance for those who may face particular barriers to access. Barriers to access may include a lack of awareness of the mechanism, language, literacy, costs, physical location and fears of reprisal.

c. Predictable: providing a clear and known procedure with an indicative timeframe for each stage, and clarity on the types of process and outcome available and means of monitoring implementation. In order for a mechanism to be trusted and used, it should provide public information about the procedure it offers.

d. Equitable: seeking to ensure that aggrieved parties have reasonable access to sources of information, advice and expertise necessary to engage in a grievance process on fair, informed and respectful terms. Where imbalances are not redressed, perceived inequity can undermine both the perception of a fair process and the GRM's ability to arrive at durable solutions.

e. Transparent: keeping parties to a grievance informed about its progress, and providing sufficient information about the mechanism's performance to build confidence in its effectiveness and meet any public interest at stake. Providing transparency about the mechanism's performance to wider stakeholders, through statistics, case studies or more detailed information about the handling of certain cases, can be important to demonstrate its legitimacy and retain broad trust. At the same time, confidentiality of the dialogue between parties and of individuals' identities should be provided where necessary.

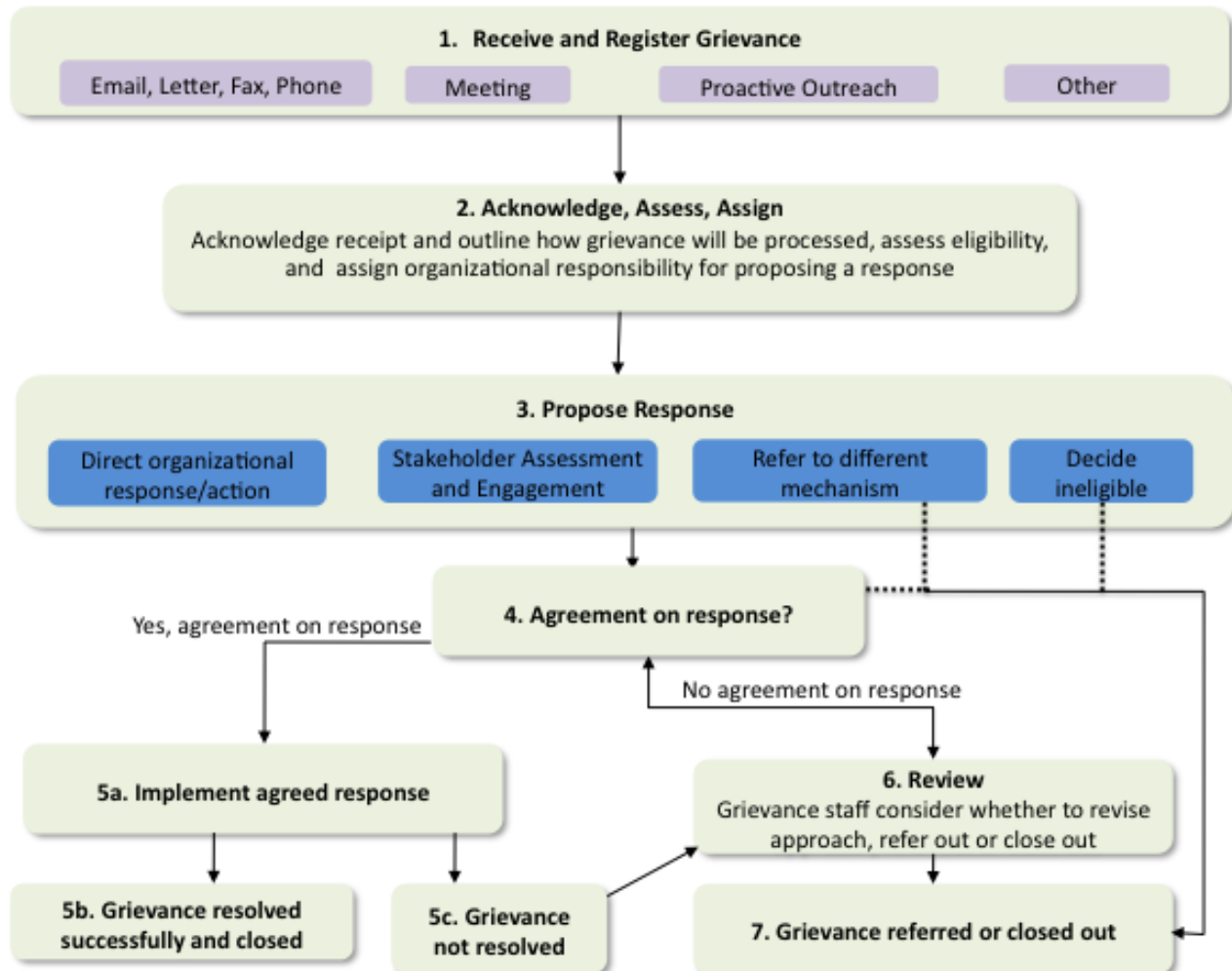
f. Rights compatible: these processes are generally more successful when all parties agree that outcomes are consistent with applicable national and internationally recognized rights. Grievances are frequently not framed in terms of rights and many do not initially raise human rights or other rights concerns. Regardless, where outcomes have implications for rights, care should be taken that they are consistent with applicable nationally and internationally recognized standards and that they do not restrict access to other redress mechanisms.

g. Enabling continuous learning: drawing on relevant measures to identify lessons for improving the mechanism and preventing future grievances and harms. Regular analysis of the frequency, patterns, and causes of grievances; strategies and processes used for grievance resolution; and the effectiveness of those strategies and processes, can enable the institution administering the GRM to improve policies, procedures, and practices to improve performance and prevent future harm.

h. Based on engagement and dialogue: consulting the stakeholder groups for whose use they are intended on their design and performance, and focusing on dialogue as the means to address and resolve grievances. For an operational-level grievance mechanism, engaging regularly with affected stakeholder groups on the GRM's design and performance can help to ensure that it meets their needs, that they will use it in practice, and that there is a shared interest in ensuring its success.

3. What does a GRM typically look like?

The diagram below shows typical steps in a grievance resolution mechanism, which can be tailored to the particular institutional context, capacities, and concerns of a project and their stakeholders.



Following is some guidance on these steps.

1. Receive and register grievance

GRMs should enable aggrieved stakeholders (“complainants”) to communicate their grievances through a variety of channels (e.g. phone, letter, email, website, meeting, etc.).

As noted above, the purpose of the GRM is to provide an accessible, rapid, and effective response to concerned stakeholders, especially to vulnerable groups who often lack access to the formal legal system. It is important to ensure that potentially affected stakeholders understand what the GRM is for, the different options that they have for communicating their grievances, and where they get help and advice about whether and how to communicate a grievance. Appropriate oral and written communication in local languages through the media and in higher-risk communities is essential, as is proactive, ongoing outreach

and trust-building with the full range of potentially affected stakeholder groups, especially vulnerable groups.

Once outreach and engagement have begun, designated staff at the site or local level should be empowered to receive grievances and take initial steps in responding to them. It is also essential to establish a centralized database supported by a central office/staff, and to require that all grievances received be logged into that database using a common protocol and means of recording grievances received. Centralized logging and tracking is important both for accountability and for enabling continuous learning. GRMs should make information about each complaint available to the public, including date received, whether determined eligible, the main concern(s) raised in the complaint (general categories such as “noise impact” or “compensation” can be used, with any additional detail to be determined case by case), status of response, and ultimate resolution. If complainants request confidentiality with regard to their identities, and/or the details of complaints and responses, GRMs should honor those requests, while still making basic information about the complaint publicly available.

While recognizing that many complaints may be resolved ‘on the spot’ and informally by relevant authorities, there are still opportunities to encourage these informal resolutions to be logged into a GRM database to (i) encourage responsiveness; and (ii) ensure that repeated or low-level grievances are being noted in the system.

2. Acknowledge, Assess, Assign

Acknowledging receipt: The staff who have received the grievance, or a central grievance office, should provide a timely communication back to the complainant(s) that their grievance has been received, will be logged and reviewed for eligibility, and if eligible, will generate an initial organizational response. Normally, initial acknowledgement should come within 3-5 days of receipt, and can be in the form of a standard letter or email, with a clearly identified point of contact in the implementing organization/agency (hereafter referred to as organization), a brief description of the process that will be followed, and a reference name or number for the complaint. Where those receiving the complaints for the organization are themselves authorized to log the complaint, they can immediately acknowledge receipt and logging of the complaint, and inform the complainant of the procedure for assessing eligibility and generating an initial response.

Assessing eligibility for the GRM: This should be a procedural step to ensure that the issue being raised is relevant to project. It is often better to ensure a relatively low barrier to entry with quick turn-around rather than to prevent users having their issues considered. A decision on eligibility is only meant to trigger an initial assessment and response. It is not an admission that the organization has caused an impact, or a commitment to provide the complainant with any specific form of redress. The staff responsible for the initial response need to follow clear guidelines on what kinds of issues are eligible to be handled through the GRM, what issues should be referred to other mechanisms (such as internal audit departments, internal and external anti-corruption offices, police, etc.), and what issues or contexts may require further clarification in order to determine eligibility.

Those assessing eligibility also need to decide whether the complaint should be directed to a different office within the organization, or to a different organization altogether. For example, complaints alleging economic impact as a result of corrupt procurement procedures may need to be referred immediately to the organization’s own internal audit department, and/or to an external anti-corruption office.

Eligibility is often determined on the basis of four broad criteria:

- a. Does the complaint indicate that the program has caused a negative economic, social, or environmental impact on the complainant, or has the potential to cause such an impact?

- b. Does the complaint specify what kind of impact has occurred or may occur, and how the program has caused or may cause that impact?
- c. Does the complaint indicate that those filing the complaint are the ones who have been impacted, or are at risk of being impacted; or that those filing the complaint are representing the impacted or potentially impacted stakeholders at their request?³
- d. Does the complaint provide enough information for GRM staff to make a determination on the first three questions?

Assigning responsibility: Complaints should be referred to the most appropriate institution or individual. When multiple partners are implementing project activities, clarity on roles and responsibilities for GRM implementation and response to particular complaints is essential. The referral process will likely depend on the type of issue raised and whether it is low or high risk. A simple categorization of complaints – i.e. type of issue raised and the effect on the environment/claimant if the impacts raised in the complaint were to occur – may support faster referral to the appropriate party. The process of assigning cases is generally more successful when it is done in a way that is transparent for complainants. Ideally, the GRM would include criteria to refer cases to certain agencies or implementing partners so that GRM managers and stakeholders have a better understanding of the process and referrals are made consistently for similar cases and not seen as arbitrary.

3. Develop a proposed response

GRMs typically generate three primary types of response to complaints:

- Direct action to resolve the complaint
- Further assessment and engagement with the complainant and other stakeholders to determine jointly the best way to resolve the complaint
- Determination that the complaint is not eligible for the GRM, either because it does not meet the basic eligibility criteria, or because another mechanism (within the organization or outside it) is the appropriate place for the complaint to go, or both.

The person/team responsible for crafting a response needs to determine whether the grievance can be addressed directly through a relatively simple action agreed with the complainant; or whether the grievance is complex enough that it requires additional assessment and engagement with the complainant and other stakeholders to determine how best to respond.

Many complaints can be resolved through direct and relatively straightforward action on the part of the organization or program: e.g. investigating alleged damage caused by a vehicle; changing the time and location of a consultation; making public information more accessible in a community.

In other cases, further assessment involving multiple stakeholders and issues, and potentially an extended process of joint fact-finding, dialogue and/or negotiation, will be necessary to resolve the complaint. In these cases, the GRM should propose a *stakeholder assessment and engagement process* to respond to the complaint (see steps 4 and 5 below).

³ In practice, there is a range of views on the question of representation of affected stakeholders in filing complaints. UNDP-supported GRMs should allow complaints to be filed by representatives, as long as those acting as representatives can provide credible documentation that those whom they represent have given their consent to be represented by the individual or group acting on their behalf.

4. Communicate proposed response to complainant and seek agreement on the response

The GRM is responsible for communicating the proposed response back to the complainant in a timely fashion, in writing (and orally as well if that is a more effective means of communication) using language that is easily accessible to the complainant. Responders may also contact the complainant by telephone or set up a meeting to review and discuss the initial approach with the complainant. The response should include a clear explanation of why the response is being proposed; what the response would be; and what the complainant's choices are, given the proposed response. Those choices may include agreement to proceed, request for a review of an eligibility decision or a referral decision, further dialogue on a proposed action, or participation in a proposed assessment and engagement process or pursuit of the complaint through other channels. To ensure that the GRM functions in a completely open and non-coercive manner, the response should note any other organizational, judicial or non-judicial but official government avenues for redress that the complainant may wish to consider, with or without a direct referral from the GRM.

Though practice varies, communication of the proposed response should normally occur within 14-21 days from receipt of a complaint. In the case of complaints alleging serious harm or risk of harm, and/or serious rights violations, the GRM's standard operating procedures should call for a fast-track response, whether by the GRM or by immediate referral to another office or organization and immediate notification to the complainant of that referral.

The complainant may or may not agree with the proposed response. If there is agreement, then the organization can proceed with the proposed response, whether direct action, further assessment, or referral. If the complainant challenges a finding of ineligibility, rejects a proposed direct action, or does not want to participate in a more extensive process of stakeholder assessment and engagement, the GRM staff need to clarify the reasons why the complainant does not accept the proposed response, provide additional information, and, where possible, revise the proposed approach. In general, GRM staff should meet with complainants who are not satisfied by the initial eligibility determination and/or by the proposed response, rather than use correspondence to attempt to resolve issues.

If there is still not agreement, GRM staff need to make sure the complainant understands what other recourse may be available, whether through the judicial system or other administrative channels, and to document the outcome of the discussions with the complainant in a way that makes clear what options were offered and why the complainant chose not to pursue them. The GRM staff should also make it clear that even if the complainant rejects the proposed response, the GRM remains available to the complainant if the complainant wishes to revisit the response, or to raise a different concern in the future.

For sensitive and challenging cases, the GRM may seek agreement to use independent assessments, mediation or adjudication to seek appropriate resolution of the case. If mediation is used, it may be appropriate to safeguard the integrity of the process by incorporating, for example, requirements for technical expertise, pre-approved rosters or sources of qualified mediators to be selected by agreement of the parties, or observers of the mediation process such as senior representatives of key stakeholder groups (e.g. government, international partners, communities, NGOs, and/or businesses involved). In the case of adjudication, in addition to rigorous and unbiased selection of adjudicators, other mechanisms to ensure impartiality and strategic oversight of the process can also be put in place, such as a review board to whom a party could appeal in case of bias.

5. Implement the response to resolve the grievance

When there is agreement between a complainant and the GRM staff to move forward with the proposed action or stakeholder process, then the response should be implemented.

In cases where the initial response is to initiate broader stakeholder assessment and engagement, the assessment process may be conducted by GRM staff themselves, or by consultants or others perceived as impartial and effective by the organization, the complainant, and other stakeholders. The main purpose of the assessment and engagement process is to clarify:

- The issues and events that have led to the complaint
- The stakeholders involved in those issues and events
- The stakeholders' views, interests, and concerns on the relevant issues
- Whether key stakeholders are willing and able to engage in a joint, collaborative process (which may include joint fact finding, dialogue and/or negotiation) to resolve the issues
- How the stakeholders will be represented, and what their decision making authority will be
- What work plan and time frame the stakeholders could use to work through the issues
- What resources they will need, and who will contribute them

In some cases, the stakeholder assessment will produce clarity and agreement among the key stakeholders on a collaborative approach to resolving the issues raised in the complaint. In others, the assessment may determine that one or more key stakeholders are unable or unwilling to participate. Whether or not a collaborative process appears viable, the GRM staff needs to communicate the assessment findings to the complainant and other stakeholders, with a recommendation on whether and how to proceed.

If a collaborative approach is possible, then GRM staff is usually responsible for overseeing it.⁴ GRM staff may directly facilitate the stakeholders' work on the issues, contract with a consultant facilitator, or use traditional and local consultation and dispute resolution procedures and leaders/facilitators.

If the engagement process produces agreement on actions to resolve the complaint, then the GRM staff is responsible for overseeing implementation of those actions. In a multi-stakeholder context, several actors may be involved in the solution. It is important for GRM staff and the stakeholders to monitor implementation jointly, and to "come back to the table" when needed to deal with challenges during implementation.

6. Review the response if unsuccessful

As noted above, in some cases it may not be possible to reach agreement with the complainant on the proposed response. In a multi-stakeholder dispute, an assessment process may lead to the conclusion that a collaborative approach is not feasible. When a collaborative approach is used, good faith efforts may not succeed in resolving key issues. In any of these situations, the GRM staff should review the situation with the complainant, and see whether any modification of the response might meet the concerns of the complainant, the organization, and other stakeholders (see step 4 above). If not, the GRM staff should inform the complainant about other alternatives that may be available, including the use of judicial or other administrative mechanisms for recourse. Whatever alternative the complainant chooses, is important for GRM staff to document their discussion with the complainant and the complainant's informed choice among alternatives.

7. Close out or refer the grievance

⁴ As noted above, for highly complex and sensitive cases, senior stakeholder representatives may oversee an independent mediation process.

The final step is to close out the grievance. If the response has been successful, the GRM staff should document the satisfactory resolution, in consultation with the complainant. In cases where there have been major risks, impacts and/or negative publicity, it may be appropriate to include written documentation from the complainant indicating satisfaction with the response. In others, it will be sufficient for the GRM staff to note the action taken, confirm that the response was satisfactory to the complainant and the organization, and document those facts. In more complex and unusual grievance situations, it may be useful to document key lessons learned as well.

If the grievance has not been resolved, GRM staff should document steps taken, communication with the complainant (and other stakeholders if there has been substantial effort to initiate or complete a multi-stakeholder process), and the decisions made by the organization and the complainant about referral or recourse to other alternatives, including legal alternatives.

In general, GRM documentation on particular cases should maintain confidentiality about details, while making public aggregate statistics on the number and type of complaints received, actions taken and outcomes reached. It may be appropriate in some cases to make basic information about the identity of complainants publicly available, with the consent of the complainant.

Accurate case documentation using an electronic database is essential for public accountability, organizational learning, and resource planning.

5. Assessing and strengthening national partners' GRMs

Following is a brief summary of key steps that national and international partners can take to assess and strengthen GRMs.

1. Review and analyze the historical and current context for potential project-related grievances, and characterize current grievance patterns and trends

The first step is to understand the historical and current context for grievances in the project sector. This contextual understanding provides the basis for:

- forecasting the kinds of issues that are likely to be at the heart of project-related grievances.
- mapping the key *stakeholders* for each of these issues; their current interests and perceptions of the issues; and the history and current state of their interaction on the issues (e.g. constructive, polarized, absent, etc.). Attention should be paid to the local dispute resolution culture and, particularly, to the capacity and track record of stakeholders to settle disputes through constructive dialogue, negotiation, and problem solving.
- identifying current systems and capacities available to address grievances, as a basis for more detailed assessment of existing GRMs and other institutional capacities that national partners are most likely to need to respond to those grievances.

When there is one or more existing agencies with a track record of receiving grievances and seeking to resolve them, then it should also be possible to review patterns of grievances: their frequency, profile of complainants, types of issues raised, responses used, their effectiveness and efficiency, and perceptions of their legitimacy and fairness. It is also important to identify and characterize grievances that could in principle be handled through the agency's GRM, but in practice are being resolved using other formal (e.g. courts, administrative appeals) or informal (e.g. personal appeals to local leaders) recourse mechanisms. This baseline information should inform further assessment of the GRM's performance, and the main factors affecting performance.

2. Assessing strengths and gaps

It is seldom the case that there are no relevant GRMs in place, no matter how weak they may be. The review should cover the availability, credibility, capabilities of **local and national institutions** to address the issues that are at the heart of project-related grievances. For each of the institutions that are expected to deal with these issues, there will be a credibility assessment.

Transparency, accessibility and predictability can be assessed by surveying actual and potential users to assess their level of awareness and understanding of the GRM; their perceived and experienced ease or difficulty of gaining access to it; and the extent to which procedural guidelines on key steps, time frames, documentation, and other standard elements are actually followed in practice. Transparency should also be assessed in terms of the public availability and accessibility of documentation of the GRM's mandate, procedures, and case experience (using aggregated statistics and qualitative descriptions).

Legitimacy, equity, and rights compatibility can be assessed through a combination of institutional assessment (e.g. clarifying the level of independence of the GRM staff from agency line managers who may be directly involved in grievances), and stakeholder surveys and interviews, to clarify the range of stakeholder views of the GRM's independence, credibility as a vehicle for grievance resolution, fairness of process and outcomes, and consistency of outcomes with applicable nationally and internationally recognized standards. Review of documentation on a sample of cases, and direct observation of several cases, can also inform the assessment of independence, equitable treatment of stakeholders, and respect for rights.

Stakeholder engagement and dialogue can be assessed at two levels: design and oversight of the GRM; and processes used for grievance resolution. Assessment of stakeholder engagement in design and oversight should consider whether multi-stakeholder consultation mechanisms, processes and/or advisory bodies are established, and look at the evidence on whether and how their advice has influenced decision making about the GRM's goals, principles or actual operations. The use of voluntary, dialogue-based processes for individual complaints is best assessed through a combination of case record review, interviews with past and current participants in cases that the GRM seeks to resolve, and direct observation of a set of cases.

Continuous learning by the organization(s) operating the GRM can be assessed by reviewing the history of decisions on its design and operation, seeking evidence that data and analysis about the actual operation of the GRM influenced decision making. Evidence can also be gathered about the extent to which there is ongoing management review of data and records, and the extent to which that review influences current production of new guidance and assessments. Interviews with current and former GRM leadership to explore how they learned from operational experience and how that learning led to changes over time in GRM's goals and/or operations can also inform the assessment of organizational learning capacity.

Based on the contextual assessment, and the assessment of current GRM strengths and gaps, national and international partners should be able categorize a) primary issues with medium/high grievance risks; and b) national and sub-national institutional capacity to address those risks. Where capacity and credibility of national institutions are low and the stakes are high, the risk of grievances going unaddressed will be significant. A risk analysis table like the simplified, illustrative one below can be a helpful tool.

		How High is Institutional Capacity?			
		Local Community Boards or Councils	National Courts	National Human Rights Commission	National Ombudsman
How high are risks?	Property/Tenure disputes	High risk/ medium capacity	High risk / Low capacity	High risk/ High capacity	
	Benefit Sharing	Etc.			
	Participation in Decision-making				

Finally, where a new GRM must be set up, this type of risk/capacity mapping should drive the process of defining the GRM’s goals, institutional form, structure, and performance measures. The process of establishing a new GRM should involve government and international partner representatives, representatives of potential GRM users, and representatives of any civil society, business, or other groups with a stake in the GRM’s design and operation.

3. Develop a joint plan for building on strengths and closing gaps

Building directly on the strength and gap assessment, national and international partners should create a plan to improve the performance of the GRM. The planning process should strive to produce agreement on the changes in agency policies, programs/projects, and activities, and in the design, operation and resourcing of the GRM, that would most substantially contribute to a reduction in grievances and in more effective resolution of grievances when they occur. The plan may include

- policy, regulatory, procedural, and leadership changes to reduce the risk of grievances and address perceived limitations in the GRM’s legitimacy, equity and/or rights-compatibility;
- changes in GRM procedures, reporting lines and accountability mechanisms, allocation of additional resources, and/or reallocation of existing resources to address limitations on access, transparency, and predictability;
- staff development to build skills in grievance resolution, institutionalize knowledge capture and transfer, and promote continuous learning;
- changes in structures, procedures, and practices for stakeholder engagement and oversight, to promote ongoing dialogue and joint commitment to grievance prevention and resolution among agency managers, representatives of GRM users, and other relevant external stakeholders;
- other strategies and actions necessary to reduce the risk of grievances and improve GRM performance.

4. Implement the plan with joint organizational and external stakeholder participation and monitoring, and refine based on lessons learned.

As grievances come in and are addressed, the national government agency or office hosting the GRM should gather data and discuss progress with users and external stakeholders as part of a commitment to joint learning and continuous improvement. Lessons learned and patterns identified should result in ongoing refinement of agency/office procedures, leadership, knowledge management, accountability mechanisms, budgets and/or human resources devoted to the GRM.

GRM Supplemental Guidance, Attachment 1: GRM Evaluation Tool

Note to User: This is a checklist of questions that can be used to help evaluate an existing grievance redress mechanism. The questions should be used to guide a discussion with the goal of identifying areas that are working well and areas that need improvement.

Questions to Consider		
Design Stage		
What environmental and/or social impacts, risks or concerns led you to include a Grievance Redress Mechanism (GRM) in your project? Where/how did you locate the GRM? How did you determine it would be effective? Was the GRM designed with participation from the communities it is intended to serve?		
Implementation Stage		
1. Organizational Commitment	Do the project's management and staff recognize and value the GRM process as a means of improving public administration and enhancing accountability and transparency? Is grievance redress integrated into the project's core activities? Is grievance redress integrated into staff job descriptions and responsibilities? Is it appropriately resourced and monitored?	
2. Principles:		
2.1 Legitimacy	Does the GRM operate independently of interested parties? Is the GRM widely-perceived as independent?	
2.2 Accessibility	Is the GRM accessible to all stakeholders, irrespective of their remoteness, language, education or income level? Are procedures to file grievances and seek action easily understood by project beneficiaries? Can grievances be filed anonymously? Are there a range of contact options? Is the GRM appropriately advertised and communicated to project-affected people?	
2.3 Predictability	Is the GRM responsive to the needs of all complainants? Does the GRM offer a clear procedure with time frames for each stage and clarity on the types of results it can (and cannot) deliver?	
2.4 Fairness	Are grievances treated confidentially, assessed impartially, and handled transparently?	
2.5 Rights Compatibility	Are the GRM's outcomes consistent with applicable national and international standards? Does it restrict access to other redress mechanisms?	
2.6 Transparency	Are the GRM's procedures and outcomes transparent enough to meet the public interest concerns at stake?	

2.7 Capability	Do GRM officials have the necessary technical, human and financial resources, means and powers to investigate grievances?	
3. Staff	Are there dedicated and trained staff available to handle the GRM? Are they given learning opportunities and do they receive any systematic reviews of their performance?	
4. Processes:		
4.1 Uptake	Do multiple uptake channels exist?	
4.2 Sorting and processing	Is there a system to categorize, assign priority, and route grievances to the appropriate entity?	
4.3 Acknowledgement and follow-up	Are complaints acknowledged in writing? Does the acknowledgement outline the GRM process, provide contact details and indicate how long it is likely to take to resolve the grievance? Are there clear timetables that are publicly available?	
4.4 Verification, investigation and action	Is the merit of each grievance judged objectively against clearly defined standards? Are investigators neutral or do they have a stake in the outcome? Is action taken on every grievance?	
4.4 Monitoring and Evaluation	Is there a process to track grievances and assess progress being made to resolve grievances? Are there indicators to measure grievance monitoring and resolution? If there is data being collected, is this data used to make policy and/or process changes to minimize similar grievances in the future?	
4.6 Feedback	Does a user survey exist to get feedback on the credibility of the process? Is such feedback publicly available? Is there right to appeal? If yes, are GRM users informed about this right?	
4.6. Analysis	Is there a process to analyze the effectiveness of the GRM? Is there a timeframe?	

GRM Supplemental Guidance, Attachment 2: Assessing and Strengthening National GRMs: Key Steps, Stakeholders,

Questions and Information Sources

GRM capacity development step	Primary stakeholders to engage	Key questions	Sources of information; other resources needed
<p>Review and analyze GRM context; characterize current grievance patterns and trends</p>	<ul style="list-style-type: none"> • Agency leaders • GRM staff • GRM users (actual and potential) • External experts (academics, journalists, consultants etc.) • Other external stakeholders affected by the agency's programs and operations (e.g. public interest groups, community associations, related government agencies, business associations) 	<ul style="list-style-type: none"> • History of grievances directed at the agency? • Evolution of agency responses? • Stakeholder perceptions of the agency's responses? • Recent/current grievances: number, frequency, type, responses, outcomes; trends? • Agency policies, programs and actions associated with grievances? • Organizational, political, social and economic factors driving grievances and responses? 	<ul style="list-style-type: none"> • Grievance-related legislation, policy, regulations, procedures • Agency historical records • Academic analyses, news articles, consultant and NGO studies • Agency case records/database • Stakeholder interviews • Review of agency policies, programs and actions associated with grievances
<p>Review or define GRM goals and principles; identify potentially conflicting agency policies, procedures and actions</p>	<ul style="list-style-type: none"> • All of the above • Legislators and senior government officials 	<ul style="list-style-type: none"> • GRM goals and operating principles? • Legal and policy basis? • Alignment with national and international good practices? • Tensions with agency policies, programs and actions that trigger grievances? • Opportunities to clarify and/or align GRM and other agency goals with good practice? 	<ul style="list-style-type: none"> • GRM enabling legislation, policy, regulations, procedures • National law, policy and practice governing other GRMs • UNDP guidance and references to international good practice standards • Stakeholder interviews and joint workshops
<p>Assess current processes for grievance resolution</p>	<ul style="list-style-type: none"> • Agency leaders • GRM staff • GRM users • External experts • Other external stakeholders 	<ul style="list-style-type: none"> • How closely do current practices conform to law, policy and regulations? • How well do current practices meet key performance criteria: transparency, accessibility, predictability, legitimacy, equity, rights compatibility, stakeholder dialogue, continuous learning? • other national and international guiding goals/principles? 	<ul style="list-style-type: none"> • review of agency and external evaluations • user surveys • site visits • review of random sample of case files • direct observation • stakeholder interviews
<p>Identify current institutional strengths and capacity gaps</p>	<ul style="list-style-type: none"> • Agency leaders • GRM staff • GRM users • External experts 	<ul style="list-style-type: none"> • Key drivers of current performance? <ul style="list-style-type: none"> ○ agency policies and procedures, leadership, accountability, resources, knowledge management ○ GRM user awareness, empowerment, resources 	<ul style="list-style-type: none"> • Qualitative and quantitative analysis of information on current practices • Stakeholder interviews and workshops

		<ul style="list-style-type: none"> ○ Other external factors (e.g. legislation, political, economic and social context) 	
Develop a joint plan for building on strengths and closing gaps	<ul style="list-style-type: none"> ● Agency leaders ● GRM staff ● GRM users ● External experts ● Other external stakeholders 	<ul style="list-style-type: none"> ● What changes within the agency (including changes to policies, procedures and actions that trigger grievances), and/or among current and potential GRM users, will have the most positive impact on performance? ● Who needs to decide, support, implement and monitor these changes? 	<ul style="list-style-type: none"> ● Collaborative planning process with stakeholders ● National and international benchmarking and experience sharing ● Pilot testing
Implement the plan with joint organizational and external stakeholder participation	<ul style="list-style-type: none"> ● All of the above ● Legislators and/or senior government leaders as appropriate 	<ul style="list-style-type: none"> ● What actions will agency and external actors take to make the changes needed? 	<ul style="list-style-type: none"> ● Agency/government authorization and leadership ● Implementation plan ● Budget and non-budget resources (e.g. qualified staff; NGOs specializing in community outreach)
Jointly monitor, evaluate and learn from implementation	<ul style="list-style-type: none"> ● All of the above 	<ul style="list-style-type: none"> ● How is implementation of changes affecting performance? ● What other factors are affecting performance? 	<ul style="list-style-type: none"> ● Case tracking and review ● User and GRM staff surveys
Refine the GRM based on joint learning	<ul style="list-style-type: none"> ● All of the above 	<ul style="list-style-type: none"> ● How can the GRM be further improved based on learning from monitoring and evaluation? 	<ul style="list-style-type: none"> ● Collaborative stakeholder planning ● Agency/government authorization and leadership ● Implementation plan ● Budget and non-budget resources

GRM Supplemental Guidance, Attachment 3: Sample Terms of Reference: Project-level Grievance Redress Mechanism

I. Mandate

The mandate of the GRM will be to:

- (i) receive and address any concerns, complaints, notices of emerging conflicts, or grievances (collectively “*Grievance*”) alleging actual or potential harm to affected person(s) (the “*Claimant(s)*”) arising from Project;
- (ii) assist in resolution of Grievances between and among Project Stakeholders; as well as the various government ministries, agencies and commissions, CSOs and NGOs, and others (collectively, the “*Stakeholders*”) in the context of the Project;
- (iii) Conduct itself at all times in a flexible, collaborative, and transparent manner aimed at problem solving and consensus building.

II. Functions

The functions of the GRM will be to:

- (i) Receive, Log and Track all Grievances received;
- (ii) Provide regular status updates on Grievances to Claimants, Project Board (PB) members and other relevant Stakeholders, as applicable;
- (iii) Engage the PB members, Government institutions and other relevant Stakeholders in Grievance resolution;
- (iv) Process and propose solutions and ways forward related to specific Grievances *within a period not to exceed sixty (60) days* from receipt of the Grievance;
- (v) Identify growing trends in Grievances and recommend possible measures to avoid the same;
- (vi) Receive and service requests for, and suggest the use of, mediation or facilitation;
- (vii) Elaborate bi-annual reports, make said reports available to the public, and more generally work to maximize the disclosure of its work (including its reports, findings and outcomes);
- (viii) Ensure increased awareness, accessibility, predictability, transparency, legitimacy, and credibility of the GRM process;
- (ix) Collaborate with Partner Institutions and other NGOs, CSOs and other entities to conduct outreach initiatives to increase awareness among Stakeholders as to the existence of the GRM and how its services can be accessed;
- (x) Ensure continuing education of PB members and their respective institutions about the relevant laws and policies that they will need to be aware of to participate in the development of effective resolutions to Grievances likely to come before the GRM;
- (xi) Monitor follow up to Grievance resolutions, as appropriate.

III. Composition

The GRM will be composed of:

[Name of Implementing Partner] as the Secretariat and either:

- (a) A standing GRM Sub-Committee [made up of x, y, z PB members]

and/or

- (b) Ad hoc GRM Task Teams in response to specific requests for grievance

The GRM Sub-Committee will be balanced in composition (government and non-government) and should not include any PB members with a direct interest or role in the grievance/dispute.

IV. [Name of Implementing Partner]

In its role as GRM Secretariat, [Name of Implementing Partner] will perform the following core functions:

- Publicize the existence of the GRM and the procedure for using it;
- Receive and log requests for dispute resolution;
- Acknowledge receipt to the requestor;
- Determine eligibility;
- Forward eligible requests to the PB for review and action, and
- Track and document efforts at grievance/dispute resolution and their outcomes.

V. Project Board/GRM Sub-Committee/GRM Task Team

The Project Board/GRM Sub-Committee and/or GRM Task Team will perform the following core functions:

- Take direct action to resolve the grievance/dispute (e.g. bring the relevant parties together to discuss and resolve the issue themselves with oversight by the PB);
- Request further information to clarify the issue, and share that information with all relevant parties, or ensure that a government agency represented on the PB took an appropriate administrative action to deal with a complaint;
- Refer the grievance/dispute to independent mediation, while maintaining oversight; or
- Determine that the request was outside the scope and mandate of the PB and refer it elsewhere (e.g. Ministry of Justice and Police or to the courts).

VI. Communicating a Grievance

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

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

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

(ii) *How is the Grievance Communicated?*

The GRM shall maintain a flexible approach with respect to receiving Grievances in light of known local constraints with respect to communications and access to resources for some Stakeholders. A Grievance 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:

[Implementing Partner to add address, phone number, fax, etc.]

To facilitate communications with and between the GRM and potential Claimants, the GRM will receive support from the PB members' institutions, local government and civil society organizations

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

The Grievance should include the following information:

- (a) the name of the individual or individuals making the Complaint (the "Claimant");
- (b) a means for contacting the Claimant (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 Grievance is made, and written confirmation by those represented of the Claimant's authority to lodge the Grievance on their behalf;
- (d) the description of the potential or actual harm;
- (e) Claimant's statement of the risk of harm or actual harm (description of the risk/harm and those affected, names of the individual(s) or institutions responsible for the risk/harm, the location(s) and date(s) of harmful activity);
- (f) what has been done by Claimant thus far to resolve the matter;
- (g) whether the Claimant wishes that their identity is kept confidential; and
- (h) the specific help 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.

VII. Logging, Acknowledgment, and Tracking

All Grievances and reports of conflict will be received, assigned a tracking number, acknowledged to Claimant, recorded electronically, and subject to periodic updates to the Claimant as well as the office file.

Within one (1) week from the receipt of a Grievance, the GRM will send a *written* acknowledgement to Claimant of the Grievance received with the assigned tracking number.⁵

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 Claimant and other relevant Stakeholders;

⁵ Oral acknowledgments can be used for expediency (and also recorded), but must be followed by a written acknowledgment.

- iv. any requests, offers of, or engagements of a Mediator or Facilitator;
- v. the date and records related to the proposed solution/way forward;
- vi. the acceptance or objections of the Claimant (or other Stakeholders);
- vii. the proposed next steps if objections arose;
- viii. the alternative solution if renewed dialogues were pursued;
- ix. notes regarding implementation; and
- x. any conclusions and recommendations arising from monitoring and follow up.

IX. Maintaining Communication and Status Updates

Files for each Grievance will be available for review by the Claimant and other Stakeholders involved in the Grievance, or their designated representative(s). Appropriate steps will be taken to maintain the confidentiality of the Claimant if previously requested.

The GRM will provide periodic updates to the Claimant regarding the status and current actions to resolve the Grievance. Not including the acknowledgment of receipt of the Grievance, such updates will occur within reasonable intervals (not greater than every thirty (30) days).

X. Investigation and Consensus Building

Within one (1) week of receiving a Grievance, [Implementing Partner] will notify the **PB/GRM Sub-Committee (GRM SC)/GRM Task Team (GRM TT)** and any other relevant institutions of the receipt of the Grievance.

[IF THE PB, RATHER THAN A PRE-DESIGNATED GRM SC OR GRM TT IS THE PRIMARY BODY RECEIVING COMPLAINTS: The PB will identify a specific team of individuals drawn from the PB and/or their respective institutions to develop a response to the Grievance. The names of these individuals will be made available to the Claimant.]

The designated PB members/GRM SC/GRM TT will promptly engage the Claimant and any other relevant Stakeholders deemed appropriate, to gather all necessary information regarding the Grievance.

Through the PB members/GRM SC/GRM TT, the GRM will have the authority to request from relevant Government institutions any information (documents or otherwise) relevant to resolving the Grievance and avoiding future Grievances of the same nature.

As necessary, the PB members/GRM SC/GRM TT will convene one or more meetings with relevant individuals and institutions in [national capital], or elsewhere in [name of country] as needed.

The objective of all investigative activities is to develop a thorough understanding of the issues and concerns raised in the Grievance and facilitate consensus around a proposed solution and way forward.

The PB members/GRM SC/GRM TT will procure the cooperation of their respective staff with the investigation.

At any point during the investigation, the PB members/GRM SC/GRM TT may determine that an onsite field investigation is necessary to properly understand the Grievance and develop an effective proposed solution and way forward.

XI. Seeking Advisory Opinion and/or Technical Assistance

At any point after receiving a Grievance and through to implementation of the proposed solution and way forward, the PB members/GRM SC/GRM TT may seek the technical assistance and/or an advisory opinion from any entity or individual in [country] or internationally which may reasonably be believed to be of assistance.

XII. Making Proposed Actions and Solutions Public and Overseeing Implementation

The PB members/GRM SC/GRM TT will communicate to the Claimant one or more proposed actions or resolutions and clearly articulate the reasons and basis for proposed way forward.

If the Claimant does not accept the resolution, the PB members/GRM SC/GRM TT will engage with the Claimant to provide alternative options.

If the Claimant accepts the proposed solution and way forward, the GRM will continue to monitor the implementation directly and through the receipt of communications from the Claimant and other relevant parties. As necessary, the GRM may solicit information from the relevant parties and initiate renewed dialogue where appropriate.

In all communications with the Claimant and other stakeholders, the GRM will be guided by its problem-solving role, non-coercive principles and process, and the voluntary, good faith nature of the interaction with the Claimant and other stakeholders.

XII. Monitoring and Evaluation

Bi-annually, the GRM will make available to the public, a report describing the work of the GRM, listing the number and nature of the Grievances received and processed in the past six months, a date and description of the Grievances received, resolutions, referrals and ongoing efforts at resolution, and status of implementation of ongoing resolutions. The level of detail provided with regard to any individual Grievance will depend on the sensitivity of the issues and Stakeholder concerns about confidentiality, while providing appropriate transparency about the activities of the GRM. The report will also highlight key trends in emerging conflicts, Grievances, and dispute resolution, and make recommendations regarding:

- (i) measures that can be taken by the Government to avoid future harms and Grievances; and
- (ii) improvements to the GRM that would enhance its effectiveness, accessibility, predictability, transparency, legitimacy, credibility, and capacity.

XIII. Mediation

For the option of independent mediation, mediators on the roster/panel should have at least the following qualifications:

- professional experience and expertise in impartial mediation;
- knowledge of [project type and activities in the country] and the region, including an understanding of indigenous and tribal culture and practices;
- [national and local language, as appropriate] proficiency;
- availability in principle for assignments of up to 20 days; and
- willingness to declare all relationships and interests that may affect their ability to act as impartial mediators in particular cases.

If mediation succeeded in resolving the dispute or grievance, the outcome will be documented by [Implementing Partner] and reviewed by the Task Team. If it is unsuccessful, stakeholders will have the option to return to the PB members/GRM SC/GRM TT for assistance.

XIV. 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.