



Program-level Grievance and Feedback Mechanism

LLF ESMS Annex Q

CONTENTS

1.	INTRODUCTION	1
1.1	Purpose	2
1.2	Objective.....	2
2.	APPLICABLE STANDARDS	2
3.	KEY TERMINOLOGY	3
4.	GENERAL PRINCIPLES.....	4
5.	ROLES AND RESPONSIBILITIES	7
5.1	Program-level Grievances Officer / Community Liaison Officer	7
5.2	Program-level Grievances Redress Committee.....	8
5.3	Senior Program Management.....	8
5.4	Third-party involvement	9
6.	ELIGIBILITY	9
7.	GRIEVANCES MANAGEMENT PROCESS	10
7.1	Informing Stakeholders about the Grievances Mechanism.....	10
7.2	Grievances Procedure	12
7.2.1	Reporting and Receiving Grievances.....	12
7.2.2	Recording and Processing of Grievances.....	13
7.2.3	Analysis and Investigation	14
7.2.4	Development of a Proposed Response	15
7.2.5	Grievance Resolution and Publication	16
7.2.6	Appeal.....	16
7.2.7	Grievance Close-Out	16
8.	MONITORING AND EVALUATION	17
8.1	Internal Monitoring	17
8.2	External Monitoring.....	18
8.3	Evaluation of the Grievances System	18
8.4	Improving the Grievances Mechanism.....	19
8.5	Trainings	19

APPENDIX A GRIEVANCES SUBMISSION FORM

APPENDIX B GRIEVANCES CLOSE-OUT FORM

APPENDIX C GRIEVANCES REGISTER

ACRONYMS AND ABBREVIATIONS

Name	Description
CLO	Community Liaison Officer
EBRD	European Bank for Reconstruction and Development
E&S	Environmental and Social
ESDD	Environmental and Social Due Diligence
ESHS	Environmental, Health and Safety
ESMP	Environmental and Social Management Plan
ESMS	Environmental and Social Management System
GM	Grievances and Feedback Mechanism
GMC	Grievance Mediation Committee
GRC	Grievance Redress Committee
IUCN	International Union for Conservation of Nature
KfW	KfW Development Bank
LL	Legacy Landscapes
LLF	Legacy Landscapes Fund
LLF GM	Legacy Landscapes Fund Grievances and Feedback Mechanism
LLF GO	LLF Grievances Officer
PAPs	Program Affected Persons
UNGP	United Nations Guiding Principles (on Business and Human Rights)
WB	World Bank
WB ESS	World Bank Environmental and Social Standards
WWF	World Wide Fund for Nature

DOCUMENT HISTORY

Version	Revision	Prepared by	Reviewed by	Approved by	Date	Comments

1. INTRODUCTION

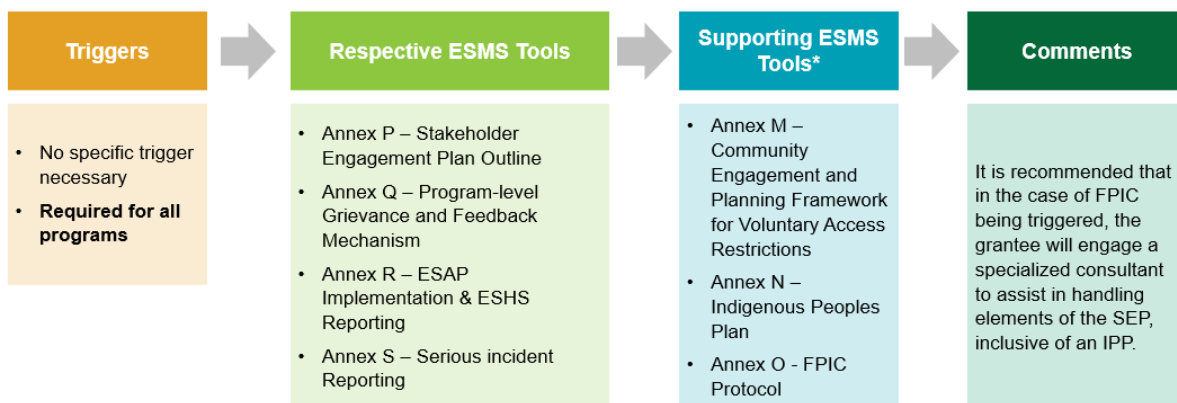
A grievance and feedback mechanism (GM) is a free, open and accessible mechanism, principally designed for program affected persons (PAPs), and accessible to all program stakeholders and program staff (including local communities, contractors and their workers). Nevertheless, it is up to each program to decide whether to have a separate complaints mechanism for internal staff/workers, or integrate a staff/workers’ GM within the program-level GM.¹

The GM is a key tool for stakeholders to exercise their voice and for programs to mitigate, manage, and resolve potential or realized negative impacts, and to ensure that donors meet their obligations in terms of international human rights law and other relevant applicable standards. It complements the human rights due diligence process and provides stakeholders a way to obtain remedy.

Seemingly, minor complaints can quickly become major grievances if left unmanaged. The GM is an important tool that enables program management team to learn about and resolve concerns before they escalate. Hence, the GM does not only address serious complaints that constitute an alleged human rights abuse, but in particular aims to identify and address any legitimate concerns of those who may be adversely impacted. The GM should permit a peaceful and timely resolution of problems, assuring stakeholders that their concerns have been heard and that the institutionalized mechanism will yield a fair and impartial outcome, while documenting the process at all stages.

Note: This document provides a guidance and templates that are aligned with the applicable standards listed in LLF ESMS manual. In all cases, the grantee and/or the party developing the GM documents and/or procedures must comply with the local/national requirements; then, the guidance provided in this document (including the other recommended publications) should be utilised to determine how to align the LL program with the applicable standards. Furthermore, the grantees have to take into account the already existing GMs (e.g., within rural, local and/or traditional community, indigenous peoples) and established procedures. If the LL program (or the grantee organisation) already have similar GM procedure and/or templates developed and/or currently implemented, the grantee should conduct the gap analysis exercise between the existing template and/or document and this LLF guidance. The identified gaps should be closed following the rule – stricter applies.

The GM is required to be developed and implemented by the grantee to each LL program that is receiving grant from LLF.



* The „Supporting ESMS Tools“ are potentially applicable and/or could be used for support of the „Respective ESMS Tool“ but are not triggered by the same trigger. For the annex specific trigger refer to the respective annex document. For example, the SEP always applies, but FPIC may be a supporting document, but it is not triggered under the conditions of the first column (i.e., „Triggers“).

¹ Please note: While this document refers to the mechanism as “grievance and feedback mechanism” some programmes might have a similar mechanism in place that is labelled differently, e.g., complaints mechanism, grievance redress mechanism, feedback mechanism etc. For the purpose of this document, when referring to grievance mechanism, it includes all similar mechanisms with the same purpose, even though named differently.

1.1 Purpose

This document is the guidance note for the development of a program-level GM of entities funded by the Legacy Landscapes Fund (LLF). The document's objective is to provide guidance for a solid grievance management procedure in line with the LLF grievances and feedback mechanism (refer to LLF ESMS documents, **Annex T – LLF Grievance and Feedback Mechanism**). While this document is a guidance note, the LLF GM can be used as example for the establishment of program-specific² GM.

Each LLF funded program requires to have a program-specific GM in place that will be aligned with the overall LLF GM. Generally, program-related grievances should be dealt with through the program-specific grievances mechanisms and only escalated to the LLF institutional GM if they cannot be resolved at a program-level and there are no other appropriate deferral options, e.g., on a national or judicial level. Furthermore, complainants have the option to skip the program-specific GM and directly submit a grievance to the LLF GM, in cases where they feel the impartiality of the mechanism might be jeopardized or for non-program-specific grievances.

1.2 Objective

The GM is a useful tool to assess and address concerns, in situations in which, despite proactive stakeholder engagement, some stakeholders have concerns about the programs potential impact, or in which they feel that their rights have been impacted by the programs activities. The overall objective of the program-level GM is to:

- Address grievances promptly and effectively, in a transparent manner resulting in outcomes that are seen as fair, effective and lasting;
- Provide a grievance management process that is culturally appropriate and readily accessible to all relevant stakeholders e.g., PAPs;
- Identify and manage stakeholder concerns and thus support effective risk management for the program;
- Enable a systematic identification of emerging issues facilitating remedy, including corrective actions and pre-emptive engagement;
- Build and maintain trust with all stakeholders as an integral component of the program community relations activities, thereby creating an enabling environment to operate; and
- Prevent adverse consequences of failure to adequately address grievances.

A functioning GM complements the human rights due diligence process and allows stakeholders to claim remedy if the adverse effect has already been caused. Managing grievances, including avoiding and minimizing them, is an integral part of a sound stakeholder engagement strategy, which is essential for a program's overall success.

2. APPLICABLE STANDARDS

The full list of the applicable standards for developing the program-level GM is indicated in the LLF ESMS manual document. In addition, the following standards were used for the development of this guidance note and should be reflected in program-level GMs:

- The UN Guiding Principles on Business and Human Rights (UNGPR, 2011), including
 - Guidance Note on Grievance Redress Mechanisms;

² Note: term „program-level“ and „program-specific“ used interchangeably throughout the document

- World Bank ESS10 on Stakeholder Engagement and Information Disclosure (WB, 2017) including:
 - ESS10 Guidance Note (WB, 2016);
 - Grievance Redress Mechanism Checklist (WB, 2016);
 - The World Bank’s Approach to Grievance Redress in Projects (WB, 2014);
- EBRD Grievance Management Guidance Note (EBRD, 2012)
- IUCN Guidance Note on the Assessment, Management and Monitoring of Environmental and Social Risks (IUCN, 2020); and
- World Wide Fund for Nature (WWF) Standard on Grievance Mechanism (WWF, 2021)

3. KEY TERMINOLOGY

Table 3-1 below elaborates on key terms used in this GM.

Table 3-1 Key Terminology

Term	Definition
Area of Influence	The area within which a program's activities has the potential to create environmental and social changes, including the: <ul style="list-style-type: none"> ■ Zone of direct impact, an area, often demarcated by a PA boundary, where land access restrictions will be in place and enforced, and where program facilities may be constructed. ■ Zone or zones of indirect impact, areas where stakeholders affected by a program's reside, work or farm, including areas that experience economic growth, increased traffic or influx as a result of a program's activities.
Communities	A group of people living in the same place or having a particular characteristic in common (e.g., sharing or having certain attitudes and interests in common). Indigenous people and local communities (IPLC) can be part of a community or build their own communities. For the purpose of this document the term communities entails IPLC.
Complainant	An individual, group or organization who submits a complaint to program-specific GM and/or to LLF GM.
Complaint/Grievance	An expression of dissatisfaction with program activities (i.e., LLF funded program), typically referring to a specific source of concern and/or seeking a specific solution. For the purposes of this GM, a question or request may also be treated as a complaint/grievance.
Contractor	An individual or firm that has entered into a contract to provide goods or services to a LLF funded grantee. The term covers parties directly contracted by LLF or a LLF funded grantee and those contracted by a contractor company, also referred to as subcontractors.
External stakeholders	This includes everyone that is not directly employed by grantee amongst other: contractors, subcontractors, PAPs, NGOs, staff employed by the programs, local communities etc.
Grantee	A NGO(-s) and/or party that is in contractual agreement with LLF and receiving grant funds through the grant agreement.
Grievance	A complaint, concern or issue that an individual or a group within a community has raised in relation to a LL's or the grantee's operations. A grievance can result from either real or perceived impacts.
Grievance Submission Form	A form used to capture information about an incoming complaint.
Grievance Register/Log	A database for maintaining information about complaints received.

Term	Definition
Grievance Close Out Form	A form used to capture information about the closure of a registered complaint.
Internal stakeholders	Employees directly employed by the grantee
LLF Grievance and Feedback Mechanism	The LLF institutional grievance and feedback mechanism, to which grievances can potentially be referred to from the program-level GM.
Legacy Landscape Program/Program activity	All activities ³ related to the legacy landscape and/or stakeholders that are planned, implemented and/or supervised by the grantee and/or their contractor.
Legacy Landscape Staff	All staff related to the legacy landscape program and/or program activity development and implementation (e.g., grantee, contractors, park management, etc.)
Serious incident	Any unplanned or uncontrolled event with a materially adverse effect on workers, community members or the environment within the program's area of influence or events that have the potential to have material or immaterial adverse effects on the program execution or give rise to potential liabilities or reputational risks.
Vulnerable Groups	A group that due to specific and unique characteristics is more disadvantaged and/or marginalized than other groups and is, therefore, likely to suffer more adverse impacts of programs than other groups. Considering intersectionality is crucial in identifying most vulnerable groups who might experience multiple effects of discrimination.

4. GENERAL PRINCIPLES

The following general principles shall be underlying for the development and implementation of the program-specific GM:

Accessibility and Awareness Raising

The GM must be accessible, inclusive and free of cost for its users. It should be proportionate to the potential risks and impacts of the program. All stakeholders of the program need to be aware of the existence and functioning of the GM. Awareness raising and targeted outreach to local communities and other stakeholders about the possibility to log a grievance and the GM procedure should be a continuous practice of the grantee.

No reported grievances do not mean that no grievances exist. It might be an indicator of a lack of awareness about the GM, or that the GM is not trusted by the stakeholders.

Accessibility should be guaranteed to all stakeholders by designing the grievances process as user friendly as possible and in a culturally appropriate manner. This includes clear and easy language, minimal eligibility criteria, free and safe access (e.g., by ensuring that the risks of retaliation are assessed and addressed), prompt and efficient responses, as well as making materials and services in accessible formats available (local languages, reasonable office hours etc.). Overall, handling of grievances should be done in response to the needs and concerns of all stakeholders involved in a discreet, objective and sensitive manner.

Governments also have a responsibility for raising awareness about judicial and administrative procedures that can be followed in the event of perceived violations of rights.

³ The program-level GM must cover not only LLF funded activities for the program, but all program activities in the program specific legacy landscape and surroundings.

Based on Engagement and Dialogue

The GM must be designed to address all grievances when possible with a focus on dialogue and engagement. Stakeholder groups for who the GM is designed must be regularly consulted about design and performance of the GM. On an operational-level regular engagement with stakeholder groups regarding the GM can help to increase its use practice and adjust it to stakeholders needs.

Confidentiality

All stakeholders have the right to confidentially lodge a grievance, if they chose to do so. Any information provided by a complainant, the person against whom a complaint is raised, a witness, a support person or any other interviewee, can be kept confidential and/or anonymous. Illiterate people raising a grievance will need assistance so it can be transcribed through a trusted confidant, for example a family member, friend, or a designated official.

Equity

Grantee should guarantee affected stakeholders reasonable access to information and expertise to engage on fair and informed terms. This includes the provision or direction to advisory services, or financial and technical support. Furthermore, all parties submitting a grievance via the GM have the right to withdraw from the process at all times, as well as the option to appeal, if the final outcome is not satisfactory to them. All technologies used in connection with the GM must comply with relevant legislation, such as data protection laws.

Gender Sensitivity and Addressing Vulnerable Groups

The design of a GM must ensure that women and other vulnerable groups, e.g., indigenous people, people with disabilities etc., have a safe means to submit their grievances. There may be a need to customize GMs for specific segments of the community. For example, a women-only mechanism might be channeled through an organization's gender liaison committee or there should be at least one community liaison officer (CLO) of each gender (if the program budget permits) so that complainants can decide with whom they preferably want to discuss / log a grievance. GM should allow for broad representation on any consultative body, including youth, women, and marginalized and vulnerable groups. It is important that GM design does not entrench existing power structures, for example by involving only senior men in the community.

Legitimate

All processes that are part of the overall complaint management must be legitimate and trusted by the people for whom they are intended. The GM should be designed to ensure that parties involved in the grievance management process cannot interfere with its fair conduct and that parties trying to interfere with the process in an unfair matter or try to retaliate against those who report concerns in good faith are subjected to corrective disciplinary measures that might also include termination of employment. All feasible measures must be taken by grantee grievances management to protect complainants against retaliation. Furthermore, all grievances procedures must comply with relevant data protection and privacy laws.

Multi-channeled

There should be several channels available to complainants to raise a grievance through the GM. This multi-channeled procedure will avoid conflicts of interest. While some grievances might be preferably raised face-to-face via a supervisor, this might not be the case for other grievances, such as a grievance of personal nature with that supervisor, or sensitive topics that might be preferred to be submitted anonymously etc. All individuals and groups affected should be able to choose their preferred method for lodging any grievances.

All channels of communication should be kept open throughout the process of addressing each grievance and up to three months after the situation has been resolved.

No Substitute for Judicial Procedures

The GM does not substitute for and should not obstruct judicial and administrative remedies, such as mediation or arbitration, which are necessary for disputes beyond the scope of the GM. A key function of a GM is to address emerging concerns before they reach a level that may warrant judicial or administrative proceedings. Hence, every GM should explicitly assure potential users that the mechanism will not impede their access to other judicial or administrative remedies. Furthermore, the GM should also not substitute any other grievances procedures, e.g., those provided through collective agreements.

Predictability

The GM procedures, available outcomes, and means of monitoring and implementation must be clear and publicly known. Timeframes must be well-defined for each stage of the grievances process and must be communicated clearly to affected stakeholders. Information on the process and its outcomes must be publicly available and easily accessible, e.g., via the grantee and/or program-specific website.

Rights-Compatibility

The outcomes and remedies of the GM should be in accordance with internationally recognized human rights. Before finding a remedy, all options for remedy should be assessed on their implications, in order to avoid contributing to further harm. Affected stakeholders should be consulted about the type of remedies available and the manner in which to best implement it. Remedies should be adequate, effective, prompt, culturally appropriate and gender-sensitive. Furthermore, the mechanism should monitor the implementation of agreed remedies and address non-implementation of outcomes.

Source of Continuous Learning

The GM should be a tool for continuous learning and improvement. Lessons learned from the GM should be used to improve the mechanism itself and to influence policies and practices of the Grantee or specific program to prevent future harm. In order to assure that the GM functions as a source of continuous learning, grantee should seek feedback on involved parties' experiences, keep records of all grievances logged and analyze patterns, develop improvement strategies and use information received to feed into the grantee human rights due diligence process.

Transparency and Fairness

The process and outcome of individual grievances should be transparent to the aggrieved party and in harmony with the local culture and in the appropriate language. In publicizing more widely the outcome of grievances, a balance needs to be struck between accountability and transparency, and the desires of aggrieved parties to keep complaints confidential. Grantee should consider aggregated public reporting of the operation of the grievance procedures, such as quarterly reports on the number of grievances, their nature, and statistics on how they have been resolved. In cases where the publication of specific grievances or outcomes may be in the interests of the community or community relations, permission should first be sought from the aggrieved individual.

Written records increase transparency levels. All grievances should be registered and tracked. This should include documentation of how the grievance has been resolved. The GM's overall performance should be made regularly available through publicly-available statistics. This should

include number of grievances referred to the mechanism, number of solved issues and examples of process outcomes (when confidentiality requirements allow)⁴.

5. ROLES AND RESPONSIBILITIES

The program-level GM has to set out roles and responsibilities for the grievance management process. The following sub sections describe typical roles that should be created for an effective grievance management procedure. However, the program is free to create additional and/or other roles and set-ups, if necessary, for handling grievances.

5.1 Program-level Grievances Officer / Community Liaison Officer

The community liaison officer (CLO)⁵ or a third party entity or multistakeholder committee or other is the main or entry point to receive, log and register grievances from complainants. Depending on the size of the program, there should be several CLOs or entry points as outlined before. When appointing the responsible officers/entry points, there should be at least one officer of each gender and other diversity factors considered when there are several officers/entry points appointed. The CLO/entry point is expected to be constantly in direct contact with local stakeholders and follow a hands-on approach to grievances management. Furthermore, the CLO/entry point shall work in a close coordination with LLF grievance officer (GO), (i.e., for serious incidents and/or grievances that reached the LLF GM as well). Key tasks of the CLO/entry point are outlined below and include:

General Tasks:

- Collection of grievances, feedback and suggestions;
- Registration of grievances;
- Grievances categorization;
- Forwarding serious incidents immediately to LLF grievance officer;
- Grievances analysis and investigation;
- Providing feedback to complainants;
- Grievances record in soft and hard filing.

Tasks involving external stakeholders or a third party entity:

- Ensure that grievance procedures are followed by all the relevant stakeholders at the program/community level;
- Ensure distribution of all grievance redress structure documents to the PAPs/community members, including information on submitting grievances directly to the LLF GM, if appropriate;
- Ensure timely and appropriate liaison between community and the program implementation team;
- Facilitate trainings for program stakeholder/grievance committees at the community level;
- Support the social safeguards or community related experts for the program in the establishment of grievances and redress mechanism (grievance committees) at the community level and support the strengthening of existing committees.

⁴ The program-specific GM general principles draw amongst others on the United Nations Guiding Principles on Business and Human Rights (UNGPR) effectiveness criteria that are outlined in the UNGPR paragraph 31-section a-h.

⁵ Please note, that the CLO or first point of contact can be an internal or external/third party, a multistakeholder committee, or other entity, depending on the site and LL specific GM. In addition, it might be possible that the CLO is a focal point that has other functions/responsibilities, besides the handling of grievances.

Tasks involving the program-level grievances redress committee (see chapter 5.2 below for its function):

- Briefing of new registered issues to the program-level GRC for further instructions;
- Implementation of decisions taken by program-level GRC;
- Follow up of pending issues with the program-level GRC;
- Participate in all program-level GRC meetings;
- Coordinate the activities of the program-level GRC at the locational level and share their reports including grievances logs with LLF grievance officer;
- Recommend appropriate social safeguards trainings for program-level GRC members.

Monitoring and reporting tasks:

- Compile and prepare consolidated quarterly grievance monitoring reports to be shared with LL-senior management team and at least bi-annually with the LLF grievance officer
- Seek advice from LLF grievance officer on grievances procedures as needed;
- Liaise with relevant stakeholders at the program-level to ascertain if the grievance redress mechanisms established are functioning appropriately;
- Collect appropriate grievance redress performance and monitoring indicators to input into the monitoring and evaluation (including LLF key performance indicators).

5.2 Program-level Grievances Redress Committee

Depending on the LL GM set-up, there might be a grievance redress committee (GRC) overseeing the work of the CLO(s)/entry points and assist in resolving grievances. GRC can also form specialized sub-committees, if need be.

Key tasks for the GRC include:

- Ensure that handling of grievances is in accordance with relevant national laws, institutional policies and the environmental and social requirements listed in chapter 2;
- Liaise with relevant government agencies to solve issues as practicable;
- Assisting the CLO in grievance resolution;
- Oversee the work of the CLO;
- Reduce/resolve grievances that are referred to them;
- Assign tasks to different committee members;
- To ensure that program implementation does not slow down due to grievances;
- Ensure that follow-up actions in response to grievances are taken within an agreed time- frame.

5.3 Senior Program Management

Program-specific senior management must be involved in serious incidents that are forwarded to them by the CLO. CLO's task is to provide senior management with the main information about the incident and seek their input on how to resolve the issue most efficiently. Senior managements' role is to assess the incident and decide, whether the issue at stake can be addressed at program-level (which should be the preferred option) or whether it should be escalated to the LLF institutional GM. In any case, the LLF grievance officer should be informed of any serious incidents on LL level within 48 hours via at least an initial notification email, followed by a serious incident report (refer to LLF ESMS documents, [Annex S – Serious Incident Reporting](#)) within 7 workdays after first notification. In case senior management decides the issue can be addressed at program-level it will be

re-assessed with management input, if needed in a subsequent mediation session. If the grievance can still not be resolved or the resolution will be appealed, senior management can refer the issue to the LLF GM or might also decide on other potential resolutions or deferrals, e.g., on the national or judicial level.

5.4 Third-party involvement

It should be noted that in addition to the abovementioned grievance procedure set up, there are other potential set ups that do not involve a CLO and/or GRC at the program level, as outlined above. A LL can decide to set up a GM that is partially or completely run by an independent third party, a multi-stakeholder platform addressing grievances in the LL or community-based settings (for further information on community-based solutions please refer to LLF ESMS documents, **Annex M – Community Engagement and Planning Framework for Voluntary Access Restrictions**). All such alternative set-ups have to comply with the applicable standards and general principles referred to in chapter 2 and 4.

6. ELIGIBILITY

The program-specific GM shall set out eligibility criteria for grievances received, stipulating if they will be further assessed via the grievance management system. Table 6-1 presents considerations for establishing eligibility or ineligibility of grievances.

Table 6-1 Eligibility Considerations

Eligible Grievances	Ineligible grievances
Any community, organization, program stakeholder or affected group (including individuals) who believe it is or may be negatively affected by any program activity implemented by grantee (including contractors ⁶) are used and/or owing to the program's failure to follow the LLF and grantee's environmental and social safeguards and other compliances as set out in the LLF ESMS, during the design or implementation of the program activity is considered a "program affected person" (PAP) and is entitled to submit a complaint.	Complaints with respect to actions or omissions that are not technically or financially supported by the grantee, or about parties that are not partners or collaborating partners in the program; this includes grievances related to previous program activities.
Negative impacts can include all forms of program impact, including direct and indirect impacts of program activities. As with the scope of application of the LLF ESMS, negative effects are not restricted to the activities of the Grantee but include the effects of activities of program partners (including collaborating program partners such as protected area authorities) that are financially or technically supported by the program.	Complaints about issues outside of the program scope, including outside of the program area.
Any PAP may file a complaint.	Complaints that relate to the laws, policies, and regulations of the country in which the protected area is located, unless this directly relates to the grantee's obligation to comply with the LLF ESMS principles, standards and procedures.

⁶ According UNGP 13 (b) the responsibility to respect human rights requires that business enterprises seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts. Hence, grievances submitted in relation to contractors (including sub-contractors) should also be assessed via the GM.

Eligible Grievances	Ineligible grievances
Representatives (a person or local organization) can submit a complaint on behalf of a PAP, but they must provide concrete evidence of authority to represent them.	Complaints submitted by the same claimant on matters they submitted to the GM earlier, unless new evidence is provided, or the program has not responded to this complaint in an adequate timeframe.
Anonymous complaints must be considered.	Complaints that are non-program-related housekeeping matters, such as finance, human resources and administration (if there is an internal GM, these should be addressed there).

7. GRIEVANCES MANAGEMENT PROCESS

This chapter will provide guidance on the general grievance management process. Figure 7-1 below provides an illustrative example of the grievances process of the program-specific GM, including deferral to the LLF GM or other options.

7.1 Informing Stakeholders about the Grievances Mechanism

As outlined in the general principles, the existence of a GM needs to be communicated to all stakeholders in a clear and culturally appropriate manner. For the GM to be effective and accessible, the program should take active steps to inform all relevant program stakeholders of the existence and scope of it. It is vital that stakeholders are aware of the eligibility criteria for a grievance and the mechanism for grievance submission.

Key things to communicate to stakeholders include the following:

- How to register a grievance (in person, over the phone, website etc. including the option to log a grievance anonymously);
- How long it will take to receive acknowledgement of the grievance;
- How it will be handled, including possible remedies;
- How a response will be received, including the respective timeframe;
- Options to escalate a grievance if the response is not satisfactory, e.g., appeal or initiating judicial proceedings.

The existence of the GM needs to be clearly and regularly communicated to all stakeholders. All relevant phone numbers, offices etc. including opening hours, grievances box locations, websites and social media platforms, via which grievances can be submitted need to be clearly communicated to all relevant stakeholders. This communication should not be limited to verbal exchange, but it should be made use of written materials, where all relevant information is printed. When choosing locations for grievances boxes or offices, those should be generally accessible to the public. It should also be considered, that accessibility might vary based on gender, vulnerability etc. (e.g., homemakers might not be able to attend meetings in the evening since they are busy with childcare or workers might not be able to attend office hours during the day due to other work commitments).

The program should ensure stakeholder's confidence in the mechanism by making all stakeholders aware, that procedures are in place to protect complainants from any form of retaliatory action, including provisions for disciplinary or other appropriate action in case of violations of this principle and that their data will be kept confidential at all stages of the process.

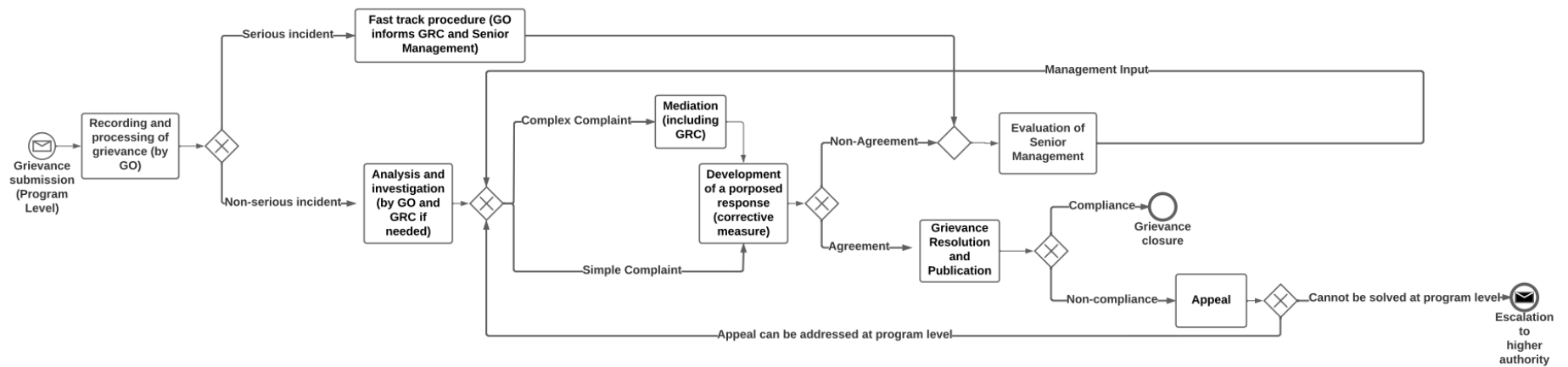


Figure 7-1 Example of Grievances Process from Program-Level

Note: The “Serious Incident” flow includes also the submission of the full report (within 7 working days) to LLF.

7.2 Grievances Procedure

The following sub-sections elaborate on the relevant steps that the program-level GM should contain and that are presented in Figure 7-2 below.

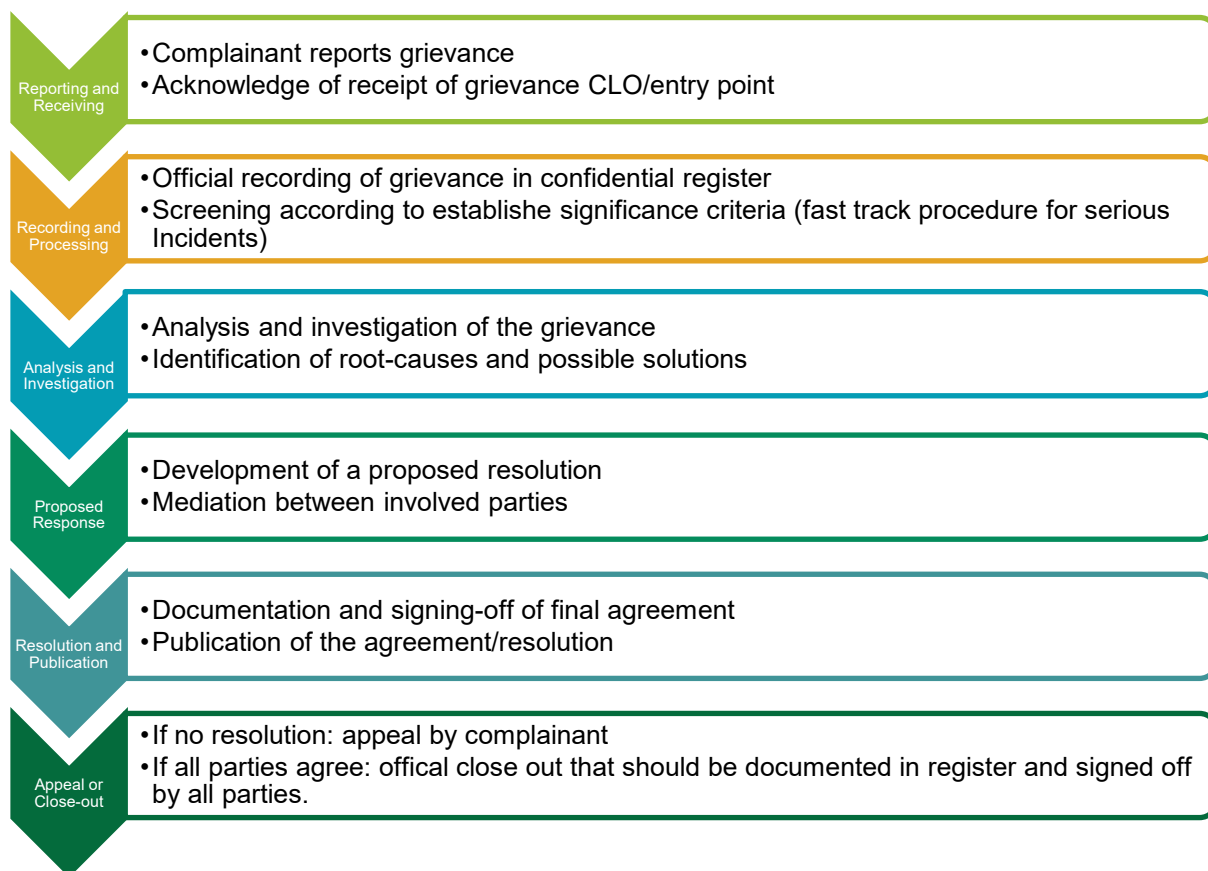


Figure 7-2 Key Steps Grievance Procedure

7.2.1 Reporting and Receiving Grievances

The designated CLO/entry point must be responsible for receipt and administration of all grievances submitted to the program-specific GM. There should be a variety of avenues for complainants to submit their grievances. Those could be but are not limited to mediums presented in Figure 7-3 below.



Figure 7-3 Avenues for Submission of Grievances

The grievance form should be available in local offices and online (see Appendix A for an example). Furthermore, grievance boxes should be made present at important locations (e.g., weekly market, city hall, local offices, NGO’s etc.) and at the program offices. There should be ways made available for illiterate persons to submit grievances in non-writing.

The CLO/entry point should acknowledge receipt of the grievance form in writing with a simple statement. Each grievance should be logged in a grievance register and get an individual reference number (see Appendix C for an example). Stakeholders who submitted a grievance shall be informed of the receipt of the grievance, including the reference number and when to expect further steps/notifications. Notification shall be done in writing and verbally.

7.2.2 Recording and Processing of Grievances

Once a grievance is received, no matter if verbally or written, it should be officially recorded and classified in a grievance log or register by the CLO/entry point (written and/or electronic). The grievance register should be kept confidential.

All grievances should be screened and prioritized as soon as they are received, in order to flag serious incidents and forward them immediately to senior management (see section below for fast track procedures). The receipt of serious and/or non-serious grievances must be registered and communicated to the complainant within two days for serious and/or five days for non-serious grievances after receiving the grievance. Should additional time be required, this needs to be justified and communicated to the complainant.

Table 7-1 provides significance criteria that should be considered when screening and prioritizing grievances received.

Table 7-1 Significance Criteria

Level	Description
Level 1 Complaint:	A complaint where potential impacts and/ or consequences are low that can be resolved quickly (e.g., changing office hours).
Level 2 Complaint:	A complaint which is widespread and repeated (e.g., improve working conditions).
Level 3 Complaint:	A complaint that could potentially result in a serious breach of LLF and/or Grantee policies, development consent, e.g., FPIC, national law or affect LLF and/or grantee program performance (e.g., serious human rights abuses) and reputation.

Generally, Level 1 complaints should be directly resolved by the CLO/entry point, while Level 2 complaints will need further investigation and potential input of the GRC. Level 3 complaints are serious incidents that should be directly referred to senior management and LLF GO for their involvement (refer to section 7.2.3.1 below).

7.2.3 Analysis and Investigation

7.2.3.1 Fast Track Procedure for Serious Incidents

The GM should provide for a fast track procedure for serious incidents reported that require immediate action.

A serious incident in this context is defined as: *“any unplanned or uncontrolled event with a materially adverse effect on workers, community members or the environment within the program’s area of influence or events that have the potential to have material or immaterial adverse effects on the program execution or give rise to potential liabilities or reputational risks.”*⁷

Serious incidents can include, but are not limited to⁸:

- Fatalities, serious injuries and accidents at work;
- Fatalities, serious injuries and accidents affecting local communities and others;
- Violations of human rights, including sexual and gender-based violence and harmful child labor;
- Complaints about senior leaders’ behavior;
- Forced evictions;
- Conflicts, disputes and disturbances leading to loss of life, violence or the risk of violence; and
- Environmental impacts.

When a grievance about a serious incident is submitted and received by the CLO/entry point, it should be fast tracked to ensure the involvement of senior management at an early stage. Hence, before any further steps are taken in the grievances management process, the issue must be forwarded immediately and latest within 24 hours and with high priority to the respective senior manager within 48 hours serious incidents need to be reported to the LLF GO via at least an initial notification email, followed by a serious incident report (as referred to in the LLF ESMS documents, **Annex S – Serious Incident Reporting**) within 7 workdays after first notification. All steps further elaborated in this GM

⁷ International Union for Conservation of Nature (IUCN), 2020, Guidance Note on Reporting Serious Incidents, Retrieved from: [esms-reporting-serious-incidents-guidance-and-template.docx \(live.com\)](#), Accessed in August 2022.

⁸ For further aspects that serious incidents encompass refer to serious incident reporting template in LLF ESMS documents, **Annex S – Serious Incident Reporting**.

procedure guidance should then be followed for the serious incident, however with careful documentation and involvement of senior management or other relevant authorities at all stages.

7.2.3.2 All grievances (*Serious and Non-serious Incidents*)

After the grievance is logged in the grievances register or recorded, the CLO/entry point shall proceed to:

- Analyze the issue;
- Try to identify the root cause(s) of the problem;
- Identify the potential solution;
- Make necessary investigations of the issue (e.g., this might involve communication with the program-level GRC);
- Assess the cost and feasibility of potential solutions;
- Make the necessary arrangements to resolve the problem (or remediate).

The GRC (or relevant sub-committees) should be involved in the analysis and final decision-making process, especially for cases that might not be straight forward, but more complex.

It should be underlined that all reported grievances must be taken seriously and handled accordingly. It should be considered that women and men might report different issues and staff responsible for handling the complaints should avoid subjective value judgements that may lead to playing down the seriousness of the grievance submitted.

7.2.4 Development of a Proposed Response

After analyzing and investigating the grievance at stake the CLO/entry point shall be responsible for determining whether the grievance can be addressed directly through a simple action (e.g., change of office hours), or whether the issue is more complex and requires additional assessment and engagement with involved parties, in a mediation setting.

For less complex complaints, that can be resolved directly, the CLO/entry point should be responsible for drafting a proposed solution and communicate this to all involved parties, including a written response to the complainant. A proposed resolution should be presented no later than 30 days upon receipt of the grievance. The period can be prolonged if investigations, especially in the case of serious incidents require longer time for resolution. Upon receipt of proposed resolution, the complainant should then be asked to approve or disapprove the suggested measures within 10 days, so that the grievance can be either closed out or be considered for further investigation/mediation.

7.2.4.1 Mediation

Mediation can be a crucial step in resolving grievances and assure satisfaction of all parties involved in more complex issues. Once the analysis of the issue is completed by the CLO/entry point and possible solutions are mapped out, the CLO/entry point should proceed with the mediation. In case of mediation meetings, invitations should be circulated written and orally and with sufficient handling time, so all involved parties can assure to be present. All invitations should clearly indicate day, place and time of the meeting, as well as anticipated meeting attendees.

Stakeholders should be also informed about their right to bring a trusted person to the mediation meeting, such as a family member, worker's representative, village head etc. In order to assure impartiality, the GRC should attend mediation meetings.

During the mediation meeting all parties should be encouraged to express their views on the situation and elaborate on the written complaint. The CLO/entry point should present the issue to the plenum and present analysis of the issue and possible solutions/remedies. The complainant should be given the chance to interfere at all stages and contribute with explanations and feedback on whether the

analysis has been consistent and accurate. If deemed necessary, other parties (such as health and safety agent, mental health professional etc.) can be invited to the mediation. At the end of the mediation meeting(s) the CLO/entry point or a responsible member of the GRC will present the final solution of the grievance and seek the complainant's approval.

Some conflicts will need more than one mediation meeting. Depending on the severity and complexity of the issue at stake. The time-frame for mediating and issue might vary depending on parties involved and complexity of the issue. Nonetheless, it should be aimed at resolving the issue as fast as possible and to the satisfaction of all parties involved. If the grievance cannot be resolved after two mediation sessions, it should be referred to senior management for further input.

Meeting minutes and attendance lists should be kept.

7.2.4.2 Third-Party Involvement

For some grievances of very complex nature (e.g., cases concerning cross boundary parks (involving multiple governments, stakeholders etc.) or cases involving land acquisition or indigenous peoples⁹), the involvement of an external party might be necessary for getting expert opinion on the issue or for guiding the mediation procedure. This way, the independence of the mechanism can be guaranteed. Depending on local circumstances, this second tier could involve, but is not limited to a local legal practice, or a well-regarded NGO with expert knowledge in the matter at stake.

7.2.5 Grievance Resolution and Publication

After successful mediation a final agreement should be documented and signed-off by relevant parties. Required actions that were agreed during the mediation phase will be implemented in a timely manner. Ideally, a timeframe for the implementation of respective actions has been set and documented during mediation or in the immediate response to the issue prior to mediation.

If possible, the grievance resolution should be made publicly available, in order to keep other stakeholders informed about the process and its outcomes. However, this needs to be in accordance with the privacy preferences of all parties involved. The CLO/entry point and GRC are responsible for overseeing implementation of action agreed in order to resolve the grievance.

7.2.6 Appeal

After the grievance resolution, there might be still various grounds for disagreement, such as about the analysis and proposed corrective actions, a delay in the implementation of agreed upon corrective measures, or a stakeholder may raise an additional complaint if he/she believes to be victimized or harassed in the way that his/her grievance has been addressed. These are all considered valid grounds for appeal. Misuse of the GM to victimize or harass stakeholders should be disciplined (including dismissal of the responsible party, e.g., supervisor, manager etc.) as this behavior questions the GM's integrity.

The CLO/entry point together with other relevant authorities should register the appeal and investigate the stakeholder's complaint immediately. The issue can either be dealt with at the program-level or should be referred to higher authorities (e.g., national court).

7.2.7 Grievance Close-Out

After implementation of the measures agreed upon in the process of grievance resolution and if there has been no appeal within a reasonable timeframe (some corrective measures might need more time in order to judge their effectiveness and if they finally solved the grievance to the complainant's satisfaction), the grievance can be closed-out. All closed-out grievances should be registered using

⁹ Land acquisition or Involvement of IP often gives rise to a considerable number of complaints and disputes, particularly if land records are not up to date and land markets not fully developed. Thus, it is important that Grantee has sufficient staff to deal with issues arising, and eventually outsources tasks to external experts.

for example a grievance close-out form (see Appendix B for an example). All affected parties should be informed about the close-out of the grievance.

8. MONITORING AND EVALUATION

Monitoring and reporting is essential for measuring the effectiveness of the GM and the efficient use of resources. Reporting will enhance determination of trends and recurring problems so that they can be resolved proactively before they become points of contention. Monitoring and reporting also create a base level of information that can be used to report back to communities.

8.1 Internal Monitoring

The CLO/entry point, shall keep an updated database of the grievances received and prepare statistical analysis of grievances received, their nature and those resolved and closed including satisfaction levels. In addition, the number of anonymous complaints should be tracked carefully. All grievances should be categorized as relevant to the program (e.g., human rights/compensation/safety etc.). Furthermore, data on gender, age and location of the grievances logged should be gathered, in line with data protection laws and only, if the complainant agrees with submitting this data to the system. Monitoring criteria that should be reported by CLO/entry point to the senior management and LLF GO include, but are not limited to:

- Number of complaints;
- Number of anonymous complaints;
- Type of grievances (suggestion, feedback or complaint);
- Topics of the complaints;
- Number of complaints satisfactorily resolved;
- Time needed to resolve grievance;
- Number of serious incidents;
- Number of complainants referred to a government body.

Furthermore, the following activities shall be conducted by the CLO/entry point in order to assure effective monitoring and evaluation activities:

- Monitoring of the grievances register preferably on a monthly basis in terms of response times to address complaints logged as well as the recurrence of complaints over time;
- Monitoring of grievances that are required to be escalated via higher instances (e.g., legal court);
- Regular update of the stakeholder register;
- Record keeping of all stakeholder engagement activities considering grievances;
- Keeping a library (electronic or hard copy) of communication materials;
- Developing and assessing performance in terms of Key Performance Indicators (KPIs) as per monitoring framework (# and % of cases/feedback documented, investigated, resolved within timebound period for a) internal (staff) and b) external stakeholders (IPLC, other); # and % of complaints about abuse of force, refer to LLF ESMS documents, **Annex R – ESAP Implementation & ESHS Reporting**) and as additionally determined by the program team and/or equivalent personnel (e.g., number of engagements held per month; incorporation of stakeholder views into program design and relevant management plans; grievances escalated for legal action; and time for resolution of grievances)

- Annual review of GM performance (based on quarterly reports created by the CLO/entry point) and revision of policies, procedures and actions accordingly, with the aim of reducing the number of grievances, improving the process of resolution and improving overall performance.

In order to measure these indicators, the following items are suggested:

- Minutes of meetings;
- Informal feedback from stakeholder groups;
- Grievance register;
- Accessibility dissemination and use of documentation;
- Effectiveness of engagement planning, tools and execution;
- Effectiveness of representation and participation in engagement; and
- Effectiveness of environmental and social feedback process incorporating community needs into program design.

8.2 External Monitoring

To help maintain accountability and trust in the process, the GM and meetings of associated committees such as the GRC can be monitored by local government or trusted third parties.

8.3 Evaluation of the Grievances System

The CLO/entry point should regularly evaluate the grievance system on its effectiveness. The CLO/entry point might develop questionnaires and regularly discuss with the stakeholders in order to evaluate and improve the GM. Questions should target the performance of the GM and lessons learned from cases of grievances that have emerged. Insights should be incorporated in quarterly reports on the GM effectiveness that will be shared with the senior management and as part of LLF reporting.

The following questions targeted at the GM performance could serve as guideline for further evaluation and be considered in annual GM performance review.

- Does the GM enable complainants to raise their concerns, engage in a fair process, and obtain a satisfactory settlement to their issues (when appropriate)?
- Is the GM accomplishing its purpose and goals? How can this be improved?
- Does the GM stick to agreed timeframes? Are set timeframes reasonable?
- What is and is not working? How can this be improved?
- Is the GM known, accessible and easily understood? Do people know where to go in order to access it?
- Are all complaints registered properly with all relevant information?
- Can complainants readily determine the status of their complaint and how the GM is responding?
- How well is the GM used by a wide cross-section of men, women, and youth from the community? Are there many anonymous complaints? Why could that be?
- How well does the GM address the power imbalance between grantee and complainant and assure that the complainant is not always merely receiving a judgment from grantee?
- Does the GM provide adequate opportunities for face-to-face participation and discussion and joint development of mutually acceptable solutions to issues in question?
- What conflict trends, community issues, and program operations could influence the kinds of conflicts that might be expected in the future? Is the GM set up to handle such issues?

- How could the GM be more effective? What would need to be amended/changed?
- Are complainants advised of their rights to seek redress outside of the GM if they disagree with the outcome of the GM? If not, how could this be improved?
- How many grievances remain unresolved? What are the causes? How could this be addressed?

Furthermore, the following questions targeted toward organizational learning and improving the grantees or other external GM management policies, procedures, and operations could be used as guideline:

- What kind of demonstrable change and improvement is the GM producing in, management systems and for stakeholders (program operations and benefits for communities)?
- Does the GM facilitate identification of root causes of conflict? How? How can this be improved?
- What actions has grantee or other external GM managers taken to address these root causes? Is Grantee/other external GM manager adopting any structural changes?

8.4 Improving the Grievances Mechanism

Based on the annual GM performance review the GM should be evaluated and changes for its improvement should be suggested by the CLO/entry point supported by the GRC and approved by the senior management. Decisions on changes to the mechanism should be followed up with a clear implementation plan. Stakeholders should be informed about relevant changes of the GM and how this will potentially affect them.

8.5 Trainings

The grantee should ensure that all personnel involved in the grievances management process are provided training which enables them to effectively participate in grievance resolution in a time-sensitive and cooperative manner.

APPENDIX A GRIEVANCES SUBMISSION FORM

GRIEVANCE SUBMISSION FORM

Reference No. (To be assigned by Grievances Officer):

Preferred language for communication **English**
 Other, please specify: _____

Please enter your contact information and grievance. This information will be dealt with confidentially.

Please note: If you wish to remain anonymous, please enter your comment/grievance in the box below without indicating any contact information.

Full Name _____

Anonymous submission **I wish to raise my grievance anonymously**
 I request not to disclose my identity without my consent

Please mark how you wish to be contacted (mail, telephone, e-mail). **By telephone (please provide telephone number):**

 By e-mail (please provide e-mail address):

Description of incident or grievance: What happened? Where did it happen? Who did it happen to? What is the result of the problem? (Please add another sheet if the space provided should not be sufficient and attach to this form. Please indicate on the main form if any further sheets have been attached.)

Date of incident/grievance: **One time incident/grievance (date _____)**
 Happened more than once (how many times? _____)
 On-going (currently experiencing problem)

What would you like to see happen to resolve the problem?

APPENDIX B GRIEVANCES CLOSE-OUT FORM

GRIEVANCE CLOSE OUT FORM

Reference No. (To be assigned by Grievances Officer):

Preferred language for communication English
 Other, please specify: _____

Grievance at stake: Short summary of the situation/incident/grievance

- One time incident/grievance (date _____)
- Happened more than once (how many times? _____)
- On-going (currently experiencing problem)

Officer in charge: _____

Measures taken to close the grievance: Short description of measures taken to close out the grievance:

How satisfied have you been with the overall process and final resolution? What could have been done better?

Date of incident/grievance resolution:

Please note: Closing grievances with this form is not sufficient on its own. Please attach to this form any kind of documented evidence, indicating processes that were undertaken and any documents to prove the grievance was resolved. Such evidences can include receipts, bank statements, photographs, official letters, decisions of certain commissions that carry out appraisal etc. Please list the attached evidence below.

Attachments:

What additional steps have been taken for avoiding the future occurrence of this problem?

Please note: The right to access information is crucial to the proper functioning of this grievances mechanism. Hence, if not submitted anonymously, affected parties should be informed about measures taken to solve their grievances and further steps taken to prevent reoccurrence of future incidents. Therefore, this form, including attachments, should be made available to affected parties, as proof that their grievances have been properly handled and been resolved.

APPENDIX C GRIEVANCES REGISTER

Grievance Register

Reference Number	Date	LL Program (if applicable)	Registered by (CLO)	Grievant information (Name, gender, age, etc.) OR anonymous complaint	Contact Details	Description of Grievance	Referred to Person/ Department/ Court/ other authority	Action Taken	Close Out