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|  | **FEEDBACK AND GRIEVANCE REDRESS MECHANISM** |  |
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This Feedback and Grievance Redress Mechanism (FGRM) is to be used, with a database maintained, by implementing/executing entities, if one does not exist already. It uses a 5-step process, i.e. (1) **immediately resolvable**, (2) **community level**, (3) **project level**, and, as last resorts only, (4) **appeal** to the Customary Land Tribunal for resettlement related issues and to the Minister of Climate Change for environment and social related issues[[1]](#footnote-1)[[2]](#footnote-2), and if the affected person is still dissatisfied with the outcome they may be referred to a (5) **legal process** in accordance with Vanuatu laws and procedures. Where possible, grievances should be resolved in the first 3 steps with the appeal and legal process only if deemed absolutely necessary.

1. **Report, receive and register grievance**
	1. Upon receiving the grievance[[3]](#footnote-3), if not already done so, the details should be recorded on the grievance form (attached below) and in the grievance database.
2. **Immediately resolvable**
	1. If easily resolvable, the responsible officer should attempt to immediately resolve the grievance.[[4]](#footnote-4)
3. **Community level**
	1. If the grievance is not resolved immediately, it should be dealt with at the community level in the customary way by a Nakamal within 7 days.
4. **Project level**
	1. If the grievance was not resolved immediately, or at the community level, the responsible officer should inform the affected person in writing (by letter or email within 2 days) that the grievance is under review, how the process will work, how long it may take[[5]](#footnote-5), and provide them with contact details and the reference number for the grievance in grievance database.
	2. The responsible officer assesses whether the grievance is eligible for the FGRM.[[6]](#footnote-6)
	3. If the grievance is determined to be eligible, then the severity and subsequent course of action shall be determined and whether additional meetings and further investigation is required. A formal response should be provided within a 2-week timeframe or a timeframe that has been agreed to with the affected person. If additional time is needed, the affected person will be advised of this in advance.
5. **Appeal**
	1. If the grievance is not satisfactorily resolved, then the affected person may appeal to the Minister for review and a final decision. If necessary, further action will be taken to resolve the issue.
	2. If the grievance involves a resettlement issue, the affected person may choose to appeal to the Customary Land Tribunal, as per the current Land Acquisition Law. Under the Law and current procedures in Vanuatu, the procedure can last up to 30-days. The decision of the tribunal is generally final, unless the tribunal procedures are challenged.
6. **Legal Process**
	1. If the affected person is still dissatisfied with the outcome, they may be referred to the legal process, however, courts should be the last avenue for addressing grievances.
7. **Close out**
	1. A grievance is closed out when no further action can be or needs to be taken. Closure status will be entered into the grievance database as follows:
		1. Resolved – resolution has been agreed and implemented and signed documentation is evidence of this
		2. Unresolved – it has not been possible to reach an agreed resolution and the case has been authorised for close out by the Minister
		3. Abandoned – cases where the attempts to contact the affected person have not been successful for two months following receipt of formal grievance
8. **Inform affected person**
	1. The affected person should be informed formally in writing of the final outcome of the grievance.

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| **Version** | **Date** | **Nature of revision** |
| 1.0 | NAB Meeting 9 February 2018 | Initial endorsement |

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|  | **FEEDBACK AND GRIEVANCE REPORT FORM** | NAB Project № *[completed by NAB]* |
| GIP code/Project №*[obtain from DSPPAC]* |
| Cost Centre/Activity №*[obtain from Dept.]* |
| Donor/DSPPAC file № *[obtain from DSPPAC]* |

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| 1. **Received by:**
 | 1. **Date Received:**
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| 1. **Reported by:**
 | 1. **Database ID:**
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| 1. **Responsible Agency:**
 | 1. **Staff Name:**
 |
| 1. **Location:**
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|  | **Village** | **First Name, Last Name** | **Contact Details** |
| **Complainant(s)** |  |  |  |
| **Chief** |  |  |  |

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| 1. **Acknowledged by:**
 |  Date: |
| 1. **Description of Concern:**
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| 1. **Category:**
 | [ ]  Inadequate notification [ ]  Disruption to business or property[ ]  Environmental damage [ ]  Construction activities[ ]  Damage [ ]  Irrigation [ ]  Boundary dispute[ ]  Property [ ]  Other [ ]  Land access[ ]  Safety [ ]  Risk [ ]  Traffic [ ]  Compensation  |
| 1. **Proposed resolution or feedback:**
 |  |
| 1. **Complainant satisfied with process?**
 | Yes [ ]  No [ ]  Why not? |
| 1. **Complainant satisfied with outcome?**
 | Yes [ ]  No [ ]  Why not? |
| 1. **Print Name (Complainant):**
 |  |
| 1. **Signed (Complainant):**
 |  Date: |
| 1. **Signed (Recipient):**
 |  Date: |
| 1. **Copied to:**
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| **Version** | **Date** | **Nature of revision** |
| 1.0 | NAB Meeting No.# DD Month YYYY | Initial adoption |

1. For those who wish to remain anonymous, e.g. whistle blowers, the affected person should be able to report the complaint over the telephone or using an anonymous electronic complaint form made available on the NAB portal. If the affected person is referred to the Community stage, the affected person should be able to remain anonymous to the broader public by recording the details of the grievance or issue on a register held with the Nakamal leader. [↑](#footnote-ref-1)
2. To maximise the possibility of resolving the grievance by the project stage, and avoiding political intervention where all possible, the option of appealing to the minister should not be made public, but advised to the affected person if the grievance is not resolved at the project stage. [↑](#footnote-ref-2)
3. The affected person should be advised that the FGRM does not deal with grievances relating to internal communication or disputes between a project team, implementing entity, other agencies, or intra/inter-community conflicts that are not project related. [↑](#footnote-ref-3)
4. Many grievances can be resolved in the first instance by the responsible officer, e.g. changing the time and location of a consultation or making public information more accessible in a community. The responsible officer may need to involve another stakeholder, e.g. Department of Environment where the project involves an environmental issue. [↑](#footnote-ref-4)
5. Service standards need to be determined, e.g. a high priority grievance might be dealt with in 5 days, a medium priority in 10 days and a low priority in 20 days [↑](#footnote-ref-5)
6. The responsible officer will need to follow clear guidelines on what kinds of grievances are eligible to be handled through the FGRM, what grievances should be referred to other mechanisms (e.g. grievances alleging economic impact as a result of corrupt procurement procedures may need to be referred immediately to an internal audit department, or internal or external anti-corruption offices, or the police, etc.), and what grievances or contexts may not be eligible for a response. [↑](#footnote-ref-6)