

Grievance Redress Mechanism for Management of Plastics Waste and Circular Interventions on Plastics in South, Southeast Asia, and the Pacific (01003433)

1. Introduction

1.1. Purpose of the Grievance Redress Mechanism

- i. During implementation, and particularly construction phases of any project, a person or group of people can be adversely affected, directly or indirectly due to the project activities. The grievances that may arise can be related to social issues such as eligibility criteria and entitlements, disruption of services, temporary or permanent loss of livelihoods and other social and cultural issues. Grievances may also be related to environmental issues such as excessive dust generation, damages to infrastructure due to construction related vibrations or transportation of raw material, noise, traffic congestions, decrease in quality or quantity of private/ public surface/ ground water resources during irrigation rehabilitation, damage to home gardens and agricultural lands, etc.
- ii. UNDP has policies of information disclosure and transparency; this includes ensuring that stakeholders who may be adversely affected by the project can communicate their concerns and grievances. The Grievance Redress Mechanism (GRM) is for people seeking satisfactory resolution of their complaints on the environmental and social performance of the Management of Plastics Waste and Circular Interventions on Plastics in South, Southeast Asia, and the Pacific (01003433) (hereafter known as the “project”).
- iii. The GRM provides a process to ensure that:
 - the basic rights and interests of every person affected by poor environmental performance or social management of the project are protected; and
 - concerns arising from the poor performance of the project during the phases of design, construction and operation activities are effectively and timely addressed.

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- iv. While recognizing that many complaints may be resolved immediately, the Complaints Register and GRM encourages mutually acceptable resolution of issues as they arise. The Complaints Register and GRM has been designed to:
- be a legitimate process that allows for trust to be built between stakeholder groups and assures stakeholders that their concerns will be assessed in a fair and transparent manner;
 - allow simple and streamlined access to the Complaints Register and GRM for all stakeholders and provide adequate assistance for those that may have faced barriers in the past to be able to raise their concerns;
 - provide clear and known procedures for each stage of the GRM process, and provides clarity on the types of outcomes available to individuals and groups;
 - ensure equitable treatment to all concerned and aggrieved individuals and groups through a consistent, formal approach that, is fair, informed and respectful to a concern, complaints and/or grievances;
 - to provide a transparent approach, by keeping any aggrieved individual/group informed of the progress of their complaint, the information that was used when assessing their complaint and information about the mechanisms that will be used to address it; and
 - enable continuous learning and improvements to the GRM. Through continued assessment, the learnings may reduce potential complaints and grievances.

1.2. Structure of the GRM

- v. The project has adopted a two-tier GRM structure: tier one is for issues that can be resolved at the site or project level; while tier 2 is for more complex issues that cannot be readily resolved at the site or project level and therefore require escalating. This is because it is anticipated that many complaints will be able to be readily resolved at the contractor/project level e.g., noise or dust complaints discussions between contractor and stakeholders. While more complex or significant grievances are likely to require escalation to the second tier of the GRM – the Grievance Redress Committee (GRC). The GRC may make recommendations to the Board for resolution of issues that required Board approval or Government intervention.
- vi. In addition to the project-level and national grievance redress mechanisms, complainants have the option to access UNDP's Accountability Mechanism.
- vii. The GRM will be administered by [partner] on behalf of UNDP and an *ad hoc* GRC in response to specific requests for grievance. The GRC will be balanced in composition (government and non-government) – refer to points xxix and xxx.
- viii. In its role as GRM secretariat, [the 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

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- Acknowledge receipt to the requestor
 - Determine eligibility
 - Assign responsibility for review and action
 - Track and document efforts at grievance/dispute resolution and their outcomes.
- ix. The Grievance Redress Committee 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 Project Board);
- x. Request further information to clarify the issue, and share that information with all relevant parties, or ensure that a government agency represented on the Project Board takes an appropriate administrative action to deal with a complaint;
- Refer the grievance/dispute to the Project Board and/or independent mediation, while maintaining oversight; or
 - Recommend referral to the government or legal system (e.g., to the courts) if the issue is outside the mandate of the Project Board to resolve.

1.3. Disclosure of the GRM

- xi. Local communities and other stakeholders will be advised of the existence of the GRM and its operation. This shall be done via several mechanisms:
- xii. During stakeholder meetings and workshops.
- UNDP Maldives project website.

2. Complaints Process

- i. The Complaints Process is for people seeking satisfactory resolution of their complaints on the environmental and social performance of the Management of Plastics Waste and Circular Interventions on Plastics in South, Southeast Asia, and the Pacific (01003433).
- ii. This Process is consistent with UNDP's Social and Environmental Standards (SES).
- iii. For the purpose of this procedure, a community grievance or complaint is a notification provided to the [project name] by a community member or group that they have suffered some form of offence, detriment, impairment or loss as a result of project activities and/or employee or contractor behaviour. The overall process is summarized in Figure 1.

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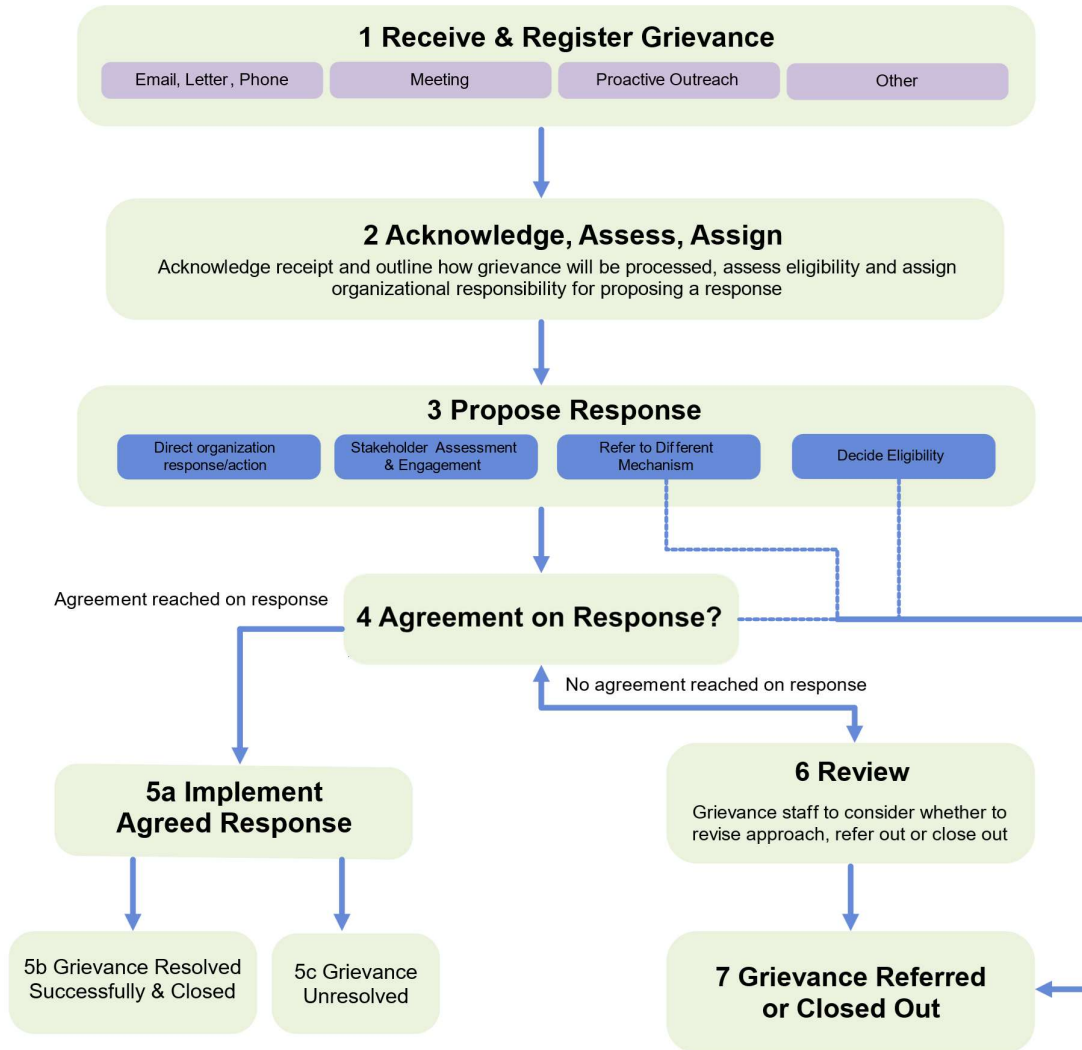


Figure 1: General overview of grievance redress process

2.1 Lodging a Complaint

- xiv. Anyone can make a complaint or grievance, ask for information on the project or get in touch for any project related reason. The various ways to get in touch are:
 - xv. By Phone: +960 334-3269
 - xvi. By email: rcc.mv@undp.org
 - By mail: UNDP Maldives, 9th Floor, H. Thuniya, Boduthakurufaanu Magu, Malé 20066, Maldives
 - In person: by visiting UNDP Maldives, 9th Floor, H. Thuniya, Boduthakurufaanu Magu, Malé 20066, Maldives. Project team members may also receive complaints when in the field, but sufficient details must be provided by complainant to allow follow up.
 - Via the project website: <https://undp.org/maldives>

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2.2 Information to be included in a Grievance

- xv. The Grievance should include the following information:
- name of the individual or individuals making the Complaint (the “Claimant”)
 - a means for contacting the Claimant (email, phone, address, other)
 - 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
 - the description of the potential or actual harm
 - 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)
 - what has been done by Claimant thus far to resolve the matter
 - whether the Claimant wishes that their identity is kept confidential; and
 - the specific help requested from the GRM.
- xvi. 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 project 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.

2.3 Eligibility Criteria for GRM

- xvii. There is a procedural step for the assessment of eligibility for the GRM to ensure that the issue being raised is relevant to project. Eligibility will be determined based on the following four criteria:
- 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?
 - Does the complaint specify what kind of impact has occurred or may occur, and how the program has caused or may cause that impact?
 - 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?
 - Does the complaint provide enough information for GRM staff to decide on the first three questions?

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2.4 Management of Complaints

- xviii. The key to the successful management of community complaints is to act immediately. Proactively resolving complaints and disputes early is preferable rather than allowing community issues to escalate. Most complaints can be resolved quickly and satisfactorily by:
- Dealing with complaints in persons
 - Apologizing for inadvertent breaches
 - Rectifying root causes
 - Assuring complainants of future preventative action.
- xix. Wherever possible, the project team will seek to resolve the complaint as soon as possible and thus avoid escalation of issues. However, where a complaint cannot be readily resolved, then it must be escalated.

2.5 Complaints Register

- xx. All complaints or grievances are entered into a register to enable tracking of each complaint/grievance. When a complaint is received the following information is to be recorded:
- Complaint number/identifier
 - Date complaint received
 - Complainants contact details (name, address, phone / fax, email)
 - Details of complaint
 - Receiving officer/medium (letter, email, verbal).
- xxi. Complaint records (letter, email, record of conversation) are stored together, electronically or in hard copy. Each record has a unique identifier.

2.6 Process for Managing Complaints

- xxii. The complaints and GRM process, including durations of each step are shown in Table 1. Key features of the process are outlined below:
- When a complaint is received, the recipient of the complaint will be the Administrative Officer to immediately ensure there is awareness of the complaint. The Project Manager shall notify the person and/or the contractor responsible for the implementation of that particular activity for the project in writing within 48 hours of awareness of the formal complaint.
 - Each complaint will be acknowledged so that complainant is aware that complaint has been received.
 - Complaints will be assessed for eligibility. If a complaint is found not be related to the project's operations, then the complainant will be informed accordingly in writing, and the complaint will be considered as closed
 - Each complaint/grievance is assigned a specific person responsible for close out. The Grievance Redress Registering and Monitoring Form (Annex 1) breaks

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grievances into the following categories: construction, compensation, revegetation, access, social nuisance, other. The most appropriate person to manage the complaint will be identified based on the nature of the complaint.

- Each complaint or grievance will have an action for addressing and closing out.
- Contractor or staff of the project team or similar project person can address issues onsite as required. If necessary, meetings will be held with the concerned affected persons / complainant and the concerned officer to find a solution to the problem and develop plans to redress the grievance. Issues raised and resolved on-site should be registered in the complaints register – the logging of these informal resolutions encourages responsiveness; and ensures that repeated or low-level grievances are being noted in the system.
- Use of community leaders and customary methods of conflict resolution is encouraged if necessary and appropriate when an issue is raised. The community is the customary forum where grievances can be discussed; each island has one.
- If an issue/complaint cannot be resolved onsite, it is elevated to the Project Manager for resolution (with support from the project team). If the Project Manager cannot resolve the issue, it is escalated to the ad hoc Grievance Redress Committee.
- Every possible effort should be made by the project and construction contractor to resolve the issues referred to in the complaint within their purview. However, there may be certain problems that are more complex and cannot be solved through project-level mechanisms. Such grievances will be referred to the Grievance Redress Committee.
- All simple complaints and grievances must aim to be closed out within 1 month. Complex complaints should aim to be closed out within 3 months or deferred to the Grievance Redress Committee.
- The Grievance Redress Committee will hold the necessary meetings with the aggrieved party/complainant and the concerned officer and attempt to find a solution acceptable at all levels.
- As noted under point ix, the Grievance Redress Committee may refer the grievance/dispute to the Project Board; or if outside the scope and mandate of the Project Board recommend that it is referred elsewhere (e.g., to the courts).
- Grievance Redress Committee will communicate proposed responses to the complainant formally (including when issues have been escalated to the Project Board). If the proposed response satisfies the complainant, the response will be implemented, and the complaint and/or grievance closed. In cases where a proposed response is unsatisfactory to the complainant, the Grievance Redress Committee may choose to revise the proposed response to meet the complainant's remaining concerns, or to indicate to the complainant that no other response appears feasible to the Grievance Redress Committee.

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The complainant may decide to take a legal or any other recourse if s/he is not satisfied with the resolutions due to the deliberations of the two tiers of the grievance redress mechanism.

- The deliberations of the meetings and decisions taken are recorded. All meetings in connection with the Grievance Redress Mechanism, including the meetings of the Grievance Redress Committee, must be recorded.
- Following completion of the agreed corrective action, a complaint can be closed. Actions taken are to be documented to evidence compliance e.g., photos, report or any supporting document. Acknowledgement from the complainant that appropriate actions have been undertaken and that complaint can be closed should be obtained, this is best done using a standardised complaint close out form. Once the form is completed, then the complaint can be closed in the complaint register.
- Details of all complaints and their responses status shall be provided in monthly reports to the PMU.

Step	Process	Duration
1	Affected Person (AP) makes complaint to the project	Anytime
2	Complaint is logged in Complaint Register	24 hours
3	Project receives the issue and in consultation with the implementer of project activity or whoever the complaint is directing towards (if appropriate) and assigns responsible person.	48 hours
4	Complainant notified of complaint registration and commencement of resolution process.	15 days
5	project reports back to AP and gets clearance from the complainant	1-3 months
6	Agreed actions are implemented and confirmation of satisfactory outcome obtained.	1-3 months
If unresolved		
7	Project takes grievance to the Grievance Committee for resolution	As soon as it is apparent that issue cannot be resolved at project level or after 1 month, whichever comes first
8	Grievance Redress Committee meets and initiates second tier of resolution process.	after 1 month, whichever comes first
9	Grievance Redress Committee will communicate proposed responses to the complainant	Within 4 weeks of matter being referred
10	formally (including when issues are escalated to the Project Board).	Within 3 months
If unresolved or if at any stage AP is not satisfied		
AP can take the matter to appropriate national court		As per the judicial system
AP can utilize UNDP redress mechanisms		As per institutions timeframes

- xxiii. Files for each Grievance will be available for review by the Claimant and other Stakeholders involved in the Grievance, or their designated representative(s).

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- Appropriate steps will be taken to maintain the confidentiality of the Claimant if previously requested.
- xxiv. The project 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).
- xxv. As noted above, a Grievance Redress Committee will be formed expressly for the purpose of resolving issues that cannot be readily solved by the project team and/or contractor. The Grievance Redress Committee represents a second tier of complaint resolution and therefore issues that cannot be readily resolved will be escalated to the Committee.
- xxvi. The GRM Committee is not a statutory body, nor has it authority to make project decisions that would require Board approval. The GRM Committee is a mediating body that will make recommendations for the resolution of complaints – these recommendations will be presented to the Project Board and/or appropriate authority for agreement and implementation.
- xxvii. At any point after receiving a Grievance and through to implementation of the proposed solution and way forward, the GRC may seek the technical assistance and/or an advisory opinion from any entity or individual in the Maldives or internationally which may reasonably be believed to be of assistance.
- xxviii. The objectivity, transparency and credibility of the Grievance Redress Committee is of paramount importance to the success of the GRM process, and to maintaining good relations among stakeholders.
- xxix. The Grievance Redress Committee will be made up of:
- Committee Chair – Pek Chuan Gan | Deputy Resident Representative
- xxx. Project Manager – Adam Shaheer | Project Manager
- xxxi. The majority of GRC members should be from the non-governmental sector. The GRC is composed of members from the CSO / private sector; UNDP / project team members; and the Deputy Resident Representative (or her/his designee); and limited number of additional government members as appropriate
- xxxii. In accordance with the UN rules on ethical conduct, all members of the Grievance Redress Committee must declare any conflict of interests, actual or potential, with respect to grievances submitted for consideration.
- xxxiii. The Terms of Reference for the Grievance Redress Committee are:
- providing support to the affected persons in solving their problems
 - prioritize grievances and resolve them at the earliest
 - provide information to the Project Board on serious cases at the earliest opportunity
 - coordinate with the aggrieved person/group and obtain proper and timely information on the solution worked out for his/her grievance

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- study the normally occurring grievances and advise PMU and Project Board on remedial actions to avoid further occurrences.
- xxxiv. The Project Grievance Redress Mechanism does not replace or exclude other existing avenues for complaint resolution.
- xxxv. All complainants have the right to use the Court System of Maldives at any time to seek resolution.
- xxxvi. An additional (tier 2) independent grievance mechanisms are also available to complainants:
 - UNDP Stakeholder Response Mechanism - www.undp.org/secu-srm

3. Roles and responsibilities

- xxxvi. The following are persons involved in the complaints process and their supporting roles and responsibilities:
 - xxxvii. Focal Point for managing the project's complaints process: Adam Shaheer, Project Manager
 - xxxviii. Person who will manage the database and record keeping: Shadha Hussain, Project Analyst
 - xxxix. Persons who will answer simple queries and manage simple complaints: Adam Shaheer, Project Manager
 - xl. Person who will prepare report for UNDP reporting: Adam Shaheer, Project Manager
 - Grievance Redress Committee. As described above, the GRC will be formed and will meet on an as needs basis for complex or significant grievance management. Terms of reference as described under points xxxii.

4. Reporting and Evaluation

- xxxvii. Complaints shall be reported in the regular project reporting to UNDP. It should contain:
 - Total number of complaints / grievances received
 - Total number resolved
 - Total number under investigation / not yet resolved, noting any that have exceeded recommended close out timeframes
 - Summary of any significant grievances currently not yet resolved and any risks to project implementation.
- xxxviii. If there are more than 30 complaints / grievances recorded, the Project Manager may decide to investigate any patterns or repetition of issues that need addressing. The Project Manager may decide to get an independent consultant to review and provide advice.

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- xxxix. 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 12 months, a date and description of the grievances received, resolutions, referrals and ongoing efforts at resolution, and status of implementation of ongoing resolutions (including any material changes or additions to the mitigation measures and/or action plans). The level of detail provided about 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.
- xl. The report will also highlight key trends in emerging conflicts, grievances, and dispute resolution, and make recommendations regarding:
- measures that can be taken by the Government to avoid future harms and grievances; and
 - improvements to the GRM that would enhance its effectiveness, accessibility, predictability, transparency, legitimacy, credibility, and capacity.

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Annex 1: Grievance Redress Registering and Monitoring Form

Complainant Information (Person Reporting)						
Name:	Enter text			Gender:		
Address:	Enter text			Telephone:	Enter text	
National ID:	Enter text			Email:	Enter text	
Type of Complaint						
Affected person/s	Intermediary (on behalf of the AP)	Civil organization	Service organization	Service organization		
Enter text	Enter text	Enter text	Enter text	Enter text	Enter text	
Registration (assigned):				Enter text		
Complaint Details						
Mode of receiving the grievance:						
Letter	Phone call	Fax	Email	Verbal complaint	Suggestion box	Others (specify)
Enter text	Enter text	Enter text	Enter text	Enter text	Enter text	Enter text
Location of the problem/issue specified in the complaint:						
Enter text						
Type of the problem/grievance						
Construction	Compensation / Payment	Revegetation	Access	Social nuisance	Other (specify)	
Enter text	Enter text	Enter text	Enter text	Enter text	Enter text	
Short description of the problem:						
Enter text						
Short description of the factors causing the problem:						
Enter text						
Person / agency responsible for causing the problem:						
Project	Affected parties	Service delivery agencies	Local political authority	Civil organizations	Funding agencies	Others (specify)
Enter text	Enter text	Enter text	Enter text	Enter text	Enter text	Enter text
Past action/s taken by the complainant (if any):						
Enter text						
Details of the focal point that received the complaint:						
Name of the person who received the complaint	Enter text			Position	Enter text	
Name of the receiving office	Enter text			Date:	Click for date	
Actions taken by the receiving office						
	Short Description	Name of Action-taking officer		Date		
Action 1	Enter text	Enter text		Click for date		
Action 2	Enter text	Enter text		Click for date		
Action 3	Enter text	Enter text		Click for date		
Final Resolution	Enter text					
Signature				Date:	Click for date	

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Annex 2: Close-Out Template

As per the GRM process, following completion of the agreed corrective action/s, a complaint can be closed. Acknowledgement from the complainant that appropriate actions have been undertaken and that complaint can be closed should be obtained. The template below can be used to record complainant agreement.

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Annex 3: GRM Close out Letter Template

[Address]

Date: (insert date)

RE: RESOLUTION OF GRIEVANCE RELATED TO THE [INSERT NAME OF PROJECT]

Dear [insert name of complainant/s here],

In response to your complaint of (insert date of complaint registration) regarding (insert subject of complaint and GRM registration reference) we wish to confirm that the following actions were undertaken:

- (Insert summary of the actions taken and the outcomes achieved)
- (provide as much information as required to demonstrate that resolution has been achieved)
- (this information should be available from the GR Registering and Monitoring Form)

To close out this matter, we request that you sign and return the acknowledgement below. We thank you for your participation and continued interest in the project.

Regards,

[Project Name]
Project Manager

Acknowledgement

I, the undersigned, acknowledge that the above actions have been undertaken and that all reasonable efforts have been made to address my complaint.

Name: _____ Signature: _____ Date: _____