



THE DIGITAL MALAWI PROGRAM PHASE I: DIGITAL FOUNDATIONS PROJECT

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GRIEVANCE REDRESS MECHANISM MANUAL

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ACRONYMS AND ABBREVIATIONS

| | |
|---------|---|
| ACB | Anti-Corruption Bureau |
| BIGRC | Beneficiary Institution Grievance Redressal Committee |
| CGRC | Community Grievance Redressal Committee |
| CSO | Civil Society Organisation |
| DGRC | District Grievance Redressal Committee |
| ESMP | Environmental and Social Management Plan |
| ESSO | Environmental and Social Safeguards Officer |
| GBV | Gender Based Violence |
| GRC | Grievance Redressal Committee |
| GLAN-P | Government Local Network - Parliament |
| GLAN-CH | Government Local Network – Capital Hill |
| GRM | Grievance Redress Mechanism |
| ICT | Information Communication Technology |
| MoID | Ministry of Information and Digitalisation |
| MACRA | Malawi Communications Regulatory Authority |
| MAREN | Malawi Research and Education Network |
| NDC | National Data Centre |
| PAPs | Project Affected Persons |
| PMU | Project Management Unit |
| PIC | Public Institution Connectivity |
| PPE | Personal Protective Equipment |
| PPPC | Public Private Partnership Commission |
| PGRC | Project Grievance Redressal Committee |
| SEA | Sexual Exploitation and Abuse |
| SH | Sexual Harassment |
| VDC | Village Development Committee |
| WB | World Bank |
| WGRC | Workers Grievance Redressal Committee |

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1.0 INTRODUCTION

1.1 Background Information

The Ministry of Information and Digitalisation (MoID) through the Public Private Partnership Commission (PPPC) is implementing the Digital Foundations Project with financial and technical support from the World Bank (WB).

The overall aim of the Digital Foundations Project is to extend and improve access to critical Information Communication Technology (ICT) infrastructure for the public and private sectors; improve ICT governance; improve access to government services; and reduce infrastructure costs by providing reliable, fast, and adaptive government digital systems that will facilitate provision of e-services thereby enhancing public service delivery. The project has four components with each component further divided into subcomponents. The components are briefly described below:

- i. **Component I – Digital Ecosystem** aims at creating an enabling environment through legal and regulatory reform; regulatory capacity building and institutional development; and improved ICT skills development and innovation. Under this component, the project will support Malawi Communication Regulatory Authority (MACRA) in developing regulatory bylaws, data collection and analysis tools required for the effective implementation of the laws and new mandates stipulated in the new act.
- ii. **Component II – Digital Connectivity** is intended to increase access to connectivity nationwide by addressing connectivity gaps for government, higher education, and private consumers. The component will support a long-term capacity purchase and services contract to connect all priority public institutions throughout the country such as government offices, hospitals and education institutions. The component will also support deployment and scaling up of innovative broadband access networks to secondary cities and rural areas.
- iii. **Component III – Digital Platforms and Services** aims at creating opportunities to transform public service delivery in Malawi using digital technologies. The component will focus on development of a Shared Digital Public Services Platform, with the aim to establish a solid foundation upon which all future digital services and applications will be built and developing human and institutional capacity of the government to deliver. The digital platform and services will provide opportunities to transact business through mobile and online platforms. Such services could include processing of passports, licenses, business registration, birth certificates and payment of utilities. The component will also focus on development of citizen facing digital applications and services that leverage the shared platform.
- iv. **Component IV – Project Management** designed to support project management including support for an overall project manager, a digital government services coordinator and specialists in procurement, financial management and safeguards. The component will also

provide funding for strategic communications and partnerships, monitoring and evaluation activities as well as funding for audits, logistics and operational overheads.

1.2 Digital Foundations Project's Grievance Redress Mechanism

The Digital Foundations project implementation has the potential to negatively impact the public, businesses and institutions in different ways. The Project identified negative environmental, social, safety and health impacts through its Environmental and Social Management Plans that can affect different stakeholders. In addition to these impacts, the project can impact the public and institutions through its processes including those of procurement and financial management as well as from poor governance. The World Bank through its Environmental and Social Framework requires projects to implement Grievance Redress Mechanisms (GRMs) in order to provide a platform for reporting and redressal of grievances. A grievance redress mechanism (GRM) is defined as an accessible and inclusive system, process, or procedure that receives and acts upon complaints, queries, inquiries and suggestions for improvement in a timely fashion, and facilitates resolution of concerns and grievances arising in connection with a project. An effective GRM provides affected parties with redress and helps address issues at an early stage. When effectively implemented, a GRM will improve overall project performance. This GRM is designed based on understanding of the issues that are likely to be the subject of concerns and grievances related to the Digital Foundations Project.

1.3 Rationale for Grievance Redress Mechanism

Grievances, concerns and problems are inevitable during project implementation and an effective mechanism is needed to address them promptly. Failure or delays to resolve the grievances and concerns can derail the implementation of the project. GRM is therefore established to:

- Provide a predictable, transparent, credible process to all project affected people (PAPs), resulting in outcomes that are seen to be fair, effective and sustainable
- Enhance mutual communication and stakeholder engagement, encouraging interaction among all parties involved and interested in the project
- Build trust as an integral component of broader community relations
- Enable more systematic identification of emerging issues and trends, facilitating corrective actions and pre-emptive engagement
- Deter project related fraud and corruption
- To enhance the legitimacy of the project amongst stakeholders

1.4 Objectives of Grievance Redress Mechanism

Grievances are useful indicators of a project's performance. A high number of grievances may point to a need to adjust work practices or procedures in order to mitigate adverse impacts or conflicts with the public. The objectives of this GRM are to:

- i. Provide an accessible process to receive grievances, dissatisfaction, concerns or feedback from project affected people (or those likely to be affected) and the general public on project design and implementation;
- ii. Provide procedures for resolving and addressing project related grievances and concerns;
- iii. Facilitate effective communication between the project and affected persons and other stakeholders;
- iv. To be responsive to the concerns and complaints of project beneficiaries and interested and affected parties; and to address and resolve their grievances;
- v. To promote transparency and accountability throughout the implementation of the Digital Foundation Project by providing a conduit/channel for soliciting inquiries and inviting suggestion from the relevant stakeholders including project beneficiaries;
- vi. To promote relations between the project implementers, executers and beneficiaries thereby creating a sense of ownership;
- vii. To give a voice to the marginalised and promote inclusion.

1.5 Grievance Redress Mechanism Manual

The World Bank as well as the Government of Malawi recognise that, successful implementation of projects, require a well-developed Grievance Redress Mechanism (GRM) which is effectively implemented to address grievances. A GRM Manual has therefore, been prepared to describe the procedures, systems and principles to be followed by the Project Implementation Unit (PIU), Grievance Redressal Committees (GRCs) and project affected and interested parties to lodge, receive and address grievances such as complaints, concerns queries, clarifications, suggestions and feedback related to the Digital Foundations Project. The manual describes how complaints will be received, assessed, sorted and resolved; and how this entire process will be monitored. It also indicates the timelines for milestones to be achieved during grievance processing and provides tools for implementation.

Therefore, all personnel charged with responsibilities in the implementation of the Digital Foundation project shall be required to adhere to the procedures and guidelines set forth in this manual.

1.6 Potential Users of this GRM Manual

The GRM will be used by those who have an interest or are affected by the Digital Foundation Project implementation activities. The GRM can be accessed either individually or collectively as a group by persons, institutions or communities.

The potential users of this GRM manual include but not limited to the following;

- a) Project Implementation Unit (PIU)
- b) Digital Foundation Project beneficiaries (institutions and personnel (including students))
- c) Contractors

- d) Contractor workers/ labourers
- e) District Councils
- f) Lead Ministry and Departments
- g) Consultants
- h) Project workers
- i) Project Affected Parties (Individuals, Institutions and communities); and other stakeholders

2.0 PRINCIPLES FOR EFFECTIVE GRIEVANCE REDRESS

A Grievance Redress Mechanism is set up to receive and act in a timely manner upon grievances which will be received from different stakeholders including the marginalised and vulnerable people. To ensure that grievances are received from and harmoniously addressed to the satisfaction of all aggrieved persons, communities and institutions, a set of guiding principles has been included to guide the design and implementation of the GRM to ensure its effectiveness. These principles will be used to evaluate the performance of this GRM. The following principles provide a framework to redress grievances arising from implementation of the Digital Foundation Project.

2.1 Accessibility

GRM shall be accessible to anyone who wants to lodge a complaint or provide feedback. The GRCs at all levels shall help those who face barriers of language, literacy, awareness, cost or fear of reprisal. The GRM shall be easily accessed and shall be used by all PAPs as well as any person that may need to use it for any of their concerns; without discrimination on any basis (e.g. sex, age, health, marital status, religion, race, political affiliation or tribe).

2.2 Predictability

GRM shall have clear procedures with time frames for each stage and shall present the results to be expected.

2.3 Fairness

GRM procedures shall be as fair as possible, especially in terms of access to information and opportunities, for meaningful participation in the final decision.

2.4 Rule of Law

Outcomes of the GRM shall be consistent with the Malawi Constitution, laws and international standards on human rights. The GRM shall not restrict access to other redress mechanisms that the communities and PAPs have access to or decide to access.

2.5 Transparency

GRM procedures and outcomes shall be widely publicized to all concerned. All supporting documents of meetings needed to achieve resolution shall be part of the file related to the complaint.

2.6 Capability

PPPC shall provide the necessary technical, human and financial resources to deal with the GRM issues at stake. All costs for the grievance mediation process will be paid by the PPPC under the Digital Foundations Project.

2.7 Feedback

GRM shall serve as a means to channel citizens' feedback to improve project outcomes for the people.

2.8 Human dignity

GRMs shall recognize the inherent dignity and the equal and inalienable human rights of all individuals.

2.9 Equity and justice

GRM shall recognize that equality between individuals may require acknowledging their differences and taking positive action, including empowerment, to balance their powers and ensure that women, men, youth, the vulnerable and marginalized people have equal access to information, and expertise for redressing grievances and acceptable resolution.

2.10 Gender equality

GRM shall ensure equal rights of women and men to the enjoyment of all human rights, while acknowledging differences between women and men and taking specific measures to accelerate de facto equality when necessary. Women and girls shall have equal tenure rights and access to land and other resources, regardless of their civil and marital status.

2.11 Accountability

GRM shall hold individuals and committees responsible for their actions and decisions according to the principles of the rule of law.

2.12 Appeal

Where the complainant does not accept the mediation option or if he/she does but a resolution agreement is not reached and all the grievance resolution levels are exhausted, the complainant may seek redress through the courts of law or other mechanisms available at the country level.

2.13 Consensus and negotiations

These are central to addressing grievances and therefore, effective sensitization and awareness of PAPs on their rights and their commitments to the country as citizens should be emphasised. Negotiations and conflict resolution between the PPPC (through all the grievance redressal levels) and the project beneficiaries to achieve consensus are crucial to the success or failure of any project. Key players, during the negotiations and conflict resolution, shall include the Grievance Redress Committees, Government, local leaders, institutions, communities and PAPs. As a guiding principle, emphasis shall be placed on simplicity and proximity of the conflict resolution mechanisms to the affected persons and the general public and the following shall be noted:

- Negotiation and agreement by consensus will provide the best avenue to resolving any grievances expressed by parties affected by project
- The PPPC shall ensure that the main parties involved achieve consensus freely. The PPPC shall clearly advise the PAPs, as to who is responsible for the grievance handling procedures.

3.0 LIKELY GRIEVANCES ON THE DIGITAL FOUNDATION PROJECT

The implementation of the Digital Foundations Project is expected to receive grievances from different institutional levels i.e., from members of the community, targeted beneficiary institutions, district councils and bidders of various works among others. Some of the grievances that may be lodged include:

3.1 Procurement related grievances

This project involves the procurement of contractors, consultants, goods and services to undertake implementation work under the relevant sub-components. It is expected that some PAPs may not be satisfied with the outcome of the procurement processes and may lodge a complaint. Other allegations such as political interference in the procurement process may also be reported. Examples may include grievances from unsuccessful bidders regarding bidding procedures, delays in awarding contracts, delayed payments for goods and services etc.

3.2 Payment related grievances

Providers of goods and services may be aggrieved by the delays in the payment, the manner in which payment is being handled. Complaints may also emanate from contractor's non-payment of workers, labourers as well as payments below the minimum wage stipulated in the Employment Act.

3.3 Contract related grievances

Grievances may arise in the course of contract execution. This may include breach of contract clause by either the contractor or the project, poor workmanship, delayed as well as incomplete works.

3.4 Compensation related grievances

This applies when an individual or communities lose land or other assets to the project intervention including from property damage. Individuals or communities may lose their access to livelihood activities such as businesses. These issues may require compensations to affected parties. Grievances can include discrimination in compensation, inadequate compensation, delayed remittance of compensation money.

3.5 Gender-based violence

Gender based violence (GBV) including Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH) may emerge during the implementation of the project. The aggrieved party may lodge a complaint to relevant committees established by this manual and are encouraged to make formal contact with the law enforcement agencies e.g. police in some cases such as rape. Other examples of GBV grievances include, physical abuse, unwarranted sexual comments about ones appearance, physical touching of a sexual nature, soliciting sexual favours to retain employment among others.

3.6 Child labour and abuse related grievances

Child labour, child abuse and related cases may arise during the implementation of this project. The aggrieved parties, parents/guardians may lodge a complaint in cases where children are employed in project works, the amount of work being given to children is contrary to legal provisions, contractors are found abusing children physically, verbally and sexually.

3.7 Theft of project properties

Allegations of theft may arise at all levels in the course of project implementation. These grievances may be reported through the committees established under the project or referred to law enforcement agents. Grievances can be lodged in cases where workers have their personal belongings stolen at the work site, theft of institutional properties and theft of contractor equipment at the institution.

3.8 Corruption (bribes, nepotism and favouritism).

Allegations of corruption in all its forms may arise during the project implementation. These allegations may be reported to the committees established under this project or referred to responsible organisation including the Police and Anti-corruption Bureau (ACB). Corruption grievances may be for procurement of goods, procedural offer of employment, misuse of project funds etc.

3.9 Environmental pollution related grievances

Concerns may be raised regarding the following: air, soil, land and water pollution, uncontrolled ground clearing, waste management, dust and noise pollution, open trenches with stagnant water, siltation of drains and water bodies during the implementation of this project. Such issues shall be reported, investigated, and mitigated accordingly.

3.10 Safety related grievances

Grievances related to site accidents, occupation injuries, risk of fire, lack of Personal Protective Equipment (PPE) and community safety issues may be raised during the implementation of this project. These issues together with others outlined in the Environmental and Social management Plans (ESMP) prepared for the project shall be investigated and resolved promptly through the committees established under this project.

3.11 Project enquiries and feedback

Beneficiaries and stakeholders can provide positive and negative feedback about the project that may not be grievances. These feedbacks are useful for improving project delivery to achieve the expected outcomes. The GRM will also receive enquiries related to the project status and progress and on any other relevant issues.

3.12 Property damage

There may be cases of institutional or contractor's property damage caused by workers, beneficiary workers and people within the work site. Activities such as drilling, excavations, height work can

cause damages on ceilings, walls and on equipment. Aggrieved institutions, workers and contractors can lodge a grievance to relevant committees to ensure the property is replaced or restored to former state.

4.0 DIGITAL FOUNDATION PROJECT GRM INSTITUTIONAL FRAMEWORK

4.1 GRM FRAMEWORK

The following Grievance Redressal Committees shall be established and/or revived at five institutions namely; Community, Workers, Beneficiary institution, District Council and Project Implementation Unit. Grievances will be lodged by PAPs and interested parties at any of these institutions depending on proximity of the complainant to the GRC location, the type of grievance being lodged and the mandate of the institutions. The project has set up a three tier Grievance Redressal Mechanism in which unresolved grievances will be referred to successive GRM institutions until a satisfactory outcome is achieved. Referral grievances will be investigated in detail to determine the cause of the unsatisfactory outcome and to attempt to resolve and close the grievance.

With reference to the three-tiered grievance resolution levels, the first and lower tier GRC will be the Workers, Community and Beneficiary Institution GRCs. This is where contractor workers, affected communities and workers within beneficiary institutions can lodge their grievances individually or as a group. The institutions themselves can also lodge complaints through this GRC. The second and middle level is the District Council GRCs while the third and high level GRC will be the Project GRC. The District and Project GRC can also serve as first level GRC if a complaint is raised directly to them. With regards to the GRC tiers, grievances that are not resolved at the first level GRC will be referred to the second and then third level GRC. With the Project or PIU level being the highest level GRC, unresolved grievances at this level will be referred to other bodies including the Ombudsman and the courts of law.

The other institutions involved in the management of Digital Foundations Project related grievances will include the Malawi Police Service and the Courts of Law. These institutions will handle criminal cases which cannot be heard by the GRCs. Cases of GBV and SEA, theft, corruption and child labour will require the attention of these institutions. GBV cases will also be referred to GBV Service Provider. The courts of Law will in addition be involved in cases that are not satisfactorily resolved at the high level GRC under the project. Figure 1 provide a schematic presentation of the institutional arrangement for the project.

The Digital Malawi Project will be the custodian of the whole Grievance Redress Mechanism and the Grievance Redress Committees. The project will be responsible for coordinating the functions of the GRCs, provision of required resources and technical assistance to ensure effective grievance management. The focal point for the Digital Malawi Project GRM will be the Environmental and Social Safeguards Officer. The ESSO will among other things work as the secretary in the Project GRC, undertake monitoring activities to verify functionality of the GRM.

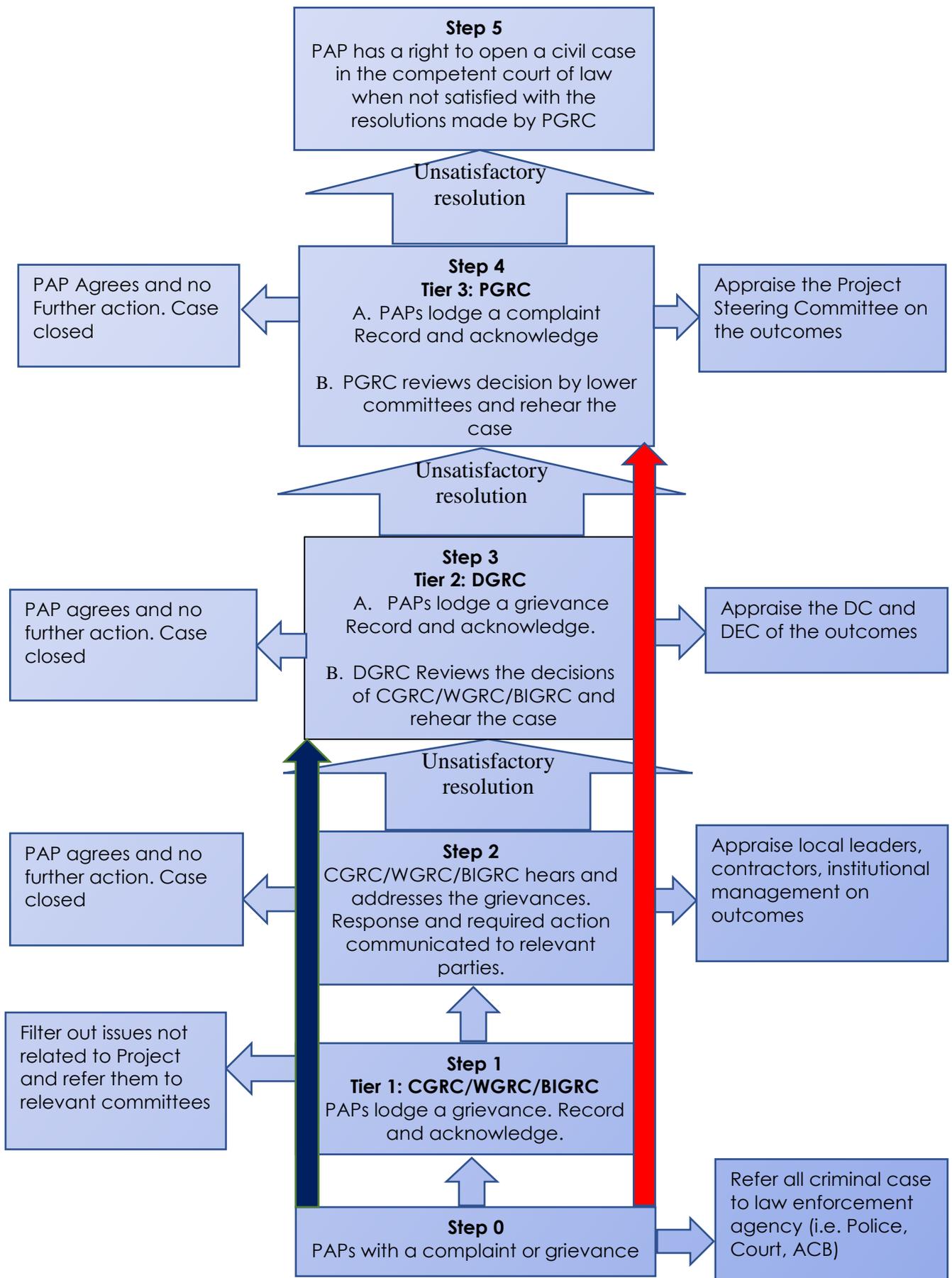


Figure 1: Schematic presentation of the institutional arrangement for Digital Malawi Project's GRM

4.2 GRIEVANCE REDRESSAL COMMITTEES

Grievance Redress Committees will be made up of members from all the stakeholders of the project including contractors, District Councils, beneficiary institutions, communities and the Project Implementation Unit. All committee members will be nominated from within the institutions. For education institutions, students will be included in the committees to represent their fellow students when they raise grievances. The GRCs should always have representation of the youth and women to ensure accessibility. Women should be included in the committee, with at least 30% representation. Committee members should be the ones who are willing to devote their time to attend to the GRM function. The selected community members should be trustworthy and reputable.

The grievance redressal committees will conduct meetings as and when required by the GRM processes. The chairperson of the committee shall preside over and maintain due and proper conduct of meetings and ensure that the rules and regulations of the committee sets for its operation are properly administered at all times. In the absence of the chairperson, an interim chairperson will be nominated and duly seconded to preside over the meeting. The secretary of the committee will be responsible for calling meetings, taking minutes, circulating the duly signed copy of the minutes and filing the minutes. The quorum at any meeting of the committee shall be 50% of the members of the committee eligible to attend the meeting. The committee shall enforce transparency and accountability at all times in the conduct of its affairs.

4.2.1 Community Grievance Redressal Committee

The Community Grievance Redressal Committee (CGRC) will be established within the communities where the Digital Foundation Project will be implementing the Public Institution Connectivity (PIC) sub-component. This sub-component is expected to benefit 500 institutions in 27 districts in Malawi. Some of the required work, specifically the installation of optic fibre will be undertaken along the road reserves and may impact on the surrounding communities. The CGRC will be established within these communities to cater for grievances that may arise from these areas.

4.2.1.1 Terms of Reference for CGRC

The election of the CGRC members shall follow democratic principles. The local leaders (chiefs, councillors) shall not be allowed to be members of this committee. Instead, they should play an oversight and advisory role. The committee shall update the local leaders and members of the community on the grievances they are handling, and the resolutions made. The committee shall meet within five working days upon receiving a grievance concerning the Digital Foundation Project activities. It has a maximum of 14 days to hear and resolve the grievance at that level.

4.2.1.2 Membership Composition for CGRC

The committee shall consist of bona fide members of the community including:

- A Government extension worker working within the area,

- Four (4) representatives of Village Development Committees (VDC),
- A representative of the person directly impacted by the project (PAP),
- A youth representative,
- A women's representative,
- Representative from Community Policing and,
- Community Land Tribunal representative

The committee which shall serve for the period of project implementation, shall select one member as Chairperson. Secretary shall be the Government extension worker in the committee.

4.2.1.3 Roles and Responsibilities of the CGRC

The CGRC acts as an entry point for all grievances arising from the Digital Foundation Project intervention at the community level. The committee shall have the following duties:

- Receives and record all grievances as submitted to them by the PAPs;
- Reviews and screens all received grievances;
- Investigating and facilitating grievance resolution process;
- Documenting status of the complaint and its resolution;
- Refers non-resolved grievances to DGRC for action.
- Refers Gender-based Violence (GBV), Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH) and other serious cases to relevant institutions for action.
- Provides feedback on grievance to PAP
- Submits monthly reports to PIU and updates the local chiefs

4.2.2 Workers Grievance Redressal Committee

The Workers Grievance Redressal Committee (WGRC) shall be established by the contractors who shall undertake any sub-component of the Digital Foundation Project. This committee will be established for contractor workers to have a platform for raising their grievances during the time they will be working with the project.

4.2.2.1 Terms of Reference for WGRC

The WGRC is an entry point for worker-related grievances. This may include but not limited to labour related concerns, theft, SEA and SH incidents and safety concerns regarding the works. Employee representatives shall be selected by fellow workers to serve in the committee which will ensure female representation. Worker's representatives should work without fear of reprisal. The committee shall appoint the chairperson from one of the worker representatives. The contractor site representative should be the Secretary. The WGRC shall meet within 48 hours after a grievance is received. The maximum redress period at this level is fourteen (14) days.

4.2.2.2 Membership of WGRC

The following shall constitute WGRC membership

- 1) Three Contractor workers
- 2) Contractor representative
- 3) Contractor's supervising engineer

The chairperson and secretary will be chosen among the committee members, who shall serve in that capacity for the duration of project implementation works.

4.2.2.3 Roles and Responsibilities of WGRC

The WGRC shall have the following duties:

- Conducts grievance redress sensitisation or awareness meetings for workers
- Ensures that the grievance box is accessible to all workers in a secure manner;
- Opens grievance boxes every week;
- Records all grievances as submitted to them by the complainant;
- Vets, reviews and assesses the grievance to filter those not related to the project;
- Ensures that there is transparency and accountability in handling the cases.
- Investigates and facilitates grievance resolution process;
- Hears and determines all cases reported by workers or PAPs
- Document's status of the complaint and its resolution;
- Refers GBV/SEA/SH and other criminal cases to relevant institutions for action.
- Refers non-resolved grievances and other grievances beyond their capacity to relevant DGRC or CGRC.
- Provides feedback on grievance to the PAP
- Prepares grievance progress reports and presents them to DGRC during monthly meetings

4.2.3 Beneficiary Institution Grievance Redressal Committee

The Beneficiary Institution Grievance Redressal Committee (BIGRC) shall be established during the implementation of the sub-components such as Malawi Research and Education Network (MAREN) Campus Wi-Fi, National Data Centre (NDC), Government Local Area Network -Parliament (GLAN-P) and Government Local Area Network- Capital Hill (GLAN-CH).

4.2.3.1 Terms of Reference for BIGRC

The BIGRC shall hear cases submitted to it by PAPs during the implementation of the Digital Foundation project activities at their respective institutions. The committee shall hear grievances lodged within 48 hours and make a resolution within 7 days. If the PAP is satisfied with the resolution, the case is closed. But in the case when PAP is not satisfied, the case can be referred directly to the PGRC.

4.2.3.2 Membership of the BIGRC

The top management of the beneficiary institution has a discretion to appoint a maximum of 5 members of this committee including the Chairperson and the secretary.

4.2.3.3 Roles and Responsibilities of the BIGRC

The following shall be roles and responsibilities of BIGRC:

- Ensures that there is transparency and accountability in the implementation of Digital Foundation Project
- Records all grievances submitted to them by the PAPs.
- Investigates and facilitates grievance resolution process
- Refers unresolved grievances to PMU.
- Refers GBV/SEA/SH and other criminal cases to relevant authorities for action.

4.2.4 District Grievance Redressal Committee

During the implementation of the Public Institution Connectivity (PIC) sub-component of the Digital Foundation Project, the District Grievance Redressal Committee shall be established at the district level. If the DGRC already exists for other projects, the Digital Foundation project will use the same committee.

4.2.4.1 Terms of Reference DGRC

The District Grievances Redressal Committee (DGRC) shall handle cases submitted to it by PAPs and cases referred to it by the CGRC and WGRC. Thus, the DGRC acts as entry or appeal point for grievances arising from Digital Foundation Project activities. The committee shall meet within 48 hours upon receiving a referral from the CGRC and or WGRC and make a resolution within 7 days. If the PAP is not satisfied with the resolution made by the DGRC, the case shall be referred to Project Grievances Redressal Management (PGRC).

4.2.4.2 Membership of DGRC

The following is the membership of DGRMC.

- 1) Director of Planning and Development- Chairperson
- 2) Environmental District Officer-Secretary
- 3) Management Information Systems Officer (MISO)
- 4) District Lands Officer
- 5) District Community Development Officer
- 6) District Gender Officer
- 7) District Labour Officer
- 8) District Information Officer
- 9) Police representative- victim support unit
- 10) NGO representative

The Director of Planning (DPD) shall be the Chairperson and Environmental District officer (EDO) shall be the Secretary.

4.2.4.3 Roles and Responsibilities of DGRC

The following shall be duties of DGRC:

- Facilitates establishment of CGRCs and WGRCs
- Facilitates GRM training and awareness meetings at community level where applicable.
- Records all grievances as submitted to them by the complainant;
- Reviews all grievances referred by the CGRC and WGRC;
- Investigates and facilitates grievance resolution process;
- Determines cases and provides feedback to the CGRC, WGRC and the aggrieved persons
- Ensures that there is transparency and accountability in the implementation of Digital Foundation Project interventions.
- Ensures that safety standards, labour requirements, human rights, economic empowerment, gender, disability, environment and community health standards are adhered to during and after Digital Foundation Project implementation
- Periodically reviews (monthly) all grievances in the district
- Refers unresolved grievances to Project GRC for action.
- Referring GBV/SEA/SH and other serious cases to relevant authorities for action.

4.2.5 Project Grievances Redressal Committee

The Project Grievances Redressal Committee (PGRC) shall be at the Project Management Unit (PMU) level.

4.2.5.1 Terms of Reference for PGRC

It shall hear cases submitted to it by PAPs and cases referred to it by the lower committees. The committee shall meet within 48 hours upon receiving a referral from the BIGRC and or DGRC and make a resolution within 7 days. If the PAP is satisfied with the resolution of the PGRC, the case is closed. If the PAP is not satisfied and the case is not closed at PGRC, the PAP shall be directed to seek justice from any court of law and the court shall make the final decision.

4.2.5.2 Membership of the PGRC

The committee will be valid as long as the Digital Foundation Project is being implemented. The following is the membership of the PGRC.

- 1) Project Manager- Chairperson
- 2) Digital Technical Specialist
- 3) Senior Project Procurement Specialist,
- 4) Assistant Finance Management Specialist,
- 5) Assistant Environmental and Social Safeguard Specialist,

- 6) Environmental and Social Safeguard Assistant
- 7) ICT Partnership Analyst
- 8) Director of Project Development
- 9) Human Resource Manager
- 10) Director of Legal and Compliance and Contracting
- 11) Representative from Department of e-Government
- 12) Representative from Malawi Communication Regulatory Authority (MACRA)
- 13) Representative from Malawi Environment Protection Authority (MEPA)
- 14) Representative from Malawi Research and Education Network (MAREN)

The Project Coordinator (PM) shall be the chairperson of the committee and the Environmental and Social Safeguard Assistant (ESSA) shall be the secretary.

4.2.5.3 Roles and Responsibilities of the PGRC

The following shall be roles and responsibilities of PGRC:

- Facilitates establishment of CGRCs, DGRCs, WGRCs and BIGRCs
- Ensures that there is transparency and accountability in the implementation of Digital Foundation Project
- Records all grievances submitted to them by the PAPs.
- Reviews unresolved grievances referred by DGRCs;
- Investigates and facilitates grievance resolution process;
- Refers unresolved grievances to court.
- Refers GBV/SEA/SH and other criminal cases to relevant authorities for action;
- Provides feedback to DGRCs on referred cases
- Carries out quarterly reviews of all grievances from the districts and provides appropriate policy guidance to the Councils and other stakeholders.
- Prepares periodic national level grievance handling progress reports and presents them to the relevant agencies and stakeholders
- Supports the capacity building of DGRCs
- Supervises, monitors and evaluates the effectiveness of GRCs.

5.0 GRIEVANCE REDRESSAL PROCEDURES

There are five main steps that are supposed to be undertaken in grievance redressal processes. These stages include: (i) The grievance uptake (ii) complaint handling and assessment (iii) Case resolution and closure (iv) Registry update (v) GRM monitoring and evaluation.

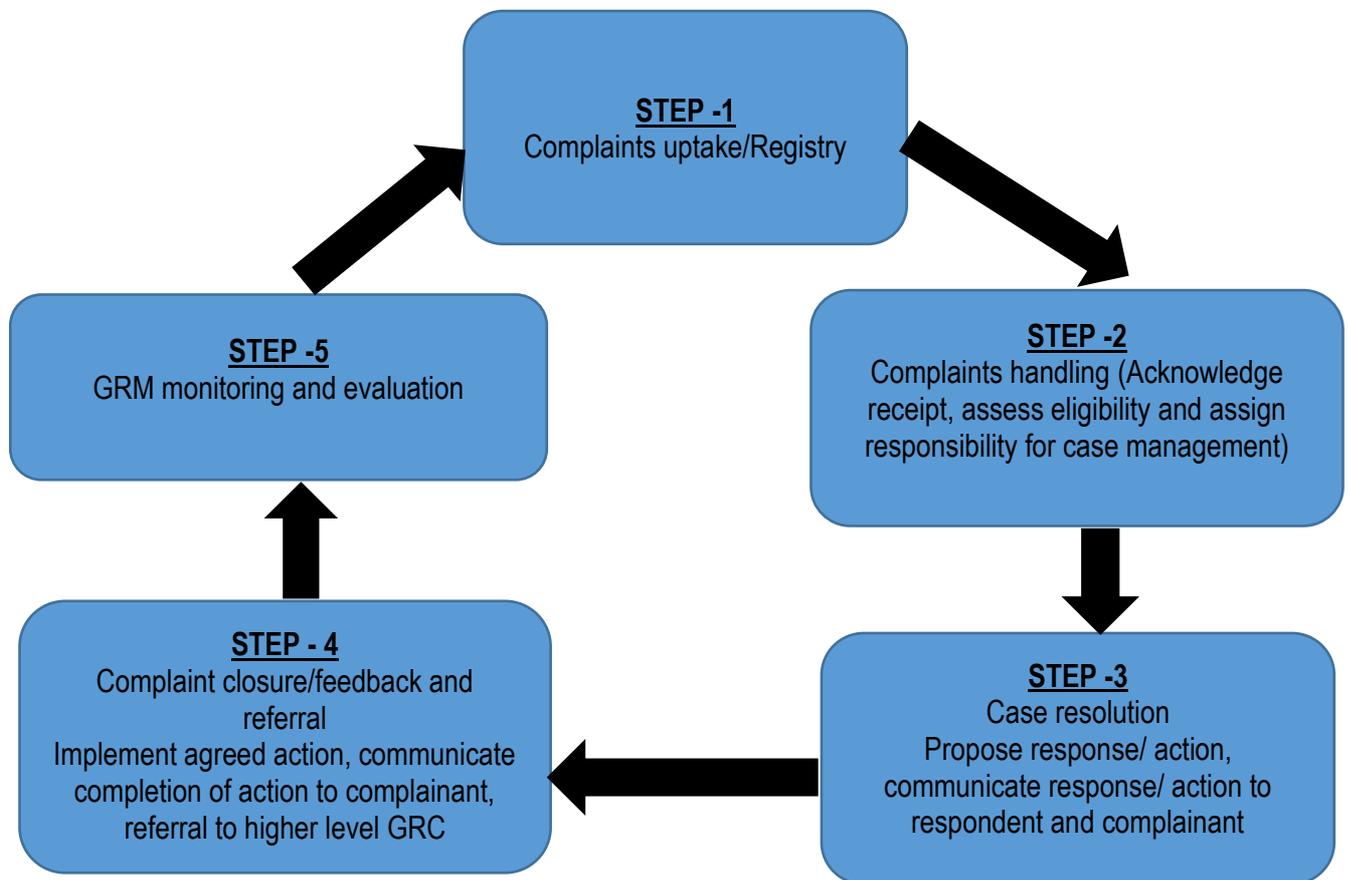


Figure 2. Grievance Redressal Process

5.1 Complaint Uptake and Grievance Recording

All the PAPs will report their complaints or grievances to the relevant committee i.e. CGRC, WGRC, BIGRC, DGRC or PGRC. The cases may be reported in different ways including the following;

- Face-to-face: This includes verbal or written submissions through face-to-face interactions with members of grievance redressal committees, programme officials, local structures (chiefs, councillors, members of parliament) at any time.
- Grievance box: Grievance boxes will be placed in strategic places in project communities where PAPs can drop in their grievances at any time. These will also be made available at Project sites.
- A dedicated **GRM** phone number (+265999988870) with WhatsApp and text facility;
- A dedicated **GRM Toll-Free Number 3108** with voice functions
- A dedicated email address (digitalmalawigram@pppc.mw)

The email and phone call facilities (both cell phone and toll-free number) will be domiciled at the PPPC and the Environmental and Social Safeguards Assistant will be responsible for ensuring receipt, recording and directing of grievances to the relevant entity.

All received complaints or grievances will be recorded in a GRM Logbook which contains Grievance Reporting Forms. The GRM Reporting Form is attached in **Appendix 1**. The GRM Logbooks will be available with all the GRM committees. The grievance recipient should ensure to collect all the relevant information as per the GRM reporting form including, name, contact details and description of the complaint. The complaint receiver should verify with the complainant on their preference in terms of confidentiality.

5.2 Complaint Handling

5.2.1 Acknowledgement of grievance receipt

Once a grievance is received and recorded, the secretary of the GRM committee or the one who received the grievance should in a timely manner within 2 to 3 working days provide an acknowledgement of receipt of the grievance to the complainant. The acknowledgement can be in form of an email, phone call or a letter. A template of an acknowledgement letter is provided in **Appendix 3**. The acknowledgement should indicate that the grievance has been received, and that it will be assessed for eligibility before the complainant can be called for a dialogue with the respondent. A brief GRM procedure that will be undertaken should also be provided including a GRM tracking number for the grievance and the timeline for resolution and closure. The complainant will be advised on the contact numbers/ emails to be used in following up on the grievance as well as contact person.

5.2.2 Assessment of eligibility of a received grievance

The reported grievances should be screened to ensure that they are relevant or related to the Digital Foundations Project. The committee which received the grievance (CGRC, WGRC, BIGRC, DGRC and PGRC) shall meet within 3 to 5 working days to assess whether the complaint or grievance is related to Digital Foundation Project activities or not. In case complaints are not related to the projects, PAPs shall be advised to channel their complaints to the right institutions. For Digital Foundation Project complaints or grievances, the relevant committee shall hear such cases and make necessary follow ups to establish the truth of the matter. The committee shall use a GRM screening checklist to ascertain how the complaint relates to the project. The Grievance Eligibility Assessment Checklist is provided in **Appendix 4**.

5.3 Case resolution and closure

5.3.1 Investigation and Recommendation of Response

After the committee has verified the eligibility of the grievance, the appropriate respondent should be identified and notified of the grievance. This is because grievances can be lodged against an individual, an institution, a contractor, as well as the PIU. It is therefore imperative to identify the appropriate individual or institution that is responsible for addressing the grievance. The respondent should be appraised on the grievance and the GRM procedures that will be followed to resolve the complaint.

An investigation of the grievance will be required in order for the committee to fully understand the complaint and for them to make an informed decision for an effective settlement of the grievance. The investigation will gather all the facts and collect evidence related to the grievance. The investigator should have a clarity of what is to be investigated and should document all the findings. The investigation will involve both respondent and complainant to crosscheck the information provided. It should establish the respondents stand on the grievance as well as the outcome that the complainant is looking for through the GRM process. The investigations of the complaint will be undertaken by the GR committee. Through the investigations, conclusions will be made based on the information and evidence. The GRC will then make a recommendation on the resolution to address the grievance.

5.3.2 Closure of the Grievance and Referral

After completion of all investigations, a meeting will be convened by the committee to resolve the complaint. The respondent and complainant or their representatives will be required to attend the meeting. Through this meeting a resolution will be reached, and the required action will be communicated to the respondent to implement. The resolution of the grievance shall be made and be communicated to the complainant within 14 days in writing. The respondent should commit to a timeline for completion of the required action. The GRCs as well as the PIU must verify that the proposed response or action by the respondent has been completed to warrant closure of the grievance.

Once the action or response has been implemented, the complainant will be communicated of the completed action. If the complainant is satisfied with the resolution, he shall be required to sign the resolution and closure section of the Grievance Resolution Agreement Form as attached in **Appendix 2**. At least three committee members shall also be required to countersign to mark closure of the grievance. This shall indicate that the complaint or grievance which was presented has been fully discussed and closed. If the complainant is not satisfied with the resolution, they shall also indicate and sign on the Grievance Resolution Form together with the same committee members. The complaint will in this case be referred to a higher-level GR committee or to the courts of law. This will be signifying that the case was not closed and has been referred to another entity.

With the project having three levels or points of GRM resolution, unresolved grievances will be referred to higher level GRM committees for another attempt at resolution. The initial GRC will provide to the referral GRC all the information regarding the grievance and the reason for non-resolution. The grievance referred to the higher GRC will follow the case resolution and closure stage where it will be investigated in detail to identify why the complainant was not satisfied with initial response. The GRC will work with the respondent to ensure acceptable response or action is implemented. When the resolution is still not achieved, the complaint will be referred to the highest level of resolution. When all the three GRM resolution levels fail to address the grievance, the complainant will be advised to seek assistance from the courts of law.

5.4 Grievance Processing Timelines

The grievance resolution processes should be guided by timelines to ensure timely delivery of resolutions and justice to the complainants. Delayed communication and resolution may lead to new grievances being raised against the project. The Grievance Redress Committees shall endeavour to process and resolve grievances in a timely manner. It must be noted that the time period for resolution of the grievances may differ according to the nature and seriousness of the grievance and the required response and action. The GRC levels will also have different timelines as the higher level GRC may have more cases due to referral than the lower level GRCs.

This GRM Manual stipulates the timelines that should be adhered to at all the levels of grievance redress processes to avoid delays in the processes. The Manual provides for processing times for the three levels of grievance management as well as for the GRM process steps.

5.4.1 Grievance processing timelines at GRC levels

- Level 1 (Community, beneficiary institution, District Council and Project Grievance Redress Committees) grievances will be redressed within a period of two weeks.
- Level 2 (Referrals from Community and beneficiary institution GRC to District Council GRC) grievances will be redressed within a period of three weeks.
- Level 3 (referrals from Level 1 and 2 to Project GRC) grievances will be redressed within a period of four weeks.

5.4.2 Grievance processing timelines for GRM process steps

The following timelines are provided as a guide for every step in the grievance resolution process. The number of days indicated count from the day of receiving the grievance. For referral grievances, the timeline will be more than what is stipulated below.

- Grievance registration: 1 working day
- Acknowledgement of receipt: 2 working days
- Assessment of eligibility of grievance: 3 working days

- Case investigation and resolution: 8 working days
- communication to complainant: 8 working days
- Grievance closure: 10 working days

5.5 GRM Registry

All grievances received will be recorded in the GRM registry that shall be maintained at the project level. The register will present a database showing the

- types of grievances received,
- the description of the grievance,
- name of the complainant,
- nature of complainant,
- gender of complainant,
- GRC responsible for the grievance,
- name of the respondent of the grievance,
- the resolution or agreed action,
- closure of the grievance and
- those that have been referred to higher GRC levels or courts of law.

The information provided in the database is expected to help the project team to check progress of grievances and to improve the mechanism and to better understand how to address adverse impacts of the project. It will also indicate the issues around which complaints are being received and the areas from which the complaints are coming. Each complaint shall have an individual reference number that will be used to track progress of grievance resolution. The grievance registry should contain a record of the person responsible for the complaint and should have dates for the following events:

- The date the complaint was reported;
- Dates of meetings for screening and investigations
- The date of and information on proposed corrective action sent to complainant (if appropriate);
- Date action/ response was completed;
- The date when confirmation of completion of action was sent to the complainant and
- The date the complaint was closed out.

5.6 GRM Monitoring and Evaluation

The GRM monitoring and evaluation process will assess and analyse the functionality of the projects GRM at all levels. This will assist to trace whether the GRM system is effective in responding appropriately and timely to stakeholders' complaints and whether the GRM principles are being met during the grievance redress processes. Monitoring will be undertaken by the Environmental and Social Safeguards team alongside other monitoring and evaluation exercises for the project.

Monitoring and evaluation will be undertaken at all GRC levels and through review of the GRM data registry available at PIU. Selected GRC members and users of the GRM will be interviewed to identify gaps and come up with recommendations for improving the GRM processes. Monitoring will be conducted once a month.

Analysis of grievance data and resolutions should be undertaken by the safeguards personnel to identify systemic issues that need addressing within the GRM system and the project. Review of grievance handling procedures will be undertaken to verify their effectiveness in resolving grievances in a timely manner whilst ensuring that the marginalised people are able to report their grievances.

The performance indicators for the GRM that should be monitored shall as a minimum include:

- Number of complaints/ grievances/ feedbacks received and registered;
- Percentage of grievances resolved or addressed;
- Percentage of grievances resolved within stipulated time period;
- Percentage of grievance referrals;
- Time required to resolve complex complaints;
- Percentage of complainants satisfied with resolution and GRM process;
- Percentage of project beneficiaries that use specific uptake locations;
- Types of complainants and their gender disaggregation;
- Recurring grievances;
- Types of issues raised in grievances/feedback;
- Trends in reported grievances/feedback over time;
- The causes of grievances/feedback;
- Whether remedial action was warranted;
- What redress was actually provided ;
- Recommendations/strategies to prevent or limit future recurrences;
- Level of the GRM awareness by the stakeholders.

6.0 GRIEVANCE REDRESS MECHANISM REPORTING

The Grievance Redressal Committees will be responsible for preparing and submitting reports for all grievances handled at their level. The reports will summarise all grievance redress activities undertaken on a monthly basis and should include an outline of the processes undertaken to resolve the grievances. The reports will include as a minimum information on the typology of grievances received, the nature of complainant such as individual, group or institution, the respondent of the grievance, the specific issue requiring redress, the level of grievance registration and on grievances referred to other levels. The report should also indicate the status of grievance redress including unresolved grievances, resolved grievances and on feedback given to complainant.

The PIU will use data collected during monitoring and evaluation and from GRC reports to prepare update reports to the World Bank, project management and the public. These reports will also be used to provide feedback to the public on all grievances under the project, investigations and how they are resolved including outcomes and referrals. Feedback to the public will be provided through the PIU website.

7.0 GRIEVANCE REDRESS MECHANISM COMMUNICATION

The Grievance redress mechanism for the Digital Foundation Project should be communicated to the public and project stakeholder to ensure their awareness of the GRM procedures. GRM communication will be undertaken through the following means:

- Public adverts through print and electronic media,
- Sensitization Meetings with project beneficiaries,
- Stakeholder consultation meetings,
- PPPC Website,
- GRM Posters,
- Brochures, fliers,
- Digital Malawi Project Social Network sites (Facebook, Twitter, YouTube) and
- Training (Capacity building) for GRM Committees

The GRM communication should inform the public, project beneficiaries and stakeholders of the presence of the GRM as a platform for receiving and resolving grievances. It should encourage project affected persons and stakeholders to complain if they are dissatisfied or feel aggrieved by project activities. The communication should highlight those grievances are treated confidentially where required and that there are no adverse repercussions for lodging a complaint. The communication should also indicate that there is no cost for filing grievances through the toll-free phone number.

Other information that should be included in the communication include:

- Types of grievances that can be submitted
- Grievance uptake locations
- Timelines for handling grievances
- Options available to complainants who are dissatisfied with the resolution or outcome

Capacity building training should be offered to all GRC members who will be at the core of implementing the GRM. GRC members should be trained before undertaking grievance redressal commitments.

APPENDICES

Appendix 1. Grievance Reporting Form



DIGITAL MALAWI PROGRAM PHASE 1: DIGITAL FOUNDATIONS PROJECT

| SUB-COMPONENT NAME: | | | | |
|--|--------------|---------------------------------|---|---|
| PROJECT SITE (Location of grievance): | | | | |
| Grievance Tracking Number: DMP/ _____ / BT / _____ / GR_____ | | | | |
| 1. RECEIVING DETAILS | | | 2. COMPLAINANT'S DETAILS | |
| Received on (Date): | | | Full Name: | |
| Receiving time: | | | Gender: Male <input type="checkbox"/> Female <input type="checkbox"/> | |
| Means used to log a complaint <i>(tick against options provided)</i> | | | ID Number: | |
| Email | Verbally | Phone | Others <i>(specify)</i> | |
| Type of grievance <i>(tick against options provided)</i> | | | Contact Address: | |
| | | | Phone Number: | |
| | | | Email: | |
| Damage | Theft | GBV/ SEA/ SH | Request for Confidentiality? Yes <input type="checkbox"/> No <input type="checkbox"/> | |
| Project progress | Work quality | Other <i>(specify)</i> _____ | Category of complainant: | Beneficiary <input type="checkbox"/> Contractor <input type="checkbox"/> Implementer <input type="checkbox"/> Other _____ |
| 3. DESCRIPTION OF THE GRIEVANCE | | | | |
| <i>(Provide the nature of the complaint including; what happened, when it happened, where it happened, who was involved, and the problem that occurred etc.)</i> | | | | |
| | | | | |
| Received by | | Complainant | | |
| Signature | | Signature | | |
| Date | | Date | | |

Attached Supporting Documents:

Appendix 2. Grievance Resolution Agreement Form



DIGITAL MALAWI PROGRAM PHASE 1: DIGITAL FOUNDATIONS PROJECT

Grievance Tracking Number: DMP/____ / BT / ____ / GR____

Grievance Resolution updated by:

| 1. GENERAL INFORMATION | | 2. RESPONDENT'S DETAILS | |
|--|----------|-------------------------|--|
| Name of Complainant: | | Full name: | |
| Project Site: | | Name of Organization: | |
| Type of Grievance: | | Designation: | |
| Date of Grievance Registration: | | Phone number: | |
| Date of Grievance Resolution: | | Email: | |
| 3. SUMMARY OF GRIEVANCE RESOLUTION PROCESS | | | |
| (a) Brief description of complaint | | | |
| (b) Brief description of the Resolution/Recommendations from GRC | | | |
| 4. GRIEVANCE RESOLUTION AGREEMENT | | | |
| Level of redress: Institutional <input type="checkbox"/> Community <input type="checkbox"/> District Council <input type="checkbox"/> Project Level <input type="checkbox"/> | | | |
| Was the Grievance Resolution satisfactory: Yes <input type="checkbox"/> No <input type="checkbox"/> | | | |
| If No, Grievance to be escalated to: | | | |
| Agreement and Consent of the Complainant to the above Decision | | | |
| I _____ Agree /Disagree with the resolution. | | | |
| Signature _____ Date _____ | | | |
| Grievance Redress Committee Members <i>(At least three members to sign)</i> | | | |
| Name | Position | Signature | |
| | | | |
| | | | |
| | | | |

Appendix 3. Grievance Receipt Acknowledgement

[Insert the name and address of the Grievance Redressal Committee]

[Insert the Date]

Dear [Insert complainant name]

CONFIRMATION OF RECEIPT OF THE GRIEVANCE

I write to acknowledge receipt of the grievance that you logged with this committee on [date of receipt]. In your grievance, you raised the following issue(s) [Insert brief description of the complaint].

Be advised that the committee met on [Insert date] and assessed the eligibility of your grievance in relation to the Digital Foundation Project activities. Your grievance has been recorded in the GRM register and is assigned a Grievance Tracking Number [Insert the unique code].

The committee would like to invite you to the hearing session of your case scheduled as follows:

| | |
|--------------|--|
| Date | |
| Venue | |
| Time | |

The alleged offender will also be present during the hearing to accord him fair trial.

Yours Faithfully,

Grievance Redress Committee Chairperson.

Appendix 4. Grievance Eligibility Assessment Checklist

This checklist is prepared to guide the Grievance Redressal Committee at any level when determining the eligibility of the grievances submitted by PAP.

| Question(s) | Answer(s) | |
|---|--|------|
| Describe the grievance logged as recorded in the grievance registration form | | |
| (a) What harm did the Digital Foundation Project caused or is likely to cause? | | |
| (b) Is the alleged problem resulting from the Digital Foundation Project activities? | No <input type="checkbox"/> Yes <input type="checkbox"/> | |
| | If yes, please explain | |
| (c) Are there any other supporting documents that have been shared as proof of the alleged problem? | | |
| (d) Is the complaint raised with any other authorities? | No <input type="checkbox"/> Yes <input type="checkbox"/> | |
| If Yes (Please, provide the following details): | | |
| (i) When? | | |
| (ii) How and with whom the issues were raised? | | |
| (iii) What response were received from and/or any actions taken? | | |
| (iv) Why the response or actions taken were not satisfactory? | | |
| If No, | | |
| (i) Why? | | |
| (ii) How should the complaint be resolved? | | |
| 5. Name of the person who completed this form | Signature | Date |
| | | |