

Grievance Mechanism Plan for the Cashew Nut Processing Plant

Prepared for



Prepared by



2022

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LIST OF ABBREVIATIONS AND ACRONYMS

AIDS	Acquired Immunodeficiency Syndrome
AP	Affected Person
CLC	Community Liaison Coordinator
CLO	Community Liaison Officer
CSR	Corporate Social Responsibility
DAI	Diaoune Agro Industrie
ERP	External Review Panel
ESIA	Environmental and Social Impact Assessment
ESS	Environmental and Social Standards
GBV	Gender Based Violence
GC	Grievance Coordinator
GHG	Green House Gas
GM	Grievance Mechanism
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
HIV	Human Immunodeficiency Virus
HR	Human Resource
HSSE	Health Safety and Environment
IFC	International Finance Corporation
LEA	Land Easement and Acquisition

CHAPTER ONE

1.0 Introduction

A Grievance is a concern or complaint raised by an individual or a group within communities affected by company operations. Both concerns and complaints can result from either real or perceived impacts of a company's operations, and may be filed in the same manner and handled with the same procedure. The difference between responses to a concern or a complaint may be in the specific approaches and the amount of time needed to resolve it.

The term "grievance" implies that there may be a problem. In practice, however, the nature of feedback that communities may want to bring to a company's attention will vary, since communities often find it appropriate to use the same channels to communicate not only grievances but also questions, requests for information, and suggestions.

The grievance Mechanism is a critical component of effective stakeholder engagement. The purpose of the Grievance Mechanism is to provide a forum for the internal and external stakeholders to voice their concerns, queries and issues with the specific intervention/facility. Such a mechanism would provide the stakeholders with a medium through which their queries will be channelled and will ensure timely responses to each query. This will allow for trust to be built amongst the stakeholders and prevent the culmination of small issues into major community unrest.

Grievance redress mechanisms (GRMs) are institutions, instruments, methods, and processes by which a resolution to a grievance is sought and provided. They can be complex and diverse. They may include institutions specific (internal) to a project and set up from its inception or others that have emerged over time in response to needs identified while the project evolved. GRMs can include avenues for resolving conflicts between affected parties or other stakeholders and can provide the information sought by the public on the project.

The Grievance Redress Mechanism (GRM) will be accessible and understandable for all stakeholders in the project area. The GRM will be communicated to all relevant stakeholders and will also be applicable to any contractor who is involved during the construction and operations phase.

World Bank Group standards require Grievance Mechanisms to provide a structured way of receiving and resolving grievances. Complaints should be addressed promptly using an understandable and

transparent process. The mechanism should be appropriate to the scale of impacts and risks presented by a project and beneficial for both the facility and stakeholders.

Grievance mechanisms are an important part of IFC's approach to requirements related to community engagement by clients under the Policy and Performance Standards on Social and Environmental Sustainability. Where it is anticipated that a new project or existing company operations will involve ongoing risk and adverse impacts on surrounding communities, the client will be required to establish a grievance mechanism to receive and facilitate the resolution of the affected communities' concerns and complaints about the client's environmental and social performance. The grievance mechanism should be scaled to risks and adverse impacts of the project, address concerns promptly, use an understandable and transparent process that is culturally appropriate and readily accessible to all segments of the affected communities, and do so at no cost to communities and without retribution.

In the case of this Project, there is a need for both a grievance and feedback mechanism. The grievance mechanism allows stakeholders to feedback throughout the ESIA with their comments and concerns. Stakeholders have been able to do this through attendance at meetings and by sending comment forms to the ESIA consultant team.

The grievance mechanism is the responsibility of DAI and will be designed to identify and manage issues throughout the entire Project lifecycle. A grievance mechanism has been developed and stakeholders were informed of it during the Scoping engagement meetings, Baseline Data Collection activities and draft ESIA engagement. The DAI will appoint a representative (a Community Liaison Officer) for the Project, who will be responsible for grievance management. Grievances will be passed through the Community Liaison Officer in the first instance, which will be responsible for passing the grievance on to the appropriate person in line with the Project grievance mechanism.

1.1 Objectives of the Grievance Mechanism

The grievance mechanism outlines the DAI's approach to accepting, assessing, resolving and monitoring grievances from stakeholders regarding the Project and its activities (including all those of contractors). Timely redress or resolution of grievances is vital to ensure the successful implementation of the Project.

- a) Grievances can encompass minor concerns as well as serious or long-term issues. They might be felt and expressed by a variety of parties including individuals, groups, communities,

entities, or other parties affected or likely to be affected by the social or environmental impacts of the Project.

- b) It is essential to have a robust and credible mechanism to systematically handle and resolve any complaints that might arise so that they do not escalate and present a risk to operations or the reputation of the company (nationally or internationally). If well handled, an effective grievance mechanism can help foster positive relationships and build trust with stakeholders.
- c) May utilize existing formal or informal complaint-handling mechanisms, provided that they are properly designed and implemented, and deemed to be suitable for the Project (these may be supplemented, as needed, with Project-specific arrangements),
- d) is designed to address affected people’s concerns and complaints promptly, including gender-related concerns and complaints relating to GBV, using an understandable and transparent process that is gender-sensitive, culturally appropriate and readily accessible to all affected people.
- e) includes provisions: (i) to protect complainants from retaliation, grant them confidentiality and enable them to remain anonymous, if requested; and (ii) to protect those who defend the rights of complainants to make such complaints,
- f) provides for maintenance of a publicly accessible case register and reports on grievance redress and outcomes, which are disclosed following the applicable ESS; and
- g) is required to be operational by the time implementation of the relevant Project

1.2 Benefits of a Grievance Redress Mechanism

A GRM provides a predictable, transparent, and credible process to all parties, resulting in outcomes that are seen as fair, effective, and lasting.

Table 1: Benefit of a Grievance Redress Mechanism

Benefits to Projects	Benefits to Affected Persons and Other Stakeholders
Provides information about project implementation	Provides a cost-effective method to report their grievances and complaints
Provides an avenue to comply with government policies	Establishes a forum and a structure to report their grievances with dignity, and access to a fair hearing and remedy

Benefits to Projects	Benefits to Affected Persons and Other Stakeholders
Provides a forum for resolving grievances and disputes at the lowest level	Provides access to negotiate and influence decisions and policies of the project that might adversely affect them
Resolves disputes relatively quickly before they escalate to an unmanageable level	Facilitates access to information
Facilitates effective communication between the project and affected persons	
Helps win the trust and confidence of community members in the project and creates productive relationships between the parties	
Ensures equitable and fair distribution of benefits, costs, and risks	
Mitigates or prevents adverse impacts of the project on communities and produces appropriate corrective or preventive action	
Helps avoid project delays and cost increases, and improves the quality of work	

CHAPTER TWO

2.0 Principles of Good Grievance Mechanism

Principle 1: Proportionality: A mechanism scaled to the risk and adverse impact on affected communities

The scope, form, and level of complexity of a project grievance mechanism should be proportionate to the potential adverse impacts on and interaction with the local communities. In many cases, it has a direct relationship to the number of people affected, but it can be more complex than that. If the groups affected are diverse, or the impacts on them are severe, the nature of interaction with communities can pose serious challenges even where the number of people is relatively small.

Therefore, the project's social and environmental footprint as well as social sensitivity should be taken into consideration. To scale a grievance mechanism to the risk and adverse impact on affected communities, projects will use the results of their social and environmental assessment to understand who will be affected and what the impacts on them are likely to be. This analysis will help determine the necessary complexity of the grievance mechanism design as well as the nature and amount of resources needed for implementation.

Principle 2: Cultural Appropriateness: Designed to take into account culturally appropriate ways of handling community concerns

A project-level grievance mechanism should be designed to take into account specific cultural attributes as well as traditional mechanisms for raising and resolving issues—to ensure that the concerns of significantly different groups and subgroups are received and addressed. To achieve this, projects should: 1) seek input on culturally acceptable ways to address grievances from significantly different groups within affected communities, including different ethnic or cultural groups within the project-affected area; 2) understand cultural attributes, customs, and traditions that may influence or impede their ability to express their grievances, including differences in the roles and responsibilities of subgroups (especially women) and cultural sensitivities and taboos; and 3) agree on the best way to access grievance mechanisms, taking into consideration the ways communities express and deal with grievances. Cultural appropriateness will be enhanced if grievance mechanisms build on and complement other community engagement processes. Companies should take advantage of existing community engagement venues and establish a clear link to their grievance-handling procedures.

Principle 3: Accessibility: A clear and understandable mechanism that is accessible to all segments of the affected communities at no cost

If people perceive the grievance process to be unclear, difficult, or inappropriate, they are less likely to use it. Grievance procedures work only if they present no (or low) barriers to access by communities. Accessibility depends on: 1) clear communication—availability of easy-to-understand information about the grievance process and how the mechanism works; and 2) ease of use—simple, convenient, culturally appropriate means for filing complaints, at no cost to complainants (this may involve encouragement and assistance for affected communities to make complaints when problems arise).

Principle 4: Transparency and Accountability to All Stakeholders

All complainants want to be sure that they are being heard, taken seriously, and treated fairly. They expect consistency and predictability in the process. Institutionalizing grievance systems creates an expectation that the project will be responsive to the needs and concerns of the community—and an obligation for the company to meet this expectation.

A grievance mechanism should provide a way for the community to hold the company accountable, to be sure it takes community inputs seriously, deals with them through a clear and transparent process, follows through with actions, and communicates with the community.

A grievance mechanism is transparent when members of the affected community: 1) know who in the organization is responsible for handling complaints and communicating outcomes, and who is in charge of the mechanism oversight; 2) have input into its development; 3) possess sufficient information on how to access it; and 4) have the power to ensure that the process is adhered to by those directly responsible for managing it.

If communities have confidence in the grievance mechanism, they will use it with respect and discretion. Sometimes the process is just as important as the outcome. Even if people are not satisfied with the decision, the company can reduce the risk of escalation by ensuring that people are treated with respect and that they understand how the decisions are made. When companies demonstrate that they take grievances seriously and are transparent about their process and decision-making, they can benefit from improved trust and reputation and a mutually respectful relationship with communities. In addition, measures that assure transparency and accountability can enhance the quality of a

grievance mechanism and strengthen safeguards against internal conflicts of interest attributed to company-managed mechanisms.

Principle 5: Appropriate Protection: A mechanism that prevents retribution and does not impede access to other remedies

A grievance mechanism will work when communities are encouraged to share their concerns freely, with the understanding that no retribution will be exacted for participation. Coming out with a complaint can pose risks for people, especially if it concerns such issues as corruption, misconduct, or monetary compensation, or if it interferes with local social norms, including gender norms. A mechanism free of retribution will consider potential dangers and risks to complainants and incorporate ways to prevent harm. These precautions include a clear policy of non-retaliation, measures to ensure confidentiality and physical protection of complainants, safeguarding of personal data collected in relation to a complaint, and an option for complainants to submit anonymous grievances where necessary.

Even if a company offers a well-designed and well-communicated grievance mechanism, affected communities may still choose to rely on a dispute resolution mechanism that they are more familiar with and that they trust. Project-level mechanisms should not negatively impact opportunities for complainants to seek recourse through other available mechanisms, including the courts. Apart from litigation, options to seek resolution exist at community, national, industry, regional, and international levels. The community must be fully informed of avenues to escalate their complaints or grievances, and of their rights to use alternative remedies if they choose to do so without turning to a project-level mechanism first or if they are not satisfied with the response of the project to their complaints. In this context, a project grievance mechanism can be considered as “first level,” while external mechanisms outside of the legal system Appropriate protection of complainants can be ensured through company policy and a culture of non-retaliation—and respect for a community’s choice to seek alternative avenues for raising complaints are “second level.” The most formalized mechanisms, such as courts, would be a “third level.”

Grievances cannot be avoided entirely, but much can be done to reduce them to manageable numbers and reduce their impacts. Implementers should be aware and accept that grievances do occur, that

dealing with them is part of the work and that they should be considered in a work plan. Implementers should do the following:

- **Provide sufficient and timely information to communities.** Many grievances arise because of misunderstandings; lack of information; or delayed, inconsistent, or insufficient information. Accurate and adequate information about a project and its activities, plus an approximate implementation schedule, should be communicated to the communities, especially APs, regularly. Appropriate communication channels and means of communication should be used.
- **Conduct meaningful community consultations.** Project implementers should continue the process of consultation and dialogue throughout the implementation of a project. Sharing information, reporting on project progress, providing community members with an opportunity to express their concerns, clarifying and responding to their issues, eliciting communities' views, and receiving feedback on interventions will benefit the communities and the project management.
- **Build capacity for project staff, particularly community facilitators and other field-level staff.** The community-level facilitators and field-level staff of the implementing agencies should be provided with adequate information on the project such as project design, activities, implementing schedules, and institutional arrangements as well as enhanced skills in effective communication, understanding community dynamics and processes, negotiation and conflict resolution, and empathizing with communities and their needs. Building trust and maintaining good rapport with the communities by providing relevant information on the project and responding effectively to the needs and concerns of the community members will help solve issues before they even become grievances. It is also important that community facilitators and field-level staff provide regular feedback on their interactions with the communities to the higher levels of the implementing agencies. Overall, good management of a project will also contribute to minimizing complaints.

2.1 Create Awareness

GRMs should be widely publicized among stakeholder groups such as the affected communities, government agencies, and civil society organizations. Lack of knowledge about GRMs results in people not approaching and using them, and they eventually lose the relevance and the validity of the

purpose for which they were created. People should also be informed about their options, depending on the types of complaints, but should not be encouraged to submit false claims. Criteria for eligibility need to be communicated. An effective awareness campaign launched to give publicity to the roles and functions of the GRMs should include the following components:

- scope of the project's planned construction phases, etc.; types of GRMs available;
- purposes for which the different GRMs can be accessed, e.g., construction-related grievances, land acquisition and compensation-related grievances;
- types of grievances not acceptable to the GRMs;
- who can access the GRMs;
- how complaints can be reported to those GRMs and to whom, e.g., phone and facsimile numbers, postal and email addresses, and websites of the GRMs as well as information that should be included in a complaint;
- procedures and time frames for initiating and concluding the grievance redress process;
- boundaries and limits of GRMs in handling grievances; and
- roles of different agencies such as project implementors and funding agencies.

A variety of methods can be adopted for communicating information to the relevant stakeholders:

- display of posters in public places such as government offices, project offices, community centres, etc.;
- distribution of brochures;
- village-level government officers
- community-based organizations; and
- print and electronic media, including radio.

2.2 Assessing and Assigning Severity to Grievances

Grievances are defined according to three severity levels: low, medium and high. The severity rating of a grievance is based on the potential consequence (actual or potential) of the grievance in relation to:

- Social and Environmental impact, including:
 - Health
 - Safety

- Security
- Livelihoods
- Income
- Amenity / Lifestyle
- Access to services
- Social Relations / Community Cohesion
- Environmental quality
- Natural resources
- Impact on DAI corporate reputation
- Impact on Project schedule

2.3 Grievance Severity Matrix

Grievance severity may partially be determined by Complainant vulnerability: similar effects may impact differently on vulnerable and non-vulnerable households. The severity level is determined by the highest level of the impact associated with the grievance. Each severity level is described in Table 2 below:

Table 2: Grievance severity matrix

Impact	Consequence/ Severity		
	Low	Medium	High
Social and Environmental	Minimal impact, likely to have a little real effect. Mitigation is easily achieved; compensation is unlikely to be necessary.	The impact is real but not substantial or long-lasting. Mitigation is both feasible and easily achieved; compensation is likely to be moderate.	Significant impact and potentially long-lasting. Mitigation is likely to be difficult: expensive, time-consuming and requiring difficult negotiation; compensation may be significant.
Corporate reputation	No Impact	Local or Moderate Reputation Damage	Significant Loss of Shareholder/ Public Trust
Project schedule	No Delay	Moderate Delays	Significant Disruption

Impact	Consequence/ Severity		
	Low	Medium	High
Input required for resolution	Local: frequently in-field discussions with the complainant	Local/ National: may require technical input from relevant workstream and Project Manager decision	Project: may require Corporate level input and decision-making
Effect on construction and operations	No effect	May require some limited or local adjustments in construction planning and operations	May require a substantial or widespread change in construction planning and operations.

2.4 Categorizing Grievances

To assist the Grievance Coordinator in correctly assessing and escalating grievances to the correct work streams the following grievance categories have been identified:

- a) **Technical and Design Assurance and Support:** these grievances will result from engineering design planning activities which have a potentially negative impact on stakeholders.
- b) **Construction:** these grievances will result from cashew-nut processing facility construction activities including dust, noise, vibration and any damages caused during construction.
- c) **Land Easement and Acquisition (LEA) activities:** these grievances will result from LEA and securing land access activities.
- d) **Livelihood Restoration activities:** these grievances will result from a failure to deliver livelihood restoration activities or from a failure of DAI-affected stakeholders to restore their livelihoods.
- e) **Legal and Compliance:** Grievances with legal ramifications for DAI and those alleging breaches of DAI's Code of Conduct, Anti-Bribery and Ethical behaviour commitments.
- f) **Social Conduct in the Communities:** these grievances will result from unfavourable interactions between DAI or Contractor employees in the community environment.
- g) **Community safety and security:** these grievances will result from the influx of migrant workers and the transmission of communicable diseases.

- h) **Cultural Heritage:** these grievances will result from the failure to protect cultural heritage areas.
- i) **Health, Safety, Security and Environment (HSSE) Incidents:** any event which leads to or has the potential to lead to injury, loss of life, damage to assets (including non-DAI assets) or the environment. These incidents will be managed directly by DAI's HSSE Function.
- j) **Environment:** these grievances will result from activities deemed detrimental to the local environment and biodiversity.
- k) **Employment:** these grievances will result from unclear employment practices either by DAI or the Contractors or alleged breaches in employment and Human Rights Practices. Employment grievances directed at DAI will be dealt with by the DAI Industrial Relations and Human Resources Department.
- l) **Stakeholder Engagement:** these grievances will result from a lack of stakeholder consultation or a general lack of information for community stakeholders
- m) **Corporate Social Responsibility:** these grievances will result from the implementation of DAI's CSR or Community Investment activities
- n) **Multi-category grievances:** these grievances will result in two or more categories and require several work streams to address them
- o) **Extra-judicial letters:** these are formal letters submitted to DAI or Contractor by the complainant's lawyers requesting immediate remediation actions before Complainant decides to use other legal or judicial channels. Such letters can relate to any of the Project execution activities and fall into any of the above-described categories and are normally dealt with by DAI's and/or Contractor's Legal functions.

Grievances may also be categorized into internal and external grievances based on the stakeholders. The following is an indicative list of the types of grievances has been identified for the project, as can be seen below:

Internal Grievances

Grievances from employees (including both direct & indirect employees, including local workers and migrant workers through contractors):

- Complaints about the amount of wage, salary, other remuneration or benefits as per HR policy;

- Timely disbursement of remuneration;
- Gender discrimination;
- Labour accommodation
- Child Labour issues
- Health and safety issues
- Overtime/extended working hours

External Grievances

- Damage to natural resources and community assets/property;
- Issues related to transportation and traffic;
- Increase in environmental pollution and Impact on community health ;
- Pollution of surface water due to runoff of potential pollutants
- Increased risk of discharge of odours, and pollutant during operation
- Increase in noise levels with the associated disturbance to communities and fauna
- Disturbances to locals due to the influx of migrant workers in the area;
- Increase in cases of sexually transmitted diseases (HIV AIDS) and other disease strains may result from migrant workers.
- Increased risk of corruption
- Potential increase in GHG emissions and Carbon footprint
- Concerns over the impact on local cultures and customs

CHAPTER THREE

3.0 Grievance Procedure

3.1 Complaint Procedure of Local Authority

When a stakeholder has any complaint against the activities of an individual or organization, that stakeholder may log a complaint to the Representative of the people at the community level. The Representative of the people will need to determine whether that complaint is under their authorisation. If yes, the Representative of the people will collaborate with relevant authorities, organisations or individuals to investigate and address the complaint. A complaint resolution decision will be issued by the Representative of the people committee and sent to the Stakeholder. If the complaint is not under the communal People’s Committee authorisation, a Representative of the people’s Committee will forward that complaint to the relevant authorities and inform the stakeholder for their acknowledgement. In cases where the complainant disagrees with the complaint resolution decision. He/she may re-lodge a new complaint to a higher administrative level (i.e. district or provincial levels).

3.1.1 Grievance Management Steps

Table 3: Grievance Management Steps: Tier 1

Step	Grievance Activity	Description
1	Receive	Receive grievances through all available avenues (phone, text, email, grievance forms, websites, Contractor, CLC, etc.)
2	Assess & Assign	Assess whether the grievance is related to DAI Assess severity (check for Stakeholder Engagement evidence) Assign to relevant work-stream
3	Acknowledge	Send Acknowledgement to stakeholder/complainant Provide an outline of the grievance resolution process
4	Investigate	Relevant work-stream investigates grievances and proposes remediation measures
5	Respond to stakeholder	Discuss grievance remediation proposal with Stakeholders and detail the implementation plan

Step	Grievance Activity	Description
6	Reach an agreement with stakeholders	Stakeholder agrees - DAI & stakeholder agree on terms of resolution. DAI implement remediation actions or pays grievance compensation if remediation is not feasible. Stakeholder disagrees – trigger Tier 2 External Review Process for medium and high severity grievances upon agreement with the Complainant
7	Remediation	Implement remediation actions and where remediation is not feasible compensate

Table 4: Applicable Timeframes: Tier 1

Action	Timeframe	Responsible
Register grievances in the database	Within 7 working days	Grievance Coordinator
Acknowledge Grievance	Within 7 working days	
Issue grievance rejection letter (if required)	Within 30 calendar days	
Issue grievance feedback explaining the time required for resolution and ongoing progress if not yet resolved	After 30 calendar days	
Issue grievance feedback when mitigation established within the assigned timeframes	30/60/90 days (see case and severity levels)	
Approve and issue compensation payments	30 days after signing the agreement	Plant Manager and responsible workstream

3.1.2 Grievance Management Steps: Tier 2

Table 5: Grievance Management Steps: Tier 2

Step	Grievance Activity	Description
1	Initiate External Review	The external Review process is initiated by the Grievance Coordinator via DAI Social Performance and Grievance Advisor. All required approvals received and documentation on the process and outcomes of the Tier 1 resolution for external review prepared.
2	Acknowledge	The complainant is informed about additional mediation or arbitration process with their involvement and with the support of an external expert on the subject of the grievance agreed with the complainant.
3	External review of Tier 1 resolution outcomes	ERP will assess the investigation of the initial grievance and determine whether the Tier 1 outcome or proposed actions were appropriate, given the evidence provided.
4	Propose resolution	The ERP will issue results of the verification process by an external expert party either confirming the outcomes of the Tier 1 process or proposing an alternative resolution where it finds that DAI has failed to redress the grievance.
5	Respond to stakeholder	ERP notifies the stakeholder via Grievance Coordinator about the outcomes of the Tier 2 review
6	External review of resolution agreement	The process of required engagement and approvals in case of a new proposed resolution is accepted by all parties
7	Closeout and Follow up	Implement remediation, document closure, follow up and monitor

Table 6: Applicable Timeframes: Tier 2

Action	Timeframe	Responsible
Initiate external review process and obtain all required internal approvals	Within 30 calendar days since grievance closure by Tier 1 process	Grievance Coordinator and Social Performance and Grievance Advisor
Confirm Complainant’s consent on the external review process		Grievance Coordinator
Set Up External Review Panel (ERP)	Within 30 calendar days of obtaining consent from the Complainant	Grievance Coordinator and Social Performance and Grievance Advisor
Issue external review resolution decision	Within 10 working days upon completion of the external review	External Expert with support of Social Performance and Grievance Advisor and Grievance Coordinator
Implement the agreed remediation measures	Dependent on the type of remediation and terms of the agreement reached with the complainant	Responsible workstream within DAI or Contractor

3.2 Grievance Procedure of Local Authority

When a stakeholder has grounds that an administrative decision or administrative act is unlawful or directly infringes upon their rights and lawful interests, that stakeholder may make a first-time complaint against the individual who has issued such an administrative decision or the agency that manages the person who has enacted such administrative act. In cases where the grievant disagrees with the first-time grievance resolution decision, or the grievance remains unsettled although the prescribed time for resolution has lapsed, he/she may make a second- time grievance with the direct

superior of the competent persons responsible to settle the first-time grievance or initiate an administrative lawsuit at court.

3.3 Grievances Procedure Used by Local Communities

DAI is responsible for the community grievance procedure to disclose, consult and record any grievances related to the Project construction, operation and decommissioning. This will foster cooperation and sustainable management of the facility and effective co-existence with the locals.

3.4 Grievances Procedure for Communities about the Project

To allow community grievances to be incorporated into Project decision-making and to allow key messages to be accurately communicated, all grievances should be recorded in the issues/ grievances register as a means of maintaining transparency throughout any action taken relating to a grievance.

Community grievances can be submitted to the Project through different lines of communication such as: grievance boxes which can be placed in the office of the affected community Representative Committee; or directly via a telephone hotline to the grievance team of the Project; or directly submitted to a person in charge of community liaison (e.g. Community Liaison Officer (CLO)) of the Project.

A community grievance procedure is generally designed for different levels of redress, corresponding to the scale and seriousness of the complaint. Therefore, the classification of the complaint is an important step.

A team of CLO should be established under the management of the Plant Manager. Ideally, persons with social and community management backgrounds should be recruited and assigned as CLO and this could include members of the local community who have the requisite skill set.

3.5 Grievances Implementing Steps

The process of implementing a GRM involves the following steps:

1. Assign Focal Points:

The focal points for receiving and registering complaints from APs in each GRM should be identified and established. GRMs can have multiple focal points to receive and register grievances. It is equally important to have someone who has overall responsibility for tracking and following up on issues and complaints raised. The descriptions of the GRM functions should stipulate the official designations

and the roles of the focal points so that they can be held accountable for performing their functions. Terms of reference of individual staff in turn should include grievance redress functions.

2. Receive and Register Complaints

Grievances may be reported to local police stations. If this is the case, they should be referred to project staff, registered by the designated focal point, and referred to the appropriate GRM. Complaints can be presented in a variety of forms ranging from verbal communications to formal and written complaints. A GRM may also receive complaints directly from APs or via third parties. Whatever the source and the form in which the complaint is received, it should be accepted by the focal points and registered in a grievance/complaint register. It is also recommended that uniformity be maintained in the complaint registration systems across different sections and agencies of the project.

3. Screen and Refer the Complaints

Having received and registered a complaint, the next step in the complaint-handling process is for the focal points to establish the eligibility of the complaint received. The following criteria can be used to assess and verify eligibility:

- The complainant is identifiable and has provided a name and contact details.
- The complainant is affected by the project.
- The complaint has a direct relationship to the project.
- The issues raised in the complaint fall within the scope of the issues that the GRM is mandated to address.

If the complaint is not eligible, the complainant should be informed of the reasons. If the complaint can be referred to another GRM, the complainant should be informed accordingly.

4. Coordinate with Other Grievance Redress Mechanisms

GRMs do not operate in a vacuum. They are embedded in networks of agencies and actors, and in the course of their operations may relate to APs, GRM implementors, their executing and support agencies, project implementors, intermediaries used for presenting complaints, and funding agencies. On the other hand, APs may relate to GRMs in diverse forms. For example, APs might seek redress from more than one single GRM, or else they might decide to appeal to a higher level of the same GRM or a different GRM if they are dissatisfied with the resolutions made by a lower-level GRM. As

such, coordination among different GRMs, as well as among other external agencies and actors with whom the GRMs interact in their operations, is an important aspect of good GRM design. It is necessary to identify and establish a central point to carry out these coordinating and communication functions. The coordination functions of such a central body could include

- facilitation of case referrals to appropriate agencies;
- tracking and monitoring grievance resolution processes and their outcomes by different agencies;
- maintaining a central database of complaints received and their current status;
- analyzing data and preparing regular updates and progress reports for involved agencies with proposed follow-up activities;
- establishing feedback loops with relevant agencies and the APs to communicate and report case progress and status;
- identifying capacity-building needs of the GRM members, and overseeing the conduct of such capacity-building training ;
- identifying awareness-creation needs among relevant agencies and communities, and overseeing the conduct of such awareness-building programs;
- liaising with media and monitoring media reports; and
- giving feedback to project management.

5. Assess the Complaint

If the initial assessment establishes the eligibility of the complaint to be pursued, a further assessment is recommended of the seriousness of the complaint—classified in terms of high, medium, or low—and its impact on both the complainant and the project. Assessing the seriousness of a complaint is not easy, as it could be subject to biases. Criteria should be established and could include the following:

- the severity of the problem,
- potential impact on the well-being of an individual or group,
- potential impact on the project, and
- public profile of the issue.

Assessing the severity of a complaint will require additional data collection through field visits to the sites, discussions and interviews with complainants and other relevant persons or groups in the community, and cross-checking the information already provided.

6. Formulate a Response

Having completed the complaint assessment, a response can be formulated on how to proceed with the complaint. This response should be communicated to the complainant. The response should include the following elements:

- acceptance or rejection of the complaint;
- reasons for acceptance or rejection;
- next steps—where to forward the complaint;
- a time frame; and
- (if accepted) further documents or evidence required for investigation, e.g., field investigations.

7. Select a Resolution Approach

GRMs should always present multiple approaches for grievance redress. Approaches that are difficult or culturally and socially alien to APs should be avoided as much as possible. People should be able to participate in the grievance redress process comfortably and without any fear of intimidation. The grievance redress approaches should also create adequate space for the active participation of the APs, including vulnerable groups. Possible approaches to grievance redress include;

- Mediation through local and traditional institutions such as village elders or community-based organizations that have a close understanding of the issues affecting their community members; these local institutions can be integrated into the formal GRMs.
- facilitation of settlements among disputants through mediation boards
- direct negotiations and dialogue between the APs and the relevant agency or agencies;
- facilitated negotiations through a third party;
- investigation of a complaint through review of documents, field investigation, assessments from technical agencies, and/or interviews of different parties; and
- referrals to other judicial and administrative processes.

Depending on the nature and the severity of the complaint/s, the chairpersons of the different GRMs, in consultation with the APs, should identify and decide on an approach for grievance resolution.

Where appropriate, APs should be given the choice of selecting an affordable approach with which they are comfortable and confident and that is beneficial to them. Approaches and processes adopted by various GRMs differ from one another. This also depends on the nature of the complaints. For project-based GRMs, APs should be informed of the following:

- Who constitutes the GRM?
- Where is the GRM located?
- How should the complaint be reported or referred to the GRM?
- Who can accompany the complainant to the GRM?
- What steps are followed in the inquiry or resolution process?
- What documents and evidence are needed in support of the complaint?
- How much time is needed to initiate and conclude the grievance redress process?

This information should be part of a simple brochure that explains the different grievance redress possibilities for APs.

8. Implement the Approach

The following are important aspects to be considered in the implementation of a project-based GRM:

- creating a conducive environment for the APs to relate their grievances without fear and intimidation;
- allowing the APs (if necessary) to be accompanied by a third party, e.g., a family member or a fellow villager with whom they feel comfortable to present their grievances;
- undertaking field inspections (if necessary) to assess and verify the grievances reported;
- referring the complaints for technical assessments (if necessary) to validate and establish the real causes of the grievances,
- minimizing investigative processes and unnecessary referrals to other parties;
- avoiding delays;
- referring to the relevant laws, rules, and regulations that bind the decision-making processes
- inviting other relevant agencies or persons, e.g., to provide additional information required;
- creating opportunities for negotiation and exchange;
- setting clear and objective criteria for decision making, e.g., different compensation rates for people living in different evacuation zones, i.e., dangerous zones vs. inconvenient zones,

rather than having a flat rate for everybody; or compensation packages for different losses as prescribed in the payment matrix;

- assuring the APs that decision-making processes are independent and fair;
- documenting the grievance redress process and its outcome; and
- communicating the grievance redress outcome to the AP and the relevant agencies

9. Settle the Issues

Project-based GRMs may propose a variety of strategies to settle grievances, including

- requesting the relevant agencies responsible for the grievance to take appropriate measures to remove the cause of the grievance.
- determining reasonable compensation for acquired land, property damage, loss of livelihood, temporary evacuations, resettlement, etc. either from the project executing agency
- signing agreements between APs and the project for solutions mutually agreed upon;
- assuring the APs to address their grievances at the end of completing the project-related work,
- Initiating a monitoring process (after addressing the causes of the problem or paying compensation) to assess any further impacts of project-related work on the properties and livelihoods of the APs.

10. Track, Document, and Evaluate the Process and Results

The GRMs have the responsibility for tracking and monitoring the process of grievance redress and the implementation of the decisions made and for seeing that redress is granted to APs in a timely and efficient manner. They also have the responsibility for giving regular feedback to the complainants about the progress of the grievance redress process. The monitoring should include the progress of implementation of grievance resolutions and the timeliness of grievance redress, follow-up grievances to be sure they are attended to, and document details of complaints received and the progress in solving them. Grievances provide information to project managers about project implementation and actual and potential problems.

An evaluation system should assess the overall effectiveness and the impact of the GRMs. Such evaluations can take place either annually or biannually, and their results should contribute to improving the performance of the different GRMs and provide valuable feedback to project management. The following questions can be addressed in such evaluations:

- How many complaints have been raised?
- What types of complaints have been raised?
- What is the status of the complaints (rejected or not eligible, under assessment, action agreed upon, and action being implemented or resolved)?
- How long did it take to solve the problem?
- How many APs have used the grievance redress procedure?
- What were the outcomes?
- Are the GRMs effective in realizing the stated goals, objectives, and principles?
- Are the GRMs capable of responding to the range of grievances specified in their scope?
- Are the GRMs equipped with an adequate and diverse set of resolution approaches?
- Have the GRMs adopted measures to improve the resolution approaches, e.g., capacity building, consultation, with technical experts, etc.?
- Are the GRMs effectively integrated into overall project management?

This information is important for project management to see trends of complaints, detect flaws in implementation, take timely corrective action, and make strategic changes where needed. It also provides valuable feedback about APs' satisfaction with the project and thus contributes to a good reputation for the implementing and executing agencies.

3.6 Need for a Grievance Procedure

An effective stakeholder engagement process, which includes proactively providing access to information regularly and conducting consultations to listen to the stakeholder concerns and feedback, can help to prevent grievances from arising in the first place. However, projects with a high potential for environmental and social impacts often result in grievances from project stakeholders. Therefore, a grievance procedure needs to be developed and implemented to ensure that project-related grievances can be identified, documented, solved and monitored.

A grievance procedure should be in place from the beginning of the social and environmental assessment process and should be maintained throughout the project life cycle. As with the broader process of stakeholder engagement, the Project must stay informed and involved in the grievance procedure so that decisive action can be taken when needed to avoid escalation of disputes.

Apart from a land-related complaints, during the Project development, other types of disputes that the Sponsor might encounter from individuals, families, community groups, non-governmental or community based- organizations, or local governments including but are not limited to:

- Minor and one-time problems related to Project construction and operations;
- Claims over policy or procedural issues; and
- Significant and larger repetitive problems result in significant adverse impacts on larger populations.

3.7 Receiving and Recording Grievances

As part of the GRM, the grievances from the stakeholders or their representatives may be communicated verbally (in person to the respective supervisor/contractor or over a telephone conversation) or in written form. All grievances communicated in any of these mediums shall be recognized and recorded by the contractor / supervisor as and when it is expressed.

3.8 Grievance Recording Form

The facility management will also put in place suggestion/ complaint boxes at strategic locations across the facility. These suggestion/complaint boxes will be opened at least once every week. The employees and workers may drop their grievances in these boxes as well in keeping with the format attached. In case of any worker or employee needs to file an anonymous complaint, s/he shall be allowed to do so by not filling in the name, department, signature and contact information.

Table 7: Contact information of grievance officer (format)

Name of the Grievance Officer	Telephone No.

3.9 Maintaining a Grievance Register

Each grievance thus received, shall be recorded in a grievance register. This grievance register shall be updated at each stage of the grievance redressal. Once the grievance is recorded in the register, a preliminary analysis shall be undertaken by the facility in-charge or grievance officer to ensure that the grievance is within the scope of the GRM. The format for Grievance registers is given in Table 8

Table 8 Grievance Register Format

S/N	Receipt Date	Particulars Complainant				Particulars of Grievance						
		Name	Address	Contact No.	Acknowledge (Y/ N)	Subject of the Grievance	Brief Description	Responsible party	Date of acknowledgement	Status	Date of resolution	Closure date
										Not done		
										completed		
										In process		

3.10 Acknowledgement of Grievance

Once the grievance is received, a grievance number shall be allocated and communicated to the grievant. In case the grievance is assessed to be out of the scope of the GRM, a communication towards the same shall be made to the grievant, and an alternative mode of redressal may shall be suggested in such case.

3.11 Grievance Investigation

The facility in-charge / grievance officer and concerned contractor shall then undertake an enquiry into the facts and figures relating to the grievance. This shall be aimed at establishing and analyzing the cause of the grievance and subsequently identifying suitable mitigation measures for the same. The analysis of the cause will involve studying various aspects of the grievance such as the employees past history, frequency of the occurrence, management practices, etc. As part of this investigation, the grievance officer may also undertake confidential discussions with the concerned parties to develop a more detailed understanding of the issue at hand.

The site investigation in case external grievances shall be completed in no more than 10 working days of receiving the grievance. A site inspection will be undertaken by the site level in-charge or any personal assigned by him. The purpose of the site inspection will be to check the validity and severity of the grievance. For this purpose, the personnel may also undertake discussions with the concerned external stakeholder. The inspection will be undertaken within ten days of receiving the grievance.

3.12 Resolution, Escalation and Closure

Based on the understanding thus developed, the facility in-charge in consultation with the concerned contractor / department shall identify a suitable resolution to the issue. This resolution shall be accordingly communicated to the grievant within 10 working days of completing the site investigation.

In case, the issue is beyond the purview of the facility in-charge, it should be escalated to the concerned department of Project Implementation Unit. A communication regarding the same shall be provided to the grievant. The concerned department shall in turn endeavour to resolve the grievance within 10 working days of the escalation.

3.13 Update of Records

The records of the grievance register shall be updated every working week with the present status of the grievance. Once the grievance is resolved, and the same has been communicated to the grievant, the grievance shall be closed in the grievance register. The grievance register should also provide an understanding of the manner in which the grievance was resolved. These instances shall then serve as references for any future grievances of similar nature. In case of anonymous complaints, a summary of the grievance and resolution shall be posted on the notice boards and other relevant public places. The Process flow of communication of status of grievance is given in Figure 1.

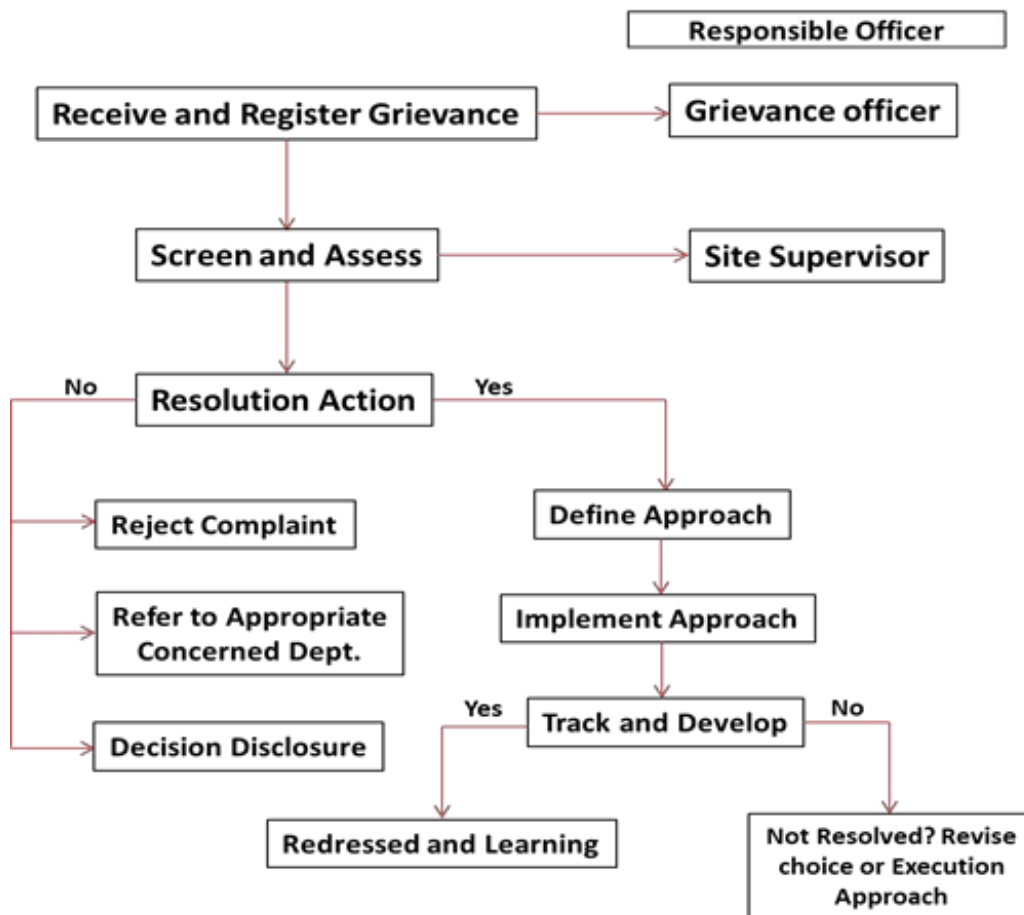


Figure 1: Process flow of communication of status of grievance

CHAPTER FOUR

4.0 Resources Required for Grievance Mechanism Implementation

A Grievance Mechanism becomes successful if adequate resources are assigned in its implementation. Adequate resources here refer to people, systems and processes and associated financial resources. In order to incorporate the responsibility of designing, implementing and monitoring the grievance mechanism, the senior management of the DAI/contractors at the corporate level should be involved in executing the various tasks. For a grievance mechanism to function effectively, it is important to establish a governance structure and assign responsibilities for the mechanism's implementation.

The following roles and responsibilities have been identified for grievance mechanism implementation.

4.1 Nominated Grievance Officer

Admin officer based at the site level is to be nominated as the grievance officer. The incumbent is to work in tandem with the site supervisor and safety officer. They cumulatively form the grievance committee at the site level.

4.2 Engagement of Third Party

To maintain ultimate transparency and accountability for the grievance mechanism process, third parties such as local governments, local community etc. can at times be involved in the grievance redress process. These parties can serve as process organizers, places to bring a complaint to be passed on to the company or as facilitators, witnesses, advisors or mediators. Third parties can assist in enhancing the trust level from communities as well as overcome limitations of project-level mechanism.

Through the involvement of third parties as facilitators, the community's confidence in project level grievance mechanism can be increased and gain a better reputation with and greater trust from stakeholders. In addition, cost-efficiency and supplement of internal resources can also be achieved if this step is contemplated upon.

4.3 Monitoring and Reporting

Monitoring and reporting are requisite tools of measuring the effectiveness of the grievance

mechanism, the efficient use of resources, determining broad trends and acknowledging recurring problems so that they can be resolved before they reach a higher level of contention. They also create a base level of information that can be used by authority to report back to the stakeholders.

Depending on the extent of project impacts and the volume of grievances, monitoring measures like internal (by identified Contractors Corporate level staff) and external audits (third party consultants) every once in a year based on the complexity of the nature of grievances can be adopted by the DAI. Grievance records maintained should provide the background information for these regular monitoring exercises. Through the review of each grievance and analysis of its effectiveness and efficiency, DAI/contractors can draw on the complaints to evaluate systematic deficiencies. In addition, monitoring of the grievance mechanism helps to ensure that the design and implementation of the mechanism is adequately responding to stakeholder's comments in a cost effective manner.

All grievances registered have to be recorded and regularly updated. The site management or grievance officer is responsible to discharging this responsibility and he should be able to produce this document whenever any audits take place. All minutes of meetings with stakeholders, complainants and grievance committee are to be recorded and documented regularly for reference purposes.

In addition, through the process of monitoring and the reports produced thereafter, assurance of continual improvement of the company's operations is guaranteed. The company can also use these monitoring reports to report back to the community on its implementation of the mechanism and the modification/ changes proposed to make it more user-friendly.

Thus, The GRM has been developed with an intention of it being an effective tool for early identification, assessment and resolution of complaints during project entire life cycle. It is a means through which acceptance, assessment and resolution of community and workers complaints concerning the performance or behavior of DAI/contractors are ascertained and addressed.

4.4 Grievance Management Team

The Grievance mechanism is an ad-hoc multidisciplinary team established to manage the resolution process for high severity or high-risk grievances or grievances filed by complaints. DAI needs to be represented in the resolution or review process. This team will be led by the Project Manager and supported by the DAI Legal & Compliance Department, depending on the nature of the grievance. The task force will ensure that the resolution of these types of grievances is given maximum priority

and that further risk is avoided. The grievance management team may include but is not limited to:

Table 9: Grievance Management Team

DAI organisation	Contractor organisation:
1 Project Manager	1 Project Manager
2 Environment and Social Compliance Manager	2 Construction Manager
3 E&S Manager	3 E&S Manager
4 Grievance Coordinator (GC)	4 Social Manager
5 Social Performance and Grievance Advisor	5 Community Liaison Officers (CLOs)
6 Land Management Manager	6 Grievance Coordinator (GC)
7 Stakeholder Engagement Manager	7 Other functions and departments (work streams) responsible for resolution of specific types of grievances.
8 Social Expert	
9 Community Liaison Coordinators (CLCs)	
10 Other functions and departments (work streams) responsible for resolution of specific types of grievances	

4.5 Roles and Responsibilities

This provides an overview of the roles and responsibilities to support the grievance management framework. These roles and responsibilities are aligned with the DAI Policy.

Table 10: Roles and Responsibilities

Role	Responsibility
Project Manager	Overall accountable for Project implementation including grievance work stream
Environmental and Social Manager	Budget and decision-making support for grievance management work-stream. Review Grievance Framework and Procedural documents. Over-see Expert Review Panel and approve specialist involvement for E&S grievances
Social and Grievance Performance Advisor	Facilitate timely resolution of grievances in all Project countries. Provide capacity building support to in-country Grievance Coordinators. Advise on specialist engagement for Environmental and Social grievances. Analyse trends and prepare reports on grievance management progress. Initiates External Review process and obtains

Role	Responsibility
	clearance from Environmental and Social Compliance Assurance Manager.
Grievance Coordinators	Responsible for ensuring effective operation of grievance management process including registration, investigation and resolution of grievances. Conduct grievance reporting. Submits proposals for and requests external review process by External Review Panel.
Human Resources Department	Responsible for ensuring transparent employment practices and ensuring a clear and well communicated complaint/grievance process.
Industrial Relations Manager	Support workers grievance process both within DAI and Contractors. Represent DAI in discussions with Contractors relating to workers grievances which may affect DAI or pose a risk to DAI
Community Liaison Coordinators	Public Interface. Communicate grievance management process to communities. Monitor Contractor grievance management. Grievance reporting and resolution monitoring.
Social Field Monitor	Communicate grievance management process to communities. Provide grievance management assistance to Grievance coordinators as required. Monitor Contractor grievance management. Grievance reporting and resolution monitoring.

CHAPTER FIVE

5.0 DAI Worker Grievance Mechanism

Management Principles

DAI's HR Strategy and Employment Policies govern the employment practices and workers conditions. These policies ensure that:

- DAI communicates its values and expected way of working
- DAI complies with all relevant legislation and minimises the risk of employment related claims
- DAI ensures the fair and transparent treatment of all workers
- DAI Management makes decisions which are consistent and predictable and
- DAI and its employees are protected from retribution.

5.1 Dispute Resolution

The DAI dispute resolution process is context-specific, allowing flexibility to resolve disputes quickly and effectively. This process is managed by the DAI HR Department and it is the DAI HR Department which provides guidance to employees on which steps to follow in the event of employment related disputes and grievances.

5.2 Industrial Relations

For worker disputes involving third parties (such as the Contractors), DAI has an Industrial Relationships Function whose responsibility is to ensure that DAI meets its obligations in relation to Contract worker employment rights, relevant workers unions, Government employment and other relevant agencies.

5.3 Cost Recovery Process

If DAI is required to assist the Contractors to resolve a grievance (Medium or High Severity) and costs are incurred in providing such assistance, DAI and the relevant Contractor will come to an agreement on recovery of all costs incurred. This cost recovery process will be defined between the two parties, led by the DAI Legal and Procurement Departments.

The conditions which need to be met for DAI to provide assistance to the Contractor to manage grievances are as follows:

- The stakeholder requests a review of the Contractor's proposed remediation measure
- The Contractor remediation implementation fails
- The grievance or complaint re-occurs with greater negative consequences
- The grievance relates to accusations of breaches in DAI Code of Conduct, bribery, corruption and political interference
- The grievance is rated a High Severity
- Difficult/Problematic Industrial Relations (e.g. strikes) grievances and
- The grievance is an HSSE incident.

5.4 Grievance Remediation Budget

It is expected that most grievances reported to DAI will occur during the construction phase and will relate to construction activities and therefore the Contractors will be responsible for implementation of required remediation measures. The Contractors are responsible for ensuring that they have a relevant grievance budget with which to implement grievance resolution.

For DAI related grievances filed throughout any phase of project implementation, the grievance mechanism will ensure that the relevant DAI work-stream has resources and personnel to implement grievance remediation measures based on DAI grievance management procedures.

The Construction Contractor will immediately notify DAI of the occurrence of any activities related to breaches on the DAI Code of Conduct, or allegations of bribery, corruption and political interface. Any information provided on the above will be immediately sent to the Plant Manager and the DAI Legal and Compliance teams.

ANNEX 1

PROPOSED GRIEVANCE REDRESS REGISTERING AND MONITORING FORM

Complainant Information (Person Reporting)

1. Name:
2. Address:
3. National ID:
4. Gender: Male Female
5. Telephone:
6. Email:
7. Fax:
8. Type of complainant:
 - Affected person/s
 - Intermediary (on behalf of the AP)
 - Civil organization
 - Service organization (e.g., local government institution)
 - Others (specify)
9. Registration (assigned):

Complaint Details

10. Mode of receiving the grievance:
 - Letter
 - Phone call
 - Fax
 - Email
 - Verbal complaint (walk-in)
 - Suggestion box
 - Others (specify)
11. Location of the problem/issue specified in the complaint: District:

Divisional secretariat:

12. Type of problem/grievance:

- Trace
- Land acquisition
- Compensation
- Construction
- Resettlement site
- Others (specify)

13. Short description of the problem:

14. Short description of the factors causing the problem:

15. Person/agency responsible for causing the problem: Project implementing agency Affected parties Service delivery agencies Local political authority Civil organizations Funding agencies Others (specify):

16. Past action/s taken by the complainant (if any):

17. Details of the focal point that received the complaint: Name of the person who received the complaint:

Position:

Name of the receiving office:

Date:

18. Actions taken by the Receiving Office

Action 1	Action 2	Action 3	Action 4
Short Description	Short Description	Short Description	Short Description
Name of Action Officer	Name of Action Officer	Name of Action Officer	Name of Action Officer
Office	Office	Office	Office
Date	Date	Date	Date

19. Final Resolution

Name of the person completing the form:

Signature:

Date:

ANNEX 2
FORMAT FOR RECORDING THE PROCEEDINGS OF GRIEVANCE REDRESS
COMMITTEES

1. Name of the complainant/s:
2. National identification number:
3. Address:
4. Date of the inquiry:
5. Time:
6. Whether complainant participated or not:
7. Grievance or issue (in summary):
8. Statement made by the complainant/s:
9. GRC recommendation:
10. Participants in the GRC:
11. Copies to: