



THE REPUBLIC OF UGANDA

MINISTRY OF LANDS, HOUSING AND URBAN DEVELOPMENT

Uganda Support to Municipal Infrastructure Development, Additional
Financing (USMID-AF) Program

COMPLAINTS HANDLING SYSTEM



HANDBOOK

2019

Background

After the successful implementation of the first phase of the Uganda Support to Municipal Infrastructure Development (USMID) Program, Government, spearheaded by the Ministry of Lands, Housing and Urban Development (MLHUD) received additional financing to the tune of US\$ 360 million from the World Bank/IDA to implement the second phase of the Program (USMID Additional Financing-USMID-AF) for 5 years starting in fiscal year 2018/19.

USMID-AF will maintain the development objective of the first phase But will extend the geographical coverage of the Program to eight additional municipal local governments of Kitgum, Kamuli, Mubende, Kasese, Busia, Ntungamo, Apac and Lugazi and also introduce support to 8 districts of Adjumani, Moyo, Yumbe, Arua, Isingiro, Kiryandongo, Kamwenge and Lamwo, that have faced a high influx of refugees to strengthen these LGs' abilities to cope with the recent and future refugee influx in Uganda and to deliver critical infrastructure to host communities/local governments.

The program will deepen impact and results in terms of institutional strengthening, planning and financial management, infrastructure provision and local economic development. USMID-AF draws a lot of lessons from the implementation of the first phase of USMID.

The Complaints Handling System

Under the Program Operational Manual (POM) Complaints Handling is provided as a measure of enhancing transparency and accountability during program implementation.

Complaints and or grievances are received from the general public through an efficient Complaints Handling System and subsequent management with actions taken and by which organ.

The Complaints Handling System will consist of mechanisms and procedures at the Ministry of Lands, Housing and Urban Development, (MLHUD) Ministry of Local Government (MoLG), all Local Government levels and at the construction sites.

This System will directly focus on and seek to resolve those complaints within their mandate and where necessary, refer others to relevant Government agencies for example the Inspectorate of Government, or the Criminal Investigations Department of the Uganda Police Force, the Public Procurement and Disposal of Public Assets Authority and any courts of law, depending on the nature of the complaint.

Participating Local Governments will adopt and customize their own local versions of the framework to mitigate fraud and corruption in their ranks. The Framework incorporates establishing a Complaints Handling System as a key activity under the priority intervention area of strengthening participation of all actors in the fight against corruption in Local Governments.

In establishing a Complaints Handling System, as a minimum standard, LGs will ensure that the System is efficient and effective and that it provides a rigorous and consistent approach to complaints management and provide for an independent and escalated review process for investigating serious complaints, together with redress options.

The complaints handling system developed is set at four levels; (i) the site, (ii) the Municipal Council (iii) the District Local Government and (iv) the Ministry of Lands, Housing and Urban Development.

This Handbook therefore outlines the concerns and complaints handling system for the implementation of USMID-AF, describing the avenues for the general public, the community, an aggrieved party or any Project Affected Persons (PAPS) to submit a complaint or express a grievance against the project, its staff or contractors among others during implementation.

It also describes procedures, roles and responsibilities in the grievance management process.

What is a Complaint?

A complaint is an expression of dissatisfaction. It can be an issue, concern, problem, or claim (perceived or actual) that an individual or community group wants addressed by the project management or the Municipal Council and in a formal manner.

At a project site, complaints can be related to safety and health conditions, environmental degradation, design mismatches, abandonment of the works, poor or no pay for workers, criminal matters such as sexual harassment, rape, theft among others.

There also may be other complaints that do not directly relate to the program and its projects but are necessary to be submitted for handling.

Purpose of the Complaints Handling System

The purpose of the system is to formalise the management of complaints and grievances from all stakeholders in order to minimise the potential risks to the implementation of the program.

The system is also in place to create a systematic process of recording, processing and resolving in a transparent manner, complaints, grievances and concerns raised during the course of the program implementation.

The Complaints Handling System shall be communicated to all stakeholders from the early stages of the program identification and referenced throughout the lifetime of the program at every meeting and event in order to ensure that stakeholders understand the process but also provide feedback and comments on whether it is effective and fit for purpose.

This shall always be done to minimise conflicts and also avoid the risk that in situations where there is no known mechanism of handling complaints, the aggrieved parties may always take matters into their hands and exploit other means to manifest their frustrations hence compromising the program implementation and also impeding the timelines of the program in the areas.

Scope of the Complaints Handling System

The GHM shall apply to all concerns and grievances, perceived or real, related to all activities linked to the implementation of the program including but not limited to:

- Disclosure of information;
- Land acquisition and Resettlement;
- Criminality on the projects;
- Project selection/identification
- The procurement procedures;
- The general contract management/project implementation
- The infrastructure designs;
- Time and pace of works;
- Fraud and Corruption;
- Environmental concerns;
- Time and manner of payments;
- Any other social related concerns affecting the people.

Preventing complaints

- 1- Providing sufficient and timely information to the communities: Many grievances arise because of misunderstandings; lack of information; or delayed, inconsistent, or insufficient information.
- 2- Accurate and adequate information about the program and its activities, an approximate implementation schedule and costs should be communicated to the communities on a regular basis. They can be displayed in noticeable venues for all to see especially at the sites, Divisions, Municipal noticeboards, schools, churches, hospitals, any known town buildings where possible.
- 3- Conducting meaningful community consultations and dialogue throughout the implementation of a project especially utilizing site meetings and any other opportunity available to consult and publicizing the outcomes.
- 4- Building capacity for workers, community leaders, and

technical persons at the Municipality level. The community leaders especially the Municipal Development Forum (MDF), project workers, Division and Municipality political and technical leaders shall be provided with adequate information on the program such as project designs, activities, implementing schedules, timelines, costs and institutional arrangements to enable them channel the same information to the general community.

Below is an outline of the proposed steps the Complaints Handling System shall utilize. The system proposes use of local leadership structures to ensure that aggrieved persons, especially vulnerable groups easily have their concerns resolved without undue delays or expenses associated with formal legal channels like courts of law.

STEP 1

An Individual or the community, or an organisation with a complaint, shall report and file it at the Site Complaints Handling desk or at the Division or at the Municipal Council, within 24 hours of its occurrence.

Reporting can also be done at one's discretion in the event that the complainant is faced with critical limitation for example security, accessibility to the respective Complaints handling desks or any other health related reasons for the delay.

At the Site or Division, the Focal Person (Site clerk for Site and Community Development Officer for the Division) shall register the complaint, screen it and handle it if possible or; (i) refer to the Complaints Handling committee for further investigations and (ii) refer to police if the grievance is of criminal nature for example assaults, rapes, defilements, theft etc.

If the aggrieved party is satisfied, the matter shall be closed and signed off with them in the complaints log book.

The committee at the Site shall be chaired by the Resident Engineer, and comprise of; (i)Site Clerk/Foreman (ii)LC1 representative (iii)MDF representative, (iv) any other person co-opted to support in the matter.

The committee at the Division shall be chaired by the Assistant Town Clerk and comprise of; (i)CDO, (ii) a ward agent (iii) Enforcement officer (iv) Health Assistant and (v) an MDF representative

The committees shall sit at least once every two weeks to investigate and conduct hearings, and they will give the outcome of their investigations to the complainant within 24 hours of their decision.

In case there are no complaints received in the **two weeks**, the committee is advised to meet at least monthly to reflect on the previous cases or minutes taken.

If the aggrieved party is satisfied with the decision taken, the matter shall be closed and signed off in the complaints log book.

If the party is not satisfied, the matter shall be referred to the Municipal Council in Step 2

STEP 2

The Municipal Council shall have a Complaints Handling Desk that shall be manned by the Public Relations Officer or any other officer assigned by the Town Clerk. The Municipal Council shall receive grievances directly from the public or they shall consider referrals from the site or division committees.

The Municipal Council committee shall sit at least every **two weeks** to review the referrals or fresh complaints filled at their offices.

In case there are no complaints received in the two weeks, the committee is advised to meet at least monthly to reflect on the previous cases or minutes taken.

The Municipal Council committee shall be chaired by the Town Clerk, and shall comprise of such people as the T/C shall deem fit, but including an MDF representative.

The committee shall communicate to the complainant, the outcome of their decision within 24 hrs after the decision has been made.

If the complainant is satisfied, the matter shall be closed off and signed in the complaints log book.

If the complainant is not satisfied, the matter shall be referred to the District Local Government leadership to handle.

STEP 3

The District Local Government shall handle matters that have been referred by the Municipal Council. The DLG Team shall be chaired by the Resident District Commissioner (RDC), who can also co-opt any other technical person he or she deems relevant to the matter brought before him. The MDF shall also be represented on this committee.

The DLG should be in position to communicate its outcomes **in 2 weeks' time**. If the outcome is satisfactory, the aggrieved party shall sign it off in the log book.

And if the aggrieved is not satisfied, the matter shall be referred to the Ministry of Lands Housing and Urban Development as step 4.

STEP 4

At the Ministry of Lands, Housing and Urban Development, referrals shall be registered in a complaint log book, and in two weeks the Ministry Grievance Handling committee. The MLHUD committee shall be chaired by the Permanent Secretary or her representative.

The committee shall sit and investigate, and communicate its findings to the complainant through the Municipal Council.

If the complainant is satisfied with the decision, the matter shall be signed off in the complaints log book.

In the event that the matter hasn't been solved, the MoLHUD may advise the complainant to seek further help from other Agencies of Government for example PPDA, IG, National Environment Management Authority (NEMA) and Court among others.

The Ministry shall, in form of reports, also report to the World Bank on the complaints handled and the outcomes of the same.

TO NOTE

- ❖ All complaints shall be recorded in a complaints log book which will be held by the complaints handling Officer at any of the steps indicated above.
- ❖ The log book shall indicate complaint received, date filed, actions taken to address or reasons the grievance was not acted on; information provided to complainant and date the grievance was closed. The complainant where possible shall sign off in the same book.
- ❖ Complaints can be submitted at any time, either directly or through a complaints handling committee member. Some can also be submitted through telephone, emails, sms, courier or by word of mouth.
- ❖ The complainant is expected to cooperate with the complaints handling committee so as to reach an amicable solution. This is by providing enough evidence about the complaint and exercise patience to the team within the time frame.
- ❖ The committee is expected to be fair and just in finding a solution to the complaints raised. Vices of nepotism, corruption and racism will not be entertained from the members of the commitment.

Tasks of a Complaints Officer

At every stage of the complaints handling system shall be a focal point person or a complaints officer.

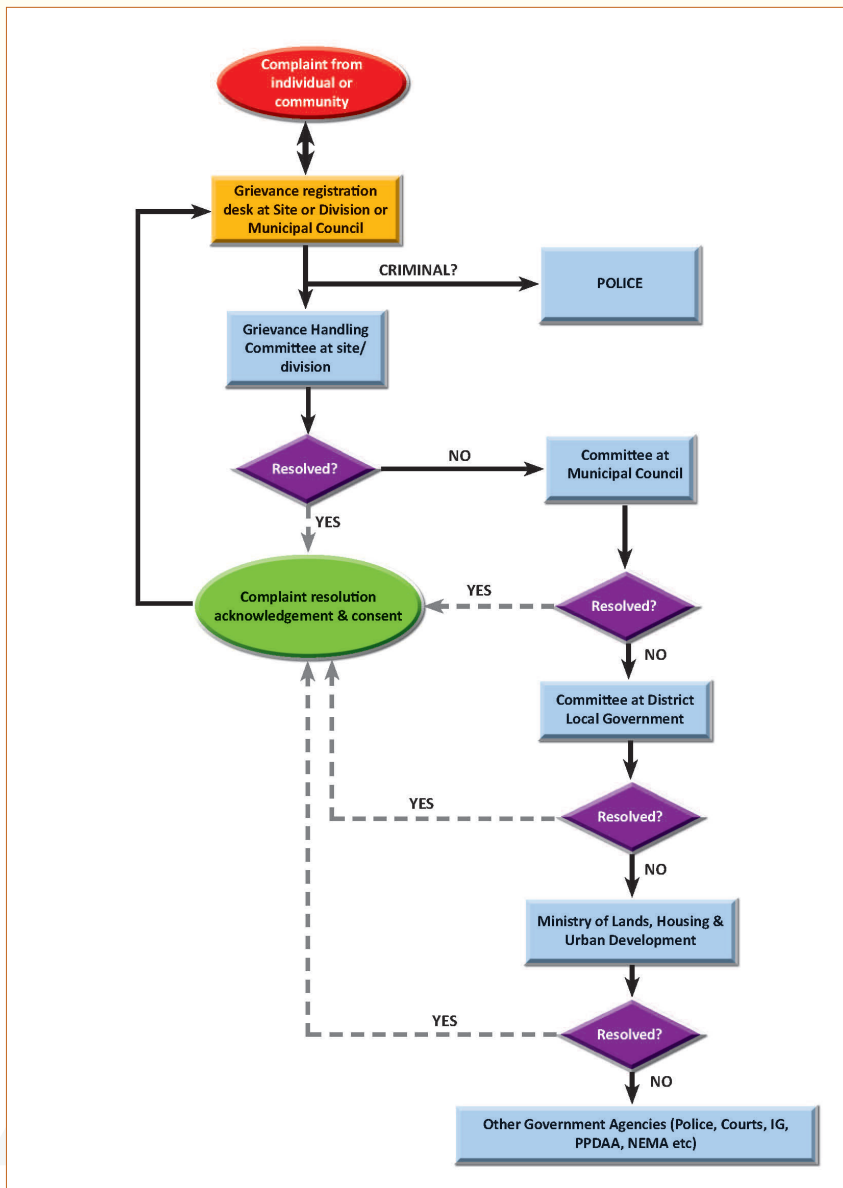
- 1- At the Site, the officer shall be the Site Clerk
- 2- At the Division and Municipality, the complaints officer shall be a Community Development Officer, a Public Relations Officer, or any other person the Town Clerk will have designated to handle the office.

- 3- At the Ministry of Lands, Housing and Urban Development, the complaints officer shall be the Social Development Specialist or the Principal Information Officer, or any other officer designed by the Permanent Secretary.

The principal responsibilities of a Complaints Officer shall be;

- Recording the complaints received, both written and oral, categorising and prioritizing them and providing solutions within a specified time period.
- Ensuring that relevant policies and procedures are effectively followed while resolving any issue.
- Preparing a work plan for the Complaints Handling Committee in order to address the complaints easily
- Discussing complaints on a bi-weekly basis with the Committee and coming up with decision/actions for issues that can be resolved at that level.
- Reporting/ provide feedback to the complainants about developments regarding their complaints and decisions of the Committee.
- Acting as the Secretary of the Complaints Handling Committee.

The Complaints Handling Process to be followed is depicted in the flow chart below.



Characteristics of a Good Complaints Handling System;

A good Complaints system should;

- Be known to the public and all the project affected persons.
- Have a systematic way of recording and monitoring the progress or resolution of issues raised.
- Be accessible to all people regardless of their economic, physical, ethnicity, religious, gender, disability, geographical, and political status.
- Provide security (both physical & psychological) for all people to participate without fear of intimidation or rebuttal.
- Include participation of the local leaders' representatives, MDF and the affected persons or complainants.
- Have different levels to allow for appeals.
- Provide equitable access for affected persons to information, advice and expertise.
- Possess values, attitudes, and commitments to fairness and justice.
- Have a reasonable time frame to prevent grievances from dragging on unresolved.
- Shows clarity in procedures processes and time frames adopted.

Making the Complaints Handling System work

All persons engaged in management of complaints shall be trained and oriented in the process as well as conflict management procedures.

There will be need to build capacity of the Complaints Officers and their Committees in areas such as;

- Communication and interpersonal skills (soft skills)
- Conflict arbitration and resolution mechanisms
- Grievance redress process comprised in this handbook and in the program and LG processes.
- Policies and laws that govern certain procedures.
- Record keeping and management.

Monitoring and Evaluation

The Complaints Handling committee shall be expected to submit quarterly reports to the Program Social Development Specialist who will act as a guide on monitoring and evaluating the progress of the system. This will also call for any adjustments in the handling of issues if found necessary.

The format of the complaints log

Reference No.	Date Received	Mode of Receipt	Name of Complainant	Contact of Complaint	Summary of Complaint	Type of complaint	Action Taken	Date of Action

- **Reference Number:** a unique number assigned to the complaint for easy tracking and follow up
- **Mode of receipt:** how the complaint was received. This could be by Telephone, “SMS”, Email, Written, In Person
- **Contact of complainant:** to include phone number, P.O. Box number, e-mail
- **Description of complaint:** a brief description of the complaint received
- **Nature of complaint:** could include fraud & corruption, land disputes, compensation, environment and social management issues, procurement issues, service delivery, facilities, management etc.

USMID-AF is a World Bank funded program, implemented under the Ministry of Lands, Housing and Urban Development.

For more information contact the participating Local Governments or the USMID program offices on Plot 9, Yusuf Lule Road Kampala next to the UN office.

Website: www.mlhud.go.ug/projects/usmid-program

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