

Annex E

Grievance Redress Mechanism

Table 1.1 **Definition of Key Terms**

Term	Definition
Affected Party(ies)	Stakeholders who are affected by the company or operation, both positively and negatively. Within this it is possible to distinguish between those that are directly affected and indirectly affected by the company or operation.
Environmental and Social Impact Assessment	Process of evaluating and addressing potential social and environmental impacts resulting from ZRA’s Project and identifying any mitigation or corrective measures that will enable the project to meet the requirements of the World Bank Operational Standards, IFC Performance Standards and applicable Zambian and Zimbabwean laws and regulations.
Grievance	An issue, concern, problem, or claim (perceived or actual) that an individual or community group wants a company or contractor to address and resolve.
Grievance Database	System for logging and monitoring all grievances received, including any records of communication/consultation and details of grievance settlement.
Facilities / Operation(s)	A location or activity that is operated by ZRA or its contractors for the purpose of the Project. Locations could include the dam, construction camps, permanent villages, power houses, switchyard, access roads transmission lines, and offices including corporate head offices etc.
Records of communication / consultation	Records of communication / consultation may include key e-mails, letters, newsletters, memorandums, complaints, opportunities for improvement, records of distribution/attendance, records of formal and informal meetings and records of commitments.
Stakeholder	Persons or groups that are directly or indirectly affected by a project as well as those that may have interests in a project and/or the ability to influence its outcome, either positively or negatively. This can refer to shareholders, lenders, employees, communities, industry, governments and international third parties.
Stakeholder engagement	An umbrella term encompassing a range of activities and interactions between ZRA and stakeholders (two way communication) over the life of a project that are designated to promote transparent, accountable, positive, and mutually beneficial working relationships.
Vulnerable Groups	Individuals or groups within the project area of influence who could experience adverse impacts more severely than others based on their vulnerable or disadvantaged status. This vulnerability may be due to an individual's or group's ethnicity, gender, language, religion, political views, dependence on natural resources, sickness or disability or other factors.

1 GRIEVANCE REDRESS MECHANISM

1.1 INTRODUCTION

The Zambezi River Authority (ZRA) is a statutory body and was established in 1987. It is jointly and equally owned by the Governments of Zambia and Zimbabwe. It is responsible for overseeing the development of the Zambezi River, which runs through the two countries. The ZRA, alongside the Governments of Zimbabwe and Zambia, is proposing to develop the Batoka Gorge Hydro-Electric Scheme (BGHES) on the Zambezi River at Batoka Gorge.

The BGHES will provide up to 2,400 MW. It will help the Governments of Zambia and Zimbabwe to address power shortages being faced by the two countries and the region as a whole.

The proposed BGHES is anticipated to impact both directly and indirectly, positively and negatively on communities in the Project area and upstream and downstream of the proposed scheme. These impacts can potentially affect the lives of people living and working in these communities, thus giving rise to grievances. These potential grievances may relate to any aspect of the Project. 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.

1.2 PURPOSE

The purpose of this Grievance Redress Mechanism is to outline the Zambezi River Authority's (ZRA) approach to accepting, assessing, resolving and monitoring grievances from those affected by ZRA's, and its Contractors', activities in relation to the BGHES. The aim is to identify and manage grievances from individual stakeholders or stakeholder groups. Timely redress or resolution of such grievances is vital to ensure successful implementation of the project

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. It is essential to have a robust and credible mechanism to systematically handle and resolve any complaints that might arise in order 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 redress mechanism can help foster positive relationships and build trust with stakeholders.

This Grievance Redress Mechanism has been considered in parallel to the Stakeholder Engagement Plan (SEP) (refer to *Annex B* of the main ESIA

document) due to the inter-relationship between these two planning mechanisms. It has been designed to meet the legal requirements of both Zambia and Zimbabwe and the requirements of the International Finance Corporation (IFC) in relation to grievance management.

The mechanism for addressing employee grievances is not addressed through this mechanism, which is solely to manage the interface with external stakeholders.

1.3 *SCOPE*

This Grievance Redress Mechanism will be applied to stakeholder complaints and grievances, perceived or actual, which relate to the activities of the ZRA and its Contractors' undertaken in relation to the BGHES.

A complaint or grievance is an issue, concern, problem, or claim (perceived or actual) that an individual stakeholder or community group has related to ZRA and its contractors' operations and activities. The mechanism does not impede access to judicial or administrative resolutions.

1.4 *APPLICATION*

This Grievance Redress Mechanism provides guidance to all ZRA employees and Contractors on receiving, registering, assessing and resolving community complaints or grievances emanating from ZRA's operations and activities in relation to the BGHES. The fundamental objective of this mechanism is to:

- Provide a predictable, transparent, and credible process to all parties for resolving grievances, resulting in outcomes that are seen as fair, effective, and lasting;
- Build trust as an integral component of broader community relations activities; and
- Enable more systematic identification of emerging issues and trends, facilitating corrective action and pre-emptive engagement.

To maximise the effectiveness of the Grievance Redress Mechanism, ZRA shall uphold the following values during implementation and operation of the system:

- Commitment to fairness in both process and outcomes;
- Freedom from reprisal for all involved parties – within ZRA and in the external stakeholder group;
- Clear operating rules, and accountability;

- Validity of all complaints submitted;
- Culturally accessible and applicable;
- Accessible to vulnerable groups of stakeholders; and
- Confidentiality if requested.

1.5

NOTIFICATION

ZRA (Chief Executive) will proactively inform affected communities and the wider stakeholder group of the details of the Grievance Redress Mechanism. This will include information about where people can go and who they can talk to if they have a grievance. This information shall be widely and regularly publicised, throughout the duration of the public consultation exercise, through meetings and the distribution of fliers.

ZRA will provide the information in a format and languages that are readily understandable by the local population and/or orally in areas where literacy levels are low during routine stakeholder engagement.

1.6

ROLES, RESPONSIBILITIES AND RESOURCES

Implementation of the Grievance Redress Mechanism for the BGHES will be the ultimate responsibility of the Grievance Manager. The Grievance Manager will be supported by a wider team. The various roles of the ZRA Grievance Management Team are detailed below:

Grievance Manager

The Grievance Manager will:

- Implement the Grievance Redress Mechanism procedure and management system providing guidance on solutions to complaints and grievances in consultation with the relevant departments and ensure consistency of redress for all grievances received in relation to the BGHES.
- Promote the Grievance Redress Mechanism to maintain momentum and ensure company wide and community commitment to, and understanding of, its implementation and operation.
- Involvement in the investigation of grievances and the agreement of redress as well as overseeing interaction between various ZRA Departments and contractors as well as the senior managers as required.

All ZRA Departments and Contractors

ZRA Departments and Contractors will:

- Receive and acknowledge any issue, concern, complaint or grievance from the community, verbally or in writing. They will record the issue and report it to the Grievance Manager in compliance with the Grievance Redress Mechanism procedure.
- Involvement in the investigation of grievances as required depending on the nature and severity of the grievance and as directed by the Grievance Management team.

ZRA Chief Executive

The ZRA Chief Executive will:

- Ensure that this Grievance Redress Mechanism procedure is applied through all ZRA and Contractor departments and levels that are undertaking activities related to the BGHES.
- Apply necessary controls to minimise risks that could result in stakeholder grievances.
- Contribute to the resolution and sign off of any grievances which have international repercussions.

The following resources will also need to be in place:

- An auditable system for receipt, recording and tracking of the process (for example a grievance log, database etc.) shall be in place.
- Dedicated budget for resourcing management of Grievance Redress Mechanism and addressing grievances through financial or in-kind compensation as and when needed.

1.7

THE GRIEVANCE PROCESS

A Grievance Redress Mechanism must be a simple process whereby stakeholders can submit their complaints free of charge and, if necessary, anonymously or via third parties. It should allow complaints to be submitted in more than one format.

The following steps outline the process that may be followed to resolve a grievance. This process is presented in a diagram in *Figure 1.1* and all grievance forms are contained in *Appendix A*.

Figure 1.1 Grievance Process

Process	Description	Time
<p>1. Receive and Log Grievance</p>	<ul style="list-style-type: none"> • Face to face meeting with Stakeholder • Phone, fax, letter or email • Recorded by ZRA staff • Completion and submission of grievance form • Record grievance in Grievance Form and log on Grievance Database 	1 day
<p>2. Acknowledge Grievance</p>	<ul style="list-style-type: none"> • Receipt of grievance acknowledged through appropriate communication medium, but to be recorded in writing 	5 days
<p>3. Assess and Investigate</p>	<ul style="list-style-type: none"> • ZRA to assess and assign grievance significance • Consult with relevant parties • May require site visits and discussions with other stakeholders 	7 days
<p>4. Grievance Resolution</p>	<p>Identify further action required Response provided to complainant including, if necessary an indication of additional time and resources required to resolve grievance</p>	28 days after receipt of grievance
<p>5. Sign-off</p>	<ul style="list-style-type: none"> • Confirm with complainant that grievance can be closed, or determine what follow-up is necessary. • If the grievance is to be closed, grievance sign-off is required 	37 days after receipt of grievance
<p>6. Monitor</p>	<ul style="list-style-type: none"> • Record final sign-off of grievance according to significance • If grievance cannot be closed return to step 2 to re-assess or recommend whether third-party arbitration is necessary 	37 days – 3 months, dependent on significance

The process of reporting a grievance should be easily accessible and un-intimidating to any stakeholder. The preferable channels for reporting grievances can be discussed with the community as part of community engagement.

Following the establishment of the channels above, the method for addressing grievances is systematic and is divided into six key steps. These are as follows:

- Step 1: Receive and log grievance;
- Step 2: Acknowledge grievance;
- Step 3: Assess and Investigate;
- Step 4: Grievance Resolution;
- Step 5: Sign-off on grievance; and
- Step 6: Monitor.

1.7.1 *Step 1: Receive and Log Grievance*

Grievances can be submitted in writing, telephonically or presented verbally to the Grievance Manager using the following details:

Name: The Project Manager – BGHES

Phone number: +260 211 228401/2, +260 211 227970/1 or +260 211 238665

Email: zaraho@coppernet.zm and Batoka@zaraho.org.zm

Address: Kariba House, 32 Cha Cha Cha Road, P.O Box 30233, Lusaka, Zambia.

The grievance is received by the ZRA or a Contractor representative and is forwarded to the Grievance Manager.

All grievances shall be logged using the Stakeholder Grievance Form (*Appendix A*). ZRA will log, document and track all grievances received within the secure ZRA grievance database system (refer to *Appendix B* for an example of a grievance database). Grievances shall be assigned a case number and records of communication/consultation shall all be attached with the relevant entry and filed. The database shall be monitored regularly for recurring grievances so that appropriate mitigation can be developed. Refer to *Box 1.1* for tips on receiving grievances. As a minimum the following information shall be recorded:

- Case number;
- Complainant's name and contact details; ⁽¹⁾
- Date of complaint;
- Details of complaint;
- History of other complaints / queries / questions (if known);
- Resolutions discussed and agreed with the party(ies) in question;
- Actions implemented (including dates); and
- Outcome of the actions implemented.

(1) Name and contact details are necessary for interaction around the resolution of the grievance. Anonymous submissions will be permitted, but the party submitting should understand that direct response will not be possible.

Box 1.1

Tips for Receiving a Grievance

- Regardless of who receives the grievance, it needs to be forwarded to Grievance Manager for attention.
- The grievance redress mechanism should make it possible to lodge a grievance in any appropriate format (written, verbal, telephonic, email, post etc.). Consideration should be given to capturing concerns raised informally or indirectly (e.g., through perception studies, media reports, social media, etc.).
- It is important that the process is easily accessible and not intimidating to stakeholders.
- Regardless of the form of the complaints, all need to be addressed with the same sincerity and seriousness.
- The Grievance Manager will be required to be in touch with the complainant at least once per month to provide feedback on the grievance.

1.7.2

Step 2: Acknowledging Receipt of a Grievance

ZRA shall acknowledge receipt of any grievance as soon as possible, but up to seven days from the date it was submitted and shall inform the complainant about the timeframe in which a response can be expected. A Grievance Receipt Form (*Appendix A*) shall be signed and a copy provided to the complainant. Refer to *Box 1.2* for tips on acknowledging grievances.

Box 1.2

Tips for Acknowledging a Grievance

- Literacy levels should be taken into consideration when providing the complainant with the acknowledgment of receipt, and verbal acknowledgement should accompany a written acknowledgement.
- Where appropriate acknowledgement should be provided through the Grievance Manager.

1.7.3

Step 3: Assess and Investigate Grievance

The following steps shall be performed in a timely manner to avoid delaying resolution of a grievance:

1. Obtain as much information as possible from the person who received the complaint, as well as from the complainant to gain a first-hand understanding of the grievance.
2. Undertake a site visit, if required, to clarify the parties and issues involved. Gather the views of other stakeholders including ZRA employees, if necessary and identify initial options for settlement that parties have considered.
3. Determine whether the grievance is eligible.
 - Eligible grievances include all those that are directly or indirectly related to ZRA's BGHES Project and that fall within the scope of the Grievance Redress Mechanism as outlined above.
 - Ineligible Complaints may include those that are clearly not related to ZRA BGHES Project or its contractors' activities, whose issues fall outside the scope of the Grievance Redress Mechanism

procedure or where other ZRA or community procedures would be more appropriate to address the grievance.

4. If the grievance is deemed ineligible it can be rejected however a full explanation as to the reasons for this must be given to the complainant and recorded in the Grievance Database.
5. If the grievance is eligible, determine its severity level using the significance criteria in *Box 1.3*. This will help to determine whether the grievance can be resolved immediately or requires further investigation and whether senior management will need to be informed of the grievance.
6. If the grievance concerns physical damage, (e.g. crop, house, community asset) take a photograph of the damage and record the exact location as accurately as possible.
7. Inform the complainant of the expected timeframe for resolution of the grievance.
8. Enter the findings of the investigation in the Grievance Database.

ZRA will aim to resolve any grievances within 30 days from the date that it was received. This timeframe can be extended to 60 days for more complex grievances (e.g. level 4 grievances), if required. (Please see point 6 on assessing grievance significance).

Box 1.3 **Significance Rating Criteria**

Significance Level	Type of Grievance	Responsibilities
Level 1	A grievance that is isolated or 'one-off' and essentially local in nature and restricted to one complainant. Note: Some one-off grievances may be significant enough to be assessed as a Level 4 grievance e.g. when a national or international law is broken (see Level 4 below)	Grievance Manager
Level 2	A grievance that extends to the local community or region and has occurred more than once, which is judged to have the potential to cause disruption to ZRA operations or to generate negative comment from local media or other local stakeholders	Project Executive
Level 3	A grievance which is widespread and repeated or has resulted in long term damage and/or has led to negative comment from local media, or is judged to have the potential to generate negative media and local stakeholder comments (e.g. damage to a sacred site or flooding of local school)	Project Executive
Level 4	A one-off complaint, or one which is widespread or repeated and , in addition , has resulted in a serious breach of ZRA policies, Zambian or Zimbabwean or International Law and/or has led to negative national/international media attention, or is judged to have the potential to generate negative comment from the media or other key stakeholders (e.g. failure to pay compensation where appropriate, e.g. resettlement)	ZRA Chief Executive

1.7.4 **Step 4: Grievance Resolution**

All grievances shall be dealt with on a case by case basis. However, all will require further discussions with complainants and community members that seek to jointly identify and select measures for grievance settlement. This will

help to increase ownership of solutions and to mitigate perceptions that resolutions unfairly benefit ZRA.

- An incident investigation team may be tasked with seeking resolution to the grievance. This may entail a dialog or series of dialogs between affected parties to find a solution to the grievance. Alternatively, it may entail investigating the underlying cause of the grievance and action any changes required to internal systems to prevent a recurrence of a similar grievance.
- An Incident Investigation Report will be completed within 28 days (considered good practice).
- During the 28 days of dialog or investigation, the Grievance Manager will co-ordinate conflict resolution activities necessary to contain and resolve any actual or potential conflicts arising from the reported grievance, refer to *Box 1.2* for tips for resolving grievances. If the case is complex and the stated resolution timeframe cannot be met, an interim response will be provided (oral or written) that informs the stakeholder of the delay, explains the reasons, and offers a revised date for next steps.

Where possible, grievances will be addressed directly by ZRA. The resolution proposal shall be respectful and considered, including rationale for the decision and any data used in reaching it. If wider consultation is necessary, grievances will be forwarded to a third party. This third party should be neutral, well-respected, and agreed upon by both ZRA and the affected parties. These may include public defenders, legal advisors, local or international NGOs, or technical experts. In cases where further arbitration is necessary, appropriate government involvement will be requested.

As a last resort, aggrieved parties have a right to take legal action. This is a more formal rights based approach that shall only be taken if all other approaches have failed or when there are serious conflicts about facts and data. The final decision will be taken by the arbitrator or courts based on compliance with laws, policies, standards, rules, regulations, procedures, past agreements or common practice.

- Grievance verification is especially important when the grievance is about another stakeholder or group of stakeholders. For example the community may make claims against a contractor that need to be investigated before acted upon.
- A regular forum to discuss grievances could be in the form of a monthly meeting where general and Risk Level 1 grievances are discussed. This forum can be constituted more frequently or as is needed especially in the case of Risk Level 2 and 3 grievances. This is particularly relevant to phases of the project that are likely to result in the highest degree of impact (e.g., construction).
- It is important to be transparent about the mechanism to resolve the issue. The appropriate level of action may require further consultation. Also, the issue may be symptomatic of a bigger issue. When this arises, both the symptom and the cause need to be addressed and resolved. For example, a complaint about job seekers setting up informal housing near the site may be raised as an issue related to informal housing but may also be symptomatic of an issue around influx of people and associated negative impacts.
- There are instances where grievances cannot be resolved in 28 days. In these cases, monthly updates must be given to the stakeholders who raised the grievance to provide them a report on progress.

1.7.5***Step 5: Sign-off on Grievance***

- The Grievance Manager will seek sign-off from the complainant(s) that the grievance has been resolved.
- In instances where the stakeholder is not satisfied with actions taken, the grievance will either:
 1. Be escalated to senior management and a decision will be taken either to implement supplementary actions or to consider initiating an appeal process;
OR
 2. The Grievance Manager will approach a neutral or third party to assist in mediating and resolving the grievance;
OR
 3. The Grievance Manager will approach the host country's judiciary to further address the grievance.
- Following this process, the Grievance Manager will again approach the stakeholder to obtain sign-off on actions implemented.
- The staff member who signs off the complaint should have sufficient knowledge about the topic to provide assurance.
- Once sign-off has occurred, this should be recorded in the Grievance Log.

1.7.6***Step 6: Monitoring and Reporting***

ZRA management will monitor grievances routinely as part of the broader management of the Project. This entails good record keeping of complaints raised throughout the life of the construction and operation of the Project. On receipt of grievances, electronic notification to management must be

distributed. Grievance records must be made available to management at all times.

Monthly internal reports will be compiled by the Grievance Manager and distributed to the management team. These grievance reports will include:

- The number of grievances logged in the proceeding period by level and type.
- The number of stakeholders that have come back after 30 days stating they are not satisfied with the resolution.
- The number of grievances unresolved after 60 days by level and type.
- The number of grievances resolved between ZRA and complainant, without accessing legal or third party mediators, by level and type.
- The number of grievances of the same or similar issue.
- ZRAs' responses to the concerns raised by the various stakeholders.
- The measures taken to incorporate these responses into project design and implementation.

These reports and other records will be made available for external review if required.

An appropriate grievance report should be part of ZRA's annual reporting. Annual reports will be made available to the public. A hard copy will be located at the ZRA offices, and an electronic copy will be made available online.

Appendix A

Stakeholder Grievance Forms

STAKEHOLDER GRIEVANCE LOG

To be completed by ZRA personnel (if grievance being submitted in person) or person submitting complaint

Grievance Record			
Reference No: (for official use)			
Anonymous:	Yes	No	
Full Name:			
Contact Information: Please mark how you wish to be contacted (letter, telephone, e-mail).		<input type="checkbox"/> Address/village/traditional authority and ward: _____ _____ _____ _____ <input type="checkbox"/> Telephone: _____ <input type="checkbox"/> E-mail: _____	
Preferred Language for communication			
Description of Incident or Grievance:		What happened? Where did it happen? Who did it happen to? What is the result of the problem?	
Date of Incident/Grievance			
		<input type="checkbox"/> One time incident/grievance (date _____) <input type="checkbox"/> Happened more than once (how many times? ____) <input type="checkbox"/> On-going (currently experiencing problem)	
What would you like to see happen to resolve the problem?			
Additional Comments:			

GRIEVANCE RECORD - TO BE USED AS PART OF THE DATABASE

Grievance Record			
Grievance Number:	Date Submitted:	Target Date for Resolution:	
Name:			
Address and Contact Details			
Grievance Received By:			
Name of Grievance Coordinator:			
Description of Grievance:			
Assessment of Grievance Level:		Notification to CEO or other senior management?	Y/N
Actions to Resolve Grievance			
Delegation to:			
Action	Who	When	Completed Y/N/Date
Response/Resolution:			
Strategy to Communicate Response:			
Sign-Off:			
Date:			
Conclusion			
Is complainant satisfied?	Y/N	Comments from Grievance Coordinator	
Grievance Closed?	Y/N	Grievance Resubmitted?	Y/N
Signature of CEO:		Date:	
Date:		New Grievance Number:	

**GRIEVANCE RECEIPT FORM – TO BE USED TO ACKNOWLEDGE GRIEVANCES
SUBMITTED**

Grievance Receipt Form		
Grievance Number:	Date Submitted:	Target date for initial meeting to address grievance:
Name:		
Address and Contact Details		
Grievance Received By:		
Name of Grievance Coordinator:		
Contact details of Grievance Coordinator	Telephone:	
	Email:	
	Address:	

Annex B

Grievance Tracker

