***Insert Company Name***

**External Grievance Mechanism**

|  |
| --- |
| ***General Instructions***1. *Insert company logo in the header*
2. *Insert company name where indicated (“[insert company name]”)*
3. *Consider the guidance / follow the instructions given in the instruction boxes*
4. *Review the External Grievance Mechanism and customise accordingly, if required*
5. *Delete the instruction boxes throughout when the document is completed, including this box.*
 |

|  |  |
| --- | --- |
| **Document No.:** | XX |
| **Type of Document:**  | Procedure |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **VERSION NO.** | **Issue Date** | **REVIEWED by (Team Members)** | **Reviewed by****(Relevant Manager)** | **Approved** | **Signature** |
|  |  |  |  |  | Signature |
|  |  |  |  |  | Signature |
|  |  |  |  |  | Signature |
|  |  |  |  |  | Signature |
|  |  |  |  |  | Signature |
|  |  |  |  |  | Signature |

NOTE:

This document is controlled whilst it remains on the system. Printed copies created from this document are deemed to be uncontrolled unless specifically identified as being controlled from the day of printing.

**Amendments**

|  |  |  |
| --- | --- | --- |
| **VERSION NO.** | **Issue Date** | **description** |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

**Table of Contents**

[1 Purpose and Scope 5](#_Toc181874900)

[2 Objectives 5](#_Toc181874901)

[3 Legal and International Requirements 6](#_Toc181874902)

[3.1 National Laws and Regulations 6](#_Toc181874903)

[3.2 International Standards and Guidelines 7](#_Toc181874904)

[4 Definitions 8](#_Toc181874905)

[5 Abbreviations and Acronyms 9](#_Toc181874906)

[6 Policy Statement 10](#_Toc181874907)

[6.1 Principles of an Effective External Grievance Mechanism 10](#_Toc181874908)

[7 Grievance Procedure 11](#_Toc181874909)

[7.1 Lodging Grievance 14](#_Toc181874910)

[7.2 Acknowledgment and Recording of Grievance 15](#_Toc181874911)

[7.3 Grievance Assessment 15](#_Toc181874912)

[7.4 Grievance Investigation 17](#_Toc181874913)

[7.5 Response and Grievance Resolution 17](#_Toc181874914)

[7.6 Appeal 18](#_Toc181874916)

[7.7 Close-Out 18](#_Toc181874917)

[7.8 Legal Action 18](#_Toc181874918)

[7.9 Reporting and Document Control 18](#_Toc181874919)

[7.10 Non-retaliation and Confidentiality 19](#_Toc181874920)

[8 Communication and Training 19](#_Toc181874922)

[9 Collaboration and Support 19](#_Toc181874923)

[10 Disciplinary Procedure 20](#_Toc181874924)

[11 Review and Publication 20](#_Toc181874925)

[12 Roles and Responsibilities 20](#_Toc181874926)

[Annex A: External Grievance Reporting Form 23](#_Toc181874927)

[Annex A: External Grievance Register Template 25](#_Toc181874928)

List of Tables

[Table 7.1: Grievance Levels 15](#_Toc181875146)

[Table 13.1: Key Roles and Responsibilities 21](#_Toc181875147)

List of Figures

[Figure 7.1: Grievance Mechanism Process 13](#_Toc181875150)

|  |
| --- |
| *Instruction Box – Delete when complete*General Instructions for Customisation and Compliance |
| An External Grievance Mechanism should be developed and implemented to provide a process through which the complaints and dissatisfactions of external stakeholders can be resolved in an effective, predictable and timely manner. External stakeholders may include (but are not limited to):* Community members, representatives or organisations;
* Local government;
* Non-Governmental Organisations (NGOs);
* Suppliers; and
* Customers.

Protests, road and bridge blockages, violence, suspension of operations, and business closures are some examples of how the unsatisfactory handling of community grievances can directly affect the operational success of a company. A company may also face negative publicity that causes even greater longer-lasting damage. With the adoption of an external grievance mechanism, if managed well, the concerns/issues can be addressed at the affected peoples/ community level.When external stakeholders present their grievances, they are likely to expect one or more of the following:* Acknowledgment of their complaint/problem;
* A response to questions about company activities;
* An apology;
* Compensation;
* Modification of the behaviour that caused the grievance; and/or
* Some other fair remedy.

An External Grievance Mechanism should provide a process that is widely understood, includes timelines, involves the right people with a focus on the outcomes.The International Finance Corporations (IFC) Performance Standards on Environmental and Social Sustainability (2012) Performance Standard 1 – External Communications: provides the following guidance in terms of grievance management: "Where there are Affected Communities, the client will establish a grievance mechanism to receive and facilitate resolution of Affected Communities’ grievances about the client’s environmental and social performance." The Performance Standard sets out the following requirements for such a grievance mechanism: * It should be scaled to the risks and adverse impacts of the project;
* It should have affected communities as its primary user;
* It should seek to resolve concerns promptly;
* It should be an understandable and transparent consultative process that is culturally appropriate and readily accessible;
* Lodging grievances should be at no cost and without retribution to the party that originated the issue or concern;
* The mechanism should not impede access to judicial or administrative remedies;
* The existence of the mechanism and ways to access it should be clearly communicated to affected communities in the course of the stakeholder engagement process; and
* Companies are required to provide periodic feedback to affected communities on implementation of such a grievance mechanism and issues of concern that have been identified by communities.
 |

# Purpose and Scope

|  |
| --- |
| *Instruction Box – Delete when complete** *Insert the company name where indicated throughout the document.*
* *Describe the purpose of the External Grievance Mechanism which is to provide a process for responding to grievances raised by external stakeholders engaged by the Company.*
* *Insert text indicating the extent of the application of the External Grievance Mechanism. For example, “This External Grievance Mechanism applies to all external stakeholders, namely community members, suppliers, customers etc”.*
* *The section below is generic. Review and modify as required for your company.*
 |

[Insert company name] is dedicated to maintaining a fair and respectful communication channel with its external stakeholders by implementing a comprehensive external grievance procedure. This External Grievance Mechanism provides transparency on how grievances will be managed by [Insert company name], in order to strengthen community relations and build trust with all external stakeholders.

External stakeholders may include (but are not limited to):

* Community members, representatives or organisations,
* Local government,
* Non-Governmental Organisation (NGO),
* Suppliers, and
* Customers.

The External Grievance Mechanism is a crucial component to manage complaints and grievances in relation to [Insert company name] activities from external stakeholders in a systematic, fair, timely and transparent manner, to promote mutual confidence and trust. It also aims at providing [Insert company name] with information about stakeholder issues and concerns and serves as an early warning mechanism that addresses issues before they become more difficult and more costly to resolve.

The External Grievance Mechanism is part of, and embedded in, the company’s stakeholder engagement process and must be read in conjunction with the Stakeholder Engagement Plan [Include document reference]. It applies to any grievance and shall be communicated to all suppliers, clients, host communities, contractors and visitors and will be available to all other Interested and Affected Parties upon their request.

This External Grievance Mechanism applies to any grievance, including those deemed confidential.

# Objectives

|  |
| --- |
| *Instruction Box – Delete when complete** *State the objectives of the External Grievance Mechanism and what it aims to achieve.*
* *The section below is generic. Review and modify as required for your company.*
 |

The objectives of the External Grievance Mechanism are to:

* Ensure that grievances are handled impartially and without bias.
* Hold [Insert company name] and its employees accountable for their actions and decisions.
* Provide a clear and open process for addressing complaints from external stakeholders, such as, complaints of health and safety (H&S) incidents involving [insert company name], loss of land, pollution of various sources (water, air, noise), community exposure to hazardous materials and substances released by the site or transported to the site and community exposure to communicable or non-communicable disease, especially from temporary or permanent project labour;
* Effectively resolve conflicts or complaints to the satisfaction of all parties involved.
* Safeguard the rights and interests of individuals who raise grievances.
* Identify systemic issues or areas for improvement within an organisation.
* Make the procedure accessible to all individuals who may need it, ensuring that anyone with a grievance can easily file a complaint and have it addressed.
* Ensure that the [Insert company name] adheres to relevant laws, regulations, and best international standards with regards to stakeholder engagement and grievance management.

[Insert the below if the company operations impact host communities and trigger economic or physical resettlements]

* Resolve concerns promptly, using an understandable and transparent consultative process that is culturally appropriate and readily accessible, and at no cost and without retribution to the party that originated the issue or concern.
* Address grievances about compensation and relocation raised by displaced persons or members of host communities in a timely fashion.
* Confirm a commitment to respect human rights and the people and local community members impacted by the [Insert company name].

Furthermore, this External Grievance Procedure ensures that all external stakeholders have access to a clear and equitable process for reporting and addressing grievances, including those related to Gender Based Violence and Harassment (GBVH). By fostering a collaborative approach, providing robust support, and enforcing appropriate disciplinary measures, we aim to uphold the highest standards of integrity and respect.

**This External Grievance Mechanism does not impede access to judicial or administrative remedies.**

# Legal and International Requirements

## National Laws and Regulations

|  |
| --- |
| *Instruction Box – Delete when complete** *Review country and local legislation relating to external grievances and incorporate as may be required into this section.*
* *To find national legislation on external grievance mechanisms, companies should start by researching the labour laws, occupational health and safety regulations, and corporate governance codes in the countries where they operate. Key sources include government websites, legal databases, and official gazettes, which often publish labour codes or specific laws mandating grievance procedures. Additionally, consulting with local legal experts or HR consultants familiar with national regulations can provide tailored guidance and ensure compliance with local requirements. For multinational operations, it's crucial to harmonize these local laws with any applicable international standards to maintain consistent grievance procedures across all locations, while ensuring country specific requirements are still applied in each respective country.*
 |

The Plan has been developed to conform to the following national laws and regulations:

* [insert local regulations and laws]

## International Standards and Guidelines

|  |
| --- |
| *Instruction Box – Delete when complete** *List all relevant international standards and guidelines and delete any below that are not applicable.*
* *The section below is generic. Review and modify as required for your company. Modify/delete/add to as required.*
 |

The Plan has been developed to conform to the following international standards and guidelines:

* International Finance Corporations (IFC) Performance Standards (PS) on E&S Sustainability (2012). The most salient PS related to external grievance management are related to:
	+ Performance Standard 1 – External Communications: Requires companies to implement and maintain a procedure for external communications that includes methods to (i) receive and register external communications from the public; (ii) screen and assess the issues raised and determine how to address them; (iii) provide, track, and document responses, if any; and (iv) adjust the management program, as appropriate. Where there are Affected Communities, the company will establish a grievance mechanism to receive and facilitate resolution of Affected Communities’ concerns and grievances about its environmental and social performance.
* United Nations Guiding Principles on Business and Human Rights (UNGPs): The UNGPs are a set of guidelines for states and companies to prevent, address, and remedy human rights abuses committed in business operations. Principle 29 specifically encourages companies to establish or participate in effective operational-level grievance mechanisms for individuals and communities who may be adversely impacted by business activities.
* Organisation for Economic Co-operation and Development (OECD) Guidelines for Multinational Enterprises: The OECD Guidelines provide recommendations for responsible business conduct. They highlight the importance of establishing grievance mechanisms for handling grievances and ensuring that these mechanisms are legitimate, accessible, predictable, equitable, and transparent.
* International Labour Organization (ILO) Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy: This ILO declaration encourages multinational enterprises to provide channels for grievance handling and dispute resolution, particularly in the context of labour rights and working conditions.

# Definitions

|  |
| --- |
| *Instruction Box – Delete when complete** *The table below includes a list of definitions of terms used in the document. Modify/delete/add to as required.*
 |

| **Term/Acronym** | **Definition** |
| --- | --- |
| Complainant | Any person who reports an incident, including a gender-based violence incident. |
| Complaint / Grievance | A formal expression of dissatisfaction, discontent, or grievance made by an individual, group, or organization regarding a particular issue, situation, product, service, or process. |
| Discrimination | Unfair or unequal treatment of individuals based on characteristics such as race, gender, age, disability, religion, or other protected attributes. Discrimination involves making decisions or taking actions that disadvantage individuals because of these characteristics. |
| External Stakeholders  | Groups or individuals outside [Insert company name] who are not directly employed or contracted by the company but are affected in some way from its decisions, such suppliers, community, NGOs, regulatory bodies, the government, media, surrounding communities, host communities, etc. |
| Gender-Based Violence and Harassment | Any act or conduct based on sex, gender identity, or gender expression that impairs or interferes with the dignity, physical integrity, psychological well-being, or personal safety of an individual, including sexual harassment, bullying, intimidation, or discrimination. |
| Grievance Mechanism  | A formalized way to accept, assess, and resolve complaints concerning the performance or behaviour of [Insert company name], its contractors, employees, suppliers etc. |
| Harassment | Refers to any unwelcome or offensive conduct towards an individual or group that violates their dignity, creates an intimidating, hostile, degrading, humiliating, or offensive environment, or interferes with their work performance. Harassment can manifest in various forms, including verbal, non-verbal, physical, or electronic/cyber/social media behaviours. It often targets personal characteristics such as race, ethnicity, religion, gender, sexual orientation, disability, or any other protected characteristic under applicable laws or organizational policies. Examples of harassment include but are not limited to:* Verbal harassment: Offensive jokes, slurs, epithets, or comments.
* Non-verbal harassment: Displaying offensive materials or gestures.
* Physical harassment: Unwanted physical contact or assault.
* Cyber harassment: Harassment through emails, social media, or other electronic communications.

Harassment can occur between various relationships within the workplace or related environments, including between peers, supervisors, clients, or anyone else . Regardless of their role, any individual has the potential to act inappropriately and transact a form of harassment. It is illegal in many jurisdictions and against organisational policies due to its detrimental effects on individuals and workplace culture. |
| Improper Behaviour | Actions or conduct that do not align with ethical standards or company policies, even if they are not illegal. This includes actions that undermine the integrity or professionalism expected in the workplace. |
| Irregular Behaviour | Conduct that deviates from established procedures or norms, potentially disrupting the normal functioning or operations of the organization. |
| Illegal Behaviour | Actions that violate laws or regulations, including criminal acts such as theft, fraud, or any activity prohibited by law. |
| Corrupt Behaviour | Actions involving the abuse of power or authority for personal gain, such as bribery, kickbacks, or other forms of unethical financial dealings. |
| Respondent | Any person who is accused of committing an offence including a gender-based violence incident. |
| Retribution | Act of punishing or seeking to penalize an individual or group in response to perceived wrongdoing, usually with the intention of achieving justice or restoring a sense of balance or fairness. |

# Abbreviations and Acronyms

|  |
| --- |
| *Instruction Box – Delete when complete** *The table below includes a list of abbreviations and acronyms which are referred to in the document. Modify/delete/add to as required.*
 |

| **Abbreviations and Acronyms** | **Definition** |
| --- | --- |
| E&S  | Environmental and Social |
| GBVH | Gender-based violence or harassment |
| HR | Human Resources |
| IFC | International Finance Corporation |
| ILO | International Labour Organization |
| UNGP | United Nations Guiding Principles on Business and Human Rights |

# Policy Statement

|  |
| --- |
| *Instruction Box – Delete when complete** *Provide key principles or standards your company aims to uphold.*
* *The section below is generic. Review and modify as required for your company.*
 |

[Insert company name] is committed to maintaining a consultative, fair and equitable working relationship with its stakeholders affected by its operations. As such, the grievance mechanism is an integral component of the Company’s focus on respecting human rights and acknowledging the equality and dignity of the people with whom the Company interacts daily.

[Insert company name] strictly prohibits any form of retaliation against individuals who report any incidents including GBVH cases or to any persons who participate in investigations. Retaliation includes but is not limited to harassment, or any other adverse action taken against external stakeholders because of their involvement in a grievance process. Any instance of retaliation will be treated as a serious violation of this policy and will be subject to disciplinary action.

## Principles of an Effective External Grievance Mechanism

|  |
| --- |
| *Instruction Box – Delete when complete** *Provide a list of principles which is to serve as a guiding framework for how external grievances are dealt with, providing direction on how they should be handled.*
* *Some examples of commitment to the principles have been included below. Review and modify as required for your company.*
 |

[Insert company name] bases its actions on the following principles:

* **Accessibility**: Must be readily accessible to all segments of the [Insert company name] stakeholders, considering confidentiality, legal requirements, the vulnerability of people, including women and women-headed households.
* **Awareness**: Inform the external stakeholders about the grievance mechanism and report back regularly on its implementation. Publish the grievance mechanism using appropriate and easily accessible channels of communication.
* **Communication**: Provide speedy and ongoing feedback to complainant regarding the progress made in addressing the grievance. Any delays in the process will be communicated as soon as possible.
* **Cultural sensitivity**: Consider specific appropriate cultural attributes and traditional mechanisms for raising and resolving grievances. Communications will be in the local language to facilitate accessibility and understanding.
* **Fit-for-purpose**: Ensure that the grievance mechanism is “fit-for-purpose” and scaled to the issues and risks anticipated considering the [Insert company name] circumstances. The grievance mechanism must be simple, easy to use and provide quick results, where at all possible.
* **Freedom from reprisal**: Freedom from reprisal for all involved parties, within the Company and the community
* **Quick responses**: Address grievances as quickly as possible. Do not enter into a more complex process where a simple resolution can suffice.
* **Inclusivity**: For example, it may be necessary to ensure female representatives are specifically consulted to discuss and receive complaints.
* **Impartiality**: Safeguard the principles of impartiality by understanding the grievance, the causes and consequences from a stakeholder perspective. Ensure that parties to a grievance process cannot interfere with its fair conduct.
* **No cost**: Grievances must be resolved at no cost to the party that originated the issue or concern.
* **No limitation in civil or legal rights**: Participation in a grievance management procedure shall not prevent or hinder a complainant’s right to other judicial, administrative, civil or traditional remedies.
* **Prevention**: [Insert company name] promotes a culture of respect and zero tolerance for discrimination, harassment, illegal behaviour and GBVH through awareness programs, training, and clear communication of policies.
* **Training:** Develop training and implement procedures to ensure that all the [Insert company name] employees and the contractors comply with the grievance mechanism. Similarly, external stakeholders must be capacitated to know of, understand how to access and use the grievance mechanism

# Grievance Procedure

|  |
| --- |
| *Instruction Box – Delete when complete.** *Describe the steps for filing an external grievance. This should cover all aspects of the grievance process, from filing to resolution.*
* *The procedure should include the following topics:*
	+ *Grievance categorisation: Describe the categorisation of grievances associated with the response time from the company.*
	+ *Steps for Filing a Grievance: How to submit a grievance, including the method (e.g., written, online), the information required, and any forms that need to be completed.*
	+ *Acknowledgement of Grievance and Investigation Process: Acknowledge the receipt of the grievance and explain how the grievance will be investigated, including who will conduct the investigation and the procedures they will follow. Including the timeframe for each step, from filing the grievance to receiving a response.*
	+ *Confidentiality: Define how confidentiality will be maintained throughout the process.*
	+ *Resolution and Outcome: Define how decisions will be communicated and what actions may be taken to resolve the grievance.*
	+ *Appeals: The process for appealing a decision if the complainant is not satisfied with the outcome.*
	+ *Responsibilities: The roles and responsibilities of those involved in the grievance process, such as HR, managers, and the complainant.*
	+ *Monitoring and Review: How the procedure will be monitored for effectiveness and periodically reviewed for updates.*
	+ *Training: How the company will ensure that all internal and external stakeholders are educated about the grievance procedure, including regular training sessions on how to prevent and report grievances.*
	+ *Communication/Dissemination of the Policy: How the grievance procedure will be communicated to all external stakeholders, including distribution methods (e.g., employee handbooks, company intranet and website) and ensuring that all parties are aware of and understand the policy.*
	+ *Tools: Inform what are the tools associated to this procedure to allow complainants to raise grievances.*
* *Insert the company name, contact numbers and email addresses where indicated.*
* *The section below is generic. Some steps in the procedure have been included below. Review and modify as required for your company.*
 |

**Figure 7.1** on the following page presents a diagrammatical representation of the grievance management process outlined within this Procedure.



**Figure 7.1: Grievance Mechanism Process**

## Lodging Grievance

External stakeholders are encouraged to lodge grievances via the following:

* **Email** – External stakeholders can submit a grievance to [Insert company name] dedicated email address: [Insert email address]
* **Hotline Telephone Number** – External stakeholders can call [Insert company name] toll-free number to raise a grievance during the company operational hours : [Insert hotline number].
* **Feedback Forms at various** [Insert company name] **touchpoints** – External stakeholders can obtain feedback forms at different areas within the [Insert company name] such as [insert locations] to raise grievances and feedback.

The [Insert company name] **External Grievance Form** (refer to *Annex A*) should be used to document / record all grievances. This document can be made available to external stakeholders should they wish to use it. The [*EHS Manager / Community Liaison / Customer Relations*] is responsible for recording grievances.

For verbal grievances lodged in person and grievances lodged in writing but in an alternative form (e.g., website, letter, e-mail, etc.), the employee who received the grievance should complete the grievance form as far as possible on behalf of the complainant. All formal grievances will be logged in the **External Grievance Register** (refer to *Annex B*). The following information is required as a minimum for each grievance:

* Complainant’s name and contact details (if not an anonymous grievance);
* Date and time the grievance was lodged; and
* Details of grievance (its nature and any supporting information to better guide resolution thereof).

If the main communication lines which are used for day-to-day operations cannot be used, external stakeholders can also submit their questions or concerns to [Insert company name] directly by using the hotline telephone number.

***8.1.1 Vulnerable Groups and GBVH grievances***

[Insert company name] encourages all aggrieved persons that may feel particularly vulnerable (such as ethnic or religious minorities, woman, migrants, youth, persons with disabilities, etc.) to not be deterred from raising a grievance. [Insert company name] ‘s process for raising grievances is confidential in order to allow such complainants to raise a grievance anonymously, if preferred, and anonymity will be safeguarded and respected by all parties involved in a grievance.

As reasonably practicable, [Insert company name] shall have both a male and a female staff member available for receiving and processing grievances so that aggrieved parties can choose who they feel the most comfortable speaking to. Where there are language barriers, it may be necessary to provide written materials in different languages and to engage interpreters. In this case, interpreters should be perceived by both sides as being impartial.

## Acknowledgment and Recording of Grievance

The [*EHS Manager / Community Liaison / Community Relations*] is responsible for logging grievances within the [Insert company name] **Grievance Register**. The following must be recorded for each grievance entered into the register as the information becomes available:

* Grievance case number;
* Grievance status (open, resolved, unresolved or abandoned);
* Complainant’s name and contact details (if not an anonymous grievance);
* Date of grievance;
* Details of grievance;
* Level of grievance (see assessing grievance *Section* below);
* History of other related grievances / queries / questions (if known);
* Resolutions discussed and agreed with the party(ies) in question;
* Actions implemented (including dates); and
* Outcome of the actions implemented.

Receipt of grievances will be formally acknowledged in writing not more than five days from the date of submission. The initial response should inform the complainant regarding the timeframe in which a formal response can be expected. A full response should then be provided no later than one calendar month from receipt of the grievance. For certain grievances, response times may be longer, but this will be assessed on a case-by-case basis and communicated to the complainant.

## Grievance Assessment

Each grievance must be assessed to determine the type of response required. This will also determine the appropriate individual to manage the response. There are four levels of risk associated with grievances which are used to assign responsibility and define the type of response required (Levels A-D). The responsible party should consider these levels when assessing each grievance. **Table 7.1** below outlines the four levels and associated details.

**Table 7.1: Grievance Levels**

| **Term/Acronym** | **Detail** | **Responsible Party** | **Acknowledgement of the grievance receipt (business days)** |
| --- | --- | --- | --- |
| Level A | * Positive feedback requiring acknowledgement and thanks
* Feedback that is not related to [Insert company name] or its operations and needs to be directed elsewhere
 | Head of Department whose department the grievance would fall under. | 5 days |
| Level B | * Question or request for information only
 | *[Head of Department / EHS Manager / Community Liaison / Customer Relations]* | 5 days |
| Level C | * Grievance, but it is not related to a recurrent question /request for information.
* Grievance, but there has been no regulatory breach.
* Grievance, but there has been no company policy breach.
* Grievance, but it is not related to death, serious illness, or pollution.
 | Head of Department / [Insert company name *Director / CEO*]/ [*EHS Manager / Community Liaison / Customer Relations*] | 4 days |
| Level D | * Repeated or widespread grievance.
* Grievance that is a regulatory breach.
* Grievance that is a breach of the [Insert company name] policy.
* Direct accusation of breach of human rights.
* Grievance related to death or serious illness or pollution.
 | [Insert company name *Director / CEO*]/[*EHS Manager / Community Liaison / Customer Relations*] | 2 days |

The [*EHS Manager / Community Liaison / Customer Relations*] is responsible for assigning the grievance to the relevant responsible internal party and to liaise with the external stakeholder(s).

Grievances will be screened depending on the level of severity to determine who needs to be involved.

All level C and D grievances require the involvement of [Insert company name *Director / CEO*]. The [*EHS Manager / Community Liaison / Customer Relations*] will liaise with the company’s senior management and decide whether the complaint needs to be escalated to investors/lenders. In line with agreements between [Insert company name] and investors / lenders, any serious environmental and / or social incident (i.e., level D grievance) or sexual harassment, will be reported to the investors/lenders no later than two days after the occurrence of the incident, or lodging of the grievance.

*All reports and proceedings related to GBVH or sensible topics will be handled with strict confidentiality, ensuring that information is shared only on a need-to-know basis and in accordance with legal obligations.*

## Grievance Investigation

Once responsibility of a grievance has been assigned, it should be investigated and resolved. The staff member assigned the grievance is responsible for investigating the grievance. The investigation may require site visits, consultation with employees, contact with internal or external stakeholders, etc.

If relevant, a Grievance Panel/Committee can arrange for a meeting to take place to discuss the matter further, with special regards to grievances involving vulnerable groups (e.g., ethnic or religious minorities, women, migrants, adolescents, persons living with disabilities, etc.), human rights risks and/or Gender Based Violence and Harassment (GBVH).  In preparing for such a meeting, the Grievance Panel/Committee may consider the following:

* Having an independent representative in attendance to witness and record the meeting, trained for example in handling GBVH cases.
* Ensuring that the Grievance Panel/Committee is diverse and has both male and female representatives.
* Ensuring all relevant personnel are made fully aware of all facts in the case.
* Being aware of how similar grievances may have been resolved in the past; and
* Whether an interpreter may be needed to ensure efficient communication.

The complainant has the right to be accompanied by a colleague or acquaintance, who may be allowed to address the meeting on their behalf.  Grievance processes will be dealt with in confidence and no person will be victimized and/or discriminated against for utilizing the grievance procedure, ensuring confidentiality at all stages of the process. Information relating to the concern and subsequent case management will be shared on a need-to-know basis only and always kept secure.

The **External Grievance Register** (refer to *Annex B*) must be completed detailing resolutions discussed and agreed with the party(ies) in question, actions implemented (including dates), follow up monitoring requirements and the outcome of the actions implemented.

## Response and Grievance Resolution

Following the investigation, the staff assigned the grievance will outline an action plan outlining steps to be taken in order to resolve the grievance.

A response should be provided to the complainant in all cases explaining the action taken or not taken to resolve the complaint. Responses must be provided to the complainant in written form and also explained verbally if required. Should the grievance be of level C or D, the response or update may need to be provided directly by senior management and should provide clear information on the proposed final corrective action and detail any related commitments made by both parties.

If the complainant is not happy with the proposal, they are free to seek further resolution through channels offered by the Grievance Procedure; failing which, resolution through a formal external dispute resolution mechanism is encouraged.

Some anonymous complaint might no allow for a formal response to be submitted by [Insert company name] due to the lack of basic information on the grievant. If it is the case, the grievance will be considered closed out once the investigations and associated action plan are completed and implemented.

## Appeal

Grievances that cannot be resolved through the steps detailed above will initiate the appeal process by the Grievance Committee (to be set up on a case-by-case basis), which will include members of senior management as well as the local authorities, if necessary. In cases where grievances cannot be resolved through the involvement of the Grievance Committee, [Insert company name] will provide for an independent arbitrator.

The typical timing for an appeal process can vary depending on the company's policies and the country's legal framework. However, the company anticipates the timeframe for submitting and resolving an appeal is:

* Submission of Appeal: The complainant usually has between 5 to 14 days from the date of the grievance decision to submit their appeal.
* Review and Resolution of Appeal: The company typically reviews and responds to the appeal within 10 to 30 days, depending on the complexity of the case and the organization's policy.

This timing is aimed at providing a reasonable window for both the complainant to prepare their appeal and the employer to thoroughly review the case. These timelines can be adjusted based on specific company practices or legal requirements.

## Close-Out

A grievance is closed out when no further action can be or needs to be taken. When closing out any grievance, the following should be ensured:

* The **External** **Grievance Register** is updated; and
* All documented evidence including written confirmation of the complainants’ agreement with the resolution is saved appropriately. Examples of documented evidence may include notes of meetings with complainant or notes taken during telephonic conversations.

## Legal Action

If a complainant's grievance is not resolved through the procedures outlined in this policy, the complainant retains the right to pursue legal action, in accordance with national labor laws and regulations. This ensures that all complainants have access to fair and legal recourse if internal resolution mechanisms are insufficient or do not meet the requirements of the applicable legislation.

## Reporting and Document Control

The following reporting requirements are required:

* All reported grievances must be recorded using the **External Grievance Register** (*Annex B*), in order to track their resolution progress;
* All completed grievance forms must be kept in safe storage for a minimum of five years, to ensure that any future legal claims can be defended with requisite documentation; and
* Monthly Management reports must include a summary of grievances raised and ensure responsible departments/persons are highlighted.

## Non-retaliation and Confidentiality

[Insert company name] shall protect a stakeholder that raises a grievance. Any form of retaliation, victimization or threats will not be tolerated. However, this protection does not grant immunity for personal wrongdoing, which will be subject to investigation if alleged. All the reporting and information on the grievance process is to be kept confidential. This means that the information shall only be shared with a limited number of people on a strictly need to know basis. [Insert company name] will carry out the investigation and take the necessary action(s).

In cases of GBVH grievances, the name of the victims and accused, as well as the content of the complaint will be protected by [Insert company name] from any parties not involved in the grievance management. As such, their names and personal information should be hidden from all management tools, such as the grievance register.

# Communication and Training

|  |
| --- |
| *Instruction Box – Delete when complete** *The section below is generic. Review and modify as required for your company.*
 |

This **Grievance Management Mechanism** must be available and accessible to all stakeholders. Therefore, once established, the Procedure will need to be appropriately communicated and publicized. This will be communicated through the following methods:

* [Add communication method 1]
* [Add communication method 2]
* [Etc.]

Evidence of this must be documented. Regular reminders and updates will also be provided to reinforce understanding and compliance.

# Collaboration and Support

|  |
| --- |
| *Instruction Box – Delete when complete** *This section focuses on the importance of cooperation among all parties involved in resolving a grievance, including the company, the complainant, and potentially other relevant stakeholders. It sets the expectation for the roles of different external stakeholders in supporting the complainant through the grievance process. It doesn’t fit neatly within the procedural steps above because it speaks to the overall approach and resources available during the grievance process, rather than being a specific step in that process.*
* *The section below is generic. Review and modify as required for your company.*
 |

The company, the complainant, and, relevant stakeholders, will collaborate to reach a resolution that is acceptable to all parties involved. Records of all meetings and discussions with stakeholders regarding grievances will be provided to the involved stakeholders. If a grievance impacts a group of external stakeholders, the grievance may be treated collectively.

# Disciplinary Procedure

|  |
| --- |
| *Instruction Box – Delete when complete** *This section addresses the consequences that may arise after a grievance is resolved and misconduct is confirmed, as well as the consequences for misuse of the grievance mechanism. It aligns with the company’s broader disciplinary policy, detailing potential outcomes of the grievance process that could involve disciplinary actions if involving an employee from the company. It is kept separate from the procedure as it pertains to actions that occur after the external grievance procedure has been concluded. It covers the enforcement of company policies rather than the grievance-handling process itself.*
* *The section below is generic. Review and modify as required for your company.*
 |

If the results of the external grievance investigation finds any employee guilty of workplace harassment, illegal act, bribery, or any form of misconduct towards any external stakeholders, the company will address this in line with its Disciplinary Procedure. This may include disciplinary actions up to and including termination of employment, depending on the severity of the misconduct. The company is committed to ensuring that the grievance mechanism is used responsibly and that it serves its intended purpose.

# Review and Publication

|  |
| --- |
| *Instruction Box – Delete when complete** *The section below is generic. Review and modify as required for your company.*
 |

This External Grievance Procedure takes effect as of the date of approval, or date of effectiveness determined, by the [insert company name]. The External Grievance Procedure shall be reviewed annually to ensure its relevance to current practices and law.

A copy of this Procedure will be provided on our website and will also be visibly displayed at our premises [insert website address].

This Procedure was approved by the management of [insert company name].

# Roles and Responsibilities

|  |
| --- |
| *Instruction Box – Delete when complete** *Provide the names and positions of the personnel that are responsible for different aspects of the External Grievance Procedure, etc.*
* *The section below is generic. Review and modify as required for your company.*
 |

The key roles and responsibilities for the implementation of this Plan are described in **Table 13‑1**.

**Table 13.1: Key Roles and Responsibilities**

| **Role** | **Responsibility** |
| --- | --- |
| **[insert company name] Director / CEO** | * Support the implementation of this procedure;
* Encourage culture of openness and awareness regarding grievance procedures, ensuring that individuals know how to file complaints.
* Report Level D grievances (see section 8.3 Assessing Grievances) to investors and shareholders within 48 hours, if applicable;
* Hearing appeals arising from the grievance process
 |
| **Sustainability Manager / EHS Manager / Community Liaison officer** | * Communicate this procedure to the stakeholders concerned and ensure that individuals know how to file complaints;
* Raise internal and external awareness of this Procedure;
* Make sure the Procedure is being adhered to and followed correctly;
* Receive grievances and report level D grievances to the Director / CEO within 24 hours, and designate those responsible for resolving grievances A, B and C.
* Maintain grievance register and monitor any correspondence;
* Monitor grievances/trends over time and report findings to the Grievance Committee.
 |
| **Staff assigned the grievance** | * Investigate the grievance and liaising with the stakeholders;
* Conduct thorough investigations into the complaints, which may include gathering evidence, interviewing involved parties, and reviewing relevant documents;
* Assess the information collected during the investigation to determine the validity of the grievance;
* Develop resolutions and actions to rectify any issues and provide recommendations or decisions based on the findings, which may include actions to resolve the issue, disciplinary measures, or policy changes.
* Document any interactions with Internal and external stakeholders.
* Uphold principles of fairness, confidentiality, and impartiality throughout the process, ensuring that all parties are treated justly.
* Document and report the findings of the investigation and any actions taken to relevant stakeholders or management.
* Follow up on resolutions to ensure that issues are effectively addressed and that there are no further grievances related to the same matter.
 |
| Grievance Panel/Committee | * Accept grievances or complaints from external stakeholders, pertaining grievances involving vulnerable groups (e.g., ethnic or religious minorities, women, migrants, adolescents, persons living with disabilities, etc.), human rights risks and/or Gender Based Violence and Harassment (GBVH).
* Conduct thorough investigations into the complaints, which may include gathering evidence, interviewing involved parties, and reviewing relevant documents.
* Assess the information collected during the investigation to determine the validity of the grievance.
* Develop resolutions and actions to rectify any issues and provide recommendations or decisions based on the findings, which may include actions to resolve the issue, disciplinary measures, or policy changes.
* Uphold principles of fairness, confidentiality, and impartiality throughout the process, ensuring that all parties are treated justly.
* Document and report the findings of the investigation and any actions taken to relevant stakeholders or management.
* Follow up on resolutions to ensure that issues are effectively addressed and that there are no further grievances related to the same matter.
 |

# Annex A: External Grievance Reporting Form

|  |
| --- |
| **Grievant Information** |
| Date of grievance submission: |  |
| Name of complainant: |  |
| Contact number: |  |
| Address: |  |
| Anonymity: | Yes / No |

|  |
| --- |
| **Stakeholder Group Information** |
| **External Stakeholder Group:** | **Type:** | **Name:** |
| Local Community: **☐** |  |
| Contractor: **☐** |  |
| Regulatory authority: **☐** |  |
| Supplier: **☐** |  |
| Customer: **☐** |  |
| NGO: **☐** |  |
| Other: |  |

|  |
| --- |
| **Statement of Grievance** |
| Date, time and place of event: |
|  |
| Please, describe the event/circumstance leading to the grievance: |
|  |
| Please, provide a detailed account of occurrence (please include names of persons involved, if any): |
|  |
| Has any corrective action been taken to address the grievance? If no, refer to question below. |
|  |
| How would you like this matter to be resolved? |
|  |
| **Witness Details** |
|  |

|  |
| --- |
| **Administration Information (to be completed internally)** |
| Case number: |  |
| Reported to: |  |
| Place where grievance was received: |  |
| Entity/site to which grievance applies: |  |
| Level of Grievance: |  |

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Complainant signature Date**

# Annex A: External Grievance Register Template

The External Grievance Register is an MS Excel document, which is a *confidential document* used to record all reported grievances.