



Tana & Athi Rivers
Development
Authority

2019-2020 FINANCIAL YEAR.

COMPLAINTS HANDLING POLICY

Table of Contents

INTRODUCTION.....	1
PURPOSE.....	1
DEFINITIONS.....	1
VALUES AND PRINCIPLES GUIDING THE COMPLAINTS HANDLING PROCESS.....	2-4
RESPONSIBILITIES OF DIFFERENT STAKEHOLDERS IN THE PROCESS.....	4
Responsibility of the TARDA complaint staff.....	4
Responsibility of the complainant.....	4
COMPLAINTS LODGING CHANNELS.....	4-5
THE COMPLAINT HANDLING PROCESS.....	6-8
ADHERENCE BY TARDA TO CAJ PERFORMANCE CONTRACTING GUIDELINES.....	8
THE COMPLAINTS HANDLING COMMITTEE.....	8-9
ACCESS TO INFORMATION OFFICERS.....	9
POLICY REVIEW.....	9
APPENDIX 1: COMPLAINTS LODGING FORM.....	10-11
APPENDIX 2: COMPLAINTS REGISTER TEMPLATE.....	12

INTRODUCTION

The public complaints policy document details the management of complaints made to TARDA. It is therefore relevant to all its stakeholders and the general public.

PURPOSE.

The purpose of this policy is to:

- I. Define the complaints to be handled under this policy.
- II. Define the responsibilities of the complainant and the complaint handling staff during this process.
- III. Outline the values and principles that should guide the complaints handling process at all times.
- IV. Outline the complaints lodging channels that clients can use.
- V. Outline the complaints handling process.

DEFINITIONS

- I. **Complainant:** A person, group of persons, organisation or institution making a complaint within the meaning of this Framework.
- II. **Complaint:** An expression of dissatisfaction by a person, group, institution or organisation about an unsatisfactory or unacceptable situation, including an act of omission or about the standard of service, whether the action was taken or the service was provided by the organisation or any of its staff.
- III. **Complaints Officer:** A person in charge of ensuring that all the complaints made to the organization are adequately addressed.
- IV. **Complaint issue:** The subject issue of the complaint e.g., delays, inefficiency, abuse of power among others.
- V. **Action taken:** The intervention measure(s) taken by the institution to resolve a complaint.
- VI. **Complaint channel:** A medium through which a complaint is transmitted to the organisation by the complainant which could be through phone call, representing self at our offices and having it recorded in the complaints register as well as through the official complaints email(complaints@tarda.co.ke) or through a letter addressed to the Managing Director.

- VII. Complaints handling procedures:** The steps a complaint goes through in the institution from receipt to the day it is actually resolved.
- VIII. New complaint:** A situation whereby a complaint has been received less than 30 days to the reporting period and no action has been initiated on it.
- IX. On-going complaint:** A situation whereby a complaint resolution has commenced but has not been finalized.
- X. Resolved complaint:** A situation whereby the institution has provided sufficient information, a remedy or solution to the satisfaction of the complainant, or where the complainant remains dissatisfied, the institution has taken the complainant through due process and made a just decision to the satisfaction of the Commission.

VALUES AND PRINCIPLES GUIDING THE COMPLAINTS HANDLING PROCESS.

TARDA's complaints handling system is founded on the basic values and principles of fairness, accessibility, efficiency, responsiveness, confidentiality and flexibility. Their essence is as described below.

i) Fairness:

Every complainant must be treated fairly in terms of how the complaint is received, processed and resolved. This is promoted through a transparent system where the complainant is able to follow the complaint as it goes through the various stages.

ii) Accessibility:

Members of the public have been made aware of the complaints handling mechanism in the organization through various stakeholder sensitization programmes especially in the areas where the regional offices are located.

Among the things taught to the stakeholders are:

- a. How a complaint can be lodged, including where the complaint form can be picked.
- b. The timeframe within which the complaint will be addressed.
- c. The powers of the mechanism to deal with the complaints.
- d. How the decision of the complaint mechanism can be appealed against or reviewed.
- e. The impartiality of the system and an encouragement to those dissatisfied to lodge complaints without fear of victimization.
- f. Options available for lodging complaints; telephone, email in person or by post.

iii) Responsiveness/flexibility:

The complaints system has been tailored to be responsive to the needs of customers/the public including those with special needs, such as persons with disability with a provision of the service delivery charter in braille to cater for the blind who seek the organization services. Members of staff have been well trained to handle vulnerable persons as well as difficult clients, including those who are rude and aggressive.

Receipt of each complaint is acknowledged to the complainant immediately. The complainant is treated courteously and kept informed of the progress of their complaint through the complaints handling system.

iv) Effectiveness:

The complaints handling system is able to give real solutions for the complaints lodged. The unit charged with the responsibility of managing complaints has been empowered to take action once the complaint is authenticated.

v) Efficiency:

The Complaints are handled in an efficient manner that ensures clients are not discouraged from complaining or fatigued by long drawn-out processes. The complaints should be resolved immediately or as soon as is practically possible. There should be clear guidelines on how the complaints are to be handled.

vi) Confidentiality:

Personal information related to complaints is kept confidential. Personally identifiable information concerning the complainant is only available where needed, but only for the purposes of addressing the complaint within the organization and is actively protected from disclosure, unless the customer or complainant expressly consents to its disclosure.

vii) Transparency:

The organization and the complaints handling officer exercise openness. There is free sharing and access to information by all parties involved.

viii) Simplicity:

The complaints handling procedure is simple and straightforward making it easy for all stakeholders to follow.

ix) Charges:

Access to the complaints handling process is free of charge for all clients.

x) Visibility:

Information about how and where to complain is well publicized to customers, personnel and other interested parties through the website as well as the service charters that are displayed in all regional offices.

xi) Objectivity:

Each complaint should be addressed in an equitable, objective and unbiased manner through the complaints handling process

. RESPONSIBILITIES OF THE DIFFERENT STAKEHOLDERS IN THE PROCESS.

Responsibility of the TARDA complain staff.

- i) Behaving professionally when dealing with complainants.
- ii) Complying with the complaints handling policy and procedures.
- iii) Reporting to the complaints committee on the complaints received and their resolution.

Responsibility of the complainant.

- i) Providing a clear and honest account of their complaint including providing all relevant information and documents to assist in the investigation and resolution of the complaint.
- ii) Responding to requests for any extra information on the complaint by TARDA's complaints committee in a timely manner.
- iii) Dealing respectfully with the staff assigned to handle their complaint.

COMPLAINTS LODGING CHANNELS:

Complaints can be channeled to the organization through the following ways:

- I. In person (persons with disability will be assisted to lodge the complaints). This can be done at the headquarter as well as any of the regional offices. The complainant shall be required to fill in the complaint form and have the complaint entered in the complaints register by the attending officer.
- II. via email(complaints@tarda.co.ke or info@tarda.co.ke) or through the organization's website.
- III. Through a call to +254-020-334178214/4/7/8 :020-312553.

IV. Writing a letter and addressing it to :

The Managing Director,

Tana and Athi Rivers Development Authority.

P.O BOX 47309-00100, Nairobi, Kenya.

V. Using Social media such as in boxing the TARDA Facebook official page.

VI. Complaints may also be channeled directly to :

The Commission on Administrative Justice.

West End Towers, 2nd Floor, Waiyaki Way.

P.O BOX 20414-00200, Nairobi.

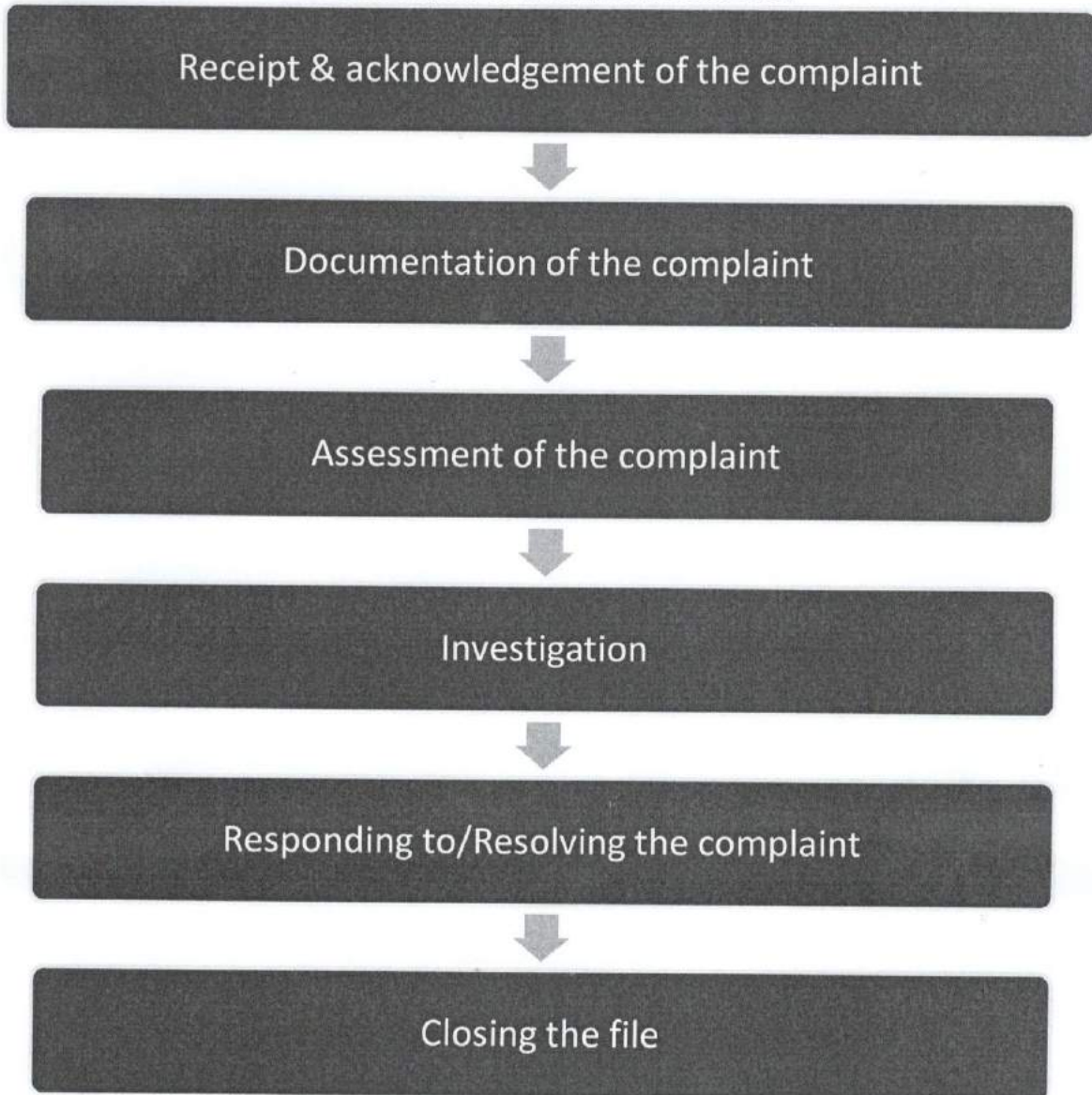
Telephone: 020-2270000/2303000/26376

Email: complain@ombudsman.go.ke

NOTE: All complaints received by the organization will be acknowledged within seven working days from the date they were lodged.

No charges shall be levied for lodging or receiving of any complaint.

THE COMPLAINT HANDLING PROCESS.



i) Receipt and acknowledgement of complaint.

Upon receipt of a complaint, the complaint handling officer shall assign it a reference number, which should be made known to the complainant for tracking purposes.

ii) Documentation of the complaint.

A record shall be created for every complaint and shall comprise of at least the following: particulars of the complainant (name, contacts, gender, county, reference number of relevant file or matter (if any), the nature of the complaint (what, who, when, where etc.), relevant dates and action taken.

Accompanying documents must also be recorded and indexed. All documents relating to complaints shall be kept in safe custody and a record of the chain of custody shall be maintained.

Complaints records shall be maintained for at least six years.

iii) Assessing the complaint

An initial assessment of the nature and gravity of the complaint should be made by the receiving or front office officer to allow for categorisation and prioritisation. This avoids the lumping together of simple, easy-to-resolve complaints with complex time-consuming ones. It also allows an effective allocation of complaints to the most relevant officers, leading to faster processing and resolution of the matter.

Complaints will be reviewed to determine whether they are within the mandate (functions, conduct, services) of the institution.

After assessment for admissibility of a complaint, the file will be allocated to the relevant officer.

An inquiry into the complaint will then be conducted to verify the facts and other details of the complaint before action is taken.

iv) Investigation

Where investigation is required, it should be properly planned with a clear indication of the time and resources required.

The investigation should be for the purposes of establishing the facts and exploring options for resolution. The investigation itself should be carried out in an impartial manner.

Confidentiality should be maintained and great care taken to ensure the complainant's privacy is protected and their safety is not imperiled through exposure of his or her identity.

v) Responding to/resolving the complaint

Resolving the complaint involves addressing the issue(s) complained about and offering the best possible remedy in the circumstances. The complaint should be dealt with in an equitable and objective manner. An officer who has any interest in the matter shall disqualify themselves from handling the case. Complex matters may involve mediation, negotiation or reconciliation. The complaints handling officer should have an open mind and examine the evidence objectively.

The complaints handling officers should be empowered to provide the remedies at the appropriate levels, i.e. front office. The complainant should be informed of the decision reached and reasons should be given for the decision by the complaints officer. Any decision

reached shall be communicated within 30 days. The complaints mechanism should have an appeal or review provision for those who are dissatisfied with the decision of the complaints officer of first instance. The appeal or review process should also be simple and fast. The action officer shall document what they consider to be the root cause of the complaint.

vi) Closing the file

Once a decision is arrived at, it shall be communicated to the complainant. The complaints database shall be updated to reflect the decision made.

ADHERENCE BY TARDA TO CAJ PERFORMANCE CONTRACTING GUIDELINES.

TARDA is committed to:

- i) Submission of quarterly reports to CAJ within fourteen (14) days following the end of a quarter on the number of complaints received, nature and action taken, and implementation status of access to information as per the templates provided in the commission's guidelines document.
- ii) Resolve complaints received by the institution within thirty (30) days from the date of receipt with review and appeal cases being finalized within thirty (30) days from the date of request for review or appeal.
- iii) Process access to information applications within 21 days from the date of receipt or immediately depending on the information requested and its availability.
- iv) Reporting on capacity development on effective complaints management and access to information for top management and access to information officer(s).
- v) Reporting on awareness creation initiatives of the institution's complaints handling mechanisms and citizen service delivery charters as well as access to information.
- vi) Implementation of decisions and recommendations of the CAJ.

THE COMPLAINTS HANDLING COMMITTEE.

The institution has brought together members from different departments to form the complaints committee that deals with ensuring that all the complaints submitted to the organization through the different communication are well addressed.

The members are:

1. Ms.Maureen Nyamai - Chairperson.
2. Ms.Beatrice Muringi - Secretary.

3. Mr.Samuel Wanyoike - Member.
4. Mr.Bartholomew Kamau - Member.
5. Mr.Wycliffe Sava - Member.
6. Ms.Loise Muthoni - Member.
7. Ms.Mary Gathoni - Member.

ACCESS TO INFORMATION OFFICERS.

Ms.Maureen Nyamai who is the Senior Legal Officer and Ms.Beatrice Muringi who is the Public Relations Manager are the official access to information officers.

POLICY REVIEW.

This policy shall be reviewed from time to time as the Authority may deem appropriate.

Date:

Signature:

Managing Director

APPENDIX 1

Complaints lodging form

Ref. no _____

1. Complainant's Details (all information given is voluntary)

Name (Dr / Mr / Mrs / Ms)-----

ID Number _____

Postal address _____

Mobile No _____

Email _____

County _____

Age _____

2. How did you get to know about the institution's complaints mechanism?

Newspaper TV-----Radio----- Referral by friend-----

Other (please specify) _____

3. Which public institution or public officer are you complaining about?

Ministry/department/agency:

4. Have you reported this matter to any other public institution/ public official?

Yes----- No-----

5. If yes, which one?

6. Has this matter been the subject of court proceedings?

Yes----- No-----

7. Please give a brief summary of your complaint and attach all supporting documents

[Note to indicate all the particulars of what happened, where it happened, when it happened and by whom]

8. What action would you want to be taken?

Signature _____

Date _____

