

Complaint Handling in Development Projects



Building Capacity for Grievance Redress Mechanisms¹

What follows is a framework, and a few practical suggestions, for how best to build the capacity of an organization (with a focus on its personnel) to manage an effective grievance redress mechanism (GRM). This publication includes an explanation of what is meant by the often misunderstood term “capacity,” and how it applies to the tasks associated with making a GRM work well.

First, a note on the concept of “capacity” itself. While most people think of capacity building as mere training (skill building), capacity is the overall capability of an organization—and those working within it—to deliver services effectively and to cope with the challenges therein. Mechanisms work only as well as the people who represent them, and only as well as the systems and procedures in which they operate allow. While some capacity is derived from the skills of those involved in GRMs, other elements contribute to a mechanism’s overall capacity, including orientation, knowledge, processes, skills, credibility, and tools. Each is explained in more detail.

Orientation

Perhaps the single most important factor in determining the effectiveness of a GRM is how people perceive the fundamental role of the mechanism itself. For example, there will be a marked difference in the way people approach their work between those who see the GRM as a “complaints department” and those who see it as a “customer service” or “corporate social responsibility” department.

- **GRM as “Complaints Department.”** If those working in a GRM see their function only—or primarily—as addressing complaints, then they will likely assume that every interaction will be unpleasant, and they should expect to be on the defensive in almost every conversation with an affected person (AP). They will be likely to view their own role as having to face unhappy or angry people, trying to manage emotionally charged expectations, defending the organization or project as best they can from criticism, and trying

¹ This paper was written by Keith Fitzgerald, a consultant hired by the Asian Development Bank (ADB) during the period of April 2010.



not to make concessions or raise expectations. Meanwhile, the substantive complaints in the process will be seen only as unwelcome or unpleasant problems that someone will (or might) need to address—creating delays and additional work. Simply by framing the GRM with an emphasis on “grievances,” everyone involved will be likely to approach the process with negative perceptions, diminishing the enthusiasm with which they will approach their work, while maximizing the stress it creates. This orientation (or fundamental approach) emphasizes all of the negative aspects of the process—a fact that directly affects performance, morale, and expectations all around.

- **GRM as “Customer Service Department.”** By contrast, if officers view a GRM as an integral part of effective project management, through which the project implementation and management teams seek feedback not from “affected persons” (a term that emphasizes the negative consequences), but from “customers” or “beneficiaries,” who are also meant to be receiving the benefits of the project, then they will be far more likely to approach their work positively. If they actively seek all types of substantive feedback from their “customers,” then they will consider the information they receive to be of value, rather than simply as unpleasant complaints, and they can use that feedback to improve their approach to a project or to learn for the purpose of improving future projects. Second, they should seek not just complaints, but also positive feedback from those who are affected by the project (in order to paint a more accurate picture of the value of the project, and to put any complaints into proper perspective). A positive approach to GRMs will also be much more likely to yield positive responses from APs, rather than their simply expecting to complain. If people are asked not only what they do not like about the project, but also what they do

like, then their responses are more likely to be moderate about any negative impacts in most cases.² In approaching the work of a GRM this way, people within the mechanism can also feel better about the work they are doing and approach it with more enthusiasm. Their experience in conversations with APs will be more mixed, rather than completely negative.

Knowledge

Generally speaking, the more people within a mechanism know about what they are doing, the better. Specifically, however, three types of knowledge are especially important to those operating within a GRM:

- **“Knowing the context”**—understanding of background issues, politics, sensitivities, precedents, local history, language, and culture;
- **“Knowing the facts”**—having detailed information and a survey of relevant perceptions (as well as facts) related to the project and to any cases associated with it; this includes specifics on the impacts and benefits of the project, who is affected, and knowledge of relevant criteria (e.g., laws, costs, valuations); and
- **“Knowing the system”**—experience in dealing with people, organizations, procedures, and cases; one should be familiar with the purpose and objectives of GRMs, the guiding principles governing treatment of APs, relevant legislation, one’s own role in the process, and the limits of GRMs.

Processes

While it is important that officers working within a GRM process know the relevant procedures,

² Of course, there are some projects where certain people are only negatively affected and do not receive direct benefits from the project, such as those who will not have direct access to a highway that is being built through their community. Such projects require a more nuanced conversation about the greater good of the project and the benefits to the community.

the procedures themselves must be sound, fair, transparent, and efficient. The processes associated with a GRM should serve its purposes rather than serve as an obstacle to the resolution of issues. Processes should also create the right incentives for next steps in GRMs.³ Procedures within GRMs should be reviewed periodically to insure that the procedures support the personnel, rather than the other way around. Rules, policies, and standards must be fair, clear, and clearly communicated both internally and externally, and they must be applied and enforced consistently. Institutions must be accessible, respected, and credible. Organizational support to those working within GRMs must be available and must enable officers to do their jobs effectively. This should include training and internal review (for the purpose of learning and of aligning incentives with improved performance—a “learning organization” model). Critical elements of organizational support to personnel include the following:

- Mapping of various GRMs’ available and effective coordination, communication, and record keeping (in part to discourage “GRM shopping”) is needed.
- Research is an important component of organizational learning. While most organizations do not (or cannot) devote extra or internal resources to explicit learning and dissemination of best practices, some organizations (in both the public and the private sectors) make economical use of research done (or supported) by academic institutions and/or student internships. These can be cost-effective ways to enhance capacity and drive improvement (e.g., through case analysis, statistical analysis, or policy analysis).
- Practical resources and administrative support must be available for logistics, managing schedules, and managing contacts. At the

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minimum, officers should be in the right place, at the right time, with the right case file.

- Documentation is critical. Organizations should also provide personnel with user-friendly guides and manuals for getting started, next steps, frequently asked questions, and troubleshooting and should provide services to document and disseminate lessons learned from ongoing experiences. In other words, officers should have resources available to help them answer questions and/or to deal with new or unfamiliar problems.
- Organizational support should also include a media strategy—the means of communicating publicly through multiple media. Media strategies are essential tools for managing public expectations, preventing harmful rumors, and maintaining the reputation of the project and the organization behind it. It will also be useful, at times, to disseminate important information to large numbers of people in the most effective and efficient way possible.

Skills

The skills required to deal effectively with grievances and to have productive conversations with APs are not the same as those normally required to implement a project effectively. As

³ For example, processes in GRMs should not create incentives for APs to seek further redress (e.g., by having the second step in a procedure routinely yield more benefits or higher compensation than the previous step). Process analysis must be done from the perspective of an AP to test the incremental incentives at each step. A GRM’s own procedures should not encourage “GRM shopping” or unjustified multiple appeals (e.g., with no cost or risk of taking further steps).

officers who have dealt with APs know, addressing grievances has both technical and nontechnical aspects, and staff are seldom trained in the latter. In order to build the capacity of people working within a GRM to deal with APs more effectively, training must be provided in a number of specific skill sets. Training should also include generating low-risk (or no-risk) opportunities to practice and improve those skills. What follows is both a list of the skill sets essential to dealing effectively with APs and recommendations for the development of training tools designed to facilitate those practical training opportunities:

- **Negotiation, Influence, and Conflict Management.** Every interaction with an AP who has a grievance is a negotiation—a conversation in which parties are attempting to influence each other. Most grievances are also disputes or potential disputes between APs and those responsible for a project. One of the most difficult, yet common, challenges in negotiating grievances or disputes is managing the “friction” that is generated in relationships while trying to work out substantive answers or solutions to problems. Skills in the art and science of negotiation, influence, and conflict management are essential to dealing with grievances effectively, in particular the art of negotiating substantive or technical issues in ways that (i) allow decisions to be based on appropriate, legitimate criteria; (ii) preserve manageable relationships even while there might be disagreement over issues; and (iii) explore options and alternatives in order to reach mutual agreements where possible.
- **Choice Analysis.** Many specific tools can help negotiators to be more effective at preparing for conversations with those who disagree, and there are lessons to be learned about how best to design strategies to influence counterparts to accept certain proposals or decisions. Understanding how people see (from their own perspective) the choices they are being given is essential to understanding

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why they might behave in certain ways. Project officers working within GRMs will benefit from an empathetic (though not necessarily sympathetic) understanding⁴ of what APs are experiencing. Specific tools are available to help negotiators better understand how choices look to others, for the purpose of influencing them more effectively.

- **Brainstorming and Joint Problem Solving.** While some issues affecting APs are often emotional, there are also technical, nonemotional matters that must be dealt with in GRMs. These include determining responsibility, assessing the validity of claims, determining how policies apply in a case, and valuation. To turn conversations about grievances into productive problem solving, it is useful to have the capacity to engage APs in brainstorming about constructive ideas and to design and manage processes for joint problem solving (engaging both project staff and APs—and possibly other resource people).
- **Communication.** Based on work already done with project implementors, we have identified several specific communication skill sets that will help most project staff deal with grievances. These include the following:
 - (a) *Inquiry and Active Listening.* The most basic, and essential, communication skills for anyone dealing with grievances are the skills of inquiry (asking good questions) and active listening (listening to people with the intent of understanding what they mean, as well as hearing what they say). Most APs want to be listened to, in addition to having

⁴ Essentially, *empathy* is the ability to understand and appreciate how someone else feels about something (without necessarily agreeing), while *sympathy* is feeling the same as someone else.

their substantive complaint addressed. Not listening adequately to APs is probably one of the most common sources of frustration, which only adds to any existing problems in dealing with substantive issues.

- (b) *Understanding Perceptions.* Much like the importance of having an empathetic understanding of the choices people face, it is also essential for project staff to be aware that different people, for very logical reasons, will often have very different perceptions of an event, a policy, or other people. When most people try to talk about an issue on which they disagree, they engage in forms of communication that are not helpful (e.g., debate, arguments, accusations, or threats). It is often vital to turn the type of communication being used into something more constructive, particularly dialogue—a conversation where people are making the effort to understand each other, even if they might strongly disagree. The key to turning arguments into dialogue is to reframe people’s assertions into perceptions, leaving room for more than one, rather than trying too quickly to determine “who is right, and who is wrong” and to assign blame. There are practical tools available to help people do this systematically.
- (c) *Difficult Conversations.* Nearly every interaction within a GRM is either a difficult conversation or potentially so. A “difficult conversation” is any conversation that people find challenging, but particularly one that is important and about which they feel strongly. It will be helpful for any officer working within a GRM to realize that every difficult conversation (especially those with APs) is actually three conversations. First, there is the “factual” conversation: the technical details of what happened, is happening, or will happen. However, there is also an “emotional” conversation, which is the conversation about how people feel about what is happening. And third, there

is the “identity” conversation, which is the impact that the conversation (or dispute) has on their sense of “who they are” and how they are being treated. It is possible to build the capacity of project officers and others (including AP representatives) in a set of skills that can actually help them to have difficult conversations in ways that are more productive (and less destructive).

- (d) *Feedback.* Grievances are fundamentally a form of feedback given about a project by those affected by it, and they should be treated as such. Much has been learned about how feedback is both given and received. And particular skills have been identified to give and receive (and to help others give) feedback effectively and in ways that maximize how helpful that feedback can be. To emphasize the “customer service” approach to managing GRMs, understanding how feedback works and developing the capacity to manage the feedback process well are extremely important.
- **Facilitation.** Many project-related grievances will be common to many APs and will involve multiple stakeholders. In fact, few attempts to redress grievances will be purely bilateral. It will be essential for officers working within GRMs to have facilitation skills so that they can better manage the communication, the collection of information, any option generation, the exploration of alternatives, and/or the making of any commitments consistently and effectively in group settings. These skills should include how to design group processes, run meetings effectively, manage multiple interests, facilitate group brainstorming, and manage the production of documents (e.g., draft agreements) by groups.
 - **Risk Management.** While officers are trying to address APs’ concerns, they must also be aware of the risks inherent in doing so. These risks include legal liabilities, reputational damage to the organizations or projects they represent,

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physical harm to people and/or property, raising expectations, undermining colleagues or previous decisions, and setting precedents that might be used later. Learning the skills and tools of risk management is essential for avoiding specific kinds of trouble and for aligning the work done in each case with work done in the past or to be done in the future (i.e., avoiding inconsistency, which will undermine credibility).

- **Strategic Communication.** These skills will help project implementors to (i) manage perceptions (and minimize negative perceptions) about a project and the organizations behind it, (ii) disseminate accurate information about a project and its impacts (particularly useful in countering rumors and/or addressing fears based on uncertainty), (iii) inform APs about the existence of the mechanisms and resources that are available to them (making that part of the implementor’s due diligence more efficient), (iv) address (professionally and strategically) any criticism or questions raised in the media about a project or its impacts, and (v) manage good public relations as part of good corporate social responsibility.

Credibility

While the knowledge, the administrative support, and the skill level of people working within GRMs are all important aspects of GRM capacity, APs must also be able to trust those handling their cases. At the very least, the officers dealing with APs will need to have a minimum of credibility with them, meaning that the APs have some confidence that

the officer will treat them with dignity and respect (as customers) and be able to deal professionally with their case (even if the APs do not like the outcome), and that the APs can believe what they are told by that officer, and that it is authoritative. That confidence and trust can come from any of several sources:

- **Identity.** One of the easiest ways to establish credibility with APs is for them to be able to relate to the officer at the most basic of levels. It is particularly valuable to have someone who is a member of the same community (ethnic, regional, caste, religious group, etc.) as all, or many, of the APs.
- **Status.** One indicator of respect both ways (i.e., the respect that a project implementor shows the APs and vice versa) is the status of the person who is sent to deal with a case. Status might take different forms in different societies, but it will usually derive from either the seniority of the individual (age or “rank” in the organization) or level of experience.
- **Relationships.** Another source of credibility can be derived from the familial or professional connections of the officers as seen by an AP community. APs will often find it easier to trust or believe someone who knows a particularly respected local political or community leader, or one who studied under a respected mentor, or who has some preexisting relationship with some respected member of the community. (Even a celebrity from the entertainment industry or a sports figure can fill this role.)
- **Reputation.** An officer might have a reputation for being fair or knowledgeable, or for having worked in the past as an advocate for the kinds of people with whom APs might identify.
- **Track Record (Consistency).** Some officers—particularly those with experience—might also have a case history that (if APs are, or are made, aware of it) will inspire some confidence.
- **Authority (Ability to Reward or Sanction).** In many cases, APs will feel respected by (and will be more likely to have confidence in) an officer

who is empowered to make commitments on the implementor's behalf, and/or who has the authority either to reward or to sanction APs, based on their behavior or willingness to cooperate.

- **Effective Communication, Relationship Management, and/or Use of Objective Criteria.**

It is not always possible to find the "ideal" person to act as an officer in every case. If an officer does not possess any of the aforementioned attributes, then the officer should work to establish credibility with APs through his or her own behavior toward the APs. While it is often tempting (and easier) simply to focus on the "facts" of a case and to treat all APs alike, officers should make it a priority, from the very beginning, and throughout the process, to be mindful of how the APs perceive the person with whom they are dealing. A good faith effort to establish credibility in the working relationship with APs will be an important resource going forward, as the case progresses. Even in cases where the APs do not begin with trust or confidence in the officer, effective communication (particularly listening, asking good questions, and building an empathetic understanding of their overall situation—not just the specific grievances), dedicated relationship management (e.g., joining APs for a meal, rather

than simply dealing with them in an office), and use of objective criteria that APs will find persuasive will all help the officer to build credibility with the APs he or she is trying to help. Building a "good working relationship" does not necessarily mean doing things so APs will like the officer. While that might make for interactions that are less unpleasant, it is not the same as being credible to them.

Tools

Officers need to be equipped with an administrative toolkit. Guides, frameworks, checklists, and forms allow for more systematic and consistent approaches:

- Checklists are necessary, but not sufficient. Do not rely too heavily on them.
- Diagnostic frameworks help ensure thorough and comprehensive approaches.
- Quick-reference manuals and frequently asked questions are extremely useful.
- Feedback and evaluation forms will be helpful in analyzing the case and preparing future cases.

