

## 7 Grievance Mechanisms

### 7.1 Overview

A grievance can be defined as an actual or perceived problem that might give grounds for complaint. As a general policy, EPL will work proactively towards preventing grievances through the implementation of mitigation measures (as identified by the ESIA) and liaising with the community. These activities are designed to anticipate and address potential issues before they become grievances. This will be the responsibility of the Project Manager and the CLO.

The sections below consider types of grievances that may arise, confidentiality and anonymity, and the project's grievance resolution process.

### 7.2 Type of Grievances

Potential impacts and effects that are most likely to give rise to grievances for this project may include:

- Land acquisition / resettlement;
- Noise of construction works;
- Presence, and potential disruption, of the construction labour force and the effects on communities, local services and infrastructure;
- Community health and safety in relation to impacts of increased traffic on nearby residents, ;
- Visual intrusion (construction and operation);
- Congestion of and access to local ports (construction and operation);
- Damage to surrounding natural environment (construction and operation); and,
- Disappointment related to expectations about employment from the project.

Anyone can submit a grievance to the project if they believe it is causing a detrimental impact on the community, the environment, or on their quality of life. They may also submit comments and suggestions. Grievances could include:

- Negative impacts on a person or a community (e.g. financial loss, physical harm, nuisance);
- Dangers to health and safety or the environment;
- Failure of the EPL, its sub-contractors and their workers or drivers to comply with standards or legal obligations;
- Harassment of any nature;
- Criminal activity;

- Improper conduct or unethical behaviour;
- Financial malpractice, impropriety or fraud; and,
- Attempts to conceal any of the above.

Grievances during construction will be investigated by EPL and the CLO which will be reviewed to determine the validity and associated responsibility. The CLO will explain in writing (or where, literacy is an issue, orally) the manner in which the review was carried out, the results of the review, any changes to activities that will be undertaken to address the grievance and how the issue will be managed to meet appropriate environmental and social management systems requirements.

### **7.3 Confidentiality and Anonymity**

The project will aim to protect a person's confidentiality when requested and will guarantee anonymity in annual reporting. Individuals will be asked permission to disclose their identity. Investigations will be undertaken in a manner that is respectful of the aggrieved party and based upon the principle of confidentiality. There may be situations when disclosure of identity is required. If this is the case, the CLO and EPL will identify this and ask if the aggrieved party wishes to continue with the investigation and resolution activities.

### **7.4 Grievance Reporting and Resolution**

A formal log of grievances will be developed and the CLO will be responsible for logging all grievances. A comments sheet will also be provided for complaints or other comments. Comments or complaints can be made directly to EPL or the contractor, through the CLO or through a community representative (e.g. through the village elders).

The procedure for lodging grievances and their resolution will be included in appropriate project communication materials such as non-technical summaries or the project. In the first instance, grievances will be directed to the CLO who will classify the grievance according to



Table 7-1.

**Table 7-1: Grievance Classification Criteria**

Grievance Classification	Risk Level	Validity	Response
Low	No or low	Unsubstantiated	CLO will conduct investigation, document findings and provide a response
Medium	Possible risk and likely a one off event	Possible substantiation	CLO and an appropriate investigation team will conduct investigation. The Site Manager or Occupation Health and Safety Manager may decide to stop work during the investigation to allow the corrective preventive actions to be determined. The CLO will provide a response.
High	Probable risk and could reoccur	Probable substantiation	CLO will get the contractor to organise a Major Investigation Team including EPL for prompt investigation and resolution. Work will be stopped in the affected area. The CLO will provide a response.

The CLO will log the receipt of a comment, formally acknowledge it, track progress on its investigation and resolution, and respond in writing with feedback to the aggrieved party. They will initiate the investigation and ensure its speedy conclusion, aiming to provide a response with ten working days unless there are exceptional circumstances. If the project receives a large number of unsubstantiated grievances, the process will be reviewed to define instances when no response is needed.

Where investigations are required, project staff and outside authorities as appropriate will assist with the process. The CLO will collaborate with EPL to identify an appropriate investigation team with the correct skills to review the issue raised and to decide whether it is project related or whether it is more appropriately addressed by a relevant authority outside the project.

The investigation will also aim to identify whether the incident leading to the grievance is a singular occurrence or likely to reoccur. Identifying and implementing activities, procedures, equipment and training to address and prevent reoccurrence will be part of the investigation activities. In some cases, it will be appropriate for the CLO to follow up at a later date to see if the person or organisation is satisfied with the resolution or remedial actions.

The CLO will summarise grievances to report on project performance weekly during construction and bi-annually during operation, removing identification information to protect the confidentiality of the complainant and guaranteeing anonymity.

Until the CLO role is established, the point of contact for grievances and comments is:

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