

**REPUBLIC OF KENYA**



**COUNTY ASSEMBLY OF SIAYA**

**COMPLAINTS HANDLING POLICY**

**JUNE, 2023**

## **ACROYNMS AND ABBREVIATIONS**

CASB

County Assembly Service Board

CAJ

Commission for Administrative Justice

## **DEFINITION OF TERMS**

### **Complaint**

An expression of dissatisfaction by a person or persons or a group, institution or organization about an unsatisfactory or unacceptable situation, including an act or omission, or about the standard of a service; whether the action was taken or the service provided by the person, the institution itself or a body acting on behalf of the public institution.

### **Complainant**

A person, group of persons, organization or institution making a complaint within the meaning of this Policy.

### **Complaints Handling Procedures**

This refers to the steps a complaint goes through in an institution from receipt to the day it is actually resolved.

### **Complaints mechanism**

For the purpose of this Policy, a complaints mechanism refers to the institution, procedure and process that has been adopted by a public institution to handle complaints.

### **Lodging**

For the purpose of this Policy, lodging is the making of a formal or official complaint about a public institution or a public officer.

### **On-going**

This is a situation whereby a complaint resolution process has commenced but has not been finalized.

### **Resolution**

A situation where an institution has provided sufficient information or a remedy or solution to the satisfaction of the complainant, or where the complainant is unsatisfied and the public institution has taken the complaint through due process and made a just decision.

### **Root cause**

The primary source or basis of the complaint.

Complaints desk

Any service point at the Assembly

## **TABLE OF CONTENT**

ACROYNMS AND ABBREVIATIONS .....	ii
DEFINITION OF TERMS .....	iii
1.0 INTRODUCTION .....	1
1.1 Mandate of The Assembly .....	1
1.2 Vision, Mission and Core Values .....	1
1.3 Background of The Policy .....	2
1.4 Purpose.....	3
1.5 Policy Statement .....	3
1.6 Objective .....	3
1.7 Scope.....	3
1.8 Admissibility of Complaints.....	4
1.9 Legal & Institutional Framework .....	5
1.10 Complaint Management.....	5
1.11 Types of complaints.....	7
2.0 PRINCIPLES OF COMPLAINTS HANDLING MECHANISM.....	8
2.1 Introduction.....	8
2.2 Reporting.....	8
2.3 Fairness/Equity .....	8
2.4 Accessibility.....	8
2.5 Responsiveness/Flexibility .....	9
2.6 Effectiveness .....	9
2.7 Efficiency .....	9
2.8 Customer focused .....	10
2.9 Confidentiality .....	10
2.10 Accountability.....	10
2.11 Transparency.....	10
2.12 Simplicity .....	10

2.13 Recording.....	10
3.0 COMPLAINTS HANDLING PROCEDURE.....	11
3.1 Introduction.....	11
3.2 Procedure .....	11
3.3 stages of complaints handling process.....	13
3.4 Anonymous Complaints .....	14
3.5 Complaints Handling Mechanism .....	15
4.0 EXTERNAL REDRESS MECHANISM .....	16
4.1 The Commission on Administrative Justice (CAJ) .....	16
4.2 The Courts.....	18
5.0 ROLES AND RESPONSIBILITIES .....	20
5.1 Complaints Desk Officers.....	20
5.2 Complaints Handling Officer .....	20
5.3 Complaints Handling and Access to Information Committee.....	20
5.4 County Assembly Clerk.....	21
5.5 County Assembly Service Board.....	21
5.6 Employees.....	22
6.0 COMPLAINT HANDLING CHANNELS.....	23
7.0 MONITORING AND EVALUATION .....	24
8.0 REVIEW DATE .....	24
APPENDICES .....	25
Appendix 1: Complaints Lodging Form.....	26
Appendix 2: Data Base Form.....	28
Appendix 3: Root Cause Analysis Template.....	30
Appendix 4: Monitoring and Evaluation Template .....	31
Appendix 5: Complaints Reporting Template to CAJ.....	32

## **1.0 INTRODUCTION**

### **1.1 Mandate of The Assembly**

Article 176(1) of the Constitution of Kenya, 2010 creates the county governments which comprise of the County Assemblies and County Executives. The mandates of the Assembly which includes legislation, oversight and representation are provided for in Article 185 of the Constitution read together with Section 8(1) of the County Government Act, 2012.

In executing its mandate, the Assembly recognizes and is committed to the set guidelines on the conduct and standards of public service provided for in Article 10, Article 232 and Chapter Six of the Constitution.

### **1.2 Vision, Mission and Core Values**

#### **Vision**

To be a responsive and an excellent County Assembly in Africa

#### **Mission**

Promoting ideals of devolution, good governance and the rule of law through effective and efficient legislative, oversight and representative functions for the people of Siaya

#### **Core Values**

**a. Transparency and accountability in all undertakings.** It is the aspiration of the Assembly that it ensures that all its activities are undertaken in ways that are trackable, and follow clear approved procedures. Officers shall be responsible for decision that they make and shall be held accountable to that effect.

**b. Professionalism and integrity in our operations.** There shall be training of staff and correct placement within portfolios so that offices within the County Assembly

are occupied by competent professionals that are able to effectively carry out their responsibilities and in equal measure, engage professionally with members of the public. This calls for systems to be put in place to ensure integrity as part of professional service.

**c. Diligence and Commitment to our constituents.** The Assembly as a representative institution will strive to deliver on its commitments to the electorate. This will require due diligence which shall be exercised through the structures of the Assembly.

**d. Respect for the rule of law.** The Assembly makes law and will be at the forefront in respect for the law. Procedures will be established to ensure that legal processes are respected and adhered to by all, within and without the Assembly.

**e. Accommodative and Cooperative with all stakeholders.** It is imperative that stakeholders be part of the Assembly processes. The functions and operations of the Assembly, especially at the Sub-County, Ward and Village levels will be driven by stakeholder interests.

**f. Timeliness in our endeavors.** The Assembly strives to deliver timely decisions and to implement the decisions in a timely manner for the benefit of all its stakeholders

### **1.3 Background of The Policy**

Effective complaints handling is a crucial part of quality service delivery in any institution. Complaints help institutions to identify weak areas and create the motivation for continual improvement. Handling of complaints provides an opportunity for the Assembly to understand its customers and ensure that the issues they raise are quickly resolved. Proper handling of complaints will therefore improve the reputation and image of the Assembly. Complaints also provide management

with information on how its staff treat customers, thus promoting accountability for both the Assembly and the staff.

#### **1.4 Purpose**

The purpose of this Policy is to provide a simplified roadmap to effective complaints handling in the Assembly. It aims at providing a system of handling, managing, responding and reporting customer complaints, to ensure that all complaints raised are handled in a fair, responsive, efficient and integrated manner.

#### **1.5 Policy Statement**

The Assembly recognizes that complaints are inevitable in any organization and must be managed effectively as they provide valuable information such as feedback about the performance of the organization, signals for action, customers giving you a second chance and an opportunity to improve services.

#### **1.6 Objectives**

This Policy aims to achieve the following objectives:

- a) Ensure continuous improvement of the services rendered to consumers
- b) Provide a user- friendly feedback system for the Assembly
- c) Promote both internal and external accountability for the Assembly
- d) Resolve any issues raised by complainants who are dissatisfied with services rendered by the Assembly.

#### **1.7 Scope**

Application of this Policy covers all employees and citizens and stakeholders. The nature of the target grievance covers the systemic administrative issues regarding unfair, delay and unresponsiveness in the delivery of service with regard to the devolved functions.

## **Inclusions**

Internal grievances on service delivery in the Assembly namely;

- a) Allegations of abuse of power by county officers.
- b) Allegations of delays in delivery of county services.
- c) Allegations of inefficiency in delivery of county services.
- d) Allegations of manifest injustice.
- e) Allegations of unfair treatment.
- f) Allegations of unresponsiveness.
- g) Allegations of incompetence.
- h) Allegations of unlawful official conduct.
- i) Allegations of misbehavior.
- j) Allegations of county staff misconduct.
- k) Allegations of discourtesy.
- l) Allegations on inaction

### **1.8 Admissibility of Complaints**

The Assembly shall review Complaints to determine whether they are within the mandate (functions, conduct, services) of the institution. Other factors that may be considered to determine admissibility would be:

- whether a complaint is already being handled by another competent institution, e.g., the courts, and
- the period within which a complaint is lodged, based on the timelines that may be determined by the institution

## **Exclusions**

The following categories of complaints will not be admissible under the Assembly Complaints Handling Mechanism

- a) Complaints between Counties
- b) Complaints between the two levels of government
- c) Complaints against Members of County Assemblies
- d) Complaints against the County Governor
- e) Complaints of criminal nature
- f) Service delivery complaints that are currently under lawful review/ investigation by other competent bodies.
- g) g) Complaints on matters that are pending before Courts of Law or Tribunals.

### **1.9 Legal & Institutional Framework**

This Policy is anchored on existing legislation and organizational policies including:

- a) The Constitution of Kenya, 2010
- b) Commission on Administrative Justice Act, 2011
- c) The Fair Administrative Justice Act, 2015
- d) Access to Information Act, 2016
- e) The County Assembly services act, 2017
- f) County Government Act, 2012

### **1.10 Complaint Management**

A complaint can be written or oral depending on the convenience of the customer.

A person/s can lodge a complaint in their own name or on behalf of another person.

A group, organization or institution can also lodge a complaint. The Assembly will provide designated places/channels where complaints can be lodged including the following:

- a) In person (persons with disability will be assisted to lodge the complaints)
- b) Online via email, website, web posting
- c) Telephone
- d) In writing (letters or emails)
- e) Text messages
- f) Complaints/Suggestion box
- g) Social media
- h) Any other mode as may be determined by the Assembly from time to time

In addition to the complaints lodged through the modes stated above, Assembly will also take up the following complaints:

**a) Own motion matters**

The Assembly may consider picking up own motion matters that are relevant to its mandate.

**b) Anonymous complaints**

Anonymous complaints shall be treated as complaints to the institutions.

**c) Complaints originating from reports, including social audits.**

***Note:***

- a) Complaints received must be recorded in a register.

- b) All complaints that are not in writing shall be recorded in writing by the Complaint Handling Officer
- c) All complaints received must be acknowledged appropriately within seven working days.
- d) Assembly shall not charge any fee for lodging /receiving and determination of complaints unless expressly permitted to do so by law.

### **1.11 Types of complaints**

- a) Minor complaints: these are complaints which are easily resolved on the spot and require less time to handle. This type of complaints shall be dealt with by the frontline/Complaint Handling Officers.
- b) Moderate complaints: these are complaints which can be resolved on the spot if handled properly and requires more time to handle than minor complaints.
- c) Major complaints: these are complaints which require deep analysis and a lot of time to handle.

## **2.0 PRINCIPLES OF COMPLAINTS HANDLING MECHANISM**

### **2.1 Introduction**

This Complaints handling Procedures are founded on the basic values and principles of fairness, accessibility, efficiency, responsiveness, confidentiality and flexibility.

### **2.2 Reporting**

Customers can report complaints using any of the channel provided by the Assembly

### **2.3 Fairness/Equity**

Every complainant must be treated fairly in terms of how the complaint is received, processed and resolved. This requires a transparent system where the complainant is able to follow the complaint as it goes through the various stages. It also requires a system that provides for impartial non-discriminatory service. Complaints should be treated with an open mind, without the agency being defensive or seeking to disapprove the complainant. Respondents must also be treated fairly by being accorded adequate opportunity to respond to the complaints and being protected from malicious complainants and complaints.

### **2.4 Accessibility**

Members of the public should be made aware of the complaints handling mechanism and the process of handling the complaint. The Assembly will publicize its complaints handling mechanism as widely as possible through its website, service charter, posters, radio programmes and public outreach activities among others.

In publicizing its complaints handling mechanism, the Assembly will among, inform the public on:

- a) How a complaint can be lodged, including where the complaint form can be availed
- 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 cost implication of the complaint mechanism
- f) The impartiality of the system and an encouragement to those dissatisfied to lodge complaints without fear of victimization
- g) The confidentiality safety mechanisms in place
- h) Options available for lodging complaints – telephone (toll free number) SMS, email (dedicated address), in person or by post
- i) Indicate the responsible officer or department/office for ease of follow up

### **2.5 Responsiveness/Flexibility**

The complaints system should be responsive to the needs of customers/the public including those with special needs, such as disabled, illiterate persons and culturally disadvantaged groups. Staff should be well trained to handle vulnerable persons, difficult clients including those who are rude, aggressive and stubborn.

### **2.6 Effectiveness**

The complaints handling system must be able to give real solutions for the complaints lodged. The Committee charged with the responsibility of managing complaints should be empowered to take action once the complaint is authenticated.

### **2.7 Efficiency**

Complaints should be 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. Simple – complaints should be disaggregated from complex complaints that require more time to resolve.

There should be clear guideline with timed processes dealing with receipt of the complaint, initial assessment, allocation of responsibility to deal with it, investigation, resolution and review, and monitoring system.

### **2.8 Customer focused**

The Assembly is committed to effective complaint handling and value feedback through various appropriate channels.

### **2.9 Confidentiality**

Personal information related to complaints will be kept confidential

### **2.10 Accountability**

Accountabilities for complaint handling will be clearly established, and complaints and responses to these complaints monitored and reported to Board and other stakeholders.

### **2.11 Transparency**

The Assembly and the complaints handling officer should exercise openness. In the complaints handling process there will be free sharing and access to information by all parties involved.

### **2.12 Simplicity**

The complaints handling procedure should be simple and straightforward

### **2.13 Recording**

All complaints received must be recorded, assigned case reference numbers and file opened. Once a case is resolved, monitoring and evaluation should be conducted to inform decision making

## **3.0 COMPLAINTS HANDLING PROCEDURE**

### **3.1 Introduction**

The Assembly is committed to consistent, fair and confidential complaint handling and to resolving complaints as quickly as possible. The Assembly aims at making it easy for its customers to make a complaint if they are dissatisfied and the Assembly shall treat all customers making a complaint equally.

### **3.2 Procedure**

The standard procedure to be applied in addressing complaints is as outlined below:

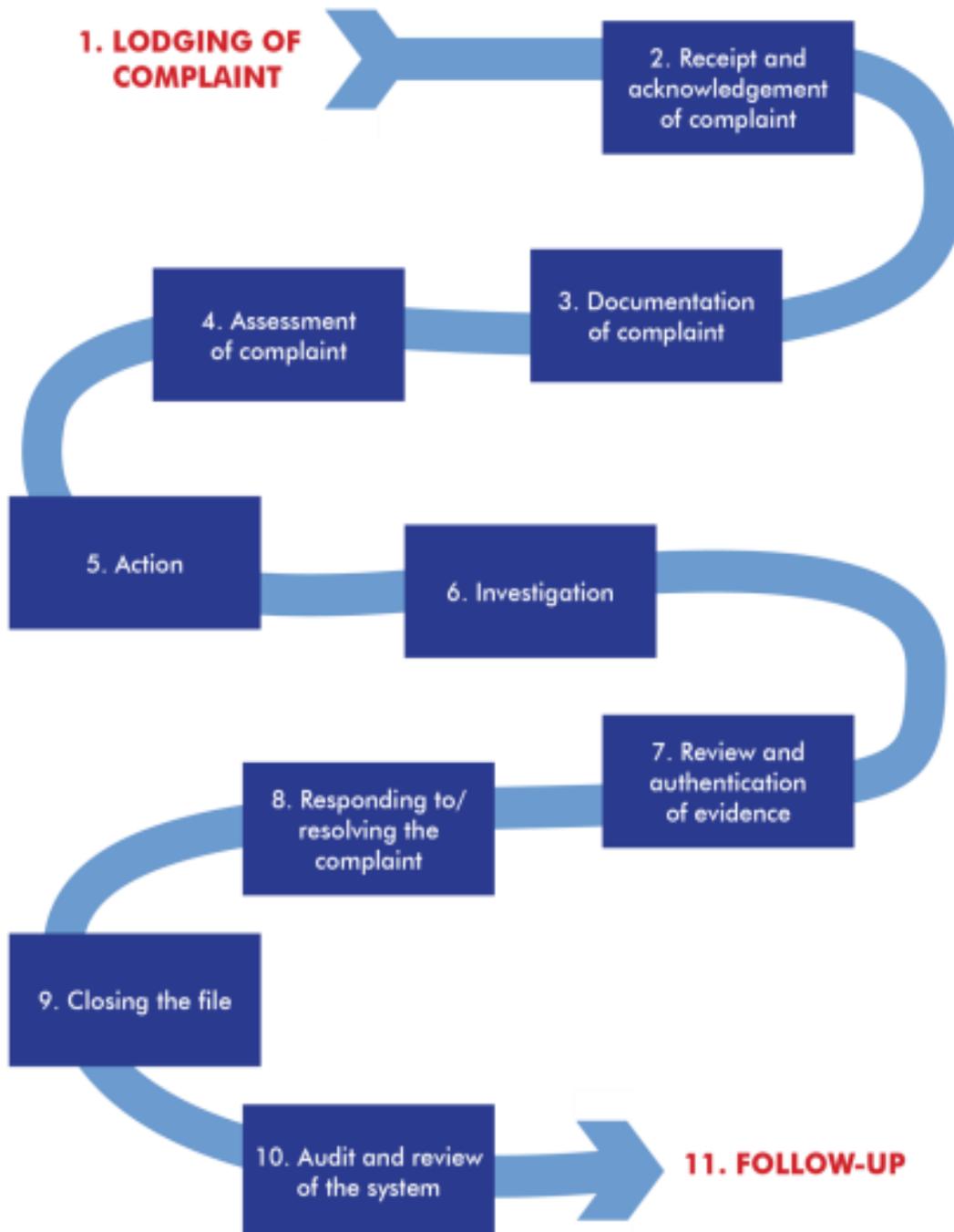
- a) Once a complaint is received, it shall be recorded by the Complaint Handling Officer and accorded a reference number to facilitate follow up. A record of a complaint shall include the name and contact details of the customer, full details of the complaint including the date, as well as details of all communication with the customer and any actions to resolve the complaint.
- b) If the complaint is simple, the Complaint Handling Officer shall resolve the complaint immediately and update the register.
- c) c) If the complaint is moderate or major, the Complaint Handling Officer shall escalate it to an Action/relevant Officer in charge of Department/Section for further investigations and resolution. The escalation shall be done within one (1) working day of receiving the complaint.
- d) The Assembly shall resolve all complaints within thirty (30) working days of receipt (subject to provision of all required documentation). Written complaints shall be acknowledged within seven (7) working days.
- e) Where the complaint cannot be resolved immediately, customers shall be informed of the aforementioned timeframe at the time of making their complaint. Customers shall be informed of the progress of their complaint

regularly, especially if there are any delays or changes to what has been agreed upon between the complaints officer and the customer

- f) The Complaints Handling Officer shall communicate the action to the complainant within one (1) working day from the date the decision is arrived at and update of the records made accordingly.
- g) Where appropriate, customers who have had a complaint resolved shall be contacted within fourteen (14) working days to find out whether or not they are satisfied with how their complaint was handled.
- h) If the complainant is not satisfied, the case shall be forwarded to the County Assembly Clerk for further action.
- i) Where a complaint cannot be resolved by the foregoing complaint handling procedure, it shall be referred to the CASB and the customer/complainant shall be informed and given an amended timeframe for resolution.
- j) All heads of directorates/departments shall forward their complaints records to the Head of communication on a monthly basis for compilation.
- k) The Complaints Handling Officer shall compile all complaints (including their status) and forward them to the Complaints Handling Committee on a quarterly basis for analysis during the quarterly meetings.
- l) The Complaints Handling Committee shall prepare reports on complaints management in the approved format (Appendix 5) and forward to the office of Commission on Administrative Justice on a quarterly and annual basis.
- m) If the County Assembly Clerk is the subject of the Complaint, the complaint shall be forwarded to the CASB Chairman for further action.
- n) If a CASB Member is the subject of a complaint, the complaint shall be forwarded to the Assembly, for further action.

### 3.3 stages of complaints handling process

The Complaints Handling Process in the Assemble shall follow the following stages:



### **3.4 Anonymous Complaints**

The Assembly will act on anonymous complaints as per Procedure (3.2) above after assessing the following:

- a) The seriousness of the matter reported.
- b) The extent to which allegations are specific (e.g., it is clear what is being alleged, dates, times, locations, consequences of wrongdoing, names of witnesses)
- c) The extent to which allegations are based on reliable information, not simply on hearsay.
- d) Reasons to believe that there is justification for the matter being reported anonymously and not through channels that allow for easier scrutiny
- e) Whether the language used is abusive or otherwise suggests a poison-pen letter. Where the Assembly has no way of contacting the person making anonymous complaint, all of the necessary information for decision to take further action must be clearly available.

Anyone making anonymous complaint should be aware that the Assembly:

- a) May hand the complaint (s) over to the police or other authorities for their views or with a request to investigate the allegations further if deemed appropriate.
- b) Will provide the person (s) accused or implicated in the alleged wrongdoing with copies of the allegations (s)
- c) Will view very seriously any false, carelessly prepared or malicious allegations. inaccurate, malicious or negligent accusations by an employee are considered a matter of gross misconduct.
- d) Is obliged to support employee (s) named in anonymous allegations until such a time as there may be sufficient evidence to justify any action against them.

- e) Will dismiss as malicious complaint that is found to have used a misleading sender name or address

### **3.5 Complaints Handling Mechanism**

The Assembly is committed to consistent, fair and confidential complaint handling and to resolving complaints as quickly as possible. The Assembly aims at making it easy for its customers to make a complaint if they are dissatisfied and the Assembly shall treat all customers making a complaint equally.

To ensure that complaints are given the necessary attention with a view to improving the delivery of services, the Assembly shall establish a complaint handling mechanism as follows:

- a) Complaints Desk Officers
- b) Complaints Handling Officer
- c) Complaints Handling and Access to Information Committee

The Complaints Handling Officers will be given adequate independence, authority, resources and necessary support and commitment by the Assembly in order for it to be effective. The Assembly will put in place measures to protect all complainants from intimidation, enticement and compromise by those against whom complaints are made.

#### **4.0 EXTERNAL REDRESS MECHANISM**

In the event that the complainants are dissatisfied with the outcome of grievance resolution, they shall be advised to seek recourse through the following national arbitration processes:

- a) The Commission on Administrative Justice (CAJ)
- b) The Courts

##### **4.1 The Commission on Administrative Justice (CAJ)**

The Commission on Administrative Justice (CAJ) also known as the Office of the Ombudsman is an independent commission established by the Commission on Administrative Justice Act, 2011 pursuant to Article 59 (4) of the Constitution of Kenya. It is the foremost constitutional commission whose primary function is to ensure public officers and public institutions respect sovereignty of the people of Kenya. The CAJ is mandated to address all forms of maladministration, promote good governance and efficient service delivery in the public sector by enforcing the right to fair administrative action. The CAJ investigates abuse of power, manifest injustice and unlawful, oppressive, unfair or unresponsive official conduct.

## Complaints Handling Process

<p><b>Level 1</b></p> <ul style="list-style-type: none"> <li>• Complainant fills in Complaint Form.</li> <li>• Complaint is assessed for compliance with Mandate.</li> <li>• If within mandate, CAJ commences inquiries and complainant is issued with copy of communication.</li> <li>• If NOT within CAJ mandate, Complainant is advised accordingly and/or referred to appropriate agencies.</li> <li>• If a response is not received from the respondent after 14 working days, CAJ sends a first reminder giving the respondent 7 days to comply.</li> <li>• If no response is received after this, a final reminder of 7 days is sent.</li> <li>• If there is still no response after 28 days, summonses are issued to the respondent.</li> </ul>	<p><b>Level 2</b></p> <ul style="list-style-type: none"> <li>• Proceed to determine the complaint in the absence of the Respondent;</li> <li>• Institute legal proceedings against the respondent;</li> <li>• Cite the respondent as an unresponsive State or Public Office or Officer, and/or</li> <li>• declare such State or Public Officer to be unfit to serve in the Public Service;</li> </ul>
<p><b>Level 3</b></p> <ul style="list-style-type: none"> <li>• In resolving a complaint, the Commission may:</li> <li>• Conduct investigations.</li> <li>• Demand and obtain information or documents.</li> <li>• Conduct an inquiry.</li> <li>• Undertake mediation, negotiation and conciliation.</li> <li>• Constitute a hearing panel.</li> <li>• Invite or summon any person or persons to attend to the Commission.</li> <li>• Obtain warrants of arrest for breach of any summons or orders of the Commission</li> <li>• Obtain orders from the Court authorizing Searches or Seizures.</li> </ul>	<p><b>Level 4</b></p> <ul style="list-style-type: none"> <li>• Make a formal determination that the Respondent is in breach of the</li> <li>• Constitution, the Commission on Administrative Justice Act 2011 or any other</li> <li>• legislation;</li> <li>• Declare the Respondent to be a person ineligible to hold a public office;</li> <li>• Enter the name of the Respondent in the Commission's Citation Register which</li> <li>• shall be signed and sealed by the Chairperson and shall include the nature of the complaint and the determination made.</li> </ul>
<p style="text-align: center;"><b>Level 5</b></p> <p style="text-align: center;">In resolving the Complaint, the Commission may:</p> <ul style="list-style-type: none"> <li>• Recommend an appropriate remedy;</li> <li>• Award appropriate compensation to the Complainant;</li> <li>• Recommend the removal of the respondent from public office;             <ul style="list-style-type: none"> <li>• Issue a formal caution or warning to the Respondent;</li> </ul> </li> <li>• Publish the action taken in the Commission's Statutory Report</li> </ul>	

## 4.2 The Courts

The Courts have power to hear and determine disputes, primarily of criminal and civil nature. Criminal cases are those in which the State prosecutes a person or an organization for committing an act which is not in the interest of the public, and therefore considered to be an offence against the State. Civil cases originate from a person who seeks redress for a private wrong such as breach of contract, trespass or negligence; or to enforce civil remedies such as compensation, damages or to stop some action.

### Court Structure

The courts under the Constitution operate at 2 levels, namely: superior & subordinate courts

1. Superior Courts: i. Supreme Court ii. Court of Appeal iii. High Court	2. Subordinate Courts: i. Magistrates' Courts ii. Local Tribunals established by an Act of Parliament
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#### i. The Supreme Court

Supreme Court is the highest court in the Judiciary while the lowest Court is the Magistrates Court. The court hears appeals on cases that have been concluded by the Court of Appeal, issues advisory opinions on matters concerning County Governments, in any cases involving the interpretation or application of the Constitution and in matters of general public importance. Further, the Supreme Court hears appeals from any other court or tribunal as prescribed by national legislation. It comprises of the Chief Justice, the Deputy Chief Justice and 5 judges.

## **ii. The Court of Appeal**

This handles appeals arising over the decisions of the High Court as well as any other court

or tribunal as provided for in law. The court comprises of a maximum of 30 judges. The Court

of appeal has been decentralized and currently has a total of 6 registries namely: Nairobi, Mombasa, Nyeri, Kisumu, Nakuru and Eldoret.

## **iii. The High Court**

The high court has jurisdiction to hear all criminal and civil cases as well as appeals from the lower courts. The High Court comprises a maximum of 150 judges and has original jurisdiction in all criminal and civil matters. The High Court is a premier court in interpreting the Constitution, hears appeals from subordinate courts and tribunals and supervises all administrative bodies. High Court divisions include: family, commercial and admiralty, constitutional and judicial review, land and environment, criminal, industrial and environmental and land court. There are at least 20 High Court stations countrywide.

## **iv. Magistrates' Court**

This deals with the majority of cases in Kenya. There are 116 court stations manned by at least 455 magistrates. A Magistrate's Court has the authority to hear selected criminal cases and all civil cases except those limited by statute.

## **v. Tribunals**

Tribunals are bodies established by Acts of Parliament to exercise judicial or quasi-judicial functions. They supplement ordinary courts in the administration of justice. Tribunals however do not have penal jurisdiction. Like the courts, they have to

respect the Bill of Rights in their decisions and not be repugnant to justice & morality or be inconsistent with the constitutions or other laws of the land. Most tribunals are under the supervision of the High Court and all are under the Judiciary.

## **5.0 ROLES AND RESPONSIBILITIES**

### **5.1 Complaints Desk Officers**

The complaints desk officers will, inter alia, be responsible for the following:

- a) Receiving complaints from the citizens and stakeholders and recording them in the Complaints lodging form and ensuring that all the required information is provided.
- b) Channeling all the complaints received to the Complaints handling Officer.

### **5.2 Complaints Handling Officer**

- a) Recording, Assessment and Classification of Complaints
- b) Referring the complaints received to the relevant Department or Committee for investigation and action
- c) Compiling complaints quarterly and annual reports for submission to the Board for approval and CAJ

### **5.3 Complaints Handling and Access to Information Committee**

The Committee shall be appointed by CASB and will be composed of at least five (5) members.

The functions of the Committee will be to:

- a) Promote the sensitization of staff and other stakeholders on complaints handling,
- b) Advise management on complaints handling,
- c) Receive, process and oversee the resolution of complaints,

- d) Monitor the trends of complaints and recommend remedial action,
- e) Prepare regular reports to management on complaints handling,
- f) Coordinate complaints handling activities in the organization,
- g) Ensure the integration of complaints handling in the organization,
- h) Ensure compliance with the Guidelines of the Commission on resolution of public complaints, as may be issued from time to time,
- i) Monitor, evaluate and review complaints handling activities in the Assembly,
- j) Where appropriate refer complaints to the appropriate authorities including the CAJ.

#### **5.4 County Assembly Clerk**

- a) Work within statutory requirements, ensuring both customers' rights and the Assembly's rights are protected.
- b) Appoint a Complaint Handling Officer
- c) Ensure staff members who deal with complaints have the full authority to provide solutions that are acceptable to customers.
- d) When staff members who deal with complaints cannot resolve them, make sure they can refer complaints directly to another person who can.
- e) Appoint members of the Complaints Handling Committee.
- f) Approve budget for the Complaints Handling Committee.

#### **5.5 County Assembly Service Board**

- a) Approve the Complaints Handling Policy and IEC Materials.
- b) Reinforce Board's commitment and responsibility in identifying areas of complaints and ensure efficient and effective handling, managing, responding and reporting of customer complaints.
- c) Timely address appeal cases directed to the Board.

## **5.6 Employees**

- a) Resolve complaints whenever possible at first contact.
- b) Register complaints details for later analysis.
- c) Speak to the customer in person.
- d) Treat the customer with genuine empathy, courtesy, patience, honesty and fairness.
- e) Respond to complaints quickly.
- f) Keep the customer updated on progress, act quickly on promises and inform when an action is completed.

## **6.0 COMPLAINT HANDLING CHANNELS**

The Assembly will gather information on complaints from employees, the public and media, among others. Information can be provided in writing, by telephone or in person to:

Assembly Clerk,  
County Assembly of Siaya,  
P.O. Box 7-40600  
Siaya, Kenya

**Tel:** 057 5321021/ 0708745148

**Email:** [clerk@siayaassembly.go.ke](mailto:clerk@siayaassembly.go.ke)  
[complaints@siayaassembly.go.ke](mailto:complaints@siayaassembly.go.ke)

**Website:** [www.siayaassembly.go.ke](http://www.siayaassembly.go.ke)

Enquiries shall be made during working hours only from 8:00 am – 5:00 pm (GMT + 3) from Monday to Friday.

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If you are still not satisfied with intervention provided above,  
You may report your complaint to:

The Commission Secretary/Chief Executive Officer  
Commission on Administrative Justice (CAJ)  
West End Towers, 2<sup>nd</sup> Floor Waiyaki Way  
P.O. Box 20414, City Square Wetlands, 00200  
Tel: +254 020 2270 000, +254 020 2303 000  
Email: [complaint@ombudsman.go.ke](mailto:complaint@ombudsman.go.ke)

## **7.0 MONITORING AND EVALUATION**

The Assembly will provide regular reports, including monthly reports to management, and quarterly and annual reports to stakeholders. Customer service surveys to establish the level of customer satisfaction will be conducted once every two years.

## **8.0 REVIEW DATE**

The policy may be reviewed every two (2) years or on need basis to ensure its effectiveness.

## **APPENDICES**

1. Complaints lodging form
2. Database form
3. Root cause analysis template
4. Monitoring and evaluation template
5. Complaints reporting templates to CAJ

# Appendix 1: Complaints Lodging Form

## REPUBLIC OF KENYA



## COUNTY ASSEMBLY OF SIAYA COMPLAINTS LODGING FORM

Ref. no \_\_\_\_\_

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

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

\_\_\_\_\_

ID Number \_\_\_\_\_

Postal address \_\_\_\_\_

Mobile \_\_\_\_\_

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?

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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]

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8. What action would you want to be taken?

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Signature \_\_\_\_\_

Date \_\_\_\_\_

## Appendix 2: Data Base Form

### REPUBLIC OF KENYA



### COUNTY ASSEMBLY OF SIAYA DATA BASE FORM

Ref. no \_\_\_\_\_

#### 1. Complainant's details

Name (Dr / Mr. / Mrs. / MS)

\_\_\_\_\_

ID Number \_\_\_\_\_

Postal address \_\_\_\_\_

Mobile \_\_\_\_\_

Email \_\_\_\_\_

County \_\_\_\_\_

Age \_\_\_\_\_

#### 2. Respondent's details

Name (Dr / Mr. / Mrs. / MS)

\_\_\_\_\_

Staff ID \_\_\_\_\_

Public Institution \_\_\_\_\_

Mobile \_\_\_\_\_

Email \_\_\_\_\_

County \_\_\_\_\_

Age \_\_\_\_\_

3. Details of the complaint

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4. The facts of the complaint

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5. The decision reached by the complaints officer

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6. Root cause of the complaint

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**Appendix 3: Root Cause Analysis Template**

**REPUBLIC OF KENYA**



**COUNTY ASSEMBLY OF SIAYA  
ROOT CAUSE ANALYSIS TEMPLATE**

Complaint e.g., non- issuance of ID	Officer/ department complained against	Nature of complaint/ service issue, e.g., delay	Type of cause – physical (e.g., system failure), human (e.g., inefficient officers, slow, unresponsive) or organization (e.g. policies, procedures, regulations)	Remedy granted	Corrective/ preventive action to be taken

## Appendix 4: Monitoring and Evaluation Template

REPUBLIC OF KENYA



COUNTY ASSEMBLY OF SIAYA  
MONITORING AND EVALUATION TEMPLATE

No. of complaints received	Mode complaint lodged	No. of complaints resolved	No. of complaints pending	Duration taken to resolve, e.g., spot resolution, 1 day, 7 days, 14 days, 1 month, quarterly, annual	Recommendations for system improvement

**Appendix 5: Complaints Reporting Template to CAJ**

**COMPLAINTS REPORTING TEMPLATES**

Name of Institution: .....

Quarter Ending: .....

TABLE IA. COMPLAINTS AGAINST PUBLIC INSTITUTION LODGED WITH THE COMMISSION ON ADMINISTRATIVE JUSTICE										
CAJ Ref. No.	Date Received	Complaint Channel	Name of Complainant	Complaint Issue	Action Taken	Root Cause	Corrective Action	Status		
								Resolved (include Date)	On-going	New

TABLE IB. COMPLAINTS LODGED DIRECTLY WITH THE INSTITUTION												
S/No.	Date Received	Complaint Channel	Name of Complainant	Complaint Issue	Action Taken	Root Cause	Corrective Action	Status			Pending from previous	
								Resolved (include Date)	On-going	New	Resolved	On-going

**NOTE:** Provide a brief narrative on any action taken for all on-going complaints

**TABLE II: QUARTERLY STATISTICAL SUMMARY**

DETAILS	COMPLAINTS DATA (TOTALS)				Deviations from Previous Quarter			
	Total Number Resolved	Total Number On-going	Total Number New	Total Received	Total Number Resolved	Total Number On-going	Total Number New	Total Received
Complaints Received from the Commission (CAJ)								
Complaints Lodged Directly with the Institution								

**TABLE III: Annual Plan on Awareness Creation Reporting Template**

Details	Awareness on Citizens’ Service Delivery Charter			Awareness on Complaints Handling Framework		
	Quarter 2	Quarter 3	Quarter 4	Quarter 2	Quarter 3	Quarter 4
	Social Media	Institutional Website	Meetings/ Forums/Workshops	Social Media	Institutional Website	Meetings/ Forums/Workshops
<b>Internal Customer</b>	<i>(Insert planned activities)</i>	<i>(Insert planned activities)</i>	<i>(Insert planned activities)</i>	<i>(Insert planned activities)</i>	<i>(Insert planned activities)</i>	<i>(Insert planned activities)</i>
<b>External Customer</b>						

**TABLE IV: Awareness Creation Initiatives on Complaints Handling Framework and Citizens’ Service Delivery Charter Reporting Template**

	<b>Date undertaken</b>	<b>Complaints Handling Framework</b> (List at least one activity/initiative)	<b>Citizens’ Service Delivery Charter</b> (List at least one activity/initiative)	<b>Attach evidence</b>
<b>Internal Customer</b>				
<b>External Customer</b>				

**TABLE V: REQUESTS FOR INFORMATION REPORTING TEMPLATE**

**NAME OF THE INSTITUTION:** \_\_\_\_\_

**FINANCIAL YEAR:** \_\_\_\_\_ **QUARTER** \_\_\_\_\_

<b>TABLE V: REACTIVE DISCLOSURE OF INFORMATION TEMPLATE</b>										
<b>S/No.</b>	<b>Date Received</b>	<b>Name Of Applicant</b>	<b>Gender Of the Applicant</b>	<b>Requisition Channel</b>	<b>Type Of Information Requested</b>	<b>*Decision (Action Taken)</b>	<b>Reason For Decision</b>	<b>Date Of Communicating Decision</b>	<b>Number Of Days Taken to Process the Request</b>	<b>Fees Imposed (If Any) (Ksh.)</b>

**\*Decision** on request for information may fall under the following categories:

- I. **Granted request:** refers to a request processed and information provided.
- II. **Transferred request:** refers to a request that has been referred to another public institution that is the custodian of the requested information (to be transferred within five (5) days from the date of receipt).
- III. **Declined request:** refers to request not granted on account of Section 6 of the ATI Act on exemptions.
- IV. **Pending request:** refers to request for access to information which is still in process.
- V. **Deferred request:** refers to a request for access to information has been kept in abeyance on account of the Applicant/Requester failing to meet their obligations under the Act or further action is required from the applicant.

**TABLE VI: QUARTERLY STATISTICAL SUMMARY OF REQUESTS FOR INFORMATION**

**NAME OF THE INSTITUTION:** \_\_\_\_\_

**FINANCIAL YEAR:** \_\_\_\_\_ **QUARTER:** \_\_\_\_\_

<b>TABLE VI: SUMMARY OF REQUESTS FOR INFORMATION</b>									
<b>Number Of Requests Granted</b>	<b>Number Of Requests Transferred</b>	<b>Number Of Requests Declined</b>	<b>Number Of Pending Requests</b>	<b>Number Of Requests Deferred</b>	<b>Total Number of Requests Received</b>	<b>Average Number of Days Taken to Process the Requests</b>	<b>Total Amount of Fees Collected from Requests (Ksh)</b>	<b>Total Number of Full-Time Staff Devoted to Processing Requests</b>	<b>Total Cost for Processing Requests (Ksh)</b>

**Notes:**

1. The Requester should be advised on the right to appeal to the Commission if dissatisfied with the decision of the public institution.
2. Fees charged is only to defray the cost of providing the information (i.e., photocopying, printing, translation, ...)

## DETAILS OF OFFICER PREPARING THE REPORT AND PUBLIC INSTITUTION

<b>DETAILS OF THE PUBLIC INSTITUTION</b>	
<b>Name</b>	
<b>Email address</b>	
<b>Telephone number</b>	
<b>Postal address</b>	
<b>DETAILS OF OFFICER</b>	
<b>Name</b>	
<b>Designation</b>	
<b>Email Address</b>	
<b>Signature</b>	
<b>Date</b>	

