

PROCEDURE FOR RAISING A COMPLAINT

The following procedures may be adopted in raising a complaint or an issue of concern:

Stage I: Informal Complaint

A majority of public complaints may be resolved satisfactorily on an informal basis. Therefore, if one has a complaint, it should be raised with the Authority and where a staff member is the complainant, the complaint should be raised with the immediate Head of Section at the earliest opportunity. At this point, the complainant raises the complaint verbally. The Head of Section to which the complaint is lodged should make a record of the complaint and provide a response within 14 days. If the issue is not resolved, the complainant may proceed to Stage II.

Stage II: Formal

Formal complaint may be raised by:

- Persons who are unable to approach the immediate Head of Section concerned.
- Persons who have attempted informal complaint resolution without success.

The lodging of a formal complaint should be done within 14 days of the informal response given or within 14 days after the expiry of the informal response period. Those who choose to go straight to the formal stage should also feel free to do so.

GUIDELINES FOR SUBMITTING FORMAL COMPLAINTS

1. In writing through filling an official complaint Form PC 1 marked for the attention of:
The Chairperson of the Authority's Public Complaints Committee P.O. Box 47771-00100, Nairobi; Tel. +254 20 2280000.
2. The complainant shall fill his/her personal details in the Form and give a brief explanation of the background of the complaint.
3. The complainant should include copies of any relevant documents for provision of further information or corroboration of the complaint.
4. The complainant should include details of any discussions made earlier in an attempt to resolve the complaint informally.
5. The complainant should set out reasons why he/she remained dissatisfied after the informal stage or why informal steps were not taken in the first instance.
6. The complainant should state the preferred outcome or identify a satisfactory solution.

7. In order for the Authority to improve its services, records of formal complaints will be maintained. The records will detail dates of receipt, acknowledgement and response, the nature of the complaint, how the matter was dealt with, the time-scale for doing so and the outcome of the complaint. A report on the management of the complaints will be submitted to the Commission on Administrative Justice and a copy made to the Executive Director of the Authority. This will include an analysis of complaints identifying common causes or pattern of complaints and an analysis of remedial action with a view of contributing to the Authority's overall framework for quality enhancement. The report will also include consideration of adequacy and effectiveness of the procedure and may include examples of good practices in resolving complaints.

COMPLAINT RESOLUTION PROCEDURE

1. All written complaints will be in Form PC 1.
2. Upon receipt of the written complaint the Public Complaints Committee (PCC) will assess the complaint and decide whether or not it is within its mandate and scope of operation.
3. If the complaint is within the PCC's mandate, investigations will commence in consultation with the relevant Department, Division, Section or staff complained of.
4. Upon acceptance of the complaint, the complainant will be assigned a case worker and provided with a reference number to facilitate follow up.
5. The PCC will institute thorough investigations into complaints and this will involve contacting various departments and staff. Investigations may include requesting written statements from appropriate members of staff and/or face-to-face interviews.
6. The PCC will acknowledge written complaints within 7 days of receipt of the complaint.
7. The PCC will respond to telephone enquiries within 48 hours of receipt of the complaint.
8. The PCC will seek to provide a full written response within 4 weeks from the day of acknowledgement of receipt of the formal complaint. Where this is not possible, the complainant will be kept fully informed of the progress.
9. The PCC will not normally provide the complainant with a copy of any report/information arising from its investigation. This is to ensure that the confidentiality of all those involved is maintained and to encourage a spirit of open communication and disclosure from those asked to provide information as part of an investigation.