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## **GRIEVANCE REDRESS MECHANISM (GRM)**

**Building Skills for Human Capital Development in South Sudan  
Project (P178654)**

**Ministry of General Education and Instruction (MoGE&I)**

**October, 2024**

## Acronyms

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AIDS	Acquired Immune Deficiency Syndrome
BSHCDSS	Building Skills for Human Capital Development in South Sudan
CBO	Community Based Organisation
CoC	Code of Conduct
CSO	Civil Society Organisation
C-GMC	Community Grievance Management Committee
CMR	Clinical Management of Rape
DSF	Design and Supervision Firm
ESMF	Environment and Social Management Framework
ESF	Environmental and Social Framework
ESS	Environmental and Social Standards
E&S	Environmental and Social
ESMP	Environmental and Social Management Plan
FBOs	Faith Based Organisations
GMC	Grievance Management Committee
GBV	Gender Based Violence
GMIS	Grievance Management Information System
GRM	Grievance Redress Mechanism
GRC	Grievance Redress Committee
GoSS	Government of South Sudan
HIV	Human Immunodeficiency Virus
IASC	Inter-Agency Standing Committee
IP	Implementing partner
IEC	Information, Education and Communication
MDA	Ministries, Departments and Agencies
M&E	Monitoring and Evaluation
MoGE&I	Ministry of General Education and Instruction
MoH	Ministry of Health
MoHEST	Ministry of Higher Education, Science and Technology
MoFP	Ministry of Finance and Planning

MGCSW	Ministry of Gender, Child and Social Welfare
NGO	Non-governmental Organization
OHS	Occupation Health and Safety
OSC	One Stop Centre
RCA	Root Cause Analysis
PAPs	Project Affected Persons
PIU	Project Implementation Unit
PMF	Programme Management Framework
PSC	Project Steering Committee
PWDs	Persons With Disabilities
PDO	Project Document Objective
PSEA	Prevention of Sexual Exploitation and Abuse
SEA	Sexual Exploitation and Abuse
SH	Sexual Harassment
SSPS	South Sudan Police Service
SSS	Social Safeguard Specialist
SOP	Standard Operation Procedures
SPU	Special Protection Unit
UNICEF	United Nations Children's Fund
UNFPA	United Nations Population Fund
VAC	Violence against Children

## Definition of Terms/Glossary

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For the purpose of this document, the terms and definitions provided herein this manual will apply.

**Community:** A body of people having common needs, risks, rights, privileges or interests, or living in the same place under the same laws and regulations.

**Complainant:** An affected individual or party, organization or its representative that submits a complaint to the Grievance Management Committee

**Complaint:** A complaint or grievance is defined as an expression of displeasure or dissatisfaction with the level or quality of an action or inaction, directly or indirectly expressing dissatisfaction to an individual or group of people about implementation of a particular project. Complaints or grievances are directly related to project activities.

**Grievance:** A grievance is statement about an action, impact or effect originating from a sub-project that adversely affects the rights, health and/or wellbeing of an affected person or group of people to the extent that it forms legitimate grounds for grievance and if upheld, may result in compensation, legal action or a change to the sub-project in order to resolve the grievance. For the purposes of the BSHCDSS a grievance will require specific response and potentially a formal intervention by the respective project for resolution and such a resolution must be formally agreed and recorded.

**Grievance Management Committee (GMC):** a special body established at the community, Boma or Payam levels to address grievances of project affected people and non-project affected people.

**Grievance Redress Mechanism:** GRM is defined as organizational systems and resources established by BSHCDSS to submit, receive, assess and methodically address concerns about the impact of their policies, programmes and operations on its clients or external stakeholders. The stakeholder input handled through these systems and procedures may be called “grievances,” “complaints,” “feedback,” or another functionally equivalent term

**Harassment:** Persistent words, conduct or actions directed at an individual that badger, annoy, threaten or cause emotional distress.

**Human rights:** The basic rights and freedoms to which all humans are entitled. They are fundamental and universal and consist of civil and political rights as well as economic, social and cultural rights as stipulated in international human rights standards and domestic laws.

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**Interested party:** person or group having an interest in the activity, performance or success of BSHCDSS project.

**Mediation:** A procedure by which an impartial third person agreed by all the parties meets with the parties and attempts to find common ground so that a compromise can be reached to resolve the complaint.

**Project-Affected Person (PAP):** Any person who, as a result of the implementation of the BSHCDSS project, loses the right to own, use, or otherwise benefit from a built structure, land (residential, agricultural, pasture or undeveloped/unused land), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily. Affected people might be displaced either physically (“Physically Displaced People”) or economically (“Economically Displaced People”).

**Resolution:** A solution, accommodation or settling of a grievance.

**Severe incident:** A severe incident is an incident that caused significant adverse effect on the environment, the affected communities, the public or workers, e.g. fatality, GBV, forced or child labor.

**Stakeholders:** Persons or groups who are directly or indirectly affected by a project as well as those who may have interests in a project and/or the ability to influence its outcome, either positively or negatively.

The Inter-Agency Standing Committee (IASC)<sup>1</sup> defines **gender-based violence** as “an umbrella term for any harmful act that is perpetrated against a person’s will, and that is based on socially ascribed (gender) differences between males and females. GBV broadly encompasses physical, sexual, economic, psychological/emotional abuse/violence including threats and coercion, and harmful practices occurring between individuals, within families and in the community at large. These include sexual violence, domestic or intimate partner violence, trafficking, forced and/or early marriage, and other traditional practices that cause harm.

The United Nations<sup>2</sup> defines “**sexual exploitation**” as any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. Sexual abuse on the other hand is “the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.” SEA is therefore a form

of gender-based violence and generally refers to acts perpetrated against beneficiaries of a project by staff, contractors, consultants, workers and Partners.

**Sexual harassment** occurs between personnel/staff and involves any unwelcome sexual advance or unwanted verbal or physical conduct of a sexual nature.

**Institutional Framework:** anchored in the office of the Project Director within The Ministry of General Education and Instruction (MoGE&I)

**Budget:** The project coordination office at the PIUs shall set aside resources for grievance management on a semi-annual basis.

**Internal and external awareness:** The PIUs and County teams shall provide adequate training to the GRM officers to ensure that they can undertake the role efficiently. The county should also create public awareness of the existing channels for lodging grievances and accessing information.

**Service Charter:** Handling of grievances should be based on the MoGE&I Service Charter. The charter is expected to specify the commitment to providing excellent services to all its users and set out the expected standards of service when dealing with the county and its staff. The users Service Charter should have a segment on grievance redress where the rights and responsibilities of users and the procedure to follow if the county's service standards are not met as outlined.

**Institutional framework:** The grievance mechanism shall operate at 5 levels: The National Level, the State and the County level, Payam and the Boma levels

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<sup>1</sup>Inter-Agency Standing Committee- the primary mechanism for inter-agency coordination of humanitarian assistance among UN and non-UN humanitarian partners.

<sup>2</sup> Secretary-General's Bulletin on "Special Measures for Protection from Sexual Exploitation and Sexual Abuse" (ST/SGC/2003)

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## 1. Background

The prolonged civil war with repeated cycles of violence has had disastrous impacts on the country's population. Between 2013 and 2018, 380,000 people are reported to have died as a result of armed conflict, with 2 million people internally displaced and an additional 2.3 million living as refugees abroad.<sup>1</sup> Conflict also affected virtually all economic activity, and household incomes are estimated to have declined by a staggering 70 percent between 2011 and 2018.<sup>2</sup> An estimated nine out of ten South Sudanese people live in poverty.<sup>3</sup> The signing of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan in September 2018 and the subsequent formation of a unity government in February 2020 have provided a measure of hope for recovery and created a window of opportunity in policymaking to foster sustainable and equitable growth. The country's economic outlook is cautiously optimistic, with a growth rate of 6.5 percent in 2022 and a forecasted rate of 5.6 percent growth in 2023.<sup>4</sup>

The Government of South Sudan (GoSS), through the Ministry of Finance and Planning (MoFP), in collaboration with both the Ministry of General Education and Instruction (MoGE&I), and the Ministry of Higher Education, Science and Technology (MoHEST), is implementing a

<sup>1</sup> United Nations High Commissioner for Refugees (UNHCR) 2022. <https://www.unhcr.org/en-us/south-sudan.html>

<sup>2</sup> International Monetary Fund 2019. "Republic of South Sudan. 2019 Article IV Consultation Report." IMF Country Report No. 19/153.

<sup>3</sup> United Nations Office for the Coordination of Humanitarian Affairs (OCHA), 2022b Humanitarian Needs Overview: South Sudan.

<sup>4</sup> International Monetary Fund. 2022. World Economic Outlook, October 2022. IMF, Washington, DC. <https://www.imf.org/countries/SSD>

five-year World Bank-funded project entitled “**Building Skills for Human Capital Development in South Sudan**” (BSHCDSS). The Project's Development Objective is to increase skills development opportunities in teaching and digital agriculture and strengthen Capacity for management of the education system. The project was approved by the World Bank Board of Directors on the 15<sup>th</sup> of May 2023.

The Building Skills for Human Capital Development in South Sudan Project is financed with USD 45 million through a grant from the International Development Association. This project is being implemented by the Ministry of General Education and Instruction (MoGE&I) and the Ministry of Higher Education, Science and Technology (MoHEST).

The Project's Development Objective (PDO) is to increase skills development opportunities in teaching and digital agriculture, and strengthen capacity for management of the education system. The Project consists of 5 components:

- Component 1: Teaching Skills to Strengthen Education Delivery;
- Component 2: Digital Skills for Agriculture;
- Component 3: Inclusion of Refugees and Host Communities;
- Component 4: System Building; and
- Component 5: Contingency Emergency Response Component.

## **2. Overview of the BSHCDSS Grievance Redress Implementation Manual**

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This document provides guidance for effective management of complaints and grievances under the Building Skills for Human Capital Development Project (BSHCDSS/AF). The purpose of this implementation manual is to provide a suitable, centralized Grievance Redress Mechanism (GRM) for the BSHCDSS that can be applied during project implementation to meet the Project's ESF and national legal and regulatory requirements. Under the Project Environmental and Social Standards (ESSs), the project is required to facilitate mechanisms that address concerns and grievances that arise in connection with a project. One of the key objectives of ESS 10 (Stakeholder Engagement and Information Disclosure) is to provide

project-affected parties and non-project affected parties with accessible and inclusive means to raise issues and grievances, and allow borrowers to respond and manage such grievances.

This Project GRM shall facilitate the BSHCDSS project to respond to concerns and grievances of the project stakeholders related to the design and implementation as well as environmental and social performance of the project.

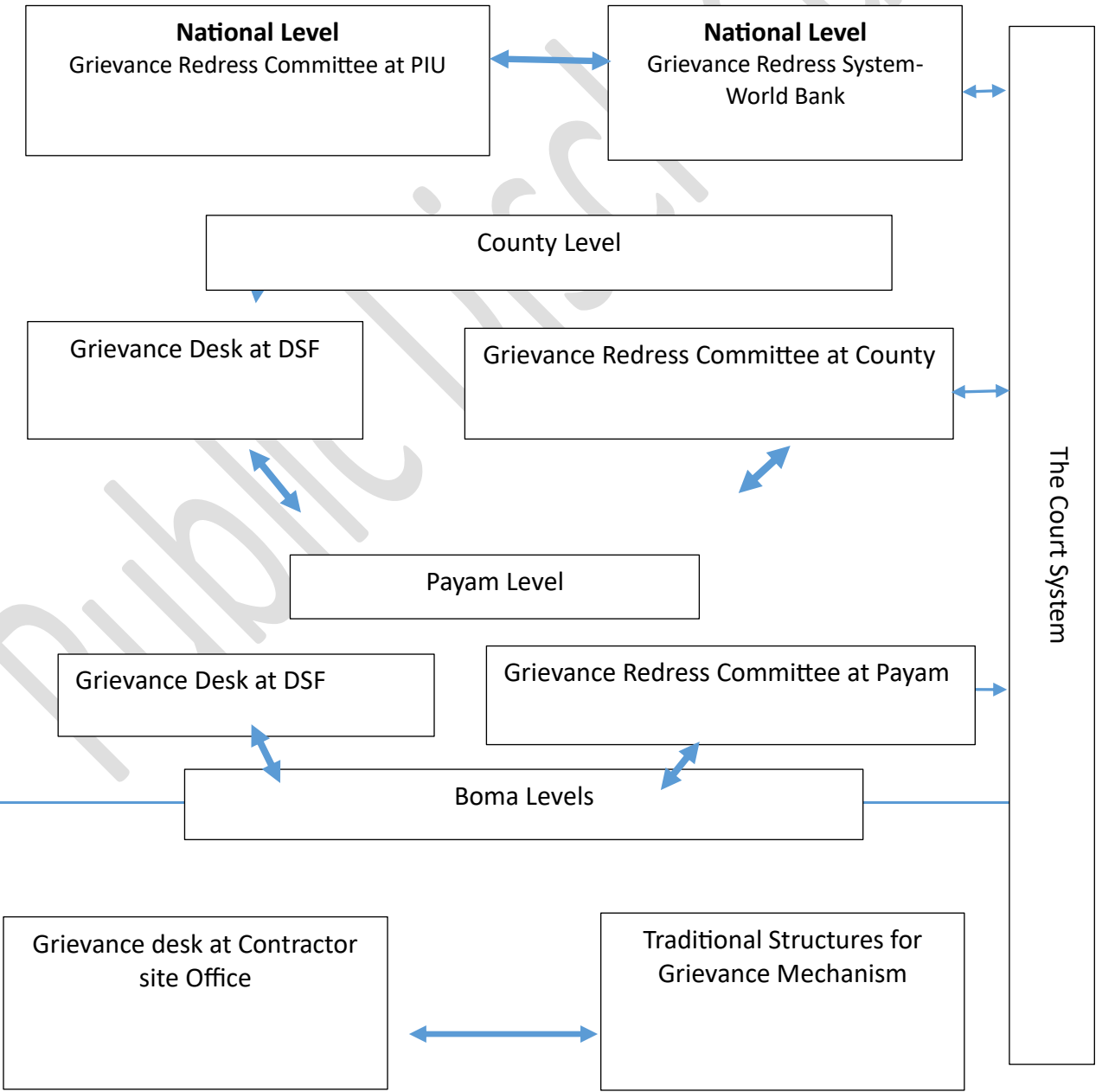
As per World Bank standards, this GRM makes the following distinctions:

- a) **Project-related complaints and grievances:** it focuses on Project-related complaints and grievances and defines the different steps of handling related grievances
- b) **GBV/SEA/SH related complaints and grievances:** Complaints and grievances relating to Gender-Based Violence (GBV) / Sexual Exploitation and Abuse (SEA) / Sexual Harassment (SH), given their sensitivity and considerations related to a survivor-based approach, are reported following a different GBV referral pathways/mechanism. Please refer to response support protocol to GBV/SEA/SH on page 32
- c) **Labor-related complaints and grievances:** Complaints from project workers raising from workplace concerns, terms of employment and other related concerns will be registered through the Workers' GRM (Workers Council), which has been highlighted in this GRM.
- d) **Escalated complaints and grievances:** This concerns complaints and grievances that cannot be solved by the different level (National, County, Payam and Boma level) or have been escalated by users dissatisfied with the resolutions from the four level. This GRM describes procedures how these grievances shall be addressed through an appeals mechanism.

#### **1 Figure 1: Operation of BSHCDSS Grievance Redress Mechanism**

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The grievance mechanism shall operate at 4 levels: The National Level, the County level, Payam and the Boma levels



### 3.1. Grievances Redress Mechanism Operation at the National Level

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At the national level, the grievance redress committee will be a link between the communities and MoGEI top management and the World Bank. At the national level, the State GRM coordinator / focal point person will be the link between the community and MoGEI and the World Bank.

At the MoGEI PIUs, the grievance redress committee shall comprise of

- Project director (Committee chair)
- Social Safeguard Specialist (Committee secretary)
- Project coordinator (Member)
- GBV Specialist (Member)
- Environmental Specialist (Member)

#### 3.1.1. Roles and Responsibilities at the National Level

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- Design and prepare training materials for awareness creation of GRM for all stakeholders.
- Plan and facilitate training of trainers at the county levels
- Reports complaints handling and GRM management to the undersecretary and the Bank
- Ensure trainings and awareness creation activities are happening on the ground
- Monitor construction firm compliance with code of conduct
- Follow up on grievance redress proceedings to a satisfactory conclusions.
- Ensure information disclosure held by the state.
- Monitor, evaluate, and review complaints handling activities in the States,
- Handle emergency cases from the construction site.

#### Grievance Redress Mechanism operation at the State Level.

At the state level, the project will have a GRM Coordinator/ focal point person who will be the SMOGEI Director General deputized the director of Gender equity and inclusive education and

will be the link between the counties and MoGEI as well as the World Bank. They will need to be trained on matters GRM so that they execute their duties based on knowledge.

### Roles and Responsibilities at the State Level

- Review and ensure cultural appropriateness of the GRM training materials.
- Ensure that all site workers have received adequate GRM orientations and trainings.
- Ensures that all site worker have signed a code of conduct within the state.
- Monitor construction and compliance with code of conduct with in the state.
- Receive and keep records of complaints receives and proceedings on monthly basis.
- Ensure adequate information disclosure to the counties
- Monitors, evaluate and review complaint handling activities in the counties

### 3.2. Grievances Redress Mechanism Operation at the County Level

At the county level, Coordination of grievance redress in the County will be handled by the Technical Committee responsible for construction: It is expected that the Design and Supervision firm shall have a focal person in charge of E&S. The focal person shall be responsible for coordinating grievance redress with the technical committee.

Each County may co-opt additional members, especially those from relevant state government agencies depending on the issues under discussion.

**Stakeholders:** There is a need for each county to map out its key stakeholders for effective engagement, collaboration, and networking to strengthen external integration.

#### 3.2.1. Roles and Responsibilities at the County Level Committee

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- Promote the sensitization of staff and other stakeholders on complaints handling.
- Process requests for access to information
- Facilitate Civic Education on GRM and access to information
- Make referrals for cases outside the GRM mandate
- Ensure proactive disclosure of information held by the payam
- Monitor, evaluate, and review complaints handling activities at the county and payam levels

### 3.2.2. Staffing at the County Level

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At the county level, Each Design and Supervision Firm will have a substantive environment and social safeguards officer. The officer shall manage a grievance desk, receive and coordinate resolution of grievances emanating from the project. The officers will be encouraged to work with the County Government Administration structures through collaboration with the civil society and traditional grievance management structures. Duties of the social safeguards officers will include:

- Sensitization of the relevant stakeholders on grievance uptake channels.
- Disclosure of the GRM system on the sub-project signboards with the contact of the responsible person
- Maintain the GRM register and periodically consolidate the grievance logs at the county and Payam level and submission to PIU.
- Receive, process, and oversee the resolution of minor complaints.
- Forwarding moderate and major complaints to the grievance management committee.
- Compilation of monthly reports on complaints handling and submission to the grievance management committee and the PIU.
- Administrative support to the grievance management committee.

### 3.3. Grievance Desks at the Payam and Boma Level

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Each Contractor is expected to establish grievance reporting desks. Effective grievance redress will require that grievance desks be designated at every project site and may make use of existing administrative units at Boma level. Handling of grievances should start at the Boma, Payam and county level with major ones being escalated to the PIU where necessary.

## 4. Grievance Handling Process

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Grievance redress requires a systematic approach through which a step-wise procedure is followed and the responsibility for handling is assigned to specific individuals, competent and adequately empowered for the task. These steps are:

#### 4.1. Lodging of Complaints

A complaint can be lodged in an individual's name or on behalf of another person. A group, organization, or institution can also file complaints. The County and DFA shall provide designated places such as suggestion box, offices or persons where complaints can be lodged.

**Annex 9:** provides a complaints register matrix. The Channels for raising complaints include:

- In-person (persons with disabilities shall be assisted in lodging their complaints)
- Complaints may use a third party to lodge complaints on their behalf.
- Online via email, website, web posting, or a complaints management information system (CMIS) if it is available (PIU to provide email, telephone number)
- Telephone
- In writing, including Braille
- Text messages
- Social media
- Stakeholders consultations and information disclosure (ESS 10)
- Any other mode as may be determined

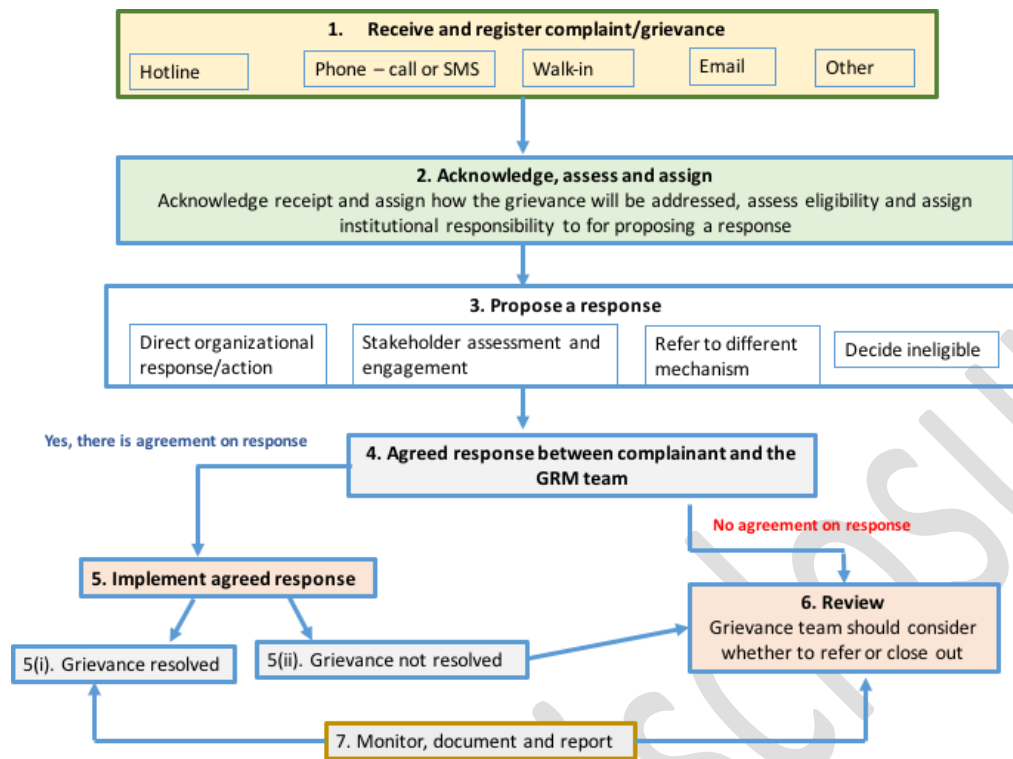
Besides the complaints lodged through the modes stated above, the PIUs, counties, and payams are expected to also take up the following complaints:

- Own motion matters: where the PIU or DSF picks up matters that are relevant to their mandate, for instance, issues exposed through the media.
- Anonymous complaints: these are complaints presented by people who do not wish to have their identity known. Such complaints should be treated as complaints to the county and should be addressed without seeking to know the complainant.
- Complaints originating from reports, including social audits, CSO reports etc: ought to be addressed and feedback given to the public.

#### 4.2. Figure 2: Grievance process flow for the project

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#### 4.2.1. Receipt and acknowledgment of complaints

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.

- Complaints received must be recorded in a register.
- All complaints that are not written, shall be recorded in writing by the receiving officer.
- All complaints received must be acknowledged appropriately within seven days.
- A county/DSF shall not charge any fee for lodging /receiving and determination of complaints.

#### 4.2.2. Documentation of the complaint

For every complaint received, a record comprising of the following particulars shall be made: name, contacts, age, gender, county, payam and Boma, the nature of the complaint (what, who, when, where, etc.), parties involved, relevant dates and action taken. Where necessary, accompanying documents must be recorded and indexed. Each DSF and contractor will be expected to establish a database of complaints containing particulars of the complainant, the

nature of the complaint, parties involved, relevant dates, action taken, and any other details related to the specific complaint. 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 2 years. A grievance reporting template has been provided in **Annex 1**.

#### **4.2.3. Assessing the complaint**

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An initial assessment of the nature and gravity of the complaint should be made by the receiving officer to allow for categorization into minor, moderate, and major. This should be followed by prioritization to avoid 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 should also be assessed for admissibility. Admissibility refers to the fact of being considered satisfactory in law. This involves the review of complaints to determine whether they are within the mandate (functions, conduct, services) of the county. 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 county. All reported cases that are GBV in nature will be referred to access timely GBV services using the existing referral pathways which is part of the BSHCP GBV protocol.

#### **4.2.4. Required Action**

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When the process for determining admissibility is completed, a file will be allocated to an action officer or referred to the relevant body or institution if not within the functions of the county. An inquiry into the complaint will then be conducted to verify the facts and other details of the complaint before action is taken. At this stage, the respondent should be contacted to give a response to the lodged complaint.

#### **4.2.5. Investigation**

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Where an investigation is required, it should be properly planned with a clear indication of the time and resources required. The planning should clearly establish what is to be investigated, what evidence will be gathered, who is to be interviewed, documents to be recovered, the

expectations of the complainant, and also whether the complaint has special considerations to be considered — issues such as the security of the complaint, confidentiality, or available evidence that should be dealt with at the planning stage. The investigation should be to establish the facts and explore options for resolution. The investigation itself should be carried out impartially. Confidentiality should be maintained and great care taken to ensure that the complainant’s privacy is protected and their safety is not endangered through exposure of his or her identity.

#### **4.2.6. Review/authentication of evidence**

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Both the complainant and respondent must be treated fairly and given the chance to advance/respond to claims/allegations and/or produce any relevant evidence. The parties shall be given adequate opportunity to be heard before the designated complaints officer. Parties may object to the hearing of their complaints by officer/s that they suspect may be biased against them. All matters shall be handled in a manner that complies with the Constitution and the laws of South Sudan.

#### **4.2.7. Responding to/resolving the complaint**

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Resolving the complaint involves addressing the issue(s) raised and offering the best possible remedy in the circumstances. The complaint should be handled impartially and objectively. 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 remedies for addressing the complaints should be clearly set out and the parties should all be aware of the possible solutions. The complaints handling officers should be empowered to provide the remedies at the appropriate levels. The complainant should be informed of the decision reached and reasons should be given for the decision by the GRM officer. Any decision reached should be communicated within 30 days.

#### **4.2.8. Closing the file**

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Once a decision is arrived at, it shall be communicated to the complainant the respondent, and other interested parties. The complaints database shall be updated to reflect the decisions made.

#### 4.2.9. Appeal Process

The complaints mechanism shall have an appeal or review provision for those who are dissatisfied with the decision of the complaints officer in the first instance. The appeal or review process should be simple and fast. The action officer needs to document what they consider to be the root cause of the complaint as a way of preserving knowledge.

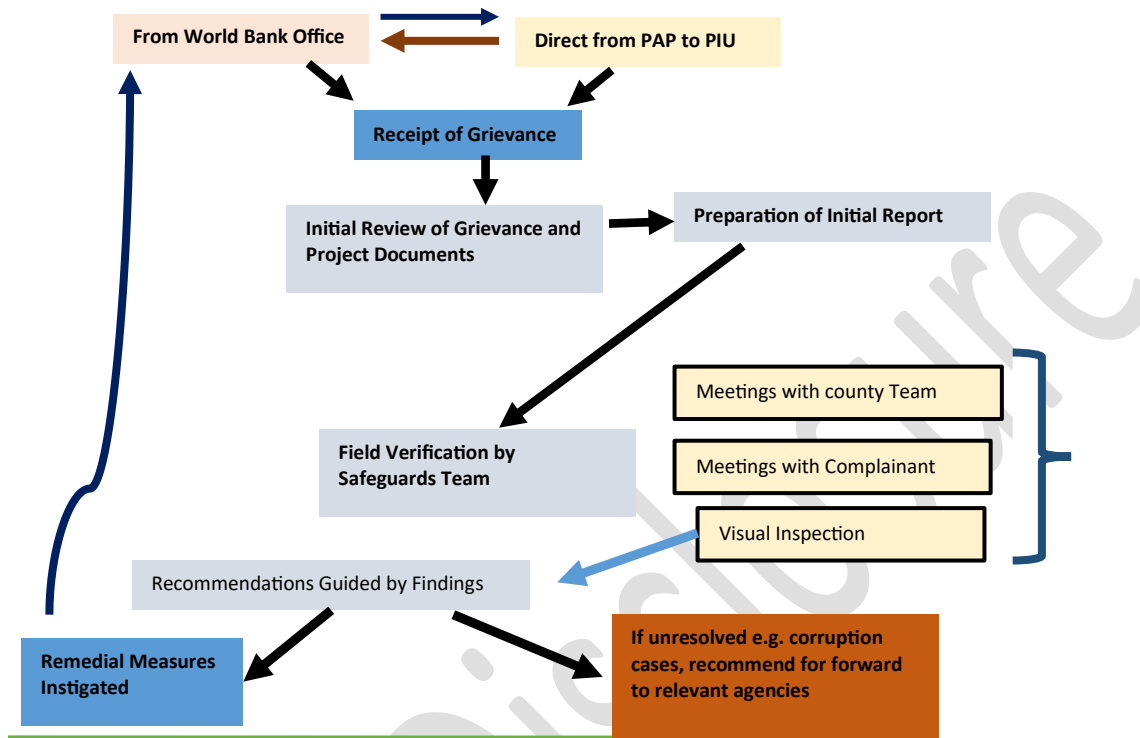
4.3. Table 1: Response/Action time for Grievances under BSHCDSS Project

Category	Issue	Action required	Time frame
Environmental issues	Storm water		7 days
	Dust		7 days
	Pollution		2 days
	Encroachment on natural resources		7 days
	Waste disposal		7 days
Social issues	Disruption of other existing public services e.g. health care, religious or sports , water source	Notify stakeholders before disruption	3 days
	Historical and cultural sites	Document sites of historical significance during design studies and prepare a chance finds procedure	15 days
	SEA/GBV/SH	Ensure survivor received services (Clinical Management of rape, Psychosocial support and legal services)	24 hrs
	Child Labour	Labour management Plan to be prepared, disseminated and implemented by contractor and other service	48 hrs

		providers with clauses on child labour	
	Family breakages	Workers ethical code of conduct including tool box kits	15 days
Occupational Health & safety	Protective gear	Risk assessment before issuance of PPE	10 days
	HIV services	Awareness creation amongst workers, community and students about HIV/AIDs and its dangers	Before and during project implementation (continuous)
	Community health and safety issues		2 days
	Delays at work zones		15 days
	Late payments	Workers need to be notified about any delays prior to Pay dates	1 week days
Skills training programme	Selection of trainees issues Welfare of trainees	Prior awareness on eligibility criteria for the trainings and what the project can provide.	3 days
Security	Access to sites Risk assessments Evacuations Strike or demonstrations	Risk assessments Notify security officer immediately	24 hours

**Figure 3: Grievance redress process**

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## 5. Categories of grievance anticipated

Complaints regarding any aspect (s) of programme implementation may be raised by staff, partners, consultants, contractors/vendors, members of the community or members of the general public where the programme is operating.

A number of grievances are expected during the implementation of the Skills for Human Capital Development Project. These grievances have been categorized in the table below but the list can be updated from time to time.

### 5.1. Table 2: Categories of Grievances

Category	Issues	Remarks
Environmental violations	compliance -Violation of environmental standards laid out in the	Can be resolved by contractor/Resident

	regulations and laws, ESMPs, and ESMF	Engineer or PIU Environment Specialist
GBV/SEA/SH	<ul style="list-style-type: none"> <li>-Gender based violence committed by project personnel or any worker on the Project, or GBV committed in relation to the Project</li> <li>- Sexual Exploitation and Abuse committed by Project staff or any worker of an IP associated to the Project</li> <li>-SEA/GBV cases amongst trainees</li> </ul>	<p>These are criminal offences to be handled by police</p> <ul style="list-style-type: none"> <li>-report to PIU and the World Bank within 24 hours</li> </ul>
Occupational Health and Safety (OHS)	Violation of occupational health and safety measures and standards laid out in the ESMF, ESMPs and national laws	-To be addressed by contractor/resident engineer or PIU
Labour and working conditions	<ul style="list-style-type: none"> <li>-Termination/summary dismissal,</li> <li>- Breach of terms of employment contract</li> <li>- Conflicts with Trade Unions</li> <li>- Work related Injury</li> <li>- Discrimination</li> </ul>	<p>-To be addressed by contractor/resident engineer or PIU under the Labour laws</p> <ul style="list-style-type: none"> <li>-in case of injury incident report be prepared and Contractor to conduct a root cause analysis and prepare a report</li> </ul>
Corruption and Economic Crime	Unethical conduct while implementing the project.	-Flagged to responsible PIU and responsible Department for further investigations
Violation of human rights and fundamental freedoms	<ul style="list-style-type: none"> <li>-Gender equality issues,</li> <li>-freedom from discrimination - Economic and Social Rights</li> </ul>	Can be managed by PIU

	(health, sanitation, freedom from hunger, adequate and quality food, clean safe and adequate water, social security, education, emergency medical treatment) --discrimination against the vulnerable and marginalized groups	
Ethics and conduct	-Government entities and staff - selecting project beneficiaries and project sites	PIU to manage
Social exclusion	-PWDs and elderly -Refugees -Religious background -Gender	PIU State administration School/institution head
Child abuse	-Child Labour -Child Sexual Exploitation -Child Trafficking -	-Incident report to be filled and escalated
Security related risks	-Break Ins -Attacks by armed groups -Lack of Access of Sites	-Police -Resident Engineer - Head of Security

## 6. Guiding Principles of BSHCDSS GRM

The principles of the BSHCDSS GRM revolve around: enabling complaints to be received; enhancing rapid resolution of complaints/grievances and ensuring accountability and learning from the mechanism. These principles guided the development of this manual and will be upheld in its use and implementation. They are highlighted below:

1. **Fairness:** Grievances are assessed impartially, and handled transparently.
2. **Objectiveness and independence:** The GRM operates independently of all interested parties in order to guarantee fair, objective, and impartial treatment in each case.



3. **Simplicity and accessibility:** Procedures to file grievances and seek action are simple enough that complainants can easily understand them. The GRM shall be made accessible to all stakeholders, irrespective of the remoteness of the area they live in, and their level of education or income.
4. **Responsiveness and efficiency:** The GRM is designed to be responsive to the needs of all complainants. Accordingly, staff handling grievances are trained to take effective action, and respond quickly to grievances and suggestions.
5. **Speed and proportionality:** All grievances, simple or complex, are addressed and resolved as quickly as possible. The action taken is swift, decisive, and constructive.
6. **Participation and social inclusion:** A wide range of PAPs, including community members, members of vulnerable groups, project implementers, civil society organizations, and the media, are encouraged to bring grievances and comments to the attention of the Project staff. Special attention is given to ensure that marginalized or vulnerable groups, including those with special needs, are able to access the GRM.
7. **Predictability:** GRM should be time-bound at each stage, and have specified time frames for the responses and should offer a clear consistency of the system, processes, procedure with the time frame for each stage and clarity on the types of result it can deliver.
8. **Feedback:** It should serve as a means to channel feedback to the citizens, to improve project outcomes for the people.
9. **Confidentiality:** The project GRM will follow the principles of confidentiality to protect complainants' identity; and accept anonymous grievances from complainants who may not want to be identified.

### 6.1. GBV guiding principles

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- Safety. At all times, safety of a survivor must be considered. Safety also means ensuring that hard to reach areas populations have safe access to services, integrating GBV activities into other services and locations and using simple activities as a discreet entry point for GBV specific activities.
- Confidentiality. Survivors have the right to choose who they tell their story and any information about them should only be shared with their informed consent.

- Non-discrimination. Survivors should receive equal and fair treatment regardless of their sex, age, race, sexual orientation, marital status etc
- Respect for survivor's wishes, needs, choices, rights and dignity

## 6.2. PSEA guiding principles

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- Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment
- Sexual activity with children (under 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of the child is not a defense.
- Exchange of money, employment, goods or services for sex including sexual favours or other forms of humiliating, degrading or exploitative behavior is prohibited. This includes exchange of assistance that is due to beneficiaries.
- Sexual relationships between humanitarian workers and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work.
- Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker whether in the same agency or not, he/she must report such concerns via established agency reporting mechanisms.
- Humanitarian workers are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct
- Designed in a culturally appropriate way and is able to respond to all the needs and concerns of project-affected persons;

## 7. Implementation of the Grievance Mechanism

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For a grievance mechanism to be effective, all project stakeholders need to understand and support its purpose. Stakeholders, including affected communities, must be aware of and clearly understand the grievance mechanism's benefits to them. Hence, this GRM implementation manual will be given a wide publicity among stakeholder groups such as project beneficiaries, Grievance Mechanism committee (GRCs), contractors, affected parties, government agencies, and civil society organizations.

### 7.1. Communication and awareness creation about GRM

An effective awareness campaign will be launched on each sub-project site to publicize the GRM adopted by BSHCDSS during commencement. However, measures will also be taken to encourage stakeholders not to submit false claims. Hence, criteria for eligibility will be communicated and also awareness campaigns will be launched to give publicity to the roles and functions of the GRM.

Awareness will include the following categories of stakeholders and project implementers.

**Staff:**

1. Every new staff involved in the implementation of BSHCDSS project shall undergo an orientation or induction process. During orientation, the new staff will be sensitized on the GRM.
2. Changes in GRM that relate to staff will be disseminated through circulars, meetings, workshops etc. as deemed fit.
3. Project team levels, staff members may also be trained on GRM, with special emphasis on the specific roles of staff of the PIU.

### 7.2. Project based GMCs

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1. Project GMCs will be sensitised on the scope of the project including project components and beneficiaries, etc.
2. Types of GRMs available; purposes for which the different GRMs can be accessed, e.g., refurbishment -related grievances and those during skills development
3. Eligible grievances
4. How complaints can be reported to those GRMs and to whom, e.g., phone, postal and email addresses, and websites of the GRM as well as information that should be included in a complaint;
5. Members of GMC shall be identified on the ground locally for each Payam.
6. Procedures and time frames for initiating and concluding the grievance redress process; boundaries and limits of GRM in handling grievances; and roles of different agencies
7. Needed documents and evidence to support of the complaint
8. Boundaries and limits of GMCs in handling grievances.

### **7.3. Composition of the Grievance Management Committee:**

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This committee members shall be formed on the ground jointly with the local authorities because they understand their power dynamics better. However, MoGE&I PIU proposes the following to be considered. Once the committees are formed, the GRM will be updated.

- Chief
- Women leader
- Youth leader
- Refugee and or IDP
- Payam Education Supervisor
- Religious leaders

### **7.4. Institutional arrangements**

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The PIU has the main responsibility for the implementation of the GRM. The safeguards team of the PIUs and the Project Coordinator shall be responsible for management of grievances related to implementation of the project. The GRM will be implemented and monitored by the Social Safeguards Specialist (SSS). The SSS will receive and process grievances directed to the PIU, manage appeals mechanisms, monitor the implementation of the GRM through receipt and registration of all GRM reports incoming from IPs, as well as compile all relevant GRM data and include reports on the GRM in the regular reports to the WB.

## **8. Monitoring and Reporting**

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BSHCDSS has identified indicators that cover process, output, outcome and impact levels for monitoring and performance of the GRM.

### **8.1. Indicators for performance monitoring of GRM**

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This GRM will be frequently monitored to assess its performance and hence determine its effectiveness in resolving the arising grievances using the following parameters. The monitoring parameters will include the following indicators:-

- i. Total number and type of grievances received
- ii. Channels through which grievances were received

- iii. Number and % of complaints that have been resolved / unresolved
- iv. Number and % of complaints that have gone to mediation
- v. Resolution timelines for the resolved grievances
- vi. Status of unresolved grievances
- vii. Customer feedback on GRM
- viii. Percentage of complainants satisfied with response and grievance redress process
- ix. Percentage of project beneficiaries that have access to the GRM.
- x. Number of grievances escalated
- xi. Number of GMCs formed and trained
- xii. Number of GMC monitoring visits conducted
- xiii. Number of trainings and awareness conducted

Individual project sites will include these indicators in their monthly and quarterly reporting as part of the requirements.

All grievance and complaints received will be entered into a publicly accessible online system that will allow complaints to be tracked and monitored with minimum details and the designated GRM focal point person will review the data on a weekly basis to evaluate the functionality of the system, as well as to note the following:

- Failures to follow GRM procedures
- Delays in complaint resolution, particularly those that can affect project construction
- Most frequent types of grievances and complaints
- Location(s) producing the most grievances and complaints

This information will be helpful to improve the GRM itself, as well as minimize negative effects on project development and optimize maintenance of positive relationships between the Project and neighboring communities.

The Environmental and Social safeguards Specialist shall monitor as follows: Providing the Grievance Redress Reports detailing the reference number and status of complaints; Monthly reports, including analysis of the type of complaints, levels of complaints, actions to reduce complaints and initiator of such action and address any emerging issues.

Contractors will be trained on the GRM and will be expected to follow its requirements as

part of the oversight of their subprojects. The Contractor's representative (Safeguards staff or subcontractor) will attend community sessions on GRM and safeguards awareness or training carried out by ESSs.

## 8.2. Reporting

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One of the most important tasks of the Project Implementation Unit is the preparation of Quarterly and Annual Reports covering GRM performance in the project. The Annual Report is of particular importance: the document both clarifies the number of complaints and provides performance flaws and weaknesses in indicators and therefore is an important tool in BSHCDSS strategic decision making, needs identification, and planning processes. T

The reports will include summary information on:

- Grievances and complaints that have the potential to affect the project construction schedule
- The number of grievances, complaints and concerns received in the period of reporting.
- The status of all open grievances
- Explanation of grievances that have not been resolved or closed within the stipulated period, including reasons for proposed resolutions that have not been acceptable to the complaint (s)
- Any major lesson learnt and comments received from Project personnel, government, or community members on the grievance resolution process

The Officer designated at the PIU to handle GRM will consolidate reports from various projects and that from BSHCDSS headquarters and submit the consolidated report to the Project coordinator.

The Project Coordinator will use the consolidated report to identify systematic, recurring and single incident problems and trends, and to help eliminate the underlying root causes of complaints. In particular, their receipt and discussion of the consolidated report will help

- Ensure GRM’s continuing suitability, adequacy, effectiveness and efficiency as well as potential changes required
- Identify and address instances of non-conformity with health, safety, environmental, gender, client, regulatory and other legal requirements
- Identify and correct process and service deficiencies
- Assess opportunities for improvement and the need for changes to the GRM and services offered
- Use the key lessons learned from the grievance process for improving the GRM

Lastly, BSHCDSS GRM report will be published, as deemed appropriate, in order to provide the public an opportunity to access them and appreciate the extent to which BSHCDSS takes grievances and their resolutions very seriously.

### 9. Table 3: GRM Implementation Budget

The project has set aside funds to ensure that the planned stakeholder engagement activities are implemented and monitored effectively. The summary budget is presented *below*;

Stakeholder Engagement Activities	# Qty (Yrs)	Unit Cost, USD	Total cost (USD)
GRM, MIS case management process, database (Including running of hotline, record keeping, etc.)	5	20000	100000
Travel expenses of staff on stakeholder engagement missions	5	20000	100000
Activities related to the Inclusion Plan including social accountability committees	5	15000	75000
Communication materials (leaflets, posters)	bulk	150000	150000
Project press conferences or FM radio broadcasts (twice per year)	10	20000	200000
Training (social issues, outreach, GRM, etc.) for PIU, State, county, payam, Boma and community levels	5	15000	75000

Project hotline to receive complaints and grievances related to the project (TA and Airtime)	bulk	100,000	100000
Implementation of GBV/SEA/SH Action Plan Activities	bulk	135000	135000
<b>Subtotal</b>			935000
Contingency (10%)			93500
<b>Total</b>			<b>1028500</b>

**10. Table 4: GRM Action Plan**

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S/N	Activity	Time-frame	Level	Responsible persons
1.	Training materials development and writing	November	National MoGEI /PIU	Safeguards Team ( specialists and seconded staff)
2.	Orientations	February	MoGEI and SMOGEI and counties Payam ,Boma and DSF staff	Safeguards Team ( specialists and seconded staff)
3	Development and printing of communication materials	December-February	National MoGEI / PIU	Safeguards Team (specialists and seconded staff)
4.	Training of Trainers	February	State	Safeguards Team ( specialists and seconded staff)
5.	Trainings and information dissemination	February	State/ County/payam/boma	Safeguards Team
6	Follow up on COC compliance	Bi annually	Boma	Safeguards and Payam supervisors
7	Monitoring and evaluation of complaints and grievance handing processes	Bi -annually	County/Payam/Boma	Safeguards/ Payam supervisors

## ANNEX 1: RESPONSE SUPPORT PROTOCOL FOR GBV/SEA/SH

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GENDER BASED VIOLENCE (GBV) AND SEXUAL EXPLOITATION,  
ABUSE (SEA) AND SEXUAL HARASSMENT (SH)

Pathways to Service Provision for Survivors of GBV and SEA

### 1. Introduction

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The pervasive nature of GBV in South Sudan is highly complex with many intersecting factors such as governance, the rule of law, subnational violence, and societal norms that can result in GBV. This GBV Action Plan details the operational measures that will be put in place to assess and mitigate the risks of gender-based violence, including sexual exploitation and abuse (SEA) and sexual harassment that are project related and how they will be integrated over the life of the project. This includes procedures for preventing and responding to SEA/SH including grievances management.

## **2. South Sudan Contextual GBV Risks**

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According to the latest GBV prevalence survey (UNFPA 2023), intimate partner violence for married women (aged 15 to 49) is on the rise (49.6%, physical and/or sexual) and substantial proportions of women (aged 15-64) in South Sudan experience GBV either in form of physical (34.0%) or sexual (13.5%) violence in their lifetime.

Gender-Based Violence (GBV) is a dangerous and life-threatening phenomenon, yet remains one of the most silenced violations of human rights in the world. The United Nations Common Country Analysis highlights the intrinsic link between the protracted conflict and fragility in South Sudan and the high incidence of gender-based violence. Increased militarization, displacement, breakdowns in state, community and family social services and protections exacerbates the incidence in and harmful effects of GBV. Moreover, poverty heightens the likelihood of women and girls being forced to engage in negative coping strategies, like survival sex or child and forced marriage, to meet basic needs.

Displaced women, especially widows and female-headed households, are particularly vulnerable to GBV. Communities in South Sudan consistently cite GBV as the greatest protection concern for women and girls. However, GBV remains underreported due to fears of stigmatization, reprisal, and lack of or cumbersome access to services.

Studies indicate that some 65 percent of women and girls in South Sudan have experienced physical and/or sexual violence in their lifetime, and some 51 percent have suffered Intimate Partner Violence (IPV). Some 33 percent of women have experienced sexual violence from a non-partner, primarily during attacks or raids. Most girls and women experience sexual violence for the first time under the age of 18. Moreover, the risk of child marriage persists due to the

economic situation and harmful societal norms that give rise to GBV. IPV remains the most common form of GBV in South Sudan, which means women and girls are most at risk in their own homes from their husbands and other family members.

The prevalence of GBV is underpinned by a patriarchal social system reinforced by other harmful gender norms. The conflict, deteriorating food security situation, and restrictions imposed by COVID-19 has affected men's inability to provide for and protect their families. For those unable to live up to the idealized norms of masculinity, acts of violence and crime are often used to express their authority and control. In particular, there is a need to engage young men and boys as part of the solution to preventing and responding to GBV given that it is this demographic that are the primary instigators of conflict and violence.

It's therefore essential for the BSHCDSS project to take into consideration the high labor influx, the high levels of poverty, polygamy, harmful cultural practices and norms, violence against women and girls in the context of refugee hosting states interacting to exacerbate the risk of GBV/SEA. If not well managed, these factors can lead to further marginalization and abuse of women, girls and children who are already vulnerable.

### **3. Existing Risk Management Policies and Strategies**

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The government of South Sudan under the leadership of Ministry of Gender, Child and Social Welfare have made notable progress in addressing gender based violence (GBV) including the establishment of a gender based violence court, a family protection centre also known as One Stop Centre (OSC), and two safe homes, as well as a helpline and 16 Special Protection Units within the police service. However, these institutions are still dependent on international funding, the protection of survivors is minimal, and full operationalization of the Units is challenged by mismanagement.

An Anti-Gender Based Violence Bill is still awaiting endorsement by the Council of Ministers, while a National Action Plan 2015-2025 on UN Security Council Resolution 1325 has been developed. Cases of GBV are rising, and those of domestic violence reportedly spiked following COVID-19 related lockdowns.

Ministry of Gender, Child and Social Welfare (MGCSW) with support from development partners developed several measures to ensure the protection of people and communities it works with, including mechanisms to limit, report and respond to potential cases of gender based violence. The implementation of SEA/SH activities of BSHCDSS project will be guided by these policies including those of the World Bank and the already established systems and procedures.

- a) The World Bank Environment and Social Safeguards Policy (ESSP) which prohibits all forms of child abuse, child labour, sexual abuse and harassment, and defilement among others as stipulated in section 3.3 of the ESSP
- b) The Project supports South Sudan's Revised National Development Strategy ((R-NDS) 2021- 2024). This strategy emphasizes increasing support for the social sectors for human Capital development and protection of the vulnerable population, mainstreaming gender considerations, and empowering women and youth as drivers of growth and nation-building, in addition to tapping into the country's agricultural potential.
- c) The National Gender Policy (2013-2018), with policy vision of a South Sudan that is just and free from all forms of discrimination and violence, a country in which women, men and children enjoy their human rights on the basis of equality and non-discrimination in all spheres of life
- d) The Strategic National Action Plan (SNAP) to End Child Marriage in South Sudan 2017-2030: "A South Sudan where girls fully enjoy their childhood free from the risk of child marriage and early childbearing by 2030 towards enduring prosperity and national transformation."
- e) The Standard Operating Procedures (SOP) for Gender-Based Violence Prevention, Protection and Response (GBV SOPs); was developed in 2017 to help stakeholders and government institutions in their attempt to prevent, protect and respond to GBV. This document therefore sets clear systems, roles and responsibilities for all institutions involved in the prevention, protection and response to GBV in South Sudan
- f) National Guideline for Establishing Safe Homes/Shelters for Gender-Based Violence survivors. In 2020, the Ministry of Gender, Child, and Social Welfare (MGCSW) in collaboration with the United Nations Population Fund (UNFPA) developed guidelines for the establishment and management of safe homes for GBV survivors.

These guidelines apply to all actors who intend to establish and manage safe homes and to guide inspectors and supervisors involved in ensuring high-quality, standardized service to GBV survivors.

- g) The Clinical Management Guideline of Rape (CMR 2018) with overall aim to create an enabling environment for and the provision of equitable access to standardized and quality Clinical Management of Rape services.
- h) Referral Pathways have been established in each state and administrative areas in collaboration with other agencies and service providers like Police, MGCSW, Ministry of Health (MoH) for effective management of GBV/SEA/SH and to facilitate access to services. BSHCDSS will sign an MOU with MGCSW/MoH in all project targeted states and will revise and adopt the referral pathways which has several entry points and referrals including the police, traditional/religious/community leaders, psychosocial service providers (CSOs, CBOs) Legal Aid clinics, Medical/Health facilities and the courts of law, which work to ensure that survivors freely and safely navigate and benefit from well- coordinated services. Additionally, BSHCDSS has a support protocol that provides a framework of cooperation in response to SEA/SH survivors' support, incident notification and referral forms. The pathways will be reviewed by the MGCSW in consultation with other service providers to update and reflect available services in the project areas for adoption by the Project.

#### **4. GBV SEA/SH Reporting Channels**

In adherence with the principle of confidentiality, GBV complaints once received will be registered in a file which will not be accessible to the general public but a particular case worker and case manager.

The project GRM will consist of SEA/SH reporting channels/entry points which include:

- Trained GMCs and Community Focal points whose role is to receive and refer cases appropriately to the PIU and other GBV service providers;
- At the PIU, there are GBV Specialists who are responsible for the management of all SEA/SH social risks. This will be the focal point/entry point for SEA/SH reporting.
- Trainings will be conducted to promote a survivor centered approach ensuring safe and confidential referrals and case follow up either from the community or from

project workers.

- In addition, BSHCDSS GBV Specialists will work closely and coordinate with service providers (Payams, Police, Health, Psychosocial Service Provider, and traditional/religious/community leaders, GBV Courts) to ensure survivors access timely services including the project GRM for accountability according to the needs and wishes of the survivor.

When handling GBV/SEA related grievances at any level the mechanism should in consultation with the beneficiary members constitute a number of channels through which they can report incidents. These channels should be accessible, safe and confidential. In the case of the focal person, that person should be trusted and chosen by the community. The focal person should seek the consent of the survivor before sharing any information about him/her. Once a report is received, the focal person should carry out the following;

- Assess and put into consideration the immediate needs of the survivor, potential risks of referring the survivor to certain services, social status of the survivor
- With informed consent from the survivor or their guardian in case a child, the survivor should be linked to the immediate services he/she needs and the case referred to the identified institutions as mandated by the government of the republic of South Sudan

#### 4.1. Referral pathways

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Referral Pathways shall be established in collaboration with other agencies and service providers like, UNFPA, UNICEF, Police, CSOs, and State Governments for effective management of SEA/SH and to facilitate access to services for survivors of GBV/SEA/SH.

The GBV referral pathway will be updated by the BSHCDSS project to facilitate access to a minimum package of services where available. **Annex 3** – Incident Notification **Form** and **Annex 4** – Monthly GBV/VAC Incident Log will be used to compile monthly GBV/SEA cases. This documentation will be updated before project implementation.

## 4.2. Survivor centred approach

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This Project assumes a strictly survivor-centered approach to GBV/SEA/SH cases. A survivor centered approach aims to create a supportive environment in which a survivor's rights are respected and in which s/he is treated with dignity and respect. The approach helps to promote a survivor's recovery and his/her ability to identify and express needs and wishes.

The GBV survivor has the freedom and right to report an incident to anyone: community member, project staff, GBV case manager, local authorities. All recipients of the report should – with the survivor's informed consent – report the case to one of the BSHCDSS formal grievance recipients.

Furthermore, a survivor can ask someone else to act as a survivor advocate and report on her/his behalf. Cases of GBV/SEA/SH can be reported through the general Project GRM any project staff, through the suggestion box, or through the GRM free toll number.

The PIU GBV Specialists for MoGEI will put in place a dedicated SMS, email address and phone number, through which cases can be reported directly to the PIU. The grievance recipient will be responsible for the recording and registration of the complaint and escalation for further redress. At the same time, however, the project can only respond to a GBV/SEA/SH complaint if it is directed into the designated GRM channels.

### 4.2.1. Confidentiality

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All grievance recipients and anyone handling the GBV/SEA/SH related grievances must maintain absolute confidentiality in regards to the case. Maintaining confidentiality means not disclosing any information at any time to any party without the informed consent of the person concerned.

### 4.2.2. Informed Consent

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The survivor can only give approval to the processing of a case when he or she has been fully informed about all relevant facts of the case and available services. The survivor must fully understand the consequences of actions when providing informed consent for a case to be



taken up Asking for Consent means asking the permission of the survivor to share information about him/her with others (for instance, with referral services a), and/or to undertake any action (for instance investigation of the case). Under no circumstances should the survivor be pressured to consent to any conversation, assessment, investigation or other intervention with which she does not feel comfortable. A survivor can also at any time decide to stop consent. Where possible, the consent form can be used (in cases of direct person-to-person reporting). By signing this form survivor can formally agree (or disagree) with the further processing of the case. The form will clearly state how information will be used, stored and disseminated. If a survivor does not consent to sharing information, then only non-identifying information can be released or reported on. In the case of children, informed consent is normally requested from a parent or legal guardian and the children. **See Annex 7: Consent Form.**

#### 4.3. Third party reports

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In case of any reports of third parties on GBV/SEA/SH – related grievances to the BSHCDSS GRM, the grievance recipient will register the case. The case will then be passed to the GRM focal point, who will make contact with the survivor, or an advocate that was appointed by the survivor, and will a) request for informed consent from the survivor to follow-up on the case; and b) offer any available referral services. In case the survivor does not provide consent for the case to proceed, the PIU has to close the case.

#### 4.4. Incident Reporting

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Severe incidents (an incident that caused significant adverse effect on the environment, the affected communities, the public or workers, e.g. fatality, GBV, forced or child labor) will be reported by the IP - within 24 - to the PIU and the World Bank (**see annex 6 for incident form**) .All staff involved and IPs will be trained in the detection of ‘incidents’ and in how to report an incident, including severe incidents.

#### 4.5. Code of Conduct

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It is mandatory for all contractors to ensure all workers sign a Code of Conduct (CoC) that specifies appropriate behavioral conduct, responsibility and penalties for non-compliance with SEA/SH, among other social misconducts. The PIU shall support contractors to develop CoCs with clauses on SEA/SH compliance and ensures that they enforce the codes. The CoC prohibits sexual relations with minors, subordinates, vulnerable groups, and protects them against various forms of sexual harassment in the workplace. Communities will also be made aware of the CoC provisions for workers during civil works.

#### 5. Reporting GBV/SEA/SH Procedure

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Besides management of the mandated institutional response mechanism as outlined in the referral pathways, MoGEI have the responsibility for reporting to the World Bank as part of the reporting requirements. The GBV Specialist for GBV/SEA/SH will spearhead the coordinated responses and collection of information for immediate reporting within the mandatory 12 hours reporting timelines from time of known incident. In addition, the GBV Specialist will upon receipt of information on GBV/SEA/SH immediately refer the case to appropriate duty bearers as outlined in the support protocol/referral pathway.

The following procedure will be undertaken using an established standardized report form in line with a survivor centered approach according to their wishes and needs:

- Getting the details of the survivor of GBV/SEA/SH
- Documenting the details of the case
- Refer survivor to appropriate service providers for GBV/SEA related services
- Support Survivor through the updated referral pathway to ensure access to services
- Coordinate with service providers/duty bearers to ensure GBV Cases are appropriately handled and survivors access appropriate services

## 6. Objectives of the Protocol

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The specific objectives of the GBV/SEA survivor support protocol include:

- Raise awareness among all key stakeholders about GBV/SEA and services available for survivors and the referral pathways available to connect survivors to multiple services
- Ensure that survivors of GBV/SEA receive prompt and coordinated response from service providers.
- Ensure that holistic and comprehensive support services are being provided for survivors of GBV/SEA. This will include **free medical care**, counselling and psycho-social support, protective care services, and legal services including legal advice and representation, mediation and litigation
- Ensure that existing policies and agreed procedures are followed with maximum opportunity for the provision of support services to survivors and for prosecution of perpetrators
- Ensure that standards of professional practice are prescribed and followed with regards to confidentiality, information sharing and recording of sensitive information
- Develop a framework for monitoring and evaluation of services offered to survivors of GBV/SEA based on agreed priority areas of interventions.

## 7. Professional Standards and Ethics for Working with Women and Children

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- All actors and professionals working on GBV/SEA will be expected to exhibit high standards of integrity and exhibit high professionalism and working in the best interest of the survivors.
- Every actor must work to ensure that survivors are always protected from further abuse especially children and women.
- High level of maximum confidentiality about a survivor's situation must be upheld at all times (for example not indicating the name of the survivor in a public document).
- Seeking consent of the survivor or their parents/guardians of child survivor as appropriate at all times and before taking any further step such as referral to the next level

## 8. Roles and Responsibilities of Key Stakeholders

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Given the sensitive nature of GBV complaints, the GRM provides different ways to submit grievances that are sexual in nature for instance through reporting to a focal person, a trusted community leader, a case worker or a CSO. All grievance uptake channels can be used to report on GBV/SEA/SH-related grievances. No grievance mechanism shall reject such grievances, and all personnel directly receiving grievances will be trained in the handling and processing of GBV/SEA/SH related grievances. Upon receipt and registration GBV/SEA/SH grievances, the safety of the survivor must immediately be taken into consideration, his/her consent sought before the grievance can be escalated to identified referral pathways for further management but an incident report shall be prepared immediately(24hours) and reported to the Gender Based Violence Specialist in the PIU and World Bank. Copy of the incident report (**Annex 3**).

MOGEI has developed this strong SEA/SH reporting protocol that provides for timely and safe reporting of SEA/SH incidences. The protocol, guided by a survivor centric approach shall outline professional standards and work ethics for the protection of women and children, including confidentiality, consent, safety and also outlines the roles and responsibilities of the key actors .Any dedicated Grievance Redress Mechanism (GRM) entry point/person who receives information on alleged incidence of SEA/SH must report to the PIU /Consultant within 12 hours of the receipt.

The following key mandates, roles and responsibilities played by different stakeholders provide a strong basis for a framework of cooperation and opportunities for building comprehensive response to GBV/SEA survivors' support.

### 8.1. MoGE&I

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In collaboration with the World Bank, developed and approved an Environment and Social Management Framework (ESMF) which clearly sets out commitments to, and requirements for, sound environmental and social management including response to GBV/SEA while undertaking their functions. The ESMF takes into account South Sudan's legal and regulatory framework, and conditions of financing agreements with development partners. The specific Roles and Responsibilities of the two ministries in addressing GBV/SEA include the following

## **Management and Staff**

- Ensure social risks associated with the project including GBV/SEA are effectively analyzed
- Work out sound mitigation measures for GBV/SEA specifically
- Have in place a detailed work plan with clear activities for support to GBV/SEA survivors
- Carry out sound stakeholder analysis and put in place partnerships and coordination mechanisms for effective GBV/SEA responses
- Ensure prevention and response strategies to GBV/SEA supported by the project are implemented
- Ensure timely detection, reporting and escalation of GBV/SEA cases to relevant channels in accordance with E&S reporting protocols.
- Ensure a coordinated approach to planning, implementation and monitoring of GBV/SEA interventions with national and project level stakeholders

### **8.2. Supervising Consultant / Resident Engineer**

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- Supervising the contractor and nominated service providers to ensure effective implementation of GBV/SEA plans (prevention and response including support activities for survivors)
- Report promptly any cases of GBV/SEA to relevant channels
- Implement GBV/SEA plans as reflected in the Social Management Plan
- Report promptly any cases of GBV/SEA detected to relevant channels as per established reporting protocol
- Ensure workers are sensitized on GBV/SEA and sign code of conduct
- Ensure ongoing monitoring and early detection of GBV/SEA amongst workers and communities

### **8.3. Service Providers for Managing GBV/SEA**

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- Draw up regular plans for addressing GBV/SEA in line with contractual obligations and National Protocols
- Schedule and conduct awareness raising activities on GBV/SEA with identified target groups including communities, workers and other key stakeholders

- Report promptly any cases of abuse detected and implement GBV/SEA response activities in support of survivors specifically
  - Conduct outreach programmes and provide counseling and psycho-social support to GBV/SEA survivors and their families including support to family reconciliation through trained actors
  - Assist survivors to access health care services including emergency medical attention
  - Assist survivors to access Legal Aid services
  - Support linkages for livelihood support, education and vocational skills for GBV survivors
  - Ongoing liaison and coordination with key stakeholders in implementation of GBV/SEA activities
  - Support systems development for effective referral for GBV/SEA survivors in a concerted effort with other actors
  - Provide referral assistance to identified survivors
  - Facilitate technical Capacity building activities with targeted groups including community structures.
  - Provide assistance for transportation support for survivors to attend court sessions, police stations to make statements or follow ups, hospitals for medical and other purposes.
  - Provide psycho – social support to families and survivors of GBV/SEA
  - Facilitate regular coordination meetings with stakeholders to review progress, share learning and next actions
  - Conduct regular monitoring and evaluation of GBV/SEA activities

#### **8.4. Ministry of Gender, Child and Social Welfare (MGCSW)**

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The role of the Ministry as defined in this protocol will include the following: -

- Technical guidance on matters of institutional, policy and legislation framework
- Advocacy for law reform and policy development in relation to women and children at National Level.

- Coordination with MoGE&I in implementation of GBV/SEA activities
- Monitoring Child Protection and Gender-based violence activities at National
- Monitoring courts of law to check on the progress in as far as administering justice regarding GBV and VAC cases.

## 8.5. Police

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The Ministry of Interior working through South Sudan Police Service (SSPS) exists to ensure law, order and security of people and property of all citizens. Within the Police there is a Gender Unit and a Special Protection Unit (SPU) to support with response to GBV cases.

### **The Police has the following responsibilities;**

- Investigate of all forms of abuse (sexual abuse and violence, physical abuse, exploitation, including commercial exploitation, including child trafficking).
- Enhance effective partnerships and work in close collaboration with all actors in an effort to combat all forms of GBV.
- Advise survivors and families/care givers on the process of investigation and prosecution.
- Present evidence to court for prosecution of alleged perpetrators of abuse.
- Make referrals for medical assessment and treatment when the Police is the first point of contact and there is no medical report.
- Work closely with other partners to make referrals for, or direct provision of, shelter, psychosocial care and legal advice.
- Work with other stakeholders from time to time to facilitate awareness raising and outreach activities to communities, groups and institutions on GBV/SEA along the project areas, especially related to the legal ramifications of these acts.
- Provide witness support in collaboration with other partners and agencies such as testifying in court of law.

## 8.6. The Judiciary

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The judiciary is the arm of government that interprets and applies the law in the name of the state. Within the project areas, the High Courts are key for delivery of justice to GBV/SEA survivors.

The following roles and responsibilities are expected of the Judiciary:

- Ensure that perpetrators of GBV/SEA enjoy their constitutional right to access a lawyer who would defend them in the court of law.
- Establish and ensure an efficient implementation of a system that guarantees GBV/SEA perpetrators' rights to a speedy and fair trial.
- Survivors and witnesses wishing to testify at the court are adequately protected.
- Ensure interpreters for survivors, witnesses and perpetrators particularly those who find difficulty in understanding the language spoken at the court.
- Allow for testimony by survivors and witnesses of GBV/SEA cases to be done in camera /closed courts.

## 8.7. CSOs (NGOs and FBOs) and Implementing partners

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A number of CSOs have been mapped within the project areas and they are expected to provide support to GBV/SEA survivors. These include implementing partners managing GBV One Stop Centers (OSC). As part of the protocol, the partners will provide support along the following:

- Reporting – any CSOs/NGOs receiving a report of an alleged abuse from a survivor is obligated to inform the survivor of the option to report to other services providers following the documented referral pathways.
- CSOs/NGOs will provide medical, counselling and other forms of psychosocial support as per their funded mandate and areas of expertise taking into account the importance of confidentiality in handling such cases and always acting in the best interest of the survivors.



## 8.8. Reporting and Case Coordination Responsibilities

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- All key actors as specified in the appropriate sections, are encouraged to use the available reporting pathways when the survivor reports to the first point of contact.
- Disclosures of abuse should be documented by the agency to which the disclosure has been made. The written record should consist of an account of the alleged abuse, and any observations as to the survivor's physical and emotional state, as this may be required as evidence to assist a successful prosecution, should the survivor wish to pursue this route.
- All stakeholders will always prioritize the survivor's decisions with respect to cases they come forward to report, closely and continuously follow up investigations by the Police, coordinate provision of medical treatment and other remedial support for the survivor in a highly coordinated approach amongst themselves on a regular basis and provide weekly brief reports.
- GBV/SEA monthly coordination meetings will be held with the core team of players in the management of cases including: Police, case workers, CSOs/NGOs and PIU to review progress with investigations prioritizing the confidentiality of survivors, avoiding use of any identifiable characters and names during the meetings.
- GBV/SEA sub-national quarterly meetings will be held drawing participation from the key stakeholders.

**Annex 2: BSHCDSS Grievances Log Form**

BSHCDSS GRIEVANCE FORM			
<b>Reference Number</b> .....	Date Received .....		
	How was Grievance Submitted.....		
	Received by.....		
<b>A. Complainant Details</b>			
<b>Name/s of Complainant/s</b>  ( The complainant may choose to remain anonymous)	Name/s of complainants.....		
	.....		
	Gender		
	<input type="checkbox"/> Male		
	<input type="checkbox"/> Female...		
	Age of complainant ..... Years		
	I wish my identity not to be disclosed without my consent		
	<input type="checkbox"/> YES		
	<input type="checkbox"/> NO		
<b>Contact information of complainants</b>	Physical address	Telephone Number	Email
	.....		
	.....		
<b>Language of preference while responding to your grievance .....</b>			
<b>B. Details of Grievance</b>			

<b>Name of Person/GMC Responsible for Addressing Grievance</b> .....	Description of Grievance specifying what, where, when, how and by whom..... ..... .....		
<b>What do you think should be done to resolve the grievance</b>	..... ..... .....		
<b>A. Action Taken / Required</b>			
<b>Description of Action Taken</b> ..... .....			
<b>Person Responsible for Implementing Action</b> .....			<b>Date of Completion</b>
<b>Approved By</b>	<b>Date</b>		

From:	
Title / Organisation:	
To:	
Title / Organisation	
Date of submission:	
<b>Details of Incidence</b>	
<b>Incident No. (Month/No) e.g. safety , GBV/SEA Incident in the July</b>	<b>S07/01</b>
Nature Incident (e.g. Multiple Fatality t)	
Severity of incident	High/ Very High
Who is the victim? (Project worker or third party/trainee/ community member )	
Occupation of staff involved / suspected to be involved incident? (if known at this stage)	
Date Incident Happened	
Location of Incident	
Date / Time Incident Reported to Contractor / Consultant/head of institution /GMC	
Details of Person(s) Who Reported	
To Whom was incident Reported?	
Mode of Reporting (verbal/written report) – <i>if written attach report.</i>	

Details of the Incident (key facts pertaining to the incident and how it happened)	
Who else was informed about this incident?	
What Action (s) has been taken by contractor / Consultant/Institution to address the problem? And When?	
<b>Details of Actions By BSHCDSS</b>	
Name / position of <b>BSHCDSS</b> staff incident was reported	
Comments / Recommendations for PIU staff for which Incident was first reported	
2 <sup>nd</sup> Name/Position / Department for which incident was reported to in <b>BSHCDSS</b> .  Comments / Follow up Action Recommended.	

#### Annex 4: Root Cause Analysis (RCA)

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Please report within 15 days of the incident. If investigations are prolonged, please include in quarterly reporting.

Select the root cause(s) of the incident from the list below. If 'Other', please specify:

Root Cause	Yes	No
Improper Planning		
Poor Maintenance		
Poor Supervision		
Poor Quality of Equipment		
No rules, standards, or procedures		
Lack of knowledge or skills		
Improper motivation or attitude		
Failure to comply with rules		
Other		

#### **Identification of Type of Incident and Immediate Cause**

1. Select the type of the incident from the list below. An incident can be classified at the same time as H&S/environmental/social.
2. Type of Incident: (and incident can cover more than one type):

## Annex 5: Incident Type

Type of Incident – - Health & Safety		Type of Incident – Social	Type of Incident Environmental
Moving Machinery/vehicles at project site	Dust, Fumes, Vapors that impact the population and/or environment	Misuse of Government property	Chemical/Oil Spill with impact on population and/or environment
Powered hand tools	Noise	Damage to Cultural Heritage	Improper Disposal Waste
Hand Tools	Temperature or heat	Occurrence of infringement of labor rights	Disasters (Earthquake, Flood, etc.)
Animals or insects	Overexertion	Occurrence of infringement of human rights	Water Pollution/Sedimentation
Fire or Explosion at project site	Structural Failure	Strike, demonstration	Damage to ecosystems (e.g., damage to flora/fauna)
Trips & smaller falls	Chemical/biological	Other (please specify)	Odor air Emissions
Drowning	Stress	GBV/SEA	Dust, Fumes, Vapors, Air pollution with impact on population and/or

			environment
Borrow-pit Management	Other (please specify)		Other (please specify)

3. For each type of incident, select the relevant descriptor(s) from the list. You can select up to 5 descriptors for each type of incident. If a descriptor is not listed below, please type in short descriptor in "Other". Add more rows as necessary.

Incident Type	Descriptor 1	Descriptor 2	Descriptor 3	Descriptor 4	Descriptor 5	Other
H&S						
Social						
Environmental						

Provide a description of the immediate cause of the incident:

ii. Description of the Incident

Record all facts prior to and including the incident, if it was a planned activity, describe/list material, ecosystem and property damaged, etc:

Additional Questions:

- Is the incident still ongoing or is it contained?



## Annex 6. World Bank Incident Classification Guide

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### Indicative

- Relatively minor and small-scale localized incident that negatively impacts a small geographical areas or small number of people
- Does not result in significant or irreparable harm
- Failure to implement agreed E&S measures with limited immediate impacts

### Serious

- An incident that caused or may potentially cause significant harm to the environment, workers, communities, or natural or cultural resources
- Failure to implement E&S measures with significant impacts or repeated non-compliance with E&S policies incidents
- Failure to remedy Indicative non-compliance that may potentially cause significant impacts
- Is complex and/or costly to reverse
- May result in some level of lasting damage or injury
- Requires an urgent response
- Could pose a significant reputational risk for the Bank.

### Severe

- Any fatality
- Incidents that caused or may cause great harm to to the environment, workers, communities, or natural or cultural resources
- Failure to remedy serious non-compliance that may potentially cause significant impacts that cannot be reversed
- Failure to remedy Serious non-compliance that may potentially cause severe impacts Is complex and/or costly to reverse
- May result in high levels of lasting damage or injury
- Requires an urgent and immediate response
- Poses a significant reputational risk to the Bank.

## Annex 7: Consent Form

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I \_\_\_\_\_ give permission for information regarding the incident I have reported to be shared. I understand that I giving my authorization, specific information regarding the incident I reported will be shared with service provider (s) so that I can receive help with safety, health, psychosocial and or legal needs. I also understand that information shared will be treated with confidentiality and respect and shared only as needed to provide the support needed. At any one point, I have the right to change my mind about sharing information.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Public Disclosure

Public Disclosure