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STAKEHOLDER ENGAGEMENT PLAN

Highway 20 Rehabilitation Project BT-20 Cuu Long

19/04/2013

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Stakeholder Engagement Plan

Highway 20 Rehabilitation Project BT-20 Cuu Long

19/04/2013

Client

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Table of Contents

Introduction.....	5
Background	5
Objectives of the plan	5
Scope of the plan.....	6
Project Description	7
Overview of the Company	7
Project Description	7
Site Setting	8
Section 1	8
Section 2	8
Section 3	8
Consultation and Disclosure.....	8
Legislative and Policy Requirements.....	9
Best International Practice.....	9
General Stakeholder Communication Records Maintenance.....	10
Stakeholder Identification	11
Identification of Main Stakeholders.....	11
Overview	11
Table 2: Stakeholders and Other Key Affected Parties	12
Stakeholder Relations	13
Overview of Existing Stakeholder and Community Relations.....	13
Community Relations	13
Previous Stakeholder Engagement	13
Summary of the methods of Future Engagement Activities.....	13
Stakeholder Engagement Programme	14
Disclosure of Information.....	14
Future Activities.....	15
Table 3: Stakeholder Engagement Programme	15
Monitoring, reporting and feedback mechanisms	18
Grievance Mechanism.....	18
Figure 2: Flowchart for Processing Grievances.....	20
Public Grievance Form	21

Introduction

Background

The document is the Stakeholder Engagement Plan (SEP) developed for Part 1 of the “PROJECT FOR INVESTMENT, UPGRADE AND REHABILITATION OF HIGHWAY NO.20, CONNECTING DONG NAI PROVINCE TO LAM DONG PROVINCE (KM 0 – KM 268)” (the Project) to be implemented by BT-20 Cuu Long (BTC), the construction company undertaking the upgrade and rehabilitation of Highway No. 20 through Dong Nai and Lam Dong Provinces, Vietnam. The project will be constructed in two parts:

- Part 1 - from KM 0 to KM 123+105
- Part 2 - from KM 123+105 to KM 268

Part 1 of the Project will be financed by BTC (20 percent) and by Goldman Sachs (GS; 80 percent). Part 2 of the project will be completed under separate financing and is not part of this SEP. The finance package from GS will be insured by the Multilateral Investment Guarantee Agency (MIGA). MIGA policies require that projects developed with lending insured by MIGA must be performed in accordance with the International Finance Corporation (IFC) environmental and social performance standards.

Under the IFC, projects likely to generate potentially significant adverse environmental and social risks and impacts should be evaluated in a comprehensive full-scale ESIA.

The ESIA process generally consists of (i) initial screening of the project and scoping of the assessment process; (ii) examination of alternatives; (iii) stakeholder identification (focusing on those directly affected) and gathering of environmental and social baseline data; (iv) impact identification, prediction, and analysis; (v) generation of mitigation or management measures and actions; (vi) significance of impacts and evaluation of residual impacts; and (vii) documentation of the assessment process (i.e., ESIA report).

This Stakeholder Engagement Plan (SEP) is a part of the comprehensive ESIA Package prepared for the Project. As described in the IFC Performance Standard 1, the purpose of the SEP is to establish and maintain positive relationships with external stakeholders (i.e. individuals, communities, local government authorities, or other interested/ affected parties) over the life of the project.

The SEP will be reviewed and updated on a regular basis. If activities change or new activities relating to stakeholder engagement commence, the SEP will be brought up to date. The SEP will also be reviewed periodically during project implementation and updated as necessary.

The specific objectives of the SEP are detailed below.

Objectives of the plan

The overall objective of the Stakeholder Engagement Plan (SEP) is to define a stakeholder engagement, public information disclosure and consultation process that will be implemented as part of the Project by BTC. This SEP highlights the methods that will be used by BTC to communicate with people and stakeholder groups who may be affected by or interested in the Project operations and activities. The end goal of the SEP is to build a trusting relationship with the host community and other interested stakeholders based on a transparent and timely supply of information and open dialog. The SEP and the process defined herein describe the methods used to accomplish this goal. The SEP also includes a grievance mechanism for stakeholders and public to raise any concerns, provide feedback and comments about the company’s operations and how those complaints/comments will be handled.

Scope of the plan

This document includes the following:

- Chapter 2 – Project descriptions and key environmental and social issues;
- Chapter 3 – Public consultations and information disclosure requirements;
- Chapter 4 – Identification of stakeholders and other affected parties;
- Chapter 5 – Overview of previous stakeholder engagement activities carried out by BTC;
- Chapter 6 – Stakeholder engagement programme and methods of engagement and resources; and
- Chapter 7 – Grievance mechanism

Project Description

Overview of the Company

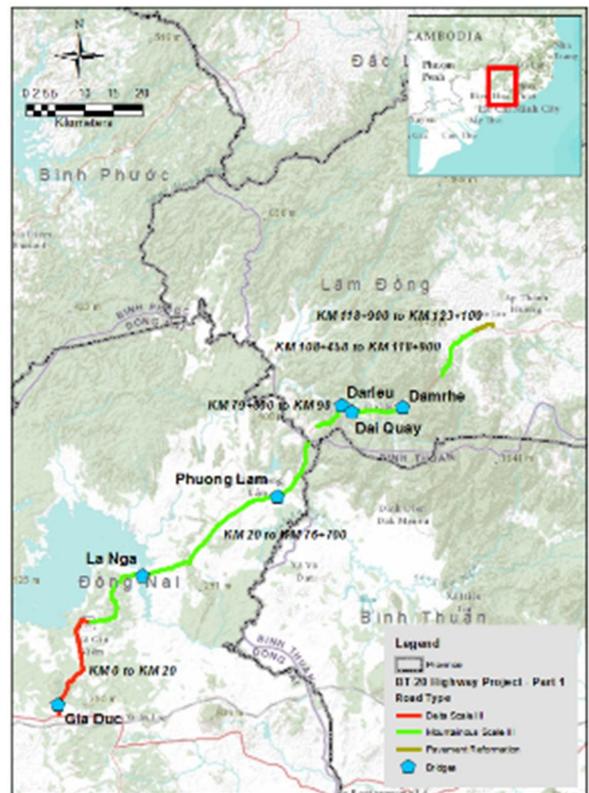
BTC is a Vietnamese company formed by a consortium of two Vietnamese companies for the specific purposes of constructing the Project. The Project's consortium includes Cuu Long Corporation for Investment, Development and Project Management of Infrastructure (Cuu Long CIPM), Western Mekong Co. Ltd, Petroleum Construction Joint Stock Co. No.1 and Building Materials Corp. No.1.

Project Description

The Project is shown in Figure 1. The goal of the Project is to will widen the existing Highway No. 20 by approximately 2 meters on both sides from the existing edge of pavement to create two lanes of traffic in both directions. The inside lanes are intended for cars and trucks and the outside lanes are intended for motorbikes and bicycles. Based on observations made on a section of road already under construction during site visits, the construction activities will require significant disturbance of all areas within 4-5 meters of the edge of existing pavement.

There are six existing bridges within Part 1 of Highway No. 20. Five of the bridges will be completely replaced with new bridges sized to accommodate the increased loading and to address safety issues. Work at these five bridges will require the construction of temporary bridges adjacent to the bridges that are to be replaced to accommodate traffic during construction. In addition, due to traffic safety considerations, the approaches to two of these bridges will require the acquisition of new land. These bridges are described as follows:

- Gia Duc at KM 1+880 – Bridge replacement and temporary bridge construction.
- Phuong Lam at KM 65+065 – Bridge replacement and temporary bridge construction.
- Darleu at KM 86+700 – Bridge replacement and temporary bridge construction.
- Dai Quay at KM 88+850 – Bridge replacement, temporary bridge construction, and approach realignment requiring land acquisition.
- Damrhe at 97+970 – Bridge replacement, temporary bridge construction, and approach realignment requiring land acquisition.



The sixth bridge, La Nga at KM 35+712, will be let in operation; however, a new bridge will be constructed immediately adjacent to the existing bridge to accommodate traffic. Since the existing bridge will be left in place at this location, a temporary bridge will not be required; however, construction of the new bridge adjacent to the existing bridge will result in approach realignment requiring land acquisition.

Materials for the road will come from 2 to 3 active stone mining quarries near Highway No. 20. After completion of construction roads leading to this quarry area will be repaired and widened approximately 1 meter on either side if damaged by construction activities.

Construction staging and storage areas for assembly, materials, and equipment storage will be located at 10-15 km intervals at unoccupied lands along the highway. BTC intends to acquire undeveloped and non-forested properties along the road for these purposes. These construction and storage areas are approximately 300 m² in area and will be cleared to bare earth and grasses.

There are no plans to house workers in a concentrated location; however, during construction, BTC plans to rent rooms or space in the homes of residents near the work site to house the 20-30 workers working on each road segment.

Waste materials from demolition, clearing and construction will be disposed of within existing municipal waste landfills in each of the districts at the direction of District officials. No new waste disposal areas will be required to support the small volume of waste generated from the project.

Site Setting

The Project is an existing asphalt two-lane roadway varying from approximately 6 to 8 meters in width. In general, the road is in varying states of disrepair ranging from cracked pavement to large potholes that force traffic to bypass. In places of the road where there is a shoulder, the shoulder is approximately 1-2 meters in width and is a mix of crumbling asphalt and dirt. The Project 20 runs through three general landscapes, which are described below as Section 1 (KM 0 to KM 71), Section 2 (KM 71 to Km 98) and Section 3 (KM 108.45 to KM 123.105).

Section 1

The road in this area runs through general flat terrain with a high population. The vast majority of the road goes through densely populated areas and is extremely crowded with motorbikes and various other types of vehicles. The majority of land use along this section of the road is a dense mix of residential towns and villages and commercial businesses in urban areas. Residences and businesses are approximately 5 meters from the edge of the road and shops, booths, and stores are approximately 2-3 meters from the road edge.

Section 2

This section of highway runs through hilly terrain with a considerably smaller population. The land use starts as predominantly low density residential and agricultural for the first 5.7 KM and transitions into a densely populated urban area before entering a mountainous area for approximately 7 KM, which is predominantly forest with occasional residences and produce stands. The last 9.5 KM in this section is mostly low density residential and agricultural. Residences and businesses are approximately 5 meters from the edge of the road. Outside of the urban area, the traffic is considerably lighter but is still dominated by motorbikes and more usage of bicycles.

Section 3

This section of highway runs through terrain similar to Section 2. The land use starts as predominately low density residential and agricultural and develops into a densely populated urban area, dominated by motorbikes with the same ratio of other motor vehicles and bicycles. The last segment of the highway is the most heavily populated (KM 118.9 to the end of Part 1) and will only be resurfaced.

Consultation and Disclosure

Public consultations and information disclosure undertaken by BTC will comply with the requirements of the legislation of Vietnam and the IFC environmental and social performance standards.

Vietnam's Law on Environmental Protection (Law No 52/2005/QH11), promulgated under Order No. 29/2005/L-CTN on December 12, 2005 is available at:

http://vea.gov.vn/en/laws/LegalDocument/Pages/LawNo52_2005_QH11onenvironmentalprotection.aspx

Articles 20 and 21 of the Vietnamese Environmental Protection Law define the stakeholder engagement process in Vietnam.

Information on the IFC's Environmental and Social Performance Standards can be found at: http://www1.ifc.org/wps/wcm/connect/b29a4600498009cfa7cf7336b93d75f/Updated_GN1-2012.pdf?MOD=AJPERES (English)

Legislative and Policy Requirements

Vietnam's Law on Environmental Protection (Law No 52/2005/QH11 (December 2005),

Vietnam law does not specifically require the preparation of an SEP; however, there are conditions and requirements in the Vietnamese EIA requirements that address stakeholder participation. These are described as follows:

- Article 20 – Requires EIA to include opinions of the commune/ward or township People's Committees (hereinafter collectively referred to as commune-level People's Committees) and representatives of population communities in the place where the project is located; opinions against the project location or against environmental protection solutions must be presented in the environmental impact assessment report.
- Article 21 – Requires that completed environmental impact assessment reports shall be appraised by appraisal councils or appraisal service organizations.
- Article 22 – Requires that agencies approving environmental impact assessment reports shall, before granting approval, have to consider complaints and recommendations made by project owners, concerned population communities, organizations and/or individuals.

The International Finance Corporation Environmental and Social Impact Assessment Procedures (January 2012)

Environmental and Social Impact Assessments (ESIAs) quantitatively predict and assess the project's potential adverse impacts and risks by evaluating environmental and social risks and impacts from associated facilities and other third party activities. The SEP is a critical component to the ESIA because it establishes and maintains constructive relationships with stakeholders over the life of the project. In particular, IFC Performance Standard 1 under the SEP focuses on engagement with Affected Communities (i.e. any people or communities located in the project's near geographical proximity). Furthermore, if a project, such as the reconstruction of Highway 20, adversely impacts Indigenous Peoples, then the client will be required to engage them in a process called Informed Consultation and Participation (ICP). The ICP process involves the Affected Communities' informed participation and in certain circumstances, the client is required to obtain their Free, Prior, and Informed Consent (FPIC).

In October 2011, a "Report of Environmental Impact Assessment" (EIA), was prepared by the Vietnam Atomic Energy Institute to address the appropriate Vietnamese legal and regulatory requirements and evaluate the environmental and social impacts of the proposed project. Several deficiencies were noted with respect to IFC Performance Standards, particularly in the area of public participation and consultation. These deficiencies are addressed by WSP in this SEP.

Best International Practice

The key principles of effective engagement for projects are summarised as follows:

- Providing meaningful information in a format and language that is readily understandable and tailored to the needs of the target stakeholder group(s);
- Providing information in advance of consultation activities and decision-making;

-
- Providing information in ways and locations that make it easy for stakeholders to access it and that are culturally appropriate;
 - Respect for local traditions, languages, timeframes, and decision-making processes;
 - Two-way dialogue that gives both sides the opportunity to exchange views and information, to listen, and to have their issues heard and addressed;
 - Inclusiveness in representation of views, including ages, women and men, vulnerable and/or minority groups;
 - Processes free of intimidation or coercion or incentivisation;
 - Clear mechanisms for responding to people's concerns, suggestions and grievances; and
 - Incorporating, where appropriate and feasible, feedback into project or program design, and reporting back to stakeholders.

These principles will be reviewed and accordingly adopted by BT-20 Cuu Long LLC dependent of the nature and size of future projects undertaken.

General Stakeholder Communication Records Maintenance

Communication records will be maintained by the Administration Department of BTC. Key information will be clearly communicated to stakeholders and also the key incoming communications (i.e. general questions, complaints, etc.) will also be maintained including a summary of actions to be taken. As part of this communications procedure, BTC will record and update these on-going stakeholder engagement activities on an on-going basis.

Stakeholder Identification

Identification of Main Stakeholders

Overview

This section of the document identifies the interested parties (i.e. stakeholders and others affected) at local and provincial levels. Stakeholders could also be individuals and organizations that may be directly or indirectly affected by the project either in a positive or negative way, who wish to express their views.

Stakeholders for the Project have been identified in accordance with Vietnamese Law and IFC standards. They have been grouped into the following categories:

- Government (authorities at District and Provincial levels).
- General communities.
- Specific communities:
 - Cultural groups (K'Ho community at KM 86)
 - Residents affected by land-takings

All the stakeholders identified are presented in Table 2 below.

If you are not on the list and would like to be kept informed about the project, please contact:

Recipient: Mr. Do Ngoc Dung - Director.

BTC Office

649/36 Dien Bien Phu street,

Ward 25th, Binh Thanh District,

Ho Chi Minh city

Tel: +8435121355

Table 2: Stakeholders and Other Key Affected Parties

Stakeholder Groups	Key Stakeholders	Summary of Specific Interests
<i>Government (provincial)</i>	Provincial People's Committees of Lam Dong and Dong Nai Provinces	
<i>Government (local)</i>	District People's Committees of Bao Loc and Da Huoai Districts in Lam Dong District People's Committees of Tan Phu, Dinh Quan, and Thong Nhat Districts in Dong Nai	
<i>Communities</i>	K'Ho community in Da Huoai District Elected representatives / community 'leaders' Local Residents Women Vulnerable groups (disabled, pensioners etc)	<i>Environmental quality, land acquisition and compensation,, construction traffic</i> <i>Jobs and other economic benefits</i> <i>Social/community investment opportunities/initiatives</i>

Stakeholder Relations

Overview of Existing Stakeholder and Community Relations

Community Relations

Currently there is not a stakeholder relations policy in place within BT-20 Cuu Long. However, a policy is to be developed as part of this project implementation

Previous Stakeholder Engagement

Considerable preparatory work has been done both in terms of studies such as the preparation of an EIA Report and the acquisition of land rights. Work has already started on parts of Highway No. 20 (not covered under this SEP) under BTC's own financing. As a result, BTC already has established stakeholder relations with representatives from provincial and district government as well as the public in the communities through which the Project passes. There are no consultation relationships with NGOs as there are none active in the local area.

As part of the existing EIA, specific stakeholder engagement activities included the following:

- Sending of letters soliciting opinion about the Project were sent to 21 towns, wards, communes of Dong Nai province and 27 towns, wards, communes of Lam Dong province (Appendix 8 of existing EIA). The letters describe the need for the project, the basic components of the project, the adverse impacts on the environment, and proposed mitigation measures for the adverse impacts
- Receipt of comments from 48 local committees/governments which are summarized in Chapter 6 of the existing EIA.
- Receipt of comments from 96 local officers which are summarized in Chapter 6 of the existing EIA.
- Receipt of comments from 240 households which are summarized in Chapter 6 of the existing EIA.
- Receipt of comments from the project owner which are summarized in Chapter 6 of the existing EIA.

Summary of the methods of Future Engagement Activities

For completion of the project ESIA process and subsequent project construction and operations, in line with IFC Performance Standard requirements, BTC will record the following information on an on-going basis:

- Type of information disclosed, date, and formats (e.g. oral [face-to-face], brochure, reports, posters, press releases/media briefings, and participation in radio/TV programmes, etc.), and how it was released or distributed;
- The locations, attendance and dates of all project information meetings;
- Individuals, groups, and / or organisations consulted;
- Key issues / concerns raised / discussed and requests received;
- Company response to issues raised / requests, including any commitments or follow-up actions, including reporting back to stakeholders;
- Date, location, means, and identity of stakeholders, and the date when the company reports back to stakeholders; and
- Any complaint via a grievance register

Stakeholder Engagement Programme

Disclosure of Information

In accordance with Vietnamese Environmental Protection Law, BTC will provide relevant information to the public. In addition, in accordance with IFC environmental and social performance standards.

The ESIA Package includes:

- Supplemental ESIA Data;
- The Vietnamese EIA;
- This SEP;
- An Environmental and Social Management Plan; and
- A Resettlement Action Plan.

All the information will also be made available in hard copy BC at agreed locations to ensure all stakeholders and affected parties.

The objectives of these external communications are to provide continuous engagement with targeted audiences to inform about the activities, performance, development and investment plans and their implementation.

The local community is aware of the proposed project and will continue to be informed about the project in detailed terms (e.g. the expected results and the duration of the construction works).

In addition to the agreed locations, hard copies of these documents will be available at the following location:

- 1) BT20 office - 649/36 Dien Bien Phu street, Ward 25th, Binh Thanh District, Ho Chi Minh city
- 2) PMU7 office: 63 Nguyen Xi Street, Ward 26, Binh Thanh District, Ho Chi Minh City, Viet Nam.
- 3) Thong Nhat People Committee office: Hung Loc Ward, Thong Nhat District, Dong Nai Province, Viet Nam.
- 4) Dinh Quan Committee office: Dinh Quan Town, Dinh Quan district, Dong Nai Province, Viet Nam.
- 5) Tan Phu People Committee office: Tan Phu Town, Tan Phu District, Dong Nai Province, Viet Nam.
- 6) Da Huoai People Committee office: NH20, Madaguoi Town, Lam Dong Province, Viet Nam.
- 7) Bao Loc People Committee office: 02 Hong Bang street, Ward 1, Bao Loc City, Lam Dong Province, Viet Nam.

These documents will remain in the public domain for the duration of the Project. The SEP will be periodically updated.

The types of information disclosed and the specific methods of communication to be undertaken by BTC are summarised in the Stakeholder Engagement Programme in Table 3 below.

Future Activities

The project manager will be responsible for the communication activities for the project and will collate and document any comments and feedback associated with future activities.

All communications will be reviewed for the feasibility to make changes to the Project in order to satisfy the request and interest. Additionally, the communicator will be informed of the outcome via email or letter.

The future programme of engagement is presented below which will be reviewed and updated on an on-going basis.

Table 3: Stakeholder Engagement Programme

Activity / Project	Type of information disclosed	Locations and dates of meetings / forms of communication	Stakeholder Groups Consulted
Open Public Community Meetings	Disclose project design plans and high level project impacts to solicit public opinion and key concerns from local governments, residents, and key communities of concern,	One meeting between 8-15 August in each of the 5 Districts in which the project is located: <ul style="list-style-type: none"> ▪ Da Huoi ▪ Thong Nhat ▪ Bao Loc ▪ Phuong Lam ▪ Dinh Quan 	<i>Government Residents Residents impacted by resettlement action plan K'Ho community leaders (minority community approximately 1 km from the Project)</i>
Disclosure of ESIA Package	NTS and Environmental and Social impact information. Expected construction, operational and decommissioning/abandonment impacts and mitigation measures to avoid/reduce adverse impacts and actions to enhance potential benefits.	<ul style="list-style-type: none"> ▪ Disclosure of the entire ESIA Package for public review will be made on MIGA's website at: http://www.miga.org ▪ Hardcopies of the entire ESIA Package will be made available for public review at: <ol style="list-style-type: none"> 1. BT20 office - 649/36 Dien Bien Phu street, Ward 25th, Binh Thanh District, Ho Chi Minh city 2. PMU7 office: 63 Nguyen Xi Street, Ward 26, Binh Thanh District, Ho Chi Minh City, Viet Nam. 3. Thong Nhat People Committee office: 	<i>Government NGOs Local community Public Groups Potential Clients General public</i>

Activity / Project	Type of information disclosed	Locations and dates of meetings / forms of communication	Stakeholder Groups Consulted
		<p>Hung Loc Ward, Thong Nhat District, Dong Nai Province, Viet Nam.</p> <p>4. Dinh Quan Committee office: Dinh Quan Town, Dinh Quan district, Dong Nai Province, Viet Nam.</p> <p>5. Tan Phu People Committee office: Tan Phu Town, Tan Phu District, Dong Nai Province, Viet Nam.</p> <p>6. Da Huoi People Committee office: NH20, Madaguoi Town, Lam Dong Province, Viet Nam.</p> <p>7. Bao Loc People Committee office: 02 Hong Bang street, Ward 1, Bao Loc City, Lam Dong Province, Viet Nam.</p>	
Pre construction planning and Site preparation prior to construction.	Schedule of preparation and construction.	<ul style="list-style-type: none"> ■ Communication of grievance mechanism. ■ Negotiation and implementation of Resettlement Action Plan with impacted parties. ■ Public notices of commencement of construction activities on public notice boards, in shops, and local offices at least 2 weeks prior to groundbreaking on new highway sections. 	<p><i>Government</i></p> <p><i>NGOs</i></p> <p><i>Local community</i></p> <p><i>Public Groups</i></p> <p><i>Potential Suppliers</i></p> <p><i>Potential Clients</i></p> <p><i>General public</i></p>

Activity / Project	Type of information disclosed	Locations and dates of meetings / forms of communication	Stakeholder Groups Consulted
		<ul style="list-style-type: none"> ■ Delivery of project information to local businesses / residents through leaflets and open house meetings, as well as public notice boards. ■ Public meetings - one within each District immediately prior to construction. ■ A Consultation Committee will be set up prior to construction within each Province (Lam Dong and Dong Nai). A community management policy will be developed and agreed by BTC and the committee. 	
Construction Phase	<p>Schedule of construction works. Construction activities. Progress of construction. Construction impacts and mitigation measures (with opportunities for feedback from affected communities).</p>	<ul style="list-style-type: none"> ■ Public meetings – quarterly within each District during construction in that District to allow residents to voice concerns and issues that can be remedied or incorporated for future sections. ■ Distribution of newsletters to show project progress and schedule. 	<p><i>Government NGOs Local community Public Groups General public</i></p>
End of construction	<p>Description of plant and operations. Operational hours. Employment needs and opportunities.</p>	<ul style="list-style-type: none"> ■ Press release announcing completion of project when last part of Part 1 is completed o website and print media. 	<p><i>Government NGOs Local community Public Groups Potential Suppliers Potential Clients</i></p>

Activity / Project	Type of information disclosed	Locations and dates of meetings / forms of communication	Stakeholder Groups Consulted
		<ul style="list-style-type: none"> ■ Public meetings - one within each District immediately after construction. ■ On an annual basis, BTC will produce a public report on their social and environmental performance, including a non-technical summary of the ESIA and progress made with the implementation of the ESIA, against agreed indicators and targets. 	<i>General public</i>

Monitoring, reporting and feedback mechanisms

Through communication channels such as newsletter notifications, surveys, exhibitions, one-to-one meetings and the periodic meetings, BTC will monitor and provide feedback as appropriate.

On an annual basis, BTC will produce a public report on their social and environmental performance, including a non-technical summary of the ESIA and progress made with the implementation of the ESIA, against agreed indicators and targets.

Grievance Mechanism

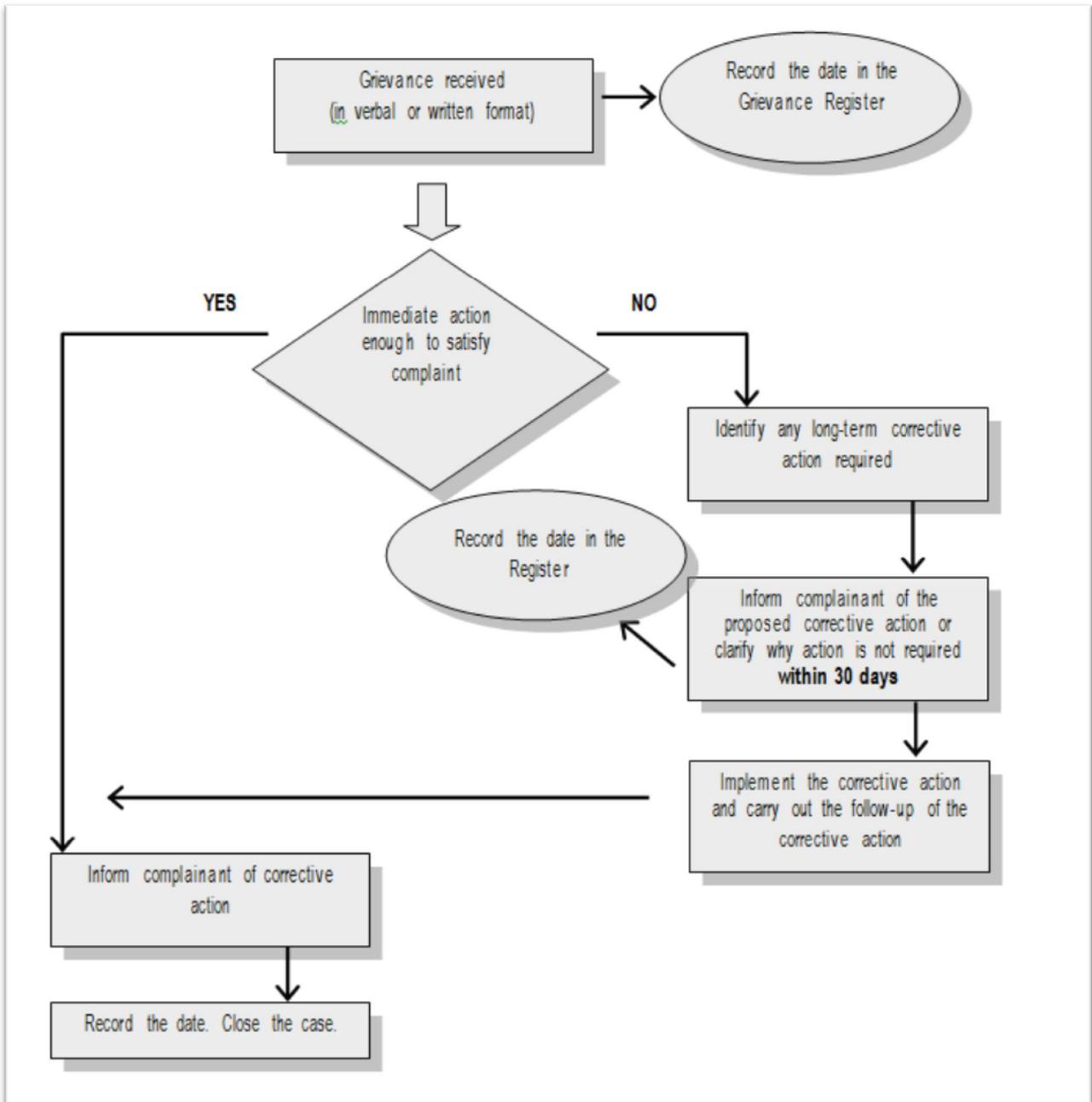
A grievance mechanism will be adopted as presented in Figure 2. A grievance/ complaint can be submitted either via a grievance form (as presented below) or verbally.

A grievance can be submitted in the following ways:

- By communicating the grievance/ complaint to the local Authority/ commune (using the official grievance form, via letter/note or verbally) who will be responsible for reporting the issue to PMU 7;
- By submitting the grievance directly to PMU 7 (either verbally or via the grievance form); and
- By submitting the grievance to the contractor who will then be responsible for informing PMU 7.
- All grievances received will be forwarded to the IEC who will be responsible for recording them in a Grievance/Complaints Register and for implementing the grievance response mechanism.
- Grievance Response Mechanism
- When a grievance is received, the mechanism for dealing with it will be as follows:
- Grievance received;

-
- Grievance recorded in the Grievance/ complaints Register;
 - For an immediate action to satisfy the complaint, the complainant will be informed of corrective action;
 - Implement corrective action, record the date and close case;
 - For a long corrective action, the complainant will be informed of proposed action; and
 - Implement corrective action, record the date and close case.

Figure 2: Flowchart for Processing Grievances



Public Grievance Form

Reference No:	
Full Name	
Contact Information	<input type="checkbox"/> By Post: Please provide mailing address: _____ _____ _____ <input type="checkbox"/> By Telephone: _____ <input type="checkbox"/> By E-mail _____
Please mark how you wish to be contacted (mail, telephone, e-mail).	
Preferred Language for communication	<input type="checkbox"/> [English] <input type="checkbox"/> [Romanian / Russian]
Description of Incident or Grievance:	What happened? Where did it happen? Who did it happen to? What is the result of the problem?
Date of Incident/Grievance	
	<input type="checkbox"/> One time incident/grievance (date _____) <input type="checkbox"/> Happened more than once (how many times? _____) <input type="checkbox"/> On-going (currently experiencing problem)
What would you like to see happen to resolve the problem?	
Signature: _____ Date: _____ Please return this form to: ADD BTC CONTACT	

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