

University of Eldoret

Public Complaints Policy

1. Preamble

- 1.1 University of Eldoret established Public Complaints Policy in compliance with the Government of Kenya resolution of 1st February 2010, through the Commission of Administrative Justice (CAJ) Act, 2011, to set up the Public Complaints Standing Committee (PCSC) to handle and resolve Public Complaints lodged against all Public Institutions.
- 1.2 The PCSC in turn cascaded down the process to all Public Institutions in the republic of Kenya to introduce Public Complaints monitoring system in their institution as a new indicator in the performance contracting.

2. Policy statement

- 2.1 The University of Eldoret shall establish a committee to develop mechanism of working together with PCSC to handle and address the Public Complaints made against University of Eldoret.
- 2.2 The committee shall be called the Public Complaints Committee (PCC).
- 2.3 The PCC shall
 - (i) Perform an oversight role to ensure that University of Eldoret delivers its services as spelled out in its service charter and
 - (ii) Provide an alternative avenue to its clients to channel their complaints on unsatisfactory service-delivery or wrongdoings in the activities of the university.

3. Definitions

Complaint: A complaint means an oral, written or any other

communication made or addressed to the PCC, University of Eldoret.

Complainant: A person or institution alleging breach of any matter under the mandate of University of Eldoret.

Resolved: This is a situation whereby University of Eldoret has provided sufficient information, a remedy or a solution, to the satisfaction of the complainant, or where the complainant remains dissatisfied, but to the satisfaction of the PCC.

On-going: This is a situation whereby a complaint resolution process has commenced but has not been finalized.

New: This is a situation whereby a complaint has been received less than two weeks to the reporting period and no action has been initiated on it.

Complaint issue: This is the subject issue of the complaint, such as delay, inefficiency, abuse of office among others.

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

4. Mandates of the PCC

4.1 The PCC mandates shall be:

- (i) To receive, register, sort, classify and document all Complaints against the University of Eldoret;
- (ii) To inquire into allegations of misuse of office, unethical conduct, breach of integrity, maladministration, delay, injustice, discourtesy, inattention, misbehavior, inefficiency or ineptitude etc;
- (iii) To oversee, co-ordinate, monitor and follow up specific action on channeled Complaints;
- (iv) To promote alternative dispute resolution through mediation (frontline resolution);

- (v) To ascertain whether on the face of it, there is merit in a Complaint, and thereafter to act on the Complaint appropriately or refer the Complaint to the PCSC for redress;
- (vi) To publish quarterly reports for PCSC on the number and nature of Complaints received and the action taken by the committee, and
- (vii) To apply for a certificate of compliance from the PCSC.

4.2 A Complaint shall be outside the PCC mandate if:

- (i) It is not against University of Eldoret or its personnel,
- (ii) It concerns the Courts in exercise of their Judicial role or parliament in exercise of its Legislative role or University of Eldoret Disciplinary Committee in exercise of its disciplinary mandates and
- (iii) It does not concern possible wrongdoing by the University of Eldoret.

5. Admissibility of Complaints

5.1 A Complaint that is within the mandates stated in section (4.1) shall be subjected to further criteria for it to be admissible before the PCC can initiate inquiries.

5.2 The further criterion shall be:

- (i) That the Complainant must be identified, hence anonymous Complainants will not be admissible;
- (ii) That the Complaint has been lodged with appropriate channels (i.e. university officials) within the University of Eldoret;
- (iii) That appropriate administrative intervention channels have been exhausted before approaching the PCC;
- (iv) That the Complaint must not be under adjudication by a court of law or question the merits of a court's ruling;

- (v) That the Complaint must not be under the adjudication by the Disciplinary Committee of the University of Eldoret or question the merits of its ruling , and
- (vi) That the Complaint must not involve employment disputes between University of Eldoret and its staff.

6. Complaints and Inquiries

- 6.1 The public complaint office shall be under the office of the Vice-Chancellor.
- 6.2 The Vice-Chancellor shall:
 - (i) Oversee the implementation of the decisions of the committee, and
 - (ii) Ensure the protection of tenure of office of the PCC members.
- 6.3 The PCC shall be an avenue of last resort in the university, hence the Complainant is encouraged to make every effort to exhaustively resolve the complaint at the concerned department or section of the university first.
- 6.4 However, If the Complainant is not satisfied with their response or there is undue delay in dealing with the Complaint, then the Complainant shall make his/her/its complain to PCC.
- 6.5 The Complaints shall be made by the Complainant in any one of the following ways:
 - (a) Online *{ICT to provide online complaints address}*;
 - (b) In person at the PCC office;
 - (c) In writing, or
 - (d) By telephone, fax or e-mail.
- 6.6 Enquiries shall be made during working hours only from 8:00 am – 5:00 pm (GMT + 3) from Monday to Friday or call us on *{VC's Office to provide telephone number}*.

6.7 The complaints shall be send through the following postal and E-mail address:

(i) Send by registered mail to:

The Chairman/Secretary
The Public Complaint Committee,
Office of the Vice-Chancellor,
University of Eldoret,
P.O Box 1125 – 30100, Eldoret

(ii) Send an e-mail to *{to get e-mail }*

6.8 The Complainant shall include the following information in his/her/its Complaint:

(i) Complainant name, address and telephone number;

(ii) A concise summary of the Complaint – who was involved, what, when and where it happened, and why the situation is unfair or wrong;

(iii) What the complainant has done to try and resolve the Complaint and the result;

(iv) Copies of relevant letters or other documents, and

(v) The result the Complainant is seeking

6.9 The University shall organize training workshops for capacity building for complaints-handling officers and staff.

6.10 The PCC members shall create awareness among its stake holders on the existence of its complaints handling system by using all the possible communication channels.

6.11 The mandate of the PCC shall not interfere in anyway with any Complaints redress mechanisms as provided for in its service charter.

7. Complaints Management

7.1 All complaints received by the PCC shall be registered, documented

and acknowledged.

- 7.2** The PCC members shall be well versed with the university procedures to be able to handle and resolve the complaints competently.
- 7.3** The PCC secretariat shall receive and document all the complaints submitted to it on a register, (Appendix 1) and acknowledged within three (3) calendar days upon reception.
- 7.4** The Complaints shall be sorted out, classified and assessed in light of the PCC mandates to determine if an inquiry should be opened.
- 7.5** If the complainant has not first sought a solution from the concerned office within the university, he/she/it shall be advised by the PCC to seek redress from the relevant office.
- 7.6** The flow of the Complaints management is summarized in the Block diagram given in Appendix 2.
- 7.7** The frontline resolution shall apply to complaint issues that are straightforward and easily resolved (low profile), requiring little or no investigation. This may take the form of a quick apology or explanation or other action to resolve the complaint quickly, in five (5) calendar days or less, unless there is exceptional circumstances.
- 7.8** Complaints that require investigation are those ones considered complex or high profile, and may raise critical issues requiring direct input from senior management of the university. Such complaints require a certain amount of examination to establish the relevant facts before the university can state its position. The full response of Complaints requiring investigation shall be given within twenty one (21) calendar days.
- 7.9** The principle of fairness dictates that the PCC's decision on a Complaint must not take into account information provided by either the Complainant or by the University, unless the other party has had the opportunity to see information and give his/her/its point of view.
- 7.10** The complainant shall furnish the PCC with supporting evidence(s), which in turn is send to the concerned university office or officer for a first opinion within seven (7) calendar days of receptions for their

opinion. In a similar way, the PCC may remit the opinion of the University to the Complainant with an invitation to submit comments and observations.

- 7.11** When the opinion is received, the PCC shall take decision depending on the response received and sent to the Complainant for his/her/it comments.
- 7.12** If the response shall be delayed, the Complainant shall be told and given a revised timescale for bringing the investigation to a conclusion.
- 7.13** In some instances, the University may take positive steps to settle the Complaint to the satisfaction of the Complainant. If this happens, the Complaint shall be closed as “settled by the University”.
- 7.14** If, on other cases, the Complainant decides to withdraw the Complaint, then the Complaint shall be closed for this reason.
- 7.15** If the Complaint is neither settled by the University nor withdrawn by the Complainant, the PCC initiates further inquiries. If the inquiries reveal no instances of wrong doing, the Complainant and the University shall be informed accordingly and the Complaint is closed.
- 7.16** A thorough investigation leading to a full and objective response to the Complaint made and endorsed by the University senior management, shall be taken as a final and definitive position established by PCC.
- 7.17** Should the Complainant remain dissatisfied, the PCC shall advice the Complainant to lodge his/her/its Complaint with the PCSC for redress.
- 7.18** The PCC shall keep accurate records of its investigation and of any interviews or meetings held to discuss the Complaint and may avail it to PCSC if requested.
- 7.19** The PCC shall submit quarterly report to the PCSC on the number of Complaints received, actual resolution or action taken on the prescribed format for FY2013/14, (Appendix 3).

- 7.20** Complaints details, outcome and action taken shall be recorded and used for service improvement by the University of Eldoret.

8. Complaints-Handling Procedures

- 8.1** The Complaint shall be made on the prescribed Complaint Form PCC -01 (Appendix 4).
- 8.2** The Complaints-Handling procedure shall be:
- (i)** The Complainant fills in the Complaint Form PCC-01;
 - (a)** For Complainants who cannot read or write, shall make their Complaints in person where the secretariat will help fill in the form;
 - (b)** For Complaints against the University Management, the Complainant shall be advised to lodge his/her/its Complaint with the PCSC for redress, and
 - (c)** For Complaints against a member of the PCC, the affected staff shall not participate in the handling of the Complaint for fair mediation and resolution.
 - (ii)** Acknowledgment of reception of the filled Complaint form shall be made to the Complainant within three (3) calendar days from day of reception;
 - (iii)** The complaint shall be assessed for compliance with the PCC Mandate within five (5) calendar days from day of reception;
 - (iv)** If the complaint is within the mandate, the PCC shall commence inquiries and advice the Complainant as per the findings as follows:
 - (a)** Within ten (10) calendar days from the date the complaint is received for frontline Complaints handling;

- (b)** For complaints requiring investigations, the Respondent shall be provided with supporting documents presented by the Complainant for his/her comments within fourteen (14) calendar days from the day the complaint is received, and
- (c)** If a response is not received from the Respondent after fourteen (14) calendar days, the PCC shall proceed to determine the Complaint in the absence of the comments from the Respondent;
- (v)** If the complaint is NOT within the PCC mandate, the Complainant shall be advised to address the complaint to the appropriate agency;
- (vi)** If the Complainant is dissatisfied with the resolution given by the PCC, then he/she/it shall be advised to lodge their issue with the PCSC for redress;
- (vii)** When the complaint is concluded, the complainant shall be requested to fill in the customer satisfaction feedback form, (Appendix 5), on how his/her Complaint was handled by the PCC;
- (viii)** The PCC shall compile the Complaints received, and action taken for each quarter and submit a report to the Directorate of Performance Contracting and Strategic Planning (PC&SP) for onward submission to the PCSC, and
- (ix)** At the end of each financial year, the PCC shall apply for Complaint Certificate from the CAJ.

9. Review of Policy

- 9.1** The Public Complaints Policy shall be reviewed from time to time to ensure that it remains relevant to the dynamics and nature of complaints made by the University of Eldoret clients.

APPENDIX 1: Complaints Records Template

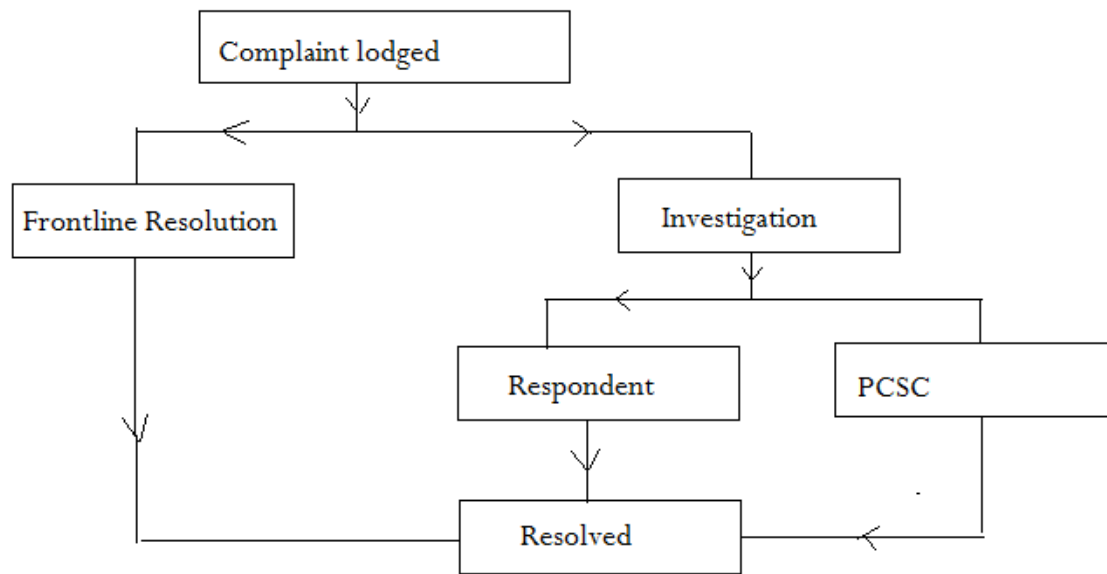
Name of Public Institution: University of Eldoret

Financial Yr: FY 2013/14

Records of Complaints lodged directly with the institution

S/No.	Date received	Name and ID number	Sex	Mode of Delivery	Complaint Category	Office/Officer Involved	Mandate	Case Status	Committee member in charge

APPENDIX 2: Complaints Management Chart



APPENDIX 3: Reporting Complaints Records Template Recommended by PCSC

Name of Public Institution: University of Eldoret

Financial Yr: FY 2013/14

Quarter Ending: _____

Complaints received from PCSC

No.	Date received	Name and ID number	Complaint Issue	Date acknowledged	Action taken	Status		
						Resolved	On-going	New
Total								


Complaints lodged directly with institution

No.	Date received	Name and ID number	Complaint Issue	Date acknowledged	Action taken	Status		
						Resolved	On-going	New
Total								


Pending Complaints from previous reporting period

No.	Date received	Name and ID number	Complaint Issue	Date acknowledged	Action taken	Status		
						Resolved	On-going	New
Total								

APPENDIX 4: Complaints Form PCC-01

<p>Chairman: Dr. J.K Tonui Secretary: Mrs. Standa Members: Dr, Wanami, Mr. Rono, Mrs. Richunu, Mrs. Muhati, Mr. Chepkonga.</p>		
<p>Complaint Form PCC-01</p>		
<p>1. Details of Complainant's Details</p>		
<p>Office/Officer Complaint About:.....</p>		
<p>Have you contacted the office/officer yourself about your complaint?</p>		
<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>		
<p>Please tell us about your Complaints (who, what, when, where and how – Attached extra sheets if needed) :</p>		
<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>		
<p>What would you like to happen to fix your Complaint?</p>		
<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>		
<p>2. Your Details:</p>		
<p>Title: Surname: First Name:</p>		
<p>Address:</p>		
<p>Town: Postcode:</p>		
<p>Tel. No (cell): E-mail:</p>		
<hr/>		
<p>Completed forms may be submitted via any of the below methods:</p>		
<p><u>Registered Mail:</u></p>	<p><u>Hand-delivery:</u></p>	<p><u>E-mail:</u> <i>insert e-mail</i></p>
<p>P.O Box 1125-30100, Eldoret.</p>	<p>PCC Office, Adm. Block No:</p>	<p>Fax: <i>insert fax no</i></p>

APPENDIX 5: Complainant Feedback Form PCC-02

<p>Chairman: Dr. J.K Tonui Secretariat: Mrs. Standa Members: Dr, Wanami, Mr. Rono, Mrs. Richunu, Mrs. Muhati, Mr. Chepkonga.</p>	
Feedback Form PCC-02	
1. Complainant's Details	
Names:	
Gender	Male <input type="checkbox"/> Female <input type="checkbox"/> ID/PP No.....
Address :	
Telephone:	E-mail:
Province:	County:
2. Nature of complaint [misuse of office, corruption, unethical conduct, breach of integrity, maladministration, delay, injustice, discourtesy, inattention, incompetence, misbehavior, inefficiency or ineptitude]	
3. The Office or Officer complaint against?	
4. Action taken by the PCC	
5. Results Achieved	
6. Comments by complainant	
Public Complain Committee, Office of Vice-Chancellor, University of Eldoret, P.O Box 1125-30100, Eldoret	
Tel: E-mail: Website: www.uoeld.ac.ke	