



# Public Complaints Handling Procedure

## 1. Introduction

The Kenya Industrial Property Institute ('the Institute') is a State Corporation established under the Industrial Property Act, No. 3 of 2001, Laws of Kenya. The mandate of the Institute as provided for under the Industrial Property Act and the Trade Marks Act, Cap 506, Laws of Kenya is to promote inventive and innovative activities, facilitate the acquisition of technology through registration and regulation of patents, utility models, technovations, industrial designs and trade marks.

## 2. Background

The Institute has developed Public Complaints Handling Procedure to guide the management of concerns and complaints in accordance with its Public Complaints Management Policy. This Procedure prescribes the steps to be followed in managing concerns and complaints to ensure that they are addressed efficiently, fairly and timely. In addition, it standardises the complaints management process to ensure certainty, clarity and uniformity.

## 3. Definitions

At the Institute, and in line with the Commission on Administrative Justice (CAJ) Guidelines, the following terms used in this Procedure shall have the following meanings;

“Committee” means the Complaints Management Committee established under the Policy;

“Complainant” means a person, group of persons, organisations or Institution making a complaint within the meaning in the Policy;

“Complaint” means any expression of dissatisfaction by a complainant about an unsatisfactory or unaccepted situation, including an act or omission or about the standard of the service rendered at the Institute, whether the action was taken or the service provided by the Institute or a person at the time being acting on behalf of the Institute;

“Complaints management system” means the infrastructure, procedure and process adopted by the Institute to address concerns and complaints;

“Concern” means a matter of interest that is not necessarily a complaint but may become a complaint if not addressed;

“Party” means a Complainant or a Respondent; and

“Respondent” means an employee of the Institute against whom a concern or complaint has been lodged.

#### **4. Public Complaints Management Infrastructure**

The Institute has established a public complaints management infrastructure as follows:

- a) Public Complaints Office;
- b) Public complaints box;
- c) Website -[www.kipi.go.ke](http://www.kipi.go.ke);
- d) Email address - [complaints@kipi.go.ke](mailto:complaints@kipi.go.ke);
- e) Telephone number -;
- f) Post Office Box address number - 51648-00200, Nairobi; and
- g) Social media:
  - Twitter-@kipikenya
  - Facebook -@kipikenya

#### **5. Processing Public Complaints**

##### **a) Lodging a concern or complaint**

A concern or complaint may be lodged at the Institute in person, writing or by telephone. A concern or complaint may be lodged by the complainant or any

other person acting on behalf of the complainant by completing KIPi Complaints Form 1. A concern or complaint shall not be deemed inadmissible where it is not lodged in the prescribed format.

### **b) Receipt, record and acknowledgement**

Once a complaint is received, it shall be recorded and acknowledged appropriately within three days by the Public Complaints Office. A record of a complaint shall include the reference number, name and contact details of the complainant, full details of the complaint including the date, as well as details of all communication with the complainant and any action taken to address the complaint.

This process shall apply with necessary modifications where anonymous concerns and complaints are received.

### **c) Assessment**

The Public Complaints Management Committee shall assess the concern or complaint to determine admissibility and appropriate action to be taken. Appropriate action may include forwarding the concern or complaint to the relevant Office within the Institute for redress. Notwithstanding the foregoing, the Office may determine the admissibility of the concern or complaint at the point of receipt and take appropriate action.

### **d) Inquiry and investigation**

The Committee or relevant office within the Institute shall inquire into or investigate and address the concern or complaint and communicate to the Complainant within fifteen (15) days of receipt. Where a concern or complaint has been inquired into or investigated by a relevant Office, a report on the action taken shall be made to the Committee within seven (7) days.

### **e) Review and appeal**

The Complainant or Respondent may seek review of the decision of the relevant Office or Committee within 30 days, where there is an error that is apparent on the face of the record, mistake or discovery of new and important evidence, which was not reasonably available before the decision was made. The relevant Office or Committee shall make a decision within 14 days upon receipt of application for review.

The Complainant or Respondent may appeal to the Managing Director within 30 days in case of dissatisfaction with the decision on the concern or complaint. Where any party is aggrieved by the outcome of the appeal, they may seek

recourse with the relevant agencies. The Managing Director shall make a decision within 30 days upon receipt of application for appeal.

## **f) Closure**

Upon conclusion of the concern or complaint, the Committee shall ensure all relevant documents and correspondences are properly filed and proceed to close the case.

## **6. Remedies**

In managing a concern or a complaint, the Institute may issue any of the following remedies:

- i. Fast track the service;
- ii. Referral to other relevant agencies;
- iii. Apology;
- iv. Financial compensation;
- v. Rectification;
- vi. Waiver of fees;
- vii. Disciplinary action; or
- viii. Dismissal of a concern or complaint.

## **7. Reporting**

The Committee shall prepare quarterly reports on the concerns and complaints received and submit to CAJ in the prescribed template.

## **8. Monitoring and Evaluation**

The Committee may undertake customer satisfaction surveys and root cause analysis to establish the effectiveness of complaints management system and recommend suitable solutions to the Managing Director.

## **9. Conduct of the Committee**

The Committee:

- a) shall meet monthly or any other time as the Committee may determine;  
and
- b) may delegate any of its functions to any of its members.

## **10. Procedure Review**

This Procedure shall be reviewed from time to time as may be necessary.

All concerns and complaints shall be addressed to the:

**Managing Director  
Kenya Industrial Property Institute (KIPI)  
KIPI Centre, Off Waiyaki Way, Lavington  
P.O. Box 51648 - 00200  
Tel: +254 020 6002210/1, Nairobi Fax: +254 020 6006312  
Mobile: 0702002020, 0736002020**

Or

**The Commission Secretary  
Commissioner, Commission on Administrative Justice (CAJ)  
2nd Floor, West End Towers  
Opposite Aga Khan High School Off Waiyaki Way - Westlands  
P.O. Box 20414 - 00200  
Nairobi.**