



19TH LAND WATCH NOTE:

SIMPLE INTERVENTIONS THAT WOULD IMPROVE SERVICES IN LANDS OFFICES

Kenya has made gains in its land reforms which so far include the formulation of a national land policy, the anchoring of key policy principles in the Constitution of Kenya 2010 and the enactment of basic laws (Environment and Land Court Act 2011, Land Act 2012, Land Registration Act 2012 and the National Land Commission Act 2012). The Community Land and Land Laws (Amendment) Bills await parliamentary debate. Regulations to the first set of laws, which are critical to the smooth operationalization of the laws, are yet to be enacted. Institutional conflicts between the Lands Ministry and the National Land Commission are expected to cease following the Supreme Court ruling on the mandates of the two institutions in December last year. These are good achievements and the country shouldn't relent till we have enacted all the critical laws and regulations. We also must ensure that the experiences noted in the application of our policy, constitution and our laws are continuously documented to facilitate necessary reviews and amendments of these high level sectoral frameworks.

But in keeping with its mandate, the Land Development and Governance Institute (LDGI) has kept engaging stakeholders and the consumer public on their experiences following the application of the above frameworks within our jurisdiction, and, in particular, service delivery in Lands offices which is very critical to business processes and the security of all registered instruments on land. The Institute took soundings on this matter in February 2014, October 2014 and a year later in October 2015. The results have been far from inspiring. Kenyans decry frustrations, delays and rent seeking during the course of seeking services.

While stakeholders and service seeking Kenyans appreciate that challenges like staff recruitment and rationalization, reorganization of land registries, computerization of records and processes require time and major resources, they observe that there are short term and inexpensive administrative interventions that could greatly improve service delivery and reduce rent seeking. These include:-

1. **Provision of fully manned customer care desks:** These will provide ready information on the types of services and costs availed in each office and where technical officers



charged with the provision of each of the services are to be found. This would create order and expedite services.

2. **Elimination of brokers:** Brokers have added an extra obstructive layer to service seekers in Lands offices. They position themselves as bridges between service seekers and officers in Lands offices and charge a fee for their services. It has also been noted that in areas heavily frequented by brokers, public officials tend to partner with them easily and appear reluctant to serve those who go to them directly. This adds to costs of services and confuses the public. To eliminate this, the Ministry should identify and eject such brokers from its premises. This calls for a simple administrative intervention.
3. **Providing Staff Identity:** To make it easy for members of the public to spot public officials, identity such as badges or uniforms could be provided to serving officers. This will make them easily stand out.
4. **Accountability of officers in charge:** Incidents of reporting late, leaving early, long lunch breaks and absence from offices by staff have been severally cited during the LDGI surveys. Officers in charge of Lands offices should be held directly accountable for the timely and regular reporting of those they supervise.
5. **Sporadic inspection visits by senior officials:** To minimize laxity and enhance accountability, senior officers from the Ministry's Headquarters and Senior County and National government officials nearer to the Lands offices could be making sporadic visits to Lands offices to ensure smooth service delivery to customers.
6. **Adherence to service charter timelines:** The Ministry has a service charter that spells timelines for various services. It has been noted that desk officers are either unaware of these timelines and where they are, do not adhere to them. The Ministry could devise a mechanism to ensure that these timelines are adhered to. One of the ways to promote this would be to set and strictly monitor production targets for the various officers.
7. **Provision of regular and adequate official stationery:** The Institute continues to get service seeker complaints that official stationery such as green cards, title deeds and letters of consents for Land Control Boards among others have gone missing in some offices for long. This delays services to the public and also denies the government of the much needed revenue. It has now been reported that some brokers are beginning to capitalize on this shortage to seek preferential treatment of 'their clients' whenever supply arrives while routine customers wait helplessly. The Ministry should review its stationery consumption volumes and publication mechanism to ensure that offices at the national and county levels have regular and sufficient supply of official stationery at all times.

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8. **Provision of basic equipment:** It has been noticed that some offices lack basic equipment such as computers/typewriters and photocopiers. This hampers the speed of providing services. The Ministry could map out offices with such equipment gaps and seal them quickly.
9. **Regular staff transfers:** It has been observed that when officers stay for long in their stations, they familiarize with brokers and begin to treat service delivery issues casually. Some even go to the extent of running parallel private offices. Customers recommend regular routine transfers to ensure that serving officers are not tempted to relapse into these habits.
10. **Induction and change management courses:** To be able to cultivate the right customer service attitudes, service seekers recommend that newly recruited officers undergo basic induction courses while serving officers are taken through change management courses.
11. **Review of basic procedures:** Some of the procedures used in Lands offices (Planning, Survey and Lands) relating to submission of documents, payment of statutory fees, checking and approval of documents were designed before and just after independence and do not undergo review even in the face of changing times and technology. It is recommended that key administrative and technical procedures be reviewed in all the departments (Survey of Kenya, Physical Planning, Settlement and Adjudication and National Land Commission) in order to collapse some processes and do away with requirements that appear to replicate or unnecessarily delay service delivery.

The Institute calls upon the Lands Cabinet Secretary and the Chair of the National Land Commission to note and implement the simple measures above in order to ensure that Kenyans begin to feel and appreciate positive changes at their level

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