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**TOPIC;**

**Management of Land Records: Case study of Zambia Ministry of Lands and Natural Resources (MLNR) Headquarters.**

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**This report is in partial fulfilment of obtaining a bachelor's degree in Library and Information Science (BA. LIS).**

## DECLARATION

We declare that “**Management of Land Records: Case study of Zambia Ministry of Lands and Natural Resources (MLNR) Headquarters**” is our original work. Materials and sources that have been consulted during the compilation of the report have been appropriately quoted and references included in the reference section.

## **DEDICATION**

This report is dedicated to our families who have supported us materially and otherwise during the course of our studies at the university. Our foremost gratitude and dedication goes to Jesus Christ for His continuous sustenance and granting us the grace to complete the study.

## **ACKNOWLEDGEMENT**

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## **ABSTRACT**

The research was a case study aimed at investigating how land records are managed at the Ministry of Lands and Natural resources (MLNR). The specific objectives of the study included; assessing staffing levels, competencies and satisfaction; finding out kind of land records generated at the ministry of Lands; assess the available infrastructure for managing land records; assess the availability of records management tools; assess the security measures established to protect land records from disasters (human and natural). The research design was a case study complemented with qualitative and quantitative approaches to data collection. Quantitative and qualitative data was collected using questionnaires and interview guide. The study had a sample of 16 with the target population of registry staff in Lands and Deeds registry and Lands registry. The sample was selected using purposive sampling technique.

The findings of the research revealed staff responsible for managing land records are inadequate. It was discovered that not all the staff had qualification in records management. The majority of the staff had between 3 and 5 years work experience, factors that motivated the staff included; interaction with fellow workers, promotion and appreciation/recognition. The findings of the research revealed that land records generated at the Ministry of Land and Natural Resources included; Certificate of Title (title deeds), Leases, invitation of treaty, mortgages, caveats, offer letters, consents, lease agreements, policy files, diagrams and surrenders. The research revealed that physical storage of land records was grossly inadequate. The research also indicated that registries had an electronic records management system. The findings of the research revealed records management equipment used included; boxes, steel cabinets, shelves and computers. Record management tools used included; records inventory, records retention and disposal schedule, records management policy and records procedures manual. The research revealed that several measures were put in place to protect land records which included controlled and restricted access, locking of cabinets and fire extinguishers among others. The research recommended increasing the number of staff in Lands and Deeds registry and Lands registry. It was also recommended to recruit qualified records managers and upgrade the education of the existing staff to higher records management qualification. Build bigger registries as the current ones do not have enough storage capacity.

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## CHAPTER ONE

### 1.0 INTRODUCTION

Land is the habitat of man and its wide use is crucial for the economic, social, and environmental advancement of all countries (Thakur et al., 2004). Land and the way governments deal with land are very important issues in the development of a society. Land information is a prime requisite for making decisions related to land investment, land development and land management. Information reduces uncertainty by helping to identify and analyse land-related problems. Land records are also very important as these records form the basis for assignment and settlement of land titles (Thakur et al., 2003).

Any land administration system is to a greater extent dependent on how efficient land records are managed. Land administration essentially involves recording, processing and dissemination of information about the ownership, value, and use of land. Mishra and Suhag (2017) noted the system of land records management varies across states, depending on factors such as historical evolution and local traditions. The duo further said that such information can be classified as details of the property (such as tax documents, rental documents), spatial records (such as maps, boundary limits) and transaction records (registered sale deeds). Nichols (1993) noted that land administration is the process of land surveying and mapping, land registration, land conveyance, land valuation and taxation, regulation of land tenure, allocation of interests in land, land dispute resolution, and land markets. Land administration covers a range of processes dealing with definition of rights in land through registration, collection of land taxes, valuation of land for establishing land market, mechanism for solving land disputes, and procedures for land transfer. According to Lyons and Satish (2001), “land administration is a regulatory framework, institutional arrangements, systems and processes that encompass the determination, allocation, administration and information concerning land.” Thus, land administration includes the determination and conditions of approved uses of land, the adjudication of rights and their registration via titling, the recording of land transaction and the estimation of value and taxes based on land and property for better management (Ali, 2013).

To illustrate the importance of proper record keeping in land administration system, Williams-Joel (2018) noted that land registration, which is a component of land administration generally addresses records on land concerning ownership. These records provides evidence of title, it eases land transactions, monitor land transactions and prevent unlawful dealings. According to Mukarage (2016), recording land information and documenting evidence of ownership increases land tenure security and enhances investment in land or real estate, enables landowners to get resources to finance their projects and facilitates land transactions and decreases land disputes.

Furthermore, a good land registration system is important to encourage property owners register. A good land registration system encourages property owners to register and have a conclusive proof of ownership and an evidence to tender in an event of dispute on land. A good land registration system provides a steady flow of internal generated revenue for the

government that in turn help to improve the growth and sustainability of the state. Property taxation is one of the means at the disposal of governments to generate revenues and establishment of land records and their use in property taxation is the most important tool to support property taxation. Mukarage (2016) conducted a study aimed at investigating the contribution of land records on property taxation in Rwanda; the research revealed that the use of land records are essential in property taxation.

Any land administration system is affected when the record keeping system is not efficient. Most developing countries have poor land registration systems and record keeping systems. This has resulted in slow retrieval of information that is needed in the registration process and land administration (Mishra and Suhag, 2017). In looking at land records in Botswana, Ministry of Local Government and Lands quoted in UN-HABITAT (2010) noted that there is a serious problem with record keeping in Land Boards of Botswana. In some cases records are not available at all while in other cases available records are inadequate and unreliable. The process of acquiring title deeds for example has been made tedious, expensive, frustrating and time-consuming thus discouraging property owners willing to register rethink. In 2016, it was reported that Zambia had only 200,000 titles of property registered with the ministry of ministry of lands and natural resources and the reason given was that the land registration was inefficient (Zambia Business times, 2016). Proper land records keeping is essential for efficient administration and management of land. Land records are necessary for land use purposes and they serve both administrators and the public with a source of reliable and easily accessible information.

## **1.1 BACKGROUND OF THE STUDY**

The Ministry of Lands and Natural Resources (MLNR) is the principal ministry in Zambia responsible for land administration and management. The mission of the Ministry is to administer and manage land and natural resources in a transparent and sustainable manner in order to contribute to socio-economic development (Tembo, Minango and Sommerville, 2018). The ministry has changed names since independence adding other portfolios that the government and technocrats have deemed fit. In 2016 the then Ministry of Lands, Natural Resources and Environmental Protection (MLNREP) was split into the Ministry of Lands and Natural Resources (MLNR) and the Ministry of Water Development, Sanitation and Environmental protection (MWDSEP).

The major functions of the Ministry include; beaconing, control of unauthorized settlements, forestry extension and development, land administration, land survey and mapping, registration of land and deeds and climate change implementation. The core departments of the ministry include; Lands and deeds department, Lands department, Survey department, Forestry department and Climate change and Natural Resources Management department. Within the core departments are various sections and tribunals. The core departments of the ministry are supported by; department of planning and information, human resources department, administration and accounts or finance department

The Ministry of Lands and Natural Resources (MLNR) has six registries tasked with managing records generated from the various activities undertaken by the ministry. There is a registry in the Forestry department, Survey department, Climate change and natural resources management department, Lands department, Lands and deeds department. The other registry is for managing records from supporting departments such as department of planning and information. Managing land records that are generated from the land registration process or land administration is the responsibility of Land and Deeds registry and Lands registry. The Lands and Deeds registry in the Lands and Deeds department is empowered under part II of the Lands and Registry Act chapter 185 of the laws of Zambia to manage all the records that proceed from the land registration process (Republic of Zambia, 2006). All the certificates of titles that are issued by the Lands and Deeds department are to be kept in the registry. Lands and Deeds registry is also responsible for maintaining three types of registers, the land register, the common leasehold register and the miscellaneous register. The Lands registry on the other hand keeps records of the land allocated.

## **1.2 STATEMENT OF THE PROBLEM**

Accurate and update land information is a prerequisite for effective land administration and land delivery. Without a reliable and up to date spatial data on land, spatial planning is based on incomplete knowledge. In most developing countries, land administration and management has been seriously compounded by lack of accurate and update land information stemming from challenges in managing land records. Wabineno, Musinguzi and Ekback (2011) noted reliance on this data could be misleading in making decisions since it comes from different levels of inaccuracies and misrepresentation. Thus, this research was undertaken to investigate how land records are managed at Zambia's Ministry of Land and Natural Resources (MLNR) headquarters.

## **1.3 RESEARCH OBJECTIVES**

### **1.3.1 GENERAL OBJECTIVE**

- Investigate how land records are managed at the Ministry of Lands and Natural Resources (MLNR) headquarters.

### **1.3.2 SPECIFIC OBJECTIVES**

- To assess staffing levels, competences and satisfaction in the registries.
- Assess the kinds of land records that are generated in the Ministry.
- To assess the available infrastructure for the management of land records.
- To assess the availability of records management tools for the management of land records.
- To assess the security measures established to protect land records.

## **1.4 RESEARCH QUESTIONS**

- What are the staffing levels in the registry?
- What are the staff competence levels in the registry?
- What are satisfaction levels among the staff in the registry?
- What kinds of Land records are generated at the ministry?
- What are the available infrastructure for the management of land records?

- What are the available records management tools for managing land records?
- What security measures are in place to protect land records?

#### **1.4 JUSTIFICATION/RATIONALE OF THE STUDY**

Land records are important for any land administration. Land records help in assuring security of ownership and tenure of land, contribute to property taxation essential in the collection of revenues for government, reduces litigation and conflicts among other benefits. It is hoped that the findings and recommendations of this research will help to inform policy on how to manage lands records at the Ministry of Lands and Natural Resources and other lands registries. It is also hoped that this research will contribute to the body of knowledge on the management of land records.

#### **1.5 ETHICAL CONSIDERATIONS**

In undertaking this research, ethics in social sciences research were observed. According to Rodriguez, Valdebenito and Mondragon (2011), all researches that involve human beings assumes risks for people who participate in it and this is valid for all type of social investigations. The trio noted that social investigation should pose lower or minimal physical risks or emotional trauma. Social Research Association (2003) emphasized that social researchers must strive to protect subjects from undue harm arising as a consequence of their participation in research. To that end, when conducting this research there was informed consent and disclosure of the aims of the research to the participants. The participants were told what the research was about. Recruitment of participants was on voluntary basis after disclosure of aims. The participants were not be forced to take part in this research. Respondents were assured of minimisation of harm by maintaining confidentiality and privacy for example they were not be asked to indicate their names on the questionnaires. The respondents were assured that their privacy and rights was protected during and after collecting data.

#### **1.6 LIMITATION OF THE STUDY**

The researchers used the mixed or triangulation approach to collect data from the respondents with intent to validate the results. However, during the data collection phase, the researchers did not conduct participant observation because of restricted and controlled access to the registries. The permit granted to research at the ministry did not cover going inside the registries and seeking for further permission was beyond the time that was allocated for collecting data. Thus, the researchers could not verify some of the responses that the respondents gave from the questionnaire and interview guide.

#### **1.7 DEFINITION OF TERMS**

- Land: refers to the surface of the earth and the materials below the surface and all the substances above the surface, things naturally growing on the land, buildings and other structures permanently affixed to the land (Ministry of Lands and Natural resources, 2017)
- Land records: refers to any information recorded on paper or in any electronic format which affects title to real property (Mukarage, 2016)

- **Records management:** for this study refers to management and control of land records from time of their creation or origination, storage, use, transfer and disposition. (Mukarage, 2016)

## **1.8 SUMMARY**

Chapter one introduced the topic under investigation. It provided background information of where the study was conducted. It further presented the problem that has warranted the investigation and the rationale for such an endeavour. It has also highlighted ethical considerations when undertaking the research and defined key terms.

## CHAPTER TWO

### THEORETICAL FRAMEWORK AND LITERATURE REVIEW

#### 2.0 OVERVIEW

Chapter two provides the theoretical framework and literature review related to the study. The theory that guided the research is an integrated approach model. The literature reviewed relates to records management infrastructure and facilities; staff quantity, quality and job satisfaction in registries; types of records generated; records management tools such as records retention and disposal schedule; and disaster preparedness and security of records.

#### 2.1 THEORETICAL FRAMEWORK

The following provides the theoretical framework and the model that guided this study. According to Ndenje-Sichalwe (2010), a theoretical framework is a conceptual model of how one theorizes or make logical sense of the relationships among the several factors that have been identified as important to a problem. The purpose of a theoretical framework is to make research findings meaningful and generalizable. They help to stimulate research and extension of knowledge by providing both direction and impetus (Polit and Beck, 2004)

According to IRMT (1994), the care of records and archives, particularly within the context of the public sector, is governed by four important principles or theories. These are; records must be kept together according to the agency responsible for their creation or accumulation, in the original order established at the time of their creation, records follow a life cycle, the care of records should follow a continuum and records can be organized according to hierarchical levels in order to reflect the nature of their creation. However, the theory employed for this research is an integrated approach to records management, in which records life cycle and continuum models are blended in an integrated records and archives management system.

#### 2.2 INTEGRATED APPROACH

IRMT (1999) proposed the integrated approach to records management as a way to ensure that records are useful to government, citizens and researchers so that they are available and useful both from their creation to their ultimate disposition. The integrated approach is a blending of the life cycle and continuum models in an integrated records and archives management system. According to Penn, Pennix and Coulson (1994), the life cycle concept has been regarded as a theory which provides a framework for the operation of a records management programme. The life cycle concept dates from the 1930s and is attributed to Schellenberg of the National Archives of the United States of America. The life cycle concept is based on the fact that recorded information has a life similar to that of a biological organism in that it is born (creation phase), it lives (maintenance phase) and it dies (disposition) (Penn, Pennix and Coulson, 1994; Shepherd, 2010; Williams, 2006). Since the 1950s many variants on the records life cycle concept have been modelled. Most models aim to show a progression of actions taken at the different times in the life cycle of a records, typically its creation, capture, storage, use and disposal.

According to Shepherd and Yeo (2003), the continuum model is a flexible and inclusive concept that reflects a range of issues surrounding the role of records in contemporary organizations and society. The model provides a graphic tool for framing issues about the

relationship between records managers and archivists, past, present, and future, and for thinking strategically about working collaboratively and building partnerships with other stakeholders. In the records continuum model, there are no strict boundaries between archives and records management responsibilities, as current records can also become archives right from creation, instead of waiting for final disposal to determine this. The records continuum model is applicable to records including archives regardless of whether they are in paper or electronic form.

The primary purposes of an integrated approach to records management are; to preserve records and archives in an accessible, intelligible and usable form for as long as they have continuing utility or value; and to make information from records and archives available in the right format, to the right people, at the right time (IRMT, 1999). The life cycle principle recognizes that records are created, used, maintained then disposed of, either by destruction as obsolete or by preservation as archives for their ongoing value. According to IRMT (1999), the continuum concept suggested four actions; identification of records, intellectual control of them, provision of access to them; and physical control of them. Thus, the integrated approach provides a more elaborate synergy between records management and archival management. According to Ndenje-Sichalwe (2010), the integrated approach suggests that the work between records managers, records centre manager and archivist would be undertaken within an integrated structure, with no rigid boundaries to limit professional collaboration and development.

## **2.3 LITERATURE REVIEW**

Literature review is an important component of any research for it puts the current endeavour into a broader perspective. By reviewing literature, researchers demonstrate that they do not exist in a vacuum and acknowledge or notice the work that has been done elsewhere and or on a particular topic.

### **2.3.1 Records management infrastructure and storage facilities**

Availability of records management infrastructure and storage facilities are very important in the management of records. According to Mafu (2014) for an organization to perform its various activities and transactions, it depends on the availability of proper records management infrastructure. World Bank (2009); Dikopoulou and Mihiotis (2012) mention that without a records management infrastructure, organizations cannot either manage effectively their daily operations or use knowledge and experience of the past for guidance. Record management infrastructure can be categorized into two, physical infrastructure (such as buildings, shelves, office equipment) and information communication technology (ICT) infrastructure (such as computer networks, CD-ROMs, Flash Disk) (Mafu 2014).

Storage facilities are essential in ensuring records are safe and secure while at the same time facilitating ease of retrieval. It is striking a balance between the security of the records and ease in retrieving the records. It is thus important that a registry should have appropriate and suitable storage equipment. Ajewole (2001) opines that the hallmark of any effective records management is a storage device that facilitates, rather than hampers, a quick retrieval process for prompt usability of the records. In terms of physical storage facilities, IRMT (1999) noted



that there are various records storage equipment available that can be categorized in two broad categories namely, manual and mechanized storage systems.

In manual storage systems, persons accessing or retrieving the records have to walk to the storage equipment and hand select the records. Manual storage equipment include; standard vertical file-drawer cabinets, lateral file-drawer cabinets and open-shelving system. According to IRMT (1999), standard vertical file drawer cabinets are manual storage equipment in which file access is from the top. Drawers must be opened in order to gain access to file folders stored within. Because of closing and opening drawers, this storage equipment may slow down retrieval time. The advantage of this storage is that it is relatively easy to move. The disadvantage is that the volume of records that be stored is relatively low. It is suitable for records with low access/use rate in an office environment and not recommended for records requiring multiple user access or high volume access/use rate. Lateral file-drawer cabinets on the other hand are known as side-open filing cabinets. This type of filing cabinet permits relatively quick and easy access to records, because all the contents of the drawer are visible when opened. According to IRMT (1999), this storage equipment is suitable for records with a high access/use rate in a records office. Open-shelving system include use of horizontal shelves similar to open bookcase. The major advantages of this type of this type of records storage equipment include faster access and retrieval times because open-shelving units do not have doors or drawers and have the economy of space because there are no drawers to open. In addition, open-shelving can be stacked higher than filing cabinets. This type of records storage equipment is usually recommended for records centres where the secure storage area itself provides protection against unauthorized.

Mechanised storage systems entails records storage equipment that uses mechanised devices which may be hand driven or motorised to store records. The main varieties of mechanised storage equipment include; mobile shelving, rotary file or multi-tiered records storage systems and power carousel or horizontal conveyor systems. IRMT (1999) noted that this type of records storage equipment is often referred to as high-density records storage equipment as it usually saves space however, it reduces retrieval and access times. It is appropriate to employ these records storage equipment where space is a constrained but access/use rate is significantly low.

Bakare, Abioye and Issa (2016) conducted a study in Ogun state Nigeria that assessed the records management practice in selected local government councils in the state. The findings of this research revealed that physical infrastructure for managing records such as steel cabinets used by the local government councils were grossly inadequate and as a result some records were either placed on top of the cabinets or kept on the floor. This act, apart from making information retrieval a difficult task, also endangered the safety of any classified information contained in them.

In terms of Information and Communication technology infrastructure Nthomiwa (2007) noted that for any registry to manage its records effectively, Information and Communication Technology (ICT) infrastructure is needed. The author further mentions that facilities such as

computers with internet, fax machines photocopying machines and phones are needed. The author argues that such systems in place ensure co-ordination among all the key players in the life of a record.

Some land registries in developing countries have implemented electronic land information systems. The Botswana land board and its registries since 1996 have had an electronic land information system known as Tribal Land Integrated management system (TLIMS) which is meant to help manage land recordation and reduce the risks associated with manual storage of records. Chigiinge (2006) noted that “the paper based system had its own problems, mostly to do with filing and reconciliation of records, which was a bottleneck to effective land delivery.” A dual system of record keeping is what the Botswana Land board registries have, however the research conducted by UN-HABITAT (2010) discovered some challenges associated with the TLIMS. It was observed that training in data capture at the various Land Boards visited was generally not successful. This might have been due to; survey technicians once trained in data capture were frequently transferred to other Land Boards which tended to destabilize any local TLIMS database being established. Another challenge was conflicting information from manual records e.g. multiple allocations to the same plot on the same date.

### **2.3.2 Staffing levels, competencies and satisfaction**

According to IRMT (2002), proper records management requires trained staff, adequate and continuous funding. Motsaathebe and Mnjama (2007) mention that managing records requires time and effort and this can be achieved through dedicated and well-trained staff. Salleh, Yaakub and Dzulkifli (2011) observed that good employee performance is considered as the measure of the quality of human capital held by the organization and it is determined by among other factors such as skill level and motivation. They stressed that the quality of employees is the major influence on performance and that for state governments, employee job performance is very important as it will reflect the government performance.

New South Wales (2004) argued that specialist records management skills are required to develop the framework of the records management program, implement the records management program and to manage the records of their organisation. Salleh, Yaakub and Dzulkifli (2011) posit that persons possessing high skills in job knowledge that is unique skills, intelligence and work methods will succeed in their task or job. IRMT (2011) noted that record managers must be dedicated to and proficient in methods of document use, storage, organization and protection. Patience and a methodical, logical approach to work are prerequisites for this role. Tasks requiring skills include storing, monitoring and maintaining records, developing and updating methods of classification and ensuring compliance with legislation. Ngoepe (2008) noted that education plays an important role in updating knowledge and skills and that it enhances the resourcefulness of the records managers. Ngoepe (2008) further observed that governmental bodies generally ignore the qualification criteria and appoint records managers at a relatively low level which negatively impact on their ability to manage records effectively.

In looking at the status of land information management in Uganda Wabineno, Musinguzi and Ekback (2011) noted that there were staffing problems facing offices in which land records were kept. The trio observed that it was either the number of the staff recruited was less than the number or the recruited staff did not have the required skills and education for the position they were occupying. The result was that the staff becoming inefficient and the whole process of managing land records became slow.

Staff satisfaction is equally important in ensuring any records management program runs smoothly. Job satisfaction is a general attitude of the workers constituted by their approach towards wages, work conditions, control, promotion related with the job, social relations in their work, recognition of talent, personal characteristics, and group relations apart from their work life. In his study Syptak (1999), reasons that work related interactions come about where employees are given reasonable amounts of time to socialize such as during lunch breaks. Other schools of thought argue to the contrary and posit that inter-worker relations at work do not always result in job satisfaction but could instead lead to job dissatisfaction among employees (Nabombe, 2012).

### **2.3.3 Kinds of land records**

According to Ndenje-Sichalwe et al (2011), much of the activities in an organization lead to the creation of records. They mentioned that record creation is one of the phases of the life cycle of records. Diamond (1983) quoted in Mafu (2014) argued that creation of a record begins when a pen is put to paper, data is generated by a computer or information is captured on film, tape or any form of medium. The International records management standard (ISO 15489-1:2001) mentioned that records should constitute qualities of authenticity, integrity, usability and reliability. Shepherd and Yeo (2003) argued that records created within an organization should also be reliable and accurate in their context. They mentioned that to achieve this, records must be created and maintained systematically. They further argued that records should be what they purport to be and that their purported creators have indeed created them.

Authorities such as ministry of lands or land boards that are tasked with land administration generate land records that are very vital in land management. Manirakiza (2014) noted that Land records may be digital or paper based. Land records may encompass any document underpinning information about land and these include title deeds. Title deeds are a group of documents that are used to legally prove the ownership of property or piece land. They include conveyances and mortgages.

In looking at land records and titles in India, Mishra and Suhag (2017) noted that a Sale deed, Record of Rights (RoR) and spatial records are land records. Sale deed (a non-judicial stamp paper of a prescribed amount) is a land record that is signed at the time of purchase of an immovable property (land or property), by both the seller and buyer. The duo further said that a Sale deed contains details of the property, market price of the property, and details of past transactions on the property. Record of Rights (RoR) is the primary record that shows how rights on land are derived for the land owner, and records the property's transactions from time to time. Spatial land records contain details of a property sketched on a map. These include

land boundaries, plot area, connectivity with roads, presence of water bodies, details of surrounding areas, land use (agricultural, residential, commercial, etc.), and land topology. (Mishra and Suhag, 2017). According to Augustinus et al (2007), land records also include cadastre, maps, possession lists, survey fields records, text and graphic evidence and digital backups.

### **2.3.4 Security of Records and Disaster preparedness**

Security of records and disaster preparedness is paramount in records management. Records must be protected from natural or environmental disasters as well as human disasters. According to Wiggins (2000), the main emphasis with records management is on the organization and safeguard of recorded information throughout its life cycle. Parker (1999) mentions that records are important because of the information they contain thus, one of the major aspects of their management is to safeguard them from damage and destruction.

Ndenje-Sichalwe (2010) noted that one of the major threats to the safety and preservation of official records is the risk of disasters. A disaster is simply an unexpected occurrence inflicting widespread destruction and distress having long-term adverse effects on the conduct of normal activities. Ngulube and Magazi (2006) said that a disaster is unexpected event that may drastically threaten the lives of human or damage buildings, destroy the information infrastructure, disrupt services and render documentary materials inaccessible to users. Disasters affecting records may include natural events or hazards (such as earthquakes, cyclones and floods), structural or building failure (such leaks in roofs, poor wiring, and energy failure), criminal behaviour (such as theft, arson, espionage, vandalism, terrorism) and accidental loss through human error (Government of South Australia, 2007)

Disaster planning and security control are vital in the protection and preservation of records. Disaster planning is a major component of any disaster preparedness because it prepares the institution to respond quickly to emergencies. Shepherd and Yeo (2003) points out that organizational records need to be protected against lost or temporary misplacement. They argue that to ensure their integrity, appropriate measures must be also taken to protect them from unauthorized alteration. Justice (2016) noted that safety measures such as locking cabinets, employing security personnel, cameras, closed circuit television (CCTVs), alarm systems, fire warnings and protection system are mostly taken for the physical security of records. On the other hand, electronic security measures such as firewalls, passwords, encryption, security copies and access rights for each user category are some of the tools used for securing electronic record integrity, accuracy and trustworthiness. Paper records are threatened when the environment they are stored is not ideal. Protection measures that can be employed included controlling the light that the records are exposed to such as use windows with blinds and curtains as well as use of incandescent lights.

In their study of records management and service delivery investigating the department of corporate services in Botswana's ministry of Health, Mampe and Kalusopa (2012) discovered that the Department of Corporate Services had a number of security measures and procedure in place. For security of paper records, the duo found the presence of lockable steel cabinets

and lockable doors to storage areas. This was also confirmed through observation. Records management personnel also indicated that it is common practice for action officer to retrieve files for themselves especially when there was shortage of staff. This situation created an opportunity for some action offices to temper or steal records contains valuable information. A study by Kootshabe (2011) also found that records security in many government ministries had challenges such as unauthorised access in to records storage areas as messengers and cleaners often had accesses to records storage areas.

Nabombe (2012) conducted a study in Zambian courts aimed at investigating how court records were managed, research findings showed that disaster preparedness programmes were lacking in the courts of law. This means that there were no plans to protect court records in the event that a disaster (whether man-made or natural) struck with the potential to damage or destroy records.

### **2.3.5 Records management tools**

Record management tools such as records retention and disposal schedules, records management manuals and records management policies are an integral component of any records management programme. Wamukoya (1995) points out that bad records management is compounded by a number of factors such as the lack of policy on records management, lack of records management standards and lack of records management guides/manuals.

Records retention and disposal schedule is one important records management tool that is essential at all stages in the lifecycle of a record. Iron Mountain (2012) stated that a well-designed and well-executed records retention schedule can increase efficiency and reduce risks in an organisation. IRMT (1999) notes that in the absence of rules and guidelines of what should be kept and for how long, records management staff are reluctant to authorise destruction and over time, the registries became severely congested with older records. Hoyle and Wamukoya (2006) pointed out that to prevent the build-up of inactive records in government registries in Tanzania, there was need to develop procedures for the routine appraisal and disposal of records.

According to Kennedy and Schauder (1998) a records disposal is a process closely connected to the implementation of records appraisal decisions as contained in the records retention and disposal schedule. It entails the deletion, or destruction of records from a records management system. Records disposal may also include the migration of records from one records management system to another or transfer of custody of ownership of records. An effective records management system should be able to capable of assisting in making and implementing decision on records retention and disposal making records retention and disposal schedule an important tool in the management of records.

In their study of records management and service delivery that investigated the department of corporate services in Botswana's ministry of Health, Mampe and Kalusopa (2012) discovered that Department of Corporate Services did not have records retention and disposal guidelines as evidenced by their 100% response. The lack of retention and disposal schedules meant that

semi-current and no current records are kept together, and this is likely to affect semi-current records retrieval.

One of the objectives of Chirwa's (2015) research conducted at the Zambia's Ministry of Education, Science and Vocational Training and Early Education (MESVTEE) headquarters was to find out the availability of records management tools such as records retention and disposal schedule. The study revealed that the Ministry had records retention and disposal schedules and that the Ministry was responsible for preparing the retention schedule. According to the Chirwa's findings, the retention schedules were revised annually. Results from the interview revealed that National Archives of Zambia (NAZ) officials formed a committee with the Ministry officials to formulate the records retention and disposal in 2007 and since then the records retention schedules have not been updated.

To ensure that records management programme is properly executed requires a records procedures manual. All procedures should be set out in a clearly worded and regularly updated procedures manual made available to all records management staff (IRMT 1999). According to Külçü (2009), in order to standardize procedures and prevent incompatible practices between registry units, a manual explicitly explaining all record procedures and related issues should be prepared. Kennedy and Schauder (1998:527) noted that a records management manual is a guide for the functions of a records management system within an organisation. This is because the manual provides information on "who, what when where and how the records management systems operates for those who may use the service of the registry". The duo further said that a records management manual serves four purposes: Standardising procedures; establishing responsibility; Assisting in employee training; and providing for updates on policies and procedures. Chaterera (2013) reported that most of the public registries in Zimbabwe operated inconsistently as they were operating without documented guidelines on how to execute their responsibilities in a registry manual.

A proper records management programme guided by policies, rules and procedures will ensure a conducive records management environment (Marutha, 2011). According to Kennedy and Schauder (1998) a records management policy is "the official charter for performing all records management functions". They further point out that a records management policy should be clear and should outline records management functions in relation to the organisations records keeping requirements. As a standard for best practices in records management ISO 15489-1 (2001 Section 6, quoted in Mampe and Kalusopa, 2012) specify that organisation should "establish document, maintain and promulgate policies, procedures" to guarantee that "its business need for evidence and accountability and information about activities is met". The ISO 154889-1 (2001 Section 5) stipulates that a records management policy and procedures of an organisation should demonstrate the application of the regulatory environment to their business processes (quoted in Mampe and Kalusopa, 2012).

National Archives of Australia (2014) noted that the purpose of the records management policy is to provide guidance and direction on the creation, generation and management of information and records and to clarify staff responsibilities. Marutha (2011) observes that hospitals in South Africa were running the risk of officials operating on their own devices due to lack of policies

that specifically address patient records management. Iron Mountain 2012:4 advised that if government Ministries, departments and agencies are going to make good on their best intentions for achieving excellence in records management best practices, they must bring all records, regardless of format or location, under a single set of policies. An organization's records management program should be supported and guided by policies and procedures that address each element of the records management program in accordance with operational and legal requirements (Association for Corporate Counsel n.d).

Records inventory is equally an important tool of records management. Ndenje-Sichalwe (2010) noted the ability of the organization to manage its records in an efficient manner depends largely on its ability to know what records exist and in what quantity, their growth rate, who manages the records, kind of facilities and equipment, and type of filing and retrieval systems used. All this information is obtained by conducting a records inventory. A records inventory is a complete and accurate survey of an organization's file contents. This survey is accomplished by describing, quantifying and recording information about those records on a standard records inventory form, so that the records can be analysed for retention, protection and other purposes (Robek, Brown and Stephens 1995). The inventory determines what records the organization has, where they are located, and how many of them there are (Diamond 1995).

The records inventory is vital to an effective records management programme because it both identifies and quantifies all records that are created, referenced or processed by the organization. Shepherd and Yeo (2003) emphasized further that in organizations where no structured records management programme has been in place, surveys often reveal a variety of challenges including: paper records systems which are congested and in some cases used to store information products and other materials that are not records; paper records which are poorly organized and difficult to retrieve, and their arrangement does not fully reflect the processes and activities that led to their creation; and records series where parts are found to be missing from the paper systems, but held in electronic form on personal computers.

Ndenje-Sichalwe (2010) conducted a study in some government ministries in Tanzania aimed at investigating the extent to which records management practices fostered accountability in the Public Service Reform Programme (PSRP). The findings of the study showed that 74.2% registry personnel indicated they conducted records inventories, while 25.8% said they did not. Respondents indicated that the purpose of an inventory in the government ministries was to identify all records series, to determine extent of records use, to devise retention schedules, to identify and resolve recordkeeping problems, to identify user's information needs and to establish format. The author further noted that although the respondents indicated that they conducted inventories, a follow up observation showed that the majority of registries did not conduct inventories. The absence of records inventories in the government registries would have a negative effect on the implementation of reform objectives. For instance, it would be difficult to know the volume of records created, their location, preservation status and problems faced in providing access. It would also be difficult to establish their status, that is, those records in the current, semi-current and non-current status, and identify those that were due for appraisal and disposition (Kemoni 2007).

### **2.3.7 GAPS IN LITERATURE**

Second component of chapter two reviewed literature in relation to availability of records management infrastructure and facilities for records; staff quantity, quality and job satisfaction in registries; kinds of records generated; records management tools such as records retention and disposal schedule; and security of records.

However, concerning the management of land records fewer studies have been conducted in Zambia and the world at large. It is evident that most of the studies that have been reviewed in this literature review have not focused particularly on the management of land records but management of records in general. For example, Bakare, Abioye and Issa (2016) conducted a study in Ogun state Nigeria that assessed the records management practice in selected local government councils in the state. The duo did not isolate the individual local government sections and kinds of records they were managing. It is thus not possible to pin point exactly how land records are managed and if at all they were investigated. Equally, Ndenje-Sichalwe (2010) conducted a study in some government ministries in Tanzania aimed at investigating the extent to which records management practices fostered accountability in the Public Service Reform Programme (PSRP). The research was tailored towards government ministries without a specific target. It becomes impossible to know if land records management was part of the research. It can be said that the author did not focus on the management of land records.

Other researches that have been reviewed included that of Mampe and Kalusopa (2012) who conducted a study of records management and service delivery at the department of corporate services in Botswana's ministry of Health. The other is Chirwa (2015) who conducted a study at Zambia's Ministry of Education, Science and Vocational Training and Early Education (MESVTEE) headquarters aimed at assessing the knowledge level of staff in the registries. Nabombe (2012) conducted a study on the management of court records and their contribution to access justice in Zambian courts. These studies have provided insight on management of records but their focus is sharply different from land records. Thus, the scarcity of literature in relation to the management of land records has warranted this investigation so that it will contribute to the body of knowledge on the subject.



## CHAPTER THREE

### RESEARCH DESIGN AND METHODOLOGY

#### 3.0 OVERVIEW

Chapter three describes the research design, target population and sample size, procedures in sampling, data collection and the data analysis methods that were used in this study.

#### 3.1 RESEARCH DESIGN

This study used both qualitative and quantitative research design (triangulation) complemented with a case study approach. According to Ngoepe and van der Walt (2010), the mixed methods approach can lead to insights and understanding that might be missed when a single method strategy is used. Creswell (2009) noted that each approach adds something essential to the ultimate findings.

Babbie (2007) noted that qualitative methods are typically used to answer questions about the complex nature of a phenomenon with the purpose of describing and understanding it from the participant's point of view. A qualitative method increases the researcher's depth of understanding of the phenomenon under investigation. On the other hand, quantitative method relies on measurements to compare and analyse different variables (Balnaves and Caputi (2001). Bless and Higson (2006) adds that this form of research considers how often a variable is present and generally uses numbers to communicate the amount. Quantitative method thus help researchers to be able to compare the respondents' answers.

According to Yin (2002) case study is an empirical inquiry that investigates a contemporary phenomenon within its real life context. The author further mentions that case studies are used to illustrate problems and provide opportunities to gain understanding in complex situations. The author mentions that a case study is known as triangulated research strategy. Yin (2003) mentions that the need for triangulation arises from the ethical need to confirm the validity of the presentation in case studies. This could be done by using multiple sources of data collection methods such questionnaires, interviews and observation.

#### 3.2 TARGET POPULATION

The target population for this research were the registry staff from the two registries (Lands and Deeds registry and Lands registry) and Land officers in the Lands department as well as registrars in Lands and Deeds department at the Ministry of Lands and Natural Resources (MLNR) headquarters.

#### 3.3 SAMPLE SIZE AND SAMPLING PROCEDURE

The sample size for the study was 16. 14 participants were selected from the two registries (Land registries and Lands and Deeds Registry) and two (2) informants, a Land officer and registrar from the Lands and Deeds department at the Ministry of Lands and Natural Resources (MLNR) headquarters in Lusaka. Purposive sampling method was used to select research

participants to take part in the research. Registry staff in the two registries were selected in this research because they are responsible for the managing land records while land officers and registrars are responsible for documentation of land related records. The researchers chose purposive sampling method because it was inexpensive and it also allowed the researchers to collect data much faster because the study sample who possess the necessary characteristics were readily available (Balnaves and Caputi, 2001).

### **3.4 DATA COLLECTION METHODS**

Primary data (qualitative and quantitative) for this study was collected using self-administered questionnaires and interviews. Mouton (1996) argues that inclusion of multiple sources of data collection in a research most likely increases reliability. A self-administered questionnaire with closed and open-ended questions was used to gather information from registry staff. According to Powell (1985), closed-ended questions are much easier to administer because they take little time, ensures a higher rate of response and are more readily coded and analyzed. On the other hand, open-ended questions enabled the researchers to get more insight to questions that need explanations. The advantage of self-administered questionnaires are that they can easily distributed to a large number of people and they allow anonymity. Bless and Smith (2006) mention that questionnaires tend to encourage frank answers and also help to eliminate interviewer bias.

To gain deeper insight face-to-face interviews was conducted with informants (land officers in Lands department and registrars in Lands and Deeds department). According to Wimmer and Dominick (1991), interviews involve direct personal contact with a participant who is required to answer questions relating to the research problem. Kalof et al (2008) indicated that interviews allow the interviewer to probe, clarify and ask follow up questions. However, disadvantage of this method that the presence of the interviewer may introduce biases in the responses of the interviewee (Powell 1985).

Secondary data for this research was obtained from recently published documents concerning the management of land records at the Ministry of Lands and Natural Resources (MLNR).

### **3.5 DATA ANALYSIS**

Considering the nature of the study which was both qualitative and quantitative as reflected in the choice of data collection instruments and research design, the data collected was analysed using both qualitative and quantitative data analysis techniques. The preferred qualitative data analysis technique that was employed in this study was content analysis. According to Mayring (2000), content analysis is a qualitative technique of analysing data in which themes are looked for from the responses (open-ended questions and interviews) given by the respondents while understanding what they meant. The open-ended responses were be entered in Microsoft Word and possible codes were assigned. Then dominant themes were identified with the help of codes (Boyd, 2013).

On the other hand quantitative data analysis methods were employed because of the data collected from closed-ended questions which are already categorized and are much amenable

to various quantitative methods (Balnaves and Caputi (2001). The data collected from the questionnaire was checked for uniformity, consistency and accuracy. The preferred quantitative data analysis method for this study were two computer data analysis Softwares namely Statistical Package for Social Sciences (now known as Statistical Product and Service Solutions, SPSS) and Microsoft Excel. The choice of these Softwares warranted consistency, uniformity and accuracy in the analysis of quantitative data (Lawal, 2003).

### **3.6 SUMMARY**

Chapter three looked at that the methodology that the researchers used in soliciting data from the respondent. The research design was a case study approach that employed qualitative and quantitative methods of data collection. A sample of 16 was selected from the registry staff and officials in Lands and Deeds department and Lands department using purposive sampling method. The data collection instruments included self-administered questionnaire and interviews. The data analysis techniques was both qualitative and quantitative.

## CHAPTER 4

### PRESENTATION OF FINDINGS

#### 4.0 OVERVIEW

The following is the presentation of findings from data that was collected and analysed. The sample size for the research was sixteen (16), fourteen (14) participants were administered with questionnaires and two (2) interviews were conducted with key informants. From the 14 questionnaires distributed, researchers managed to obtain thirteen (13) representing 93% response rate. The presentation of findings is the reflection of the questions in the questionnaire and interview guide. It will begin by presenting background information of respondents. It will then proceed to present findings on staffing levels, competencies and satisfaction. It is followed by presentation of findings on the type of land records, availability of records management tools and security measures as well as disaster preparedness. Qualitative data (open-ended questions and interview guide) will be presented thereafter.

#### 4.1 Background Information of Respondents

From the thirteen (13) questionnaires received, seven (7) indicated that they were male and six (6) said they were female as shown in the table below. In terms of age distribution, four (4) participants indicated their age to be between 33 and 37 years while two (2) respondents said their age was between 23 and 27 years old. Three (3) respondents indicated their age to be between 28 and 32. Those between 38 and 42 were three (3). One (1) respondent indicated age between 43 and above as shown in the table below.

Table 1 : Background information of Respondents

	<b>RESPONSES</b>	<b>FREQUENCY</b>	<b>PERCENTAGE</b>
<b>Gender of Respondents</b>			
	Male	7	53.8
	Female	6	46.2
	<b>Total</b>	<b>13</b>	<b>100.0</b>
<b>Age of Respondents</b>			
	23-27 Years old	2	15.4
	28-32 Years old	3	23.1
	33-37 Years old	4	30.8
	38-42 Years old	3	23.1
	43-Above Years old	1	7.7
	<b>Total</b>	<b>13</b>	<b>100.0</b>

#### 4.2 Staffing levels, competences and satisfaction

When asked the highest academic qualification obtained in records management, five (5) participants indicated Diploma in records management while three (3) said certificate in records management. Two (2) respondents said a bachelor's degree in records management. Three (3) indicated "other" qualifications as shown in the table below. The "other" qualifications indicated were a diploma in public administration and a grade 12 certificate.

Table 2 : Staffing levels, competences and satisfaction

	<b>RESPONSES</b>	<b>FREQUENCY</b>	<b>PERCENTAGE</b>
<b>Highest academic qualification in records management</b>			
	Bachelors degree	1	8.3
	Diploma	5	41.7
	Certificate	3	25.0
	None	1	8.3
	Other	2	16.7
	<b>Total</b>	<b>12</b>	<b>100.0</b>
<b>Years of experience in registry work</b>			
	1-2 Years	3	23.1
	3-4 Years	5	38.5
	5-6 Years	1	7.7
	7-8 Years	1	7.7
	11 and Above Years	3	23.1
	<b>Total</b>	<b>13</b>	<b>100.0</b>
<b>Factors that motivate the staff working in registries</b>			
	Promotion	1	9.1
	Recognition/Appreciation	4	36.4
	Interaction with fellow staff	6	54.5
	<b>Total</b>	<b>11</b>	<b>100.0</b>

In terms of staff position, twelve (12) participants indicated their staff position as registry clerks while one (1) said registry officer. When asked the years of experience in registry work, five (5) participants indicated experience to be between 3 and 4 years. Three (3) respondents said work experience of between 1 and 2 years. Those with work experience of 11 years and above were three (3). Two (2) respondents indicated work experience to be between 5 and 6 years. Those between 7 and 8 years were two (2) as shown in the table above. In terms of factors that motivate the staff working in the registries, six (6) participants indicated interaction with fellow staff while four (4) said recognition or appreciation as the motivation factor. One (1) participant indicated promotion as the motivation factor as shown in the table above. When asked if the registries had enough staff to manage land records, ten (10) participants said NO while two (2) indicated YES.

#### 4.3 Type of land records received and maintained

When asked the format of the land records that are received and maintained in the registry, ten (10) participants indicated both manual and electronic format while two (2) respondents said manual format as shown in the table below. When asked if the registry has an electronic records management system, ten (10) participants indicated YES while 2 said NO

Table 3 : land records received and maintained

	<b>RESPONSES</b>	<b>FREQUENCY</b>	<b>PERCENTAGE</b>
<b>Format of land records</b>			
	Manual	2	16.7

	Both (Manual and Electronic)	10	83.3
	<b>Total</b>	<b>12</b>	<b>100.0</b>

#### 4.4 Available infrastructure for the management of land records

When asked what records management equipment are used in the management of land records, four (4) participants said Boxes, ten (10) indicated steel cabinets, five (5) said shelves and nine (9) indicated computers as shown in the table below. Respondents were asked if the registries had adequate storage for land records, ten (10) indicated NO while two (2) said YES.

Table 4 : infrastructure for the management of land records

	<b>RESPONSES</b>	<b>FREQUENCY</b>	<b>PERCENTAGE</b>
<b>Records management Equipment</b>			
	Boxes	4	31
	Steel cabinets	10	77
	Shelves	5	38
	Computers	9	69
<b>Semi current records storage</b>			
	In the shelves together with current records	6	66.7
	In the shelves separate from current records	2	22.2
	In a separate room designed for such use	1	11.1
	<b>Total</b>	<b>9</b>	<b>100.0</b>

When asked where the semi current records are kept, six (6) participants indicated that semi-current records are kept in the shelves together with current records, two (2) said in the shelves separate from current records while one (1) participant said in a separate room designed for such as shown in the table above.

#### 4.5 Availability of records management tools

In terms of the availability of records management tools, seven (7) respondents said their registry has a Records Inventory, five (5) participants said they have a records management policy, four (4) respondents indicated their registry has a records procedures manual and two (2) indicated records retention and disposal schedule as shown in the table below. However, during data collection the researchers were not able to enter into the registries to check for these records management tools to collaborate what the participants indicated as well as the quality and comprehensiveness of the tools.

Table 5 : Records management tools

	<b>RESPONSES</b>	<b>FREQUENCY</b>	<b>PERCENTAGE</b>
<b>Records management tools</b>			
	Records retention and disposal schedule	2	15
	Records procedures manual	4	31

Records management policy	5	38
Records inventory	7	54

#### 4.6 Security measures to protect land records and disaster preparedness

When asked what security measures the registries had put in place to protect land records from environmental and human disasters, seven (7) participants indicated fire extinguishers, six (6) said locking of drawers or cabinets, five (5) indicated security personnel. Four (4) respondents said installation of burglar bars, four (4) indicated air conditioning or ventilation, five (5) said windows with blinds and curtains, one (1) indicated use of incandescent light. Eight (8) participants said restricted and controlled access, one (1) indicated CCTV cameras, six (6) said passwords and two (2) indicated firewalls. Respondents were asked if the registries had a written disaster preparedness plan, eleven (11) indicated NO while one (1) said YES. As earlier indicated, during data collection the researchers were not able to enter into the registries to note the security measures put in place to secure land records to collaborate what the participants indicated.

Table 6 : Security measures to protect land records and disaster preparedness

	RESPONSES	FREQUENCY	PERCENTAGE
Security measures to protect land records			
	Fire extinguishers	7	54
	Locking drawers/cabinets	6	46
	Security personnel	5	38
	Burglar bars	4	31
	Air conditioning/ventilation	4	31
	Windows with blinds and curtain	5	38
	Use of incandescent light	1	8
	CCTV cameras	1	8
	Restricted and controlled access	8	62
	Password	6	46
	Fire walls	2	15

#### 4.7 PRESENTATION OF FINDINGS FROM KEY INFORMANTS AND OPEN ENDED QUESTIONS IN QUESTIONNAIRE

##### 4.7.1 STAFFING LEVELS AND QUALIFICATION

The key informant interviewed was asked if the number of staff managing land records in the two registries at the Ministry of Lands and Natural Resources (MLNR) was enough and qualified. The informant noted that the staffing levels are not adequate which implies that there are few number of staff. The informant noted that the “staff are qualified but not enough.”

##### 4.7.2 Type of land records received and maintained

###### 4.7.2.1 Type of land records

An open-ended was asked for the respondents to state the kind of land records that are received and maintained in the registries, respondents indicated Certificate of Title (title deeds), Leases

(direct), invitation of treaty, mortgages, caveats, offer letters, consents, lease agreements, policy files, diagrams and surrenders. The responses from the questionnaires collaborated with responses from the key informant interviewed. The informant said the type of land records generated are caveats, titles, leases, assignments, mortgages and surrenders.

#### **4.7.2.2 Format of land records**

From the interview conducted, the informant said land records are both in soft and hard copy. The key informant indicated there is a dual system for managing land records thus there are two formats of records i.e. Land records are both electronic and hard copy. The informant also said that the Ministry of Land and Natural Resources (MLNR) uses an electronic land management system known as Zambia Integrated Management Land Information system (ZIMLIS) that forms an integral component of the electronic records management system used by the registries.

#### **4.7.3 AVAILABLE INFRASTRUCTURE FOR MANAGING LAND RECORDS**

The informant interviewed was asked the available infrastructure at the ministry of Lands and Natural resources for managing land records. The informant indicated registries and containers. Registries are used to keep current land records that are referred to from time to time supporting land administration. The registries that tasked with managing land records are Lands and Deed registry and Lands registry. The containers stationed on the ministry's premise on the other hand are used to keep dormant land records. These are land records that are not referred to from time to time and are awaiting disposal.

#### **4.7.4 Security measures to protect land records and disaster preparedness**

From the interview conducted, the key informant identified lockable doors, safer, lockable cabinets, installation of burglar bars as some of the security measures established by the ministry to protect land records.

#### **4.8 Summary**

Chapter 4 presented the findings from the data analysed. It was discovered that the number of staff working in registries under investigation (lands and deeds registry and lands registry) are not enough. It also revealed that a significant number of staff have a diploma in records management with the highest qualification being a bachelor's degree with 3-5 years working experience. The research revealed that recognition or appreciation, interaction with fellow staff and promotion as the motivation factor for the staff. The results showed that land records are in both electronic and manual format. The registries have an electronic records management system. It was also discovered that the registries do not have adequate storage for physical records. The semi-current records are kept in the same shelves with current records. The findings have indicated that the records management tools include; records inventory, records retention and disposal schedule, records procedure manual and records management policy. The research discovered that the registries had put several measures for protecting of land records which include controlled and restricted access. The findings have shown that the registry do not have a disaster preparedness plan.



## CHAPTER 5

### DISCUSSION OF FINDINGS

#### 5.0 OVERVIEW

The following is the discussion of the findings presented in chapter 4. The discussion will be based on staffing levels, competencies and satisfaction, type of land records received and maintained, available infrastructure for the management of land records in the registries, availability of records management tools and security measures established to protect land records as well as disaster preparedness. The discussion will be complemented with what is written in literature.

#### 5.1 Background of Respondents

The participation of the genders in the research were; females, seven and males were six. The research got an almost equal representation of gender. This implies that both male and female participants who took part in the research had an opportunity to provide significant information pertaining to research objectives. The research however was not interested in looking at the perception of each gender in relation to the objectives. Getting a balanced opinion is nevertheless important in any social investigation. In terms of age of respondents, all the participants were adults with the majority of participants being between 33 and 37 years old. This implies that they are rational and responsible enough to respond to research queries coupled with their qualification and experience.

#### 5.2 Staffing levels, competences and satisfaction

##### 5.2.1 Highest academic qualification in records management and work experience

The findings have revealed that the highest qualification of staff in the registries is Bachelor's degree with a significant number of staff having diploma and certificate in records management. It has also been revealed that a majority of staff have worked in the registry between 3 and 5 years. It can thus be said that the Lands and Deeds registry and Lands registry at the ministry of lands and natural resources has as a mixture of staff qualified in records management and other fields. It was discovered that the staff are qualified but not enough. The majority of the staff working in the registry have not acquired the higher levels of education in records management however, they have amassed work experience as the majority of the staff indicated work experience to be between 3 and 5 years. Efficient management of records of any kind requires a cadre of well-trained and qualified staff. New South Wales (2004) argues that specialist records management skills are required to develop the framework of the records management program, implement the records management program and to manage the records of their organisation. Salleh, Yaakub and Dzulkifli (2011) agrees and posits that persons possessing high skills in job knowledge that is unique skills, intelligence and work methods will succeed in their task or job. IRMT (2011) noted that record managers must be dedicated to and proficient in methods of document use, storage, organization and protection.

##### 5.2.2 Staff quantity in the registries

The findings have indicated that the number of staff working in the registries was grossly inadequate. At the time when the research was being conducted, there were five (5) staff working in Lands and Deeds registry and eight (8) working in the lands registry. Considering the volume of land records constantly being generated at the Ministry of Land and Natural

Resources (MLNR) headquarters the number of staff in the registries is not enough. The implication is that the rate of retrieving land records critical in land administration or circulating of such files is affected. This agrees with Wabineno, Musinguzi and Ekback (2011) who looked at the status of land information management in Uganda. The trio observed that the number of the staff recruited was less than the number. The result was that the staff becoming inefficient and the whole process of managing land records became slow. According to IRMT (1999) critical to the success of any records management programme is the human resource, apart from being qualified and well-trained, the staff should be enough to execute the various tasks.

## **5.2 Type of land records received and maintained**

### **5.2.1 Type of land records, Format of land records and Electronic records management system**

The research revealed an array of land records generated by the ministry of Lands and Natural Resources (MLNR) which included; Certificate of Title (an officially issued and signed document by the Registrar of Lands and Deeds, as prescribed by law that is proof or evidence of the fact that a person has been granted legal rights or title to land by the state in accordance with the lease agreement); Leases (Land agreement for temporary use of land by lessee, who pays rent to the lessor owner i.e. the state in the case of statutory lease); invitation of treaty; mortgages (contract by which a borrower commits land as security for a loan); caveats; offer letters; consents (document granting of legal right by the state to a lessee to transact in land e.g. transferring of rights property under lease); lease agreements; policy files; diagrams and surrenders. The researchers were also interested to find out the format of the land records that are received and maintained in the registry. It was revealed that land records are both manual and electronic. The findings of the research revealed that the registries have an electronic records management system. The electronic management system that is used in the registries and connected to land registration activities at the Ministry of Lands and Natural Resources (MLNR) is the Zambia Integrated Management Land Information system (ZIMLIS).

The principal Ministry tasked with the responsibility of land administration in Zambia is the Ministry of Lands and Natural Resources (MLNR). An integral component in land administration is registration of land and the ultimate proof of such is through documentation. Managing land records that are generated from the land registration process or land administration is the responsibility of Land and Deeds registry and Lands registry. The Lands and Deeds registry in the Lands and Deeds department is empowered under part II of the Lands and Registry Act chapter 185 of the laws of Zambia to manage all the records that proceed from the land registration process (Republic of Zambia, 2006). Since 2013 the Ministry of Lands and Natural Resources (MLNR) has implemented the Land Information System in an effort to modernization land administration and reduce challenges of managing manual land records. Chigiinge (2006) noted that the paper-based systems have their own problems, mostly to do with filing and reconciliation of records, which is a bottleneck to effective land delivery. Several developing countries have recognized the need to better manage land records through the implementation of Land information systems and the registries as units within land boards or ministries tasked with managing land records are considered for modernization (UN-HABITANT, 2010). Thus, the Lands and Deeds registry as well as the Land registry following the transitioning trend to modernization have a manual and electronic system for managing land records.

## **5.3 Available infrastructure for the management of land records**

### **5.3.1 Storage of current and semi-current land records**

The findings have shown that the storage of land records is not enough. This is similar to Bakare, Abioye and Issa (2016) who conducted a study in Ogun state Nigeria to assess the records management practice in selected local government councils in the state. The findings of the trio's research revealed that physical infrastructure for managing records such as steel cabinets used by the local government councils were grossly inadequate and as a result some records were either placed on top of the cabinets or kept on the floor. Availability of physical and electronic infrastructure is critical to the management of records of any kind. Land records are constantly being generated and the implication is that the existing storage capacity is severely constrained resorting to overflow and as a consequence making it difficult to manage them. In relation to that, it was also revealed that semi-current records were kept in the shelves together with current records. Keeping semi current records together with current records in the same shelves together or separated is the reflection of the gross inadequacy of storage space. Ideally, semi current records should be kept in a room designated for such. In terms of non-current records, the registries keep them in containers on the ministries premises.

### **5.3.2 Availability of records management tools**

Researchers were interested in finding out what records management tools were in place in managing land records. The findings of the research revealed that the records management tools being used included records inventory, records management policy, records procedures manual and a record retention schedule. This is similar to Chirwa (2015) who conducted a study at Zambia's Ministry of Education, Science and Vocational Training and Early Education (MESVTEE) headquarters discovered availability of records management tools such as records retention and disposal schedule. However, due to restricted and controlled access to the registries, researchers did not manage to see the condition and quality of the said records management tools or their comprehensiveness during the time of data collection. Record management tools such as records retention and disposal schedules, records management manuals and records management policies are an integral component of any records management programme.

## **5.4 Security measures to protect land records and disaster preparedness**

Acknowledging the importance of land records, researchers wanted to find out what measures that the Ministry of Lands and Natural Resources (MLNR) had put in place to protect land records. The research revealed that the registries had put in place several security measures to safeguard land records, prominent of the measures being restricted and controlled access as well as security personnel. A majority of the participants indicated controlled and restricted access as the primary security measure which implies that Land records can only be accessed by authorized individuals only. The other dominant measure mentioned was use of fire extinguishers. This is similar to Bakare, Abioye and Issa (2016) study in Local government councils in Ogun State Nigeria, the trio reported that security measures taken by the councils to prevent unauthorized access, mutilation, and stealing of their records included managerial clearance, personal coding and locked cabinets. Security of records and disaster preparedness is paramount in records management. Records of any kind must be protected from environmental disasters as well as human disasters if the organization that created them wants

to continue operating (Ndenje-Sichalwe, 2010). Land records are of particular importance in ensuring tenure security for property owners.

From the findings, it was also revealed that a majority of the respondents did not have knowledge of the existence of a written disaster preparedness plan. This entails that a majority of the staff do not have knowledge of the existence of the disaster preparedness plan. This is similar to Nabombe (2012) who conducted a study in Zambian courts aimed at investigating how court records were managed, research findings showed that disaster preparedness programmes were lacking in the courts of law. This means that there were no plans to protect court records in the event that a disaster (whether man-made or natural) struck with the potential to damage or destroy records. By implication, it means that when a disaster strikes, staff in the registries do not a plan to respond to the emergency. This is a concern as they are a custodian of very important records. When the land records are lost in a disaster (natural or man-made), it threatens the tenure and property security of citizens. Disaster preparedness plan is important as it that specifies measures that should be taken to respond to a disaster once it strikes. Disaster planning prepares the institution to respond quickly to emergencies (Ndenje-Sichalwe, 2010).

## **5.5 SUMMARY**

Chapter 5 discussed the findings presented in chapter 4 by adding meaning to the data analysed complemented with literature. The discussion was based on staffing levels, competencies and satisfaction, type of land records received and maintained, available infrastructure for managing land records and security measures put in place to protect land records and disaster preparedness.

## CHAPTER 6

### RECOMMENDATIONS AND CONCLUSION

#### 6.1 CONCLUSION

The aim of the research was to investigate the management of land records at the ministry of Lands and Natural resources headquarters. The first objective was assess the staffing levels, competence and satisfaction. The findings have revealed that the highest qualification of staff in the registries is Bachelor's degree with a significant number of staff having diploma and certificate in records management. It has also been revealed that a majority of staff have worked in the registry between 3 and 4 years. The findings have indicated that the number of staff working in the registries is not enough. The second objective was to find out the type of land records generated at the ministry of lands and natural resources. It was discovered that Land records are both manual and electronic. The registries have an electronic records management system. Land records included; Certificate of Title (title deeds), Leases (direct), invitation of treaty, mortgages, caveats, offer letters, consents, lease agreements, policy files, diagrams and surrenders. The third objective was to assess the available infrastructure for managing land records. The findings have shown that the storage of land records is not enough. The results have shown that the records management equipment being used in the registries included boxes, steel cabinets, shelves and computers. It was also revealed that semi-current records are kept in the shelves together with current records.

The fourth objective was to assess the availability of records management tools. The records management tools being used included records inventory, records management policy, records procedures manual and a record retention schedule. The fifth objective was to find out the security measures put in place to protect land records. The registries have put in place security measures to safeguard records prominent being restricted and controlled access as well as security personnel. From the findings it been revealed that a majority of the respondents did not have knowledge of the existence of a written disaster preparedness plan.

#### 6.1 RECOMMENDATIONS

Having collected and analysed data with intent to investigate how land records are managed at the Ministry of Lands and Natural Resources (MLNR) headquarters the following are the recommendations to the Ministry of Lands and Natural resources;

- ✚ Increase the number of staff in Lands and Deeds registry and Lands registry
- ✚ Recruitment of qualified records managers and upgrade the education of the existing staff to high records management qualification.
- ✚ Build bigger registries as the current ones do not have enough storage capacity.
- ✚ Should draft up a written disaster preparedness plan that should be accessible to all staff charged with managing land records.

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## APPENDICES

### APPENDIX 1: QUESTIONNAIRE

QUESTIONNAIRE ID \_\_\_\_\_

**THE UNIVERSITY OF ZAMBIA  
SCHOOL OF EDUCATION  
DEPARTMENT OF LIBRARY AND INFORMATION SCIENCE**

**TOPIC: Management of Land Records: Case study of Zambia Ministry of Lands and Natural resources (MLNR) headquarters.**

Dear respondent,

We are fourth year students at the University of Zambia (UNZA) in the School of Education pursuing a bachelor's degree in Library and Information Science. We are carrying out a research on the above topic and you have been selected to participate in this research. Please note that this research is purely for academic purposes and your responses will be treated with utmost confidentiality. Your participation will be highly appreciated.

#### INSTRUCTIONS:

- ✓ Do not write your name on the questionnaire
- ✓ Respond by ticking where appropriate and write in the spaces where possible
- ✓ Please answer all questions and if you have any doubts ask the interviewer (or contact the researchers on +260978967497, +260965034224, +260977515362)

SECTION A: Background Information of respondents				
No.	QUESTIONS	CODING CATEGORY	✓ Tick in the box	For Official use only
Q.1	Gender	1. Male 2. female	[ ] [ ]	
Q.2	Age	1. 18-22 Years old 2. 23-27 Years old 3. 28-32 Years old 4. 33-37 Years old 5. 38-42 Years old 6. 43-Above Years old	[ ] [ ] [ ] [ ] [ ] [ ]	

SECTION B: staffing levels, competences and satisfaction in the registries				
Q.3	What is your highest academic qualification obtained in records management?	1. Masters degree 2. Bachelors Degree 3. Diploma 4. Certificate 5. None 6. Other (specify)..... ..... ..... ..... .....	[ ] [ ] [ ] [ ] [ ] [ ]	
Q.4	What is your current position in the registry?	1. Senior registry officer 2. Registry officer 3. Registry clerk 4. Other (Specify)..... ..... ..... ..... .....	[ ] [ ] [ ] [ ]	

Q.5	What are your years of experience in registry work?	<ul style="list-style-type: none"> <li>1. 1-2 Years</li> <li>2. 3-4 Years</li> <li>3. 5-6 Years</li> <li>4. 7-8 Years</li> <li>5. 9-10 Years</li> <li>6. 11 and above Years</li> </ul>	<ul style="list-style-type: none"> <li>[ ]</li> <li>[ ]</li> <li>[ ]</li> <li>[ ]</li> <li>[ ]</li> <li>[ ]</li> </ul>	
Q.6	Does the registry have enough staff to manage land records?	<ul style="list-style-type: none"> <li>1. YES</li> <li>2. NO</li> </ul>	<ul style="list-style-type: none"> <li>[ ]</li> <li>[ ]</li> </ul>	
Q.7	What factors motivate you the most working in the registry?	<ul style="list-style-type: none"> <li>1. Salary increase</li> <li>2. Promotion</li> <li>3. Leave</li> <li>4. Recognition/Appreciation</li> <li>5. Interaction with fellow staff</li> <li>6. Other (Specify).....</li> <li>.....</li> <li>.....</li> <li>.....</li> <li>.....</li> <li>.....</li> </ul>	<ul style="list-style-type: none"> <li>[ ]</li> <li>[ ]</li> <li>[ ]</li> <li>[ ]</li> <li>[ ]</li> <li>[ ]</li> </ul>	

SECTION C: Types of Land records received and maintained	
Q.10	What type of land records do you keep? ..... ..... ..... ..... ..... ..... ..... ..... ..... ..... ..... ..... ..... ..... ..... .....

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Q.11	In which format are the land records kept?	1. Manual 2. Electronic 3. Both (Manual and Electronic)	[ ] [ ] [ ]	
Q.12	Does your registry have an electronic records management system?	1. YES 2. NO	[ ] [ ]	

**SECTION D: available infrastructure for the management of land records in the registries**

Q.13	Does your registry have adequate storage to keep its records?	1. YES 2. NO	[ ] [ ]	
Q.14	What records equipments does the registry use to keep land records?  <i>(Tick as many options)</i>	1. Boxes 2. Cupboards 3. Wooden racks 4. Steel Cabinets 5. Shelves 6. Computers 7. Flash disks 8. Other (Please Specify)..... ..... ..... ..... ..... .....	[ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]	
Q.15	Where do you keep your	1. In the shelves together with current records 2. In the shelves separate from current records 3. In a separate room designed for such use	[ ] [ ] [ ]	

	semi-current records?  <i>(Tick as many options)</i>	4. In a separate room not designated for such use 5. On the floor 6. Other (Please specify)..... ..... ..... ..... ..... ..... .....	[ ] [ ] [ ]	
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**SECTION E: availability of records management tools**

Q.16	What records management tools are used by your registry?  <i>(Tick as many options)</i>	1. Records Retention and disposal schedule 2. Records Procedures manual 3. Records management policy 4. Records inventory 5. Others (Please Specify)..... ..... ..... ..... ..... ..... .....	[ ] [ ] [ ] [ ] [ ]	
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**SECTION F: security measures established to protect land records and disaster preparedness**

Q.18	What measures have been put in place to protect land records?  <i>(Tick as many options)</i>	1. Fire extinguishers 2. Fire detectors 3. Locking drawers/Cabinets 4. Security personnel 5. Burglar Bars 6. Air conditioning/Ventilation 7. windows with blinds and curtains 8. Use of incandescent lights 9. CCTV cameras 10. Restricted and controlled access	[ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]	
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		11. Passwords 12. Firewalls 13. Other (Please Specify)..... ..... ..... ..... ..... .....	[ ] [ ] [ ]	
Q.19	Is there a written disaster preparedness plan for your registry?	1. YES 2. NO	[ ] [ ]	
Q.20	If yes to Q.19, what are the aspects does the disaster preparedness plan covers?  <i>(Tick as many options)</i>	1. It deals with safe evacuation of people 2. It deals with the records 3. It describe emergency procedures 4. It outlines disaster response 5. It lists emergency supplies 6. Other (Please specify)..... ..... ..... ..... ..... .....	[ ] [ ] [ ] [ ] [ ] [ ]	

**THANK YOU FOR YOUR PARTICIPATION**

Contact the researchers for inquiries on +260978967497 +260965034224, +260977515362

**APPENDIX 2: INTERVIEW GUIDE-Land officers and Registrars**

Interview Guide: Land officers and Registrars in the Lands Department and Lands and Deeds department

Name of Interviewer:.....Date of interview.....

Name of Interviewee:.....

Sex of Interviewee.....Age of interviewee.....

**1. What is your highest academic qualification?**

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**2. What are the types of lands records generated or created by the departments in the ministry of lands and natural resources?**

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**7. What measures has the ministry put in place to protect land records?**

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***THANK YOU FOR PARTICIPATING IN THIS RESEARCH***

### APPENDIX 3: WORK PLAN

NO.	ACTIVITY	DESCRIPTION	DURATION (Dates)
1.	<b>Literature Review</b>	This involves the collection of all relevant information that is useful to the research topic.	6 days (4 <sup>th</sup> – 10 <sup>th</sup> April)
2.	<b>Proposal Writing</b>	This involves the systematic classification and organization all necessary information useful for the writing and completion of a research proposal.	27 days (18 <sup>th</sup> April – 15 <sup>th</sup> May)
3.	<b>Preparation of Data Collection Tools</b>	this refers to the creation and preparation of questionnaires which is the data collection tools for the research	10 days (19 <sup>th</sup> -29 <sup>th</sup> May)
4.	<b>Submitting Draft Proposal</b>	handing in draft proposal to the Supervisor for necessary corrections	3 <sup>rd</sup> May
5.	<b>Collection of Draft Proposal</b>	Collection and scrutiny of the draft proposal where necessary amendments are made for the final proposal.	9 <sup>th</sup> May
6.	<b>Submission of Final Proposal</b>	Handing in the final proposal to the Project Supervisor awaiting results.	13 <sup>th</sup> July 2018

<b>7.</b>	<b>Sampling of Data Collection Tools</b>	This entails the researcher testing the effectiveness of the data collection tools to ensure reliability of findings	14 July-28 August
<b>8.</b>	<b>Field Work</b>	The researcher begins to use the data collection tools (questionnaires and interview guides) to obtain information from the sample in the field.	30 days (3 <sup>rd</sup> August-3 <sup>th</sup> September)
<b>9.</b>	<b>Data Analysis</b>	This involves the evaluation and interpretation of all data collected from the field.	5 days (5 <sup>th</sup> -10 <sup>th</sup> September)
<b>10.</b>	<b>Drafting Report</b>	Compilation of data analysis, results and findings into draft report.	7 days (11 <sup>th</sup> -15 <sup>th</sup> September)
<b>11.</b>	<b>Finalizing Report</b>	making the necessary alterations after consultation in readiness for final Submission	(18 <sup>th</sup> -25 <sup>th</sup> September)
<b>12</b>	<b>Submission of Report</b>	handing in the report for marking	14 <sup>th</sup> December, 2018

## APPENDIX 4: BUDGET

DESCRIPTION OF ITEMS	UNIT	TOTAL No OF UNITS	COST/ UNIT (K)	TOTAL (K)
<b><u>Secondary Data Collection</u></b>				
Internet (bundles)	Minutes	5GB	100	100.00
<b>SUB-TOTAL</b>				<b>100.00</b>
<b><u>Preparation of Draft Proposal</u></b>				
Paper	Reams	1	50.00	50.00
Pens	Each	8	2.00	16.00
Pencils	Each	4	2.00	8.00
<b>SUB-TOTAL</b>				<b>74.00</b>
<b><u>Preparation/ Printing Questionnaire</u></b>				
Printing proposal and binding	1		25.00	50.00
Printing Questionnaire	1		15.00	15.00
Photocopying Questionnaires	110		3.5	385.00
<b>SUB-TOTAL</b>				<b>450.00</b>
<b><u>Data Analysis/Report Writing</u></b>				
Paper	Ream	1	50.00	50.00
Pencils	Each	8	2.00	16.00
Pens	Each	4	2.00	8.00
<b>SUB-TOTAL</b>				<b>74.00</b>
<b><u>Preparation of Final Report</u></b>				
Printing Final Report	2		50.00	50.00
Photocopying	2		20.00	20.00
Binding	Each	2	10.00	20.00
<b>SUB-TOTAL</b>				<b>90.00</b>
<b>GRAND TOTAL</b>				<b>788.00</b>