

# Special Themes Report: Rights Committees

September 2015

## HUNGER SAFETY NET PROGRAMME (HSNP): PHASE 2 EVALUATIONS

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*The Special Themes reporting series allows HSNP to explore topics of interest systematically. The Programme Implementation and Learning Unit (PILU) determines the topic based on questions or concerns raised through other monitoring tools, observations from the field, or current policy issues. The findings are based on multiple open-ended interviews with recipients, implementing agencies, pay agents, and county and national staff. This method allows observers to triangulate data and provide colourful insight into the issue at hand. The investigations are led by Oxford Policy Management (OPM), an independent consultancy organisation.*

### Introduction

Rights committees are comprised of well known respected members of their local community. Within the context of HSNP they have held multiple responsibilities, including: (i) mobilising communities for programme activities (targeting, registration, payments); (ii) ensuring community members are aware of their rights and responsibilities and the process for complaints; (iii) receiving and recording all complaints and sending the records to the data management officers (DMOs) of the coordinating non-governmental organisation (NGO), known as Social Protection Rights, for data entry into the HSNP management information system; and (iv) overseeing the payments process to ensure efficiency in payments and reduce the risk of fraud by agents. Members are generally nominated by a local chief and confirmed by the community at a public gathering, a *baraza*, at the sub-location level.

The PILU is in the process of considering how the HSNP rights committees might evolve in the next phase of programme implementation. To understand their current roles and performance better, the OPM team interviewed HSNP implementing staff (programme managers, programme officers and members of the NGOs that oversee the committees) regarding the contribution of the committees to effective programme operations; committee members themselves, about their responsibilities and the challenges they face; and pay agents and recipients, about their interaction with committee members.

### Common findings across counties

**Rights committees are quite active in reporting complaints.** Many respondents indicated that rights committee members do report complaints. This does not necessarily happen through the prescribed channels. For instance, many members are not literate and therefore may report an issue via mobile phone. Several rights committees and Social Protection Rights NGOs indicated that RC members' reports first went through the chiefs who in turn reported them upwards, although this is not a formal channel for reporting. Resolution of complaints is considered to be much less timely and effective than the reporting of them.

**Rights committees generally are not very active in overseeing payments.** Few pay agents and recipients report seeing rights committee members at pay points. Where they are active in payments, they are generally good at mobilisation and crowd management. Few people report frequent rights committee oversight of the actual payments (e.g. ensuring that recipients check their balances and get the appropriate amount).

**The limited literacy of members presents a challenge to the rights committees efficient operation.** Many struggle to perform tasks related to reporting complaints and updates. For

instance, in Wajir, committee members report using their children to help record complaints. The HSNP programme manager in turn said that this practice often resulted in incomplete or distorted messages.

**The coordination between rights committee members and formal HSNP structures is uneven and unclear.** The amount of time spent by county staff interacting with rights committee members varies across the payment cycle. Ideally, HSNP staff or the Social Protection Rights NGOs should spend at least a day a month with a particular rights committee. However, in practice these visits are largely dependent on resources and priorities (e.g. visits where there is an issue to be resolved). While the amount of time committee members spend on the job was not directly asked, our observation is that it varies greatly.

**Motivation of rights committee members is a challenge.** Members are not paid for their work, nor consistently reimbursed for expenses. They have mixed feelings about whether they are respected in the communities they serve and whether they have the power needed to do their jobs. For example, some rights committee members indicated that they communicate everything through the local chiefs. Owing to these circumstances, members are easily demotivated and often become less active due to competing priorities.

## SUGGESTED WAY FORWARD TO IMPROVE PROGRAMME DESIGN

The challenges with the rights committees are not new and have been reported in the past through other evaluations, including that of HSNP Phase 1. As such, we suggest that the HSNP steering committee request the county-level steering committees to consider the future of the rights committee structure, submitting a brief with the pros and cons on possible solutions. Below we put forth two possible options for discussion with the recognition that county-level personnel are in the best position to recommend an operationally feasible and cost effective improved design, taking into account also the proposed move towards closer integration or harmonisation of the HSNP with the other elements of the Government of Kenya's National Safety Nets Programme (NSNP).

The substantive set of responsibilities placed on rights committee members (e.g. mobilisation, complaints handling, payment oversight) is not consistent with a voluntary position. Two possible options to consider are described below:

- Disbanding rights committees in favour of a system that leverages local government structures (e.g. chiefs) who report directly to county-level officials. In this context, complaints and grievance reporting and oversight of payment processes would fall under the direct responsibility of HSNP in close cooperation with sub-county chiefs and other recognised local structures; OR
- Strengthening the rights committees into a more formalised structure that is properly staffed, resourced, and trained, and that might eventually be aligned with the beneficiary welfare committees that serve other cash transfer schemes under the NSNP. This option would include payment for services, the development of a recognised reporting process, and selection of members who meet specific, outlined criteria.

In either case, we recommend that the counties consider the details of how these (or other options) will be carried out, including identification of the cost constraints and who, over the longer term, would pay for these improvements.

## Perceptions of the responsibilities of the rights committees

### Perspective of committee members

Overall there is a lack a consistency among rights committee members themselves as to their perceived responsibilities (Table 1). In Wajir and Turkana, those interviewed had a very clear idea, reporting detailed descriptions of their tasks such as ‘*directing people to the Arid Lands office in Wajir to deal with issues of loss of cards*’ and ‘*educating beneficiaries on how the transfer money is to be spent.*’ In Turkana, one member indicated that it was not their responsibility to communicate with pay agents, but rather to report on issues they observed.

In Mandera, rights committee members indicated more general descriptions of their tasks that included monitoring payments and connecting beneficiaries to others in the complaints chain such as RACIDA, their Social Protection Rights committee, and the National Drought Management Authority (NDMA). In Marsabit they expressed very limited knowledge of their roles. One reason is perhaps that in Marsabit, those interviewed expressed challenges with too many rights committee members and limited resources and capacity to effectively train all of them. The programme manager and programme officer reported they originally had 9-10 rights committee members per sub-location; but noted that they are now in a process of reducing these to four or five.

**Table 1: Rights committee members' perceptions of their responsibilities**

Responsibility	Wajir	Mandera	Turkana	Marsabit
Stand up for beneficiaries				
Collect and report on complaints and where possible advise beneficiaries how to resolve issues				
Educate on appropriate usage of transfer				
Monitor payments and report issues (e.g. checking for right amount)				
Link beneficiary to NGO handling complaints and/or NDMA				
Crowd control				
Update records				
Attend meetings on issues				
Mobilisation				

Source: OPM / RGA. Note: The table indicates responses to the question, ‘*What are the responsibilities of the rights committee and yourself as a member of the committee?*’ The field is highlighted if at least one of the three respondents per county mentioned the responsibility.

### Perspective of other actors

Table 2 provides reported activity levels of the rights committees from the perspective of different stakeholders. At the county level most report that on average half the committees are active, but most activity is seen around complaints management (see next section). On the ground, very few recipients and pay agents report seeing rights committee members actively monitor payments.

**Table 2: Perceptions of rights committee activity levels by county and stakeholder**

County	HSNP PM/PO	SPRC/DMO	Beneficiaries	Pay Agents
Wajir	Estimate that 50% of Rights committees are active	Estimate 50-95% active	Zero (0) of three report seeing rights committee members at pay points	Two (2) of three say RC present on payment days
Mandera	Estimate that 2-3 Rights committees active in each sub-location	Estimate 50% active	Two (2) of three report seeing rights committee members at pay point; but in one instance RC member just picking up payment	Occasionally pass by during payments
Turkana	Estimate 3-4 active in each sub-location	Estimate 60% active, currently replacing inactive members	One (1) of two report seeing member occasionally	Rarely seen, only when RC member is picking up payment
Marsabit	Varies greatly by sub-location	Varies greatly by sub-location	Two (2) report never seeing at pay point, One (1) says occasionally seen helping with queues	Rarely seen, only when RC member is picking up payment

Source: OPM / RGA.

Reflections of respondents on how best to improve the operations of rights committee reveal the following suggestions:

**Pay rights committee members for their work.** Perhaps the most consistent suggestion across counties and stakeholders is the recommendation to pay rights committee members for their time; or, at a minimum, provide a stipend for expenses used to conduct HSNP business.

**Better vetting process.** There is a general consensus that HSNP should be more selective in its choice of rights committee members. Indeed, some rights committee members report being chosen for the task in absentia, without their knowledge. Many respondents suggested that at least one member of the team be fully literate to handle the writing of reports

**Increase level and complexity of training.** The understanding of rights committee members about their responsibilities varies greatly. Those interviewed such as country staff had many suggestions for improving training including increasing the amount of training, moving the location to ensure people attend, and introducing an exchange programme across counties to learn from others.

**Reduction in the number of rights committees / members.** Across counties many of those interviewed suggested that HSNP remove or replace inactive rights committee members. In Wajir and Mandera, there is also a feeling that the number of members in each committee should be reduced, focusing on active members. However, in Marsabit, those interviewed expressed concern in any reduction due to the large areas that a single rights committee must cover.

**Increase the prestige of the position of members.** Both rights committee members and those at the county level felt it important to raise the prestige of the committee members. Suggestions range from including members in higher level meetings, and offering more interaction with higher levels of government and other stakeholders; to exchange programmes and branding efforts such as getting the members t-shirts, pins, etc. to advertise their status.

## Handling complaints

Despite the lack of activity at pay points, programme managers are generally pleased with the rights committees' reporting of complaints. While rights committees struggle with written reports, most county-level programme implementers (the programme managers and officers, and members of the Social Protection Rights NGOs) agree that the committee members call in when they have an issue. In all counties the village chiefs appear to be involved in the complaints reporting workflow. For instance, in Turkana and Marsabit several of those interviewed indicated that rights committees first take their complaints to the chief. In Wajir, the Social Protection Rights NGO reported that chiefs assist the rights committees in completing their reports.

While a paper trail of complaints may be lacking, at the county level, coordination of HSNP issues appears to happen on a regular basis. In all of the counties, programme managers and programme officers report holding regular coordination meetings on average, twice a month with the Social Protection Rights NGOs. At these meetings, three of the four counties report discussing 'unique cases' when they arise to find a resolution. A few examples are provided in Box 1.

The answer as to how the complaints make their way to county offices varies greatly across counties and depends on the respondent. For instance, in Wajir, the HSNP programme manager and officer indicated that complaints reports were filed weekly, although some of the more distant areas took longer to send the reports. One rights committee in the area indicated that the District Pastoralist Association (Wajir SPR partner) collected the reports while another indicated that they often accompanied recipients in person to the head office to voice complaints. In Mandera, there is also an understanding that complaints should be filed weekly, but practice varies as rights committees lack the necessary complaint forms. Here, one rights committee member indicated that they sometimes reported to RACIDA (Mandera SPR partner) and sometimes to the chief. In Marsabit, the programme manager and officer stated that they received the forms on a weekly basis, travelling to the field to collect the forms from the Rights committees.

### Box 1: Examples of complaints reported and resolved

In Wajir, the issue of agent malpractice (charging commissions) was discussed at a meeting with Equity bank and escalated to Nairobi. As a result, some of the agent contracts were terminated. According to the DMO, the issue of malpractice in this area has since declined. Similar stories were reported in the other counties.

In Mandera, in a divorce dispute the question was raised on who should continue receiving the cash transfer? According to the DMO, they made a visit to the field to assess who was most vulnerable to determine the future recipient of the money.

### Box 2: Best practice in complaints reporting

In Turkana, the SPR coordinator, from HelpAge, explained that every sub-location had a complaints book kept by the rights committee secretary, who was literate. Other members of the rights committee took the complaints to him or her to enter. This process was confirmed by a rights committee member. Once a month the HelpAge representative collected the books from the rights committee and keyed in the complaints so they could return the books to the rights committees on the same day. The SPR coordinator explained that the best practice process was then to compile the complaints and send them NDMA or to Equity Bank.

Table 3 shows a list of complaints that committee members mention handling.

**Table 3: Rights committee complaints handling**

Complaints that rights committees mention covering	Wajir	Mandera	Turkana	Marsabit
Cards not having money				
Change of beneficiary (deaths, etc.)				
Lost ID, lack of ID, issues with ID (mismatched names, extra digits, etc.)				
Settling dispute between beneficiary and caregiver				
Unopened accounts and lack of clarity on which groups will receive money (which cards are active)				
Malpractice on part of pay agent				
Mistreatment of beneficiaries				

Source: OPM / RGA.

The perceptions around the efficiency of complaints resolution varied widely across counties. For instance, in Wajir, both the SPR coordinator and DMO indicated it takes upward of six months to resolve complaints, reporting: *“There are too many processes to go through and the concerned parties are not acting fast enough.”* In contrast, in Mandera the SPR coordinator stated that complaints were resolved promptly, on average in two days, depending on whether it was with Equity Bank or NDMA. In Turkana, the DMO interviewed expressed frustration with the level of resolution:

*“Since the commencement of the project no feedback/response has been received. The complaints are there but resolution is zero. Most of the complaints are directed to Equity bank and it’s as if the system (MIS) used by Helpage is quite different from the one used by Equity. Helpage is not even sure Equity is aware of the complaints but the complaints have been forwarded to them. For account opening the beneficiary go there in person and for agent malpractices we have always reported to Equity and nothing have received not feedback as yet.”* – DMO, Turkana

The DMO interviewed in Marsabit reported that complaints were reviewed regularly. Despite this review, it is not clear how efficiently those passed along to someone else to get resolved.

*“Within a week after collecting the complaints, we sit down with all the component to dissect and know way forward and channel each complaint or problem to the right handler, we sometimes even have an impromptu meeting depending on the magnitude of the problem.”* – DMO, Marsabit

Rights committee members were asked about the effectiveness of the action taken on complaints. In Wajir, two of the three rights committee members interviewed indicated that the District Pastoralist Association handling of the complaints was fair to good. In Mandera, one respondent stated that complaints around the handling of card activation were quickly resolved, but that those around changing recipients (updates) was quite slow. In Turkana the responses by the rights committee members were varied. In Marsabit the rights committees appear much more fatalistic, declaring, *‘We wait for a solution until we give up’* and, *‘We just hope that one day the promise will be fulfilled’*.

## Methods

OPM field teams and RGA team supervisors conducted interviews between 8th and 15th September 2015. Interviews with rights committees, pay agents, and recipients were conducted during the regular operational monitoring exercise in three separate areas of selected sub-locations in each county. County interviews were also conducted as per the below table.

Stakeholder	Wajir	Mandera	Turkana	Marsabit
	<i>Number of interviews</i>			
<b>County HSNP Project Manager (PM)</b>	1	1	1	1
<b>County HSNP Project Officer (PO)</b>	1	1	1	1
<b>County Social Protection Rights Coordinator (SPRC)</b>	1	1	1	1
<b>County Data Management Officer (DMO)</b>	1	1	1	1
<b>Rights Committee (RC) members</b>	3	3	3	3
<b>Pay Agents</b>	3	3	3	3
<b>Beneficiaries</b>	3	3	3	3
<b>Total Interviews</b>	13	13	13	13

Source: OPM / RGA.

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