

**DEVOLUTION OF RECORDS MANAGEMENT TO COUNTY GOVERNMENTS: A
STUDY OF FOUR COUNTIES IN WESTERN KENYA**

BY

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DECLARATION

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ABSTRACT

Devolution of records management (DORM) is a records management programme which can support devolution being adopted world over. It can ensure proper care of local government records and support devolved units. However, in Kenya the programme has not been properly mainstreamed into devolution. The aim of this study therefore was to investigate DORM to county governments (CGs) a study of four counties in western Kenya namely: Kakamega, Bungoma, Busia, and Vihiga and develop a framework for effective DORM. The specific objectives of the study were to: -Establish the nature of records transfer to four selected counties of western Kenya; examine the current records management practices in promoting devolution of records management to county governments; Assess the existing records management infrastructure in supporting DORM to county governments; Determine the strategies put in place to counter the challenges of DORM currently being experienced; and develop a framework for effective DORM. The Records Management Capacity Assessment Model and the Principle of Subsidiarity informed the study. A qualitative approach was preferred for the study within an interpretivist stance. Credibility of the study was ensured by prolonged engagement at the research site. Multiple case study research design was used where 43 participants comprising of 15 Chief officers and Directors, 4 heads of records management units, 16 departmental records management officers and 8 Archivists were purposively selected to take part in the study. Interview guide was the main data generation instrument but was supplemented by observation schedule and document analysis. Qualitative data were analysed inductively and deductively using grounded theory techniques. The key findings of this study were: the transfer of records to (CGs) was undertaken haphazardly; and devolution of records management was undertaken without a supportive records management infrastructure. The conclusion arising from the study is that DORM to CGs in Kenya has marginally been implemented. It is recommended that proper DORM programme could be achieved by prioritising doing the following: developing and enforcing conditions on transfer of records of devolved functions to CG; enact records management infrastructure supportive of DORM. professional archivists and records managers be responsible for DORM; adequate resources be allocated to DORM. Using the insights gained from the study a suitable framework has been developed to fill the existing gap between existing and required effective DORM. A criterion on transfer of records will ensure uniform practices are applied; appropriate records management infrastructure will establish DORM and give to the national and county Archives centres required mandate to effectively oversee management of CG records

DEDICATION

To my wife Joyce and our children Bosire, Ayaye and Mwagi

And

To my parents Rev Wilson Nyamberi and Hellen Bisieri

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ABBREVIATIONS AND ACRONYMS

ACARM	Association of Commonwealth Archivists and Records managers
CoK	Constitution of Kenya 2010
CG	County Government
DORM	Devolution of Records Management
DRMO	Departmental Records Management Officers
DFFRD	District Focus for Rural Development Strategy
ESARBICA	Eastern and Southern Africa Regional Branch of International Council on Archives
HOD	Heads of department
HRMU	Head of Records Management Unit
ICA	International Council on Archives
ICT	Information Communication Technology
IRMT	International Records Management Trust
KNADS	Kenya National Archives and Documentation Service
MoReQ	Model Requirements for the Management of Electronic Records
NACIMCM	National Archives of Canada's 'Information Management Capacity Model
NACOSTI	National Commission for Science, Technology and Innovation
ISO	International Organizations for Standards

RMCAS	Records Management Capacity Assessment System
USA	United States of America
RM	Records Management

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CHAPTER ONE

INTRODUCTION AND BACKGROUND INFORMATION

1.1 Introduction

Devolution of records management (DORM) is an integral element of any successful devolution programme but least attention is often paid to it. In a devolved records management approach in various degrees' powers in how records are managed throughout their life cycle from creation through their use, maintenance and to disposal resides in the sub national units. Devolution aims at bringing archives services closer to the people. It has the objective of giving greater responsibility, freedom, and autonomy to professional and people at the local level to make their own decisions and creatively bring value to records management.

According to (Williams, 2006b) the way governments govern has led to different administrative infrastructures being developed, and the way they manage their records and archives has led to the application of different archival principles and practices. In countries with highly centralised systems of government, state control has led to regularisation of records management practices from the centre. By contrast, in countries with a devolved structure where the individual states together form a united nation, but remain independent in internal affairs; the national archives have archival organisations in each state, responsible for the records of national functions but individual devolved units have a great degree of independence over the management of their own records and archives.

According to (Harries, 2011) in devolved government the central government departments that previously managed records are made to only focus on setting the conditions in which the devolved units operate and through financial controls. Centralised records management planning and delivery of records and archives services have been regarded as inherently

wasteful and inefficient, slow and cumbersome in responding to a changing world, and that departmental managers tended to develop ‘empire-building’ instincts that makes them resistant to change

(Ngoepe, 2016) investigated records management models, with a view to developing a model that can be customized by governmental bodies in the implementation of records management. The study revealed that governmental bodies often applied general records management principles without customizing them or addressing the challenges they are facing. It is argued that, because each organization was unique in its make-up, culture, goals and management style, effective records management could have achieved by copying other organizations’ records management programmes.

Different models exist for managing records in different countries. Centralised model involves the establishment of one physical location for the records management operation in the organisation, the development of a single policy and the formation of one group of people responsible for carrying out records management activities. Decentralised model involves the establishment of multiple records management units at different office locations or in different parts of one office location. Each unit provides records management services for its particular area, and may be controlled by an operational records manager reporting to the corporate records manager. In some organisations this model is further decentralised, to the point that users undertake operational records management. Devolved model can be distinguished from the decentralised model in that records management staff report directly to the business unit manager in which their operation is located, rather than to an operational or corporate records manager. Under this model, the corporate records manager is involved in policy and standards

setting, but there are no reporting lines between the corporate records manager and records management staff. Combination model combines aspects of the other models. An organisation with regional offices may, establish a centralised records management unit in its head office under the leadership of the corporate records manager, but may also give responsibility for operational records management to managers at regional offices, in accordance with standards and policies set by the corporate records manager

It is wrongly argued that DORM as a concept does not exist since records are a by-product of institutional activities and that if those institutions operate in political or administrative environment that is devolved it is the institutions rather than records that are devolved. Though records are a by-product but their management comprises different managerial functions of planning, organizing, directing, staffing, controlling, communicating, and decision making which can be devolved (Penn & Pennix, 2017). Devolution is a multifaceted form of administration in which as an agency of control is made to deliberately relinquish aspects of control over the organizations for which it was responsible, moving them along a continuum in the direction of total self-management. This continuum consists of many strands and variables and at any one time an organization will be in the process of moving towards more self-management in relation to one variable and remaining static or even moving in the opposite direction in another (Sharpe, 1996). A devolved records management system, unlike federalism the powers could be reversed back to the central government.

Devolution of records management can provide a wide range of opportunities. It is as important as devolution of other administrative services such as budgeting, personnel services, and physical facilities being devolved. Devolution of records management aims at integrating records management into the measures implemented to facilitate change management and exit

or transfer processes. Many of these measures are designed to give direction and firmness at a time of great uncertainty. A part from helping in addressing human resource issues faced by staff in change situation such as redundancy, transfer of records management can become a central element that helps a project or departments to be closed or transferred in a systematic and less stressful way (Wakeling, 2004a). Devolution of records management introduces structures and systems into the change process, ensuring the retention of records that meets the needs of good governance, accountability, and research.

(Wamukoya, 2015) in a paper meant to evaluate the contribution that African archives have made towards meeting society's needs and expectations argues that the global recognition of the role that can be played by records and archives towards major global initiatives such as devolution is slowly beginning to emerge. The paper argues that devolution of archives taking place in Africa aims at bringing archives services closer to the people. That it has the objectives of giving greater responsibility, freedom, and autonomy to professional and people at the local level to make their own decisions and creatively bring value to records management. However, DORM require investment in terms of resources, infrastructure, legislation, policy and human capital. These records system will eventually evolve into archives centres where the local people can go to, to learn about their culture and their history. Community groups, researchers and business can deposit records in the local archives' centres concerning local events and activities (Wamukoya, 2015). The paper concludes by affirming the view that African archives have unique contributions to make towards the needs of society and hold the key to ensuring that official information generated by governments is protected and preserved in a trustworthy and usable manner.

There is a great diversity of devolution of records management models that can exist even within the African continent alone shaped by each country's legal system and colonialism. A records management model refers to the approach adopted by organizations in implementing and maintaining records management. (Hofman & Katuu, 2023) argues that recordkeeping practices in African countries such as Botswana, South Africa, Zimbabwe and Kenya have been shaped by the English and French colonizers.

The wide variety of records management models being adopted for management of records in the public service is not limited to Africa. (Tremblay, 2023) notes that countries such as Australia, India, Italy, and Spain though devolved the central government plays a dominant role in the management of public service records. In other countries, such as Canada, Switzerland, the United States, which are also devolved subnational governments have more autonomy in management of their records. (Tremblay, 2023) observes that Germany, Ethiopia, and South Africa have cooperative type of devolution while Spain, India, and Italy have asymmetric devolution in which some subnational units have more autonomy and responsibilities than others.

In summary, reviewed studies have shown that although records management was an enabler of the devolved governance system. However, it was not properly structured to support implementation of devolution programmes in many African countries that were experiencing devolution. Also extant literature has shown that there can be different models of DORMs determined by each individual country's records keeping tradition and legal system. Thus, a sound DORM model for a country such as the USA or the Australia will not work in a country in Africa. Developing appropriate devolution of records management programme for a

country is necessary. However, the exercise is a complex one to the extent that the project can exceed scheduled completion date or not get completed at all.

1.2 Background Information

Devolution of management of records offers Kenya a number of opportunities for successfully implementing its form of devolved governance. In Kenya Sessional Paper on Devolved Government under the constitution of Kenya, 2010 provide guidance on how devolution should be implemented (O. o. D. P. M. a. M. f. L. Government, 2010) .This policy paper traces the roots of the calls for reforms in Kenya such as the desire to correct deficiencies of the highly centralized system, designed by the former colonial administration. The main objectives of devolution as identified by the policy paper include the restoration of power to the people in order for them to manage their affairs, particularly matters of local development, and freedom from poor governance emanating from the centre and poor governance in Kenya which is evidenced by corruption, ethnic conflicts, insecurity, political tensions and poverty are discussed in the paper. The sessional paper also identifies policy framework for legislation and administrative actions needed to implement devolved government. The initial challenge in implementing devolution according to the sessional paper revolve around assignment of functions along with the constitutional requirement that resources follow functions.

Among the opportunities of devolution according to the policy paper is that of putting in place devolved government and County Governments that are to be in the forefront of unleashing local economic development, through appropriate leveraging of local resources, with the requisite support, from the national government and other development agencies. Through devolution , high growth is expected that will be key to spurring the national growth effort, envisaged in Kenya's Vision 2030 (O. o. D. P. M. a. M. f. L. Government, 2010).

(Kemoni, 1998) observed that Kenya was accustomed to centralised system of recordkeeping inherited from the British colonialist and based on the Public Archives act. That regularisation of management of records in the sub national governments has always been done from the Kenya National Archives and Documentation Service (KNADS) headquarters in Nairobi.

(Mnjama, 2003) confirms Kemoni's view that despite various administrative changes experienced in Kenya the Kenya National Archives and Documentation Service (KNADS) had not experienced any equivalent changes. (Okumu, 2013) notes that The KNADS was established by an Act of Parliament in 1965 for the main purpose of preserving the records created in the Public Service for historical value and research. (Okumu, 2013) notes that the failures of Kenya's central records keeping approach were: inability by the public offices to implement guidelines governing management of records such as the Government Financial Regulations and Procedures. The other is lack of working tools, equipment and appropriate training for records management officers and inadequate office accommodation and storage facilities for active, semi-active and non-active records resulting in inappropriate storage such as on the floors, corridors, garages and staircases; and lack of guidance, support and cooperation from top level management.

(Kemoni, 1998) argued that attempts to address Kenya's central records management approach deficiencies through decentralisation of KNADS to five regional archives namely Nairobi, Mombasa, Nakuru, Kakamega and Kisumu established between 1980 and 1991. did not bring the much-anticipated records management improvements. Decentralisation of the KNADS had the aim of aligning management of public records with Kenya's change in economic development approach commissioned through the District Focus for Rural

Development Strategy (DFFRD) policy framework. That the adoption of the Strategy in archives and records management implies Kenya was expected to shift responsibility for planning and implementation of archives activities from the headquarters to the sub national units. (Kemoni, 1998) notes that the duties assigned to the regional archives were limited. These are: developing effective records management procedures, interpretation and implementation of cap 19 laws of Kenya, disposal of non-current records, provision of professional advice to record creating agencies.

(Kemoni, 1998) and later (Mnjama, 2003) in their assessment of decentralisation of records management activities in Kenya agree that the national archives was not properly devolved. This is because the regional archives centres were not granted in DFFRD strategy the required independence for them to make decisions in regard to the care of local records. According to the dual the regional archives were made operate as field offices of the KNADS rather than as independent archives centres. Further, the decentralisation of the national archives services was not accompanied with fiscal decentralisation. As result the regional archives centres were not allocated financial and human resources proportionate with their assigned duties. The failure to adopt proper DORM then meant creators of records at the sub national governments level experienced various records management challenges. These challenges were: deficient file classification schemes, limited records storage equipment and space, limited training opportunities for staff having records management duties and inadequate knowledge of records disposition procedures.

Kemoni, concluded that Kenya's local records keeping problems could be addressed through proper devolution of the Kenya National Archives and Documentation Service. That with

DORM the regional archives will operate independently; the services offered by the regional archives will also be broadened; records emanating from the local governments will be retained closer to users; pressure on repository space at the Kenya National archives and Documentation headquarters in Nairobi will be eased, and records management will be in line with devolution policies which seeks to take government services closer to the people (Kemoni ,1998)

(Okumu, 2013) suggested that Kenya had taken several initiatives aimed at revitalising the records management function in the public service. The major improvement initiative was the 2011 Strategy for improvement of records for the public service. Through the Ministry of Public Service, Kenya developed and published “A Strategy for Improvement of Records Management in the Public Service”(Service, 2011). The strategy acknowledges that reforming existing records management model was necessary so that records management could be able to support other public sector reforms. The specific areas the strategy required records management reforms were in: the review of existing records legislation, mail management, records classification schemes, file management, disposal of records, space and records management funding. The 2011 Strategy anticipated that with implementation of devolution in Kenya there might be mergers and separation in the public service ministries which could lead to closure and the transferal of records to county governments challenges. Among the records transfer challenges the Strategy foresaw were:“deciding how to share existing files among government agencies; lack of adequate storage space for the newly created devolved units; lack of space for records management units to operate independently; having to change the whole range of stationery of government to reflect the new status, the closure and transfer

of records of devolved functions not being planned leading to senior management being less involved resulting in mishandling and mismanagement of the records(Service, 2011)”

In attempt to alleviate the challenges in transferring records to the counties, Kenya enacted The Transition to Devolved County Government Act No 1 of 2012. This act required The Transitional Authority to develop and enforce an operational mechanism for closure and transfer of records of functions devolved to county governments. The Transitional Authority was a body established under The Transition to Devolved Government Act, 2012 laws of Kenya to facilitate and co-ordinate the transition to the devolved system of government as provided for under section 15 of the Sixth Schedule to the Constitution of Kenya of 2010(Parliament 2013).

According to article 3(e) and section k of the fourth schedule one of the objectives of The Transition to Devolved Government Act, 2012 laws of Kenya is to provide a mechanism for closure and transfer of public records and information. Further guidelines on records transfer in Kenya were provided in the Kenya Gazette Supplement No. 29 of 11 March 2016, titled Transition to Devolved Government (Mechanism for Closure and Transfer of Public Records and Information(Authority, 2016). The issuance of regulations through the Gazette happened three years into the records movement exercise to counties which began in 2013 after the first election under the Constitution of Kenya of 2010.

1.2.1 Devolution of Records Management

Devolution of management of records is a records management programme designed to meet the needs of local government and the people at regional and grass-root levels. It is characterized by greater freedom, responsibility and autonomy to professionals and the people

at local level being given substantial power on many aspects of records management subject to some limited control by the central government. Records management responsibility may be devolved to a region, a province, a district, or a town.(Ngoepe & Keakopa, 2011; Platform, 2015).

Devolution of records management can bring a significant change in records management landscape in a country. It can split a once unified records management programme into several autonomous records management programmes. The national government may enact a legislation that applies to central archives while sub national governments each enact a legislation that apply to individual sub national government archives(Ngoepe, 2019; Platform, 2015). However, in DORM unlike federalism powers which reside in the local governments can be reversed back to the central government.

(Florestal & Cooper, 1997; Ngoepe, 2016; Williams, 2006b) have differentiated between devolution of records management and other forms of records management models. The term centralized managing of records is restricted to a form of records management model where most decision-making, monitoring, and management functions are concentrated in the hands of an archives ministry or department. The central government regulates all aspects of the records management programme, including those related to records creators, archivists, records managers, funding, and facilities. It sets policy and performs management functions, such as paying archivists, and providing preservice and in-service instruction. Since in practice some matters might be dealt with locally, local officials are given some powers, but it is limited to day-to-day management, and they have very limited scope for initiative.

(Ngoepe, 2016) argues that in decentralised form of records management model, regularisation of records management practices in the local governments is from the centre. That rather than enhance local autonomy decentralized records management involves the establishment of multiple records management units at different locations. Each records management unit provides records management services for its particular area, and is controlled by an operational records manager reporting to the corporate records manager.

According to (Ngoepe, 2016; Platform, 2015; Williams, 2006b) devolution of records management is a form of records management model which deregulates records management practices in the local governments. In DORM approach an agency of control such as a national archive, relinquishes aspects of records management control over to the organizations for which it was responsible, thus moving them along the continuum in the direction of total self-management. This continuum is by no means unidimensional. It consists of many strands and variables. It is likely that at any one time an organization will be in the process of moving towards more self-management in relation to one variable and remaining static or even moving in the opposite direction in another (Sharpe, 1996).

Devolution of records management implies having different levels of government each establishing its own records and archives management programme. DORM transfers regularization of records management practices from the central government to several devolved units. (Netshakhuma, 2019b) notes that DORM is necessary as it makes local records more accessible and promotes their use by the public and ensure the proper management and care of all public records.

In this study DORM denotes devolution of archives. Devolution of archives is effected by the national government enacting an archives legislation applying to the national archives while the county governments each enact archives legislation applying to devolved unit's archives. This will ensure sub national governments will each establish and maintain its own archival infrastructure. In order to ensure a coherent and compatible records management practices in a country, the National Archives Act contains specific provisions that impact on the archival and records management services delivered by the local governments.

1.2.2 County Government (CG)

The term county government (CG) was first used in Kenya after the promulgation of the constitution of Kenya of 2010. However, in the United States of America the term CG had been in use over a long time to refer to a local government under the jurisdiction of the State Government. (Byers, 2011) observed that CGs were created for the purposes of handling land transfers and managing vital records. The counties boundaries were drawn so that no resident of a county had to travel for more than one day's journey to get to the county's seat in order to obtain services.

In Kenya county government have come to mean any one of the administrative units into which the territory of Kenya is divided into as specified in the First Schedule to the Kenya Constitution of 2010. According to (O. o. t. D. P. M. a. M. o. L. Government, 2012) a county government is responsible for functions assigned to it by the Constitution of Kenya of 2010. Each county, consists of a county assembly and a county executive. Figure 1.1 shows Organizational Structure of Kenya's County governments.

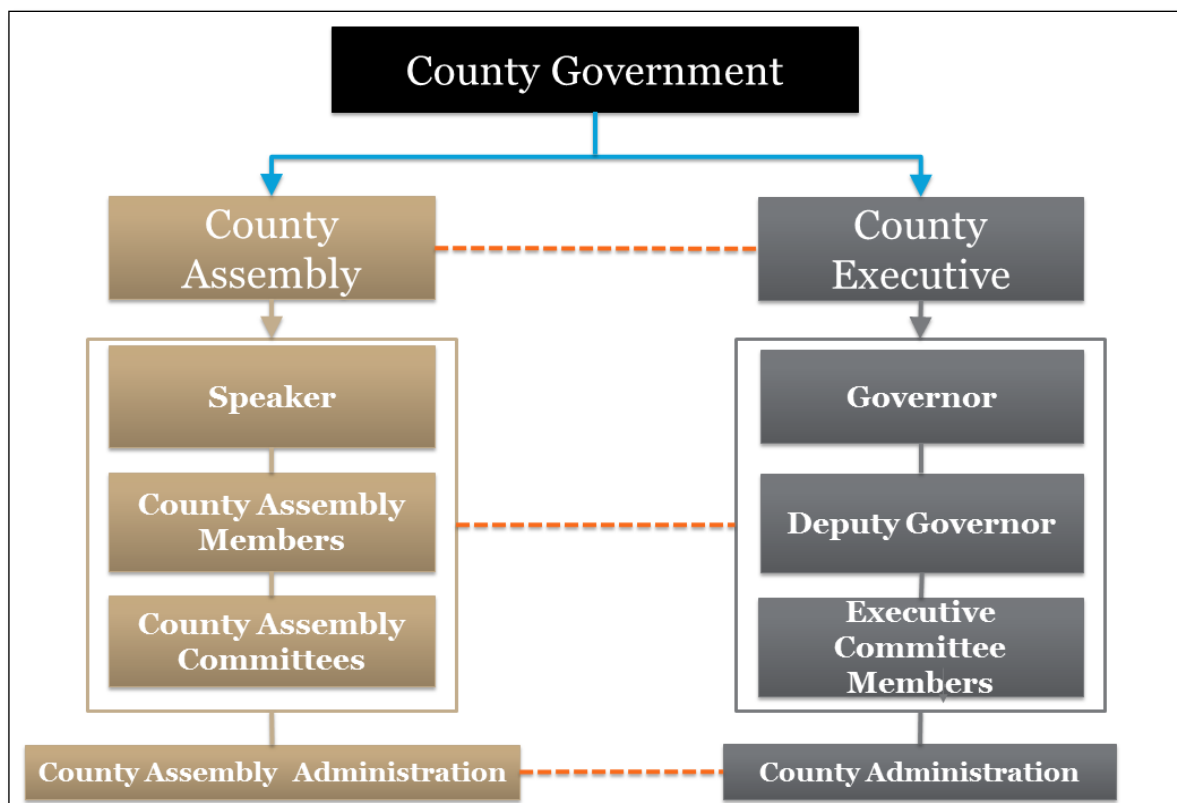


Figure 1: Organizational Structure of Kenya's County governments (CG)

(Source World Bank, 2012)

The uniqueness of Kenya's CGs is in their mandate which is much broader than that of the former municipal or local authorities. The CGs reach is smaller than is for a higher sub national unit. Each county government has on average eight hundred and twenty thousand people and a total land mass of twelve thousand three hundred kilometres squared (World Bank, 2012) . There are three types of CGs in Kenya namely: rural counties which have a predominantly rural population; peri urban with a mixture of rural and urban characteristics and finally urban and city CGs. The units making up county governments are. Urban, city, municipality, and town and sub county, ward and village units.

This study was based on four county governments in western Kenya namely: Kakamega, Bungoma, Busia and Vihiga which are all regarded as rural counties because they have a predominantly rural a population.

1.2.2.1 Kakamega, Bungoma, Busia and Vihiga County Governments

Kakamega, Bungoma, Busia and Vihiga Counties which are being studied are all located in western Kenya and are among the 47 CG established by the CoK of 2010. The four counties have a combined total population of approximately five million (Kenya National Bureau of Statistics (R. Kenya, 2019) . Administratively the four counties have been subdivided into 32 sub-counties (as shown in Table 1

Table 1: Western County Government Administrative Units

County	Sub counties	Population , 2019 census
Kakamega	Kakamega North East, West, South& Central , Mumias , Butere , Khwisero , Matungu , Likuyani, Lugari, Matete	1,867,579
Bungoma	Mt Elgon, Bungoma South, North, West, and East, Kimilli	1,670,570
Busia	Matayosi, Budalangi, Busia, Teso North &East, Nambale and Butula	893,681
Vihiga	Emuhaya, Sabatia , Vihiga and Hamisi	590,013
Total	32	5,021,843

(KNBS, 2019)

1.2.2.2 County Government of Kakamega

Kakamega is a rural county government (CG) with a population of 1.8million (KNBS, 2019). The CG has a vision of becoming competitive and prosperous offering high quality services in a clean and secure environment (Kakamega, 2013). The largest town and headquarters of the CG of the county is Kakamega town. As shown in Table 1.1, administratively, the CG is made up of 12 sub counties namely: Kakamega North, East, West, South and Central, Mumias, Butere, Khwisero, Matungu, Likuyani, Lugari, and Matete. The County of Kakamega borders Vihiga County to the south, Busia and Saiya counties to the West, Bungoma and Trans Nzoia Counties to the North, Uasin Gishu and Nandi to the East respectfully.

1.2.2.3 County Government of Bungoma

The second CG of Bungoma is located on the southern slope of Mt Elgon, which also forms the apex of the county. According to (Secretary, 2013-2017) Bungoma covers 3032.4 Km² in land size. It shares a boundary with the Republic of Uganda to the North West, The County Government of Trans-Nzoia, the North-East, to the East and South East the CG of Kakamega, and the west and the South The CG of Busia. The population of the CG of Bungoma is one million six hundred and seventy thousand five hundred and seventy (1,670,570). The mission of the CG of Bungoma is harnessing all potentials of the county through inclusive participation and collective responsibility to generate wealth for sustainable socio-economic development. The largest town that also serves as the seat of the county executive and county assembly is Bungoma town. Administratively, the CG of Bungoma is divided into nine sub- counties which are: Bumala, Bungoma South, Bungoma East, Bungoma North, Kimilili, Mt Elgon, and Bungoma West, Bungoma (Central and Webuye East

1.2.2.4 County Government (CG) of Busia

The CG of Busia is situated at the extreme part of western Kenya. According to (Planning, 2013) the CG of Busia serves as the gateway to Kenya's regional neighbours namely: the Republics of Uganda, the Republic of Rwanda, the Republic of Burundi, the Democratic Republic of Congo and the Republic of Southern Sudan. The CG borders three counties which are: the CG of Bungoma to the North, the CG of Kakamega to the East and the CG Saia to the South and covers an area of 1,694.5 km². The county's population is eight hundred ninety three thousand six hundred eighty one (893,681) (R. Kenya, 2019). The county's mission is to provide high quality services through well governed and empowered institutions and balanced multi-sectorial development for the holistic benefit of the people of Busia and other stakeholders (Planning, 2013)

1.2.2.5 County Government (CG) of Vihiga

The County Government of Vihiga is located in the western part of Kenya and its headquarters is at Mbale town. The county's population is five hundred and ninety thousand and thirteen, (590,013) (R. Kenya, 2019). According to (Governor 2013), the mission of the CG is to contribute to poverty reduction through the promotion of food security and sustainable utilization of the rural resources. Table 1.1 shows five sub counties in the CG of Vihiga namely: Emuhaya, Luanda, Hamisi, Sabatia, and Vihiga.

1.3 Situation of Devolution of Records Management in Kenya

The promulgation of the Constitution of Kenya in August 2010 set the stage for devolution of functions including records management. Devolution is expected to lead to a transformation of the Kenyan society and thus, facilitate the achievement of the developmental goals of Kenya Vision 2030. Yet, devolution is the most complex and the least understood aspect of

the CoK 2010. Devolution requires a comprehensive and well-coordinated system-wide strategy, based on consultations and cooperation among the various arms and departments of government(O. o. D. P. M. a. M. f. L. Government, 2010)

(Kemoni, 1998; Kemoni & Ngulube, 2007b; Kemoni, Ngulube, & Stilwell, 2007; G. o. Kenya, 2011; Mnjama, 2003) identified challenges of centralised records management approach. The extant studies identified: lack of a comprehensive and efficient file classifications system; lack of training for personnel working in registries, and knowledge of records disposition procedures is wanting.”

1.4 Statement of the Problem

Devolution of records management (DORM), though an integral part of the various devolution programmes being adopted globally little attention is often paid to it. Devolution of records management will bring services closer to the people, and give greater freedom, responsibility and autonomy to professionals and the people at local level. Despite, Kenya implementing devolution programmes and projects since 2013 little attention has been paid to effective DORM. Proper closure and transfer of records of devolved functions to county governments is critical for the local officers to have the records they needed to conduct county business. However, the exercise was steeped with various challenges which limited the local governments from attaining their mandate. Such challenges include inadequate infrastructure such as space and facilities, insecurity of records, absence of records control tools, severe shortage of qualified records management officers and absence of designated storage areas for records leading dumping of records, and absence of records control tools.

In DORM approach record management practices need to be aligned devolutionary changes taking place in Kenya to enable the county governments formulate, implement and sustain effective policies and programmes and protect citizens' rights and fundamental freedoms. These however cannot be realised as previously inadequate records keeping practices in the central government was imposed in the county government

A records management infrastructure is a precondition for establishing a records management programme appropriate for records of a particular level of government. It provides the mandate, sets out the rules for its operation, defines which records should be retained and preserved, and for whom and under what conditions the preserved records could be made available. However, records management programme in the counties was inadequately positioned to implement devolution. This is because archaic records management laws, policies and regulations used by the national government records were relied on to establish records management programmes at the sub-national governments. This haphazard records closure and transfer, inadequate records management practices and unsupportive records management infrastructure unless addressed could undermine devolution programme being implemented in Kenya. Lack of proper attention being paid to DORM could either lead to duplication of services, lack of service delivery, unfunded services, or increased contestation over which level of government was responsible for a records management aspect.

This weak link between records management and implementation of devolution in Kenya has given a rise to calls by policymakers and scholars for studies to be undertaken to provide guidelines on how devolution of records management could be integrated to devolutionary changes happening in African countries including Kenya (Wamukoya, 2015). The contention is that the environment within which devolution of records management was taking place

requires a thorough analysis and appraisal of the laws, policies, guidelines and regulations to establish gaps in existing records management infrastructure steering devolution of records management. The thesis of study therefore upholds the world Bank (2012) warning that if the devolutionary changes in Kenya are not carefully handled it could result in any of three risks: Service delivery could be disrupted; unsustainable fiscal burden could be left at the centre; and or nothing will change. In light of the situation, this study undertook to assess the devolution of records management to county governments in Kenya a study of four counties in western Kenya to propose a suitable framework to guide the process

1.5 Aim of the Study

The aim of the study was to investigate devolution of records management function to county governments a study of four counties in western Kenya with a view to developing a framework for effective devolution of records management.

1.6 Objectives of the Study

The specific objectives of the study were to:

- i) Establish the nature of records transfer to county governments in the four selected counties of western Kenya,
- ii) Examine the current records management practices in promoting devolution of records management to county governments,
- iii) Assess the existing records management laws and policies in supporting devolution of records management to county governments.
- iv) Determine the strategies put in place to counter the challenges of devolution of records management currently being experienced,
- v) Develop a framework for effective devolution of records management.

1.7 Research Questions

The research questions which guided the study were:

- i) What was the nature of records transfer to county governments in four selected counties in western Kenya?
- ii) How adequate are current records management practices in promoting devolution of records management to county governments in Kenya?
- iii) How suitable are the existing record management laws, policies, regulations, and circulars in promoting devolution of records management to county governments in Kenya?
- iv) How are the counties addressing the challenges they are facing with the devolution of records management?
- v) What framework is suitable for devolving records management to county governments in Kenya?

1.8 Assumptions of the Study

The study was guided by the following assumptions:

- i) The main reason why devolution of records management function to county governments in Kenya is ineffective is because implementers of the devolved system of government did not pay attention to devolution of records management., This is because it was regarded as unimportant function worthy of devolvment efforts compared to other functions being devolved such as human resource and finance.
- ii) Devolution of records management offers a wide range of opportunities to county governments in Kenya which are implementing devolution in order to realize

economic development. It will ensure availability records the counties require to implement developmental devolution activities through proper closure and transfer of records to devolved units, adoption of relevant records management practise and enactment comprehensive records management infrastructure that will establish and operate suitable records management programme for county governments. However, benefits accruing from devolution of records management could not be enjoyed by Kenya due to the believe that principles governing centralised records management model were universal and could work as well principles of DORM.

- iii) Development and implementation of a framework according to international best practices will provide research-based guidelines and responses required for effective devolution of records management reforms.
- iv) It is believed that the state of devolution of records management to county governments in the four-county headquarters under study is a reflection of what is happening in county governments in Kenya.

1.9 Significance of the Study

The study has policy and legal, practical and theoretical significance to records managers, policy makers, scholars and researchers:

(i) Policy and legal framework

In terms of records management infrastructure, the study identified the strengths and weaknesses of the current legal and policy framework in supporting devolution of records management (DORM) to county governments in Kenya. This consciousness may lead the national government particularly the Kenya National Archives and Documentation

Service (KNADS) and the county governments especially the records and information departments to see the strong links between effective devolution of records management and records management infrastructure. Ultimately, this is likely to lead the two levels of governments to seek the support of their respective legislative arms of government to amend, review, or repeal unsupportive records management infrastructure and policy framework.

ii) Practical Significance

In practical terms, the study is expected to be of benefit to records managers at the devolved units as it systematically establishes challenges that could have undermined adoption of the devolution of records management programme by counties and proposes scientifically established strategies that they can use to enable them to address the challenges of undertaking DORM. Also, the study established the weakness in management and uses of records transferred to county governments. This mapping may lead CGs to develop appropriate records transfer criteria to govern the management of transfer of public records as devolutionary changes continue to evolve in Kenya.

iii) Theoretical Significance

Theoretically, the research findings can augment further research on devolution of records management to county governments and on testing the applicability of the principle of subsidiarity to DORM to sub national governments.

1.10 Scope of the Study

First, this study on DORM to CGs was confined to four counties in western Kenya out of 47 counties in Kenya. These four county governments are: Kakamega, Bungoma, Busia, and Vihiga which are all located in what formerly used to be called western province.

Secondly, the study assessed the initiatives to devolve records management to the executive departments of the county governments but not to departments within the legislative departments of the county governments. Executive departments of national governments are also operating in the studied county governments and have also experienced changes in records management. However, the national government departments and the county government legislature were not included as they were considered as outside the objectives of this study. Thus the study assessed DORM to executive departments based at the four county government headquarters. The targeted departments included: records and information departments; Agriculture; Health Services; Transport and Infrastructure, Trade Development and Regulation. The other departments included: Lands, Housing, Physical Planning and Urban Development; Public Service and Administration, and Water, Environment and Natural resource.

Thirdly, while the selected county governments have devolved their services to the lower units commonly called sub-counties, wards, municipalities and towns the study however concentrated on what happens in DORM matters at the four county government headquarters.

1.11 Limitations of the Study

The study encountered a few limitations as follows:

- i) At the time of data collection in 2016 nearly, all CGs in Kenya including the four studied had managed the devolved functions for a short time having been

commissioned in 2013 after the first general election under the Constitution of Kenya of 2010. As a result, only a limited amount of literature on devolution of records management was then documented. The available studies at the time tended to assess and describe the role of sound records management in supporting service delivery in county governments such as by (Abuki, 2014). To supplement the limited literature available in Kenya relevant to the country's context, the study had to rely on those describing external contexts. The unique desirable contextual issues could not, therefore, be adequately established before the research undertaking.

- ii) It was challenging getting some heads of CG departments to participate even in pre-arranged interviews because of the busy schedules. The researcher had to either patiently wait or severally reschedule interview sessions to accommodate the interviewees' busy programmes. Further, the researcher had to convince interviewees to take part in the study by explaining to the few hesitant county staff about the nature of the study and the benefits it could bring to them if conducted successfully

1.12 Chapter Summary

This chapter has introduced DORM with a view to seeking to establish gaps which exists in the model being used to manage records in the devolved government system in Kenya. This is order to able to develop a suitable framework to aid in the records management changes to make it suited to the form of government Kenya has adopted. The objectives of the study were to: establish the nature of records transfer to four selected county governments in Kenya; assess the adequacy of the existing records management infrastructure supporting devolution of records management to county governments and develop a framework for effective devolution of records management. The research questions that guided the study covered the

following: “How adequate are the existing record management infrastructure of laws, policies, and policies supporting devolving of records management to county governments? and what framework is suitable for devolving records management to county governments”.

The study noted that although many countries around the world were implementing devolutionary changes especially in Africa attention was not being paid to the choice of records management model, they adopted for improving management of local records to support implementation of devolved functions by the local governments. There were also limited studies on devolution of records management compared to writings on other models of records management such as centralised records management approach. This had resulted in a paucity of relevant guiding principles for archivists and records managers to use on devolution of records management. Research focused on devolution of records management to CGs was therefore necessary given the types of records counties produced, their social economic conditions and the political and administrative environment counties operated under.

1.13 Operational Definition of Key Terms

County government: autonomous tier of government formally established by the Constitution of Kenya of 2010 and operates under the County Government Act of 2012 with power to undertake executive and legislative functions.

Devolution of records management: An approach to records management where resources and power to manage records are transferred from the central government to county governments. This is in order to implement devolution and realise efficiency and effectiveness in the management of county government records.

Records: a record in this study is defined as information created or received and maintained by a county government in pursuance of legal obligations or in the transaction of business. This definition implies a record is naturally created in the course of executing county government's mandate and that there are various types of records.

Records management: This is an administrative function whereby records created by county governments in the performance of their business are systematically managed from the time they are created till they are disposed by destruction or permanently preserved at a county archives. The management of county government records is a task of recycling records. It requires the identification of records that are created for one purpose but may also be used for another. It requires seeing records as not just a product of a particular department or business unit of an organization, but as a product that belongs to the entire county government.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

This chapter discusses devolution of records management (DORM) to county governments (CG) in Kenya using both theoretical framework (TF) and a review of related literature. Review of literature aims at establishing the importance of a study, fill the gaps and extend past studies by linking them to a larger on-going discourse (Creswell & Creswell, 2017). According to Martín-Rodero, in (Ngulube, 2019) there are several models of reviewing literature that however differ in terms of fundamental objectives, motivations and means by which they are held. This study made use of systemised review which allows the researcher to review and assess knowledge in important areas. The guidelines used for undertaking the literature review entailed: searching, reviewing, critiquing, interpreting, synthesising, and reporting findings from multiple sources on a research topic as suggested by (Martín-Rodero, 2016).

The literature review is guided by the objectives of the study and draws upon diverse information sources including primary, secondary, and tertiary documents. This chapter commences with a theoretical framework and proceeds on with an empirical literature review and drawing from research in global, Africa, Kenya, and the counties under study, then finally end with summary and research gap.

2.2 Theoretical Framework (TF)

A theoretical framework is a collection of ideas that are interrelated and are aimed at explaining and presenting a systematic view of a phenomenon. In this study, theoretical

framework was used in two ways. Theory was built from the data that were generated. Secondly, theoretical framework was used to shape the types of questions asked, inform how data are generated and analysed, how the researcher positions himself, what issues are important to examine, and how the final written account need to be written (Grant & Osanloo, 2014). In this study, the word model is used interchangeably with a theoretical framework. This is because both theory and model are all explanatory devices having a broad conceptual framework (Cohen et al., 2007).

The models used in this study are derived from two different social science disciplines namely records management and theology. The records management model used was the International Records Management Trust, information life cycle (Griffin, 2004a) while the theology derived model was the Principle of Subsidiarity (World Bank, 2012).

2.2.1 Records management Capacity Assessment Model (RMCAM)

This study is anchored on the Information life cycle Model. This model is has shaped three other models that is : the National Archives of Canada's 'Information Management Capacity Check' published in 2002, the European Commission's 'Model Requirements for the Management of Electronic Records' (MoReq) 2000 and the International Standards Organization's 'International Standard on Records Management' (Oliver, 2014), (Külcü & Külcü, 2009) (Demb, 2008) and (Griffin, 2004a)

2.2.1.1 National Archives of Canada's 'Information Management Capacity Model

The National Archives of Canada's Information Management Capacity Check (NACIMCM) was published in (2002) for use in Canada for assessing information capacities of government departments and agencies. Basically,(McLeod, 2008) notes that the NACIMCM focuses on

the organisational, management and user requirements for information, rather than on the individual stages of the records management process. According to (McLeod, 2008) the model aims at assessing the records and information management capabilities in government agencies. However, NACIMCM model is based on a description of records management practices of a developed country and conducts assessment using many staff members and only engages people with records management skills.

2.2.1.2 Model Requirements for the Management of Electronic Records

The other model The Records Management Capacity Assessment Model is derived from is the European Commission's Model Requirements for the Management of Electronic Records (MoReq). According to (Barata, Cain, Routledge, & Leijten, 2001) MoReq was developed by Marc Fresko & Martin Waldon of Cornwell Affiliates assisted by a review panel drawn from Canada, France, Portugal , UK and the Netherlands. Moreq is of use in the design, selection and audit of systems. The model deals with long standing records management concerns which are also concerns of the Records Management Capacity Assessment Model such as classification schemes, controls and security, retention and disposal, capturing records, searching, retrieval and rendering, administrative functions and management of non-electronic records. The model has made a contribution to records management professional efforts to finding practical solutions to managing electronic records. However, it is limited by visibility and support from the European Commission to allow its authors to produce case studies and sustain further development of the models requirements to keep up with technological trends.

2.2.1.3 ISO 15489: 2016 Information and Documentation –Records Management

The Information and Documentation, Records Management, International Organization Standard (ISO) 15489-1:2001(E) model is a best practice records management model. It is one of the most significant events in the field of records management. This standard emphasizes the importance of records for business and says that records should be managed “to meet current and future business needs by retaining information covering past and present decisions and activities as part of the corporate memory. The standard correctly identifies corporate memory as more than records and sees that records are one part of that memory. Preserving records (evidence) of a corporate memory management system, but is not, by itself, sufficient to manage corporate memory.

The standard describes processes, procedures and practices that should be followed to ensure a records management programme is fit for its purpose and performs the way it is intended. (Pember, 2006) suggested that ISO 15489: 2016 was the first international records management standard published in (2001) which coincidentally is also the first general national standard for the management of records in Australia, the Australian’s AS4390 which was published in 1996. It provides a global records and information management best practice benchmark against which to evaluate any records management programme. (Pember, 2006) cautions that the use of the standards is however limited to record management professionals and those charged with records management responsibilities in their respective organizations but does not extend to archivists and those in charge of archives. The author suggests that the other limitation of the standard is the cost of initial implementation of the standard and of the regular review to assess its continuous relevance. That costs are incurred to hire independent third-party auditors to conduct the audit and issue certificate of conformance to the standard.

(McLeod, 2008) disagrees with (Pember, 2006) that the standard was an international standard instead arguing that it has roots very firmly rooted in Anglo-Saxon more specifically North American and Australian, tradition whose records management approach may not be applicable in the Africa context

2.2.1. 4 Structures of Records Management Capacity Assessment Model

The study on devolving of management of records in Kenya was therefore underpinned by the Records Management Capacity Assessment Model. (Griffin, 2004a) posits that the information life cycle model was developed by the International Records Management Trust, working in partnership with the World Bank, as an objective means of assessing, against international standards, the strengths and weaknesses of records management systems. The author further says that the purpose of the model is to provide a means of evaluating whether the infrastructure of laws, organisational structures, policies, procedures and facilities exist in the targeted public sector to manage records effectively and provide a methodology with which to identify problems and begin to plan solutions. Figure 2.1 gives a brief highlight of the RMCM model.

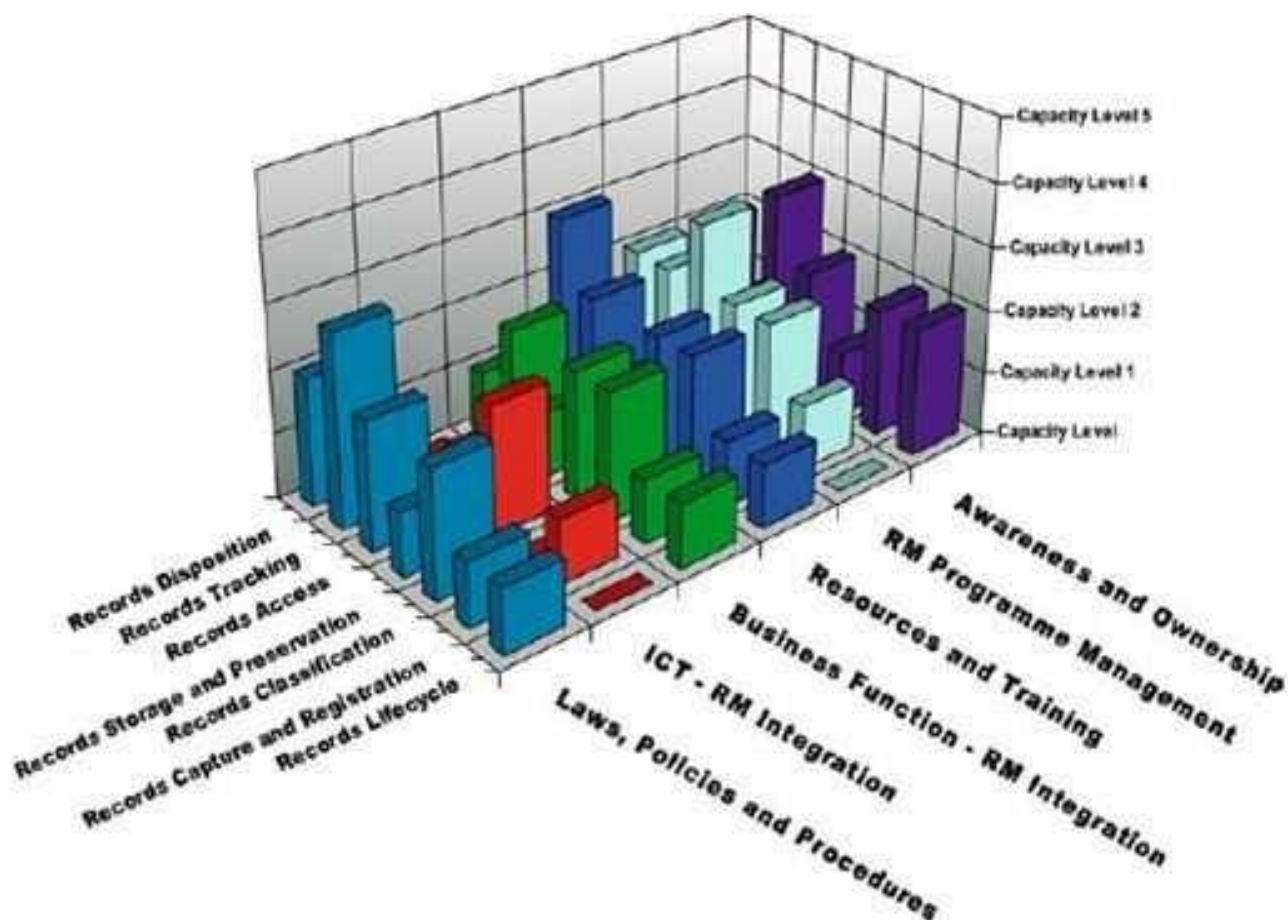


Figure 2: Records Management Capacity Assessment Model

(Source: Griffin, 2005:75)

As shown in the figure 2.1 implementation of a transfer of a records management plan to local governments can be attained to any of the six different capacity levels. “0” is the lowest level of implementation of the programme while “5” is the highest level of implementation of the programme. Effective decentralisation of a records management programme to devolved units aims at attaining the highest level of capacity. At this highest level, the records programme meets the goals of devolution programme and the local records management requirements are met. A major cause of the loss of corporate memory is change in organisation management

due to administrative changes such devolution. Information is lost to the organization when it can no longer be retrieved for use. The loss of information from corporate memory can be very costly. In addition to the expense caused by staff time spent searching for lost documents, when a staff member needs information that is not readily available entire operations may stop while that information is sought or recreated. The result is a dramatic increase in cost caused by the failure of the organization to set up adequate information management systems. Such failure can also expose the organization to litigation losses, owing to the inability to find relevant documents when needed, or to the forced disclosure of documents and other data that were not properly destroyed in a timely manner

Devolution is effectively implemented when: There is awareness and strong leadership support of devolution of records management; a constitutional provision on devolution of state responsibility for archives and a comprehensive archives laws and clear policies requiring county governments to each enact an archives act and establish and maintain archival infrastructure. In addition, records systems are robust in support of county government business and meeting requirement of the county government records in sustainable manner are available.

Since its first publication in 2005, the RMCAM model has been field tested by government agencies in Botswana, Kenya, Ghana, India, Malawi, Singapore, and South Africa and found suitable for exploring the requirements for managing records. That upon its public release, there was widespread interest in the model not only from its intended users, but also from public and private sectors beyond Africa in the UK and the America. According to McLeod (McLeod, 2008) RMCAM' potentiality was in its being of real value to organizations on the

basis of analysis. That the model could be used for quick and as well as in-depth analysis of records management capacity. The author also indicated the RMCAM could be used to assess records management not only in a whole country but also in different sectors in the country such as in finance, courts, human resources and museums.

(Demb, 2008) & (Külcü & Külcü, 2009) have posited that RMCAM is represented by three axes which are: records management process, organizational environment and capacity to undertake records management as discussed below.

2.2.1.4.1 Records Management Process Axes

According to RMCAM records management processes consist of records capture and registration, records classification, records access, records storage, records tracking and implementation of disposition. Capture covers arrangement of records in a logical structure while records classification system means records categorization. Storage and preservation of records ensures the reliability, authenticity and usability of records. Records access means regulations of access to what records, by whom and in what circumstances (Joseph, Debowski, & Goldschmidt, 2012)

2.2.1.4.2 Organizational Environment Axes

Without a structured programme, the effective management of records and information cannot not be carried out. Records Management Capacity Model (RMCAM) describes organizational environment for records management as comprising the intersection of the management and user context in which business and records functions take place. Through organisational environment a comprehensive records management programme is established that is commensurate with other staff functions such budgeting and human resource management.

According to (Külcü & Külcü, 2009) the elements of organisational environments consist of : laws, regulations, policies and procedures which prescribe how records management and business must be carried out within an organisation. The other element is integration with business function which is concerned with development and sustaining of records management programme through creatively bringing value of the programme to the organisation. Integration means, there is an awareness and senior management support for records management programme. That is there is staff willingness and ability to integrate records management activities in business.

2.2.1.4.3 Measurement of Records Management Programme using RMCAM

The purpose of measurement is to determine the extent of a records management programmes' effectiveness, economy, and efficiency. The records management capacity model uses the term "good practice" rather than "best practice" in measuring the adequacy of a records management programme being implemented in a particular government. (Demb, 2008) gave a distinction between good practice and best practice, suggesting that the term "best practice" is regarded as unsuitable for measurement because it presupposes there is an ideal records management model fit for all organisations which is not the case. Measurement should encompass all elements of a records management programme and should consist of a two-part review. Part one can be a checklist type of examination wherein a comparison is made between textbook theory and operating realities. The greater the similarity between the two, the better the programme. Part two of the measurement should include a study of an existing system which is considered to be operating smoothly. If, upon review, serious problems are found with any aspect of the information flow, whether in the phases of creation, maintenance and use, or disposition, there is a good possibility that some defect exists in the related records

management program area. If, on the other hand, the system is found to be operating smoothly, it can be reasonably construed that the records management functions are being effectively performed.

2.2.1.4. 4 Application of Records Management Capacity Model

Records Management Capacity model is suitable for guiding discussions on devolving of records management. The model was found useful in informing discussions on the problem statement, objectives of study, purpose of the study and scope of the study. The purpose of the study is the development of suitable framework for devolution of records management to county governments. A framework would become suitable because it is tailored to the types of records created by the county governments and the organisational environment within which county governments operate under as they manage their records is suitable. The framework is developed on the basis of assessment of all the necessary factors within and outside the county governments affecting records management

In answering the research question, the nature of the records transfers to county governments the RMCAM has assisted in advancing the study by insisting on measuring each attribute on the nature of closure and transfer of records of devolved functions. The model led the study to seek for answers on questions about how suitable records transferred to the county governments were, how records pending transfer affected counties, and on which criteria were records transferred to county government. In regard to the second research question and third question model discussions were directed at exploring the capacity of current records management system and of existing records management infrastructure to support DORM. Further the model directed the research question to find explanation as to whether the records

management systems are linked to business functions of the county governments. Also the model helped in coming up with research questions on whether intersection exist between existing records management infrastructure and business function of devolved government. Specifically, the model informed research questions on a model records management infrastructure able to govern devolution of records management and on strategies to counter the challenges of DORM.

The model shaped the fourth research question as answers sought were about the pathways to DORM such as on budget, enough trained staff to carry records management tasks, availability of proper facilities and equipment, and sufficient supplies. Lastly on pathways, awareness which is about whether there was strong leadership support for the programme. In view of the last research question, the model assisted structuring research questions on development of a suitable framework to guide devolution of records management. In addition, the model guided how the researcher positioned himself in this qualitative study and on how the written account needed to be written. The RMCAM was however found inadequate alone to guide the entire study thus it was supplemented by the principle of Subsidiarity.

2.2.2 Principle of Subsidiarity

According to (World Bank, 2012) the Principle of subsidiarity is derived from the catholic church teaching. In the teachings devolution is described as the just, fitting and responsible participation by all parts of society in the development of social, political and cultural life and the most certain way to come to a new society. The World Bank (2012) has further explained that the key principles of Subsidiarity as consisting of i) a public service being assigned to the lowest level of government that is capable of delivering it, ii), capital and recurrent

expenditure responsibilities be devolved iii) services that involve large economies of scale are delivered more efficiently by a central government unit iv) services that provide benefits to more than one level of government be assigned to the national government level , and v) capacity be built before functions are fully transferred to sub national government. (Cascón-Pereira, Valverde, & Ryan, 2006) have linked their discussion on the principle to good governance.

The principles espoused in the principle of subsidiarity were relevant in shaping research questions three to five. Based on the principle of subsidiarity appropriate records management infrastructure investigation was directed at whether capacities of existing records management infrastructure provided for transfer of responsibilities from the central government to the counties. The principle of subsidiarity suggests capacity assessment be done to determine a county government's readiness for a receiving records management function. Capacity assessment research questions were focused on the budget sufficiency, adequacy and competency of staff and relevance of facilities and equipment, appropriateness of supplies in supporting devolution of records management. The principle of subsidiarity holds that capacity should be built before functions are fully transferred.

2.2 Triangulation of Records Management Capacity Assessment Model and the Principle of Subsidiarity

This study was anchored in two models, the Records Management Capacity Assessment Model and complimented by the Principle of Subsidiarity. The choice of the models was because they together carry embedded principles, good practices, and standards under which discussions on the whole study on devolution of records management programme to county governments would be undertaken. Specifically, discussion guided by the models show that

in Kenya proper attention has not been paid to all the elements of devolved records management programme either by the national or the county government decision makers. As a result, during devolution records have not been managed as crucial assets in providing evidence of the local governments' business transactions. The purpose of this study also benefited from the two models. The models helped in structuring the entire study.

2.4 A Review of Various Studies

This section reviews relevant studies on devolution of records management (DORM) starting with the developed countries, followed by developing countries in Africa then narrows to Kenya and finally concentrates to the study area.

2.4.1 Devolution of Records Management Globally

Devolution programmes have a long history and some are more developed than others. The reasons for varying progress in devolution include but not limited to the support a country's constitutional, legal, administrative, cultural and social practices offer. In the United States of America (USA) devolution of records management practices have developed significantly due to the country's constitutional, legal, administrative, cultural and social practices support. (Williams, 2006a) The U.S. A is a federal country where individual states (sub national governments) together form a united nation, but remain independent in internal affairs. The National Archives in the U, S.A has archival branches in each state responsible for records of federal function such as defence, and foreign policy. However , individual state have a great deal of latitude over the management of their own records (Williams, 2006a). (Walch, 1987), indicated that devolution of records management programmes in the USA were however undermined because of the inability of the records managers at the devolved units to articulate archival concerns as devolution related policies and regulations evolved. Nevertheless,

(Dearstyne, 2011) noted that some of the most impressive and innovative devolution of records management programmes were found in the U.S.A. The organisational structures chosen to implement devolution of records management in the USA are as different as the states themselves and making optimal use of existing resources and developing strategies to increase resources are diverse.

The Australia, like the USA which is a federal state as well, historically, implementation of devolution of records management programme in the country began in 1987 after the Public Service Board was disbanded (Swan, Cunningham, & Robertson, 2002). The commencement of devolution of records management responsibilities to various government tiers that is the commonwealth, the States and Territories coincided with other changes affecting the commonwealth public services. The other changes included: the introduction of personal computers, electronic records and email management systems, outsourcing of government functions and activities to the private sector, multiskilling of public servants and the general devolution of managerial responsibilities from the commonwealth, to the States and the Territories. The aim of the devolution of records management programme was to achieve a state where agencies develop and design systems to ensure records at all levels of government are aptly managed. (Swan et al., 2002) argued that before the commencement of DORM the mandate of the Australian Public Service Board, (before its disbandment), was to set recordkeeping standards in the country. These standards were about; what records should be created, who was responsible for ensuring that those records were created and how recordkeeping would be performed. The form of devolution of records management programme adopted by Australia in 1987 was characterised by; each jurisdiction, namely the Commonwealth government, the State and the Territory Governments enacting each its own

archives act and establishing and maintaining its archival infrastructure. The operations and responsibilities of the archival authorities are specified in their respective archives law.

Africa does not have a long experience on devolution of records management programmes as developed countries do. However, the models of records management Africa have often adopted have heavily borrowed the practices from developed countries. Table 2 is a summary of African countries that have experienced some form of devolution.

Table 2: Devolution of Africa Showing Year, Form, Objectives, and Level

Country	Devolution law year	Form	Objectives	Levels of devolution
Botswana	1965	concentration	Maintain centralised power	4
Ghana	1988	Delegation	Service delivery	4
Ethiopia	1993	Devolution	Service delivery and stability	6
South Africa	1994	Devolution	Economic management	3
Tanzania	1996	Delegation	transfer authority to the people	4
Nigeria	1976 & 1996	Devolution	Distribution of revenue	3
Uganda	1993, 1995, 1997	Devolution	Stability and service delivery	4

Source (United States Agency for International Development, 2010)

As shown in table 2.1 devolution has been on-going in the African continent since 1965 aimed at achieving Service delivery, distribution of revenue, transfer of authority to the people and economic management. The devolved republic of Uganda's constitution of 1995, the National Records and Archives Act, 2001, and The 1997 Local Government act respectively provide the framework within which records management in the country has to develop

(Okello-Obura, 2011). The County Governments in Uganda operate under the Local Government Act of 1997. County governments or local government in Uganda are supervised by the Ministry of Local Government and in turn the local governments supervise sub national units below them. The functions devolved to the county governments do not include records management. These are: Administration and Human Resource, Finance, Internal Audit, Education and Sports.

Though devolved in Uganda records management is not devolved but has been centralized. The Uganda Archives Act, 2001: outlines the responsibilities of the National Records and Archives Agency for the management of public records and archives at all levels of government. The 2001 Act provides for the rationalisation of the management of all government and other public records and archives under the supervision of one single body that is the Uganda National Archives Agency.

Nigeria, the other devolved African country has not devolved records management. In terms of records management Nigeria operates a centralised records management model in a devolved government system in which records management practices in the sub national governments are regularised and controlled from the centre (Abioye, 2007). The National Archives Decree of 1992 established the Nigeria National archives which has been assigned the duties of overseeing records management in the states or county governments in the country. The functions of the National Archives of Nigeria as stipulated in the Decree of 1992: giving advice on all matters relating to records and archives, establishing records centres, and issuing records retention and disposal schedules. In order to carry out its mandate, the National Archives of Nigeria is decentralised from Lagos its headquarters to 11 county government

offices. The Nigeria National Archives powers to inspect government bodies is rendered meaningless because adequate resources required to exercise this oversight role are not made available.

The Republic of South Africa has more a comprehensive and explicit devolution of records management infrastructure compared to other Africa states. (Platform, 2015) avers that The South Africa Constitution of 1994 requires the devolution of the state's responsibility for archives from the national government to the country's nine provinces or county governments. By virtue of this constitutional provision, each province is required to promulgate its own act on archives and records services. As well the provinces are required to establish and maintain their own archival infrastructure. (Ngoepe, 2016) suggested that records creators in the county governments are required to implement the provisions of both the National Archives and Records Service act 2001 and of their respective county government Archives and Records Service act.

The national archives and the 9 provincial archives in South Africa are required by their respective jurisdiction's archives act to: approve records classification systems developed by records creators; issue disposal authorities on all records; and determine electronic records systems. (Ngoepe & Keakopa, 2011) have observed that, while devolution of records management practices in the country had a records management infrastructure support, records management was not being recognised and given status at all levels of government and in the public arena. Also, the study notes that archivists and records managers in the country were still marginalised by state administration. Further, there was no political champion of archives and records management in the country and shortage of funds and staff,

accompanied by poor infrastructure and lack of vision by the leaders of archival institutions in the country was common. The (Platform, 2015) argues that due to this devolution of records management in the country had underperformed. This was because the model adopted in resource constrained South Africa was inappropriate compared to the availability of extensive resources in the rich North America, Australia and European where the model was derived from. Literature review show that the model of devolution of records management in a country is founded on country's individual legal system. That apart from South Africa, nearly all other African countries have devolved various functions to the county governments but maintained a centralised records management approach. The reason South Africa's form of devolution of records management had underperformed was because of being supported by inadequate resources. The North America and Australian models of devolution of records management are unsuitable in the African context.

2.4.2 Devolution of Records Management in Kenya

Kenya has adopted a unique form of devolution called Cooperative Model of Devolution anchored in the constitution of Kenya of 2010. According to (Kangu, 2010) the system combines a measure of autonomy and inter-dependence Kenya's Cooperative devolved government is founded upon three principles namely: the principle of distinctness; the principle of inter-dependence; and the principle of consultation and cooperation. The constitution of Kenya of 2010 divides the country into one national government and 47 county governments. Article 6(2) of the constitution of Kenya of 2010 describes the governments at the two levels as being distinct and inter-dependent and which are required to conduct their mutual relations on the basis of consultation and cooperation.

In terms of records management, The Constitution of Kenya of 2010 does not require the devolution of the state's responsibility for archives from the national government to the country's 47 county governments. Records management in Kenya is not explicitly constitutionally devolved so that each county government has a degree of independence over management of its own records and archives. Instead, the country has maintained a centralised approach to records management despite the administrative changes. The Archive Act Cap 19 which governs management of public records and established the Kenya National Archives and Documentation Services (KNADS) predates the constitution of Kenya of 2010. This is because the archives act was enacted according to the Kenya's centralised governance independence constitution of 1963.

(Kemoni & Ngulube, 2007a) have observed that the KNADS faced various challenges in overseeing effective records management at all levels of government. The challenges the study identified included: inadequate human and financial resources, lack of support from senior government officers, low priority accorded to records management in government departments, lack of regular follow-ups on recordkeeping practices in departments, and inadequacies in existing records and archives legislation. (Kemoni, 1998) recommendations were that, given the limited resources available, there was need to review the existing records and archives legislation in order to devolve responsibilities for recordkeeping from the Kenya National Archives to the government departments and local governments

2.4.3 Devolution of Records Management (DORM) to Kakamega, Bungoma, Busia and Vihiga Counties

Transference of records management function to counties in Kenya including Kakamega, Bungoma, Busia and Vihiga is expected to replace the centralized records management

approach practiced in Kenya since independence. However, counties in Kenya, for various reasons such as lack of a records management infrastructure support have not been able to embrace devolved form of records management. For instance, the (Transitional Authority, 2015) Guidelines for Streaming Records Management Units in County Governments and restructured provincial and districts stressed on a centralized approach to records management. The guidelines directed the counties to use records management systems existing in the national government to manage their current, semi current and non-current records. This is notwithstanding some of the recommended national records systems are not ideal for the management of national government records let alone the counties. This is because the proposed records systems were inherited from the British colonialists when the civil service in Kenya was not complex. The guidelines whose purpose was to serve as a starting point as counties develop capacity to be able to develop relevant record keeping systems required counties to formulate records management policies, monitor records management practices, adopt performance improvement, and undertake stocktaking. In addition, the guidelines also required CGs to develop procedures on disposal of records, establish file classification, mail management, and file movement control and provide appropriate stationary and working tools for records management.

A country wide 2015 survey on “closure and transfer of public records and information” undertaken after the launching of devolution in Kenya 2013, revealed that county governments did not observe the guidelines fully. The survey found some progress had been achieved in some areas of records management while lagging behind in others. The survey found some registries for devolved units such as department of lands, Agriculture and Health were well maintained while others were in deplorable conditions (Wamwangi, 2015).

Further, the 2015 survey found that majority of the counties in Kenya including Kakamega, Vihiga and Busia were not prepared in terms of infrastructure and technical support to manage their records effectively. On the basis of these findings the 2015 survey made several recommendations among them the need for counties to establish appropriate records management systems able to meet records and county business requirements. Each county government in Kenya including those being studied is required to employ “competent and qualified records management personnel as per the scheme of service for record management officers. Counties are also required to acquire adequate and appropriate records storage facilities that include both physical storage as well as equipment.

The model of managing records at all levels of government Kenya has adopted does not put emphasis on documenting the lives and experiences of previously marginalized and disempowered people and communities. Also the Kenyan approach does not endeavour to make communities records accessible and promote their use by the public. In addition, the model does not put emphasis on collection of public records of county government significance which cannot be preserved by the Kenya National Archives. The approach does not document aspects of the experiences which have been neglected archives in the past.

2.5 The Nature of Public Records Closure and Transfer to Sub-National Governments

Proper management of the exercise of transfer of public record and information during devolution is an important for ensuring availability of records county governments need to undertake their assigned functions. Records are one of the organization’s most important assets. Records encompass all of the many types of documented and undocumented information that organizational units require to function effectively. This information is used throughout the organization.

(Wakeling, 2004a) argued that the exercise of managing records during organisational change was a complex one. The Kenya Government (G. o. Kenya, 2011) through the Government Strategy for Improvement of Records Management of (2011) identified some of the problematic areas of the closure and transfer of public records exercise. This issues comprised of: making a decision on how to share existing files among government agencies of a ministry affected by devolution; lack of adequate storage space for the newly created devolved units; insufficient space both for records management units to operate independently and for the incoming county government officers; overhauling the whole range of stationery to reflect the new name of the newly established devolved units which is both costly and wasteful at the same time. The other problem areas were: failure to appraise records before their transfer which made the devolving units to move with records that were valueless hence continues to occupy valuable space. Also, records are damaged while being transferred; senior management was less involved and records transfer was not planned leading to mishandling and mismanagement of records. Lastly, defunct agencies abandoned records in their previous premises (Service, 2011).

In addition (Wakeling, 2004a) noted that little has been written about the relationship between organisational changes and the management of the closure and transfer of records either by change management theorists or their counterparts the archivists and the records managers. Further, Wakelin indicated that decision makers often left records management issues out of the organisational change management process, while concentrating resources on what is perceived as more concrete elements of administrative change like staff redundancies, buildings, information technology, equipment, and furniture. (Biggs 2007) emphasised the need for records management to be linked with government changes as an exit strategy. This

is to enable a government undergoing reorganisation be able to deal with practical issues surrounding records closure and transfer, assets and liabilities.

2.5.1 Use of County Government (CG) Records for Governance

Records use is a precondition for achieving good governance which is one of the goals for attempting devolution programme. Good governance is possible when records and archives needed for making decisions can be promptly accessed and used. The speed with which the decisions are made and the quality of the decisions made depends on the availability of information which enables all relevant factors and issues to be considered before a decision is made. The effective use of records is often determined by the extent to which the records have been organized and managed and by the extent to which the users are able to obtain access to and use records required for good governance. According to the (World Bank, 2000). Good governance is broadly defined as the manner in which power is exercised in the management and utilization of a country's economic and social resources for national development. (Mutula & Wamukoya, 2009) confirmed the World Bank view suggesting that the motivation for sound management of information in custody of government is borne out of concerns and the need for efficiency and productivity. That all the principles of good governance namely accountability, transparency, rule of law depend to a large extent on use of records. In order to make effective use of government records in support of governance the onus is on a country to put in place measures at all levels of government to harness, facilitate and enhance information capture, organization, maintenance and use. (Dikopoulou & Mihiotis, 2010) have stressed that in order to achieve good governance the top management should be persuaded effective records management programme was necessary.

2.6 County Government (CG) Records management practices

Records keeping systems play a critical role in implementation of any successful devolution of records management programme. A records management programme needs records keeping systems to enable records remain trustworthy as they pass through their life cycle as evidence of the activities that gave rise to them. Records systems ensure records are protected against loss or damage and the records and information they contain are accessible and useable overtime (Shepherd and Yao, 2003). A records management system needs physical infrastructure, hardware, accommodation, people and subsystems. Subsystems are needed for diverse records management purposes such as to manage the capture, classification, maintenance and to provide access to them (Shepherd and Yao, 2003).

The (Word Bank, 2000) notes that devolution of central government functions to county government was increasing. However, the records management systems in place were structured to meet the business and records management requirements of a centralised government. That little thought had been given to the complicated task of decentralising centrally held but disorganised government records while taking into account the information needs of county governments.

(Platform, 2015)and (The Republic of Kenya 2015) have argued that devolution of functions to county government often resulted in records systems which were dysfunctional in the previous national government being enforced on sub national governments which equally undermined implementation of devolution programme and devolution of records management at the same time . That devolution of central government functions to county government not only resulted in merger of municipalities set at odds but in some instances destroyed long

standing and relatively stable recordkeeping systems. This is particularly so where small municipalities are merged into their larger neighbours and where new entities are created without recordkeeping infrastructure, expertise and oversight in place. That as a result records end up being destroyed while infrastructure are unmapped, important records are not properly captured and records management systems are changed before approval of archival institutions is received (Platform, 2015)

The implications of imposing dysfunctional record keeping systems on county governments are great. The capacity of local governments to formulate, implement and sustain effective policies and programmes and to provide information access and use is compromised. Also inadequate record keeping systems cannot defend citizens' rights and fundamental freedoms (The Republic of Kenya 2015 ; Wamukoya, 2015).

(Thurston, 2020) discussed trends in deterioration of records management systems in the African continent since independence. The author summed up the discussions saying that dysfunctional recordkeeping system had a direct and growing impact on the ability to govern and on citizens' lives. That when a civil servants personnel file was missing, it is impossible to claim pension rights, and that civil servants with low qualifications will manipulate the payroll to be paid higher salaries than they were qualified to receive. That when land records could not be traced, it was not possible to establish ownership and legitimate landowners were not able to borrow against title deeds. (Thurston, 2020). (Ngoepe & Ngulube, 2013) recommended a search for new records keeping system be done as the old registry system practised in African governmental bodies in the English-speaking world was no longer relevant.

2.6.1 Archival System in Support of Devolution of Records Management.

Establishing and maintaining an archival system comprising of a national archive, county archives and archives advisory councils is the most effective means of devolving records management to county governments. Thurston (1996:187) in Kemoni 2007 underscored this point by observing that archival systems in Africa had a statutory responsibility for the management records in the public sector and thus, any attempt to understand development of records management in the public sector in Africa needed to focus on archive systems.

(Cox, 1985) argued that devolved archival systems are realistic and most effective means for overseeing a records management programme. That centralized records management approaches have failed as this were an arrangement based on the convenience of historical researchers and the assumption that centralized institutions could provide better care of local government records.

In a qualitative study whose purpose was to assess and compare the current state of archival systems in supporting devolution of records management in two of ESARBICA member countries, namely South Africa and Botswana (Ngoepe & Keakopa, 2011) showed that archival systems were not playing their role. The findings are that while archival systems in the two countries did have archives legislation, they were not being recognized and given status in the government and in the public arena. Archivists and records managers in either country are marginalized by state administration (Ngoepe & Keakopa, 2011).

2.7 Records Management Infrastructure in Support of Devolution of Records

Archives and records management laws are the rules that prescribe how records management in an organisation should be carried out. (Arnold, 1988) and (Bruce Dearstyne 2009) have

stated that record and archives laws was the means governments use to; establish a records management programme; provide the basis for the programme's existence and operation; defines what the programme does ; establishes a ground for the programme to request for a budget each year ; enables the programme to act including issuing its own regulations and records retention and disposal guidelines. However, the existence of records management infrastructure alone is no guarantee that a new record management programme will be successful. Legislation is the evidence of endorsement of records management programme by major political decision makers but it is the allocation that operationalise the programme.

2.7.1 Constitutional Support for Devolution of Records Management

A constitution is regarded as a written document containing the principles of governmental organization of a nation. It is the supreme law in a country to which all other laws must adhere. This means that any proposed law that contradicts the constitution is unconstitutional, and therefore unlawful. A country's constitution thus shapes its records management laws, regulations, records management policies and its records management system. (Hofman & Katuu, 2023) noted that laws are hierarchical and that they apply as long as they do not conflict with a law of higher precedence. The broad rights and principles in the Constitution are implemented through statutes, which, in turn, are fleshed out through regulations, and regulations are put into practice through policies and standard. (Williams, 2006a) agrees that the precise form that an archives legislation and archival infrastructure will take is influenced by the country's formal constitution and constitutional conventions.

The(Platform, 2015) reporting on the State of Archives in South Africa suggests that in the process of establishing devolution of records and archives programmes in the country a constitutional provision which designates archives other than the national archives as the

exclusive legislative competency of the sub national units was enacted . In compliance the national government was required to enact an archives act that applies to national archives and records service while the sub national units to enact an archives law that applies to sub national unit archives and records services. That before sub national units enacted archival laws their archives and records services were governed according to the provisions of the national archives and records service act.

2.7.2 Records and Archives Legislation in Devolution of Records Management.

Archives legislation is a statute that provides the means for establishing a records management programme and for obtaining and deploying resources necessary for the programme's operation. (Hofman & Katuu, 2023) That a statute obtains their authority from the constitution, which "authorizes the legislature to enact. In some countries, such as USA Laws are created by statutes that originate from legislative bills. Laws can be enacted on the federal, state, and local levels of government. On the federal level, the US Congress votes to adopt legislation, the president signs the legislation making it a law, and various agencies are charged with publishing regulations to provide guidance to implement the law. In addition, Archives law in Africa have been shaped by colonialism and by European legal imperialism. That colonialism constructed legal identities and subjects, many of which found their way into post-independence constitutional frameworks leading to the legacy of colonisation continuing. Archival legislation is an omnibus law, that is a law that address an issue regardless of sector and it reflects the decisions made by the legislature about how a country or jurisdiction intends to manage its records. It also reflects the needs of a country with respect to its records; and authorizes the role and responsibilities archives has, and the services it will provide.

(Roper,1999) stressing on the importance of records legislation suggested that a records and archives legislation is a critical prerequisite for managing records and archives throughout their life-cycle. However, (Netshakhuma, 2019a) discussing on the role of archives and records management legislation however indicated that most Africa countries lacked adequate legislations in support of programmes of records management. Most of the archives legislations were not reviewed and updated. As a result, these archives legislations were not linked to the changes in archives and records management practices. Those legislations having gaps creates problems in effective implementation of the archives and records management programmes. Earlier, (Ngulube & Tafor, 2006) indicated that legislations regulating archival activities in the East and Southern Africa Regional Branch of the International Council on Archives (ESARBICA) region were out dated. That in several countries in the ESARBICA region the First Generation" of archives legislation was used. The national archives as a result was only given a custodial role without any clear involvement in the management of records during their life-cycle.

Further, the archival platform (Platform, 2015) notes among the weakness of the existing archives and records legislation in Africa in supporting devolution of records management is failure to cost implementation of the acts. As a result of this failure the national archives and records services in the continent have not been adequately resourced to oversee records management in a devolved government system of increased number of client offices or workload.

2.7.3 Regulations in support of Devolution of Records Management

Regulation is defined as “a rule or order issued by an executive authority or regulatory agency of a government and having the force of law. (Hofman & Katuu, 2023) Regulations are

issued under the authority of a statute by a division of the government or by a special body. Regulations are applicable only within the jurisdiction or purpose for which such regulations are made. Regulations provide more detail than the laws from which they arise and will, in some cases, specify the length of time certain records must be available for audit. This information is essential to determining the retention period for records that result from a similar activity or that document a specific type of transaction. Noncompliance with laws or regulations can result in fines, sanctions, litigation, and personal liability for corporate officers (Franks, 2013).

2.7.4 Devolution of Records Management Policy

A Records management policy is mandated guidelines for managing records within an organization. It provides high-level direction in the form of goals for managing records across the organization throughout their lifecycle and assigns implementation responsibilities. (Franks, 2013) notes that a records management policy is written in response to legal and regulatory requirements, and its value to the organization lies in the guidance it provides to ensure that the work of the organization is carried out efficiently and effectively, while reducing risk and ensuring compliance. A records management policy document may contain records management procedures in the form of guidance to units within the organization that are developing their own internal plans. These procedures can help the organization identify records by providing a definition of a record and help it organize records by specifying categories. Additional topics found in a policy include high-level direction on records creation, maintenance and use, storage, disposition, disaster recovery, and training. Additional policy sections may include the following: legal basis for records management statement of principles staff responsibilities at each level procedures breach and consequences policy

review period According to (Hofman & Katuu, 2023) while records management policies very helpful, are not law and can be changed at any time by their creating bodies.

Records management policy supportive of devolution of records management programmes ensures unique sub national units' records and archives management process and procedures are linked to the requirements of a country's constitution, and the national and sub national unit archives laws. According to the International Standard organisation 15489: (2001) on "Information and document" a policy will not achieve good records management results unless it has endorsement and active visible support by senior management through allocation of resources necessary for implementation.

(Lowry, 2013) argued that policies in records management in East African countries including in Kenya are often formulated without inputs from records management specialists, either from within the public agencies or from the national archives. That failure to identify records management issues at the highest level of policy formulation resulted in failures to address records issues in system design and in development of records management systems. (Ngulube & Tafor, 2006) avers that the existence of weak policy frameworks for managing records is not confined to the ESARBICA region but to other regions as well.

2.7.5 Standards in Support of Devolution of Records Management

Standards provide us with codification of practice, explicit rules from implicit methodologies, development of a body of common knowledge, consistency in practice and quality, interoperability and interconnectivity, and efficiency. Many of the standards overlap and one standard cannot be used for everything; instead, several standards may work together to achieve standard practice. Some programmes and practices are often used widely that they

are considered de facto standards. De jure standards are those adopted by an official standards-setting body, such as the International Organization for Standardization (ISO). ISO has adopted a number of records management standards that belong on every records manager's resource list. Professional associations are active in developing standards, guidelines, best practices, and technical reports to assist their members. These associations receive requests for guidance from their members, but they must work with a national standards development body if they wish to develop a standard.

Standards are the means the national government use to ensure its objectives especially in records management are achieved in the county governments. According to (Ferrazzi, 2005) standards ensure that procedures and services in county governments meet the national government requirements and remain consistent overtime. One way the national government is able to bring uniformity in records management throughout the country even in devolved government system is through the introduction of minimum service standards.

(Ngulube & Tafor, 2006) on “The Management of Public Records” observed that standards are important but records management processes in the East and Southern Africa Regional Branch of the International Council on Archives (ESARBICA) region were neither governed by standards nor guided by a professional code of ethics. Instead, there was a tendency to use local guidelines and models in managing records and archive. That the failure to manage records using standards such as ISO 15489 Information and Documentation Records Management and General International Standard Archival Description (ISAD(G) made it hard in managing records and archives in different formats and to exchange and access information resources. That the national archives in the ESARBICA region were not playing a leading role

in the formulation and implementation of records management standards. This is because the archives were governed by the first generation of the archives act which did not mandate the archives to be involved in records management.

(Pember, 2006) was of the view that even where standards existed, adoption of records management standards requires a considerable outlay of resources during implementation and evaluation of records management. That the specific expenses of the costs involved: for hiring consultant to identify, adapt or develop the required standards, and develop procedures, train staff, regularly review standards to assess their continuing relevance. Also, it costs to have the standards audited by independent third-party auditors and for certification. Thus, meeting costs of implementing and evaluation standards is a challenge given county governments have other responsibilities in addition to ensuring that government records are appropriately controlled and managed.

2.8 Challenges in Devolution of Records Management (DORM)

The challenges of devolution in general revolve around insufficient resources, lack of political will, suspicion, and disruption of the process by a country's election cycle. (Cheeba, Nellis, & Rondinelli, 1984) identified insufficiency of resources as a challenge of devolution suggesting that failure to transfer sufficient financial resources to those organisations to which responsibilities are shifted undermined devolution especially in developing countries. (Walch, 1997) has confirmed the influence of resources on records management. Walch and (Bruce Dearstyne 2009) have suggested that due to insufficiency of resources many years often elapsed between the creation a records management programme in law and provision of adequate resources in terms staff and facilities. That in the alternative a records

management programme can flourish for a while and then disappear due to insufficient resources.

(Platform, 2015) has explained that shortage of staff and inability to attract and retain skilled staff cripple devolution of records management. The shortage of staff in records management offices and registries means records in a devolved unit are not kept efficiently. That the shortage of staff in repositories means delays in appraising records for transfer to archives and delays in arrangement and description of records for retrieval

The absence of appropriate physical infrastructure to support devolution of records management is a challenge because it could result to inequalities in the provision of archives and records management services to the devolved governments and the members of public.

According to the (Platform, 2015) the constitutional devolution of records and archives management function as a functional area exclusive of county governments' legislative competence is an issue on the provision of archives and records management services. Some county governments end up inheriting adequate physical infrastructure such as archival repositories, records centres, records room, equipment and supplies from the national archives hence providing a solid foundation for establishment of county government archives and records management programme. Other county governments however fail to inherit any such physical infrastructure and are made to start from scratch. This devolution induced inequality is bound to spark court disputes over funding of new infrastructure needs. Such disputes delay development of new county government archives and records management service.

Further, (Weinberg 1999) argues that county governments suspicion over the advice given by the national government on DORM is a challenge. The National Archive advice and assistance to county government is critical to the success of local records management programme but it was always received with suspicion. National archives assistance is perceived by county governments as central government attempt at intrusion in the internal affairs of the county governments (Weinberg, 1999).

In addition, Weinberg, notes that devolution of records management is adversely affected by the general elections disruptions which often happen in every country after a short time in the range of four to five years. The short intervals within which the elections are held affects employment for elected or appointed officials who may be having records management responsibilities. Changing administrations halts or curtail initiatives in devolution of records management where considerable work has been undertaken by the outgoing administrators (Weinberg, 1999).

Further, (Weinberg, 1999) indicated that wrong placement of the archives and records management service in the country's organisational structure was always a challenge of devolution of records management. That where archives and records department is placed in offices with emphasis on heritage rather than in office efficiency. The result is that devolution of records management programme fail to provide adequate services or perform the assigned mission. This in turn removes the leverage archives programme need to attract additional resources for the programme's development. (Lowry, 2011) further suggested that the location of archives and records management services in a ministry with responsibilities for cultural programme diminished the effectiveness archives and records service can have in overseeing

records management in government and reduces the possibility that it will be close to government reform process. That administrative role must be emphasised over cultural and historical, if archives is to lead government recordkeeping reform activities (Lowry, 2011).

The (Platform ,2015) identified lack of support of politicians, departmental officers, archives advisory bodies and professional bodies as the other records management frequent challenge. That absence of politician's support for the programme is epitomised by failure to allocate adequate budget and promptly enact archives and records management legislation to create archives and records management programme in county governments. The politicians' failure to support devolution is mostly associated by their failure to appreciate that devolution of records management is an administrative resource to the sub national governments. That records management can produce significant, cost savings and cost avoidances. That in periods of declining public revenues and cutbacks even in essential state services, records management efforts divert monies previously used for "housekeeping" activities to those that directly relate to agency missions. Records contribute in the operation of county governments and in upholding democracy. Previous study by (Turnbaugh, 1997) indicated that political support was crucial for devolution of records management. The study suggested that archives and records management services are creations of government. That archives are established by a statute to do certain things. That the importance of what archives do is given a rough prioritisation regularly, every time the sub national unit legislature passes a budget.

Further, devolution of records management was undermined by lack of leadership from Archives Advisory bodies from which archives and records management service is expected to obtain focused attention, direction and guidance. Failure of county governments to establish

such archives advisory councils mean archives and records management issues are always excluded from discussions at policy making level. The other challenge is a lack of a strong professional body committed to and empowered to engage proactively in archives and records management issues (Platform, 2015).

2.8.1 Strategies to Address the Challenges of Devolution of Records Management (DORM)

Strategies meant to address the challenges of devolution of are sometimes referred to conditions conducive for the realisation of a successful devolution of records management programme. (Walch, 1997), (Wakeling, 2004a), (Turnbaugh, 1997), (Biggs 2007), (Ngoepe & Keakopa, 2011), (Platform ,2015) and (The Republic of Kenya 2015) have considered such strategies in different details. These strategies revolve around availability of a criterion on records closure and transfer, design of records management systems, records management infrastructure, placement of archives and records management service and availability of resources

On the challenge of closure and transfer records of devolved functions , (Wakeling, 2004b) and (Biggs ,2007) have suggested there be a records closure and transfer criteria .Such conditions should coalesce around: a change management group; departmental records management exit plan; a records transfer and closure policy statement, a records transfer contract and risk register. In addition, there should be departmental records management action plan or exit strategy. The action plan will deal with all the issues surrounding records of devolved functions closure and transfer (Biggs, 2007). The change management group should discuss with relevant staff every aspect of recordkeeping for understanding the

holding. A detailed records survey report is produced containing a profile of records with retention decisions, reasons behind them and breakdown of transfers and or disposal action. The report is clear, definitive, containing enough information in an accessible format to allow staff make correct decisions about selections of files for retention or destruction within a tight time frame ((Wakeling, 2004a).

(Wakeling, 2004a) argues that the other component of the records transfer criteria is a policy statement on records of devolved functions closure and transfer. Such policy should emphasise that it is essential that right records are kept for appropriate period and not destroyed or lost as a result of closure. A contract between a department which is losing a function and the one gaining the function is necessary in order to ensure continuity in service delivery under the new department. The contract should focus on ownership of records and assignment of intellectual property rights. Ordinarily ownership of records up to the date a function is transferred belongs to the creator. The contract between the two agencies also addresses information sharing agreement. The information sharing agreement should address such issues as terms of access, disclosure, confidentiality and data protection and basic services such as enquiry turnaround times.

(Wakeling, 2004a) also insisted that a risk register should be established by winding up departments. The aim is to minimise loss of knowledge and information which will lead to corporate liability and damage to business efficiency. The risk register should aim at identifying and preservation of records on the business's core areas namely: good governance, obligations, accountability, research and practice learning.

Existence of an update records management infrastructure can ensure during devolution records are identified as a corporate resource and asset, and poor records management as a corporate risk. (Parer, 2003) notes that governments use legislation to ensure that its records and archives are appropriately managed and preserved over time various reasons.

(Ngoepe & Keakopa, 2011) and (Platform, 2015) have suggested that it was important for devolution of records management programmes to have a constitutional basis. (Hofman and Katuu 2023) observes that laws are hierarchical. This means that any proposed or even passed law that contradicts the constitution as far as devolution of records management is concern is unconstitutional, and therefore unlawful must be made to adhere to the supreme law. The broad principles of DORM in the Constitution are implemented through statutes, which, in turn, are fleshed out through regulations, and regulations are put into practice through policies and standards.

Thus devolution of records management entails the national government align the national archives and records legislation provisions with the provision of the constitution. County governments compliance with the constitution and national archives legislation provisions each enact archives legislation and establish and maintain their own archival infrastructure. In order to ensure coherence and compatibility in archives and records management systems in a given country, the national archives Act must contain specific provisions that impact on how archival and records management services are delivered by the county governments.

The (Platform ,2015) notes that the national and sub national units' archival legislations share some features. That is the two archival legislations provide for: the establishment of an archives and records service within a government department which sets out its objects and

functions; require the management of public records by government bodies; establish archives with responsibility for the preservation of public records and set out conditions governing access to and use, and provide for the appointment of a body to advise the minister on archives. (Netshakhuma, 2019a) notes that there are benefits of having an archives and records management legislation: It provides a basis for detailed regulations on the recruitment; appointment promotion, professional qualification and training of archives staff (Netshakhuma, 2019a).

The other strategy to counter the challenges of devolution of records management is the placement of archives and records management programme in appropriate position within the county government organisational structure. (Schellenberg, 1956) emphasised that the position in governmental hierarchy where archives and records management is placed must take into account the character of the government organisations, the size, complexity and age. The other consideration is the nature of the functions the archives programme should accomplish. This factors may require the archives to be given a place in governmental hierarchy that will enable it to independently deal with all units of the government. (Schellenberg, 1956) stated that, when the archival programme is new, it encountered problems which could only be handled at the top of the government hierarchy. These problems include: the placement of the archives programme in the government structure, its legal authority and its policies that have government wide effect. In addition, archives may encounter problems which relate to various phases of execution of the new archives programme such as how to conduct survey to ascertain the character and value of records, the formulation of policies, and the provision of storage facilities and development of a disposal

programme. These problems involve policies and are better handled at the top government level.

Lowry (1999) like Schellenberg, before proposed that the archives programme should be subordinated to a highly influential government department such as that which is responsible for government planning process rather than a cultural one. That such close association with planning process will increase the impact archives and records management programmes have while overseeing records management government wide. Also, (Weinberg 1999) stressed that the archivist who was too far down the administrative hierarchy will not have the authority to implement an effective archive programme. In addition to placement, (Walch, 1997) emphasised that both archives and records management functions should be subordinated under one government department instead of having them placed in two separate departments. The reason for joint versus split archives and records management programmes is that the archives and records management programme are essentially one task. That the more fragmented the archives authority over records and information was the more difficult it will be to develop a sound programme for long-term archives administration.

The strategy other to counter challenges of decentralisation of management of records has to do with adequacy and competency of staff. The records staff should be equipped with new skills and competencies through training or retraining to be able to effectively advise and provide technical assistance in respect of devolution of records management. (Wamukoya & Mutula, 2005) have argued that implementing a new records management programme will be compromised unless the issue of capacity building is addressed. That failure to address staff capacity may lead to: reduced government effectiveness; increased operating costs; gaps

in recorded memory; reduced public access to entitlements; erosion of rights; and weakened capacity for decision making. (Archival platform, 2015) has suggested various capacity building intervention options for staff without skills but with responsibility for devolution of records management. The government department where archives and records management falls should in liaison with the Public Service, the County Government Treasuries, the Ministry of higher education and professional associations in archives and records to among others: introduce bursary scheme for post graduate studies, develop training programmes and introduce educational qualification requirements for archivists and record managers. In addition, the government department responsible for archives and records management should determine staff needs and reassess post levels, create career path, develop strategies to retain skilled staff, identify and increase opportunities for training. (Wamukoya & Mutula, 2005). Walch (1997) also recommended, retooling of the staff responsible for archives and records management programme so that the staff could go out and provide on-going guidance and training to sub national unit agencies.

Failure to allocate sufficient funds to implement devolution of records management legislation shows disregard for the role devolution of management of records play in devolution. The department where records management falls in the national and in the sub national units should recalculate the cost of implementing their respective devolution of archives legislations and request their respective treasuries for budgetary readjustment (Platform ,2015) Earlier, (Walch, 1997) suggested several creative ways funds for county government archives and records programme could be raised. That one percent (1%) of the total expenditure of a sub national unit should be set aside for archives and records management programme. That Sub national unit legislatures can as way of supporting archives authorise the establishment of

revolving funds allowing the archives service to charge fee for services and deposits. Sub national unit agencies can be charged for services such as storage in records centres, micrographics, workshops and reproduction services. Archives and records management programmes can also establish partnership Trust to help raise special project funds. Such Trust fund can help raise funds from corporations, foundations and individuals as well as secure county government budget. The other proposed revenue source is for the department where archives and records management falls to persuade the sub national legislature to view some devolution of records and archives management as capital improvement. Consideration of devolution of archives as capital improvement will mean sub national unit archives will become eligible for support through issuance of bonds, money that can be allocated without having to increase budget (Walch, 1997).

Devolution of records management may result in imbalances in delivery of records management services to the state officers and members of the public. (Walch,1997) suggested the renovations and upgrade of dilapidated archives repositories inherited by devolved units from the central government is necessary as it will increase security and access control measures and improve conservation of archival material at sub national government. That establishment of new structures and facilities and construction of facilities should be based on feasibility studies and on national standards for construction of archival repositories respectively. The standards should cover every aspect of the design and construction of facilities used for storage conservation, administration and consultation of records.

(Wamukoya, 2015) on strategies to counter challenges of DORM by emphasised the need for establishment of adequate record keeping system through significant investment in terms

of resources, infrastructure of legislation and policy and human capital. The second phase of Wamukoya strategy is the transformation of the records management systems into local archives centres where the local residents can go to learn about their history, culture; and where local researchers, community groups and businesses could deposit collections of records concerning local events and activities, similar to the British model of local or county archives.

2.9 Framework on Devolution of Records Management (DORM)

The need for a framework in support of devolving of management of records is the recognition that effective implementation of a records management programme is complex and require availability of specific requirements. A framework is used to identify the requirements of an appropriate devolution of records management programme to county governments(Ngoepe & Van der Walt, 2010). Each government is however unique in terms of legal system adopted, endowments, economic texture, culture, vision, mission and management style. These driving forces of devolution of records management programme must present but are a major challenge in implementation of the programme. Also, effective devolution of records management to county government cannot be obtained by applying national government records management principles without customizing them to the records management requirements of the county governments(Magee, 2014).

(Nengomasha, 2009) has discussed the requirements of a records management framework but with a focus on the central government records management programme. The study emphasised the setting up of correct policies, procedures and practices for the purpose of building a culture of proper records management in an organisation. (Nengomasha, 2009) emphasised resource requirements, reviewing the records management infrastructure,

developing records Centre's, managing archives, implementing an electronic records management system and sustaining the records management programme. The past studies show that there was abundance of archival theory on how to run a central records management programme. What was however less available was records management framework tailored to devolution of records management to county governments (Magee, 2014).

2.10 Summary and Filling Research Gap

There are many opportunities devolution of records management offers for a country that embarks on devolution of records management. Such opportunities include ability to build capacity of the county governments to be able to effectively manage their own records. There is consensus among researchers in the ESARBICA region including (Ngoepe, 2014), Platform, 2015), (Wamukoya, 2015 that even as devolution process got underway in many Africa countries, neither the central government through the National Archives nor the Country Governments themselves had given thought to devolution of records management. That in the absence of effective guidelines on devolution County governments will simply adopt record keeping models existing in central government, many of which do not take account of the uniqueness of the local governments business and records requirements and have in the past proved to be inadequate.

The reviewed literature further indicated that little seems to have been written about devolution of records management to county governments in Africa either by change management theorists and practitioners in the world of records and information management. Also, the American and Australia models of devolution of records management which have been tried in some African countries such as South Africa are being criticised as being

inappropriate for resource constraint countries because they are resource intensive. This study has attempted to contribute to the existing body of knowledge on records management on using the principle of subsidiarity and records management assessment model in devolution of records management and by developing a framework for devolution of records management to local governments in Kenya.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

This chapter discusses the research methodology upon which the study on devolution of records management to county governments was based. The chapter begins with identifying the research approach used in the study, explaining the philosophical stance which informed the study, and the research design within which the study was undertaken. The chapter then proceeds to selection and explains the reason for the choice of the study area, study population, and sampling strategies and sample size. Also explained in this chapter are data generation instruments, data processing and analysis, and interpretation together with the criteria for evaluating the results of the study and then finally the ethical considerations.

3.2 Philosophical Stance

Selecting a philosophical stance within which to study devolution of records management was regarded as important to ensure use of thoughtful methodology and obtaining justifiable research results. A philosophical stance or paradigm is viewed as a loose collection of logically held together assumptions, concepts, and propositions that orientates thinking and research. (M. Burke, 2007) on "Making choices" acknowledge that selecting appropriate philosophical stance for a study was important. This was because subjectivity in research could only be addressed by setting a study on a suitable research paradigm and clearly communicating the assumptions pertaining to that research paradigm.

(Ritchie, Lewis, Nicholls, & Ormston, 2013) have insisted that deciding how to undertake a study was always met with philosophical debates commonly centred on ontology and epistemology. Ontology is about beliefs about what there is to know about the world while

epistemologies focus on ways of knowing and learning about the social world. Important ontological questions addressed in a study are: “whether there were multiple or singular realities, whether reality exists independently of human conceptions and interpretations; whether behaviour is governed by laws or not. In other words, ontology addresses three distinct positions namely: realism, materialism and idealism. Realism is the view that there is an external reality which exists independently of people's beliefs or understanding about it. Materialism on the other hand holds the view that there is a real world but that only material features, such as economic relations, or physical features of that world hold reality. Lastly, idealism asserts that reality is only knowable through the human mind and through socially constructed meanings. Epistemology on the other hand addresses questions such as: how to know about reality and the basis of the knowledge. (Ritchie et al., 2013) have maintained that there are three main issues around which epistemological debates are about: First, the relationship between the researcher and the researched, and second, theories about 'truth' and finally, the way in which knowledge is acquired.

3.2.1 Interpretivist Stance/ Constructivism

This study adopted interpretivism stance as it was regarded as suitable for addressing the ontological and epistemological aspects in respect of the study. The paradigm was suited for this study. This is in order to obtain maximum context-specific realities of the nature of the phenomenon being studied and how it revealed itself. According to (Mason, 2017) interpretivists see people and their interpretations, perceptions, meanings and understandings, as the primary data sources. This view supports a study which uses interview method, where the aim is to explore people's individual and collective understandings, reasoning processes and social norms (Mason, 2017).

Interpretivisms stance was found suitable as the study's goal was to construct reality and produce knowledge about decentralisation of management of records from the people that had experienced it such as heads of departments, archivists, heads of records management units, and departmental records managers.

Interpretivists hold the view that: i) human beings construct meanings as they engage with the world they are interpreting. ii) humans engage with their world and make sense of it based on their historical and social perspective. iii). the basic way generation of meaning arise is in and out of interaction with a human community. Researchers work is thus to seek to understand the context of the participants through interviewing and visiting this context and gathering information personally (Creswell & Creswell, 2017).

Thus interpretivist was used in the study to achieve three objectives: communicate the stance of the research, to allow others to quickly understand the context and provide a means for clearly articulating the results of the research. Interpretivists depend upon the researcher's involvement with the study group. This is because in a study underpinned by the interpretive stance meaning emerge through interaction among participants and between participants and the researcher. Verification of the research results is through interaction with study participants.

In addition, Interpretivism stance has become popular with archivists and records managers undertaking research who have rejected the positivist stance for being narrow in focus. For instance (Trace, 2002) "What is recorded" proclaim that the positivist assumptions about the nature of records had come under sustained scrutiny in the archival literature for a long time. Instead the interpretivist view of records as a socially constructed and maintained entity was

being embraced. Later, (M. Burke, 2007) corroborate. Trace's (2002) view on popularity of the stance suggesting that interpretivist was among the accepted stances used by information professionals.

3.3 The Research Approach

A research approach is a programme under which a study is conducted that covers steps from broad assumptions underpinning the study to detailed methods of data generation, analysis, and interpretation. According to (Ngulube, 2019) there are two approaches researchers have traditionally selected from when conducting a research, which is either quantitative or qualitative. However, a mixed method approach which combines the attributes of both quantitative and qualitative approach has now been considered as a choice in addition to the two approaches. Quantitative approach is regarded as mutually exclusive from qualitative because of certain underlying assumption. (Babbie, 2010)) lists the components which makes quantitative different from qualitative approach namely philosophical perspectives and assumptions, method, goal of research, questions or hypothesis, those being researched, those conducting the research, and data and data analysis. (Creswell & Poth, 2016) however does a comparison of the three research approaches namely: quantitative, qualitative and mixed methods approach. The authors argue that quantitative approach is a research strategy that emphasises quantification in the generation and analysis of data. In this approach the researcher primarily uses the positivist (or post-positivist) claims for developing knowledge, employs experiments and surveys as strategies of inquiry and collects data on predetermined instruments to discover explanations, tests hypotheses and gather facts about the world. Quantitative methods measure a phenomenon using numbers with statistical procedures to process data and summarise results. Also, quantitative methods seek regularities in human

lives, by breaking the social world into empirical components called variables or concepts which can be represented in numbers such as frequencies or rate, whose relationship with each other can be investigated statistically. Earlier (Berger, 2001) argued that the strength of quantitative approach is that the findings are likely to be generalised to a whole population or a sub-population because it involves a larger sample which is randomly selected. However, quantitative approach only takes snapshots of a phenomenon and overlooks participants' experiences as well as what they mean.

(Bernard, 2017) and (Creswell & Creswell, 2017) have cautioned that the use of a mix of research approaches could be exciting, but chaos could result if the researcher is not careful. That in mixed approach it was difficult to maintain the integrity of each approach when completing a comprehensive qualitative study while conducting a sophisticated quantitative study. Also researchers, particularly novices, experience difficulties and ended up producing research that did not meet the criteria for quality work.

3.3.1 Qualitative Approach

The choice of qualitative approach for undertaking the study over other research approaches was informed by the nature of the research problem which required qualitative methods to be used to explore a contemporary problem about which little is known, that is devolution of records management in Kenya. The researcher was interested in obtaining answers to a set of questions and emerging questions which only those who had experienced the phenomena could answer. Such questions were about the setting, the process, the meaning, and the outcome. For instance, qualitative approach was found suitable in answering both set and

emerging questions about “why the existing records management infrastructure was inadequate for supporting devolution of records management to county governments.

Qualitative approach attempts to see the world from the point of view of participants. (Denzin & Lincoln, 2011) and (Ravenwood, 2013) have analysed the recurring features of qualitative research approach and have concluded that: it is conducted through prolonged contact with a field, involve natural setting, is often reflective of everyday life, and the researcher’s role being to gain a holistic overview of the context under study, the main task is to explicate the ways people understand or account for their actions and situation

has argued for qualitative approaches stating that they are erroneously criticized for being unscientific because of equating science with quantification and measurement. However, qualitative approach methods are suitable in providing a means of accessing unquantifiable facts about a phenomena observed and obtained from the people talked to and as represented by its traces. This approach positioned county government records management practices as a central unit of analysis on devolution of records management. The approach enabled: generating data including the participants’ setting, undertaking data analysis inductively, building from codes to general themes, and making interpretations of the meaning of the data.

3.4 Research Design

Selecting the study’ research design for carrying out the study devolution of records management was considered important. This is to be able strengthen the credibility of the study and ensuring that data generated properly addressed the research topic being studied. The qualitative study required a research design able to ensure description of the interactions among participants and the researcher in naturalistic settings with few boundaries. (Jupp,

2006) maintains that it was not desirable in a qualitative study to have a rigid research design as this militated against the fundamental questions or problems they are researching and against the need for continuous reformulation of research questions and also for the process of exploration. Hence a flexible research design that selected was able to logically link, the research questions, the data that were generated, the strategies for analysing the data so the study finding addressed the intended research questions.

3.4.1 Multiple Case Studies Research Design

Multiple case studies research design was thus regarded suitable strategy or logical plan for exploration of devolution of records management. The study used exploratory research design which focuses on identifying the boundaries of the environment in which the problem resides. (Ngulube, 2019) has suggested that case study designs can either be descriptive, exploratory, explanatory, illustrative or evaluative. Descriptive research is to provide an accurate and valid representation of the factors relevant to the research question while explanatory research, on the other hand, identifies any causal links among variables pertaining to the research problem. The goal of exploratory studies is to discover theory through directly observing a social phenomenon in its natural setting and raw form. Thus exploratory case study can be designed quickly in response to unanticipated events for the exploration and for understanding of complex issues through data generation procedures such document analysis of reports of past studies.

(Yin, 2011) indicated that exploratory case study design was useful in the following areas:

(a)for exploring new or emerging processes where the "how" or "why" questions are being

posed, (b) the investigator has little control over events, and (c) the focus is on a contemporary phenomenon within a real-life context.

Multiple case study research design involving four similar cases or counties was therefore used for the study and ensures robust findings. That is in enhancing the external validity or generalizability of the study findings (Yin, 2011)

Multiple research design is however expensive in terms of resources because research conducted through multiple-case study is usually planned in the way one plans for multiple experiments. However, multiple cases are regarded able to enhance rigor in the study by checking the researcher bias through replication strategy where several experiments conducted under same conditions should lead to same results.

Further, the popularity of multiple cases is in the challenge in single case research design. Difficulties could arise in separating what was unique to a case being studied from what was common to other cases. On the basis of rigor multiple case research design was considered valuable for conducting the study instead of a single case study design. However, the cases were limited to four due to attention being paid to the quantity of data which was to be effectively generated and analysed and the resources at the researcher's disposal. (Stake, 2013) maintains that the benefits of multi case study are limited if fewer than four cases are chosen and where fifteen to 30 cases are selected they provided more uniqueness of interactivity than the reader can understand. In multiple case studies, at least four to ten cases are regarded as appropriate. If the cases are less than four it may become difficult to capture the complexity of the real world but if they are more than ten it may become difficult for the researcher to process the data. Using multiple research design enabled conclusions from one

case (nature of records transfer to county government of Kakamega) to be compared and contrasted with the results from the other three cases (Bungoma, Busia and Vihiga). These replication procedures were intended to lead the study to the theory building. In order to develop a theory, the researcher starts with an idea and then develops a plan including whether to use a single or multiple-case approach and consider how data will be collected. Eventually, multiple cases allowed for a single set of cross-case conclusions.

Multiple case research design has gained popularity in records and archives management studies. (Joseph, 2016) used a multiple case study comprising of five sites which were identified for potential participation. The study was exploratory conducted within an interpretivist stance to allow for inductive analysis and interpretation of meanings behind individuals' actions. The previous study employed combined data generation strategies namely: face to face interviews and an online audit tool.

3.5 Study Area

The choice of the counties of Kakamega, Bungoma, Busia and Vihiga as the study area was not based representativeness but on conceptual grounds and pragmatic considerations. They were chosen because it was believed that understanding them will lead to better understanding of the phenomena, and perhaps better theorizing, about a still larger collection of cases

Typical case sampling strategy was used to select the four cases where a case was selected because it portrayed features that are 'normal' or 'average are selected (Flick, 2013, 2018). The sampling of each of the four counties involved a selection using a case screening procedure which involved: review of literature about each case, a willingness of key participants in the case to participate, preliminary evidence that the case had the experience

that the study was looking for and resources at the disposal of the investigator to be able to undertake the study in the case. Given that multiple accesses to more than a single county government was required cases were chosen more carefully where sufficient access to the potential data sources including people to be interviewed, and observations to be made in the “field were important in the selection of the cases. The four cases selected namely Kakamega, Bungoma, Busia and Vihiga are all located in the western part of Kenya which was previously referred to as Western Province as shown in figure 3.1 below.



Figure 3: Study Area

The four county governments have administratively since independence evolved as a unit under the leadership of the western provincial commissioners based at Kakamega.

3.6 Study Population

A study population is the groups or things which are of interest to the researcher that bear common characteristic out of which the researcher extracts a small fraction. The sample then becomes the actual respondents who provide the data to the study (Given, 2008). The population of this study was derived from county governments and agencies. It comprised, Chief officers, Directors, heads of records management units, departmental records management officers and archivists. The county executive committee members, chief officers

and Directors were targeted because they use county government records, are responsible for approving and authorizing policies on archives and records management and ensure the establishment of county records offices, records centres and county archives. Departmental records management officers who included: Health Records and Information Officers, Revenue officers, and secretaries were targeted as they are expected to implement the county government records management programme. The third group comprised of heads of records management units who oversee implementation of archives and records management activities in the counties. The last group were, Archivists who assist and guide the county governments to implement devolution of records management in accordance to the Public Archives and Documentation Service Act cap 19 laws of Kenya.

3.7 Sampling Strategies

The study used four variants of purposive sampling strategy for selecting a sample of 43 for the study. Sampling was done iteratively which was a process which entailed an active process of reflection based on data required to answer a research question. An initial sample of 5 chief, 5 Directors and 9 departmental records management officers respectively were selected through convenience sampling strategy. Convenience sampling strategy entailed the study selecting readily available relevant participants to participate in the study. Initial sampling is where the researcher started to generate codes to answer the research question. Coding reflected broad but ever-growing range of aspects on devolution of records management that were emerging in each new interview. The wide issues coded were: defunct local authorities and restructured provincial offices”, “ministry headquarters and ministry of devolution”, “records pending transfer, “interest in records”, “neglecting of records”, and “competing priorities in counties”. There was constant comparison of news codes with previous ones and

the outcome was used as the basis of decisions on the next variant of purposive sampling strategy. Stratified purposive sampling strategy followed convenience sampling and was used to get directors and departmental records management officers to take part in the study as a result 7 directors and 5 departmental records management officers were respectively selected. Stratified purposive sampling is a hybrid approach in which the aim is to select groups that display variation on a particular phenomenon but each of which is fairly homogeneous, so that subgroups can be compared. The results were discussed with supervisors and it was decided that the researcher should recruit more cases to build the broad issues identified earlier.

Maximum variation sampling was the third sampling strategy used where the selection of participants and units was based on criterion. There is a deliberate strategy to include phenomena which vary widely from each other. The aim is to identify central themes which cut across the variety of cases or people. Using the sampling strategy resulted in 4 heads of records management units and five documents being selected to provide data to build the codes generated earlier. Table 3 below shows documents purposively selected to provide data to build the codes generated earlier during initial sampling.

Table 3: Sample of Documents Purposively Selected

Documents purposively selected	Initial codes identified on devolution of records management
Mechanisms for closure and transfer of public records and information, 2016	pending of records, interest in records, neglecting of records, defunct local authorities and restructured provincial offices, ministry headquarters and ministry of devolution
Circular on closure and transfer of public records 2015	Inadequate records space, inadequate records staff , disposal of records
Guidelines for streamlining records management units in county government and restructured provincial and districts offices February 2015	Records management units, records centres , classification systems, manual of records management , British records management systems
Public archives act laws of Kenya 1965	archaic archives , distribution of records responsibilities
Report of records survey of the defunct local authorities July 2015	Use of records , records space, recentralization of registries, county archives , county policies

(Source field research, 2016)

Purposively selected documents in table 3.2 above, documents were evaluated and selected on the basis of being able to provide data to build an emerging theme or themes. Evaluation of documents was based on: completeness, relevance, authenticity, credibility, accuracy and representativeness. Documents were assessed for completeness if they were comprehensive in other words covering the topic completely or covering only some aspects of the topic. The study too had to determine whether documents are containing in great detail on some aspects of the theme, the original purpose of the document and the reason it was produced and the target audience was also the basis of evaluation. Information about the author of the document was also assessed by the study. In addition, since documents are context-specific, they were evaluated against other sources of information

The final round of sampling shifted towards more conceptual issues on devolution of records management. A sense of the key issues had begun to emerge. The researcher became interested in exploring further the key issues, for instance trying to make sense of records pending transfer and strategies to counter challenges of devolution of records management. Purposive sampling was used which involved selecting participants that met criteria set. Participants who possessed specific attributes were selected:

- a) Sat in joint planning meetings between Transitional Authority and Kenya national archive
- b) Took part in training and conducting records survey on state of records of defunct local authorities and restructured provincial administration
- c) Responsible for devolution of records management to county governments

Thus, using purposive sampling 8 archivists were selected. In total a sample size of 43 cases were selected for the study. The distribution of the cases is shown in table 4).

Table 4: Distribution of Cases

County Government	Chief Officers	Directors	HRMU	DRMO	Archivists	Sample size
Kakamega	2	2	1	4		10
Bungoma		3	1	3		6
Busia		6	1	4		11
Vihiga	2	2	1	3		8
KNA					8	8
Sample Total	4	13	4	14	8	43

Key: HOD: head of department, DRMO: departmental records management Officers, &HRMU: head of records management unit

As shown in table 3 .3 case selections were not representative of the study population. The sample size was determined by the nature of data required and saturation. Saturation of important themes and categories was regarded as the core sampling principle to be complied with. The present study's sample size was not predetermined but emerged naturally on arriving at saturation.

3.8 Data Generation Methods and Instruments

In line with the interpretivist framework within which this study was undertaken qualitative methods of data generation used were: interview, observation and document sources. The flexibility that comes with the chosen methods gave the researcher more focus on the process

of iterative data generation and analysis than could be offered by quantitative methods. This triangulation of data generation methods was preferred to lead to generation of trustworthy data.

3.8.1 Interview Guide

Interview guide was the main instrument of data generation due to a desire to explore devolution of records management programme which required an understanding of in-depth of people's contextual accounts and experiences, rather than a superficial analysis of surface comparability between accounts of large numbers of people. This required a data generation instrument that would enable a distinctive approach to comparison, to analysing data and to the construction of arguments.

The interview guides comprised a series of broad themes centred on the research question. The interview guides helped direct the conversation towards the issues about what the researcher wanted to unearth. Section (A) of each guide contained the participant's background which was followed by (B) section on, nature of records transfers. Section (C) dwelt on records management systems while section (D) on records management infrastructure. Lastly section (E) was on strategies to counter the challenges of devolution of records management. As can be observed in Appendix 1-5 the interview guides had a heading showing the main topic and a number of subtopics, using different levels of bullet points. Interview guides had at the end a "thank you very much for your time and cooperation." During an interview session, the sub topics were modified from time to time as necessary in order to generate appropriate data for the study. An approach adopted by the study is where there was an ever-evolving set of questions, such that later participants respond to queries different from those to which previous participants did. Initial data generation and analysis

led to refinement of the study's central categories and thus to new questions for the participants. The interview guide served as a guide and foundation on which the interview was built but also one that allowed creativity and flexibility to ensure that each participant's story was fully uncovered

(Malterud, Siersma, & Guassora, 2016; Seidman, 2006),(Boeije, 2002) have indicated the advantages of using interview, that information obtained through them was correct. This is because interviews allow the researcher to add or amend if interview question appears misleading. However, interview is thought of as being riddled with diverse challenges. Participants have to be identified and be established whether they are researchable, if not suitable ones have to be substituted.

Face to face interview was preferred over either telephone, focus group or internet. This was because it could not be possible to effectively answer all the research questions using the other means. Interview by telephone cannot capture social cues. In person interviews are regarded as better as they can yield authentic and deep descriptions of phenomena. This is through the interviewer's ability to facilitate trust and openness in the interviewee, which then lessens the interviewee's need for impression management and enables better examination of experience (Granot, Brashear, & Motta, 2012).

A primary technique used with interviews in this study were scheduled and unscheduled probes which allowed the researcher the means to draw out more complete narratives from the participants. Some of the probes the study used included: silence, echo, and verbal agreement, tell more, and long questions (Ritchie et al., 2013).

The relationship between the researcher and the participants was one regarded as crucial to the successful generation of data required to answer the research question. Therefore, first the researcher had to establish rapport with interviewees, secondly, learn how to keep the discussion going by avoiding questions which would dampen the discourse. Thirdly, avoid asking leading question in which one-word answers such as yes or no would be obtained that would stop the flow of the interview. Fourthly, knew when to interrupt and learned how to focus and pace the interview (Qu & Dumay, 2011).

3.8.2 Observation Schedule

Observation schedule supplemented interview guide in the generation of relevant data for the study. Observation is a data generation technique whereby the researcher personally sees the events, actions and experience without any interference from the population or institution of the study (Ritchie et al., 2013). (Mason, 2017) while supporting use of observation schedules in research submits that because not all knowledge are articulable, recount able or constructible in an interview, observation are preferred as the observed kinds of settings, situations and interactions reveal data in multidimensional ways, and also that it is possible for a researcher to be an interpreter or ‘knower’ of such data as well as an experience, observer, or a participant observer.

In this study observation schedule (appendix 6) shows the themes covered by the semi structured observation schedule. The items observed included: the physical surroundings, records management rooms, records management equipment such as mobile shelves, cabinets. ICT infrastructure such as computers and their accessories, record control tools and the state of the records transferred to county governments.

Observation schedule enabled the listing of as many emerging themes as possible such as “support for devolvement of management of records, state of classification schemes and the dumping of records transferred to county records management units. The study documented also what participants were doing such as duplicating of records classification scheme. (Moyle, 2002) suggests that researchers need to record the physical and contextual setting of the observation. That is in terms of the layout of the setting like seating arrangements, arrangement of desks, the chronology of the events observed and any critical incidents that happened. The researcher made notes on the observation schedule about what was observed, what the participants said, “words and the meanings” attached to them. The notes made during observation were later comprehensively written as they served as reference source during the thesis writing. Studies by (Risso, 2016) support the use of observation in research by suggesting that structured observation method combined with others, could be useful for data collection.

3.8.3 Document Analysis

Documents analysis was employed to argument the other two data generation instruments namely interview guide and observation schedule. Document analysis required that relevant documents be examined and interpreted in order to elicit meaning, gain understanding and develop empirical knowledge. Document analysis begins with skimming through the sampled documents followed by thorough examination and interpretation. Code and the themes they generated were integrated to data generated by the other methods. Document selected to provide data to answer the researcher questions consisted of : Mechanisms for closure and transfer of public records and information, regulations, 2016, Minutes of meeting on management of public records between Transitional Authority and Kenya national archives

of 10th July, 2014, The report of the records survey of the defunct local authorities and the restructured Provincial Administration in the Forty seven Counties of July 2015, Policy On Devolved System Of Government, 2016 and The Guidelines for streamlining records management units in county governments and restructured provincial and district offices February , 2015.

Documents unlike other data generation methods provide a means of tracking changes in development of a phenomena being investigated such as the keeping of records before their transfer to sub national units. Documents such as circulars on closure and transfer of public records provided data on the context within which participants operated. The documents provided background information and historical insights for understanding the historical root of devolution of records management. However, use of document in generation of data is criticized on grounds of reliability and validity of the documents being researched. Documents are regarded as social products, located in a specific context, and, as such need to be interrogated and interpreted rather than simply accepted. They are created for a purpose as a result they are selective, deliberately excluding certain details or information and serving purposes and a given audiences other than the researcher (Bowen, 2009)

In spite of this weakness, document research is popular in supplementing other methods in generation of data for answering research questions. Documents were easy to obtain as on request during the interview they were given to the researcher. Also some of the documents the researcher had interest were accessed over the internet. Further, some were written skilfully by professionals and contained more valuable information and insights than could be found elsewhere.

3.9 Data generation Procedure

First, following approval to conduct the study, by the Moi University School of Information Sciences. The researcher proceeded to obtain a research authorization, permit no. NACOSTI/P/16/22346/11994 from the National Commission for Science, Technology and Innovation (NACOSTI) see appendix (10) before proceeding on with the study. In line with the requirements of the granted permit, the researcher first had to report and obtain clearance from five County commissioners and County Directors of Educations where both the pilot and the main study were undertaken. Thus clearance was respectfully obtained from The County commissioner (CC) and Director of education (DE) for Kisii and Kakamega, Bungoma, Busia and Vihiga counties see Appendix (13-22).

3.10 Data Processing and Analysis

Data processing and analysis for the study was iteratively done using grounded theory analytic guidelines. This were originally developed by Glaser and Strauss in their book “The Discovery of Grounded Theory” (1964) (Glaser & Strauss, 2017). According to its founders, grounded theory constitutes an innovative methodology, facilitating ‘the discovery of theory from data. This implies that in grounded theory the researcher is not focused on testing hypotheses taken from existing theoretical frameworks, but rather develops a new ‘theory’ grounded in empirical data collected in the field.

Grounded theory was preferred because unlike other qualitative data analysis guidelines such as content analysis, grounded theory methods provide tools for analysing processes and is done systematically (Bryant & Charmaz, 2007).

Concerns however, have been raised about credibility of ground theory methods of inquiry particularly in a requirement that a researcher should proceed to the field with no preconceived problem statement, interview protocols or extensive review of literature. It is further alleged that strict observance of the principles of grounded theory may result in researchers reporting ideas as new that have already been developed in existing literature (Bryant & Charmaz, 2007). In this study this requirement was not complied to blindly nor its tenet completely ignored. Rather a provisional problem statement, an interview guide and literature review were done. Such variation was necessary for obtaining approval and the research permit by the school of Information Science of Moi University and the National Council for Science and Innovation respectively. In line with the grounded theory however the problem statement, interview guide and literature were refined in light of the emerging theory.

Grounded theory demands that data collection and analysis occur concurrently, rather than in a linear sequence. Guided by the constant comparative analysis and theoretical sampling techniques the researcher did a verbatim transcription of the 43 interviews. Verbatim transcription captures information in participants' own words, phrases and expressions, thereby allowing the researcher to uncover deeper and hidden meanings. It was also necessary to use both participants and the researchers' voices since reporting both of the voices was necessary for demonstration of the relationship between the data and the theory.

A constant comparative analysis technique which involved identifying and merging categories and paying attention to the emerging theory was done beginning from the coding of the first transcript. According (Chaterera-Zambuko, 2020)) Constant comparative method of data analysis has been hailed for enabling researchers to create categories that reflect the research purpose in a mutually exclusive and conceptually congruent manner.

Data for the study were analysed through the three phases as recommended by Grounded theory, which is open coding, axial and selective coding. Coding is the process of defining what the data is about. According to Bryant & Charmaz (2007) coding helps a researcher to identify the range of issues in the data and to conduct a focused analysis of a specific issue in the data.

In order to undertake open coding transcribed (elaborated) interviews from the initial five chief officers, five directors and nine departmental records management officers were thoroughly read and sometimes reread up to four times in order to pick explicit and implicit meaning of words, phrase, sentence, and paragraph to be coded. The researcher posed on each transcript several questions in respect to devolution of records management such as what is the issue here? Which aspects of devolution are being mentioned? In order to answer these questions, the study observed the grounded theory code. The code suggests that researchers remain open, stay close to the data, keep codes simple and precise, preserve actions, compare data with data, and move quickly through the data (Charmaz, 2006).

A codebook of provisional codes was developed comprising of 8 categories and 40 subcategories categories. A category is a range of discriminable different events or things that are treated “as if” equivalent. Table 5 illustrates how categories and subcategories developed on the nature of records devolved to county governments

Table 5: Sample of Open Codes*What is the criteria used in transfer of records to county governments*

sub- question	Categories & sub-categories
What types of records were transferred to county governments	Classifying - for staff over 55yrs/seconded/devolved/ Format- paper/electronic/email/word/spread sheet
What were the sources of records transferred to county governments	Sourcing : National government ministries/ , defunct local government , restructured provincial administration/county governments , county government headquarters /other counties/ Virtualised : cloud/data centres/
How important are the records transferred to the county governments	users -lower/middle/senior/public, used operation/accountability/society- preventing -hardy copy/pending transfer/ pending-policy/interest/

As shown in table 3.4. categories were created using action words or verbs in the data. This is because invoking a language of action rather than of topics method of coding curbs tendencies to make conceptual leaps and to adopt extant theories before necessary analytic work had been done (Charmaz, 2007).

Axial coding was the second phase of the data generation and analysis which corresponded to the grounded theory's second stage. Axial coding involved identifying and classifying links between substantive categories. The researcher had to select one open coding category at

time, position it at the centre of exploration and then relate other categories to it. Axial coding served to explain the relations between categories. Properties and dimensions of each category such as types of records: records being transferred, using records transferred and source of records being transferred were examined at axial coding phase. According to (Charmaz, 2006) Axial coding connects categories to subcategories, specifies the properties and dimensions of a category, and reassembles the data fractured during initial coding to give coherence to the emerging analysis. Data were put together in new ways during axial coding allowing connections between categories be established as shown in Figure 3.2.

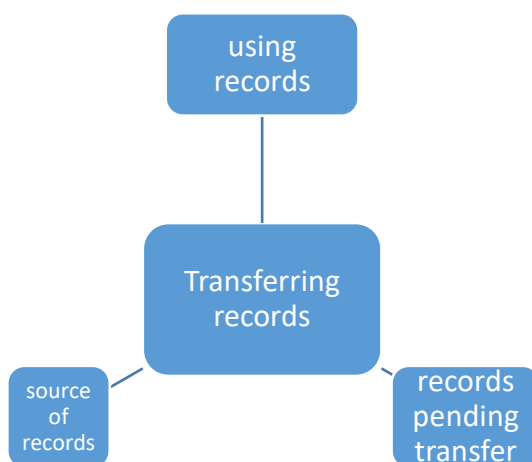


Figure 4: Sample of Axial Codes (Source: The Researcher, 2016)

The open coding category developed figure 3.2 is transferring of records where source and using records are related to the core category of types of records. The investigator continuously moved back and forth between inductive and deduction thinking that is developing concepts, categories, and relations from the text. Many different passages in the transcribed text were used in order to elaborate the axial category.

The third phase in generation and data analysis was selective coding. This required the study to focus more on elaborating the already developed core categories. The core category or storyline for the study was “inadequate devolution of records management” to county governments in Kenya while the sub core categories were: nature of closing and transferring public records and information to county government; records management practices; records management infrastructure; nature of challenges in devolving of records management. Analytic and reflexive concept memos were used to capture emerging concepts, perceptions and ideas. Memos are notes written down by the researcher to elaborate on ideas about the data and the coded categories (Creswell & Creswell, 2017). Selective coding was the final process of data generation and analysis in which the researcher developed a theory. The theory is stated below.

Devolution of records management from the national to the sub national governments in Kenya is inadequate due to lack of interest in the process by both the national and the county governments. This led to not only the transfer of records without a criteria and a failure to enact appropriate laws and allocate sufficient resources to support the programme but also a failure to streamline DORM into devolution. This was causing development of relevant records management practices, and strategies to counter challenges of devolution of records management to either happen slowly or not to happen at all.

Grounded theorists generate two types of theories: substantive and formal. Substantive theories explain a particular aspect of social life such as why or how it happens. Formal theories explain social issues at a higher level of abstraction. It was when the theory was developed the researcher was able to say under these conditions this happens, whereas under these conditions this is what occurs (Flick, 2013, 2018). The researcher was convinced that the analytic substantive theory was reasonably accurate statement of the area being studied and is in a form that others going into the field could use.

3.11 Ensuring the Quality of the Study

Quality of a study provide assurance that the data have been properly produced and interpreted, so the findings and conclusions accurately reflect and represent the world that was studied (Yin, 2016). Qualitative research attains higher quality when the declarative self presents ample evidence and when the reflective self gives sufficient information to know the circumstances whereby the evidence was sought and collected

Evaluation of qualitative studies is often a contested terrain. Tests of reliability and validity, as used in physical sciences, are inappropriate for qualitative investigation and cause considerable confusion when applied qualitative studies. Qualitative studies are generally evaluated for their trustworthiness, credibility, dependability and transferability ((Ngulube, 2019). (Denzin & Lincoln, 2011; Guba & Lincoln, 1994; Lincoln, Lynham, & Guba, 2011) have argued that credibility; dependability; transferability; and conformability are means to ensure rigor in designing, carrying out, analysing and presenting qualitative research results. The reason quantitative criteria of validity and reliability were not suited for evaluation of this qualitative study is because the criteria were developed for completely different methods (such as tests or experiments), which are based, in turn, on corresponding methodologies and epistemological theories. (Flick, 2013, 2018)

3.11.1 Credibility

Credibility was one of the goals the study endeavoured to achieve. Credibility refers to the degree to which the research results represent the actual meanings of the research participants. The goal credibility was to instil trustworthiness in the methods used to generate the data rather than to debate over the inherent truthfulness” of the data (Yin, 2016)

Credibility was enhanced by several means such as prolonged engagement at the research site where an interview session lasted on average one hour. The intention for investment in time at the research site and with the research participants is that it provided the researcher with opportunity to increase his understanding of the contextual conditions that prevail and to establish good rapport and trust with participants (Yin, 2016). It also allowed researcher to overcome the effect pretentious behaviour by the study participants due to their awareness of being observed. Credibility of the study was further enhanced by use of member checks. This entailed the researcher giving a participant at the Kenya National Archives opportunity to read transcriptions of their interviews and results of the study so as to confirm that the contents were either accurate or inaccurate picture of their views. A deputy director at The Kenya National Archives and Documentation Service read the manuscript of this thesis and confirmed that the results represented the participants' views. Progressive subjectivity was another way credibility was enhanced. This meant the researcher carefully monitored his own ideas, constantly reminding himself his views should not be given a higher status than that of the participants. This meant that the participants' views as shown in chapter four of this study were clearly presented first before the researcher's interpretation of the views.

Credibility of the study too was enhanced through triangulation and constant comparison technique. Data obtained from interview guides, observation schedule and document analysis was triangulated. The process of combining data from different sources resulted in a convergence, when data produced in the different methodological techniques evidence the same results or complimented. For instance, data obtained through document analysis provided on sources of records transferred to sub national governments provided additional confirmatory information of that identified through interview. In terms of complementarity,

subcategories generated using data from interview, document analysis helped to develop into category. Adequate details about study site namely the county governments of Kakamega, Vihiga, Busia, and Bungoma and procedures followed in generating data are provided.

3.11.2 Dependability

Dependability determines whether the findings of an inquiry would be consistently repeated if the inquiry were replicated with the same participants, in the same context. Dependability of the study was built through documentation. Documentation of the method and context of generation of data was done. In particular procedures used in data generation such as the interviews as well as information about how it was developed were documented. In addition, information about the context in which the interview took place mostly in the offices was documented. Evidence of participant's informed consent requested and given was documented. The interviews were documented by use of tape recorder device. According to (Flick, 2013) documentation of the research process is a principal technique of building dependability into qualitative research study.

3.11.3 Transferability

Transferability the equivalent of external validity or generalizability, a judgment about the applicability of findings from one context to another. This was achieved through generating, analysing and cross-checking a variety of data on a single aspect from multiple sources. Unlike in positivistic studies where similar questions have to be repeated on a large number of respondents, researchers undertaking qualitative studies do not have to repeat the same questions but rather pursue emerging issues and perspectives. Questions were not necessarily pre-determined or repeated on all the participants. Rather the questions were mainly guided

by the research problem and objectives and most of them naturally arose from the emerging issues and perspective

3.11.4 Conformability

Conformability or objectivity is concerned with ensuring that the findings of a study have not been influenced by the researcher. In quantitative research, objectivity is mainly achieved through a strict adherence to a method of inquiry that is determined in advance. Conformability was achieved by ensuring the research findings and conclusions are supported by the data.

3.12 Ethical Considerations

Ethical issues were of concern to the study. First, the study paid attention to voluntary participation. This means participants consent was first sought and obtained before they could be recruited to take part in the study. The interviewees were informed of their rights, during the interview session including a right to withdraw their consent at any stage of the interview or refuse to answer any particular questions that in their view were likely to harm them psychologically or embarrass them. As prove of voluntary participation each participant was required before taking part in the study to sign a consent form. The form covered what the research was about, why the person had been chosen, what taking part in the study will involve, any benefits or risks involved, promises of confidentiality and anonymity, rights to withdraw, who to approach for further information or to complain to about the research process.

The other ethical area this study focused on was confidentiality and anonymity. Confidentiality is about guarding the identity of the respondent so that it will not be disclosed

to anyone. In terms of confidentiality all interviewees were pseudonymised by each being assigned a secret code. For example interviewees were assigned unique identification codes such as 1MCOAK to instead of their actual names to ensure their confidentiality as recommended by ((Hennink, Hutter, & Bailey, 2020) All cassettes used to tape, record interviews were not labelled with the interviewees actual names rather the tapes were organized using randomly assigned numbers.

3.13 Chapter Summary

This chapter identifies and justifies key decisions taken while conducting the study on devolution of records management to counties in Kenya. The primary method of data generation was interview supplemented by observation and document analysis and the sources of data included Chief officers, directors, Heads of records management units, archivists and the researcher. Multiple case studies research design was the plan under which the study was conducted which ensured appropriate data generation methods, analysis and evaluation. The chapter explained use of ground theory in data generation and analysis and the ethical considerations the study paid attention to. The next chapter covers presentation, analysis and interpretation of data.

CHAPTER FOUR:

DATA PRESENTATION, ANALYSIS AND INTERPRETATION

4.1 Introduction

This chapter presents, analyses and interprets data on devolution of records management (DORM) to county governments (CG) in four selected counties in Western Kenya. The counties were: Kakamega, Bungoma, Busia and Vihiga. The guiding core code in data analysis was “inadequate devolution of records management”. Subthemes integrated to the main theme were: the nature of public records closing and transfer to county governments’, capacity of records keeping practices supporting devolution of records management; capacity of records management environment governing devolution of records management and pathways to counter challenges in devolution of records management. In data analysis, empathic approach where interpretation seeks to elaborate and amplify the meaning which is contained within the data was used rather than ‘suspicious. In suspicious’ approach interpretation aims to unmask that which presents itself in the data, to bring out latent meaning which is contained within but not immediately obvious (Flick and Willis, 2014).

4.2 Response

Data for analysis was generated from forty-three (43) participants. The distribution of the participants across the five study sites is shown in Table 6 below:

Table 6: Inventory of Participants (n=43)

	County Governments and Agencies					
	KAKAMEGA	BUNGOMA	BUSIA	VIHIGA	KNADS	Participants
Chief officers	2			2		4
Directors	2	2	6	1		11
HRMU	1	1	1	1		4
DRMO	4	3	5	4		16
Archivist					8	8
Total	9	6	12	8	8	43

(Source, researcher):

Key: HRMU: Head of Records Management Unit, DRMO: Departmental Records Management Officers:

As shown in table 4.1 above the response was not representative of the study population as is common with quantitative studies. Instead, being a qualitative study, the focus was on data saturation which means recruitment of the participants stopped at the point at which no new themes were observed in the data from the completion of additional interviews. In agreement, (Boddy, 2016) emphasised that in qualitative research, the determination of sample size is contextual and depends upon the paradigm under which and where the investigation was taking place.

4.3 Nature of Public Records Closer and Transfer to County Governments

In this section this research endeavoured to answer the first research question on the nature of public records and information that were transferred to the county governments. Data generated were presented and analysed under six sub- categories namely: suitability of records transferred to the county governments, records pending transfer, consequences of records pending transfer, exploiting information in records at county governments, and conditions guiding - transfer of records to county governments.

4.3.1 Suitability of Records Transferred to County Governments

On the suitability of records transferred to the county governments, Heads of records management units opined that personnel records, classified as confidential in print format formed the bulky of the records formally transferred to county governments. The views of head of records management unit per county government are presented below in table 7 starting with the county government of Kakamega.

Table 7: Heads of Records Management Units Views on suitability of Records Transferred to County Governments

County government	Views of heads of records management units on suitability of records transferred to county governments
Kakamega	Records transferred dealt with what former local authorities handled; plot files, service charge and personnel records” 26.7.16
Bungoma	We received both open and confidential files of devolved employees; they were just print and personal files (20.6.16)
Busia	“We received both open and confidential files of devolved employee” 11.7.16
Vihiga	“Personnel files which were in headquarters of ten ministries such as agriculture, fisheries, cooperatives, health, public works and education were transferred 5/5/6

(Source researcher)

According to the heads of records management units' personnel records formed the bulk of the records found suitable for transfer to county governments. These personnel records were characterised as print format and classified either as "open" or "confidential." However, in county government of Kakamega besides personnel records subject records such as plot files and service records were also among the records transferred to the counties.

The departmental records management officer (DRMO based in county government of Kakamega confirmed in opinion the heads of records management unit's views regarding the records transferred to county governments. The DRMO response is presented below:

"We used to keep personnel records here but they were requested by the human resource), they are no longer with us, we only have subject files"
(8DRMO; DOI 26.7.16)

Contrary to opinions held by the heads of records management units and the DRMOs Document analysis of Gazette notice 44 of 2016 on the "Transition to Devolved Government regulations" indicated that county secretaries, county commissioners, authorised and accounting officers at the two levels of government were expected to facilitate transfer of all types of records associated with all the devolved functions irrespective of the subject or format of the records such as vital records, electronic records and their associated metadata.

Inquiry into the reasons for noncompliance to Gazette notice 44 of 2016 on the transfer of records exercise in favour of personnel records was done. The study established that various factors contributed to this failure. Amongst such factors was the absence of requisite computer skills among those in national and sub national government responsible for records transfer and the absence of a mechanism to enforce standard guidelines on records transfer to county governments to facilitate migration of electronic records. Also the other issue was the delay

in the issuance of the gazette notice on records transfer which was officially published in 2016, this was three years after the start of the records transfer exercise.

4.3.2 Records Pending Transfer to County Governments

Following observed disparities in opinion between records transferred and those earmarked for transfer but were not. The study probed and produced views of different participants regarding types of records pending transfer. The views of the heads of records management units per county government are presented in Table 8 below:

Table 8: HRMU on Records Pending Transfer

Types of records pending transfer	Kakamega	Bungoma	Busia	Vihiga
Personal records for county staff aged 50 year and above	X	X	X	X
Personnel records for national government staff on secondment to county governments	X	X		
Personnel records for county government staff on secondment at national government	X			
Personnel records for county staff who whose work station had not been established		X		
Land records	X			
Vital records	X			
Records of defunct local authorities	X			X
Records of restructured provincial administration records	X			

(Source researcher, 2016)

The views of HRMU as shown in Table 4.3 tend to suggest that while subject records (land and vital) were believed to be the only records pending transfer human resource records too were pending transfer. The attributes of personnel records pending transfer were: for staff aged 50 years and above at the time of the records transfer; for national government staff on

secondment in county governments and for staff devolved to county governments but whose work stations had not been known at the time of the transfer.

The views of departmental records management officers (DRMO) on factors contributing to records pending transfer were largely the same as those of head of records management units. According to the DRMO, the personnel records pending transfer at the ministry headquarters in Nairobi were for officers devolved to county governments but who were about to retire at the commencement of records transfer exercise. While the subject records pending transfer according to the DRMO were copies of records of the restructured provincial administration which remained at the former western provincial headquarters at Kakamega.

Heads of department' were of the view that the subject records pending transfer were not just copies but the main subject records especially on land matters including title deeds, records on titling of land, and green cards. The 38MDLB head of departments opined

“Most of the records like title deeds, titling of land, and whatever records going to titling of lands, green cards and the processes, are still with national government”
(38MDLB; DOI 31.8.16)

Document analysis of The Transitional Authority Report of the Records Survey of the Defunct Local Authorities and the Restructured Provincial Administration in the Forty-Seven Counties 2015 Confirmed the head of department's view that subject records formed the bulk of the records pending transfer to county governments. The reasons behind records pending transfer were diverse according to the records survey report were: lack of records space at county governments, lack of appraisal skills and inadequate staff. In county government of Kakamega additional factors included bureaucratic obstacles. In county government of Bungoma the causes for records pending transfer was lack of up to date record (information) on the last

work station of devolved staff at the time of commencing of records transfer exercise. According to the head of department, there were two reasons causing pending transfer of deserving records this were: personal interests and lack of clear government guidelines on public records closure and transfer. According to departmental records management officers the reason is, because the records were copies.

Records transfer is still an area of the study that has not been fully explored. It is important to know the contribution of various factors to pending of records transfer, particularly how electronic records associated with functions devolved to county government in central government officers' personal laptops, personnel email accounts, and in the cloud were dealt with. Where did these records go, might they have gone to the national archive, if the central government chose to retain them for how long, what is the national governments long term plan and what are the consequence of records pending transfer
(Memos expert 1)

4.3.3 Consequences of Records Pending Transfer to County Governments

A subsidiary query on the consequences of records pending transfer was posed to the participants. The heads of departments were of the view county governments had as a result continued to experience a lot of problems. According 34MDLB;

There is a lot of inconveniences especially when it comes to land transactions because records are still in Nairobi and if anything happened around like where somebody is grapping a piece of land you have to confirm with Nairobi , and when you are doing it at that level of correspondence , it takes time and you have no control over the information you shall be given, when you have cases in court then you have to bring people from Nairobi to testify, we are forced to go to Kenya national archives and get copies of the records. Sometimes we are going to the field to physically check and to recreate records, like one of the programs we are going to carry out, this coming financial year 2016/2017 is an inventory of county government land to compliment public land records which are not available,
(34MDLB; DOI 31.8.16)

The consequence of records pending transfer according to heads of department is that implementing devolved functions where such records were required had become difficult. The option of obtaining copies of the required records from Nairobi was also problematic to because it took long to obtain the requested copies. Further complication in implementing

devolved functions is when requested records arrived at the county governments but could not be validated in terms of accuracy and completeness of the information in the records. As a result, county government faced with such scenario had Nairobi people to attest to the accuracy of the records being used as evidence in local court dispute which is also costly to county governments.

4.3.4 Conditions for Records Closure and Transfer

This research probed about the conditions governing the activities of records transfer to sub national governments. According to the officer in charge of records management unit, In County Government of Kakamega, set guidelines comprised of: a county government functional records office equipped with correct equipment where records transferred are to be stored, and managed by qualified records management staff to be responsible for the records once their transfer is completed. The 14HRMU responses are that:

“We needed to have records management units, shelves where devolved records are going to be stored and officers to manage those particular records.”
(14HRMU; DOI 26.7.16 Kakamega)

In county government of Vihiga like Kakamega, similar conditions were cited and were centred on staff, space and equipment for storage of the records. The HRMU, county government of Vihiga stressed the requirement of the possession of bulky filers equipment to store records in to ensure the security of the records to be devolved. Similar emphasis was also cited in County government of Bungoma. In response, the 36HRMU noted:

“The Transitional Authority recommended that all the counties to have space and bulky filers but when the authority carried out the readiness survey found most of the counties including ours were not ready to receive records but unfortunately the ministry of devolution wrote a circular to counties telling them to collect their records”
(36HRMU; DOI 20.6.16).

Apart from almost restating the criteria the other two heads of records management units mentioned, the head county government of Bungoma explained that the terms on records transfer were published by the Transitional Authority, a body established under the Transition to devolved Government act 1 of 12 act laws of Kenya to be responsible for the transfer of functions including records to county governments. The head, further, said that compliance to the set conditions and approval by the Authority was mandatory for a county to receive records. This aside, according to the head of records management unit, the ministry of devolutions against the set criteria, using a “big bang approach” directed and had all record closed and transferred at once even to the unprepared counties such as Bungoma.

Further, on conditions, opinions were generated from departmental records management officers. Their responses both confirmed and contradicted opinions of their seniors. According to departmental records management officers in the county government of Vihiga, the transfer of records did not require county governments to meet any criteria. Another departmental records management officer of county government of Vihiga was of the opinion that set conditions existed although the county government had not only failed to comply to the set conditions to receive records but also that records management in the county government was in a moribund state. This was because the county had not been able to enhance the capacity of staff to be responsible for the records and also because efforts to train the staff by the Transitional Authority was haphazardly done.

Analysis of documents especially of “the 2016 Regulations” disconfirmed the departmental records management officer’s view. According to the document analysis the set conditions were:

personnel records shall be transferred on a written request by a county government and upon confirmation of readiness, capacity to manage records by that county including the availability of competent and qualified records management personnel as per the scheme of service for record management officers; and adequate and appropriate records storage facilities that include both physical storage as well as equipment (Transfer of Public Records and Information, regulations, 2016)

Analysis of data generated from both Heads of records management units and departmental records management officers as well as from document analysis and observation indicated that somewhat conditions on records transfer existed for closure and transfer of personnel records however compliance to the conditions was not enforced by county government in all cases of records transfer. This was because of interference with the process by the ministry of devolution which resulted in records management responsibility being transferred to county governments lacking capacity. The principle of subsidiarity requires capacity should be in place before functions are fully transferred to a sub national government.

4.3.5 Exploitation of Records and Information Transferred to County Government

In reference to the first research question the study inquired into the areas of use for the records in the county governments (CG). Participants were unanimous in their answers that records in the counties served in a multiple of areas such as in service delivery, accountability and governance. The head records management units' the county government of Busia indicated that:

“The records are important, they assist in decision making, serve as evidence of all transactions, and are institutional memory, without the records no one will know what the county governments are doing in terms of service delivery, accountability and governance” (29HRMU; DOI 11.7.16).

Going by the head of records management unit views, county government of Busia, records were exploited in areas of service delivery especially in decision making. The county government of Bungoma added to service delivery, continuation of delivery of services during devolution, asset tracking and in administration and in forming precedent as presented below.

*“Those records were supposed to form a connection, when you want to refer to where our assets are, recruitment, and for administration purpose”
(36HRMU 20.6.16).*

In county government of Vihiga the records were used to meet the county officials and residents’ information needs and expectations:

*“Members of the public are mostly interested in agricultural information, in areas of animal keeping such as pig keeping, bee keeping, and poultry keeping”
(20HRMU- DOI 5.5.16)*

The staff responsible for records management units’ county government of Vihiga, indicated that records particularly the transferred records were being used to meet county residents’ agricultural information needs in areas of animal keeping such as pig keeping, bee keeping, and poultry keeping. While in the county government of Kakamega, transferred records were being used in documenting the history of the county government and of the country of Kenya as a whole.

4.3.5.1 Exploitation of county records, The Chief Officers ’s views

According to Chief Officer County government of Vihiga records in the county such transferred records were being used for business operations in: accountability, budgeting, human resource management in, performance appraisal, and maintaining institutional memory. The 5MCOAV averred

*“Records have a lot of importance, to manage accountability, human resource issues, performance issues; reference purposes; maintaining institutional memory, and for budgeting”
(5MCAV; D.O.I 11.8.16).*

In county government of Kakamega transferred records were important in unlocking economic potential of the county government.

“Records are the one thing that can unlock our full potential, to guide us on staff promotion, on dealing with emergent threats, so that we can see the trends, for conducting frequent monitoring and evaluation activities quite useful for managing our own resources”
(1MCOAK; D.O.I 28.7.16)

Whereas according to the Chief Officer (HOD) county government of Kakamega, the records were being used to provide information needed to deal with threats to agriculture the backbone of the economy of the county and for monitoring and evaluation, to ensure efficient management of the county government resources. In County Government of Bungoma, according to the Directors records were important in the administration of justice and in meeting county resident’s information needs as said below.

“when you have cases in court, they are a means of making information available where it is required.... they are means through which it takes shorter to serve, and keep our stakeholders informed”,
(34MDLB)

Essentially, the directors in the county government of Bungoma submitted that the, records were a means of helping county government officials avail evidence whenever required in court and for delivery of services to county residents such as providing information about available services, how to obtain them and at what price. In county government of Busia, records were being used in support of making decisions on budgets, projects and development plans for improving the economy of the county. On the whole, responses from heads of department and head of records management units suggested that records both the transferred and those created by the counties were essential in undertaking functions assigned to the counties.

4.3.5.2 Heads of Records Management Unit, Users of Records, County Government of Bungoma

*“The human resource directorate by the nature of their functions such as recruitment use them for administration purpose”
(36HRMU D.O.I 20.6.16)*

According to the head of records management units the county government of Bungoma human resource directorate were the main users of records transferred to the county.

Head of Records Management Unit, County Government of Busia.

Whereas in County Government of Busia, three staff categories made use of records namely: senior officers, technical staff and lower-level officers.

*“At managerial level we have senior officers, they mostly use records in decision making and we also have technical staff, they also use records, and we also have the lower levels officers who also use records for day to day activities”
(29 HRMU; D.O.I 11.7.16)*

As for the County Government of Kakamega, the leading users of the county records according to the Head of records management unit were executive officers such as the governor.

*“Records are used by committee executive members (CEM), chief officers, his excellency the governor, the deputy governor for implementation of substantive decisions”.
(3HRMU D.O. I ,26.7.16)*

Departmental records management officers (DRMO) identified different categories of users of records in the counties. Their views are presented in Table 9.

Table 9: Departmental Records Officers' Perspectives on Users Records Transferred to County Governments

Participant	Who use records	County
38DRMO (D.O.I 31.8.16)		Bungoma
35DRMO (D.O.I 1.9.16)	Quantity surveyor	Bungoma
30 DRMO (DOI 31.5.16)	Kenya plant inspectors	Busia
21DRMO (DOI 5.8.16)	Road officers , chief officer , director, engineer	Vihiga
19DRMO (DOI 8.8.16)	Staff at health facility workers, national government, county government and partners	Vihiga
16.DRMO DOI 1.7.16	Program officers , minister , chief officer , county health team, Governor	Kakamega
31DRMO (DOI 19.7.16)	Veterinary officers , agriculture livestock , chief officer, minister	Busia
7DRMO (2.8.16)	Human resource , chief officer , county secretary ,minister	Kakamega
8DRMO DOI (28.6.16)	Agricultural officers	Kakamega

(Source, researcher)

As Table 4.4 shows, the perspectives of the DRMOs largely corroborate the list of record users identified by the HRMU. On the whole, analysis of perspectives from head of records management units and departmental records management officers showed county records were used by two types of users. The staff of the county governments who used comprised the majority and county residents the minority. County government staff who used county records comprised of the senior's managers such as governors, middle level managers (for example the section heads of departments), and low-ranking staff (drivers). In addition, the other users were county government residents and development partners.

4.3.5.3 Impediments in Using County Records

To further obtain insights on the first research objective the study probed on whether there were any impediments in using records in the counties. Head of records management units, Bungoma County Government singled out partial transfer of the records as a core hindrance as stated below.

“We however have not had all the records transferred to the county, the most affected is the ministry of health as a result we are paying some staff about 50 but we do not have their personal files”
(37HRMUDOI 20.6.16)

Other obstacles according to the county records management units in charge were: inability to introduce modern recordkeeping equipment, the culture of hoarding records among heads of departments which resulted in limited sharing of records and information among staff. Moreover, the backlog of unprocessed records where transferred records were still held in the boxes they were brought in from Nairobi limited the records use.

There were two schools of thought. One believed records were not important part of devolution process and therefore their closure and transfer was not a must. The other view was that records are a critical resource that counties required to manage other resources besides using them to implement functions devolved to them therefore their closure and transfer to county governments was critical. This first view is supported by data obtained which indicated that records were not a priority during devolution as the records closure and transfer regulations of 2016 meant to guide the process were published 3yrs after the commencement of records transfer exercise which began in 2013 when the first batch of personnel records were transferred to counties. In the absence of clear guidelines, the exercise encountered several challenges leading to records required by counties being haphazardly

closed and transferred to counties with some being left behind. Data obtained in favour of the second opinion showed counties had experienced problems such as failure to obtain public records needed to pay workers, pending of court cases due to missing records and inability to carry out asset inventory leading to the need to reconstruct land records

4.4 Capacity of Records Management Practices Supporting Devolution of Records Management (DORM) to County Governments

In this theme the study sought to answer the second research question which was to assess the capacity of the records management practices to support devolvment of management of records.

4.4.1 Records Management Practices Supporting Devolution of Records Management to County Governments

In this section data presentation and analysis covers three sub-themes namely: type of records systems, capacity of existing records systems and planned records systems to support records management devolvment. In Vihiga County, practices in support of records management decentralisation were: information file management system and central records management unit.

The 20HRMU, reported:

“We have information file management system; I register files in the system. Also we are the main custodian of files of the county government. The moment activities in a departmental file are dealt with, it is brought to records management unit where we have bulk filers, we have installed CCTV cameras to assist us, we are in the process of coming up with a records centre for the whole county whereby the public and staff can come to and get information”
(20HRMU, DOI 5.5.16)

Drawing from this response, it can be deduced that in county government of Vihiga, post devolution of records management practices was relied on in supporting devolution of records management. In county government of Bungoma practices supporting devolution of records management were those designed for the purpose. The 36 HRMU said:

“I drew a new records management index as no one wanted to see systems designed by defunct municipal council... every sub county has a records management unit but at the department’s headquarters, each county executive member has his own registry which are managed by their secretaries”.
(36 HRMU; DOI 20.6.16)

Accordingly, in The County Government of Bungoma the records systems supportive of transference of management of records were: in house developed records classification scheme, establishment of a central records management unit, departmental records management units and a central sub county records management unit.

Whereas in The County Government of Kakamega, records management practices supporting devolution covered records management units, business classification scheme, integrated records management system (IRS), and records retention and disposal system. The 3HRMU reported

“We needed to have records management units which we have, have officers to manage the records, we were able to get mobile shelves, to ensure records are well secured, we have file covers bearing the county log and county name which are fairly new and of good quality, we have a server, we are digitizing all our records and uploading them into integrated records management system. At the moment we have scanned all the plot and subject files and this year our target is personnel files. We are seeking for authority for destruction of records from the national government office at KNADS Kakamega; we have to work with them”
(3HRMU DOI 26.7.16)

In The County Government of Busia, the in-charge records management units identified post devolution records management practices supporting devolution but whose deployment was

resisted by some departments. They were: records management units, new business classification schemes and records centres.

We started as advised although departments like health and agriculture, felt that they have yet not been devolved, I developed index for each department and advised them to make reference in line with county government, each department has its own registry; each sub county government administrator has a records management unit. We keep our semi current records awaiting appraisal, after appraisal, transfer to KNADS either Kakamega or Kisumu”
(29HRMU; DOI 11.7.16)

Bunia’s head of records management unit’s response pointedly acknowledges the directive to county governments to have appropriate records systems in place. In response, indicates establishment of registries by the county departments as well as sub-county records management unit and disposal of records to Kenya national archives after appraisal.

4.4.2. Planned Records Management Practices

The study interrogated on the plans county governments had for additional records management practices to support devolution records management. The perspectives of the heads of records management units of the various county governments are as follows.

4.4.2.1 Planned Records Management, Systems County Government of Kakamega:

According to The Head of records management units, Kakamega County Government, the plan was:

“We are waiting to have a records management committee that will have representatives from various departments. The regional archives director will have a seat, also we have a server, we are digitizing all our records and uploading them into the integrated records management system, this year our target is personnel files, and our plan is that integrated records management system has to be interoperable with enterprise resource program which is being brought on board. At the moment only feasibility studies have been done on how to implement the ERP”
(3HRMU DOI 26.7.16)

The three planned records management practices as per the Head of records management units, The County Government of Kakamega were: first was the plan for establishing a records management committee; systematically digitizing all county government records and uploading them into an integrated records management system, and thirdly, adoption of enterprise resource program whose feasibility studies had already been done. Significant to note is that some initiatives had already been undertaken for each plan well before the records management committee was constituted. Digitization was being systematically executed at the time of data collection, starting with personnel records.

4.4.2.2 Planned Records Management Systems, County Government of Vihiga

The County Government of Vihiga was in the process of improving the performance of records management systems in order to be supportive of decentralisation of records management, the records management units' head reported;

“we are in the process of coming up with a records centre for the whole county whereby the public can come to and get information and even records officers can use it to disseminate information to the public, we are planning a training, in our work plan we have already captured facilities. We have requested for mobile shelves”.
(20HRMU DOI 5.5.16).

The county government's plan was: establishment of a records centre to serve the whole county as a central point for disseminating and accessing information. Plans were also projected to provide training for staff handling records. Acquisition of requisite facilities such as mobile shelves had also been factored in.

4.4.2.3 Planned Records Management Practices, County Government of Busia

Busia County expressed optimism about the potential benefits of a planned acquisition of an electronic records management system. The 29 HRMU stated:

*“In the strategic plan we suggested that the county should have integrated records management systems and an archives, if it is approved Busia will have its own archives, this financial year we are going to recruit 14 records management officers, we want to have a confidential registry where we keep records of senior staff for the Governor and deputy governor but currently we do not have vetted staff to handle the records because it is only me whose is vetted”,
(29HRMU; DOI 11.7.16)*

The county planned to acquire an integrated records management system, to establish secret and confidential records management units for personal records of the senior staff such as the governor, the county secretary and county public service board. In addition, there were also plans to have a county government archive, vet existing records management staff and recruit additional records management officers.

A wide range of inferences can be drawn from the plans by the counties: To begin with, the overall plan to establish appropriate records systems by the county governments of Kakamega, Vihiga and Busia respectively supportive of devolution propose that the capacity of pre-devolution of records practices were weak. Additionally, use of silo records management units in managing records in The County Government of Bungoma and Busia showed that post devolution of records systems was equally weak. This is the reason action officers in the two county governments had lost faith in the officially established records management units therefore had come up with innovative ways of managing records.

4.4.3 Adequacy of Records Management Practices in Supporting Devolution of Records Management (DORM)

A subset theme pursued in relation to the second research question sought answers on current records management practices supporting transfer of records management function. The capacities of two types of records management systems were assessed: manual and electronic.

4.4.3.1 Capacity of Manual Records Management System

The preceding sections present opinion on the adequacy of manual records systems supporting devolution starting with system of creation and capture.

4.4.3.1.1 Capacity of Records Creation and Capture Practices of County Government of Busia

Response from head of records management unit indicated that in The County Government of Busia creation and capture of records was not consistently done. The views of 29HRMU were:

“Sometimes you get letters written without reference, the action officers do not know the importance of reference and people just write and send mail is not on official email address but personal. When you want to obtain a copy of that record you cannot be able”
(29HRMU; DOI 11.7.16).

The system of records creation and capture supporting devolution according to the head of records management unit was inconsistency. This is because mails were sometimes written without being properly referenced (code) and systematically captured into the recordkeeping system due to lack of training of the records creators

4.4.3.1.2 Capacity of Systems of Records Creation and Capture, County Government of Kakamega

However, in The County government of Kakamega the system of records creation and capture in place was adequate because it had been premeditated to meet the requirements of managing records in a devolved government. The 3 HRMU noted.

“We have file covers bearing the county log and county name which are fairly new and of good quality. “The Transitional Authority (TA) were saying that they will not shy away from telling others to come here for benchmarking”
(3HRMU)

In county government of Kakamega, the system of records creation and capture in place supported devolution of records management. Their confidence in the system was epitomized by their enthusiasm to show case it to other counties

4.4.3.1.3 Adequacy of Records Creation and Capture practices, County Government of Bungoma

In contrast to The County Government of Kakamega, irregular practices of records creation and capture practices were in operation in Bungoma which resulted in wastage due duplication in creation of records. The 36 HRMU reported.

“There is a lot of duplication in opening same files by county executive members and chief officers”
(36HRMU DOI 20.6.16).

Duplication in opening of files was caused by a lack of proper control where each head of department adopted individualised system of records creation and capture, explained the HRMU. According to International Records Management Trust (2009) when there was little or no control over how records are created and used it will be difficult to keep accurate evidence of what was said and done. Records management aims to maintain evidential value by keeping accurate records of what was said or done, by managing them from creation and capture through to eventual disposal or permanent preservation; and by this to support accountability, in the sense of being able to render a valid account of event

4.4.3.1.4 DRMO Perspectives on Capacity of Existing Records Creation and Capture Practices

The departmental records management officers (DRMO) opinions emphasised of the inadequacy of the system of creation and capture being based on weak records management legacies of the defunct local authorities.

4.3.1.5 Capacity of Records Creation and Capture Practices Department of Water - County Government of Vihiga

In the county department of water, the system of creation and capture in use undermined the attribute of evidence of a record by failure to create and capture records where it was a requirement to do so. The 16 DRMO reported.

“There is a system of records creation and capture here borrowed from the former local authorities, it promotes old habits, for instance a chief officer can write a letter to the supply chain department, instead of the recipient writing another letter in response, he responds on the chief’s letter and returns his comments on the received letter”.

(16DRMO DOI 4.8.16)

According to departmental records management officers, chief among the inadequacies of the of the creation and capture inconsistency is lack of proper referencing of created records for easy of future retrieval and duplication in creation of unneeded records. The other inconsistency was blind inheritance of failed records creation and capture practices of the previous central government leading to stagnation in development of records management discipline. According to ISO 15489:2001 an organization should undertake analysis of its regulatory environment, business and accountabilities requirement and risk of not capturing the records. Accordingly, an organisation should establish formal disposal authority to streamline the creation and capture of its records practices to its business, accountability, regulatory and risk management programmes

4.4.3.2 Capacity of Registry Practices

Perspectives of Head of Records Management Units (HRMU) stressed that the structure of the records management function is affected by the overall organisational structure, by the size of the organisation and by available resources. That in establishing registry systems

Transitional Authority guidelines were not being complied with. The responses of the HRMU are presented below

4.4.3.2.1 Capacity of Registry Practices, County Government of Bungoma

The head of records management units' county government of Bungoma admitted that the overall organisational structure, the size of the organisation, available resources and guidelines on establishing proper registry system were not being followed in establishing records management units. Hence county governments were made to receive records management function before proper registries were put in place as required. The 36HRMU observed:

“The Transitional Authority recommended all the counties have registries. But when the authority carried out survey it found that most counties including ours were not ready. There is a lacuna in establishing registries, each county executive member and chief officer has a registry managed by their respective secretaries. This is because of inadequate space to house a whole department in one building”
(36HRMU; DOI 20.6.16)

The reason according to the HRMU proper registries were not established was attributed to the lack of adequate records space, lack of appropriate equipment such as mobile shelves, inadequate and untrained records management staff. In county government of Kakamega, the responses about registry systems supporting devolution is stated below

4.4.3.2.2 Capacity of Registry Systems, County Government of Kakamega

In contrast to Bungoma, the registry system, in County Government of Kakamega was deemed adequate given that they were established according to the guidelines set by the Transitional Authority. The 3HRMU stated

“We needed to have records management units (which we have), where devolved records are going to be stored and have officers to manage those particular records. In our case we met the criteria; we have even added mobile shelves so as the records grow we have where to keep them”, (3HRMU DOI 26.6.16)

According to the head of records management units, in County Government of Kakamega the establishment of registry system supporting devolution did not only adhere to the implementation guidelines issued by the Transitional Authority but also took into account the organisational structure, the size of the organisation, available resources and put in place provisions for growth.

4.4.3.2.3 Capacity of Registry Systems, County Government of Busia

The head of records management units said, in county government of Busia, faith in the established registry operations supporting devolution of records management had waned.

Several reasons were cited for this dissatisfaction.

“We have our registries where active records are, some action officers complain we do not want files to go to the registry, it will take time to get the file, and some will keep their own files where they keep letters. I tell them that is not the right way of opening files, the file should have reference and there should be retrieval tools in place.”

(29HRMU DOI 11.7.16)

In Busia County Government, the insufficiency with the established registry systems was caused from allocation of folders, administration of systems, storage, retrieval, tracking and all other records management services being controlled from one point. Records were available to registry staff, and users had to interact with those staff as intermediaries and with a limited subset of the organisation's records. Dissatisfied officers as coping mechanism establish informal registries, the head of records management units said. The fact that the county government did not have a vetted records management staff to operate devolved registry systems for classified records magnified the congestion predicament in the county government registry rooms.

Observation done in the county registry in Busia, on July, 2016 confirmed that the record space was inadequate. The registry measured about 10feet X10feet. The registry windows and doors were burglar proof. The county registry room was as congested as the space had to accommodate five staff; records and water dispense in addition to the 32 Mobiles shelves. There was one fire proof cabinet and four drawer cabinet for storage of vital records. As well there was one photocopier, a printer and desktop computer with accessories. Two staff of opposite gender shared an office desk, one sat facing the other. So small was the space between them that in case one stretched his or her legs, would definitely step on the other which may be a distraction

4.4.3.2.4 Capacity of Registry System, County Government of Vihiga

The registry systems supporting devolution of records management in Vihiga was equally considered ineffective. Commenting on its inadequacy, the head of records management unit The County Government of Vihiga noted that

*“Records management had not been that effective because of inadequate storage facilities and inadequate staff who are able to manage the county government records”
(20HRMU DOI 5.5.16).*

Taking into account that the registry had the central mandate to hold and maintain the county files, the registry systems supporting devolution of records management was however ineffective. This was because the system lacked proportionate records storage facilities and staff for managing the records transferred there. If registry systems cease to function adequately, there is a grave danger that, as records build up in storage rooms, cupboards or hallways, information about their creating agency and original order may be lost

Observation done by the researcher in the county registry in 2016 confirmed this inadequacy. The county registry is responsible for management of records of ten departments particularly those based at the county government headquarters. The head of records management units together with three staff under him, their office desks, three computers, a printer, water dispenser and records shared the small room. Current and none current records are housed in the registry room. A section of the records room served as office of deputy director county government human resource. The flow of traffic to the registry is so high caused by the county residents looking for information on payments for goods and services delivered to the county and county staff seeking services of the county human resource officer. Records are as result exposed to the risk of theft and unauthorised access persons. The opinions of departmental records management officers were also sought in answering this second research question. Their responses are that if registry systems cease to function adequately, there is a grave danger that, as records build up in storage rooms, cupboards or hallways, information about their creating agency and original order may be lost.

4.4.3.2.5 Perspectives of Departmental Records Management Officers (DRMO) on Capacity of Registry Systems in Supporting Devolution of Records Management s

Their responses indicated that the overriding factor in establishing registries was the need the county governments had at that time which was space for incoming county government officers. This resulted in registry rooms being converted into offices for the staff without substituting taken up registry space with suitable ones choosing to postpone the registry need for space to when new administrations block for the affected department are build.

4.4.3.2.6 Capacity of Registry, Works Department, County Government of Busia

The county department of works Busia County reported that the county departments had not established registry. The 35 DRMO noted

“We do not have a registry room, but when we finish construction of the new office block we shall have it. when those people came (chief officer, directors, and ministers) they were eager to get into the office, I had hard times moving things(records) outside, it was very difficult, looking for where you can keep things (records)”
(35DRMO DOI 1.9.16)

Further, observation done by the researcher at the county department of works Busia, noted that a conversation of registry space into offices for incoming county staff had resulted in makeshift registry (tents) being established outside the department’s office to serve as a registry room and provide customer care service at the same time. The makeshift registry was not lockable and the only office furniture in the tent was an office desk for two staff designated as departmental records officers, customer care staff and messenger a cleaner for the department.

4.4.3.2.7 Capacity of Registry, Works Department, County Government of Bungoma

Here, like in the county of Busia the departmental registry supporting devolution of records management lacked officially designated records storage area.

“Devolution has its challenges, we do not have our offices, currently we are using that which is borrowed, and we do not want to put permanent shelves, because we do not know when we are moving out”
(32DRMO DOI; 31.5.16)

As a result, installation of standard records management equipment in registry was postponed until the office block being constructed by the county works office was complete. The data produced from the participants and by the researchers through observation provide a grim picture of the capacity of the registry systems deployed to promote devolution of records

management. Subsequently the study probed into factors that had caused the inadequacy of the existing registry systems to facilitate federation of records management to sub national governments

4.4.3.2.8 Perspectives into Causes of inadequacy of Registry System

According to the participants the causes ranged from lack of senior management support, to negative attitude to records, and wrong placement of the records management function in the county governments' organizational structure. The responses of heads of records management units per county government are presented hereafter.

4.4.3.2.9 Head of Records Management Units, on Perspectives on Causes of Incapacity of Registry Systems, County Government of Bungoma

The cause of insufficiency of the registry system according to the HRMU was in having the function placed in a less visible and less influential department in the county secretary rather than being placed under a more visible department such as the public administration department.

“It is not really good county records management department to report to the county secretary, he is only in charge of public service, and when you go to the departments County Executive Committee Members and the chief officers have a final say. I will prefer records management function to be placed under the Public Administration Department”
(36HRMU 20.6.16)

According to a head of records management records unit, the placement of the registry in the county secretary undermined its sufficiency to be able to influence other county government departments to adapt to best practices in records management. A HRMU, the county Government of Busia contradicted a counterpart's view that placement of records management at the county secretary was a factor of insufficiency of registries suggesting

instead two factors for being responsible. This were that the registry systems were being spearheaded by junior officers and the failure of the County Public Service board to appoint qualified records management officers according to the established scheme of service to be responsible for registry operations.

The departmental records management officers' position is that the cause of inadequacy of registry systems was the meddling with the operations of the registry systems by incoming county government officers.

*“The new officers lack training when letters come, the chief officer reads and replies, the letter is not received in the registry and recorded, I tell him no this is wrong if that person comes later to try to retrieve that and I am not there it will be difficult, that has brought some conflict
(33DRMO; DOI 31.5.16)*

Insufficiency of registry system was caused by interference with proper registry operations by the top managers of the county due to their lack of awareness about the importance of effective devolution of records according to departmental records management officers.

4.4.3.3.1 Capacity of File Classification Schemes Supporting Devolution of Records Management

Further, in answering the second research question the study investigated the adequacy of existing file classification schemes in promoting devolution of records management. The heads of records management units' view were current classification systems were not suitable because they could not organise county records into categories, based on the functions and activities the records represent, so that decisions about their organisation, storage, transfer and disposal may be made on a category-wide basis. This is because they were designed for managing of records of the former local authorities and the restructured provincial

administration. The heads of records management units' opinions per each of the county governments are given below starting with county government of Bungoma.

4.4.3.3.2 HRMU Opinion on Sufficiency of Business Classification Schemes in Supporting Transference of Records Management, CG Bungoma

According to a head of records management units, the current classification systems were unsound. This is because they were not based on functions and activities of the counties which ensures that records are held in an arrangement that reflects the work that led to their generation and functional approach links together records that relate to the same activities. The 36HRMU stated

“It is still a grey area, we are still crawling, and we are using systems inherited from the national government. Due to the pressure, I drew a new records management index as no one wanted to anything to do with municipal council”
(36HRMU DOI 20.6.16)

In The County Government of Bungoma, the beneficiaries of the existing inherited business classification system lacked confidence in them. Records managers attempted to rectify the defects in the systems based on the little knowledge they had but again the modified system were disdained.

4.4.3.3.3 Record Classification System, County Government of Busia

According to the head of records management units, the county government of Busia, new classification systems were developed in-house in compliance to a directive issued by the Permanent Secretary office of the President. The new systems were to facilitate the referencing and opening of new files according functions assigned to the county government reported the 29 HRMU

“Based on the permanent secretary’s office of the president’s circular I developed index for each department and advised them how to open files and to reference them in line with county government. The biggest challenge we have is that people are seeing records to be nothing because and everybody knows, the attitude is dominant at the technical level but we are getting them messing with indexing”
(29 HRMU; DOI 11.7.16)

However, negative attitude among the senior county government staff towards records led to the staff in question not use the new system instead insisting on referencing records the wrong way.

4.4.3.3.4 Business Classification System, County Government of Kakamega

Unlike in the County Government of Busia, record classification schemes at the county government of Kakamega were reviewed as directed by the national government. This is to ensure the system covered all the files that needed to be included and was flexible to allow for expansion reorganisation of old records being transferred to county noted a HRMU:

“The acquired records have been added to our business classification system, we matched them with the records we had, and we do not have two files of the devolved employees but one”
(3HRMU DOI 26.7.16)

None the less, observation done by the researcher at the county records management unit Kakamega indicated that the new classification scheme was still deficient as there were several handwritten additions and cancellations on the existing tool. This was perhaps because the merger of the records transferred to the county with the created ones by the county governments in the classification scheme was not harmonious.

4.4.3.3.5 Departmental Records Management Officers’ opinion on Sufficiency of Records Classification Schemes in Supporting Devolution of Records Management

Departmental records management officer’s views indicated that the pre-devolution records classification systems being used by county governments were not effective.

4.4.3.3.6 DRMO Perspectives on Business Classification Systems, County Government of Vihiga

The hurried approach to devolution of records management meant inexperienced records managers were given responsibility to develop classification schemes that were later disdained, the departmental records management officer said

“We are still using the old classification system which is not very effective. The reason is that people are learning on the job, this is new to us, and we are trying to learn”
(16. DRMO DOI 1.7.16)

Document analysis of draft records management policies for county governments of Busia and Kakamega respectively revealed that county governments were required to use an alpha-numerical file classification system for managing records arising from the functions and activities assigned to these local governments.

It is no wonder that analysis of data generated from the interviews, document analysis and observations, indicated that records management in the studied counties were supported by poorly designed records classification schemes. Whereas amendments to the pre devolution records classification scheme had occurred frequent additions and cancellations of the content of the classification schemes made their use unpalatable. The HRMU of Bungoma County Government held a strong view and contends that county governments lacked capacity to effectively review their defective records classification schemes.

4.4.3.4.1 Perspectives on Capacity of Records Centres in Devolution of Records Management

In answering the second research question, the study attempted to investigate the adequacy of existing records centres 's for managing county semi current records. The general view of

heads of records management units was that Records Centre's were important for effective maintenance, servicing and, use of semi current records. This view was upheld irrespective of the status of Records Centres in the counties.

4.4.3.4.2 HRMU Perspectives on Records Centres in Devolution of Records Management to County Government of Vihiga

Although the county did not have an established Records Centre's, its significance was not underplayed: The 18HRMU stated

“Right now the county does not have a central place for semi current records I have already shared this with His excellence the governor and we are in the process of coming up with a Records Centre for the whole county”.
(18 HRMU DOI 4.8.16)

According to the head of records management units although having a Records Centres was important for storing records removed from business areas and current systems, so that they do not take up space unnecessarily pending their disposal under schedules. However, there was none in the county government of Vihiga although there were plans spearheaded by the governor's office for establishing such records centre. In The County Government of Busia like in Vihiga the Records Centre's role was appreciated but without being backed up with concrete actions towards establishing a suitable one.

4.4.3.4.3 Records Centre, County Government of Busia”

The absence of a formally constructed or designed records centre did not deter the county of Busia from using a county assembly hall as a records centre

“We have a Records Centre where we keep our semi current records awaiting appraisal, after appraisal, this will be transferred to Kenya National Archives and Documentation Services either Kakamega or Kisumu”
(29HRMU DOI11.7.16)

The researcher observed that a town hall formerly used by the defunct local authority had been adopted, albeit without any modifications, to serve as a records centre for The County Government of Busia. In the present state the makeshift records centre/hall was purely for holding semi-current records before being appraised where valuables ones will be transferred to the Kenya national archives. The County Government of Bungoma like Busia did not have a tailor made a Records Centre either.

4.4.3.4.4 Records Centre, County Government of Bungoma

Similarly, The County Government of Bungoma converted a hall formerly used by the defunct local authorities into a Records Centre whose capacity cannot match the present and future inflows of semi current records. The 36HRMU reported:

“We created several small rooms for semi current records at the gallery- Municipal Hall) considering the amount of records in the county, additional storage space is required.”
(36 HRMUDOI 20.6.16)

The researcher observed that other Records centres being used in The County of Bungoma comprised of several thin rooms each dedicated to housing of a particular type of semi current records such as human resource records. The designated county records centre was multipurpose in nature holding semi current records and non-records materials such as seeds and fertilizers. In county government of Kakamega like Bungoma establishment of a standard records centre for the county had been postponed due to lack of resources such as land and funds.

4.4.3.4.5 Records Centre’s, County Government of Kakamega

The head of records management unit said.

“An ideal situation will have been we build our own records centre but there are number of factors against it: do we have the space where the centre will be built; do

we have the financial capacity to build it considering there are other competing needs, we have not gone fully that way because a number of our records are still current; as a start we will have to use what the national government has”
(3HRMU; DOI 26.7.16)

According to head of records management units several factors militated against having a proper records centre in the county which included lack of land and funds. Moreover, the county considered most of its records to be too current to warrant storage in such centre. The alternative, the county resolved to use the national government records centre at Kakamega.

The study sought reasons why county governments had not established records centre although they knew their role in devolution of records management. Their views were.

4.4.3.4.6 Perspectives on Reasons Records Centres had not been established for Supporting Devolution of Records Management.

When questioned as to why the county governments had not established proper Records Centres although they recognized them as important, lack of top management support was cited as the leading cause.

4.4.3.4.7 Records Centres, Department of Lands and Housing County Government of Kakamega

Records Centre’s were inadequate for the purpose due to inadequate support by county government top management that failed to allocate required resources and when it did meagre resources are allocated. The departmental records management officers opined.

“The records centre equipment are not lockable if I forgot to lock the door in case I rush out due to an emergence somebody will come in and pick a record I will not even know, I have talked for four years about the safety of our records because of the leaking roof, water usually sips through the ceiling and drops on the records but none want to listen”
(11DRMO DOI 2.8.16)

Kenya National Archives had been proposed by county governments as an alternative Records Centre for their records so the study sought views from the archivists

4.4.3.4.8 Archivists at Kenya National Archives, Perspectives on Reasons Why Records Centres had not been established

According to archivists, the reason counties had failed to establish proper Records Centres was lack of a research-based framework guidelines. 42 KNA

“Maybe we needed to come up with a study on storage of semi current records in the county governments, where by a kind of centrally managed records Centre can be established for keeping semi current records, rather than a situation where each unit establishes a store for semi current records”
(42KNA DOI 16.5.16)

Another archivist was of the view the other reason was lack of a formula about sharing of records management responsibilities between the county governments and the national archives especially on the care of semi current records. Hence while county governments thought care of semi current records was the responsibility of Kenya National archives, the Kenya national archives on the other hand thought county governments were responsible. The study generated opinions of head of records management units on whether county governments had any plans about establishing proper Records Centre’s in future to support devolution of records management. Their responses indicated such plans were afoot as cited below ;

4.4.3.4.9 Perspectives of Head of Records Management Unit, on Records Centre Plans, County Government of Vihiga

“I have already shared this with His excellence the governor and we are in the process of coming up with a records centre for the whole county”.
(18 HRMU DOI 4.8.16)

The head of records management unit, county government of Kakamega said

“As a start we will have to use what the national government has. We have had meeting with them and they have agreed it is okay we can use what they have, especially as our staff start retiring”
(3HRMU DOI 26.7.16)

The head of records management units was of the view plans to establish records centres were none existence instead the county planned to use the Kenya national archives and Documentation Service repositories to maintain its semi current records.

Analysis of data obtained from heads of records management units, departmental records management officers, archivists and observation revealed that Records Centre's were acknowledged as an important records management tool in proper management semi current records resulting from the closure and transfer of records of devolved functions during devolvment of functions to county governments. However, county governments established inadequate records centres in poorly adapted buildings especially former municipal council halls. The fact that county governments had no immediate plans of establishing proper records centres affirmed the view held by archivists that county governments regarded management of semi current records especially records associated with devolved functions as unnecessary expense which could be avoided. This also confirms a traditionally held view that records centres in Kenya have never been housed in purpose building according to accepted archival standards.

Devolution of records management entails not only county governments being able to manage semi current records but also being able to make decisions on their disposal. The study inquired from head of records management units and departmental records management officers about the adequacy of existing records disposal arrangements.

4.4.3.5.1 Capacity of Existing Systems of Records Retention and Disposal Supporting Devolution of Records Management

Further, in answering the second research question, the views of head records management units (HRMU) were that there was an absence of specific records retention and disposal schedules for records and information closed and transferred from the national government to the counties leading to difficulties in arriving at decisions on which records to retain or destroy the responses of head of records management unit (HRMU) are presented below.

4.4.3.5.2 HRMU Perspectives to the capacity of Existing Systems of Records Retention and Disposal in Supporting Devolution of Records Management,

Records Retaining and Disposing County Government of Bungoma

Records retention and disposal practices in county government of Bungoma were governed by the national government disposal guidelines. The 36 HRMU reported. 247247 acc280180

“I once tried to transfer records of The County Government of Bungoma, department of public service board to Kakamega for preservation because of space according to pre devolution records retention and disposal practices, the exercise was however stopped”
(36HRMU DOI20.6.16)

The basis of records transfer objection was the notion that by transferring records to Kenya National Archives counties were in essence ceding to the national government functions already legally and clearly assigned to the devolved unit. However, in the county government of Kakamega the emphasis was on indefinite retention of all county government records

4.4.3.5.3 Records Retention and Disposal, County Government of Kakamega

“The fear of the unknown” guided implementation of retention and disposal decisions of records in The County Government of Kakamega. The 3HRMU reported

“we witnessed in other counties records were left to be rained on, but for us we said we would rather have them within even if we may not need them, we have even added mobile shelves so as the records grow we have where to keep them, the shelves are costly but we have dedicated our effort to ensure records are taken good care “
(3HRMU, DOI 26.7.16)

In the County Government of Kakamega, implementation of records retention and disposal activities was based on premonition rather than on approved records retention and disposal policies. This fear of possible failure to meet information needs of the users resulted, The County Government of Kakamega heavily investing semi current records in the renting of records storage space and purchase of mobile shelves for the retention of the semi current records whose value had not been determined.

Departmental records management officers' views were obtained Their opinion was that implementing current records retention and disposal guidelines was cumbersome because of the bureaucracy involved which required lengthy consultation be held between The Kenya National Archives, county government departments and county secretary before records disposal decisions are made. The County Government of Busia as shown below.

4.4.3.5.4 Retention and Disposal, Department of Agriculture, County Government of Busia

The 30DRMO stated

“We still maintain the old records retention and disposal practices. The archives team still come down, when we write to them when we have closed records, they need to come and assess. Before devolution the relationship was good but it is now cut off, the biggest cause is devolution, because Kakamega is a devolved government same way as is Busia”
(30 DRMODOI of 19.7.16)

Enforcement of the current records retention and disposal guidelines in county governments was hampered by the poor relationship between the Kenya National Archives and the County

governments. Further, the study inquired from the archivists about the adequacy of current records retention and disposal systems supporting devolution of records management.

4.4.3.5.5 Archivists Perspectives to the Capacity of Existing Systems of Records Retention and Disposal

The archivists contradicted the view held by county governments that the national government was solely responsible for county governments failures in the development of their records retention and disposal systems. The archivist instead blamed the county governments for failure to liaise with the Kenya National Archives for establishment of appropriate records retentions and disposal guidelines for some of their own records such as health and financial records. The 40KNA archivist 'views were;

“Previously we used to facilitate destruction of accountable documents, now, things are handled at the county government level, disposal of accountable documents is now done by county government treasurer, only disposal of personnel records is under the mandate of the director KNADS, and many county governments are not very ready to seek authority for their destruction. There is no law or policy that has come up that county government can destroy personnel records”
(40KNADOI 18.5.16)

The archivist pointed out that with devolution many of the guidelines in existing records retention and disposal policy instruments especially in respect to financial, accountable, and health records had become obsolete. However, the county governments had neither come up with their own records retention and disposal schedules specific to county government needs nor were they willing to comply with existing retention and disposal guidelines:

“Many county governments are not very ready to seek authority for disposal of their records however there is no law or policy that have come up that county government can destroy their records without obtaining authority”
(40KNADOI 18.5.16)

Document analysis of the Transition to Devolved Government Mechanisms for Closure and Transfer of Public Records and Information, Regulations, of 2016 revealed that records retention and disposal guidelines were contained in several national government of Kenya circulars and legislations namely:

“The diverse retention and disposal demands were contained in the Public Archives Act cap 19, Public Procurement and Disposal Act, 2005 and Public Financial Management Act, 2012”

Disposal and retention of records should be regulated by an archival authority to ensure that records with archival value are identified and preserved. Nevertheless, it is necessary after consultation, mechanisms be introduced for the automatic disposal at creating agency level of records that have outlived their usefulness. The study sought information about the capacity of existing archives systems in supporting devolution of records management to county governments as a whole.

4.4.3.6. Adequacy of Existing National Archival System in Supporting Devolution of Records Management

Participant’s views were that the national nature of the existing Kenya national archives service could not adequately cater for the county governments specific records management needs.

4.4.3.6.1 HRMU Perspectives on Adequacy of Existing Records and Archival System in Supporting Devolution of Records Management

There were divergent views among the head of records management units

4.4.3.6.2 National Archival System, County Government of Bungoma

The 36 HRMU opined.

“The archives have moved to the county, they make their own program and they will always want to involve the county at no cost so that they are involved from creation until records are archives, they are telling us call us before you even start developing your file classification scheme”
(36HRMU DOI 20.6.16)

According to the Head management of records units, in the County Government of Bungoma, the Kenya National Archives and Documentation Service was involved in the management of county governments’ records at all phases of the records life cycle from before creation to their disposal.

4.4.3.6.3 National Archival System County Government of Kakamega

The head of records management units’ The County Government of Kakamega too was as well of the view that the Kenya National Archives and Documentation Service (KNADS) assisted the county government in different areas of records management. The 3 HRMU reported

“We cannot do without the Kenya national archives; we are seeking for authority for destruction of records. The role of KNADS has been recognized in our policy and procedure manuals. We are waiting to have a records management committee. The regional director will seat at that meeting as an ex official because of what we are discussing. However, the governance structure of KNADS need to be thought about, they will need to think about getting another regional centre in another location other than Kakamega”
(3HRMU DOI 26.7.16)

According to the Head of records management units, in The County Government of Kakamega, the specific roles the Kenya National Archives and Documentation Service played was, approving requests for disposal of the county government’s valueless records. The county government however expects the Kenya National Archives to be a member of the County Records Management Committee and assist in drafting of the county records management policies and the County Records Management Procedure’ Manual respectively.

The county government of Kakamega also felt that the KNADS could greatly promote devolution of records management if it was devolved to all the county governments in Western Kenya.

4.4.3.6.4 Archival System County Government of Vihiga

In the County Government of Vihiga, the Head of Records Management Units was of the view, the Kenya National Archive and Document Service was assisted them in records survey and appraisal especially of noncurrent records inherited by the county government from the defunct local authorities. The 20 HRMU said.

*“A survey of non-current records of the former local authorities at the county headquarters and in five sub counties have has been done by a team led by KNADS and HRMU. A report has been written where recommendations include appraisal of the records to determine which can be transferred to archives in Kakamega which is in another county about 40km; right now the county does not have archives.
(20 HRMU DOI 5.5.16)*

Besides the views of the county heads of records management units, data was also produced from the archivists on what they thought the Kenya National Archives role was in the subject of transfer of management of records to the county governments. The 41KNA’ views were.

*“We still service them in terms of giving them advice on records management, however we are begging County governments to put up records centres, employ people to work in registries who are qualified, which should not be the case; we need to entrench RM in county government performance contracting
(41KNA DOI 16.5.16)*

The county government are expected to receive advice from the Kenya Archives under the Public Archives act cap 19 laws of Kenya. However, according to the archivists the county governments often overlooked any advice given by the Kenya national archives to promote devolution of records management particularly on areas of records centres and on hiring staff

to be responsible for management of records. Another archivist was of the view as report by 43KNA.

We have converted former provincial archives into regional archives but because of inadequate resources we are not present in all the counties. Our ultimate goal is to decentralise our services to all county headquarters.
(43KNA DOI 3.8.16)

According to another archivist, the evidence that the Kenya National Archives and Documentation Service had a role in devolution of records management was in the upgrading of the former Provincial Records Centres into Regional Archives. However, the sufficiency of the established Regional Archives was in doubt thus the Kenya National Archives shelved plans of decentralising its services to every county.

4.4.3.6.5 The causes of the National Archives Services Inadequacy in Supporting Devolution of Records Management

The causes of inadequacy of the Kenya national archives in supporting devolution of records management are varied. The 34 head of department stated:

“Sometimes we are retrieving records from the regional archives office Kakamega. We are forced to go there and get copies of some information. It takes time and resources to get records, they will ask you what file was it, when did it come, they give you a heap files to go through but it is good it is there we have the infrastructure”
(34MDLB DOI 31.6.16)

According to the heads of department, county government of Bungoma the cause of the Kenya national archives inadequacy mainly arose from the failure of the Regional Archives to promptly provide records and archives services required by the county governments. The other cause of inadequacy, according to the Departmental Records Management officers (27DRMO) stated

They (Kenya National Archives) usually came sorted records for permanent preservation at archives, they are supposed to be coming but now the relationship is

*cut off the biggest cause is devolution, because Kakamega is a devolved government unit same way Busia is”
(27 DRMO DOI 19.7.16)*

There was lack of clear division of records management responsibilities between the county governments and the Kenya national archives leading to disputes between the two levels of government during implementation of records management programme.

On their part, Archivist 42KNA stated.

Records management was not adequately funded even before devolution. However, the little allocated used to be disbursed promptly but with devolution the little funds allocated are not forthcoming. Even staff that are there they are aging and are less than 100 we have received notification that 4 will be going. New ones are not coming. Even if we employ much of the skilled labour shall have left before transferring the skills to the incoming officers (42KNA; DOI15.516)

According to the Archivists, the cause of the Kenya National archives inadequacy was the progressive underfunding and delays in the disbursement funds to Kenya National Archives. This compromised KNADS ability to implement its expanded mandate in the county governments.

The study investigated the consequences of the Kenya national archives service inadequacy on devolution of records management. The 39 KNA archivist reported.

*we recommend records be transferred to Kenya national archives counties have however refused and denied us access to those records, the records are due for destruction but they are getting more space to keep worthless records like Kakamega they have a store to keep records of former municipal council which are valueless. Devolution is coming with the odds of the previous regime, the weakness that were there were transferred to the county governments. Things like tribalism such that you are getting people who get recruited at the county government in terms of records management, some of them have no knowledge in that, because it is some kind of tribalism and nepotism that is working there
(39KNA DOI 18.5.16)*

According to archivists, as a result unclear mandate, counties did not allow the Kenya archives to transfer to its custody valuable records from the county governments. In addition, as

consequence Kenya Archives advice more so on county Records Centres and on employment was ignored. Hence county governments ended up recruiting unqualified records staff to be responsible for records management because it was on the basis of tribalism rather than competence. 'Also by ignoring professional advice on disposal of valueless records county governments ended up procuring space for storage of valueless records. Inadequacy of archives caused by allocation of funds hindered prompt assistance and advice county governments could wish to obtain from the Kenya national archives.

The study prodded whether plans were in place to fill gaps in the existing Kenya National archives system in supporting devolution of records management in the counties. In the County Government of Busia plans were a foot in the County's draft strategic plan and records management policy to establish a county archive. The 29 head of records management unit (HRMU) said

"I suggested that the County should have its own archives but they said as at now the County was not equipped to have its own archives but in our draft records management policy and strategic plans we suggested that the county should have its own archives, if it is approved Busia will have its own archives"
(29HRMU DOI11.7.16)

The reason the county government of Busia had not established its planned county archives according to the head of records management unit was due to lack of capacity at the time. Plans to establish a county archive, in The County Government of Vihiga further validated the view held in The County Governments that the Kenya National Archives was inadequate in supporting records management in the counties. The 20HRMU said:

"Right now the county does not have archives where members of the public can come to and inquire for information. I have already shared this with His Excellence the Governor and we are in the process of coming up with one for the whole county"
(20 HRMU DOI 5.5.16)

According to the Head of Records Management Unit, The County Government of Vihiga had plans for establishing a county archive which had received the nod of His excellence the governor. Document analysis of the County Government of Kakamega and Busia, Records Management draft policy 2016 respectively was done which further elaborated on plans to fill gaps in the existing Kenya National Archives Services. According to the two policy documents the planed County Archives will ensure that valuable records created or received within the counties are transferred to the archives to support the business of the county government now and in the future.

Beside the manual records systems, the study sought data about the capacity of existing electronic records management systems in supporting devolution.

4.4.3.7. Adequacy of Electronic Records Management Systems Supporting Devolution

The second research question, investigated the adequacy of electronic records management systems covering integrated records management system and email in managing county government records.

4.4.3.7.1 Adequacy of Integrated Records Management System (IRMS), County Government of Kakamega

Diverse views on Integrated Records Management system in supporting devolution of records management were generated. The 3 HRMU reported.

“At the moment we have scanned all the plot files and this year (2016) our target is personnel files and we will upload them into IRMS” IRMS has to be interoperable with enterprise resource program which is being brought on board. Enterprise resource program is a resource sharing program which has different modules including records management, revenue collection. At the moment only feasibility studies have been done on how to implement Enterprise Resource Program ”
(3HRMU DOI 26.7.16)

The views of the Head of Records Management Unit, in The County Government of Kakamega was that IRMS inadequate but was being used in records management activities priority being given to the capture and creation of personnel and land records. However, due to the integrated system's limitedness in functionality feasibility studies had been initiated by the County Governments with the aim of up scaling its capacity and interoperability with other systems such as enterprise resource program.

4.4.3.7.2 Capacity of Email Management System County Government of Busia

In the County Government of Busia, personal email accounts though with many insufficiencies particularly official mails not being accessed or retrieved when it is required were being used in support of devolution. The 29 HRMU said

*“People just write email and send and that email not on official email address but personal when you want to obtain a copy of that record you cannot be able to get”
(29 HRMU DOI1.7.16)*

According to the head of records management units, creators of records mainly senior county government officers made use of personal email account because they had not been assigned a designated county government email address.

4.4.3.7.3 County Government of Busia Plans to Address Gaps in Existing Electronic Records Management System

The study investigated plans counties had to address gaps in the existing electronic records management system supporting records management. The 29HRMU reported

“We want to have a records management system, we will not need big offices for bulky filers, All our records will be digitized, We have the money , it is the work of the procurement unit to scout for the system , although we will be advising them , The functional requirements of the system include: mail management : how they come , sorting and scanning ; then file management , how files will be maintained within the system , how files will be transferred within the system from one officer to another; how electronic records will be stored in the system and retention and disposal. The

*records will be managed according to laid down regulations and laws. We will have hybrid records management system
(29. HRMU, county government of Busia)*

In the County Government of Busia due to the insufficiency of the email management systems plans were in place to implement an Integrated Records Management System for the management of all official records in digitised format. The new system will manage records in compliance to the existing records management infrastructure and specifically the system will address: mail management, management of physical files and retention and disposal of records.

On the other hand, in The County Government of Kakamega due to the insufficiency of the Integrated Records Management System it was being replaced with an Enterprise Resource Program. The 3HRMU said

*“IRMS has to be interoperable with enterprise resource program which is being brought on board. At the moment only feasibility studies have been done on how to implement the new Programme”
(3HRMU DOI 26.7.16)*

The results were that devolution was being buttressed, albeit by defective pre and post devolution of records management systems. The records systems were profoundly unresponsive to the records management requirements in a devolved system of government. Analysis of data produced from departmental records management officers, heads of records management units, and document analysis revealed that there were two rival views. National records management systems were well suited to meet county as well as national business and records requirements. The other is that devolution of records management should be supported by appropriate records systems specifically designed either for the national or for county government business and records. This first view was held by the national government as data revealed that instead of devolving national records system the national government decentralised some of its systems such as

archives to the regions. Counties followed clue by adopting records systems such as classification schemes designed for their predecessors. Data obtained favoured devolution of records management being supported by appropriate records management infrastructure and showing national records systems were disliked by users because they were not meeting either county governments business or records requirements. This is revealed by data obtained from county staff including HRMU, DRMO and HOD which showed counties dislike for national records systems imposed on them made counties determined with the little know how they had to develop their records system such as file information management system.

4.5. Records Management Infrastructure and Policy Framework Supporting Devolving of Records Management.

In this third theme the research tried to answer a question on the relevance of the current records management infrastructure in promoting devolution of records management to sub national governments. The theme was addressed by two sub themes namely: the records management infrastructure and weakness of the records management infrastructure in giving the required support to records management devolution.

4.5.1 Types of Records Management Infrastructure in Support of Devolution of Records Management

The summative views were that the records management infrastructure in place such as the Constitution of Kenya and the Public Archives Act Cap 19 lacked clear provisions on the devolution of records management to the counties. The views of the Head of Records Management Units (HRMU) on the records management infrastructure starting with those of Kakamega County are as presented below.

4.5.1.1 HRMU County Government of Kakamega, Perspectives to Types of Records Management Infrastructure Governing Devolution of Records Management

In Kakamega the records management infrastructure governing devolution of records management to the county was primarily issued by the national government. The 3 HRMU said –

“The Constitution of Kenya of 2010, the County Government act 2012, Access to Information Act of 2016, The Public Archives Act Cap 19 among other laws has given as what needs to be done. There was a circular by the head of Civil service OP/CAB.1/48A of 22nd March 2013 that talked about management of records; the memo from the cabinet is what was used to devolve records management from the national to county. Cabinet here advised that it was important to have a proper structure to be able to run records management; that to me is what is giving me direction on how the function is to be handled”
(3HRMU DOI 26.7.16)

According to the HRMU, The County Government of Kakamega, the 2010 Constitution of Kenya, the national government laws, Circulars and a County Internal Memo where the legal instruments which informed transfer of records management to lower government levels.

4.5.1.2 Records Management Infrastructure County Government of Busia

In The County Government of Busia, like the County Government of Kakamega national government laws mainly informed devolution of records management to the Counties. The 26 HRMU said

In our draft policy we have captured, we should decentralize, guided by the Devolved Government Act 2012, our Public Archives acts cap 19, Court records disposal act cap 14 and circulars are helping us’
(26 HRMU DOI 19.7.16)

In the County Government of Bungoma, The County Integrated Development Plans was mainly being relied on to govern devolution of records management matters. On this theme, the heads of departments’ views were not significantly different from those of the Heads of Records Management Units.

4.5.1.3 Perspectives of the Head of Department Public Service and Administration, County Government of Vihiga

The 34MDLB stated

“We also keep records for others in line with county government act 2012 on shared services such as supply chain management, human resource management. In article 174 of the Cok 2010, and public finance management act 2012 requirement”

According to the Chief Officer mainly, it was The Kenyan constitution and records laws enacted by the national government that were expected to guide the process of devolving management of records to the counties. Analysis of the “Transition to Devolved government, Mechanisms for Closure and Transfer of Public Records and Information, Regulations, 2016” affirmed that records management transfer in Kenya was guided by various national government records management related laws.

4.5.2 . Maturity of Records Management Infrastructure in Supporting Devolution

Also in answering the third research theme this study, probed on the strengths and weakness of the records management infrastructure. The relevant records laws examined were: The Kenya constitution of 2010, The public Archives Act Cap 19 laws of Kenya, and Transition to Devolved Government Act 2012, and The County Integrated Development Plan.

4.5.2.1 Perspectives of the Archivists on the Constitution of Kenya 2010 (COK, 2010) in Supporting Devolution of Records Management

The 42 KNA stated

“The way we appear in the constitution of Kenya 2010, we were not listed in article 186, the functions that were devolved, neither do we appear as a national function, but the constitution says that if you do not appear in any of the two lists, you are a national function”
(42KNA)

The archivists were of the view, the weakness of The Constitution of Kenya 2010 is that records management is neither assigned either to the national government or to the county government.

4.5.2.2 Perspective of Head of Records Management Units on Strength/Weakness of COK 2010 in Supporting Devolution of Records Management.

There were divergent opinions among the Heads of Records Management units on the strength and weakness of the Constitution of Kenya as presented in Table 10

Table 10: The Heads of Records Management Units' Opinions on the COK 2010 in Devolution of Records Management

Case NO.	Exclusive to county government	Exclusive to national government	County government
29 HRMU	Records management	Appraisal	Busia
3HRMU	Management of current and semi current records	Archives management	Kakamega
36 HRMU	Records management	Archives management	Bungoma
20HRMU	Records creation, maintenance, security and survey	Survey , appraisal disposal	Vihiga

(Source researcher)

It can be deduced from the data in table 4.7 above that heads of records management units could not agree on the basis of the provisions of COK 2010 which records management functions were devolved to the county governments. Further, analysis of this data led the study to investigate the meaning of devolution of records management.

4.5.3 Perspectives of Head of Department on the Meaning of Devolution of Records Management

The head of department 11MCPV reported

Devolution is a good thing, it means each department has its own registry, it is a better system compared to the centralized system of governance. Enshrined in the principles and objectives of devolution in article 174 of the Cook 2010, now we are able to deliver services to the people, there is public participation.
(12MCPV DOI 9.8.16)

According to the Chief Officer Vihiga County, devolving management of records means a constitutionally approved process whereby responsibilities and requisite resources for managing records of sub national governments are decentralised to the devolved units.

4.5.3.1 Archivists Perspectives Meaning of Devolution of Records Management

While agreeing with the Heads of Departments on the meaning, the Archivists insisted that in addition, devolution of records management entailed having properly established national and sub national archives infrastructure with each clearly assigning records management mandate.

The 42KNA stated

Records that have specific local interest to a particular county can be transferred and stored in the county archives or county records Centre so the county should be able to preserve them at that point, but records that have national interest or national importance can be transferred to national archives. Records touching on natural resources such as water resource, mineral, forest, the records and their storage should be transferred to National Archives
(42KNA DOI 16.5.16)

Still on the meaning of devolution of records management another archivist stated as follows

“It means a function which was normally at a central place is being devolved to different units which involves creation of several units instead of one, and having more people sent out”

The archivist maintained that devolution of records management mainly dealt with the transfer of records management responsibilities with accompanying resources such as staff from the national government to the Sub National Government level. Hence the meaning of devolution of records management based on analysis of data generated from records management professionals and policy makers is centred on having records management functions which were normally at a central place, the Kenya National Archives being devolved by constitutional and legal means with accompanying resources to the county governments.

4.5.4 Strengths and Weakness of Transition to Devolved Government (TDGA) Act, 2012 (repealed) in Supporting Devolution of Records Management

Data was generated from Chief Officers, Directors and Heads of records management units on the strengths and weakness of TDGA ACT 2012. The Chief Officer indicated that the weakness of the TDGA 2012 act is that of lacking a provision on a mechanism for enforcing compliance to its requirements on devolution of records management the 12MDLB opined:

*“Most of the devolution of records management challenges can be pinned to down to how the transitional authority handled transition process. Transition process was not effective. if you read today’s paper 31.8.2016 governors are complaining that they have lost assets worth 143 billion because they were not properly transferred”
(12MCPV, DOI 9.8.16)*

As a result of the TDGA ACT 2012’s weakness, County Governments not only lost assets but also records required for tracking the lost assets. Also the other weakness of the TDGA, according to the chief Officer was in a provision for establishing the Transitional Authority on temporary basis which made it impossible in the Authority’s life time to oversee the process of transfer of all functions fully especially analysing, unbundling and clearly dividing records management function between the national and the county governments.

4.5.4.1 Head of Records Management Units' Perspectives on Strengths and Weakness of TDGA

The strength of the Transition to Devolved Government Act 2012 is that it presented a window of opportunity for Kenya to devolve records management. The head of records management unit stated.

“The transition to devolved government acts 2012 is limited only to closure and transfer of records to county government., The TA coordinators sent to assist counties under devolved government act 2012 did not have a framework for establishing county records management function ,the much assistance they gave depended on their understanding of closure and transfer of records as a result counties lost an opportunity because during the transition period the transitional authority was strong, they will demand for space and equipment such as mobile shelves for records and governors could listen to them and provide the same”
(36HRMU, DOI 20.6.16)

As a result, according to the Records Management Units head, Bungoma County, the Transitional Authority coordinators deployed to Counties under TDG Act of 2012 did not assist county governments implement all devolved programmes especially records management. This is because the authority's officers lacked records management know how which was coupled with a lack of a suitable framework for them to use to advise the senior county government officers on records management. This resulted in the counties losing an opportunity to start managing their records on a sound support base.

Further on the strengths and weakness of TDGA, Document analysis of the Transition to Devolved Government act (2012) showed that in terms of records management its objectives were limited to that of ensuring the development of “a mechanism on closure and transfer of public records and information to the county government.” Also the lifespan of the TDGA was short ending in 2016, within its short stint it could not adequately address the emerging issues after implementing devolution of records management the counties. The option of

publishing the “mechanisms for closure and transfer of public records and information) regulations, 2016” under the repealed TDGA by the Transitional Authority was not a solution either because the regulations do not have the same force of the primary law.

4.5.5 Maturity of the Public Archives and Documentation Service Act Cap 19 Laws of Kenya in Supporting Devolution of Records Management

Data on the strengths and weakness on the Public Archives Cap 19 was produced from the Head of Records Management Units (HRMU) and the Archivists.

4.5.5.1 Perspectives of HRMU, County Government of Kakamega on Strengths and Weakness of Public Archives Cap 19

The flaws of The Public Archives Act Cap 19 in supporting devolution was that of its provisions on records management predating devolution in Kenya. The 3 HRMU said:

“Looking at Cap 19, there is a challenge when it comes to management of electronic records because it cannot effectively protect against acts of deletion and alteration of official records, records are now a majority in county offices”
(3HRMU)

According to the Records Management Unit head, The County Government of Kakamega, the Public Archives act in its present form was unsuited for supporting records management devolution since it predated not only devolution in Kenya but also the advent of electronic records.

4.5.5.2 HRMU, County Government of Bungoma on Strengths and Weakness of Public Archives Cap 19

Another, 36 HRMU opined

“The law needs to be clear where in terms records management function county government starts and ends and where a national government begins. The law does not establish proper structures for records management in the counties as a result

counties have an attitude that records management is a manual work. This undermines proper staffing of the functions as during hire counties recruit clerks and deploy to records management section non-performers elsewhere as an administrative action - disciplinary to the errant employee”,
(36HRMU DOI 20.6.16)

According to the Management of records Units Head , Bungoma County ,The Public Archives Act was pierced with numerous feebleness such as absence of clause on assignment on records management responsibilities between the two levels of government , inability to provide for establishment of proper records management systems to be responsible for managing records in the local governments , and inability to demand minimum service standards in records and archives to be complied with the sub national governments .

4.5.5.3 Perspectives of Archivists on maturity of the Public Archives Cap 19

The archivists’ 40 KNA archivists’ response was that:

“Cap 19 of course has a lot of gaps, it does not exclusively assign records management responsibilities, the whole issue of e records, cap 19 has not mentioned anything, this can be attributed, to the fact some of these records came after cap 19 has been formulated. The other is offenses, the act is too lenient, then in cap 19 the definition of county records is implied, it is not specified in the act, Even disposal which has been the preserve of Director of archives, but right now under access to information act the director cannot approve disposal of any public records without consulting the commissioner on administrator of justice”
(40KNA.DOI 18.5.16)

In addition to the weakness of The Public Archives Act alluded to by the HRMU, although management of county records fall under the Act, the act did not however provide a definition of what constituted county government records according to the archivists.

Analysis of views of heads of records management units and archivists revealed that there was unanimity and points of divergence about the strengths and weakness of The Public Archives Act in supporting devolution of records management in the counties.

4.5.6 Maturity of County Integrated Development Plans in Supporting Devolution Records Management to County Governments

Further, in answering the third research theme, views were generated from The Directors and The Heads of Records Management Units on the strengths and weakness of The County Integrated Development Plans. The views of Heads of Department are presented below.

4.5.6.1 Perspectives of HOD on strengths and weakness of County Integrated Development Plans (CIDP), Health Services, and County Government of Kakamega.

The 5MDHK opined

“We are aware to do anything you need to be informed by CIDP”
(5MDHK)

According to The Director of County Department of Health, County Government of Kakamega the strength of The County Integrated Development plan was that there was an acknowledgement in the policy document that management of records required allocation of a specific budget be set aside by the County Governments. The Head of records management units, The Bungoma County, concurred with the views of Directors that County Integrated Development Plans was used by the county assemblies as basis for allocation of funds for implementation of devolved functions. The 36 HRMU alleged that:

“When I was brought on board the County Integrated Development Plan (CIDP) had been developed but we now are revising it to run for another 10 years and since I participated in drawing it up when approved records management will be provided for”
(36 HRMU DOI 20.6.16)

The weakness of the CIDP, is that once endorsed by the County Assembly introducing changes to the budget based on the CIDP as to address emerging issues during implementation of the plan was difficult. The process required both the County Executive and The County

Assembly to be involved to make even slight budget revisions, The Head of Records Management Units said. The study probed to establish the contribution of the MSS in supporting devolution of records management

4.5.7 Perspectives of the Head of Records Management Units on Minimum Service Standards (MSS), County Government of Bungoma

Counties were required to set Minimum Service Standards for records management activities' to be factored in the County Integrated Development Plans. The, 36 HRMU reported

“Minimum Service standards (MSS) for records management have now been included in our revised 10-year CIDP and from our next financial year Price water house coopers have been contracted to audit our compliance to the MSS”

(36. DRMODOI 20.6.16)

The Head of Records Management unit was of the view that in Bungoma County delivery of records management services to the county government and the public was on the basis of MSS which covered: timelines, promptness, relevance, reliability, compliance and external auditors to regularly assess compliance of the county to MSS in records management had been appointed.

4.5.7.1 Perspectives of Head of Departments on Minimum Service Standards, County Government of Vihiga

The elements covered in the records management MSS for The County Government of Vihiga were different from those covered in The County of Government of Bungoma. The 11 MCPV Chief Officer reported

The MSS is achieved by employing modern technology in records management. Our registry has a tracking system for files. The moment a file leaves registry it is captured that it has gone to a particular office. Even the files themselves have a tracking system which is indicated using a pen, the moment a file leaves my office and even when it is

coming here my secretary notes it down that a particular file has come to my office. When I have cleared the file, it will also be cleared by my secretary and they are able to state clearly where the file is headed to. We audit through complaints (11MCPV DOI 2.8.16)

According to The Chief Officer, County Department of Public Service and Administration, The County Government of Vihiga, the MSS adopted focused on tracking the movement of files and auditing of compliance to the MSS used.

Standards provide a reference point for measurement, a best practice benchmark against which to evaluate a record management programme. Only by adherence to standards can the county governments create an environment where the recordkeeping requirements of all aspects of the business can be identified, considered and met effectively.

4.5.8 Strengths and Weakness of County Government Records Management Policies in Supporting DORM

Further, in answering the third research question, data were produced and analysed on county records management policies.

4.5.8.1 Strengths of the County Records Management Policies in Devolution of Records Management According to Head of Records Management Unit (HRMU)

The strength of The County Records Management Policies in promoting devolving of records management is that they were used as tools in training and in guiding county government staff on how records are to be handled and in guiding sanctioning errant records management staff who did not comply. The 3HRMU opined

“We have a records management policy and a procedure manual that governs how we are supposed to handle these records, what is remaining is forward it to the cabinet for deliberation and later endorsement before we can print it out and start training on the two documents. When the two documents are in place there is going

is to be a clear roadmap if you are going to handle this kind of records, it must follow this criteria”
(3HRMU DOI 26.6.16)

However, the weakness of The County Records management policies and The Records Management Procedure Manual in promoting devolvment of records management according to The Heads of Records Management Unit is that they had not received the endorsement by the chief executive officers of the County Governments, that is the Governors, in order to be published and officially issued for use.

4.5.8.2 Head of Records Management Unit (HRMU), County Government of Busia, on Strength of County Records Management Policies

In the County Government of Busia, the strength of the County Records Management policy was in promoting devolution records management activities. The 29HRMU

In our draft policy, we have decentralization of records management units so that each department will have its own registry; each sub county government administrator should also have a records management unit. Office of the Governor, County Secretary and County Public Service Board should also have their records management units. When we have those units I will delegate my duties to the units
(29HRMU DOI 11.7.16).

Although, The County Records Management Policy supported devolution of records management particularly in acknowledging decentralisation of records management activities to the to the lower levels of the County Government such as cities, municipalities, towns, wards and sub county governments. However, the weakness of The County Records Management policy was a provision on recentralisation of core records management activities at the county government headquarters at the same time, according to the HRMU.

Document analysis of The County Government of Kakamega and Busia, records management policies revealed that none of the two the policies had been assented to for use by their

respective County Government. In addition, the policies were chiefly informed by the public archives act cap 19 of 1965 laws of Kenya which predates devolution. Again an examination of the two policies' purpose and objectives section revealed that neither the purpose nor any of the objectives of the policies was explicitly on devolution of records management.

Participants raised the issue of the influence of a national records management policy on the development of the various County records management policies. The issues raised is why a national devolution of record management policy had taken a long time before it is approved and when will that be, the other question being what specific sections of the model national records management policies or had influence over the drafting of the County records management policies, what will be the fate of the county records management policies whose provisions contradicted the model national records management policy when it is finally approved.

(Memo expert 3)

Analysis of the data generated from The Head of Records Management Units, Document analysis and expert of memos discovered that though a national records management policy was important in modelling County records management policies. However, both the national and county records management policies were in draft form. As a result, county records management policies were drafted without the input of a national records management policy.

4.5.9 Strengths and Weakness of Circulars no OP/CAB.1/48A of 22nd March, 2013 on Management of Public Records in the Devolved Government System in Support of DORM

In answering the third research question views were also generated on the strengths and weakness of circular Number OP/CAB.1/48A of 22nd March 2013 on management of public records in the devolved government system. The views of heads of records management units are presented below

4.5.9.1 Strength of Circulars in Devolving Records Management, County Government of Busia

The 29 Head of Records management units stated;

“We received a letter that records of former local authorities should be closed, and that since human resource has been transferred to the county the files should also follow them. When the county come to place they would start flesh with their files. The letter was issued by the head of public service it asked governors develop records management units. We started as advised although departments like health and agriculture felt that they have not devolved. They still use their mother ministry log. Based on the circular I developed index for each department and advised them how to open a file, to reference in line with county government”
(29HRMU.DOI 11.6.16)

The strength of The Circular Number of OP/CAB.1/48A of March, 2013 in supporting decentralisation of management of management, is in giving clear direction to county governments about the immediate closer and transfer of all public records and information upon public offices for whatever reasons becoming defunct, merged or restructured. The other strength was that of assigning responsibility for establishing records management units in support of records management in a county government on those who control allocation of resources in the counties such as the governor. However, the circular’s weakness is that it adopted a costly big bang approach (immediately close, transfer and open new files at once) rather than a cheaper option of phased approach to the closer and transfer of records and opening of new files.

On their part archivists observed that circular number OP/CAB.1/48A’s strength was in establishing Kenya National Archives as a central agency with responsibility for overseeing records management in the counties. The 39 KNA archivists stated.

“The only circular that came was in 2013, it was just talking of management of records in devolved government system and a lot of work was given to KNADS to oversee records management. The 2013 circular is very inadequate in devolving records management from the national government to the county government because it was just talking about how records of the former local authorities and the restructured provincial administration should be handled”
(39 KNA DOI 18.5.16)

However, according to the Archivists, the weakness of the circular no OP/CAB.1/48A of March 2013 in supporting devolution is that its scope was limited to closing and transferring of the public records to county governments especially records of the defunct local authorities and restructured provincial administration and the opening of new files by county governments. The circular should have extended to how the Counties should handle current, semi current and non- current record.

Analysis of the perspectives of The HRMU s and The Archivists show two opposing views. First that devolution of records management to county government can be achieved without a supportive a records management infrastructure. The other is that devolution of records management is not possible in the absence of a supportive records management infrastructure. Data obtained from HRMU, Chief Officers, Directors, Document analysis did reveal counties went about with records management activities although neither the constitution, the national archives nor county records management laws endorsed the records management activities. The view that devolution of records management requires supportive records management infrastructure was favoured by data with suggestions that in the absence of relevant laws assignment of records management functions between counties and the national government will be blurred leading to accusation and counter accusation for none performance. The lack of formal guidelines on care of semi current resulting from devolution had adverse effects. The said records suffered from neglect by both the national and county governments despite the records being important for continuous delivery of service even after devolutionary changes.

4.6 Challenges Encountered in Devolving Records Management to County Governments

The fourth research theme was tackled by two sub themes: identification of the challenges that undermined transference of management of records to sub national governments and strategies to address challenges of devolvment of records management.

4.6.1 Standpoints of Head of Records Management Units on Challenges Undermining Devolution of Records management, County Government of Bungoma

The major challenges undermining devolution is negative attitude towards records by the County government senior officials. The 36 HRMU stated.

“Since the onset of devolution there was no budget to run records management function. Negative attitude has affected records management in the county because the managers’ belief anybody can handle records so long as he or she is able to read and write. This attitude has also affected introduction of electronic records as some senior managers prefer dealing with hardcopy records instead of electronic records, most people who handle records in the county are secretaries who are not trained in records management, I tried to train the secretaries but I realized it is hard to change secretaries to records managers. The transitional authority recommended all the counties to have space and bulky filers but when the TA carried out survey they found most of the counties including ours were not ready to receive records but unfortunately the ministry of devolution”
(36HRMU DOI 20.6.16)

As a result, in County Government of Bungoma, manual records were preferred over electronic ones, there was no specific budget for records management, the county did not use trained records managers instead opting to use secretarial staff for records management according to The Head of Records Management Units,

4.6.2 Challenges of Devolution of Records Management, County Government of Vihiga

The 20HRMU units stated;

“We are having challenges even is managing records which came from Nairobi. We have three major problems: storage, security and skills. We have few people who are skilled in the area of records management”.
(20HRMU DOI 5.5.16)

However, in county government of Vihiga, three problems undermined devolution of records management namely: storage, security and skills were emphasised. Similar challenges of records management devolvement in Vihiga county were replete in county government of Busia.

4.6.3 Challenges of Devolution of Records Management, County Government of Busia

The 29HRMU reported

There are challenges with use of records because currently we are using traditional way of recordkeeping (registry system). The other challenge we are facing is lack of office space which is a big challenge, we do not have modern recordkeeping equipment, and we do not have staff trained to handle records.
(29HRMU DOI 11.6.16)

In The County of Government of Busia like other county governments lack of records storage space was a major challenge, which was coupled with failure to have modern record keeping equipment and reliance on untrained staff to manage county government records according to The Head of Records Management Unit. In The County of Government of Kakamega the challenges showed a similar pattern like in the rest of the studied counties.

4.6.4 Perspectives of Departmental Records Management Officers (DRMO) County Government of Vihiga on Challenges of Devolution of Records Management

DRMO indicated that the major challenge was recentralisation of records management activities. The 21 DRMO responses are presented below.

“In the county, records management is based at the county government registry that is where we do coding of the files. I am supposed to report to the administrator but practically it is not working because the director comes directly to me and even the chief officer calls me directly. The transitional authority staff tried to give some

training towards the end of 2015 on continuity but they were not clear on what they were doing, there are no policies, there is nothing written or documented, most of these things we are functioning out of our own experience in records management, there is no standards and no inspection, no good will from the leadership, some people thrive on confusion and bureaucracy. When there is order you will not interfere with systems”

(21DRMO DOI 5.8.16)

According to The Departmental Records management officers, in The County Government of Vihiga, the major challenge of records management in the county was recentralization of major records management activities at the Governor’s office instead of decentralising them to the County departments. The other challenge was the incompetence of the body responsible for overseeing implementation of devolution which translated to failure to properly build capacity of the County Governments in records management to implement devolution of records management. In addition, unclear reporting lines for The County Records Managers in the County departments and blind borrowing from the predecessors of the county governments of failed records management practices were noted. lack of records management policies, and failure to give records managers a free hand to do their work professionally and brandling those who attempted to stamp their authority” kimbelembele” (arrogant) were the other challenges.

4.6.5 Viewpoints of Archivist on Challenges Limiting Devolution of Records Management

The archivist 42 KNA was of the view.

The mandate is quite wide, giving advisory services to all public offices like county governments. Staffing levels at Kenya national archives at the moment is very low, we are talking of less than 30 archivists and records professionals. The public Archives Council over the years has not been very effective, We do not have a written policy on devolution of records management, what is there is a circular on management of records in a devolved system of governance, issued in 2013 , there is no framework indicating management of records during mergers or winding up of institution, Maybe

we need to come up with a study on storage of semi current records in county governments TA did not develop a framework for closure and transfer of records and information to county government (42 KNA)

According to archivists, the Kenya National Archives' wide mandate in overseeing management of records at both the National and Sub National Governments was not matched by allocation of proportionate resources in terms of finance and human resources was a challenge. In addition, lack of a national records management policy, absence of a research-based framework on how to handle semi current records resulting from the government administrative changes, and ineffectiveness of the public Archives Advisory Council were the other challenges.

Analysis of data generated from The Head of Records Management Units and The Archivists showed two contradicting mind-sets. Devolution of records management is possible even without requisite funds dedicated to the programme. As a principle funds must follow devolution of records management to the sub national government which receives the function. In favour of the first argument data showed that management of records was regarded as not requiring dedicated funds because naturally records will be created as devolved functions are performed and creators of the records will naturally be obligated manage them somehow. However, other data show distastes for devolution of records management without accompanying funds. Data obtained favoured the latter view indicating counties were unable to establish records centres, hire staff, purchase stationery due to lack of funds. National archives lack funds to effectively oversee records management in the counties. County integrated developed plans have been amended, county department requested to allocate funds, members of county assembly have failed to allocate funds.

4.7 Strategies to Address Challenges Encountered in Devolution of Records Management

In answering the second sub theme of the fourth research question on strategies and recommendation to counter the challenges of devolution of records management, data for analysis was produced from The Heads of Records Management Units, Chief officers, Directors and Archivists.

4.7.1 Perspectives of HRMU Strategies to Counter Challenges Undermining Devolution of Records Management

The views of head of records management units on strategies to counter the obstacles of devolvment of records management covered alignment of county records management programme to county programmes. The 36HRMU stated

“The county has advertised posts for recruitment of records managers. The Transitional authority did train county staff on records management at Kenya School of Government Baringo to prepare them to receive records, The archives have moved to the county and they are telling us that call us , Equally we are fighting for space, due to the pressure I drew up a new records management index as no one wanted to see anything to do with former municipal council, I have requested and insisted every department (ministry)to budget for records management activities,, Service quality for records management has now been included in our revised 10 year CIDP and from our next financial year Price water house coopers have been contracted to audit our compliance to quality”.
(36 HRMU DOI 20.6.16),

The other strategy was competitively recruiting trained record officers and appropriately deploying them, and seeking the Kenya National Archives advice while undertaking county records management activities, the Head of Records Management Units, The County Government of Bungoma said. The other strategy is establishing County Minimum Service Standards including inspection of compliance to the standards, fighting for records space, and

establishment of departmental records management budget by streamlining records management in the County Integrated Development Plan.

4.7.2 Strategies Put in place to Counter Challenges of Devolution of Records Management, County Government of Kakamega

In the County Government of Kakamega, like in Bungoma the pattern of strategies put in place to counter the challenges was similar. The 3HRMU said:

“I am the performance management champion for the department, it has been possible for us to seat in management meeting and advice and things are taken more seriously, as far as developing a records management policy and have a procedure manual that govern how we are supposed to handle these records, appointment of sector committee tasked to come up with appropriate legislation on records management”
(3. HRMU)

However, unlike in the County Government of Bungoma, in the County Government of Kakamega the strategies were the formulation of The County Government Records Management Policy, The county Records Management Procedure Manual, the establishment of the County Records Management Committee, and appointment of a Taskforce on County Government Records Management legislation and appointment of the in Charge of Records Management in the county at a senior level to enable the officer articulate records management issues in the senior county government management meetings.

4.7.3 Strategies Put in Place to Counter Challenges of Devolution of Records Management, County Government of Vihiga

Unlike in the other previous two counties in The County Government of Vihiga establishing and operationalizing a county government records management unit was a key strategy deployed to counter the challenges of devolution of records management. The 18 Head of Records Management Unit, reported

“The department of records management was formed one year ago; we are the main custodian of files of the county. In our office we have also installed CCTV cameras to assist us. We are planning a training, we have first to train them, there is a programme we are working on it now, we are trying to bring the people of Baringo (Government school Baring) on board, “
 (18. HRMU; DOI 4.8.16)

In addition, The County Government of Vihiga, had installed CCTV cameras in records room to address the problem of unauthorised access and insecurity of the County Government records especially the centrally held projects records at the Governor’s office, further in corroboration with The Kenya School of Government at Baringo the county had established a records management training programme.

4.7.4 Perspective of HRMU on Strategies Put in Place to Counter the Challenges of Devolution of Records Management, County Government of Busia

In the County of Government of Busia various strategies were employed. The 29 HRMU said

“I oversee records management at the county level. I always write memos, we have talked to ICT people to develop official email address and advise people to be using the official email address for any transactions, in our draft policy we have captured, we should decentralize records management units. We want to have a records management system in place”
 (29HRMU DOI 11.7.16)

According to The Head of Records management units, The County Government of Busia senior managers in the county such as county secretaries were being encouraged using memos to have a positive attitude towards records especially how they are kept and shared within government. The other strategy was decentralization of records management function from the county government headquarters to the sub county governments, wards, cities and municipalities. Another strategy is the acquisition of an Integrated Records Management System to curb the problems of records storage space.

4.7.5 Strategies Put in Place to Counter Challenges, Department of Lands in the County Government of Bungoma

A key strategy in this department to address challenge of devolution of records management was recreating the records lost during the process of closure and transfer of public records to the county. The 31MDLB affirmed

“We are trying to reconstruct some records especially in terms of land records. We are also liaising with Nairobi, to get some records, we are digitizing information in land records we want to digitize our maps and store them in soft” copy”
(34DRMO DOI 31.8.16)

According to The director County Department of Lands the County Government of Bungoma, additional strategies to address challenge of records management devolvment were: making use of records at the Kenya National Archives Regional office at Kakamega, establishing an agreement with the relevant central government ministries and departments on obtaining records needed at the county and a digitization programme for the county government records, priority being given to the vital records such as land survey maps and plans

4.8 Recommendations to Address Challenges Encountered in Devolving Records Management to County Governments

The third part of the fourth research question was on recommendations to improve devolution of records management and was answered by analysing data generated from chief officers, directors and Archivists.

4.8.1 Perspectives of Head Departments on Recommendations to Improve Devolvment of Records Management Department of Agriculture, County Government of Kakamega

The major recommendation made by the chief officer is that of establishing a criterion for ensuring relevant records are effectively transferred to the lowest level of the devolved Government units where they were most needed.

Records that came from Nairobi are at the county headquarters but should be decentralized further to be more useful, we need to train, the few officers who are there before were talk about employing officers dedicated on records management, we need to overhaul our organizational structure so that we give emphasis records management
(1MCOAK 28.7.16)

According to the chief officer , County Department of Agriculture , County Government of Kakamega, The other recommendations were: establishment of records management training programme for the records staff involving staff induction, classroom training, on job training and coaching by experienced supervisors and peers , seminars , computers based presentations ,and through training courses provided by training institutions .Training should aim at equipping staff on devolution of records management policies and procedures, and migration of electronic records . Also it was recommended that the department of records management should be placed under a strategic department in the county government to effectively influence records management activities in the entire county. Also, it was recommended that the county governments should allocate records management adequate budget to support purchase of records management supplies and equipment such as vehicles to move records around.

2350
1240

A director, in the county department of health service in the same county of Kakamega, recommended that the county government should establish “a friend of devolution of records management group” (voluntary group of people) to promote devolution of records management among county residents and county top management. The Head of department said

“Records management need to be aligned with the strategic priorities of devolution. There is need to strengthen use of records for decision making at the very lowest level.

we can have friends of records and archives group to promote records management. If you are a friend you do not need to be paid this is something you can do for the community “Where there is a service, we are supposed to have a records department. The facilities must have the prerequisite infrastructure and then they need the staff” (5MDHK DOI 1.7.16)

The director of health department like his counterpart in the department of Agriculture in the same county of Kakamega recommended that devolution of records management should be aligned to the legal and policy frameworks governing implementation of devolved functions in the county governments to ensure proper support for records management.

4.8.2 Head of Department’s Recommendations to Improve Devolvment of Records Management Department of Lands, County Government of Bungoma

In the County Government of Bungoma, County department of lands, the basic recommendation made was the formulation of appropriate policy and legislation on records access especially for records pending transfer at the national government. The Head of department reported.

“Records should have been the back born of transition to devolved system of governance, we need policy in terms of transfer of records, the records managers are good at manual, they have to migrate to digital, we are proposing some further training in government institutions on issues of records management, having back up information somewhere which can be accessed by specific people, we are digitizing information in land records, we want to digitize our maps and store them in soft copy” (34MDLB DOI 31.8.16)

According to directors’ county government of Bungoma the challenges of devolution of records management could be addressed were records made the back born of transition to devolved system of governance and county governments adopted electronic records keeping programs involving online preservation of vital records such as maps and, retraining of records staff.

4.8.3 Recommendations of Archivist's to Improve Devolvement Records Management, Kenya National Archives

There is need for the Intergovernmental Technical Committee the successor to Transitional Authority working with Kenya National Archives to undertake functional analysis of records management function for purpose of distribution of records management responsibilities between the central and county governments. The 39 KNA indicated

Records that have specific local interest to a particular county are to be transferred and stored in the county while records of national interest be transferred and stored at the national archives, The Constitution of Kenya 2010 article on devolution and attached schedule on distribution of functions be amended to provide for devolution of records management and cap19 and county government act be amended. KNADS need to come up with a study-based framework study on storage of semi current records in county governments. KNADS need to develop minimum service standard for counties to follow, Sector forum comprising county and national government in records management staff be established to resolve conflicts in implementation of devolution of records management. The records and archives management association should be defending devolution of records management”
(39KNA DOI 18.5.16)

Consequently, the archivists recommended that the constitution of Kenya 2010, the Public Archives Act Cap 19, and the County Government Act of 2012 should accordingly be amended for the purpose of providing for assigning records management responsibilities between the two tiers of government. Further, each County government should establish its own county archives for acquiring records of the county interest. Sector forum comprising of county and national government staff in records management be established by the Intergovernmental Agency for resolving conflicts between the Counties and the national government arising from implementation of devolution of records management. Also according to the archivists, the records and archives management association in Kenya should promote devolution of records management.

Analysis of data obtained from participants including departmental records management officers and chief officers and directors revealed that recommendations for improving devolving of records management to county governments were both short-term and long term but the prime focus should be on aligning devolution of records management into policies establishing the county governments

4.9 Chapter Summary

The chapter has presented, analysed and interpreted data produced from interviews, observation, memos and document analysis. Data shows that the county governments are at various stages of implementing devolution of records management programme. The devolving of records management to the counties has been without a clear legal framework. This starts with the closure and transfer of the records, going to record management systems and extending to records management infrastructure. General records management principles are being applied in management of CG records instead of adopting a model that is designed to match the needs of the county government's business processes and activities. There is need to effectively devolve records management by developing a criterion to guide the exercise of closure and transfer of records as devolution in Kenya evolve, design appropriate records management practices and enact relevant records management infrastructure to ensure records management in county governments meets the needs and requirements of the devolved units. The next chapter provides a discussion of findings of the study.

CHAPTER FIVE

DISCUSSION OF FINDINGS

5.1 Introduction

The purpose of this qualitative study was to investigate devolution of records management (DORM) to county governments in Kenya. This chapter discusses the major findings of the study as related to extant literature on DORM. Also discussed in this chapter is how this study ties together with the Records Management Capacity Assessment Model and the Principle of Subsidiarity. The chapter concludes with a brief summary of the chapter.

5.2 The Nature Closure and Transfer of Public Records to the County Governments

This study has endeavoured to fill a gap established by the existing literature that little has been documented on the relationship between devolution and records transfer. This study unlike the extant studies has discussed in details the close association between the two subjects. Past studies by (Wakeling, 2004a), (Biggs 2007) and (Lihoma, 2012) note that transfer of records during organisational changes exercise is complex as it involves the movement of many records in different formats and of many government agencies which are either being merged, abolished or restructured at the same time. This study has shown the diverse challenges of records transfer namely: There is a challenge making a decision on how to share current records among agencies when parent ministry is restructured due to devolution; there is deficiency of office space both for the incoming devolved unit's officers and for records management units to operate freely. The other challenge is the need to change the entire stationery to replicate the new labels of the agencies established due to devolution which is expensive.

This research different from past studies has discussed the place and features of a criterion on records closure and transfer from the national to the county governments. Conditions of records transfer bring arrangements and schemes into the process of change that make sure records required to satisfy devolved units needs for good governance, accountability are retained. The primary attributes of such criteria are: records are only transferred on the basis of a formal request being made by a sub national government which request shall be sanctioned by an agency mandated to coordinate the transfer of records and information exercise; maturity to manage the records in terms of trained and experienced records management staff as required by a relevant scheme of service for record management officers must exist in the concerned county. In addition, a requesting local government must have suitable equipment for storage of different types of records and different formats.

5.2.1 Use of Records Transferred to County Government Records

In the first research question, the use of records was investigated. Past studies by (P. Mazikana, 1998; P. C. Mazikana, 1990) (Shepherd, 2006; Shepherd, Stevenson, & Flinn, 2009) have ddressed the concept of use of records in national government context but not in county governments. Specifically, the past studies have identified the information needs of the users, assessed the manner in which records are used and the extent to which the needs of the users were being satisfied. The studies draw attention to the role that the archives have in the use of records, the advantages obtained when records are used and the adverse consequences that can result when there are obstacles in records use. The past studies suggest that effective use of records is facilitated by the extent to which the records have been organized and managed and the extent to which the users are able to obtain access to and use of records.

This study specifically addressed the view that there was a paucity of studies which focused on use of records by decision makers at the county government level. The study has identified the decision makers' information needs and the obstacles to the use of both records created by county government and records closed and transferred in connection with devolved functions. The implication of this particular finding on use of records is that the survival and relevance of devolution of records management programme lies in the use of records by county government decision makers. There is need for customizing records management systems according to the needs of the users. Archival institution is critical to the generation of the ability of the records keeping systems to provide a relevant service to the records creators and users.

5.3 Records Management Practices Supporting Devolution of Records Management

In the second research theme, the significant result of this study is that previously ineffective management of records practices in the national government were enforced on sub national governments with expectation that they will properly promote records management in the devolved units. Past studies by (Bearman, 1993) (Griffin, 2004a), (Johnston & Bowen, 2005; Thurston, 2020), (Ngoepe & Keakopa, 2011) ,and (The Republic of Kenya 2015) have all however to the contrary suggested that implementation of any new records management programme requires appropriate new records practices for managing records from creation to their disposal. That the records systems supportive of the new programme are to be designed and adopted to records and the business requirements of the organisation. Such requirements are business operations, good governance and accountability and are reviewed and improved regularly (Griffin, 2004). In a past quantitative study, (Thurston, 2020) like this study found that during administrative changes in Africa inadequate systems were usually in place to

support management of records. That the breakdown of recordkeeping systems such as registry systems, classification and indexing, records retention and disposal, records centre, archives and electronic records management systems had a direct and growing impact on the ability to govern. (The Republic of Kenya 2015) had also in previous study linked the absence of effective record keeping systems and failure of the devolved local entities to be in a position to effectively carry out their mandates and functions

This study unlike the past studies has proposed five areas of concern when designing records systems supportive of devolution of records management These are : i) concern for creation of records required to realise the objectives for governance and accountability, ii) establishment of records management departments iii) records centre and establishment of relevant archives and records management services iv) formulation of appropriate records retention and disposal schedules and v) adoption of electronic records systems dedicated to records management . The implication on this finding is that sound records management systems is a pre-condition for initiation of a devolution of records management programme to sub national units. The records systems are to be effectively integrated with all business processes and be revised and upgraded frequently as the programme of devolution evolve.

5.4 Maturity of Records Management Guidelines Supporting Devolution of Records Management

The third research theme revealed that there was lack of a records management infrastructure for establishing and maintaining devolution of records management programme. (Bain, 1983; E. Burke, 1959),(Parer, 2003), (Goh, 2016; Lihoma, 2012), ,(Bruce Dearstyne 2009) have consistently emphasized the essential role of a records management infrastructure suggesting that it enables a records and archives service to operate with authority in its dealings with

other agencies of the state. A records management programme requires a records management infrastructure to be in place, be applied effectively to provide assurance that records are created, managed and used in support of governance and accountability and are to be reviewed and improved regularly.

This study unlike the extant studies has empirically revealed the challenges of attempting devolution of records management programmes without appropriate records management infrastructure support namely: i) national records and archives institution will operate without authority in its dealings with other agencies of the state, ii) overlap of responsibilities of the national archives offices and of sub national archives institutions for managing public records. iii) There is lack of definition of what constitutes a national and sub national public office and what a public record is. The other consequences are iv) there is inconsistency in the treatment of records v) Records management in sub national units lacks the means of obtaining and deploying resource vi) long-term sub national records and archives management needs are not met, and vii) inability to cost expenses of implementing devolution of records management programme by national archives in national and sub national governments

The inference of this result is that devolution of records management infrastructure should be in place before any new programme such as devolution of records management is attempted. The archives laws should be applied effectively to provide assurance that records are created, managed and used but the laws should be frequently reviewed and improved. However, where devolution of records management has taken place without a supportive records management infrastructure, once the tiers of governments have resumed their respective roles legal issues in records management will need to be addressed.

5.5 Strategies to Counter the Barriers of Devolution of Records Management (DORM)

The fourth research findings revealed that various strategies had been deployed to counter the challenges of decentralisation of management of records. The challenges were: inadequate technical and managerial skills, perpetuation of a cycle of poverty by devolution of records management, inequities in provision of archives and records management services, negative attitude towards records, disturbance of records management caused by election cycles, and placement of archives and records management

5.5.1 Inadequate Technical and Managerial Skills in Records Management

The findings of this study are that derisory technical and managerial skills were involved in devolution of records management. Past studies by (Cheeba et al., 1984), (Magee, 2014) and, (Platform, 2015) concur with the findings of this study that inadequate career structure, absence of defined competencies for different roles and insufficient and inappropriate training adversely affected devolution programmes to county governments. (Cheeba et al., 1984), in a previous study avers that during devolution the most skilled technicians and the best educated managers were attracted to the central government while a chronic shortage of talent was left at the local level. That low-ranking officials were often tasked with overseeing devolution which made it difficult for them to hold more senior staff members to account. This study like the previous study by (Platform, 2015) show sub national units were mandated to deliver a particular set of services that meet the requirements of devolution of records management but that the staff who lacked skills to be able to work anywhere else after the merging or abolishing of function were assigned records management work. Such staff with low morale and skills included: revenue officers, cleaning supervisors, secretaries and clerical officers. The implication of low technical and managerial skills staff deployment to archives

and records management work was perpetuation of failed records management practices of the predecessors of the county governments. The absence of qualified records staff in county government also led to a dependence on national government syndrome in which sub national units heavily relied on the national government skills in implementation of nearly every area of records management responsibilities even those already assigned to county governments. Implication of this finding also is that effective devolution of records management programme must be designed and must be implemented by professional archivists and records managers with career path, education, and experience.

5.5.2 Perpetuation of Cycle Poverty Cycle by Devolution of Records Management Programme

The finding of the fourth research question is that unavailability of adequate financial resources in the previous centralized records management approach was also being replete in the devolution of records management approach. In previous studies, (Cheeba et al., 1984),(Dearstyne, 1985), (Walch, 1997), (World Bank, 2012) like the findings of this study shows that there is a relationship between inadequate financial resources and the inability to devolve and expand effectively devolution. That lack of independent sources of revenue weakened the sub national unit's ability to carry out their tasks. That dependence on the central government funds kept the sub national unit under the control of the central bureaucracy and limited financial resources and the shortages of investment capital cast serious doubts on the ability of sub national units to perform the functions assigned to them by the central government.

Further, Walch (1997) like (Cheeba et al., 1984) stressed that cycle of poverty in devolution of records management to county government was perpetuated by the fact that budgetary allocations to records represented a minuscule part of the total county government expenditure. That even small as the budget allocation was it was still subjected to the same reductions experienced by other sub national government programmes in case of financial crises in the sub national units. That cuts in archives and records management budgets meant reductions in staffing levels available for records and archives work. Also budget cuts meant cuts in expenditure on storage space: heat, light, building maintenance, construction, or leasing of equipment.

The implication of this study finding is that devolution of records management infrastructure is never guarantee that devolution of records management will become a functional part of county governments rather it is the adequate allocation of funds that made devolution of records management take off. The other implications of budget cuts are that cuts led to cuts on cost of storage space: heat, light, building maintenance, construction, or leasing of equipment. The longer-term consequences of inadequate government allocation of resources to records management is dysfunctional government which loses resources it needs to work efficiently and effectively and accountably. Corruption thrives when accountability is compromised and service delivery suffers when information is not readily at hand to inform planning.

5.5.3 Devolution of Records Management Leadership Deficiency

Another significant result of this research is that there was a devolution of records management leadership deficiency. That is, there was absence of a strong devolution of

records management programme leadership from the county government legislature, the archives and records management advisory body, the chief executive officers and the professional bodies. Previous studies by (Platform, 2015), (Turnbaugh, 1997) and (Cox, 1985) have indicated that lack of strong leadership for records management programme was the major reason for continuing poor performance of a records management programme. (Platform, 2015) suggested that devolution of records management required but lacked strong leadership and direction from political principles, departments leading devolution of records management, advisory bodies, chief executives and professional bodies. (Turnbaugh, 1997) in a past study indicated that biased legislatures more than any other had negative influence on devolution of records management programmes. That records management programmes are creations of the legislatures, and that biased assessment of the programme by the legislatures, could change the context that will adversely affect resource allocation to the programme.

That lack of strong leadership could lead to: the absence of up to date devolution of records management infrastructure, inadequate resource allocation in support of devolution of records management and the problems of devolution of records management will not be known at the national level (Cox 1985). The implication on this finding is that securing the support of strong leadership is the means to create good environment for devolution of records management programme and the absence of a strong leadership is the major reason for the continuing poor performance of devolution of records management to county governments.

5.5.4 Placement of Devolution of Records Management Programme within the County Government Structure

The other significant finding of this study is the need for appropriate placement of archives and records management of programme within the sub national government structure. Extant studies by (Weinberg 1999) and (Loadman, 2001) like this study have also addressed the issue but do not seem to be conclusive on which is the appropriate location for archives and record management programme within the organisational structure. (Platform, 2015), has argued that the location of the archives and record service within a minor ministry limited the capacity of the service to oversee government recordkeeping effectively. That by archives and records programme being placed in an obscure ministry no one took the archives service seriously because the ministry in which it is placed deal with soft issues such as arts, sports and recreation.

Further, the Platform has suggested that having archives and records service as a sub directorate of a department within a sub national government had a negative effect on resource allocation. That by archives being a sub directorate of a sub national government excluded the sub director of archives from management meetings and other decision-making forum. This meant the deputy director is dependent on senior officials (directors) to fight his cause which is difficult task for someone who is not acquainted with the intricacies of archival practice and the immediate needs of the archives service or has to attend to competing demands of two or more sub directorates.

A past study by (Weinberg 1999) like Platform ,2015) revealed that archives and records programme that was not visible and accessible had little or no impact on the organisation as a whole and thus ultimately failed in its mission. That poorly placed archives and records

management programme lost out to other departments such as administration, finance, library, museum, or other cultural agencies that had better access to funding and political support or to those which had stronger ties to broad constituent public.

(Loadman, 2001) however disagrees with the findings of other extant studies and of this particular study suggesting that other factors apart from the location of archives within the organisational structure influenced the success of the archives and records service in recordkeeping in government. Such factors included: the number of personnel working in records management within the organisation; records managers control of the budget for records management; legislation used by records managers; what records management was involved in their organisation and the relation of archives and records management service with other information professionals. The implication on this finding is that further research is required to resolve the debate around the appropriate location of archives and records management service within the sub national government that will support devolution of records management.

5.5.5 Interruption of Devolution of Records Management Program by the Election Cycles

The other vital outcome of this study is about implementation of new record programmes such as devolution of records management being interrupted often caused by general elections cycles. (Weinberg 1999) like the findings of this study has argued that a country's general election cycle interrupted devolution of records management programme as it forced the records managers to adopt strategic plans that are likely to be changed after every election cycle. That changing administrations due to the outcome of elections could halt devolution of records management initiatives where considerable work had been undertaken by past

administrators. In addition, the length of employment for elected or appointed officials is short hence hampering long-term development and execution of any strategic records management plans within the local governments. The implication on this finding is that devolution of records management requires a lengthy period for growth before its benefits will be realized. As such it requires thorough design, analysis, and preparation, which, in turn, require a relatively long period for implementation before positive results can be experienced.

5.5.6 Inequity in Provision of Devolution of Records Management Services

The other main finding of this study is that devolution of records management can cause inequity in provision of archives and records management services to county governments and to the county residents. In previous study, (Platform, 2015) like the findings of this study affirmed that devolution can result in imbalance in provision of archives and records services. Some county governments end up inheriting tailor-made archival repositories, records centres and records management units, appropriate facilities and supplies which provide them solid ground for the establishment of a sound sub national government archives and records management services. On the other hand, county governments which fail to inherit any infrastructure are made to establish devolution of records management programme from scratch. This difference in provision of services is bound to spike disputes over funding of infrastructure needs. The disputes will in addition likely result in slow development in the provision of archives and records management services in sub national governments.

The finding of this study unlike past study has revealed that imbalance in provision of records and archives services to county government and residents of county governments was caused by the conversion of records offices into offices for use by incoming county government officers and the poor adaptation of former local authorities' halls into records offices and

records centres. The other factor contributing to inequality in service provision in this study is that the national government did not devolve qualified staff but remained with qualified records managers and archivists. Also this study found that archival holdings and archives repositories are either based at the headquarters of Kenya national archives and documentation Service in Nairobi and or at the former provincial headquarters, the county governments did not inherit any repositories. The other source of imbalance in service provision according to this study is that some county departments especially those in the governor's offices had more qualified records managers, had procured modern recordkeeping facilities, and standard stationery while the rest of the county departments lacked the required resources, necessary staff and records management infrastructure to provide the same standard archives and records services.

5.6 Strategies to Effective Devolution of Records Management

The findings on strategies to counter the challenges which undermined effective devolution of records management programme are discussed. These strategies address the challenges of closure and transfer of records, records management infrastructure, and records system.

5.6.1 Sound Management of Transfer of Records to County Governments

An important finding on this theme is that records closure and transfer is a complex process. In order to be effective the process required the design and enforcement of a criterion on records transfer. In two different extant studies by , (Wakeling, 2004b) and (Biggs, 2007) the authors have argued that during closure and transfer exercise records should be properly managed using a criteria. The features of such records closure and transfer criteria as suggested by Wakelin (2004) and Biggs (2007) consists of: existence of standard records management devices such as: records retention and disposal schedule, action plans and

checklists, records transfer contract, information sharing agreement and records survey report. A records retention schedule is required as it will ensure the protection of records required to meet the needs of the devolving agencies and their successors. The other elements of a records transfer criteria are: active senior management and records and archives centre involvement. A Criterion will also ensure the legal status of records before and after the transfer is the same to avoid records unfair treatment of records by one of the tiers of government taking part in records transfer.

5.6.2 Build Capacity of Records Management Staff

The key finding on this theme is that effective devolution of records management programme could only be designed and implemented by professionally qualified archivists and records managers with education, experience, and training in both archives and records management. In past studies (Weinberg 1999) , (Biggs 2007) , (Williams, 2014), and (Platform, 2015) reflecting on the reasons some records programmes succeed while others stagnated concluded that professionally qualified archivists and records managers with education, experience, and training in both archives and records management had a role. That professionally qualified staff were able to develop a firm philosophical foundation for a record programme's existence, articulate that philosophy often and well, and translate that philosophy into action. Implementation of devolution of records management entails the need to learn new roles, adapt new leadership styles, communication patterns, planning procedures and development of devolution of records management policies and programme. That in addition to archives and records management skills the archivists and records managers must have to acquire skills in diplomacy, politics and in missionary to be able to build personal and official relationship with the legislature and the executive branches in order to win the respect

and necessary funds for developing an appropriate devolution of records management programme. (Weinberg 1999) and (Magee, 2014) have argued that qualified records and archives staff were able to convey the value of their archives and records programmes to senior government administrators so they come to understand that sustaining records management programmes was good public policy. That skilled archivists and records managers are able to establish, develop and maintain a records management programme.

(Platform, 2015) identified the roles played by various groups in the capacity building work of archivists and records management staff to be responsible for devolution of records management. According to the Archival Platform these groups were the ministries in charge of devolution of records management in the sub national governments, the Public Service Commission, the Department of Higher Education and Training Institutions and professional bodies. The ministries need to determine staffing needs for sub national governments realistically, reassess posts level, create clear career path, develop strategies and to identify and increase opportunities for training.

This study unlike past studies has revealed gaps in strategies used to build capacity of archivists and records managers responsible for devolution of records management programme. This study has also revealed that the only strategy deployed in the counties was staff orientation. As a result, capacity was lacking on greater facilitation of devolution of records management on planning, decision making and management and on their new tasks of supervision and support. Records managers responsible for devolution of records management at county governments had deficiency of skills in electronic records management and in records survey, appraisal and managing archival records.

This finding implies that the registries are not kept efficiently and there are delays in appraising records for transfer to archives. Further, the extant studies and the findings of this study show that recruiting, motivating and retaining the right archivists and records management staff and equipping them is crucial for successful devolution of records management. Devolution of records management programme should be assigned to archivists and records managers whose quality and quantity is fit for the purpose, whose role is understood and supported by the sub national government management, and who is positioned to operate strategically and in tandem with the county government objectives.

5.6.3 Breaking the Cycle of Poverty in Devolution of Records Management

This study finding revealed that finance is crucial in successful implementation of devolution of records management programme. In a related previous case study, (Dearstyne, 1985), and (Weinberg ,1999) suggested that the cycle of poverty in devolution of records management would be broken were the archivists and records managers after securing the initial funds to implement devolution of records management programme demonstrate the programmes effectiveness in order to obtain funds to sustain it . That in order for devolution of records management programme to attract funds there is need to manage records management not from self-interest of practitioners, but for business interests of the counties, with which the records management is to be aligned. That archivist and records managers need to develop sound business measurements on devolution of records management such as democracy and service delivery and market those benefits to the government administrators.

The findings of this study show that devolution of records management programmes will thrive where there is adequate transfer of financial resources accompanying devolution of

records management to county governments than where merely records management guidelines are given to the levels of government to which records management responsibilities is transferred. That the effect of a sub national government embarking on a devolution of a records management programme without adequate financial resources for operating it effectively is a recipe for a devolution of records management cycle of poverty. This means inadequate resources prevent sub national governments archives from mounting effective programmes while the lack of devolution of records management programmes renders devolution of records management programmes vulnerable to disregard by sub national governments.

5.6.4 Strong Leadership in Devolution of Records Management

The other significant issue this study found was that of a need for a strong leadership as a condition for successful devolution of records management programme. Like the findings of this study , a case study, by (Ngoepe & Keakopa, 2011) attempted to establish whether a relationship exist between a strong leadership and success in records management. The Ngoepe and Keakopa, (2011) case study is not conclusive but provides a level of detail enough to understand the nature of leadership useful for addressing devolution of records management problem in a particular context or country. The (platform, 2015) suggested that devolution of records programme must be supported by a strong leadership comprising of politicians, departmental heads, national archives, archives and records advisory bodies, chief executives and professional associations. (Turnbaugh, 1997) and (Walch, 1997) have argued that the role of sub national government legislatures is crucial in approving appropriate budget. (Platform 2015) showed that chief executives and departmental leadership ensure devolution of records management is referenced in government policy documents. Archives and records advisory

bodies provide direction and guidance on devolution of records management from its base of knowledgeable members as envisioned in the archives act. The national Archive's leadership is also crucial in providing education to local officials and in the creation of local devolution of records management models of excellence programme for others to emulate. Also the national archive is to provide oversight to sub national governments to ensure successful devolution of records management programmes. Professional associations are to intervene in public interest on devolution of records management issues, take part in consultative meetings aimed at establishing devolution of records management and in the production of journals through which developments in devolution of records management are shared among members.

5.6.5 Marketing of Devolution of Records Management Programme

The supplementary important finding of this study is that marketing of devolution of records management programme is paramount in order to enhance the placement of the programme within the county governments' organisational structure. In a past study, the Archival Platform (2015) argued in favour of placing a records management in a powerful ministry in a county government. That devolution of records management programme should be located in a politically powerful ministry which is responsible for monitoring and evaluation. That such placement emphasized the administrative involvement of records management programme over the development planning process. That such location ensured the problem of inadequate allocation of funds to records management is addressed, as archivist and records managers are not excluded from senior management meetings and other decision-making forums. Instead, they will be in those meeting to articulate the complexities of records management practice and its immediate needs.

(Walch, 1997) however posits that archives and records management functions are likely to function effectively when they have a close link to each other within a SNG agency rather than in being placed in a high-ranking agency. That the strength of this joint records and archives management administration was even much more required as they begin to reach other new information resources managers and try to develop cohesive policies for records in electronic information systems. That, the more fragmented records and archives management programs were the less authority over records and information is, the more difficult it will be to develop sound programme for their long-term administration.

This study finding concurs with the extant studies that argue that there was a relationship between the placement of devolution of records management programme and the programme's effectiveness. Professionals in charge of devolution of records management in sub national government need to market the benefits of records management within their respective sub national governments. In other words, they should develop a firm philosophical foundation for devolution of records management's existence, articulate that philosophy often and well and to translate that philosophy into action.

5.6.6 Improve on Equity in Provision of Devolution of Records Management Service to the Sub-National Governments

The other vital finding of this study is on provision of comparable records and archives management services to the county governments and the county residents. Past studies by Walch (1997), Platform (2015), (Akussah & Asamoah, 2015) have established a link between provision of comparable archives and records management services to the government and citizens and availability of archival and records facilities. The past studies hold the view that the distribution of archival and records management facilities and holdings during

devolutionary changes should ensure equity in provision of archives services to the sub national governments and the public. The Platform (2015) suggested that inequity in provision of archives and records services could be addressed by the national government availing financial resources for meeting infrastructure needs, such as the construction of new purpose-built archives or rehabilitation of makeshift and dilapidated archival facilities inherited by the sub national units. The previous studies have however engaged in very little evaluation of the impact of registries , records management units and records centre facilities in inequity in provision of archives and records management services to the subnational governments and the public This study findings unlike the previous studies has revealed that for inequity in provision of archives and records services to sub national governments and the public to be addressed standard registry and records centre facilities should as matter of urgency be established in sub national units. Alternatively, makeshift registries and records centre facilities inherited by the sub national units from defunct local authorities and restructured provincial administration should be rehabilitated. That the sub national unit registries and records centres should be equipped with adequate space for storage of current and semi current records and to accommodate the officers working in the registries and records centres. That there should be a service area space where all the officers seeking for services in the registries and records centres can be served from in order to restrict entry into the records storage. Registry and records centre equipment must be able to accommodate all types of records that is electronic, cartographic and pictorial and are lockable and with ability to protect records from prying eyes, dust, light, water and generally keep them out of reach of unauthorized persons and harsh environmental conditions.

5.6.7 Availability of Up-To-Date Devolution of Records Management Infrastructure

The requirement for a relevant records management infrastructure in order to establish and maintain devolution of records management programme to the county governments was the other critical findings of this study. In previous studies (Arnold, 1988) and (Florestal & Cooper, 1997) like this study have discussed though not exhaustively the link between devolution and attended legal issues. That devolution of services provision can be described as de facto than de jure when a tier of government inept to exercise its financial and administrative functions passes them along to the local government. However, once the county governments start performing the role they are expected to play, legal issues will need to be addressed. Devolution law is required to facilitate change in organizational culture, ensure new roles are learned, leadership styles are altered, communication patterns reversed, planning procedures revised and regional policies and programs developed.

The form of devolution of records management laws required in one country varies from that required in another country. According to (Arnold, 1988) two sets of questions will need to be addressed when formulating devolution of records management legislation. First: which aspects of the devolution of records management must be addressed in the records management law itself and which aspects can be left to regulations. Second: which other laws must be taken into account or modified in order to implement the reform.

This study finding unlike the past studies has gone further to make an inventory of existing records management infrastructure currently governing devolution of records management and identified weakness in the existing laws that will need to be modified in order to provide a legal framework appropriate for implementation of devolution of records management.

These are the constitution of Kenya of 2010, The Public Archives Act Cap 19, the County Integrated Development Plans, Circulars, and the national and the county government draft records management policies. The implication of this study finding is that a county government cannot establish and maintain its own archival infrastructure without a supportive devolution of records management infrastructure.

5.6.8 Streamline Devolution of Records Management Projects to Election Cycles

Successful devolution of records management is linked to a country's election cycles was one important finding of this study. (Weinberg 1999) in a past study acknowledged that general elections cycles adversely affected implementation of records management projects in sub national units. This challenge could be addressed by ensuring records management projects undertaken by county governments were linked to the tenure of the elected sub national officials. That the county records managers should develop and adopt plans which were flexible and that are likely to be changed with each new political administration change. In more candid manner, (Turnbaugh, 1997) suggested that since availability of resources for county government archives and records management programme was volatile often affected by administrative changes due to election successful completion was higher when the timeframe for implementation of a devolution of records management projects were kept short in the range of one to three years

5.6.9 Framework on Devolution of Records Management

The other main finding of this study is that developing a records management programme was a highly complex and difficult task and that it was not uncommon for devolution records management projects to exceed scheduled completion dates or not be completed at all. (Magee, 2014) has explored the relationship between a records management framework and

management of county government records in the United States of America. The finding of the study tends to suggest that a records management framework designed for management of records in a central government was unsuitable for county government records. This is because national records management framework is not tailored to the county governments planning procedures, county policies, county government programmes, make-up, organizational culture, vision, and mission and management style. Further (Magee, 2014) argues that sub national governments required specialized and practical guides in applying records management principles. That applying a national government framework in managing sub national government records risked establishing a records management programme that is not compliant with records management infrastructure. The records systems which are needed to create and store sub national government records will not be streamlined into the sub national government business and records needs. The specific challenges undermining records management at the sub national government level will not be determined and appropriate measures to counter those challenges will not be established.

Further, (Magee, 2014) discussed the components of a framework suitable for managing records in sub national units in the USA. The framework emphasises: the definition of sub national records, the uses of the records and what the sub national records management programme should do. Also the programme should be endorsed and should obtain support of legislators at all levels. However, Magee (2014)'s framework though important is inadequate for adoption for devolution of records management to county governments in Kenya because it is resource intensive. According to (Platform, 2015) a framework for managing sub national governments records in the rich United States of America and Australia are inappropriate for managing sub national government records in resource constraint Africa. The USA

frameworks are either resource intensive or assume that the existing records management infrastructure and records systems for managing national government records are adequate. However, such assumption is not correct since devolution of records management is a new records management approach whose adoption for the care of SNG records in Africa is being explored.

5.6.10 Principle of Subsidiarity

The principle of subsidiarity, one of the models which guided this research on devolution of records management, was developed in the mid-20th century (Ahmad, 2005; Ryan & Woods, 2015) and (World Bank, 2012). Proper devolution of records management according to the principle of subsidiarity requires availability of certain conditions but which were not fully met in the case of Kenya's devolution of records management programme. First, the creation of local records and archives service which are autonomous, independent and clearly perceived as separate over which central authorities exercise little or no direct control. Secondly, the local governments have clear and legally recognized geographical boundary within which they exercise authority and perform functions. Thirdly, county governments have to have a corporate status and the power to secure resources to perform their functions. Fourth, devolution implies the need to develop institutions that are perceived by local citizens as organizations providing services that satisfy their needs and over which they have some influence. Lastly, devolution is an arrangement in which there are reciprocal, mutually beneficial, and coordinate relationships between central and local governments.

According to the principle of subsidiarity a change in the traditional view of the records management infrastructure and the Kenya national archives and Documentation Service is expected. The constitution is expected to provide for devolution of archives other than the

national archives as a functional area of exclusive legislative competence of the 47 county governments. The national government is expected to enact a legislation which applies to the Kenya National Archives and Documentation Service. On the other hand, each county government is required to enact a legislation that applies to its county government archives. In compliance to the principle the once unified KNADS is to be split into 47 individual institutions. That is the Kenya National Archives and 47 county government archives which will operate within the framework of co-operate government. In management of sub national government records county government departments are required to implement provisions of national and county government legislations such as obtain disposal authorities on all records from the national or county archives, implement electronic records systems that are determined by the national and county archives and care for public records as required or prescribed by the national or county archives.

Devolution of records management should be understood as the recognition by the Kenya National Archives that they alone cannot resolve all the problems or meet all the needs of sub national governments and that sub national governments have responsibility for the care of their records. The Kenya National Archives need to promote strong minimum Service standards and policies that the local government officials can follow in the archives and records management. Such national archives leadership acknowledges the inherent interrelatedness of records generated and by sub national governments and the national government.

Subsidiarity means the need to develop archival institutions that are perceived by local citizens as organizations providing archives and records management services that satisfy their needs.

This will lead to archival records not just being held by the national and regional archives repositories, but by diverse organizations such as cities, municipalities, towns, sub county governments, wards, and villages (Wamukoya 2015). This will spread the burden of documentary preservation. This development will create several urgent needs. One of these is to increase awareness among records creators of the importance of good archival practice, another is the need to make a variety of extension services available to an ever-expanding number of records custodians, support programmes to assist institutions to establish, maintain, or improve archival records management programme.

In addition, according to the principle of subsidiarity, sub national governments have a corporate status and the power to secure resources to perform their functions. Local governments have to accept the responsibility for properly managing their own records. Only then can there be professional archivist and records managers to provide the knowledge and guidance required of a successful programme. The failure of the local government to allocate sufficient resources to implement archives legislation demonstrates failure of county governments to accept responsibility for managing their records and disregard for the role public archives play in service delivery. When the public archives are dysfunctional government loses the resource they need to work effectively and efficiently. In the short-term citizens lose the resource they need to call their government to account. In the long-term historical records memory is lost.

5.6.11 Records Management Capacity Model (RMACM)

This study has revealed that although the records management assessment model was designed initially to measure records and information systems in financial management it can as well be applied in assessing devolution of records management (Demb, 2008; Griffin,

2004b; Külçü & Külçü, 2009) The focus of RMCAM is on records as evidence, life cycle of records, records management systems and records management infrastructure. Records are valued because they provide evidence of events, transactions, and decisions which can be used to verify or challenge what occurred immediately or long after the documented events transpired. According to Thurston (2020) evidential qualities can be compromised through poorly managed records which can easily be lost, altered, fragmented, corrupted or destroyed. That with each of these losses, transparency and accountability are diminished and the ability to measure compliance, extract meaningful data and use the information as a reliable measure of development is compromised. The findings of this study like the extant study is that devolution of records management infrastructure must be in place to ensure the protection of evidential qualities of records. Such infrastructures require improvements for managing records from creation to disposal such as registries, records centres, and archives. The records management infrastructure will also set rules for the orderly and timely transfer of semi-current records of continuing value to a records centre and records of permanent value to an archival repository (World Bank et al ,2000).

The practice of splitting records management and archival phases in the life cycle approach proposed in the RMCAM that informed this study is no longer regarded as effective in devolution. Instead, records and archives management are to be placed under one county government department as records are managed as a continuum which suggests that four actions continue or recur throughout the life of a record namely: identification of records; intellectual control; provision of access; and physical control. These paradigm shifts challenge traditional perceptions of recordkeeping responsibilities in Kenya and has wider implications for the interpretation of the RMCAM standard and associated guidelines.

The study findings prove that Kenya's devolution of records management model is not as progressive as that in other African countries such as South Africa. The Kenyan model of devolution of records management lags behind because of its emphasis on archival management rather than management of records throughout their life cycle supported by appropriate records management infrastructure and purpose designed records management systems (Platform 2014). If Kenya wants to change the pattern of repetitive bad practices in records management prevalent since independence and optimally reap from devolutionary reforms like other African countries it should conduct an audit of all existing archives laws, regulation, policies, both procedures and practices. The aim is to define SNG records and ensure the establishment SNG archives with a mission to steer proper devolution of records management program in SNG.

5.7 Chapter Summary

The chapter has discussed major findings of the study using the perspectives of departmental records management officers, Head of records management units, Chief Officers, Directors, archivists, analysis of documents, observation and the extant literature. The discussions were guided by research questions one to five of the study. The discussions have illustrated the relationship which exists in the findings of this study with those of extant literature. In some respects, these study findings concur with those of the past literature while at the same time there are points of departure and new knowledge is demonstrated. The findings of the study show that failure of the county government to implement appropriate framework of devolution of records management leads to failure to allocate sufficient resources to implement records management infrastructure which demonstrates disregard for the role public records and archives play in service delivery. When the public archives centre is dysfunctional

government loses the resource, they need to work effectively and efficiently. Consequently, citizens are made to lose the resource they need to call their government to account. In the long-term historical records memory is lost. The next chapter summarises the findings of the study and makes conclusions and recommendations.

CHAPTER SIX

SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

6.1 Introduction

This chapter summarizes the research findings, draws conclusions and makes recommendations based on the findings of the study. The research questions which guided the study from one to five were.

- i) What is the nature of records transfer to county governments in the four selected counties in western Kenya?
- ii) How adequate are current records management practices in promoting devolution of records management to county governments?
- iii) How suitable is the existing records management infrastructure in supporting devolution of records management to county governments s?
- iv) How are the counties addressing the challenges they are facing with devolution of records management?
- v) What framework is suitable in devolving records management to county governments?

6.2 Summary of Findings

The purpose of this research was to examine the devolvment of records management to county governments in Kenya, a study of four selected counties in western Kenya with a view to identifying any gaps and suggesting an appropriate framework for refining the records management programme. This research established significant findings regarding devolving of records management. The findings are summarized and presented according to research subthemes the chapter also suggests ways devolution of records management to the county

governments in Kenya can be promoted and explains how the findings of the study will be disseminated and makes suggestions on areas for further research.

6.2.1 The Nature of Records Transfer to County Government

The first research question of this study sought to analyse the nature of records transfer to county governments. The study found out that: Closure and transfer of records of devolved functions though complex was regarded as an easier element of devolution compared to the transfer of other administrative elements such as human resources. Devolutionary changes did not pay attention to the records involved. This led to loss of vital records, lack of records storage space in counties, failure to appraise records before relocating them, records damage during the movement, and movement of records not being planned, organised and senior management less involved. This is because the exercise was not based on a suitable criterion able to address requirements of transferring records of devolved functions.

6.2.2 Records are not recognised as county governments' strategic resource without which counties could not operate, manage other county resources and county residents be able to hold their local governments accountable. As a result of various barriers such as pending of records transfer at the national government and lack of information sharing agreement between national and county governments both the county governments and the residents could not easily access records they required.

6.3 Current Records Management Systems in Supporting DORM

The second research question of the study sought to analyse in what ways current records management systems were supportive of records management devolution to county governments. The findings of the study were:

- 6.3.1 Dysfunctional records management systems in the central government such as outdated classification and indexing schemes, inappropriate registry procedures and under resourced archival systems were imposed on county governments. The records and information need of the county government officials could not be met as a result which undermined the counties' ability to formulate, implement and sustain effective policies and programmes on devolution programme.
- 6.3.2 Devolution of records management resulted in inequity in the provision of records and archives services to the county governments and to county residents. Some county government agencies inherited ample records storage space and facilities for keeping records of devolved functions and were therefore able to start provision of records and archives services on a solid foundation. However, other county government agencies could not provide comparable archives and records services because they did not inherit any such infrastructure and staff and even the limited existing records offices were converted into offices for the incoming county government offices.
- 6.3.3 Makeshift records centres for servicing semi current records of devolved functions were established in inappropriate sites such as basements, garages, kitchen and halls of the former local authorities. In addition, the county records centres lacked appropriate equipment and supplies for servicing these records such as for detection and suppression of fire, security systems, environmental controls, and quality supplies. This was coupled by the absence of the Kenya National Archives developed framework to guide county governments on establishment of county government records centres.

- 6.3.4 County Government's established departments of records and information management could not implement DORM activities such as develop and review records management policies and coordinate information and records management within the county because they lacked senior management support.
- 6.3.5 Although the Kenya National Archives and Documentation Service was assigned responsibility for overall management of all public records of one national government, 47 county governments and county government units such as cities, municipalities, towns, sub county governments, wards and villages. However, the existing Kenya National archives lacked appropriate mandate to manage public records throughout their life cycle and the requisite resources to effectively oversee the management of records both at the national and the county government agencies.
- 6.3.6 County governments adopted Integrated Records Management System designed for managing in the national government. However, the adopted system could not meet each county's specific records and business requirements as a result feasibility studies had been initiated by the County Governments with the aim of up scaling its capacity and interoperability with other systems such as enterprise resource program.

6.4 Management Infrastructure and Policy Framework

In the third research question, the study attempted to investigate how proper the current records management infrastructure was in supporting devolving of management of records to county governments in Kenya. The findings were as follows:

- 6.4.1 The objectives of Transition to Devolved Government Act, 2012 (now expired) and Mechanisms for Closure and Transfer of Public Records and Information Regulations, 2016 which governed the transfer of records of devolved functions to county

governments did not cover devolution of records managements to county governments.

- 6.4.2 The constitution of Kenya 2010 devolved some members of the information sector such as library and museums but failed to devolve others such as the devolvment of the state's responsibility for archives from the central government to the country's 47 county government although it is a member of the same family. As a result, the fourth schedule of the present constitution of Kenya does not list records management as a functional area of county government's legislative competence to enable the local governments enact archives act, to establish and maintain their own county government archival infrastructure.
- 6.4.3 The Public Archives act cap 19 of 1965 laws of Kenya which mandates Kenya national archives to oversee management of records both at the national and county governments predates the constitution of Kenya 2010. The archives act did not support DORM as it did not contain any specific provisions that require division of records management responsibilities between the National government and the devolved units.
- 6.4.4 County assemblies had not enacted archives legislation modelled after the public archives act cap19 but with provisions being made to the specific county government application and relevance for establishing and maintaining each county archives and archival infrastructure. County government archival legislation is a requirement for establishing and operation of county government archival infrastructures such as city archives, municipality archives, and sub county governments archives and for appealing for budget and support and gives justification for the program's continuation during hard budgetary times

6.4.5 The county governments had formulated policies on records management but such documents were in draft form meaning senior county government officials had not approved undertaking of archives and records management activities in their respective counties. Some of the constraints for the slow pace in development and operationalization of the records management policies included: lack of political will, inadequate skilled and competent personnel, limited time, and financial constraints.

6.5 Strategies to Counter Challenges Undermining Devolving of Records Management

The fourth research question of this study sought to investigate strategies to counter challenges facing devolution of records management in Kenya. The study started with identifying the following challenges:

6.5 .1 County governments did not as a result of devolution attract adequate and skilled records staff able to effectively carry out archives and records management activities such as design appropriate classification systems. There was a misconception that devolution of records management programme could be implemented by any staff devolved to county governments who could not perform in any of the devolved functions because records management is manual work in nature which did not require any specialised training and that where a certain skill was required the staff could be trained by an induction course and being made to read manuals and taking some workshops.

6.5.2. Devolution of records management to county government lacked the support of adequate and appropriate records management infrastructure in terms of space and facilities for keeping of current, semi current and none current records. Expanded functions and activities and competing demand for office space due to implementation of devolution resulted in counties establishing makeshift records management

infrastructure for records as existing records storage rooms were converted into offices for the incoming county government officers.

6.5.3 Sufficient and sustainable financial resources did not accompany devolution of records management to county governments due to various factors. Budget for records management in county governments was not based on proper costing of implementation of the public archives act and financial implication understood and taken into account. Inadequate funds prevented county department of records management from mounting effective records management programme in the counties which led to the lack of needed support for devolution of records management programme making the programme vulnerable of being disregarded by county governments.

6.5.4 Kenya government's election cycle interrupted implementation in county governments' devolution of records management projects and forced county records managers to adopt plans that were bound to be changed with each new political administration. Changing administrations due to election outcomes caused halting of initiatives where considerable work had already been undertaken by past administrators which hampered long-term development and execution of strategic plans within local government

6.5.5 There was weak leadership support for devolution of records management programme to county governments from the Kenya national archives and Documentation Service, the county government assemblies, Chief Officers and the Archives and Records Management Associations.

6.5.6 The placement of records management in an obscure department of human resource in the county government organisational structure as a sub programme rather than in politically powerful department such as the governor's office which deal with coordination issues in the county hampered the records department's capacity to exercise the oversight and monitoring role over county government's devolution of records management activities effectively.

6.6 Strategies to Address the Challenges faced in Devolution of Records Management

The fourth research question of this study sought to identify strategies to militate the challenges facing devolution of records management in Kenya. The following strategies were identified

6.6.1 On inadequate allocation of funds, national archives and county departments responsible for records need to cost implementation of public archives act in the county governments and request each county assembly and respective county government treasuries to allocate a percentage of the county government total budget for implementation of the act. In addition, county government archivists and records managers with the assistance of county assemblies should establish new sources of revenue such as establish fund. The national archives should request the commission for revenue allocation to allocate funds from the equalization fund for establishing in sub national governments records management infrastructure. Also in order to obtain increased and sustained budget support archivists and records managers use the limited allocated resources to demonstrate how effective devolution of records management programmes could contribute to the broader mission of devolution.

- 6.6.2 In terms of human resource, a study should be commissioned to determine DORM staff needs realistically, reassess post levels, create clear career path and develop strategies to retain skilled staff, identify and increase opportunities for training and professional development, establish bursaries and support internship. Also archives legislation should require appointment of the head of the archives and records management services in county government be trained in archives and records management and define his statutory duties and responsibilities. In addition, the recruitment, training, promotion and the professional qualifications of middle and senior archivists, and the classification of records staff both in the archives and records services and those working in government agencies should be addressed in a scheme of service.
- 6.6.3 In order to ensure archives and records management projects do not stall due to election related staff changes the time frame for such projects' completion need to be short in the neighbourhood of one to three years.
- 6.6.4 On inadequate archives and records facilities, the national archives and intergovernmental technical committee should conduct a national audit of records and archival infrastructure to establish the state and status of archival infrastructure supporting DORM and to cost the construction of new facilities or rehabilitation of the makeshifts to address the deficiencies. The audit will inform development of strategies to centralize specialized equipment, skills, expertise so that they are available and accessible to records and archives institutions.
- 6.6.5 On leadership deficiency, ministers responsible for DORM in county governments should champion the cause of devolution of records management across the county

government. An archives council appointed by the national and county archives should promote devolution of records management by providing advice to minister of archives and archives itself ensuring decisions made by the archives on devolution of records management reflect community interest and concerns as represented by members constituting the advisory council. The records and archives profession should strengthen devolution of records management through advocacy

- 6.6.6 Archives and records management department should be subordinated to a politically powerful department in the county government's organizational structure but the archives budget be made distinct and separate from programmes of the department it is subordinated to. Such placement will enable the archives to effectively deal with devolution of records management issues which have county government wide effect and normally dealt with at the top. Such issues include the legal authority of the records and archives programme, formulation of policies, provision of storage facilities and development of disposal programmes.

6.7 Conclusions of the Study

The study was on records management devolving to sub national governments in Kenya. The position of the records management reform programme is that in spite of some success in the enactment of the Devolved Government act of 2012 and subsequent formulation of Mechanisms for Closure and Transfer of Public Records and Information, Regulations, 2016, to facilitate the closure and transfer of records of devolved functions much work still remains to realisation of full devolvment of management of records. Due to various factors such as lack of a supportive records management infrastructure implementation of DORM was disjointed.

Records systems formerly designed for meeting records and information needs of the national government were imposed on the sub national governments short of regard for the distinctive business and records management requirements of the lower tiers of governments. Further, this study concludes that inadequate resources in terms of funds, staff, equipment and facilities accompanied DORM to county governments. Inadequate allocation of resources to the National Archives limits its capacity to undertake an expanded mandate of overseeing DORM programme at the national and at the county governments' level under the public archives act, the Transition to Devolved Government act and, the Mechanisms for Closure and Transfer of Public Records and Information, Regulations. This study established the theory that development of a framework according to some clear conditions will lead to the realisation of effective devolvement of records management to sub national governments.

6.8 Recommendations of the Study

Based on the findings and conclusions, the study makes the following recommendations for improving devolution of records management to county governments.

6.8.1 The Kenya's Intergovernmental Technical Relations Committee with Stakeholders should develop and enforce a Criteria on Closure and Transfer of Records of Devolved Functions to the County Governments

The finding of this study is that the exercise of closure and transfer of records of devolved functions encountered various obstacles such as due to lack of storage records ended up being stored in insecure places such as corridors and under stair cases. This is because records were not regarded in the existing regulations as a strategic resource without which the counties will not perform functions legally and constitutionally devolved to them. There is need for the Kenya's Intergovernmental Technical Relations Committee with stakeholders such as the

Kenya National Archives and Documentation Service to develop and enforce criteria on closure and transfer records of devolved functions to county governments as devolutionary changes in Kenya continue to evolve in the face of new political, social; and economic realities. Such criteria will deal with all challenges that have slowed progress in the closure and transfer of records such as the cost of changing the whole of range of stationery to reflect the new name of the CG, failure to appraise records before relocating, lack of adequate records storage for newly created devolved units and ownership rights of records of devolved functions. The records transfer criteria shall consist of i) legislation which recognises records as a resource and an asset and provides that the status of public records does not change due to devolutionary changes and their subsequent closure and transfer from the central government to the sub national units, ii) there are standard records management devices and systems such as records retention and disposal policy, records retention and disposal schedule, agreement on information sharing, contract between national and county government, iii) capacity assessment before records transfer to a county government is undertaken to determine the availability of competence and qualification of the records officers and adequacy and appropriateness of records storage facilities, availability of records keeping infrastructure iv) and availability of senior management support in terms of availing necessary financial resources. Such a records transfer criteria could be used to govern transfer of land records at the Ministry of lands headquarters in Nairobi required in the county department of lands in county government of Bungoma. Also county government of Vihiga could use such criteria to transfer to its custody records of the defunct Vihiga municipal council dumped at county assembly offices at Majengo. County government of Kakamega could also use the criteria for

transfer of human resource records at the western regional commissioner's office to its custody.

6.8.2 The County Secretaries, The Intergovernmental Technical Committee and the Kenya National Archives should ensure adequate and Appropriate Records Management Infrastructure is in place to support DORM

The study findings are that devolution resulted in inequity in provision of archives and records services to county government officers and county residents due to uneven distribution of infrastructure for records management units, records centres and archival repositories. Devolution resulted in the conversion of existing rooms into offices for the incoming county government officers and of defunct local authorities' halls into records centres for servicing semi current county government records. The Kenya national archives and intergovernmental technical committee should carry out a national audit of archival repositories, records centres and records management units, preservation facilities and equipment and systems to determine the state and status of the archives and records infrastructure in counties and cost the construction of new facilities or rehabilitation of makeshifts to address inadequacies. The commission of revenue allocation should avail funds from the equalisation fund to meet infrastructure needs, the construction of new purpose-built archives or rehabilitation of makeshift archival facilities inherited by the sub national units. Also the audit will inform the development of strategies to share equipment, skills and expertise. County secretaries should ensure before closure and transfer of records of devolved functions standard records management units and records centres are established in all the county government agencies. The input of archivists and records managers should be sought when such records keeping infrastructure are constructed to ensure the records storage areas are equipped with proper

physical records storage conditions and are availed modern fire detection and suppression capabilities, security system, environmental controls and use of preservation quality supplies.

6.8.3 The Ministers in Charge Devolution of Records of Records Management should Strategically Build Capacity, attract and retain Skilled Staff

This study finding is that unqualified staff were responsible for devolution of records management programme because implementation of the programme was unable to attract and retain qualified staff at the county governments. The minister in charge of devolution of records management working with the County Treasuries, County department of Public Service Boards, the state department of Education, Tertiary Institutions in The Kenya Schools of Government and the Kenya Association of Records Managers and Archivists should address the factors limiting devolution of records management programme from attracting and retaining qualified records staff. The Minister in charge DORM with the stakeholders should determine staff needs in county government departments realistically, create clear career path for county government archivists and records managers, identify and increase opportunities for training and professional development and establish bursary schemes and develop and enforce a code of ethics for the archives and records staff.

6.8.4 County and National Government Assemblies Should Allocate Adequate Funds to County Departments of Records and Information and the KNADS respectively.

The finding of the study is that the model of funding DORM through the budget appropriations of the department where archives and records service was subordinated resulted to underfunding of DORM. The Ministers in charge of archives and records departments, the Kenya national Archives and documentation service together with the council of governors should cost implementation of DORM based on the public archives act cap 19 and The

Transition to Devolved Government (Mechanisms for Closure and Transfer of Public Records and Information) Regulations, 2016 and request the national government and each county government treasury to address the shortfall. Also, the minister in charge of archives and the Kenya National Archives should apply for conditional grant from the commission for Revenue allocation for archives services. This is to boost the DORM in county government across the country through massive investment of resources made possible through the grant. The minister in charge of archives and records department in county governments should ensure funds appropriated to DORM are distinctively earmarked for that programme instead of letting the programme being made to survive on budgetary residue that is likely to remain after expenditure. In order for devolution of records management to attract funds the local records management professionals should market archives and records services. Counties assemblies should observe the fiscal devolution principle of equitable sharing of available resources and consequently allocate a percentage of the total budget of a county government to DORM activities. Also when the county archives and records service are established they should seek the approval of their respective county assembly' to come up with new ways of raising revenue. County assemblies could establish a revolving fund and allow county government archives charge fee for services rendered to other county agency staff such as workshops. The amount received can be ploughed back to support the DORM programme.

6.8.5 The Governor's Office and the Public Service Board Should ensure Archives and Records and information Department in the County Government to Perform Transversal Function in DORM

The findings of this study is that the placement of the county records and information management department in an obscure ministry of Public Service and Administration which dealt with human resource rather in a politically powerful ministry such as the governor's

office which coordinates implementation of devolution activities limited the archives department's ability to oversee DORM activities in other county government ministries despite the commitment and efforts of its local records keeping professionals. The governor's office should ensure archive department is subordinated to a politically powerful county ministry so as to accord it with authority and resource to oversee DORM in the county. The location of archives will also ensure the records department has the political clout and support to effectively deal with DORM problems which is dealt with at the top governmental structure. These problems include: the archives legal authority and its policies that have governmental wide effect.

The County Public Service Board should raise the status of the in charge of the records department to a director. Being at a deputy director heading a sub directorate of a county government excluded the archives from management meetings and other decision-making forum. This meant the deputy director is dependent on senior officials (directors) to fight his cause which is difficult task for someone who is not acquainted with the intricacies of DORM and the immediate needs of the programme or who has to attend to competing demands of two or more sub directorates.

6.8.6 County Assemblies and County the Public Service Board Should Establish County Archives and Records Service

The study findings are that the Kenya National Archives could not effectively oversee implementation of devolution of records of management programme to the county governments given the limited resources at its disposal coupled with an expanded mandate. Each of the forty-seven County Assemblies in Kenya should promulgate its own archives legislation which shall provide for each county to establish and maintain its own archival

infrastructure comprising of county, Sub County, city, municipal, and township archives. This county government archive infrastructure will care for records not traditionally cared for by the national archives. Such records include archival records acquired from individuals and county government agencies, oral histories, photographs and film, leaflets, badges, newspapers, books, all items which are perceived as reflecting significant aspects of the county government. The other roles of county archives will be to: establish legal minimum retention periods and regulate disposal of county government records through; review of requests for disposal of records, approval of records retention and disposal schedules, and promulgate and distribute records retention and disposition with county wide applicability. In addition, the other roles of the archives will be to: provide technical advice and assistance on various areas of records management systems such as security, protection of vital records, records system and electronic records management systems. Such local archives assistance can be given through field visits, workshops, training institutes and publications.

6.8.7 The Cabinet Secretary in Charge of Records Management in Kenya Working with Stakeholders Should Anchor Devolution of Records Management in the Constitution of Kenya of 2010.

Devolution of records management was being implemented without a comprehensive records management infrastructure support. That is the transfer of archives and records management to county governments has been more de facto than de jure. The Cabinet Secretary in charge of archives and records management in Kenya and the Kenya National Archives should make an inventory of all records management infrastructure currently governing devolution of records management and identify weakness in the existing constitution, laws, regulations, policies and circulars that will need to be modified in order to provide appropriate legal framework to implement devolution of records management.

The Cabinet secretary should request the National Assembly to amend the fourth schedule of constitution of Kenya of 2010 on the list of functional areas of exclusive county government legislative competence on cultural activities to include archives, in addition to libraries and museums. The national government in line with the amended schedule should enact or amend the public archives act cap 19 so that it applies to the Kenya national Archives. The County government on the other hand should each enact a legislation which applies to its own county government archives. The county government archives legislation should be modelled on the national archives legislation with provisions made for county government application and relevance.

The revised public archives act cap 19 laws of Kenya and ratified county government archives laws should obligate the Kenya National Archives and the County Archives to create standards offer guidance and assistance to county governments in undertaking their management of records role.

It was also revealed by this study that both the National and the county governments were at various stages of developing and publishing records management policies. It is recommended by this study that the draft county records management policies at county governments of Kakamega and Busia should be endorsed at the governor's office the highest decision-making level in the county and promulgated throughout the respective county governments. Also the draft national records management should equally be endorsed at office of the president the highest decision making level in the country. The national and county policies should be supplemented by procedures and guidelines, planning and strategy statements, and disposition authorities which together would make country records management regime. Responsibility

for ensuring compliance in implementation of the policies should be assigned to the national and the County archives. Other county governments which did not have such policies should also come up with records management policies.

6.9 Proposed Framework for Devolving Records Management to County Governments in Kenya

The aim of this study was to develop a suitable framework to support effective devolution of records management to County Governments in Kenya. In line with this, the study has developed a framework on devolution of records management to county governments, which brings together essential components which establish the requirements for devolution of records management programme. The framework on devolution of records management has not been conceptualised in this way in the literature. Hence the framework has been developed through the analysed data, the theoretical framework covering the principle of subsidiarity and the records management capacity model and distillation of the key factors identified through the study objectives as shown in figure below

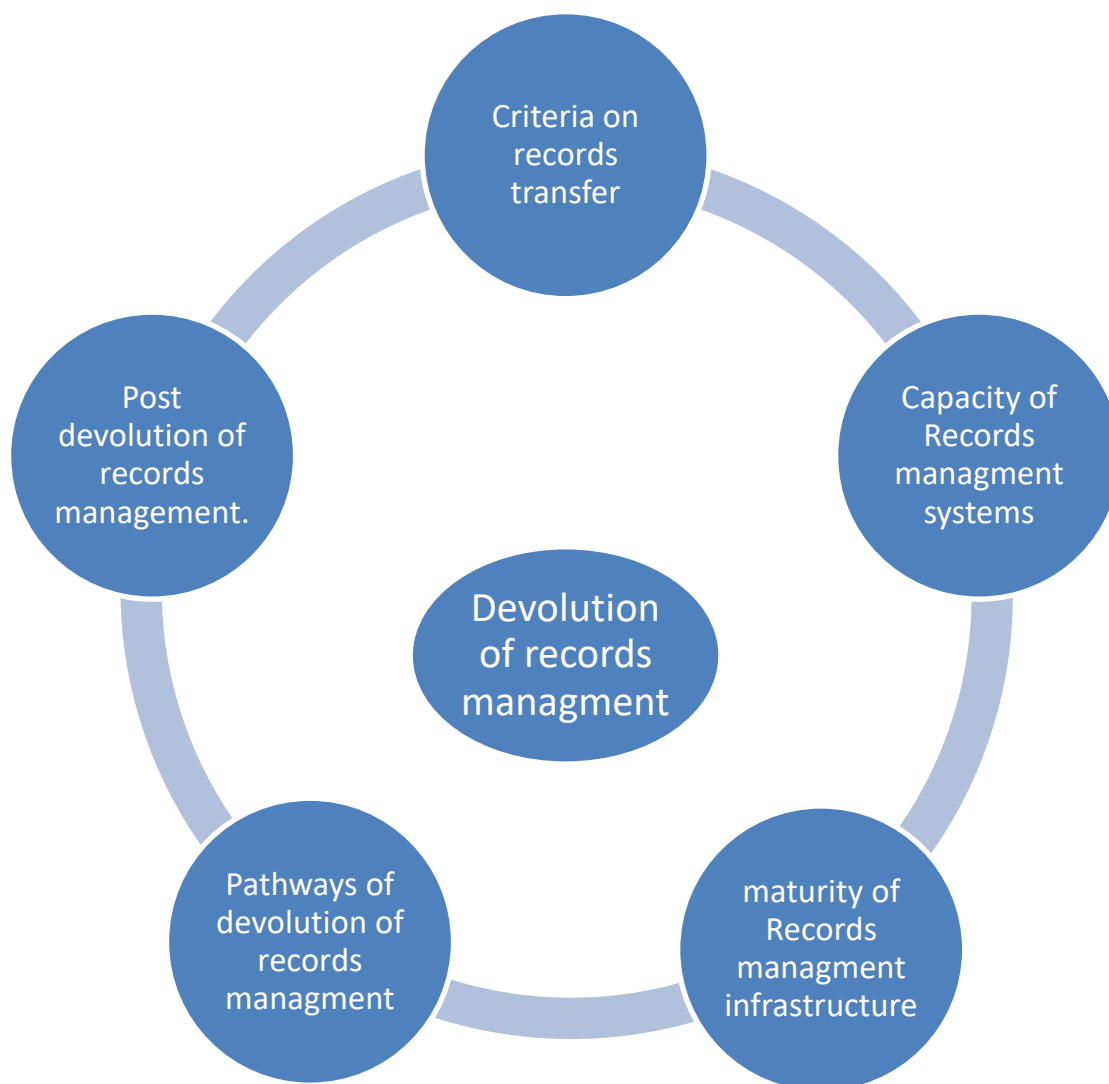


Figure 5: Proposed Framework for Devolving Records Management in County Governments

6.9.1 Purpose and Promise of Devolution of Records Management Framework

Devolution of records management (DORM) programme offers to records and the county governments diverse opportunities. It warrants regular contact between record keeping professionals and administrators at the local devolved units that generates records. This offers a chance to the professionals to supervise the records as they pass their life cycle phases. Also this reform enables devolved governments be more responsive and accountable to citizens,

enhances legitimacy of government through promotion of individual and community welfare and allow for more effective and inclusive decision making. According to the findings of the study devolution of records management was viewed as having the ability to unlock county governments full potential, enabling the sub national governments in tackling emergent threats, see the trends, conducting frequent monitoring and evaluation of implementation of devolution activities against allocated resources. In Kenya, devolution of records management programme should aim at: promoting social and economic development; the provision of proximate, easily accessible services throughout Kenya; enhance government responsiveness to the needs of the citizens and promote equitable, efficient and prudent utilization of public resource (Ministry of Devolution & Planning, 2016)

6.9.2: Criteria on Closure and Transfer of Public Record

The study revealed that the closure and transfer of records of devolved functions exercise was haphazardly done This was because it was not based an exhaustive criterion as records were recognized as a county government's strategic resource and asset. Poor closure and transfer of records is both a business and records risk. A criteria should cover:

Existence of legislation, policy, regulations

Law: Existence of a legislation requiring predecessors of the devolved units to hand over records of devolved functions to the successors in the event of devolution. It is legislation that make organisations to regard records as integral and vital to continuation of organisation's business during devolutionary change.

Policy: Records disposal policy should be formulated and issued from the outset of the closure and transfer of records of devolved functions exercise. Policy is the approved way of operating

which is clearly spelled out so that people know exactly what to do and how to do it. The policy should direct that no records should not to be destroyed before appraisal and without the prior written approval of the records and archives centre. That all records of devolved functions that have been closed and are no longer useful for administrative purposes shall be appraised to determine their value for permanent retention or destruction.

Agreement: The national government and county governments which transfers and receives records of devolved functions respectively should enter into an information sharing agreement. The agreement specifies the terms of access, together with disclosure, confidentiality and data protection considerations; and basic service level such as enquiry turnaround times.

Plan: The records and archives centre and each government department closing and transferring records of devolved functions should work together with archives to develop a records closure and transfer action plan. The action plans contain detailed tasks to be performed by a department closing and transferring records of devolved functions such as: who would remove records being transferred from the storage areas and equipment, who will complete the records closure and transfer forms. A retention and disposal plan is important to ensure valueless records are destroyed before transfer while valuable records are transferred to archives. A records survey carried out by the national archives and a subsequent report on records earmarked for transfer to county governments must be written. The survey report should provide a detailed records report together with information about retention decision, the reasons behind them and the breakdown of transfer or disposal action. The report has to be clear and definitive, contain enough information in accessible format to allow staff to make decisions about selecting records for retention or destruction within a limited time frame

Capacity Assessment: A capacity assessment to determine a county government's readiness to receive the records of devolved functions has to be undertaken preferably by a Closure and Transfer of records of devolved function group. A county government's readiness should be measured in terms of: whether it has qualified and competent records and archives staff, whether adequate and appropriate records storage facilities are available; and whether a county government has financial resources to meet expenses associated with transfer and receiving records of devolved functions. Financial resources are required to meet training expenses for personnel required to carry out specialised work such as electronic data migration and for storage and relocation of record activities

A Records closure and transfer Group: There must be a closure and transfer of records of devolved function group. The group would comprise: The Transition Authority; The Public Service Commission; The Ministry of Interior and Co-ordination of National Government; The Department of Public Service Management; The Ministry of Sports, Culture and the Arts; The National Archives and Documentation Service; The National Economic and Social Council; and The National Treasury. The aims of establishing such group are to: to set clear objectives and time-scales for closure and create an interactive environment for discussion, liaison and co-operation. The group setting allows records specialists to clarify reasons why records were such a central issue and gives the records closure and transfer process the support of high-ranking officials. The role of the Kenya National Archives and Documentation Service is in guiding implementation of the regulations on closure and transfer of records of devolved functions to county governments. The other role is to receive closed which have archival value.

6.9.3 Records Management System

The study revealed that inadequate record management practices in the previous national government were imposed on the county governments. Records management practices supportive of devolution of records management should be adopted. Such practices are designed to match the objectives, functions and values of the relevant county government. In addition, records management systems must be adapted or replaced over time to meet changing records and county government business requirements.

Review and Redesign records management practices: The starting point is to conduct an investigation using documentary sources such as acts and reports and through interview. The purpose is to identify records requirements, role and purpose of county government, and the relevance of the existing records management practices. A report on review and redesign of county records management practices should be done. The report is discussed between the national archives representative with the county government office whose systems are being reviewed. Thereafter various options are explored and decisions made. Also at the discussion of records management practices stage decision are made whether the records management practices should be computerized and should that be the option the software package to be used is agreed. Thereafter, an action plan is developed and may include a piloting is done. The scope of records management practices review and design should cover all aspects of DORM including records creation and capture, file and information classification systems, retirement, retention and disposition and archiving.

Records creation and capture: In regard to creation and capture of records, DORM require a county government to establish a relationship between the records, the creator and the business context which originated it. County government should change stationary including

letterheads and file covers which previously made reference to the national government to now reflect the new name and image of the county government.

Classification and indexing system. The county government should design classification and indexing system which reflect the business of the relevant county government. A classification and indexing should be supported by vocabulary controls that are suited to the complexity of the records of a county government. Allocation of numbers and codes to county government records is important so the records may be retrieved with easy. A county government whose records classification and indexing systems are reviewed and new designed has to identify key staff who should be involved in the system changes. Mostly this are records staff and others whose duties involve them in records handling. A key element in design of classification system is a records inventory whose aim is for identifying all the information resources of the organization. All records accumulation and storage points as well as offices have to be inventoried. The uses of inventory are that they show the totality of the records and organization including offices and storerooms. At this point, files whose titles are inaccurate or misleading are also closed and new ones opened. The records are then physically rearranged according to the new filing system. The staff is trained in techniques such as classifying, file activity analysis and indexing.

Model records management unit: County government should establish appropriate records management units such as decentralized, centralized, devolved and combined. However, any records management unit established by counties should be equipped with experienced and trained records management employees as per a given scheme of service for record management officers. Also the records office has to have acceptable records storage facilities that include both physical rooms as well as apparatus. Records management activities at

county government are to be presided by the County Records Management Units, supplemented by the Sub County Records Management Units and Departmental Records Management Units. County Records management units are responsible for the setting of county wide policies and standards for the effective management of records. The other functions of the county records management units are to oversee the creation of appropriate filing systems, the formulation and implementation of retention and disposal schedules. Departmental records management units are to utilise policies, procedures and standards issued by county government records management unit.

Model Records centre: The study findings were that purpose-built records centres had not yet been established by county governments for servicing semi current records especially those records closed and transferred to county governments. County governments should establish records centres based upon a framework developed by Kenya National Archives first to receive records being closed and transferred from the national government and later from their records management units. Such guidelines should include: records centres are built away from central business district in areas where accommodation is relatively cheap and there is minimal atmospheric pollution, provide secure accommodation in shelves and other storage containers for all records, protecting them from dust, dirt, heat, humidity and sunlight; provide secure access to storage areas to prevent loss or damage to records. whether construction of records centre building is sound, clean and well maintained with stable environmental and space for present and likely future. Whether services such as transfers are arranged, what transport is used, how quick deliveries can be made, express services for urgent requests, whether staffs are trained and knowledgeable about records management procedures, responsive to customer needs and vetted. Whether there are standard charges, is insurance

provided, charges made for retrieval, costs of removing records before termination of contract and how charges are reviewed

Model County archives system: each county government should establish and maintain its own archival infrastructure consisting of county archives, sub county archives, ward archives, city archives, and municipality archives. County archives should develop programmes that concentrate upon the education of local officials in records matters and the creation of local programmes. The other roles archives include: establish minimum legal retention periods and regulate the disposal of SNG records; provide technical advice and assistance on various aspects of records management systems to SNG and such assistance be provided through field visits, workshops, policies, training institutes and publications. In addition, county archives are to develop programs to ensure identification and preservation of records with enduring value. The archive is required to accession records of interest to the county. The accessions standards to be followed include: records are systematically appraised, archival records are protected, records are arranged and described and records are accessible to researchers. The other archival role is to consult with SNG agencies whose regulatory and supervisory role have impact on recordkeeping and monitor recordkeeping impact of national government programs administered through SNG agencies. The archive is to advise and provide assistance management of e records program and develop SNG wide strategy to meet records conservation and needs of repair of deteriorated records and organise SNG wide disaster assistance program

6.9.3 Devolution of Records Management Requirements

Analyzed data revealed that devolution of records management programme to county governments in Kenya had been happening in more de facto than de jure or by default rather than being supported by appropriate records management infrastructure.

Model Constitution for devolution of records management: A model constitution that promotes devolution of records management should have a provision on devolution of Archives as functional area of special legislative competence of the county governments. The fourth schedule of the constitution of Kenya 2010 on the “list of functional areas of exclusive county government legislative competence” should be amended to include archives other than the Kenya National Archives and Documentation Services.

Model National Government Public Archives Act Cap 19 laws of Kenya:

The constitutional devolution of the national archives should require the National Assembly to enact a legislation that applies to Kenya National Archives and Documentation Service (KNADS). The 47 county governments should each enact a legislation that apply to their own county government archives and local archives. This means KNADS takes responsibility for the records of the national government ministries and departments while responsibility for records of the county government departments are taken care of by the devolved county archives. To ensure a coherent and compatible archival system, model National Public Archives Act should contain specific provisions that impact on the archival and records management services delivered by the county government archives service.

6.9.4 Pathway to Devolution

Placement: Placement of DORM within the county governance structure is a basic requirement of the programme. Placement of DORM in a politically powerful county government agency such as the governor's office will ensure devolution has a strong support. The ability of DORM to achieve its goals is directly related to the resources which are provided by the CG. Strategic placement will ensure DORM activities are not marginalised but considered favourably during resource allocation as they are essential for the daily functioning of the county government. The location will ensure the programme obtain required support and assistance of the top management. The support is needed in addressing problems of introducing a new programme such as introducing necessary laws and policies.

Financial Resources: Financial resources are critical to the success of any effort to implement devolution. of records management activities or even to escape the "DORM cycle of poverty". The existence of a supportive records management infrastructure will not bring about success in devolution of records management unless resources to implement the laws are made available. The costing of implementation of the public archives act cap 19 laws of Kenya must be done by the national state department where archives falls and its counterparts in the county governments. Then the national and county government treasuries can then be requested to address the adjustment of budgetary allocation.

Effective devolution of records management must have the county government legislature allocate a percentage of the total county government budget to cater for records management programme. The actual costs of implementing records management programme should be spread across all county government agencies rather than being centralised and focused on a

county records management department responsible for records and archives alone. This is because county government are larger and complex which require records management related functions are handled directly by personnel in other county government agencies.

Staff: The quality of any records management programme is directly related to the quality of its staff that operates it. It has been argued that Kenya has a pool of professionally trained records managers. However, it is also acknowledged that the Kenya Constitution 2010 requires new thinking which entails planning and engagement with citizens which is not familiar even to those who have been working in records management for many years. County governments should have employee training and development programme that covers: conferences, seminars and permitting staff members time off for writing or research. County government should formulate human resource policies. A clear career path and incentives to records managers and archivist for good work will go a long way to attract and retain the staff.

Physical Infrastructure: Adequate records and archival infrastructure are essential in ensuring reasonable access to archives and records services to the county governments and the county residents in all parts of the Republic, so far as it is appropriate to do so having regard to the nature of the service. Devolution causes inequality in provision of archives and records services due to uneven distribution of records and archives facilities such as registries, records centres and archival repositories, to the counties. A technical team comprising the Intergovernmental Technical Committee and the Kenya National Archives and Documentation Service should be tasked to carry out an infrastructure audit to determine the records and archival infrastructural needs of the national and the county government. The ministers in charge of archives at the county government and the national government should

use the audit report to request their respective national and county government treasuries to fund records and archival infrastructural needs.

Leadership: Devolution of records management programme need strong leadership. The leaders are expected to influence people outside by explaining to them the importance of the DORM. This leadership is provided by the County government legislatures, the ministers in charge of archives and records management, the archives advisory councils and the professional bodies in archives and records management. The legislature is responsible for allocation of the resources to achieve specific goals for the new programme. The national archives should develop and promote standards that the local government officials can follow in administration of their records. Professional associations such as Kenya Association of Records managers and Archivist (KARMA) can promote awareness and understanding of DORM programmes, encourage and facilitate exchange of information among county government archives agencies and encourage study and research into the problems of DORM. Chief Officers in of the county governments can facilitate integration of devolution of records management records management infrastructure into county government policy documents such as County government integrated development plans.

6.9.5 Post Devolution of Records Management

This may be the final stage in implementation of a devolution of records management project. The aim is to monitor progress and measure success, so senior management in national and county government can be informed of results and so revisions to the programme can be made as necessary. Each of element of devolution records management need to reviewed. These are: the closure and transfer of records of devolved functions, the county records management practices such as the operations of the county records management units. The review and evaluation are carried

out against an agreed plan, as set out in records and archives legislation. This should include systematic inspections of records systems managed by county government to ensure compliance with records management procedures and policies, identifying areas of strength and weakness and measuring performance.

6.10 Dissemination of Research Findings

The thesis's findings and recommendations have implications for reforming records management in the county and the national government in Kenya. The issues raised are important in theoretical, policy and practical terms. The likely impact of this study is that it contributes to call for review and formulation of national and county records and archive legislations and policies to guide the design and implementation of new records keeping systems. The study findings will be distributed to devolved units through the National Council of science and Technology and publications. The findings have already been presented at the Information and knowledge management conference held on 20th to 24th August, 2018 and subsequently published in a 2019 Digital Technologies for Information and Knowledge management book write research articles.

6.11 Areas for Further Research

The thesis provides a study investigating devolving records management to county governments in Kenya, a case of four selected counties in western Kenya. It is recommended similar studies should be conducted in the remaining forty-three county governments, since the current study focused on only four out of 47 counties in Kenya. Also the study investigated devolution of records management to executive departments of the county governments there is therefore need to conduct a similar study on devolution of records management to county assemblies.

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APPENDICES 1

Appendix 1: Introductory Letter to Potential Respondents

I am a student at Moi University Eldoret, Kenya doing a PhD in Records and Archives management. As part of my research, I am carrying out a study topic titled **Assessment devolution of records management to county government: A study of four counties in western Kenya.** The study aim is to assess devolution of records management to county governments and develop a framework for effective management of the process. I have identified you as one of the participants to the study. The purpose of this letter therefore is to seek your assistance in completing this research project by setting aside some time of your busy schedule for an interview, to enable me to come up with a factual and relevant data. The information you will provide will be kept confidential, and will only be used for the purpose of the current study. Should you have any queries about the study, please do not hesitate to contact me at the following address or Moi University, School of Information Science, P. O. Box 3900, Eldoret, Kenya, Tel. 254 701 411 730/ 0722-281582 /nyamberi@yahoo.co.uk

Thank you in advance.

Yours faithfully,

Nyamberi N Elijah

Appendix 2: Interview Schedule for Head of Records Management Units

Section A: Participant background

County Government Address..... Telephone.....
 Website..... Designation.....Date Place of interview.....
 experience Highest academic qualification
 Gender.....

Section B personal information

1. a). What is your job description?
- b) Who is your immediate supervisor?.....

Section C: Types, sources and uses of records

2. a) What are the types of records transferred to the county government due to devolution?
- b) What are the formats of the records transferred to the county government due to devolution?
- c) What are sources of the records transferred to the county government?
- d) What are the sources of records whose transfer to the county government is pending?
- e) How important are records transferred to devolution in the county
3. **Records management systems supporting devolution of records management**
 - a) Which records management systems were used to support devolution of records management to the county government?
 - b) How adequate are the existing records management systems in supporting devolution of records management?

4. Section E Records management infrastructure and policy framework

- a) Which records management infrastructure and policy framework did guide devolution of records management to the county government?
- b) What are the strengths of each of the records management infrastructure and policy framework used in devolving of records management to the county government?
- c) What are the weaknesses of each records management infrastructure and policy framework used in devolution of records management to the county government?

5. Section G challenges and strategies

- a) What were the challenges encountered in devolution of records management?
- b) Which strategies are relevant in countering the challenges undermining devolution of records management?
- c) Which recommendations can you make to achieve appropriate devolution of records management to county governments?

Thank you for your time and cooperation

Appendix 3: Interview Schedule for Departmental Records Management Officers

Section A: Background information

County Government department Designation -----

Address.....Telephone..... Date of interview.... Place of
interview..... Gender Highest qualification
Experience

1. a) What is your job title ?

b) In which division (Finance,HRM) are you working?

2. Section B suitability of types of records, sources and uses

a) What types of records were transferred to department due to devolution?

b) What were the formats of the records transferred to the department due to devolution...

c) which other types of records associated with devolution is your department expected to receive?

d) What were the sources of the records transferred to the department as a result of devolution?.....

e) What are the other sources of records whose transfer to the department is expected?.....

f) How important to what the department does are the records transferred due devolution?

3. Section: adequacy of Records management systems

a) Which records management systems were used to support devolution of records management to the department?

b) How adequate are the current records management systems in supporting devolution of records management to the county government?.....

4. Section D: strength and weakness of infrastructure records management and policy framework

- a) What records management infrastructure and policy framework did guide devolution of records management to department?
- b) What are the strengthens of the records management infrastructure and policy framework that guided devolution of records management to the department?
- c) What are the weakness of the records management infrastructure and policy framework that guided devolution of records management to the county government?.....

5. Section G challenges undermining devolution of records management and strategies to address the challenges.

- a) What challenges has devolution of records management to the county government encountered
- b) Which strategies has the county government put in place to counter those challenges
- c) What recommendations can be made to achieve seamless devolution of records management?

Thank you for your time and cooperation

Appendix 4: Interview Schedule for Selected County Government Heads of Department

Section A: Background Information

County Government... Department.....Designation.....

Address..... Telephone..... Experience (years) level of educational
attainment (Diploma) Date of Interview.....Place of

Interview..... Gender

1. From the perspective of the department, what does devolution of records management involve
2. What is the mandate of the department/ministry?
3. How does this mandate help achieve devolution of records management responsibilities in the county?
4. What plan does the department have to improve devolution of records management?
5. Which policies govern devolution of records management responsibilities in the county
6. What strategies are in place to counter the challenges of devolution of records management
7. What recommendations can make to enhance devolution of management in the department/ministry

Thank you very much for your time and cooperation

Appendix 5: Interview Schedule for Archivists at the Kenya National Archives

Section A: Background Information

Institution Designation..... Gender..... Academic qualification

Address.....Telephone..... Email..... Website.....

Date of Interview..... Place of Interview.....

- 1 . What is the mandate of the Kenya National Archives and Documentation Services?
2. What records management responsibilities is the preserve of KNADS that cannot be devolved to county governments?
3. Which records management responsibilities are shared between KNADS and County government.....
4. Which records management responsibilities are delegateable
5. What categories of records available within the KNADSs are generally consulted by county government?
- 6 Which plans does KNADS to devolve records management responsibilities to county government?
7. Which policies governed devolution of records management to county governments?
- 8 What strengths and weakness does the existing legal framework (e.g. the Public Archives 19) have in relation to devolution of records management to county government?
9. What recommendations can you make to improve devolution of records management to county governments?

Thank you very much for your time and cooperation

Appendix 6: Observation Checklist: Records Management Units

Background Information

Department..... County Government AddressTelephone

EmailDate of observation

Section B: Observation Schedule

S/NO	Areas of observations	Yes	NO	Unable to ascertain
1.	Records types , sources and uses			
	Electronic records			
	Paper records			
	Cartographic records (maps, plans			
2	Records management systems			
	Records creation system (			
	Records use system (e.g. advisory body			
	Records maintenance system (e.g.) RC,			
	Records disposal system (archival Centre's)			
3	policy and legal framework			

	A copy of records devolution policy		
	Devolution laws i.e. records and archives act)		
	A copy of Gazette notice on distribution of RM		
	A copy of criteria on devolution of RM		
6	Transition plans for RM		
	Challenges and recommendation		

Appendix 7: Map of 47 Counties in Kenya



Appendix 8: List of Participants

Code	Function
1.MCOAK	Chief officer Min Agriculture, livestock, cooperatives and fisheries county Government (CG) of Kakamega
2.MCOPK	Chief officer Min of Lands, Housing, Urban Areas and Physical Planning CG Kakamega
3.HRMU	Head of records management unit CG of Kakamega
4.MDWK	Director Environment, Water and Natural Resources CG of Kakamega
5.MDHK	Director Health Services - CG of Kakamega
6.MCHK	DRMO Health services, CG of Kakamega
7.MAWK	DRMO Min Environment, Water, Natural resources CG of Kakamega
8.FRAK	DRMO Min Agriculture, livestock, Cooperatives and Fisheries CG of Kakamega
9.HRMU	Deputy Head of RM unit CG of Kakamega
11.DRMO	DRMO Min. lands, Housing, Urban Areas and Physical CG of Kakamega
12.MCPV	Chief Officer Administration and Coordination of County Affairs CG of Vihiga
13.MCAV	Chief Officer Agriculture, livestock, Fisheries and Cooperatives - CG Vihiga
15.MDWV	Director Environment, Water, Energy and Natural Resources CG Vihiga
16.DRMO	DRMO Environment, Water, Energy and Natural Resources, CG Vihiga
17.FDHV	Deputy Director Human Resource CG County of Vihiga

18.DRMO	Chief health records and information management min Health services - CG of vihiga
19. DRMO	DRMO health services CG of vihiga
20.HRMU	Head of Record Management Unit – CG Vihiga
21DRMO	DRMO roads works, infrastructure vihiga
22MDTB	Director Trade Economic Planning CG Busia
23MDEB	Director Enterprise Busia County government of Busia
24MDLB	Director Livestock Busia County Government of Busia
25MDAB	Director Agriculture Busia County Government of Busia
26MDWB	Director Environment Water, Natural and Resources CG of Busia
28MDIB	Director Roads, Infrastructure Works County government of Busia
29 MRMB	Head of Records Management Unit CG of Busia
30 DRMO	DRMO ministry agriculture CG of Busia
31. DRMO	DRMO Veterinary CG of Busia
32.DRMO	DRMO Min of Infrastructure Government of Busia
33.MDHB	Director human resource CG Bungoma
34.MDLB	Director min of Trade, Lands Urban/Physical Planning, Energy and Industrialisation CG of Bungoma
35. DRMO	DRMO Min of Roads Transport Infrastructure and Public Works CG Bungoma
36HRMU	Director Records and information CG Bungoma
37.DHRMU	Deputy DIR Records and Information Bungoma

38. DRMO	DRMO Min of Trade, lands, urban /physical planning, energy and industrialisation CG of Bungoma
39. MKNA	HOD Search room KNADS
40MKNA	Archivist in charge of IT KNADS
41.MKNA	Deputy Director KNADS Administration and Finance
42 MKNA	Archivist Kakamega, KNADS
43MKNA	Archivist Kakamega, KNADS

Appendix 9: Introductory Letter



MOI UNIVERSITY

DEPARTMENT OF LIBRARY, RECORDS MANAGEMENT AND INFORMATION STUDIES

Tel: (053) 43231
Fax No. (053) 43292
Telex NO: 35047 MOIVASITY
E-mail: hodlis@mu.ac.ke or deanis@mu.ac.ke

P. O. Box 3900
Eldoret
Kenya.

Our Ref: IS/DPHIL/02/07

10th May, 2016

KISII UNIVERSITY
P.O BOX 408
KISII

Dear Madam,

RE: ELIJAH NYAMBERI – IS/DPHIL/05/12

The above named registered for a DPhil programme in Record and Archives Management in the Department of library Records Management and Information Studies, School of Information Sciences during the year 2012/2013 academic year. Mr. **Nyamberi** successfully completed course work and defended his research topic in September 2015, entitled **"Assessing Devolution of Records Management to County Governments: A Study of Four Counties in Western Kenya"**. His supervisors are Professor Cephas Odini and Dr. Damaris Odero of the Department of Library, Records Management and Information Studies, Moi University. He is expected to collect the necessary data from selected County governments in Kenya to enable her refine the research proposal.

The purpose of writing is to kindly request you to allow Mr. Nyamberi collect the relevant data/statistics for his research work. Any assistance provided to him will be highly appreciated. If you require further information, please do not hesitate to contact me using the above e-mail address.

Thank you.

Sincerely yours,

Damaris

DR. DAMARIS ODERO
SENIOR LECTURER AND HEAD
DEPARTMENT OF LIBRARY, RECORDS MANAGEMENT & INFORMATION STUDIES

c.c. Dean, School of Information Sciences, Moi University

DJN/mn



Appendix 10: Research Permit

THIS IS TO CERTIFY THAT:

MR. ELIJAH NCHOGA NYAMBERI
of MOI UNIVERSITY, 1436-50100
kakamega, has been permitted to
conduct research in Bungoma, Busia
Kakamega, Kisii, Vihiga Counties

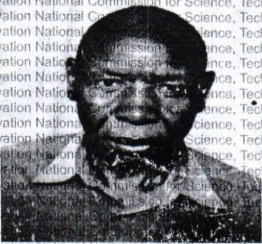
on the topic: ASSESSING DEVOLUTION
OF RECORDS MANAGEMENT TO COUNTY
GOVERNMENTS: A STUDY OF FOUR
COUNTIES IN WESTERN KENYA

for the period ending:
20th June, 2017

Applicant's Signature

Permit No. : NACOSTI/P/16/22346/11994
Date Of Issue : 20th June, 2016
Fee Recieved : Ksh 2000

Director General
National Commission for Science, Technology & Innovation



Appendix 11: Research Authorization



NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY AND INNOVATION

Telephone: +254-20-2213471,
2241349, 3310571, 2219420
Fax: +254-20-318245, 318249
Email: dg@nacosti.go.ke
Website: www.nacosti.go.ke
when replying please quote

9th Floor, Utalii House
Uhuru Highway
P.O. Box 30623-00100
NAIROBI-KENYA

Ref: No.

Date:

NACOSTI/P/16/22346/11994

20th June, 2016

Elijah Nchoga Nyamberi
Moi University
P.O. Box 3900-00100
ELDORET.

RE: RESEARCH AUTHORIZATION

Following your application for authority to carry out research on "*Assessing devolution of records management to county governments: A study of four Counties in Western Kenya*," I am pleased to inform you that you have been authorized to undertake research in **Bungoma, Busia, Kakamega, Kisii and Vihiga Counties** for the period ending **20th June, 2017**.

You are advised to report to **the County Commissioners and the County Directors of Education of the selected Counties** before embarking on the research project.

On completion of the research, you are expected to submit **two hard copies and one soft copy in pdf** of the research report/thesis to our office.


BONIFACE WANYAMA
FOR: DIRECTOR-GENERAL/CEO

Copy to:

The County Commissioners
Selected Counties.

The County Directors of Education
Selected Counties.

Appendix 12: Research Acceptance Busia County Government



P6 (3)

COUNTY GOVERNMENT OF BUSIA
PUBLIC SERVICE MANAGEMENT
P.O. PRIVATE BAG - 50400
BUSIA, KENYA



REF: CG/BSA/EDU/8/4

1ST JULY, 2016

MR. NYAMBERI N. ELIJAH
MOL UNIVERSITY
SCHOOL OF INFORMATION
P.O. BOX 3900
ELDORET, KENYA

RE: INTRODUCTORY LETTER TO POTENTIAL RESPONDENTS

Reference is made to your undated letter on the above stated subject.

This is to inform you that your request to carry out a research study for your PH.D within the requested departments of the County Government of Busia has been accepted.

D. O. MUSE
DANIEL O OMUSE
FOR, CHIEF OFFICER
PUBLIC SERVICE MANAGEMENT

CDA
Please assist the
Officer.
Amw...
18/07/2016.

Appendix 13: Research Acceptance Busia County Commissioner

P₇

REPUBLIC OF KENYA



THE PRESIDENCY

MINISTRY OF INTERIOR AND CO-ORDINATION OF NATIONAL GOVERNMENT

ccbusia@gmail.com
 Telephone: 055 - 22598
 Fax No: 055 - 22231
 When replying please quote
 Ref. ADM 15/4/4
 and Date

COUNTY COMMISSIONER'S OFFICE
 BUSIA COUNTY
 P.O. BOX 14
 BUSIA (K)
 29th June, 2016

Elijah Nchoga Nyamberi,
 Moi University,
 P. O. Box 3900-00100,
ELDORET.

RESEARCH AUTHORIZATION

Following your authorization vide letter Ref. NACOSTI/P/16/22346/11994 dated 20th June, 2016 by Moi University to undertake research on "Assessing devolution of records management to county governments: A study of four counties in Western Kenya.

I am pleased to inform you that you have been authorized to carry out the research on the same.

C. W. Wamalwa
 for: County Commissioner
BUSIA COUNTY

Appendix 14: Research Acceptance Busia County Commissioner

Ps

REPUBLIC OF KENYA
MINISTRY OF EDUCATION, SCIENCE AND TECHNOLOGY
STATE DEPARTMENT OF EDUCATION

Telephone: 055-22152
 Fax: 055-22152
 Email: cdeducation.bsa@gmail.com
 When replying please quote



COUNTY DIRECTOR OF EDUCATION
 BUSIA COUNTY
 P.O. BOX 15,
BUSIA (K).

REF. NO. BSA/CDE/ED/9/6/195

28th June, 2016

Sub County Director of Education
BUSIA SUB COUNTY

RE: RESEARCH AUTHOURIZATION
ELIJAH NCHOGA NYAMBERI

The above named has been authorized to conduct research on "Assessing Devolution of Records Management to County Government". A study of four Counties in Western Kenya.

Please accord him necessary assistance.

Thank you.

W. N. MAKORI
 For: County Director of Education
BUSIA COUNTY

Appendix 15: Research Acceptance Bungoma County Government

COUNTY GOVERNMENT OF BUNGOMA



P9

OFFICE OF THE COUNTY SECRETARY & HEAD OF PUBLIC SERVICE

Telephone: 055-36343

E-mail: bungomacountygovt@gmail.com

County Headquarters
1st Floor, Room No. 26
P.O BOX 437
BUNGOMA

Our Ref: CG/BGM/DCS/VOL.III/ (82)

Date: 3rd August, 2016

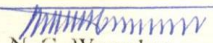
Mr. Elijah Nchoga Nyamberi
Moi University
PO Box 3900-00100
ELDORET

RE: PERMISSION TO CONDUCT A STUDY IN BUNGOMA COUNTY

Reference is made to your letter dated 20th July, 2016 in which you requested for permission to conduct a study on **Assessing Devolution of Records Management in the County Governments.**

This is to inform you that permission has been granted for you to undertake the research within the Bungoma County Government.

We wish you all the best as carry out this study.


N. C. Wamalwa

FOR: COUNTY SECRETARY & HEAD OF PUBLIC SERVICE

Appendix 16: Research Acceptance Bungoma County Commissioner

REPUBLIC OF KENYA



P16

THE PRESIDENCY
MINISTRY OF INTERIOR AND COORDINATION OF NATIONAL GOVERNMENT

Telephone: 055- 30326
FAX: 055-30326
E-mail: ccbungoma@yahoo.com
When replying please Quote

Office of the County Commissioner
P.O. Box 550 - 50200

BUNGOMA

29TH June, 2016

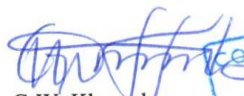
REF:ADM.15/13/246.

TO WHOM IT MAY CONCERN

RE: RESEARCH AUTHORIZATION.

The bearer of this letter, Mr. Elijah Nchoga Nyamberi is a student of Moi University and has sought authority to carry out a research on, **"Assessing devolution of records management to County governments,"** in this County for a period ending 20th June, 2016.

Authority is hereby granted for the specific period and any assistance accorded to him in this pursuit would be highly appreciated


COUNTY COMMISSIONER
BUNGOMA

G.W. Khaemba
For: County Commissioner
BUNGOMA COUNTY

Appendix 17: Research Acceptance Bungoma Director of Education


REPUBLIC OF KENYA

MINISTRY OF EDUCATION, SCIENCE AND TECHNOLOGY
State Department of Education – Bungoma County

When Replying please quote
e-mail: bungomacde@gmail.com

Ref No: BCE/DE/19 VOL I/217

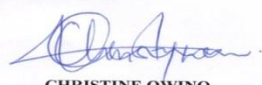
The Sub – County Directors of Education
BUNGOMA COUNTY

County Director of Education
P.O. Box 1620-50200
BUNGOMA
Dates: 30th June, 2016

RE: AUTHORITY TO CARRY OUT RESEARCH – MR. ELIJAH NCHOGA NYAMBERI PERMIT NO: NACOSTI/P/16/22346/11994

The bearer of this letter, Mr. Elijah Nchoga Nyamberi is a student of Moi University – Eldoret. He has been authorized to carry out research on *“Assessing devolution of records management to county governments: A study of four Counties in Western Kenya”* in Bungoma, Busia, Kakamega, Kisii and Vihiga Counties for the period ending 20th June, 2017.

Kindly accord him the necessary assistance.


**CHRISTINE OWINO
FOR: COUNTY DIRECTOR OF BUNGOMA
BUNGOMA COUNTY**

Appendix 18: Research Acceptance Kakamega County Government

P₁₂

REPUBLIC OF KENYA
KAKAMEGA COUNTY



OFFICE OF THE GOVERNOR
COUNTY SECRETARY AND HEAD OF PUBLIC SERVICE

Telephone: 056-31850/31852/31853
Fax: 056 – 31854
Email: Countysecretary@kakamega.go.ke
When replying please Quote

County Government of Kakamega
P O Box 36 - 50100
KAKAMEGA

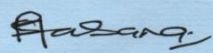
Our Ref: CGK/OCS/GEN/CRR/VOL.II/01/79 Date: 20 July, 2016

All Chief Officers
County Government of Kakamega

REF: PERMISSION TO CARRY OUT A RESEARCH WITHIN THE COUNTY

Attached is a letter of request to carry out a research for Nyamheri N Elijah and a forward letter from Moi University.

Please accord the Researcher the necessary support and avail the required information.



Dr. Beatrice M Sabana
COUNTY SECRETARY

Appendix 19: Research Acceptance Kakamega County Commissioner

REPUBLIC OF KENYA



THE PRESIDENCY
MINISTRY OF INTERIOR & CO-ORDINATION
OF NATIONAL GOVERNMENT

Telegrams "DISTRICTER", Kakamega
Telephone 056 31131
Fax 056 31133
Email-cckakamega12@yahoo.com
When replying please quote

P13

COUNTY COMMISSIONER
KAKAMEGA COUNTY
P O BOX 43-50100
KAKAMEGA.

Ref: ED/12/1/VO.II (128)
and date

DATE: 27th June, 2016

Elijah Nchoga Nyamberi
Moi University
P.O Box 3900-00100
ELDORET.

RE: RESEARCH AUTHORIZATION

Following your authorization vide letter Ref: NACOSTI/P/16/22346/11994 dated 20th June, 2016 by Moi University to undertake research on *"Assessing devolution of records management to county governments: A study of four Counties in Western Kenya"*.

I am pleased to inform you that you have been authorized to carry out the research on the same.

W. OMOLLO
FOR: COUNTY COMMISSIONER
KAKAMEGA COUNTY.

Appendix 20: Research Acceptance Kakamega County Director of Education

P14

MINISTRY OF EDUCATION SCIENCE & TECHNOLOGY

Telephone: 056 - 30411
 FAX : 056 - 31307
 E-mail : wespropde@yahoo.com
 When replying please quote.



COUNTY DIRECTOR OF EDUCATION
 KAKAMEGA COUNTY
 P. O. BOX 137 - 50100
 KAKAMEGA

STATE DEPARTMENT OF EDUCATION

REF:WP/GA/29/17/VOL.III/ 112

27 June, 2016

Elijah Nchoga Nyamberi
 Moi University
 P. O. Box 3900 – 00100
 ELDORET

RE: RESEARCH AUTHORIZATION

The above has been granted permission by National Council for Science & Technology vide letter Ref. NACOSTI/P/16/22346/11994 to carry out research on "**Assessing devolution of records management to county governments: A study of Kakamega County among the 4 counties of Western Kenya to be researched,**" for a period ending, 20th June, 2017.

Please accord him any necessary assistance he may require.

MURERWA S. K. (MRS)
 COUNTY DIRECTOR OF EDUCATION
KAKAMEGA COUNTY

Appendix 21: Research Acceptance Vihiga County Commissioner

P16

REPUBLIC OF KENYA



OFFICE OF THE PRESIDENT
MINISTRY OF INTERIOR AND COORDINATION OF NATIONAL GOVERNMENT

Email: vihigacc1992@gmail.com
 Telephone: Vihiga 0771866800
 When replying please quote

COUNTY COMMISSIONER,
 VIHIGA COUNTY,
 P.O. BOX 75-50300,
MARAGOLI.

REF: VC/ED 12/1 VOL.1/163

1st July, 2016

TO WHOM IT MAY CONCERN

RE: RESEARCH AUTHORIZATION FOR ELIJAH NCHOGA NYAMBERI.

This is to introduce to you Elijah Nchoga Nyamberi a bonafide student at Moi University who has been authorized by the National Commissioner for Science, Technology and Innovation to carry out research.

Authority is hereby granted to him to carry out a research on "*Assessing devolution of records management to County governments: A study of four Counties in Western Kenya,*" for a period ending 20th June, 2017

Kindly accord him all the necessary support.


ERASTUS M. KEYA
FOR: COUNTY COMMISSIONER
VIHIGA COUNTY

cc.

The Director
 National Commission
 For Science, Tech. and Innovation (Yours Ref.NACOSTI/P/16/22346/11994 dated 20th June, 2016)
 P. O. Box 30623-00100
NAIROBI - KENYA.

Appendix 22: Research Acceptance Vihiga County Director of Education

MINISTRY OF EDUCATION STATE DEPARTMENT OF EDUCATION

Telegrams:
Telephone: (056) 51450
When replying please quote



COUNTY EDUCATION OFFICE,
VIHIGA COUNTY,
P.O. BOX 640,
MARAGOLI.

REF: CDE/VC/ADM/24/157

14th July, 2016

TO WHOM IT MAY CONCERN

RE: AUTHORITY TO CONDUCT RESEARCH
ELIJAH NCHOGA NYAMBERI

Reference is made to letter No. NACOSTI/P/16/22346/11994 dated 20th June 2016.

Permission is hereby granted to the above named student from Moi University – Eldoret, to carryout research on “**assessing devolution of records management to county governments**” in Vihiga County to enable him write a project/thesis as required of him by the University.

Siloma Kinayia
County Director of Education
VIHIGA COUNTY

C.C
County Commissioner
VIHIGA

Appendix 23: Student Research Request

The County Secretary
County Government of Kisii
Box 4550-40200
Kisii
13th May, 2016

**Re: permission to interview county staff**

I am doctoral student at Moi University , undertaking a research entitled "assessing devolution of records management to county governments in Kenya . A study of four counties in western Kenya". County Government of Kisii was selected as a pilot for the study. This is to request you to give me permission to test my research instruments (interview and observation) before the main study and introduce me to your staff (based at the headquarters) mainly Records management staff and three heads of department preferably public service board , education and agriculture.

Thanking you in advance


Elijah Nchoga Nyamberi

Enclosed

0722-281582

Appendix 24: Consent for Participants

I----- have been explained the objectives of the research. I note that the study will respect my confidentiality and there are no risks to my knowledge for participation do appreciate that my contribution will contribute to development of a framework for devolution of records management in Kenya

I therefore, willingly and voluntarily agree to participate in the study

Signed -----

Date -----

	THE COUNTY GOVERNMENT OF VIHIGA	
1	Public service and Administration	Box 344 Maragoli
2	Human resource management and Development	
3	County Records Management Unit	Box 344-50300 Maragoli
4	Health services	P.O. BOX 1084 Maragoli
5	Agriculture, livestock , fisheries and cooperatives	Box 344-50300 Maragoli
6	Public service and Administration	
7	Water Environment and Natural Resources and Forestry	Box 212-50300 Maragoli
8	Transport and infrastructure	Box 344 – 50300
The County government of Busia		
9	Agriculture and animal resources Directorate	Box 28 – 50400
10	Economic development planning, trade cooperative and industrialization	
11	Agriculture and Animal resources	
12	County Director trade	
13	Water, Irrigation, Environment and Natural resources (forest and minerals	Box 392- 50400, Busia
14	Head Records management unit	Box private Bag – 50400, Busia
15	Health Services	Box 78-50400, Busia
16	Veterinary Services	Box 261- 50400 Busia
17	Public Works , Roads and Transport	Box 470 -50400 Busia

	THE COUNTY GOVERNMENT OF VIHIGA	
County Government of Bungoma		
18	Human Resource	Box 437-50200
19	Trade	Box 475--50200 Bungoma
20	Head of records and information	
21	Roads public works and infrastructure	Box 437 Bungoma
The County Government Kakamega		
22	Head of records management unit	Box 36- 50100 Kakamega
22	Water Environment and Natural Resources	BOX 1564-50100 Kakamega
23	Agriculture, livestock, fisheries and cooperatives	Box 871-50100
24	Lands , housing , urban areas and Physical Planning	
25	Health services	Box 359- 50100 Kakamega
Kenya National Archives		
26	Kenya National Archives	Box 1636 – Kakamega
27	Kenya National Archives Headquarters	Box 49210 Nairobi