

**MANAGING RECORDS RELATED RISKS IN SELECTED GOVERNMENT  
MINISTRIES IN KENYA**

**By**

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**MOI UNIVERSITY  
ELDORET, KENYA**

**2020**

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**DECLARATION BY CANDIDATE**

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**DEDICATION**

I dedicate this work to my Father, Mzee Josiah Oganga Obare who was enormously instrumental in ensuring I got basic education and laid a solid foundation for future pursuits.

To my late Mother, Omongina Yunes Omweri Oganga who worked hard to ensure that I am who I am today.

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**LIST OF ABBREVIATIONS**

AG	Attorney General
ANAO	Australian National Audit Office
ASRM	Australia Standard for Records Management
AS/NZ	Australia/New Zealand
BDR	Business Driven Recordkeeping
COK	Constitution of Kenya
CS	Cabinet Secretary
DC	District Commissioner
EDRMS	Electronic Document and Records Management System
E – Mail	Electronic Mail
E-records	Electronic records
ERM	Enterprise Risk Management
ESARBICA	Eastern and Southern Africa Regional Branch of International Council on Archives
FO	Finance Officer
GM	Government Ministry
HRMU	Head of Records Management Unit
GoK	Government of Kenya
KNADS	Kenya National Archives and Documentation Service
HM	Her Majesty
HRMO	Human Resource Management Officer
LAPSSET	Lamu Port Southern Sudan Ethiopia Transport

ICA	International Council on Archives
ICT	Information Communication Technology
IDPs	Internally Displaced Persons
IRMT	International Records Management Trust
IRM	Integrated Risk Management
IRMM	Integrated Risk Management Model
ISO	International Organization for Standardization
NACOSTI	National Commission for Science, Technology and Innovation
PC	Provincial Commissioner
PRO	Public Records Office
RMOs	Records Management Officers
RMP	Risk Management Programme

## ABSTRACT

Given the significant role that records play in public service delivery, good governance and accountability, the need to have a risk management strategy for records in Kenya is urgent and critical. Citizens expect government ministries to manage records in a trustworthy environment that protects the records against any risks. While the Government of Kenya has developed a National Disaster Management Plan, there has continued to be a gap on how public entities should manage records related risks. It is therefore not clear how Government of Kenya (GoK) ministries are handling records risks. The aim of the study was to assess the extent of records risks within GoK ministries with a view of proposing a risk management strategy for public records to mitigate the risks. The specific objectives of the study were to: establish the effectiveness of existing legal and regulatory frameworks for managing records related risks in Government of Kenya ministries; assess the nature, types and causes of records risks in the ministries; evaluate effectiveness of recordkeeping control systems used by GoK ministries in alleviating records risks; assess risk management capacity, skills and competencies of records management staff in GOK ministries; and propose an appropriate risk management strategy for public records in Kenya. The study was informed by two models; the Business-Driven Recordkeeping and Integrated Risk Management models. The study used multi-case study research design which was primarily qualitative with some aspects of quantitative approaches to gather data. Data was collected through interviews and documentary review. The population consisted of 130 respondents out of which, a sample of 64 comprising 16 Records Management Officers, 8 Archivists and 40 informants was drawn. The study came up with a range of findings as follows; records in government ministries were at risk as a result of weak or non-existent records management infrastructure, legal and regulatory frameworks for records management did not effectively address records related risks, Records Management Officers lacked adequate skills, competencies and training in risk management and that records management was under-resourced to adequately manage records against risks. The study concluded that although records were critical to the effective functioning and implementation of programmes, ministries had not put in place decisive measures to tackle records related risks. The research recommends that: ministries implement the risk management strategy for records and archives proposed by the current study; the Kenya National Archives to develop a national records risk assessment framework; KNADS to initiate revision of Public Archives Act and other regulatory frameworks, the Public Service Commission of Kenya to fully implement the Prime Minister's Office Circular No. MSPS.1/3/5A VOL. VIII of 2010 on establishment of Records Management Units in ministries and departments; the Public Service Commission of Kenya with other stakeholders such as the Kenya National Archives and Kenya School of Government to urgently develop a records management curriculum that addresses risk management; Ministries in collaboration with the Kenya National Archives to develop records management control systems and policies to be implemented across ministries to address records related risks.

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## **CHAPTER ONE**

### **INTRODUCTION AND BACKGROUND INFORMATION**

#### **1.0 Introduction**

This chapter provides background to the study where global, regional and national perspectives to the study are discussed. It expounds the motivation for the study which explains why risk management in recordkeeping attracts global attention. To lay ground for the research, the study first presents a discussion of three key concepts of the study namely; risks, risk management and records management which ultimately laid the foundation for the statement of the research problem. The chapter also provides information about the following aspects of the study: aim and objectives of the study, research questions, significance, assumptions, scope, limitations and ethical consideration. The chapter ends by providing definition of operational terms and summary.

#### **1.1 Background to the Study**

Records just like other organizational assets are susceptible to risks. Globally, in the last two decades, the level of records risks has been on the rise. Sadly, many public organizations particularly in Kenya continue to turn a blind eye on the need to manage records related risks which have resulted to far reaching consequences. The failure of organizations to manage records against the rising risks was captured in 2010 when the Wiki Leaks released hundreds of confidential diplomatic files it had acquired from unnamed sources. The content ranged from casual criticisms of world leaders to harsh assessment of certain governments and organizations. While reactions ranged from anger to embarrassment, the leaked information caused, in part, at least one significant event: the overthrow of the Tunisian government (Reed, 2010).

In Australia, the Australian Law Commission in its review of Archives Act 1983 pointed out that there is growing risks of recordkeeping not only in many Commonwealth organizations in Australia but globally. In the UK, Poynter (2008) argues that public awareness of risks, such as the notable government loss of two discs with personal data of the UK's child benefit system raises strong concerns on how public organizations globally tackle records management risks (Poynter, 2008).

A records management survey conducted by the National Archives and Records Administration (NARA) revealed that majority of government agencies in the USA were at a high to moderate risk of compromising the integrity, authenticity and reliability of their records. According to the NARA (2011) records in these agencies were at risk due to lack of adequate control systems as well as inadequate training and competency.

Reed & Gordon (2010) further assert that government organizations are moving into an era of increased and changing risks in records management, brought about by new regulatory and legislative regimes as well as by new technologies. These changes have raised concerns about public organizations' ability to manage old and new recordkeeping risks in order to preserve records, to support service delivery, accountability as well as meet archival obligations.

As Hay-Gibson (2011) argues, there is greater need today than ever before, to not only acknowledge that records in public organizations, in both developed and developing countries are at risk, but also a need to identify exactly what risks there are and measures to mitigate them. Public organizations therefore need a records management program with a statement of scope and intent, to ensure that records risk management strategy is part of governments' organizational programmes.

Lemieux (2004) further argues that records risks include any threat to business arising from inadequacy in an organization's records and information management. These risks can be wide-ranging from those on average addressed by business continuity programs, damage to or loss of records arising from disasters or major system faults, to more systemic problems with records. In extreme cases, these risks can lead to heavy loss and even corporate failure. Mat -Isa (2006) on the other hand elucidates that, risks to records can include inappropriate disclosure or non-disclosure of information, loss, theft, fraud, erroneous destruction of information and failure to utilize information for the public good.

A study by Lemieux (2004) revealed high-profile cases of records related risks globally. These cases highlight the need for organizations to pay more attention to records related risks. The findings of Lemieux (2004) on the rise of records related risks is supported by Poynter (2008), Gouanou and Marsh (2004) and NARA (2011). These findings bring to light concern that if large organizations like the UK, USA and Australian Governments have difficulty in addressing risks on public records, despite access to significant resources and expertise, then one wonders how government ministries in developing countries such as Kenya, with limited resources are addressing records related risks.

In Kenya, regardless of the many pointers from various government agencies such as the Auditor General, Ethics and Anti-corruption Commission, and Kenya National Archives and Documentation Service on the rise of records risks; there is little or no evidence to show how ministries are managing records related risks. While the Public Archives and Documentation Services Act Cap 19 and Access to Information Act No. 31 of 2016 underscores the need for public entities in Kenya to create records that are

accurate, authentic and usable, there is little evidence to show the measures ministries have put in place to address records related risks. Given the critical role that records and archives play for public service delivery, good governance and accountability, a question arises: why has the Kenyan government continued to ignore the need to develop a risk management strategy for public records and archives?

It is the premise of this study that as Government moves into an era of new regulatory and legislative regimes as well as new technologies, new types of records related risks are likely to emerge. There is therefore greater need today than ever for the Government of Kenya to not only acknowledge that records related risks are on the rise but also to identify exactly what the risks are and how they should be mitigated and managed. It is against this background that this research was conducted; with an aim of proposing a risk management strategy for public records and archives which is posited to fill a niche previously overlooked.

## **1.2 Profile of Kenya's Public Sector**

This section provides background information on the organization of the government of Kenya as established during the study period as provided by the Executive Order No. 2/213 of 2013. The promulgation of the Constitution of Kenya 2010 (COK) paved way for a new structure of governance within the public sector. Through COK (2010) administrative and policy making powers were distributed at two levels of governance, National Government and County Governments.

The National Government is structured into three arms namely; Executive, Legislature and Judiciary. The Executive consist of the Presidency, Cabinet Secretaries, Attorney General, and Director of Public Prosecution. Headed by the President of the Republic, it is guided by an underlying framework of laws. The laws

require the President to appoint between 14 and 22 Cabinet Secretaries. Currently the government is constituted of 18 ministries, directorates and Parastatal Organizations (Executive Order No. 2/213, 2013). The Ministries are headed by Cabinet Secretaries (CSs) while directorates are under Principal Secretaries (PSs).

According to the COK (2010), the Legislature is comprised of two houses – the National Assembly and the Senate. The National Assembly is responsible for law making, approval or disapproval of revenue allocations presented by the Senate, determining the national distribution of revenue across counties and checks the conduct of the executive and other state officers. The role of the Senate includes, debate and approval of bills, determine the allocation of national revenue and represent the interests of counties at the national level among others.

The judiciary which is the third arm of the National Government centers mainly on the judicial system which is mainly hierarchical, with The Supreme Court being the highest organ, followed by the Court of Appeal, High Court, Magistrate's courts and other Subordinate Courts.

The second level of governance in Kenya comprises of County Governments. Currently as provided by COK (2010) there are 47 County Governments. County Governments which have since replaced the provincial administration constitute County Assembly and County Executive. Responsibilities of the County Assembly include enacting laws at County level, acting as an oversight instrument on the county executive; approval of plans and policies for smooth operation; management of resources and county institutions. The County Assembly is headed by a County Speaker who by law is not supposed to be a member of the assembly.

The County Executive on the other hand is charged with the responsibility of exercising executive power at the county level, implementing laws for administration as well as carrying out other executive functions of the County. The county executive gives the people an opportunity to be more actively involved in lawmaking. A Governor, who is the leader of the County Executive, is elected directly by the people at county level. He in turn appoints County Executives with approval of the County Assembly.

This study focused on risk factors that affect management of public records at the National Government Ministries. Records management at county governments will require a separate study as regulatory and legislative requirements as well as risk factors are different from the national government.

### **1.3 Overview of Government of Kenya Ministries**

According to the Executive Order No. 2/213 of 2013 National Government ministries are categorized into four main sectors: Public Service Ministries; Infrastructural Ministries; Production Service Ministries and Social Services Provider ministries. The researcher considered the profile information to be important as it offered an understanding of factors that influence GoK ministries' records management that are key in understanding risk factors for recordkeeping.

#### **1.3.1 Public Service Ministries**

The public service sector has six ministries and 11 directorates as detailed below.

##### **(i) Ministry of Lands, Housing and Urban Development**

The Ministry is responsible for Survey, Land Adjudication, Settlement, Public Work Policy and planning. Ministry has three directorates, Lands, Public Works, Housing and Urban Planning; each with its own records keeping units.

**(ii) The National Treasury**

The National Treasury is in charge of public resources mobilization, financial institutions oversight, and Public debt management, promotion for economic and financial governance. The Ministry has one directorate with a single records management unit which was used for this study.

**(iii) Ministry of Interior and Coordination of National Government**

This Ministry is responsible for disaster and emergency response, border point control management, citizenship and immigration policy services; and management of boundaries. The Ministry has three directorates: Interior, Correctional services and Special Programmes with distinct records management units.

**(iv) Ministry of Foreign Affairs**

The Ministry is responsible for the management of Kenya's foreign policy, Diaspora issues, handling of protocol matters, and liaison with foreign missions in Kenya. The Ministry has a single directorate with one records management unit.

**(v) Ministry of Devolution and Planning**

Inter-government relation, Office Management and Budget, IDP Policy and Food Relief Management are among the functions that are undertaken by the Ministry. The Ministry has two directorates; the state department of devolution and the department of Planning and statistics each with its own records management unit.

**(vi) Ministry of Defence**

The Ministry is responsible for National Defence, Defence intelligence, protection of national boundaries and support for civil authorities. It has one directorate with one records management unit.

### **1.3.2 Infrastructural Ministries**

The Infrastructural sector has three ministries with 10 directorates as detailed here below.

#### **(i) Ministry of Transport and Infrastructure**

The Ministry is responsible for protection of road services, motor vehicle inspection of LAPPSSET project, and national transport and safety policy. The Ministry has five directorates, Transport, Infrastructure, Shipping and maritime affairs, Housing and urban development and Directorate of Works. Though the Ministry has five directorates, there is only one records management unit.

#### **(ii) Ministry of Energy and Petroleum**

The Ministry of Energy deals with hydropower development, fossil fuel exploration and development, rural electrification program and, oil and gas exploration. The Ministry is comprised of two directorates, Directorate of Energy and Directorate of Petroleum, each with its own records management unit.

#### **(iii) Ministry of Information, Communication and Technology (ICT)**

The ICT Ministry is in charge of broadcasting policy, public communication, telecommunication services and dissemination of public information. The Ministry has two directorates, ICT and Innovation, and Directorate of Broadcasting and Telecommunication They share a single records management unit.

### **1.3.3 Production Service Ministries**

The sector of production services comprise of six Ministries with fourteen directorates.



**(i) Ministry of Agriculture, Livestock and Fisheries**

The Ministry deals with National Food Security Policy, National Irrigation Policy, Food Security, and Bio- Safety. The Ministry has four directorates of Agriculture, Livestock, Fisheries and Maritime Commerce with one records management unit.

**(ii) Ministry of Mining**

The Ministry deals with policies on quarrying and mining, management of health conditions and safety in mines, policy around extractive industry, resource survey and remote sensing. The Ministry has one directorate with one records management unit.

**(iii) Ministry of Environment and Natural Resources**

The Ministry is deals with environment and natural resources. It has two directorates; that of Environment and of the other for Natural Resources with one records management unit.

**(iv) Ministry of Water and Irrigation**

The Ministry comprises the directorates of National Water Services and that of Irrigation. It is responsible for restoration of strategic water resources, dam construction schemes, water quality and pollution control and flood control.

**(v) Ministry of Labour and East African Affairs**

The Ministry is responsible for policy on East Africa Community, promotion and fast tracking of East Africa Integration, Tourism policy management plus community meeting and institutions. The Ministry has four directorates; Labour, East Africa Community Integration, Cooperatives and Social Security Services.

**(vi) Ministry of Industrialization and Enterprise Development**

The Industrialization Ministry undertakes leather development, private sector development strategy; buy Kenya policy, and co-operative governance. This Ministry has one directorate with one records management unit.

**1.3.4 Social Service Provider Ministries**

The sector of social services has three ministries and directorates.

**(i) Ministry of Health**

In the past government the ministry had two ministries; the Ministry of Medical Services and Ministry of Public Health. At the time of study the Ministry of Health had one directorate. The Health Ministry is concerned with registration of Doctors and Para-medicals, Public Health and Sanitation, Policy Management, Medical Services Policy, and Nutrition Policy.

**(ii) Ministry of Sports, Culture and Heritage**

The Ministry deals with the expansion of sports industry, development of creative and performing arts, development of film industry, national archives and records management. The Ministry has two directorates, that of Sports Development and the other of Culture and Arts.

**(iii) Ministry of Education**

The Education Ministry is responsible for curriculum development, quality assurance in education, education policy management and teacher education and management. The Ministry has three directorates, Basic Education, Higher Education, Science and Technology and the directorate of Technical Training.

#### **1.4 Overview of Records Management in Kenya**

Issues affecting records and archives management in Kenya can be analyzed in two distinct phases, colonial and post-colonial era. However, in as much as the two phases are distinct, some experiences and challenges during the colonial era have remained persistent and poured into the post-colonial era.

The state of recordkeeping in Kenya during the colonial period is captured by Musembi (1984), who observed that no official recordkeeping practices existed in Kenya during the colonial period. During that period, many valuable documents were destroyed by the colonial administration. This happened besides issuance of several memoranda and records management circulars.

The issues of recordkeeping in Kenya's public sector have been a subject of concern not only to the Government of Kenya but also to records and archives scholars and practitioners. To address these concerns the Government of Kenya engaged several International Records Management Consultants who included;

1. Maclean Records Management Consultancy (1978)
2. Sareen Consultancy on Records Management (1981)
3. Droguet Records Management Consultancy (1988)
4. Hall Records Management Consultancy (1980)

Reports and recommendations made by consultants have resulted into improved records management in Kenya. The KNADS has taken greater responsibility for records management through the establishment of regional records centres. This is in line with the Maclean (1978) recommendations. Sareen (1981) recommended the need to review existing legislation and registry systems, to establish effective ways of destroying public records and that Kenya Government provide suitable

accommodation for the established record centres. Droguet (1988) recommended the need to appoint records officers in ministries, to establish provincial records centres in each province and review grading structures of archives personnel. Hall (1990) recommended that KNADS create records management role models, develop a new records management strategy, enhance marketing of records management in provinces and establish district records centres in line with the government's district focus for rural development strategy.

From the recommendations, records management in Kenya has greatly improved. As indicated by Mnjama (2005), besides the many challenges, Kenya has been a success story in the management of archives and records services in Eastern and Southern Africa. With its headquarters and six regional record centres located in Nairobi, Mombasa, Nakuru, Kakamega, and Kisumu, Kenya continues to be one of the countries with the best archives and records management infrastructure in the region.

A study by Kemoni and Ngulube (2007) nonetheless, identified challenges of records management in Kenya to include: 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. The study concluded that KNADS had not effectively helped record-creating agencies to properly manage their records. Among key recommendations of the study is given the limited resources available, there is need to review existing records and archives legislation in order to divide responsibilities for recordkeeping between KNADS and government departments.

IRMT Country Report (2011) affirms that The Public Archives and Documentation Service Act CAP 19 of the Laws of Kenya focuses on collection, preservation, control and access to archival records and archives management; and does not comprehensively address the management of public sector records from creation to disposition. International good practice would involve a single authority responsible for records and archives from creation to disposition.

The need to allocate responsibility for records management function in Kenya has been discussed in various studies (IRMT Report, 2011; Kemoni; 2007, Mnjama, 2006). However, Kenya seems to be moving towards this direction. The Executive Order No. 2/213 (2013) on the Organization of the Republic of Kenya, places the function of records management in the Ministry of Culture, Sports and Heritage, therefore under the Director Kenya National Archives and Documentation Service.

According to Mnjama (2005), another positive development in records management in Kenya is the establishment of a records managers' cadre in the public sector. A significant number of executive officers, with very many years of experience have been re-designated as records managers in their respective ministries. This process has established a direct link between the National Archives and records creating departments and ministries, resulting in better management of records throughout their lifecycle.

A report by the Directorate of Personnel Management (DPM) (2004) stated that, one of the major challenges facing government ministries in Kenya was the use of manual filing system. This has resulted to poor recordkeeping that has in turn exposed records to various risks. The "Report on streamlining operations of registries in government ministries/departments and local authorities for improved service delivery" also

outlined a number of challenges of records management in government ministries which include: inadequate professional qualifications on record management and computer skills, poor mail management, poor filing practices which results to misfiling and file duplication, poor state of physical facilities for active, semi-active and non-active records and congestion of valueless records due to un-observed retention and disposal schedules among others. These challenges have not only continued to have negative effects on service delivery but also expose records to risk of loss, unauthorized destruction, modification and access.

In the area of ICT in records management, the Ministry of State for Public Service (2011) noted that it is a common occurrence in most government ministries that registries continue to use the old manual filing system. Majority of government ministries and departments are yet to introduce modern information based systems. This is besides efforts and initiatives by the Government of Kenya to put in place initiatives that are designed to solve challenges of records management in government ministries. A study by Oganga (2017) established that the government of Kenya, through the Ministry of State for Public Service introduced digitization of all records across the civil service to increase efficiency in government operations. This initiative was pushed by the former Permanent Secretary, Ministry of Information and Communications, who initiated a drive to have all government registries, managed using ICT (DPM, 2004). As a result, several digitization projects were undertaken in the Ministries, Departments and Agencies (MDAs).

The success of these initiatives will to some extent depend on records management profession in the Ministries with a career progression and a clearly defined scheme of service.

### **1.5 Statement of the Problem**

Management of public records is a cornerstone for public service delivery, good governance and accountability not only in Kenya but globally. In this respect, the Government of Kenya has in the past taken practical measures with a view to improving records management practices across government ministries. These initiatives include engagement of International and local Records Management Consultants, establishment of records management cadre within the civil service and digitization and computerization of records management systems in ministries (Kemoni, 2007; Ambira, 2016). In spite of these measures, two public organizations, the Auditor General Office and the Kenya National Archives and Documentation Service point to the rising cases of records related risks across the ministries (Auditor General, 2015,; KNADS,2014 &215). Given the critical role that records play in public service then the question arises: why GoK has failed to consider development of a risk management strategy for public records and archives as one of the critical areas of priority in the public service? This study sought to address that question by identifying the nature, types and extent of records' risks in government ministries. In doing so the study sought to draw attention to an issue that has continued to receive little or no attention in the wider public sector in Kenya. Although significant research has been carried out on Records and Archives Management in Kenya, few or no researches have focused specifically on records management risks more especially within GoK ministries. A study by Ambira (2011) focused on Records Management and Risk Management at Kenya Commercial Bank which is a private entity while Erima's (2012) study was on Moi University. There is therefore, greater need than ever before not only to acknowledge that records related risks within government ministries are on the rise, but also to identify the different facets in which they appear.

Failure to address the risks is likely to undermine government's efforts in service delivery, responsiveness, accountability and good governance as required by the Constitution of Kenya 2010. It is in view of this that the current study aims to propose a Risk Management Strategy for Public Records and Archives in Kenya with a view to improving records management practices in the country.

### **1.6 Aim of the Study**

The aim of the study was to develop a Risk Management Strategy for public records in Kenya with a view to improving records management practices in the country.

### **1.7 Specific Objectives**

The specific objectives of the study were to:

1. Establish the effectiveness of existing records and archives legal and regulatory frameworks for managing records related risks in Government of Kenya ministries
2. Assess the nature, types and causes of records risks in Government Ministries in Kenya,
3. Evaluate the effectiveness of recordkeeping control systems used by GoK ministries in alleviating records related risks,
4. Assess the staff capacity, skills and competencies in risk management within GoK ministries
5. Propose an appropriate risk management strategy for records and archives management for ministries.

### **1.8 Research Questions**

The research was guided by the following questions:-



1. How effective are the legal and regulatory framework used by GoK ministries in addressing records related risks?
2. What are the types, nature and causes of records and archives risks in government ministries?
3. What control measures have GoK ministries put in place to address recordkeeping risks?
4. What competencies, skills and professional training do Records Management Officers and Archivists have in risk management?
5. What efforts has the Government of Kenya made towards the development of a risk management strategy for public records?

### **1.9 Assumptions of the Study**

The study was conducted with an assumption that, although records related risks were on the rise, government of Kenya has not developed strategies to mitigate and manage the risks across government ministries to meet operational, legal and fiscal obligations of government.

### **1.10 Significance of the Study**

Government ministries and departments in Kenya are faced with challenges of managing records against risks due to lack of policy and guidelines. This study is significant because it will serve as a worthwhile guide for GoK Ministries and Departments in managing records and archives related risks. The study was a response to the gap for records managers and archivists to do something about the rising risks of records and archives.

The significance of the study was therefore concerned with three questions; how the study will enrich scholarly research and literature in the field of records and archives management, how it will improve practice and how would it affect policy?

The present study's contribution to scholarly works and literature in the field resides in its findings and the strategy developed. The strategy can be particularly adopted in support to risk management in government ministries. The strategy could also form basis for future scholarly works on records and risk management. Research findings were disseminated to individual Ministries studied in compliance with conditions for permission to carry out the study.

### **1.11 Scope and Limitations of the Study**

This section discusses the scope and limitations of the study.

#### **1.11.1 Scope of the Study**

The study is on development of a National Risk Management Strategy for public records and archives in Kenya, to cover all public sector agencies will require substantial resources and time. As a result, this study will be confined to eight selected National Government Ministries out of the current sixteen ministries. County Governments which are also part of the public sector organization will not be covered in the study. The National Government Ministries were chosen because ministries create and accumulate large volumes of records and documents compared with county government and parastatal bodies. The study will focus on recordkeeping practices in all media, including paper, microfilm, electronic and other storage modes and risks associated with them.

### **1.11.2 Limitations of the Study**

One of the limitations of the study was lack of understanding of risk management and qualified risk management professional within government ministries and departments and more so its relationship with in records management. While the concept of risk management has been accepted in the private sector, and to some extent in the financial, human resource and assets management in the public sectors, its application and use in public records and archives management is yet to take root. The same concern has been raised by Sarens and De Beelde (2006) and Fraser and Henry (2007) who observe that the relationship between records management and risk management has not been clearly explored and articulated by scholars and practitioners within organizations. The Institute of Internal Auditors (2009) further notes that, many public organizations are fearful, they do not really understand the link between risk management and records management.

### **1.12 Definition of Terms**

In order to clarify the nature of the study being carried out, this section provides a brief definition of key terms used. These definitions have been selected to reflect the study's approach, and are contextually appropriate to the study.

#### **Business continuity**

For this study, business continuity is a holistic management process that identifies potential threats to an organization and the impacts to business operations that those threats, if realized, might cause. Business continuity provides a framework for building organizational resilience with the capability for an effective response that safeguards the interests of its key stakeholders, reputation, brand and value-creating activities.

Business continuity plans for records is therefore a process which seeks to enable business continuity, and contains procedures, information and resource identification that are ready to be used in the event of an emergency or disaster affecting an agency's records, records management or recordkeeping systems. It is the process of preparing for, mitigating, responding to and recovering from a disaster.

### **Business risk impact assessment for records**

This is a management level analysis that identifies the impacts of losing access to an organization's records. It provides senior management with reliable data upon which to base decisions on risk mitigation and continuity planning, and it includes an agency's records, records management and recordkeeping systems.

### **Risk**

A chance of something happening that will have an impact on objectives. A risk is often specified in terms of an event or circumstance and consequences that may flow from it. Risk is measured in terms of a combination of consequences of an event and their likelihood.

Within this study, it is proposed that all risks which occur within subjects of finance and probability for insurance; can be described generally as 'financial risk'; that all risks which involve physical hazards or actual damage be considered as posing 'physical risk', and finally, that 'intellectual risk' be posited as an umbrella term for intangible concepts such as the philosophy of risk, and abstracts of risk.

### **Risk management**

Whilst risk is something with no single correct conception, a risk management standard created by the Institute of Risk Managers and others describe it as a process whereby organizations methodically address risks attaching to their activities with the

goal of achieving sustained benefit within each activity and across the portfolio of all activities.

**Risk acceptance**

Informed decision to take or accept a particular risk. Risk acceptance can occur without risk treatment or during the process of risk treatment. Risks accepted are subject to monitoring and review.

**Risk analysis**

The systematic process to understand the nature of and deduce the level of risk. It provides a basis for risk evaluation and decisions about risk treatment.

**Risk appetite**

Amount and type of risk an organization is prepared to pursue or take

**Risk assessment**

The overall process of risk identification, analysis and evaluation.

**Risk criteria**

Terms of reference by which the significance of risk is assessed. Risk criteria can include associated cost and benefits, legal and statutory requirements, socioeconomic and environmental aspects, concerns of stakeholders, priorities and other inputs to assessment.

**Risk evaluation**

A process of comparing the level of risk against risk criteria. Risk evaluation assists in decisions on risk treatment.

**Risk identification**

The process of determining what, where, when, why and how something could happen.

**Risk management framework**

Set of elements of an organization's management system concerned with managing risk. Management system elements can include strategic planning, decision-making, and other strategies, processes and practices.

**Risk mitigation**

Measures taken to reduce an undesired consequence

**Risk register**

This is a comprehensive record of risks across an organization, business unit or project depending on the purpose/context of the register.

**Risk treatment**

The process of selection and implementation of measures to modify risk. The term 'risk treatment' is sometimes used for the measures themselves. Risk treatment measures can include avoiding, modifying, sharing or retaining risk.

**Records**

Records, as defined by the independent standard ISO 15489, are Information created, received, and maintained as evidence and information by an organization or person, in pursuance of legal obligations or the transaction of business. The same standard also defines a document as "recorded information or (an) object which can be treated as a unit.

**Vital records**

Records without which an organization could not continue to operate, that is, those containing information needed to re - establish the organization in the event of a disaster. Vital records are those which protect the assets and interests of the organization as well as those of its clients and shareholders.

### **1.13 Chapter Summary**

This introductory chapter examined the background to the study by highlighting the importance of managing records related risks. The problem of the statement revolved around the fact that, records related risks in public sector are on the rise, but government ministries in Kenya continue ignoring the need to develop risk management strategies for recordkeeping. As a result, this study sought to investigate the nature, types, extent and causes of records risks in ministries with an aim of developing a risk management strategy for records and archives. Other issues discussed in the chapter include the profile of Kenya's public sector, an overview of records management in government ministries, which provided gaps left by previous studies. The chapter also discussed statement of the problem, aim and objectives of the study, research questions, significance, limitation and scope of the study and lastly definition of key concepts.

One of the issues that emerged from chapter one is that globally, records related risks are on the rise and there is need for public organizations to develop strategies, identify the nature, causes and impact of the risks on service delivery, good governance and accountability.

## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **2.0 Introduction**

This chapter provides the theoretical framework upon which the study was based and a review of related literature. Though a large number of works were evaluated during the study, which formed its reference base, the researcher used specific works which related to two research areas namely; records management and risk management.

These guided the research and shaped the perspective and methodology of the study.

The literature review is structured around the following themes as they relate to the study objectives;

- The historical evolution of risk management concept;
- Risk management in the context of recordkeeping;
- Nature, types and causes of records risks;
- Recordkeeping control systems;
- Legal and regulatory frameworks for records;
- Skills, training and competencies for records management professionals.

Lastly, the chapter provides a review of risk management specifically in the context of electronic records. The researcher deemed this to be important as risks related to electronic records were found to be on the increase.

#### **2.1 Theoretical Framework**

A theoretical framework is a conceptual model showing how one theorizes or makes logical sense of the relationships among several factors that have been identified as important to a problem (Sekeran, 2003). According to Creswell (2003) theories are found early in the research plan and basically act as an orienting lens, shaping the



questions to be asked, who participates in the study, how data is collected and the overall plan of the dissertation.

Sichalwe (2010), Eagleton (2008) and Nonaka (2005) further argue that theories discuss interrelationships among variables that are deemed to be integral to the dynamics of a situation being investigated. According to Polit and Beck (2004) the purpose of a theoretical framework is to make research findings meaningful and generalizable, thus stimulating research and extension of knowledge by providing both direction and impetus. The frameworks are for that reason orientations or ways of looking at the social world, at a level less abstract than the meta-science positions. They provide collections of assumptions, concepts and forms of explanations (Mikkelsen, 2005).

A Theory on the other hand can be defined as “*a system of interconnected abstractions or ideas that condense and organize knowledge about the social world*” (Mikkelsen, 2005). To Mikkelsen (2005), theory gives us concepts, provides basic assumptions, directs us to the important questions and suggests ways for us to make sense of data, therefore making researchers think through the research. Creswell (2003) on the other hand, defined a theory as an interrelated set of constructs or variables formed into propositions, or hypotheses, which specify the relationship among variables.

In research, theories help researchers draw conclusions, develop a body of knowledge and generate more advanced and improved theories (Eagleton 2008; Johnathan 2005; Kothari 2004; Stoner *et al.* 2003; Cozby 2001). As Ocholla and Roux (2011) note a theory can serve as a lens through which a researcher observes a particular aspect of his or her field of study. Redish (2004) further describes a theory in research as, a

shared language and assumptions that can both guide and allow us to compare different approaches and ways of thinking. It is therefore, important that every research has some theoretical inclination within the subject of study, against which a researcher can build his thinking and draw conclusions.

Maseh (2015) argues that, an author may present a theory as a visual model and, the term 'model' is sometimes used interchangeably with theory. However, as noted by Cohen *et al*(2007), though models are often characterized by the use of analogies to give a more graphic or visual representation of a particular phenomenon, like theories they may be seen as an explanatory device or scheme having a broad conceptual framework. Case (2007) defined a model as, a simplified representation of a real situation including main features of that situation. Like theories, models can be of great help in achieving clarity and focusing on key issues in the nature of phenomena or problem area (Cohen et al 2007).

In this study, models were used to form the theoretical perspective of the study and to explain theories that were deemed relevant but did not directly inform the study.

### **2.1.1 Theoretical Underpinning of the Study**

The purpose of this study was to assess how government ministries in Kenya were managing records related risks with a view of proposing a risk management strategy for public records in Kenya. The following research questions were addressed: How effective are the legal and regulatory frameworks used by GoK ministries in addressing records related risks? ; What types, nature and causes of risks are public records in GoK ministries were exposed to?; How effective were the recordkeeping control systems used by GoK ministries in alleviating records related risks?; What competencies, skills and professional training do Records Management Officers have

in risk management? What efforts has the Government of Kenya made towards the development of a risk management strategy for records and archives?

The current study was transdisciplinary covering the disciplines of records and risk management. Laltuca (2003) identifies transdisciplinary as the application of theories, concepts or methods across disciplines with the intent of developing synthesis. According to Repko (2008), transdisciplinary defies disciplinary limits on what theories, concepts and methods are appropriate to a problem involving “being open to inquiry” and “using different disciplinary tools. This entails estimating the degree of usefulness of one tool versus another to shed light on the problem.

This study was within the fields of risk management and records management. To address the research objectives and answer research questions, the study were therefore, primarily informed by theories from two disciplines of study that is, the Business-Driven Recordkeeping Model for the records management field, and Integrated Risk Management Model for risk management. These two primary theoretical models were complemented by the Records Continuum Model, the International ISO Standard 15489-1, Information and documentation - Records management and Australian/New-Zealand Risk Management Model

#### **2.1.1.1 Business-Driven Record Keeping Model**

Business-driven Recordkeeping (BDR) model is affected by works of the Modeling Cross-space, just as work embraced by other InterPARES2 research gatherings. Other than InterPARES, the Business-driven Recordkeeping Model has likewise been impacted by work directed through different activities, for example, the computerized protection group of the Delos Project, Clever Metadata Project and Records Continuum research at Monash University, chip away at records the board principles

(measures: ISO 15489:2001, and ISO 23081-1:2006), and DIRKS technique created by the National Archives of Australia.

The BDR Model receives viewpoints of an association tending to its own business inside more extensive juridical, financial and social settings, and the records produced by that business. It centers on records required for current business and those that should be held and safeguarded for longer-term verifiable interests of society.

The general plan of a model is to show the nexus among necessities and exercises of a business association and records created by those requirements and exercises. Aside from tending to the business and records nexus of a given association, the model likewise tries to set up a nonexclusive system that can be utilized by any association for overseeing records, free of explicit business setting of a given association, the authoritative structure and the scale or size of an association.

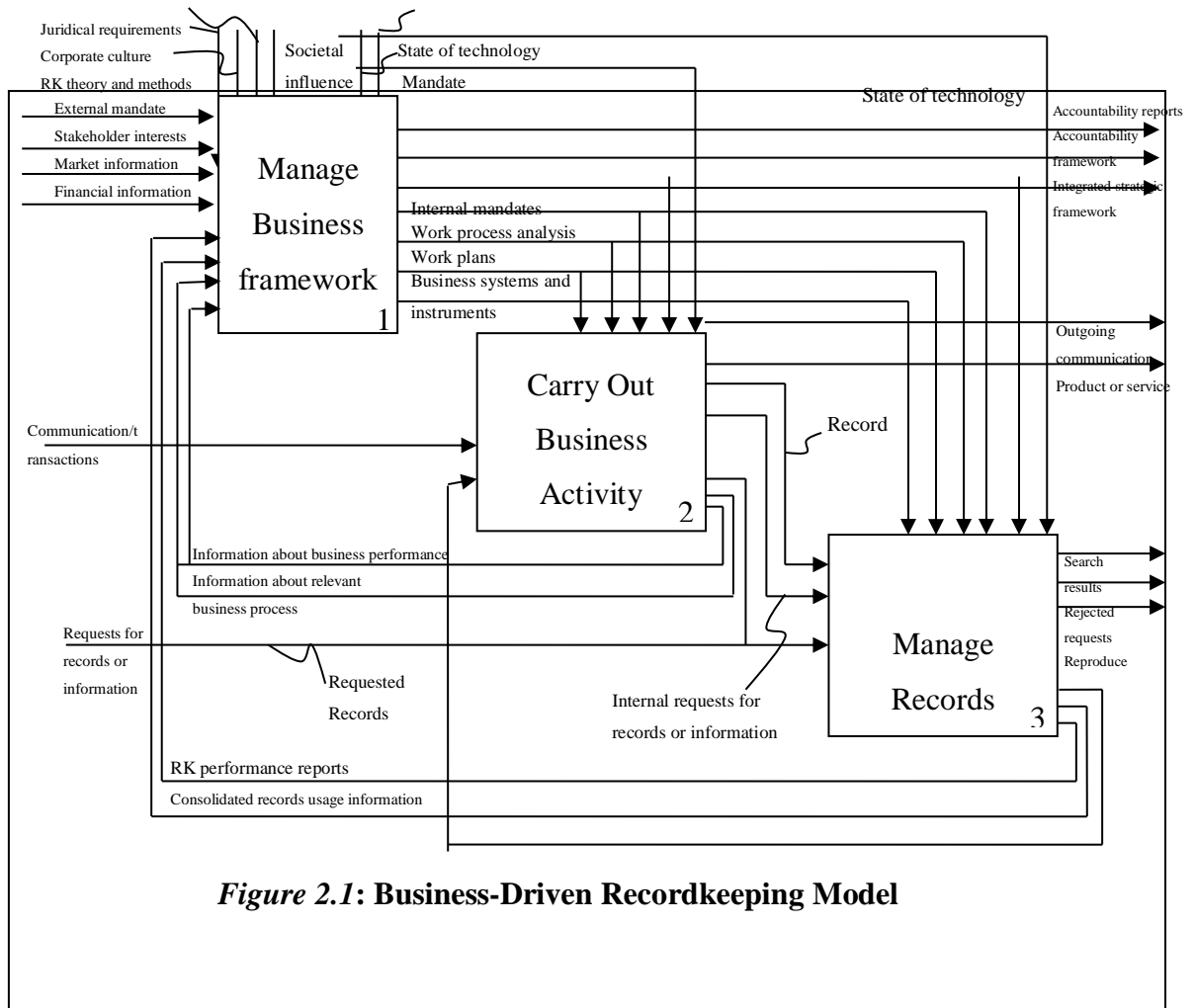
In agreement with the Continuum model, the BDR model additionally represents a place of an association and its business inside a bigger setting of society. Given its point of view on business of a given association and its records, this model is of incredible intrigue not exclusively to records directors but also to program administrators overseeing business of an association, including those responsible for monetary and legal needs of organization. The BDR model has the following specific objectives:

- To offer an integrated view of business of an organization and recordkeeping.
- To support parallel contexts, multiple views and perspectives not only those within a business but also those who may be stakeholders, clients, partners, etc., as well as archivists, who may have interests in the records generated by the business.

- To provide a framework for identifying legal, juridical, ethical, business, organizational and records requirements of specific business organization.
- To integrate recordkeeping requirements into business activities to enable records required to provide evidence of business activities be captured and preserved in an appropriate manner; and
- To manage authentic and reliable records throughout their existence and within different contexts of use and interpretation.

By delineating how the management of records is an important part of business administration of organizations, the BDR model focuses on removing obstructions that regularly encompass recordkeeping and different business forms. These boundaries can be theoretical, for example, the point of view that records management is distinct and separate from other business activities.

For the BDR model, management of records needs to be approached from an interdisciplinary point of view. This approach was found to be relevant to the current study where records management was considered a responsibility of all stakeholders in an organization. To enable the model to be relevant to the study, the researcher sufficiently broke down the complex components to suit the recordkeeping prerequisites of Government Kenya recordkeeping requirements, which was the concentration for the investigation.



**Figure 2.1: Business-Driven Recordkeeping Model**

The model takes the view of an organization as the starting point and identifies all processes needed to perform recordkeeping in relation to business activity. As shown in figure 2.1, the model identifies three most relevant areas of activities namely;

1. Business framework
2. Business processes and;
3. Managing Records

### **1. Business Framework**

Legal and regulatory arrangements are basic for an effective recordkeeping. Organizations need to have statements of purpose dependent on the mandate, functions and business. Gotten from that, they will create approaches that figure out

what targets and objectives are; and what systems will be appropriate for accomplishing these destinations and objectives.

Legal and regulatory framework has the purpose of determining the functions and activities of organization and what standards, rules and procedures; instruments and systems are applicable. Framework can also be used to explain to third parties, under what policies or conditions an organization will perform its functions and obligations. An essential part of this activity should be a policy and framework for managing information and, more specifically, for managing organizational records.

This also will include an identification and analysis of risks and measures of how to mitigate those risks. The framework will guide all business and recordkeeping activities of the organization. Establish business needs for records (including how long they are required to be retained), identify risks for the business and organization that need to be mitigated by proper creation and management of records, along with those risks that will be present if these records will not be properly created and managed, to identify the requirements for records management. This activity is controlled by legal, juridical and organizational or business requirements.

## **2. Business Processes**

Level two of the model depicts actual business processes of an organization. It defines an organization's business operational targets and results, designate and appoint assets, create business and work plans, structures and creates business work forms, fundamental instruments and framework structures to adequately deal with an association's assets and bolster its work forms. Such an investigation will distinguish not just how the business movement is done, yet in addition by whom, when and why records will or ought to be created.

### **3. The Recordkeeping Processes**

The third high level of the model is the function of managing records. This has been can be decomposed into four main processes,

- a) Capture records,
- b) Maintain records,
- c) Facilitate access, and
- d) Collect performance information.

#### **a) Capture Records**

In light of rules established in the recordkeeping framework, the capture function identifies and brings under control records that are created in a business activity and need to be maintained. During the capture stage records metadata require to be extracted to ensure authenticity, usability, integrity and reliability of the records. The capture of metadata is done every time a record is used in a business process. The capture process includes listing all records created and their classification. The legitimate recordkeeping instruments will direct the enlistment and grouping. Distinguishing proof and data about execution of this capacity are created for assessment purposes.

#### **b) Maintain Records**

The maintain process produces management or performance information that is used to evaluate execution of the “capture” function. The process is carried out by persons responsible for preservation, using infrastructure technology. The maintain activity also carries out a disposition function, so that records are not kept longer than needed. This maintenance activity enables the output, in response to a retrieval request, of digital components of a record, along with information about that record or, if request is only for requested information.



**c) Facilitate Access**

Governed by an access framework, supports search facilities for users and, if successful, provide information about or provide access to reproduced records or produce, if requested, a reproducible digital record; that is, the digital component(s) of records with instructions for producing an authentic copy of the record and information necessary to interpret the record as kept under the regime of the recordkeeping framework.

**d) Collect Performance Information**

Synthesize and compile reports on performance of capture, maintain; in order to facilitate access functions based on information continuously collected from these functions and to inform the “evaluate recordkeeping framework performance and adequacy” function. These reports may contain information about the applicability of policies, rules and methods, deviations from policies/rules and malfunctioning of systems, as well as suggestions for improvement.

At the same time, it identifies what metadata should be captured about the records and recordkeeping instruments and how these transactions should be documented. The classes of information objects and their attributes reflect a metadata schema needed to perform the recordkeeping function.

**2.1.1.2 Relevance of BDR Model to the Study**

The model endows any organization with an outline for planning and implementing a functional records management program. As indicated by this study, BDR model is a tool that organizations can use to systematically analyze, design and begin to implement their recordkeeping framework as an integral component of the organization’s business. Given that most government services in Kenya have probably

a few segments of recordkeeping set up, the model can be utilized to review existing circumstances and survey the degree to which different ways to deal with planning what recordkeeping capacity could possibly be fitting to a given business setting it is serving. The outcomes will empower choices to be made concerning not just the structure of recordkeeping capacity and ways to executing a recordkeeping framework, but also identify other weaknesses in recordkeeping. The comprehensive nature of the model with regard to current and non-current records and a clear categorization of its requirements made it an obvious choice for the current study.

The BDR Model provides an all-encompassing approach to records and risk management supporting parallel contexts and multiple views not only those within GoK ministries services as well as partners, customers, accomplices, and so forth., just as analysts, who may have interests in records created by a business. This approach was considered relevant to the object of this study more especial in records related risk management.

The model was viewed as pertinent to the study since it provides a construct for making out the legal, juridical, ethical, business, organizational and records requirements of specific business organization.

The model was viewed as pertinent to the investigation since it give a structure to distinguishing the lawful, juridical, moral, business, hierarchical and records prerequisites of explicit business association. This was viewed as significant on the grounds that it would empower ministries to incorporate recordkeeping prerequisites into business exercises with the end goal that the records required to give proof of the business exercises can be caught and safeguarded in a fitting way.

### **2.1.1.3 The Integrated Risk Management Model**

The Integrated Risk Management Framework provides departments with guidance on implementing a department-wide and ultimately government-wide systematic approach to risk management. The Framework comprises four interrelated elements: developing a corporate risk profile; establishing an integrated risk management function; practicing integrated risk management; and ensuring continuous risk management.

The implementation of Framework's principles promotes the building of a "risk-smart" workforce and creation of an environment that allows for innovation and responsible risk-taking. The same principles are designed to ensure that departments will take precautions to protect public interest, maintain public trust, and exercise due diligence. The Framework proposes a set of risk management practices that departments can adopt or adapt to their specific circumstances and mandates.

The IRMM is a continuous, proactive and systematic process to understand, manage and communicate risk from an organization-wide perspective. It is tied in with supporting key dynamic that adds to accomplishment of an association's general destinations. It requires a progressing evaluation of dangers at each level and in each segment of an association, accumulating these outcomes at corporate level, conveying them and guaranteeing sufficient observing and survey. Incorporated hazard the board in this manner, includes the utilization of these totaled outcomes to educate dynamic and strategic approaches inside an association.

IRMM doesn't concentrate just on minimization or alleviation of dangers yet in addition underpins exercises that cultivate development, so as to accomplish

extraordinary comes back with satisfactory outcomes, expenses and dangers (IRMM, 2001).

The IRMM give direction to propel the utilization of a progressively corporate and methodical way to deal with hazard the executives; add to building a hazard keen workforce and condition that takes into consideration development and capable hazard taking, while at the same time guaranteeing real precautionary measures are taken to secure the open intrigue, keep up open trust, guarantee due persistence; and propose a lot of hazard the executives rehearses that offices can receive, or adjust, to their particular conditions and order.



**Figure 2.2: Integrated Risk Management Model**

#### **2.1.1.4 Elements of IRMM**

The Integrated Risk Management Framework comprises four related elements.

These elements are:

##### **Element 1: Developing the Corporate Risk Profile**

A broad understanding of the operating environment is an important first step in developing corporate risk profile. Developing a risk profile at corporate level is

intended to examine both threats and opportunities in the context of an organization's mandate, objectives and available resources.

In building a corporate risk profile, information and knowledge at both corporate and operational levels is collected to assist departments in understanding the range of risks they face, both internally and externally; their likelihood and potential impacts. In addition, identifying and assessing existing departmental risk management capacity and capability is another critical component of developing a corporate risk profile.

An organization can expect three key outcomes as a result of developing a corporate risk profile:

- Threats and opportunities are identified through ongoing internal and external environmental scans, analysis and adjustment.
- Current status of risk management within an organization is assessed- challenges/opportunities, capacity, practices, and culture- and recognized in planning organization-wide management of risk strategies.
- The organization's risk profile is identified-key risk areas, risk tolerance, ability and capacity to mitigate, learning needs.

## **Element 2: Establishing an Integrated Risk Management Function**

Establishing an integrated risk management function means setting up a corporate infrastructure for risk management that is designed to enhance understanding and communication of risk issues internally, to provide clear direction and demonstrate senior management support. The corporate risk profile provides necessary input to establish corporate risk management objectives and strategies. To be effective, risk management needs to be aligned with an organization's overall objectives, corporate

focus, strategic direction, operating practices and internal culture. In order to ensure risk management is a consideration in priority setting and revenue allocation, it needs to be integrated within existing governance and decision-making structures at operational and strategic levels.

To ensure that risk management is integrated in a rational, systematic and proactive manner, an organization should seek to achieve three related outcomes:

- Approach to operationalize integrated risk management is implemented through existing decision-making structures: governance, clear roles and responsibilities, and performance reporting.
- Building capacity-learning plans and tools are developed for use throughout the organization.

### **Element 3: Practicing Integrated Risk Management**

Implementing an integrated risk management approach requires a management decision and sustained commitment, designed to contribute to the realization of organizational objectives. Integrated risk management builds on results of an environmental scan and is supported by appropriate corporate infrastructure.

The following outcomes are expected for practicing integrated risk management:

- A departmental risk management process is consistently applied at all levels, where risks are understood, managed and communicated.
- Results of risk management practices at all levels are integrated into informed decision-making and priority setting strategic, operational, management and performance reporting.

- Tools and methods are applied as aids to make decisions.
- Consultation and communication with stakeholders is ongoing internally and externally.

#### **Element 4: Ensuring Continuous Risk Management Learning**

Continuous learning is fundamental to more informed and proactive decision-making. It contributes to better risk management, strengthens organizational capacity and facilitates integration of risk management into an organizational structure. To ensure continuous risk management learning, pursue the following outcomes:

- Learning from experience is valued; lessons are shared under supportive work environment.
- Learning plans are built into organization's risk management practices.
- Results of risk management are evaluated to support innovation, capacity building and continuous improvement, individual, team and organization.
- Experience and best practices are shared internally and across government.

##### **2.1.1.5 Relevance of IRM Model to the Study**

As indicated in section 2.1.1 the current study was trans disciplinary focusing on recordkeeping as risk management. The study used the BDR model to address recordkeeping issues while Integrated Risk Management Model informed matters of risk management. Public records across government ministries in Kenya are today faced with different types of risks. These risks present themselves on a number of fronts, levels and impact. The Integrated Risk Management model provides a clear and wholistic approach towards management of records and related risks across GoK ministries. The model presents a continuous, proactive and systematic process to

understand, manage and communicate risk from individual level, functional areas and organization-wide perspective.

The aim of the IRM Model is to make organizations more effective in risk management. The model promotes building of a risk smart workforce. This view is particularly important for public records management across government ministries in Kenya because it creates an environment that allows innovation and responsible risk taking. The model also ensures that ministries take proactive measures to ensure that records are protected from the ever increasing risks.

Mat-Isa (2006) contends that, effective risks management depends on how organizations perceive them. The author further argues that, how organizations perceive risks can influence decisions, behavior and in essence how to manage risks. O'Donnell (2008) raised concerns on management of records related risks in public organizations in UK due to the fact that risks are not as visible as they ought to be. The first element in IRM Model is developing risk profile at corporate level to help identify record related risks across the GoK ministries.

The generic nature of IRM Model means it has a wide range of applications across ministries and in all formats of records created and received. The foundation of the model is that it focuses on a continual assessment from the task at hand. The course of action is influenced by the context in which the risk is based.

Risk management is not a linear process; rather it is the balancing of a number of interwoven elements which interact with each other and which have to be in balance with each other, if risk management is to be effective. Furthermore, specific risks cannot be addressed in isolation; the management of one risk may have an impact on



another, or management actions which are effective in controlling more than one risk simultaneously may be achievable.

The model presented here, by necessity, dissects the core risk management process into elements for illustrative purposes but in reality they blend together. In addition, a particular stage in the process which one may be at, for any particular risk, will not necessarily be the same for all risks.

The model illustrates how a core risk management process is not isolated, but takes place in a context; and, how certain key inputs have to be given to the overall process in order to generate outputs which will be desired from risk management.

### **2.1.2 Complementary Theoretical Models for the Study**

This study was informed by the Business driven recordkeeping model and integrated risk management model. However, in order to address research questions and develop an elaborate conceptual framework, the researcher considered complementary models. They included , the Records Continuum model, Australian/New Zealand Risk Management mode and ISO 15489 2001 Information and Documentation – Records Mnagement Standard.

#### **2.1.2.1 Records Continuum Model**

The Records Continuum (RC) as a records' management model was formulated in the 1990s by an Australian archival theorist, Frank Upward. The continuum theory was developed in reaction, criticism and weaknesses of the life-cycle concept. The model is viewed as an alternative model with the advent of electronic records.

The records continuum model as refined by Upward and originally created by Upward, Reed, and Schauder provides a view of recordkeeping at creation point, within groups, at organizational levels, and at inter-organizational levels. It provides

an overview of characteristics of recorded information, in terms of position, place and origin (Upward, 2000).

According to the Australian Standard for records Management, the records continuum is the whole of record's existence. It refers to a consistent and coherent regime of management process from the time of creation of records and before creation, in the design of recordkeeping systems through to preservation and use of records as archives (AS 4390).

As argued by Upward (2000) the records continuum model focuses on management of records as a continuous process which includes creation of records. It sees the need to manage records from a perspective of activities which they document, rather than visualizing it in consecutive stages, which is the emphasis of the life cycle analogy. It provides an overview of characteristics of recorded information in terms of position, place and origin.

The records continuum focuses at managing records in light of such questions as what records need to be captured to provide evidence of activity, what systems and rules are needed to ensure those records are captured and maintained, how long should records be kept to meet business and other requirements, how should they be stored, and who should have access to them.

The records continuum model therefore, broadens interpretation of records and recordkeeping systems offered by the lifecycle model. Such broadening, according to Flynn (2001) is helpful, given the variety of contexts in which archivists and records managers operate and in which record and archives are used.

In evaluating attributes of records, there is often distance between their origins, value and status. In the continuum model, it is easier to associate all three on rings and alignment of the diagram. The audience for such a model is comprehensive: archivists and records managers can interpret a place of their own records in context of the continuum.

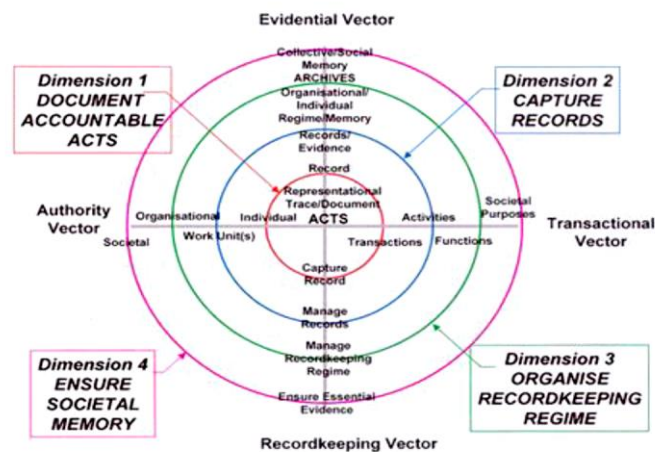
According to Shepherd and Yeo (2003), the continuum model is a flexible and inclusive concept that reflects a range of issues surrounding the role of records in contemporary organizations and society. The model provides a graphic tool for framing issues about relationship between records managers and archivists, past, present, and future; and for thinking strategically about working collaboratively and building partnerships with other stakeholders (McKemmish 1997; Reed 2010).

Upward (1997) pointed out that the records continuum model has been defined in ways which show it is a time/space model instead of a life of the records model. Upward (1997) therefore contend that the records continuum model has four important principles that include:

- A concept of records which is inclusive of records of continuing value (archives), which stresses their use for transactional, evidentiary and memory purposes; and which unifies approaches to archiving/recordkeeping whether records are kept for a split second or millennium ;
- A focus on records as logical rather than physical entities, regardless of whether they are in paper or electronic form;
- Institutionalization of recordkeeping profession's role requires a particular emphasis on the need to integrate recordkeeping into business and societal processes and purposes; and

- Archival science is the foundation for organizing knowledge about recordkeeping.

Upward (2000) explored these principles through a diagrammatical representation of a model as shown in Figure 2.3.



*Figure 2.3: Records Continuum Model*  
(Source: Upward, 2000)

#### 2.1.2.2 Australian/New-Zealand Risk Management Model

The Australian/ New Zealand Risk Management Model was developed by the Australian Standards Organization in 2004 under the Australian/New Zealand Risk Management Standard (AS/NZS 4360: 2004). The standard defines risk as the chance of something happening that will have an impact upon objectives.

The model provides a generic guide for managing risk and can be applied to a very wide range of activities, decisions or operations of any public, private or community enterprise, group or individual.

The model specifies elements of the risk management process. It is generic and independent of any specific industry or economic sector. The design and implementation of the risk management system will be influenced by varying needs of

an organization, its particular objectives, products, services, processes and specific practices employed.

The model can be applied at all stages in the life of an activity, function, project, product or asset. The maximum benefit is usually obtained by applying the risk management process from the beginning.

### **Elements of Australian Zealand Risk Management Model**

The main elements of the risk management process are as follows:

#### **Communicate and Consult**

Communicate and consult with internal and external stakeholders as appropriate at each stage of the risk management process concerning the process as a whole.

#### **Establish the Context**

Establishing the context involves defining the strategic context, organizational context and risk management context in which the risk management process (RMP) will take place. Criteria against which risks will be evaluated and structure of analysis should also be defined at this stage (AS/NZS 4350: 20004). The strategic context provides a description of the organization, where it sits within the industry, which controls it, who its customers are, how big it is, its employee profile and major strengths, weaknesses, threats and opportunities that face the organization (AS/NZS 4360:2004).

#### **Identify risks**

Identify where, when, why and how events could prevent, degrade, delay or enhance the achievement of the objectives.

**Analyze risks**

Identify and evaluate existing controls. Determine consequences and likelihood hence the level of risk. This analysis should consider the range of potential consequences and how these could occur.

**Evaluate risks**

Compare estimated levels of risk against pre-established criteria and consider the balance between potential benefits and adverse outcomes. This enables decisions to be made about the extent and nature of treatments required and about priorities.

**Treat risks**

Develop and implement specific cost-effective strategies and action plans for increasing potential benefits and reducing potential costs.

**Monitor and review**

It is necessary to monitor the effectiveness of all steps of the risk management process. This is important for continuous improvement. Risks and effectiveness of treatment measures need to be monitored to ensure changing circumstances do not alter priorities. Risk management can be applied at many levels in an organization. It can be applied at a strategic level, tactical and operational levels. It may be applied to specific projects, to assist with specific decisions or to manage specific recognized risk areas. For each stage of process, records should be kept to enable decisions to be understood as part of a process of continual improvement.

**2.1.2.3 ISO 15489-2016 Information and Documentation – Records Management**

The ISO 15489-2001 is the first international standard devoted to records management. It was developed from the Australian Standard (AS 4390- 1996) and provides specifications for the structure, content and implementation of records

management program. The Standard was designed to meet ongoing needs for efficient and cost effective recordkeeping in a business environment.

As argued by Saffady (2011), the guidance of the standard is applicable to records management for any organization and covers records in all media. The standard also recognizes that records management is part of organizational business process. It provides guidance on creating records policies, procedures, systems and processes to support the management of records in all formats. The Standard is widely used internationally in both private and public sector organizations.

The Standard is achieving worldwide importance and acceptance. Most English-speaking nations have adopted it. The Standard has been translated into German, French, Dutch and Chinese, making it one of the ISO's most successful publications since the ISO 9000 series of quality codes in the 1990s.

#### **2.1.2.4 Components of ISO 15489 - 2001**

The standard is divided into two parts. Part 1 provides a high level framework for recordkeeping and specifically addresses benefits of records management, regulatory considerations affecting its operation and the importance of assigning responsibilities for recordkeeping. It also discusses high level records management requirements, design of recordkeeping systems and actual processes involved in records management, such as record capture, retention, storage, access etc. It concludes with a discussion of records management, audit operations and training requirements for all staff of an organization.

Part 2 provides practical and more detailed guidance about how to implement the framework outlined in Part 1. It provides specific details about the development of

records management policy and responsibility statements. Also, it outlines processes for developing recordkeeping systems.

Part 2 also provides practical guidance about development of records processes and controls. It specifically addresses the development of key recordkeeping instruments such as thesauri, disposal authorities, security and access classification schemes. It then discusses the use of these tools to capture, register, classify, store, provide access to and manage records.

More importantly, Part 2 provides specific guidance about the establishment of monitoring, auditing and training programs to promote and effectively implement records management within an organization

## **2.2 Review of Relevant Literature**

This section provides relevant literature reviewed in the course of conducting this study. Before discussing various aspects of the study, it was important for the researcher to provide an exploration of historical evolution of risk and risk management which was used to lay the foundation for the study as well as setting the discussion in context.

### **2.2.1 Exploration of the Historical Evolution of the Concept Risk**

According to Hay-Gibson (2009), the term risk can be traced back to seventeenth century Italian word *risco*, *riscare* and *richiare*. Bernstein (1996) on the other hand asserts that emergence of the term go back to the sixteenth century. Other studies link its emergence with pre-modern Portuguese and Spanish Maritime ventures (Giddens, 2008; Althaus, 2005; Hay-Gibson, (2009). Indeed Giddens (2008) suggest that one roots of the term risk originates from a Portuguese word meaning “to dare”.



Lemieux (2010) further argue that there is no one single accepted definition of the term risk. The term is defined differently in different context and from different epistemological perspectives. Indeed Hay-Gibson (2009) observes that risk is trans-disciplinary and each field of practice with which the subject of risk intersects has its own interpretation and meaning.

According to Hay-Gibson (2009), from an Information Technology perspective, risk is defined as the effect of uncertainty on organizational objectives, or any event that impacts the objectives of a business. Within the field of Industrial engineering, engineering risk is described as any effect of deficiencies or flaws in design of engineering of a project on its cash flow.

Though definitions vary, it is possible to extract some common ideas associated with the notion of risk. Risk is often characterized by a trigger event linked to certain consequences (ISO/IEC, 2009). Indeed, references to risk frequently associate it with combination of probability and consequences of an event's occurrence. From an IT security, it is possible to extrapolate additional concept of a threat combined with vulnerability that triggers a risk event (Harris, 2010).

Often, consequences of a risk event are associated with losses or negative outcomes (Hay-Gibson, 2009). On the flip side, however, lies the notion of opportunity associated with the Portuguese root of the word risk, "to dare". This notion implies that taking risk, a person may stand to gain or lose. Probability theory helps to define a relative likelihood of gain over losses.

Risks are often grouped or categorized into strategic risk, environmental risk, market risk, credit risk, operational risk and compliance risk (ISACA, 2010). Lemieux (2004) was among the first to posit a category for records and information risks, suggesting

that these are risks to the adequacy of an organizations records and information that may pose a threat to effective completion of business transactions and fulfillment of organizational objectives or opportunities (Lemieux, 2004).

In terms of types of risk, the Guide to Risk Management (2011), there are two types of risks, strategic and operational risk. Strategic risks relate directly to an organization's strategic planning and management processes. Strategic risks are those which significantly impact on achievement of an organization's vision and strategic objectives as documented in the strategic plan. They are high level risks which require identification, treatment, monitoring and management by organization's senior executive or board.

Operational risks are those, which could have significant impact on achievement of organization's strategic objectives from the perspective of actions undertaken by a particular division, department, and branch or work unit. Operational risks normally require management by a relevant senior officer responsible for a division, department or branch.

According to the Australia/New Zealand Standard for Risk Management (2040), risk is a possibility of something happening that impacts on organizational objectives. It is measured in terms of likelihood and consequence (AS/NZ 4360, 2004). Risk in this context refers to events or conditions that may occur and whose occurrence has a harmful or negative impact. It also refers to situations in which it is possible but not certain that some undesirable events will occur. Risk is therefore, a quantifiable likelihood of loss or less-than expected returns from business activities. It denotes negative impact to business activities and operations.

The Canada Integrated Risk Management Model (2000) on the other hand sees risk as an uncertainty that surrounds future events and outcomes. It is the expression of likelihood and impact of an event with the potential to influence achievement of an organization's objectives. Risk is therefore the uncertainty of outcome and no risk takes place in a vacuum. US Government accountability (2005) define risk as an event that has a potentially negative impact and possibility that such an event will occur and adversely affect an entity's assets, activities and operations.

Borodzicz, (2005) asserts that risk includes both possible threats and opportunities and the potential impact these may have on the ability of an organization to meet its objectives. Risk in this context therefore, relates to both challenges to, and opportunities for, the organization.

While this study recognizes the importance of negative connotation of outcomes associated with description of risk, indeed there is considerable debate and discussion on what would be an acceptable generic definition that will recognize the fact that, when assessed and managed properly, risk can lead to innovation and opportunity. The use of ICTs in records management, for example, represents an opportunity to significantly increase efficiency of public access to government information. The benefit of ICTs in records management outweighs any potential negative outcomes.

This study will adopt the definition given by the Australia/New Zealand Standard for risk management which defines risk as "...the possibility of something happening that impacts on organizational objectives. It is measured in terms of likelihood and consequence." (AS/NZ 4360, 2004). The definition takes into consideration the fact that risk has either a negative or positive implication which needs to be considered.

Finally, it is recognized that for some organizations, risk management is applied to issues predetermined to result in adverse or unwanted consequences. From this perspective, risk is seen as a function of probability of an adverse or unwanted event, and the severity or magnitude of consequences of an event will be more relevant for their particular public decision making context. Two calculations are consequently required; its likelihood or probability and extent of impact or consequences.

### **2.2.2 Risk Management Concept**

Lately, public and private organizations are considering risk management a critical subject and given it a priority higher than at any other time. However, according to Hay-Gibson (2009), risk management is trans-disciplinary and there are equally many accepted definitions that have evolved over time at different contexts. Some describe risk management as the decision-making process, excluding identification and assessment of risk, whereas others describe risk management as a complete process, including risk identification, assessment and decisions around risk issues.

Risk management is a systematic process of making a realistic evaluation of true levels of risks to a business and setting the best course of action under uncertainty by identifying, assessing, understanding, acting on and communicating risk issues. It also involves the process of employing appropriate strategies and systems to curb possible risks, besides just evaluating realistic levels of risks (Standards Australia, 2004; Standards Canada, 2004).

Integrated Risk Management (2000) defines risk management as a systematic approach to setting the best course of action under uncertainty by identifying, assessing, understanding, acting and communicating risk issues.

Successful risk management depends on appropriate risk management culture in an organization. The risk management culture underpins a general vision, mission and objectives of an organization. Limits and boundaries are established and communicated concerning what are acceptable risk practices and outcomes (McRae & Balthazor, 2000).

Fone and Young (2007) further argue that, risk management is tied in with settling on choices that add to the accomplishment of an organization's goals by applying it both at individual activity level and in functional areas. It helps with choices, for example, compromise of science-based proof and different variables; costs with advantages and desires in contributing open assets; and the administration and control structures expected to help due persistence, mindful hazard taking development and responsibility.

Good risk management therefore, allows stakeholders to have increased confidence in an organization's corporate governance and ability to deliver. It provides a quick and smooth restoration of operations after a disruptive event. It addresses actions to be taken before, during and after a disaster. It spells in details what, how and when about a disaster

According to Alexander and Sheedy (2005), risk management depends on the rule that it is a key obligation of an organization's administration to guarantee continuation of its business tasks consistently. It is an all-encompassing administration process that distinguishes expected dangers to an association and the effects on business tasks that those dangers, whenever acknowledged, might cause, and which gives a system to building hierarchical versatility with an ability for a successful reaction that protections interests of its key partners, notoriety, brand and worth making exercises.

Normally, risk management has continued to be associated with controlling misfortune and money related status of an organization and was verifiably connected to the protection business. However, due to increased cost of insurance during the 1960s, companies and businesses began to employ risk managers to methodically manage risk related issues (Mehr & Hedges (2002). According to Thomson (2003) public organizations faced new and complicated risks in 1970s due to legal and regulatory changes. Organizations have therefore moved beyond buying insurance as the only risk control solution to adoption of alternative strategies to address operational risk.

As indicated by Hay-Gibson (2009) one of the key drivers of risks management is development and implementation of legal and regulatory frameworks for records related risks. Globally, organizations have begun to identify the need to develop, implement and use risk management as a key component of overall business management. To this effect risk management has grown to be a central part of strategic corporate governance to ensure integrity and accountability of organizations. As an integrated part of strategic corporate governance, Sampson (1992) defines risk management as a business management function or process that analyses costs, risks and benefits of alternatives in order to determine a most desirable or appropriate course of action

Associations have perceived the need to react to impacts of rivalry and financial change by assessing their general expense of business. Hazard the executives has become a coordinated piece of key corporate administration to guarantee trustworthiness and responsibility of associations while simultaneously seeking after hierarchical objectives. As an incorporated piece of key corporate administration, Sampson (1992) characterizes chance administration as a business the board capacity

or procedure that investigations costs, dangers and advantages of choices so as to decide a generally alluring or proper strategy.

Organizations are continually evaluating the risks they face with an aim of finding a way to acclimate to evolving conditions. Risk management is tied in with settling on choices and adds to accomplishment of an association's destinations at an individual movement level and in utilitarian regions. Risk management should be a continuous and developing process, which runs across an organization's strategy and its implementation. It should adequately address risks in an organization's activities past, present and in particular, future (Treasury Board of Canada, 2005).

As eluded by the United Kingdom HM Treasury's Orange Book (2004), risk management is certainly not a straight procedure; rather it is the adjusting of various intertwined components that interface with one another and which must be in offset with one another to be compelling. Explicit risks cannot be addressed in isolation from one another as management of one risk may impact on another.

Equally, Meulbroek (2002) point out that risk management will not achieve its full prospective and benefits; if it is conducted by various individual departments across an organization, because it tends to be tactical rather than strategic. Mat-Isa (2006) asserts that risk management should be integrated at strategic and operational levels to gain support of each other.

As showed by Hierarchy of Risk Model (Strategy Unit, UK 2002), the higher the progression, the higher the degree of exposure o risks. It is the type and nature of business tat determines the level of risks. This will therefore mean that project and operational levels have the lowest uncertainty level. Decisions made by project and

operational managers are based on statistical data, hence uncertainty depends mainly on accuracy and reliability of information and records used.

Ebaid (2011) assert that, it is difficult for any organization to be risk free. Risk is unavoidable, and therefore every organization needs to anticipate risks it can encounter and take necessary measures. More especially appropriate action to manage the risks in a way that can be justified as tolerable.

### **2.2.3 Risk Management in the Context of Records and Archives Management**

Mat-Isa (2006) argues that it is obvious that effective risk management depend to some extent on the availability of appropriate records. However, what might not be obvious is that records management requires effective risk management strategy. How organizations perceive risk can influence decisions and behavior. Organizations, both public and private need to perceive recordkeeping risks in order to reduce uncertainty. Despite the risks that public records face, risk perception within public organizations is not clearly articulated, particularly in Government ministries in Kenya. Lemieux (2001) further contends that records and archives risks are often dealt with on an ad-hoc basis via internal audits, legal processes, information technology and in few instances records management.

O'Donnell, Cabinet Secretary and Head of the Home Civil Service of UK, (2008) raises concerns on management of records risks. The Cabinet Secretary indicates that records risks in public organizations in UK are often not visible as they should, and therefore not always well managed in public organizations. Many organizations wrongly assume that records management risks, unlike financial risks, are secondary and of less strategic importance.



There is however, concern on a marked increase of records risks globally (NARA, 2010);

O'Donnell, 2008; Mat-Isa, 2006; Lemieux, 2004). NARA reports (2009, 2010 & 2011) indicate that nearly 80 percent of public agencies in the US are at significant risk of improperly destroying records. Of which, 36 percent are at high risk while 43 percent are at moderate risk. One area of particular concern in reports is e-records management, where NARA (2010) found nearly half of public organizations are at high risk. Judged at higher risk are those agencies that may not be creating and managing records effectively or keeping them around long enough. This can be damaging to those public agencies' operations, diminish accountability and reduce access to historically important records.

Lemieux (2004) is of a view that increased volumes of records created by public organizations, use of information technology and expansion of demand for access to information means new risks to records can appear quickly and may not be visible as other risks. These changes have introduced new and complex risks in records management.

Mat-Isa (2006) also points out that risk management for public records is critical because records and archives just like other organization's programs, activities and assets are surrounded by risks. Records risks as contended by Lemieux (2004) encompass any threat to business arising from some inadequacy in organization's records and information. These risks are many ranging from damage to or loss of records and information, unauthorized access to records and information and uncontrolled creation of records. Good recordkeeping programmes, need to perceive

records risks, reduce uncertainty and protect records and information to achieve organizational economic operations and longevity (Williams, 2006; Mat-Isa, 2006).

Matthews and Feather (2003) further argue that, firsthand experience and research worldwide, including Australia, Scandinavia and the USA, show that public sector risk management strategies do not include records management requirements. Risk management teams in these countries fail to understand the relationship between records related risks and business risks that have records or recordkeeping implications. As a result recordkeeping risks are not embedded or integrated into organizations' philosophy, culture, governance policies, and decision-making structures.

IRMT (2013) observes that, globally, public records are not managed to protect records and archives against risk and threats; and in some countries, even basic procedures and management controls are not in place, particularly in a digital environment. Poorly managed records tend to be at risk of being incomplete, difficult to locate and hard to authenticate; they can be easily manipulated, deleted, fragmented or lost. They undermine public service delivery and result in inaccurate or incomplete information, which in turn can lead to misunderstanding and misuse of information, cover-up of fraud, skewed findings and statistics, misguided policy recommendations and misplaced funding. Delivery of justice is impaired, human rights cannot be protected, government services are compromised, and civil society cannot hold governments to account.

A survey conducted by Bourne (2013) among UK Companies found that records and information risk management are yet to move up the boardroom agenda of many UK

public and private organizations. Records management risks are not regularly included on the agenda for board meetings.

Ngulube and Tafor (2006) agree that, in the 21<sup>st</sup> century it would be impossible to say that governments in Africa are not aware of recordkeeping risks and disasters. What lacks is failure by those in charge of records and archives management to justifying funding for risk management programmes and activities. The two argue that Governments have to look at what they stand to lose in an event of losing records and compare it with the benefits to be gained from having a risk management plan for records and archives.

It is clear from the literature that the role that records can play in risk management in public sector has been clearly articulated. Palmer (2000) points out that a chaotic and collapsed state of records management systems is one of the primary reasons why accounting standards will not easily be implemented in developing countries. Indeed, when accounting systems are weakened due to poor record-keeping, management is unable to access records for decision-making. In this light, it is essential that records are managed properly throughout their entire life cycle to enable identification of risk and management thereof.

Willis (2005) is of the view that a robust records management programme should form part of an organization's risk management process, as records and management of risk are considered inseparable. In this regard, proper records management can be used as a tool to identify risks in an organization. Fraser and Henry (2007) identify two contexts in which inseparability of and nexus between records and risks can be considered: records for identifying business risk and business risks associated with managing records.

Lemieux (2010) provides a typology between records management and risk management, which include using records to explore types of risk, records as causes of other types of risk, risks associated with traditional archival function and records management applying a risk management process.

Erima and Wamukoya (2012) are of a view that as a tool for risk management, records management is important in strategic decision-making, helps cut down costs and reduces risks from litigation, amongst others. Isa (2009) ponders that the embedding of records management into risk management function is a long-term exercise to ensure that records consideration is at the heart of all management processes. Organizations create an array of records relating to relevant internal and external activities. These records are needed at all levels of an organization to identify, assess and respond to risks (Treadway Commission, 2004).

Failing to manage records throughout their life cycle is a growing risk facing every organization across the globe. According to Mat-Isa (2009), organizations have neglected proper record-keeping, which results in exposure of records to risks from various angles. If records management is used as a risk identification tool, many of the risks associated with record-keeping, such loss of information, unauthorized access, reputation and others, can be mitigated. Fust and Graf (2002) argue that proper management of records is a foundation any government needs to provide services, to fulfill its obligation of accountability towards its citizens and to protect their rights. Chinyemba and Ngulube, (2005) assert that, “proper records management involves establishing systematic controls at every stage of the record’s life cycle, in accordance with established principles and accepted models of records management”. Practicing

proper records management leads to good public management because government activities are based on access to information contained in records.

In addition, proper records management results in good archives; the product that is transferred to an archives repository is maintained according to its 'original order' as in line with the principle of *Respect des Fonds*. This implies that, if records are not managed properly in an office of origin; products transferred to the archives repository will also be poor and this will compromise the history of a nation as records would not be easily retrievable. In this light, it is essential that government departments should implement and maintain a systematic approach to managing records from their point of creation to their ultimate disposal.

However, despite the crucial role played by records management, there is consensus amongst researchers that many organizations, including government departments, pay little attention to management of records (Chinyemba & Ngulube, 2005; Mnjama, 2004:6; Ngulube, 2004). In Kenya, for example, in some cases government ministries and departments handle recorded information carelessly without realizing that records constitute a major resource compared to finance, people, money and equipment (Makhura, 2001; Ngulube, 2004).

According to Kemoni (2011), surveys conducted on records management by the Kenya National Archives and Documentation Service during the 2003/2004 financial year in government Ministries and departments revealed that record keeping has declined to a point where it was seriously hampering conduct of government business and undermining basic accountability to the public. The surveys revealed that there was no top management support for records management functions in ministries and departments, which resulted in records managers not having the necessary authority or

backing to enforce proper records management practices (KNADS, 2010). This raises serious concerns as to whether records are managed in government departments as a strategic asset to protect them against any risks.

According to Ngoepe (2008), “it is essential for government departments to integrate records management more effectively with other information management functions so that records management becomes a strategic management function towards reaching a competitive advantage”. In other words, to ensure that records management risk management receives the attention it deserves, it should be a strategic objective in government ministries’ strategic and business plans.

Despite the raising risks that records continue to face due to poor recordkeeping practices within public sector organizations, it is clear from literature that risk management for records and archives is yet to be taken as a strategic objective in government ministries’ strategic and business planning. Records and archives risks management continue to be dealt on an ad-hoc basis (Lemiex, 2001; Ebaid, 2011; Mat-Isa, 2006).

In Kenya, although Government Ministries feel the problem is insignificant, records management risks are threatening to add another impediment to a county’s public service delivery particularly on its effort to good governance. Records and archives risks are yet to be well understood just as other organizational risk in the public sector. Various efforts that have been made by the government of Kenya to address records management issues have not been able to address records related risks (IRMT, 2011).

The Government of Kenya is yet to develop a national risk management strategy for records and archives. Such a management strategy will enable public organizations to identify assess and manage risks related to records and records management and incorporate them into organizations' records management programmes. This will enable recordkeeping risks to be addressed holistically and consistently across government ministries.

It is in view of the above that the researcher felt it is relevant to explore practices and procedures of records management in Government ministries in Kenya with an aim of proposing a risk management strategy for public records and archives in the country.

#### **2.2.4 Anexus between Risk Management and Recordkeeping**

Chernobai, Rachev and Fabozzi (2007) assert that there is connection between risk management and records management, despite the fact that risk management field has continued to be the focus of the insurance industry. Organizations, both in public and private sectors need to in depth understand risks within their operations in order to trim down uncertainty and to achieve economic operation and sustainability of an organization. However according to Mat Isa & Nordin (2011) success of risk management will largely dependent on effective records and information management.

During a time where transparency, accountability, compliance and consistence are of expanding concern it is fundamental for organizations to follow guidelines and, on the off chance that they don't, to have the option to clarify why. This is at all times made possible by accessibility of complete and genuine records. Risk management of records enables a proactive approach to potential adversities, rather than a knee-jerk reaction in a crisis (Sampson, 2002).

Globally, there is evidence that even as internal monitoring bodies within organizations such as internal audit functions and audit committees are becoming increasingly involved in risk management; they continue to ignore records related risks. Fraser and Henry (2007) argue that for long time organizations have failed to assign records related risk management responsibilities to specific individuals or units within their organizations. Internal audit departments and audit committees have tried to fill the gap but with minimum impact.

As indicated by Mat- Isa (2009), records management guarantees accessibility of records required for risk assessment and management. There is therefore need to ensure that recordkeeping is fully incorporated into any risk management process. To address this need, Mat- Isa (2009) proposes some rules and guiding principles for how the combination should be possible. Firstly, record-keeping practices and risk management elements must be nurtured and embedded in all business activities across organizations. This can be realized by forming a working committee comprising audit committees, archivists and records managers, and risk management team to implement such an approach across board. Along these lines, records management professionals should grasp such opportunity to contribute to the achievement of corporate governance (Sampson, 2002).

Effective records management ensures availability of records for future assessment in order to determine whether recommended risk mitigation has been followed by relevant business process owners. The success of risk management is to a large extent are reliant on precision of information within organizations, as every judgment made must be based on reliable information. In a period where good governance is of



increasing concern, it is essential that organizations conform to regulations failure to which adequate explanations and reasons provided. (Lomas, 2010).

Reed (1997) proposes that not all procedures create records and that; it is the job of records the executives working inside a hazard the executives structure to distinguish how far each procedure ought to be recorded. In any case, as Mat-Isa (2009) would authenticate, this job can't be cultivated without duty from administrators of different offices over an association.

Reed (1997) advocates that not all processes generate records and that, it is the role of records management working within a risk management framework to identify how far each procedure ought to be recorded. However, as Mat-Isa (2009) would attest, this role cannot be accomplished in the absence of commitment from managers of various departments across an organization.

The quality and sufficiency of a record-keeping structure chiefly rely upon the viability of risk management that prioritizes and identifies risks across an organization. Dispensing recognized risks into an authoritative registry or document plan structure empowers distinguishing proof of relevant data, which thus guarantees that genuineness and honesty records created within a specific programme.

Usually, risk management is associated with avoiding or mitigating obstacles to accomplishment of organization's objectives and records play an integral to demonstrate that an organization has conducted itself reasonably. In the case of nothing is recorded, it hard to demonstrate that it occurred. Relying on human memory is dangerous due to its elusiveness, frailty and the tendency of people to remember things that never happened (Ngoepe, 2012). This can lead to records and

information management risks, which encompass any threat to business arising from inadequate records management (Lemieux 2004).

An all-inclusive and premeditated risk management strategy is required if risk management is to achieve its full potential. The use of this technique ought to be embedded into an organization's business systems, including strategy and policy setting processes, to ensure that risk management is an intrinsic part of the way business is conducted (HM Treasury, 2004). Sampson (2002) recommends that records directors need a more extensive scope of business the executives abilities and a significant level of specialized skill in various zones, including data advances, changing administrative and legitimate issues and necessities, and the developing data needs of the organization.

Bhana (2008) questions whether it is fair to equate poor records management to high risk. Putting it differently, Sampson (1992) questions whether proper records management can help to identify and assess risk. On similar line the Auditor- General of South Africa (2011) is on record also noting the importance of keeping records as a key component of risk management process. KPMG (2011) on the other hand argue that organizations operate in a world that grows more litigious, risky and highly regulated which require effective records management. Failing to manage records throughout their entire life cycle is a growing risk facing every organization.

Generally, recordkeeping functions are performed by records management staff. However, this is greatly changing with electronic records world which brings new intricacies to records management. Managing records has currently been transferred to end-users which have proved to be ineffective (Henttonen & Kettunen, 2011). There are several challenges in an electronic records management setting which

comprise access management, version and surrogates control. Consequently, records management can no longer be a tactical solution to a departmental problem, but must be approached as an enterprise-wide strategy (KPMG, 2011). The starting point is to identify key areas of records management that pose a risk to an organization or have a significant cost impact.

It has been argued Bhana (2008) and Ngoepe (2011) that effective management of records has great impact on business, legal as well risk management within an organization. In most cases the cost of poor record-keeping is not well articulated, consequently, few organizations especially in the public sector bother to establish a records management programme.

Bhana and Ngoepe (2011) further posit that a public institution with lack of proper record-keeping is at risk of information loss wherever there are organizational changes. This is a common phenomenon and has almost become a cliché since organizations often refer to individuals that they hold in high regard because of their ‘institutional memory’. The institutional memory should, in fact, be vested in an organization’s records management systems, which are further supported by appropriate knowledge management frameworks. Furthermore, governmental bodies need to comply with legislation regarding retention of records.

#### **2.2.5 Nature, Types and Causes of Records Related Risks**

Records like other organization’s programs, activities and assets are surrounded by risks. Hence, good recordkeeping need to perceive records risks, reduce uncertainty and protect records and information against any threats and risks. As Curral (2006) pointed, if one has to protect records against risks, there is need to identify what the risks are so as to take appropriate measures to mitigate them.

According to Public Records office, Victoria (2010), records management deals with two main risk areas; records and business related risks. Records related risks occur as a result of activities related to capture, control, access, storage, or disposal of records or to general management of records. Business related risks occur as a result of business action but are indirectly related to records management. This section of the thesis provides a discussion on the nature, types and causes of records related risks.

#### **2.2.5.1 Nature of Records Risks**

Records related risks deal with two aspects of risk: those concerned with ensuring that records remain undamaged and genuine; and those concerned with ensuring that, those who can access information have a right to do so (Curral, 2006). The risks are no different in electronic and paper records, the only differences are degree, how they manifest themselves, and how those responsible for managing information assets can minimize the risks (Tough & Moss, 2006).

Risk management in records and information management is concerned with preservation of confidentiality, integrity, availability, relevance and authenticity of records and therefore the information they contain. The objectives are to ensure that; information is accessible only to those authorized to have access to it; accuracy and completeness of information, and processing methods are safeguarded; authorized users have access to information and associated assets when required; people accessing and using correct version of records and information; and the information object is what it appears to be. Records related risks are discussed in the ensuing sections.

### **2.2.5.2 Types of Records Risks**

Creating and managing records help organizations conduct their business and manage risks associated with the business. Without adequate records, organizations may have difficulty providing evidence of actions and decisions. Types of record risks need to be identified so that they are integrated with the organization's enterprise-wide risk management strategies. These risks are discussed in the following sections.

### **2.2.5.3 Capture and Creation Risks**

Creation and capture of records is an essential part of any organization's business operations. Records provide evidence, account for resources, document decision making processes, and protect organization's interests and right to provide communication within and without the organization. It is important therefore, that organization determine how and why records are created. Failure of organizations to create authentic, reliable, comprehensive and up-to-date records is considered a records management risk (Australian Standard of Risk Management, AS/NZS 430:2004, 2004).

According to the Public Records Office (2000) in most of today's office systems, information is often created, collected or received without being subject to the procedures or rules governing good record-keeping. E-mail messages and other electronic documents for example are often sent across a network without regard to rules for keeping and filing in records systems. There is apprehension on expanding utilization of digital and information and communications technologies in government decision making and in transactions that support government activities, results in electronic records that, though potentially important, are at high risk.

Recordkeeping risk happens when organizations don't have systems that will ensure that once a record has been created it is captured into a recordkeeping. Therefore, providing compliance with regulations that require records are created captured for evidence and accountability. Inability to create and capture records will prompt non compliance due to the inability to access required records and information. Poor practice in naming and capture of the necessary background information about the records would expose the records to the risks of inaccessibility and use.

#### **2.2.5.4 Access and Disclosure Risks**

Inadequate access controls, inappropriate security provisions and unauthorized disclosure of records and information has been identified by the Public records office, Victoria Guideline for Records and Risk Management (2010) as one of the aspects that can lead to records related risks in public organizations. Tombs (2004) further indicates that this can happen due to failure of organizations to ensure that all document both paper and electronic records, and information are assigned appropriate level of security and are stored in secure location.

Organizations need to ensure that all employees are aware of the consequences to them for any deliberate unauthorized disclosure and further ensure that security systems in place and filing practice across the organization are sufficient to prevent unauthorized or leakage of information (PROV, 2010). When records gets into the hands of unauthorized persons, it can have serious consequences, with a possibility of an organization being sued or face charges under privacy of data protection legislation and, even if the consequences are less serious, embarrassment or loss of commercial advantage may result.

### **2.2.5.5 Disposition Risks**

According to Curren (2006) records can be at risk due to keeping records and information for too long. This can be caused by inadequate records disposal systems. Organizations should have clear and suitable processes for records disposal. Requirements for records disposal and associated recordkeeping metadata in electronic records management context should be in place. Areas that require to be considered before destruction of records include legal, administrative, financial, audit and specific legal retention timeframes. Destruction procedures are designed to prevent:

- Premature destruction of records or recordkeeping metadata,
- Insecure destruction of records,
- Inadequate documentation of destruction activities.

### **2.2.5.6 Management Risks**

Records, as other organizational assets need deliberate and close supervision. Sampson (1992) who studied risk management from recordkeeping point of view contends that successful records and archives management entails assigning recordkeeping responsibilities as well as identifying possible records related risks. It is an essential way to deal with action advancement that advances cost-viability. It gauges cost, advantages, and dangers of different recordkeeping rehearse against an overall estimation of different record gatherings. It adjusts expenses of re-production of records versus assurance, expenses of protection through reinforcement arrangement of protection versus expenses of misfortune counteraction through office changes. It additionally balances expenses of recuperation against the expenses of reproducing data lost or complete loss of data. Such examination recognizes those

practices that will give adaptability inside legitimate, moral and viable requirements (Sampson, 1992).

#### **2.2.5.7 Change and Modification Risks**

Organizations should prevent post records-creation adjustment and unauthorized modifications. This risk is more pronounced in electronic recordkeeping systems. Organizations should ensure that the date a document was created is protected. Inadequate records access controls can lead to political embarrassment as confidential documents are leaked to the media. Inappropriate security provisions leading to litigation for breach of contract as confidential consultancy files are emailed to the wrong external email address should adequately be addressed as risk areas.

#### **2.2.6 Recordkeeping Control Systems**

Chinyemba and Ngulube (2005) asserted that, proper records management involves establishing systematic controls at every stage of a record's life cycle, in accordance with established principles and accepted models of records management. This section therefore provides a literature review on various records management control systems in reference to records related risks management. The controls systems discussed include; records creation, inventory, classification, appraisal, disposition vital records management and business continuity plan for records. Establishing control over creation and organization of records is regarded as an important recordkeeping function.

The researcher considered records management control systems to be key in management of records related risks. The IRMT (1999) noted that, no matter how good a records management system is in theory, in practice it will only be as good as the level of control that is exercised over its elements. The purpose of a records



control system is to identify and organize records created by an organization so that they can be easily accessed, stored, retrieved for appropriate use by authorized users when required.

#### **2.2.6.1 Recordkeeping Inventory**

The ability of any organization to manage its records in an efficient manner depends largely on its ability to know the type, nature, quantity and rate of its creation and accumulation. As Ndenje-Sichalwe (2010) points out, information about organization's records can be obtained by conducting a records inventory. This is a fact-finding survey that identifies and describes records maintained by all or part of an organization. The purpose of an inventory is to gather information about quantity, physical characteristics, storage conditions business use and perceived value of records that an organization maintains.

As explained by Saffady (2011), records management is a problem solving activity. Recordkeeping problems cannot be successfully addressed until those problems are clearly delineated and fully understood. This requires a thorough records inventory. Properly conducted records inventory provides detailed information about the nature and number of records maintained by an organization. According to Robek, Brown and Stephens (1995), a records inventory is a complete and accurate survey of an organization's records management activities. The records survey as noted by Ndenje-Sichalwe (2010) is accomplished by describing, quantifying and recording information about organization's records in a standard records inventory form, so that records can be analyzed for retention, protection or any other purposes.

A records inventory is vital to any effective records management programme because it both identifies and quantifies all records that are created, referenced or processed by

an organization. The inventory helps to identify various records management challenges. According to NARA (2017), the problems that can be identified through records inventory include official actions, improper application of recordkeeping technology, deficient filing systems, insufficient identification of vital records and inadequate security practices.

Ndenje-Sichalwe (2010) indicated that a records inventory is an important working document for planning of any records management programme including records appraisal and preparing records retention schedules

#### **2.2.6.2 Record Classification Systems**

Organizations achieve success by realizing business goals through strategic resource management. Effective information management is a key enabler in achieving business success, as access to records and other documents containing strategic information is a basis of sound decision-making. Foscarini (2009) stressed that essential elements of strategic information management also include identification of internal information sources or documents that might be relevant to organizations strategic direction. This means understanding how information containers or documents can be described and organized so that they can be retrieved effectively.

The process of classification helps describe, organize and control information. It creates order in understanding what an organization does and how it does it. A simple classification tool can facilitate and enhance the capacity of an organization to share information and knowledge. The Australian Standard for Records Management, AS ISO 15489, defines classification as a systematic identification and arrangement of business activities and/or records into categories according to logically structured

conventions, methods, and procedural rules represented in a classification system (AS ISO 15489, 2002).

A classification system is a set of terms and conventions applied in a particular organizational setting to classify title and retrieve records and other business information. It controls the vocabulary used, generating consistency in description of information produced by business activities and improving retrieval of that information. The capabilities of classification tools for records management can be extended to assist sentencing and disposal. Imposing a classification system can also mitigate some organizational risks.

AS ISO 15489 further explains the need for controlling titling and description, particularly in a large and complex organization: The higher the level of accountability and/or public scrutiny, the greater the need for accuracy and speed in locating individual records. The greater the risks in business activity, the greater the need for precision and control in records' retrieval.

In records management literature, the term classification is used predominately to describe physical arrangement of files and records. Although some works still emphasize physical and subject-based classification system, function based classification has strongly been advocated since the 1990s (ARMA, 2004). Orr (2005) argues that an idea that records should be classified according to business function is not a product of the late twenty century. Writer and practitioners of archives and records management had used or described this approach in one form or another for over 100 years.

Classifying records and business information by function and activities moves away from traditional classification based on organizational structure or subject. Functions and activities provide a more stable framework for classification than organizational structure that is often subject to changes through amalgamation, devolution and decentralization (Orr, 2005). According to the Australian Standard for Records Management, AS ISO 15489, best practice in records management bases classification on a rigorous analysis of business functions and activities. A functions-based approach anchors information and records classification firmly in business processes.

Classification by function is based on the context of a record's creation and use, rather than on content of a record itself. This means a record will be classified according to why it exists i.e. its function rather than what it is about i.e. its subject. Linking records to their business context is a key requirement to protect records against risks failure to capture full and accurate records.

According to Jay and Cheryl (1998) functions-based classification has several advantages, as it helps organizations to: identify records that should be created because of their evidential value for business; recognize high priority records that should be captured because of their business significance; make decisions on retention; and sentence records at the point of creation.

Records are agents of action, active participants in business activity that can only be described through a series of parallel and iterative processes. One of these processes is classification, which identifies a business activity while it is being carried out and in a context of a higher function of which that activity is a component. To achieve the objective of revealing the functional context of records, a records classification

scheme must only display meaningful hierarchical trees of functional terms (Barbara, 1997).

According to Foscarini (2009), if one understands classification as a mere retrieval tool, then its role in the context of electronic records systems may seem somehow outdated or even superfluous, given the highly sophisticated search engines which are usually embedded in those systems. Thus, it is even more important today than it was in the past, for records managers and archivists to stress, that classification has other ends and values; that the intellectual control it exercises over records is necessary and irreplaceable.

Guercio (2002) emphasized that classification is a unique means to enable systematic, logical, and functional organization of all kinds of records, whatever their medium. Thus, far from being an old-fashioned archival tool, classification. According to Guercio (2002), classification has become “an essential instrument for qualified management of meaningful contents on the web.

What makes classification a crucial tool in records management both in electronic environment and in paper world is primarily the fact that it provides essential information about contexts of records creation and use, information that would otherwise be unattainable. The fact that, through classification, it is also possible to manage records retention, assign access privileges, protect records confidentiality, retrieve records in context and manage work flow, make it one of the essential control system in records related risk management.

### **2.2.6.3 Records Scheduling and Appraisal Practices**

Ngulube and Tafor (2006) describe records scheduling and appraisal as an important element of any records management programme. Scheduling helps to determine how

long records should be kept and how they should be disposed of. The need for records scheduling and appraisal has been driven by the fast rate of records creation and accumulation as well as technological changes. This has put archivists in an unenviable position of assessing value of records and determining which to destroy and which to preserve permanently in limited archival accommodation. Cox (2001) has called appraisal, the archivist's first responsibility from which all else flows.

Although archival is one of the important responsibilities in records management, the process itself has been greatly contested in the field of archival science (Cook, 2002). Some scholars have argued that appraisal is a very obscure process based on fuzzy value judgment rather than a clear methodology (Ngulube and Tafor, 2006). It is clear from the literature that a number of theories have been put forward to explain appraisal, but no agreement exists as to what constitutes the best appraisal methodology. According to Cox (2000), there are three main theories of records appraisal used by the archive profession; the older traditional approaches of creator and user appraisal and the more recently developed archivist appraisal.

The creator appraisal approach allows a creator of records to determine their value. This theory was put forward by Jenkinson (1937), who was uneasy with archivists deciding what was to become an archive. According to Jenkinson (1937), the role of an archivist is to take over such documents, conserve and make them available for use. Archivists were not to be involved in creating their own selection criteria. Selection was best left to record creators who were well placed to identify the records required to document their activities and retain sufficient evidence of their decisions (McKemesh, 2005).

The assumption that creators are best qualified to do appraisal and selection because they know the records has many flaws. The creator may be aware of best records functions and activities in which they were involved but they do not have a broader picture. At worst, a creator may allow destruction of records with archival value for reasons that a creator may determine such as fear of corporate or personal accountability or desire to change history by destroying evidence of past actions.

The user approach appraisal, where a user needs (actual or anticipated) to determine the value of records was best argued by Schellenberg (1956) who tried to broaden the institutional bias of Jenkinson (1937). The user approach of appraisal developed a concept of primary and secondary value or use of records. The primary use of records refers to the original use for which records were created, while the secondary use refer to the external value of records which include evidential, legal, fiscal and informational. This approach has been criticized to have a narrow research interest rather than a broad spectrum of human experience. It also left the historical user-oriented archivist, unable to engage with non-historical uses and users of records such as those in medicine, science, business, business, sociology and environmental studies. While trying to predict the future research trends, the archivist was neglecting to document the wider society to which the record creators and the institutions functioned.

The third theory of appraisal is the archivist approach. According to Cox (2001) the archival theory of appraisal is a theory of value created by archivists and not by creators, users or society at large. According to this theory, it is for archivist to decide on the value of records. The functional approach to appraising long term value of the functions and activities of an organization provides the basis for archival theory of

determining the value of records. Records are the evidence of transaction and activities carried out in the pursuit of a function. It is not is not evidential or contextual nature of a record that is valuable but, various and differing contexts of activities and transaction or at a higher level of functions that caused a record to be created and this determines whether a record is preserved or destroyed (Cox, 2001).

A study by Ngulube and Tafor (2006) revealed that in the ESARBICA region, ten countries used a user-based approach when appraising public records while the remaining two used an archivist or functional method of appraisal. Garaba (2005) further noted that appraisal in the ESARBICA region was not being conducted regularly and systematically. This means that records in this region are at risk of unsystematic disposition.

According to Ngulube and Tafor (2006), only two countries within the ESARBICA region had archival laws that specifically addressed issue of appraisal. Six other archival institutions claimed that, their appraisal decisions are governed by appraisal standards and archival appraisal practices. Ngulube and Tafor (2006) further contend that the appraisal standards only applied to paper-based records.

As with other countries in the ESARBICA region, appraisal in Kenya is not dealt with satisfactorily. Appraisal programmes are not conducted regularly and systematically. Content analysis of Annual Reports by KNADS revealed that appraisal of records in government ministries are only conducted when ministries are in a crisis and require to ease space, equipment and other storage facilities.

#### **2.2.6.4 Records Disposition Systems**

Records management has immense benefits to public and private sectors management. Records represent a critical resource in organizational management.



They provide a reliable, legally verifiable source of evidence of decisions and document compliance or non-compliance with rules and procedures. According to Akotia (2011), the degree to which public management activities are performed depends in part, on an underlying records infrastructure. Where infrastructure is strong and effective, records management system is underpinned by policy and programmes on records disposition. Records disposition refer to actions that are associated with implementing decisions about retention or destruction of records. It also includes migration and transfer of records to new storage locations, custodians or owners (AS 4390, 1-1996).

Besides supporting accountability and defense against litigation, efficient disposition systems promote effective records retrieval, help avoid inadvertent destruction and eliminate cost of storing and maintaining unwanted records. From an archives perspective, the programme protects quality and integrity of future archival accessions (Akotia, 2011). National archival institutions have statutory responsibilities for disposition, decisions and actions. The laws that establish institutions ensure that value of public records is systematically evaluated and their transfer or destruction is authorized.

According to NARA (2010), public agencies must have an effective records disposition program to ensure that records are readily available for current business and those that are no longer needed for current business are appropriately disposed of.

### **2.2.7 Vital Records Management**

As indicated by Saffady (2011), vital records contain information that is important to the operations and functions of organization. Essentially all organizations have specific mandate that they should perform. Such responsibilities are considered to be

mission critical to the organization. Vital records therefore are considered to contain information needed for mission-critical functions. It can further be stated that vital records contain data and information required for strategic business activities. Loss, damage, destruction and inaccessibility of vital records will have far reaching impact on the performance of an organization.

According Sharon (2005) only a small percentage of records created or received by organizations can be classified as vital. These classes of records are fundamental to crisis working and business continuation, and are difficult or difficult to supplant once destroyed or lost. It is assessed, that in many associations, it is just between 1-10 percent of records that can be considered to be vital.

Vital records can further be considered as records without which an organization couldn't keep on performing its mandate. These are records containing information significant to re-establish an organization in case of a disaster. These are records central in the management of resources and interests of an organization as well as those of stakeholders and the clientele. They are significant in setting up, legal and financial situation of an organization as well as those significant in protecting the privileges of an office, its workers or customers (Ambira, 2010; Australian National Audit Office, 2012).

Vital records are records that document the rights and interests of people, organizations, and different building block within an establishment. These are records vital for restoration of ordinary legislative activities of organization in the event of a disaster. The management of vital records ought to be the worry of everybody in the organization. Organizations therefore need to build up an all inclusive structure to address the need for vital records management. This ought to be the focus for all

activities on recordkeeping to ensure that records management is considered as an important component in effective and essential functioning of any organization (Rush, 2008).

Failure to adequately manage vital records and information has brought about collapse of successful companies due to the fact that they couldn't reproduce vital records when required such as; debt claims data, fire protection approaches, innovative work documents and significant agreements and understandings. In spite of the fact that it is preposterous to envision Governments disbanding because of loss of crucial data however failure to produce vital public records can slow down government operations, especially during a significant disastrous occasion. The falls of Enron and WorldCom have to a large extent been attributed to failure by these multinational organizations' inability to access their vital records during court proceedings (Mat-Isa, 2006; Treasury Board of Canada Secretariat, 2010).

Lion (2005) asserts that, one of the essential elements of a successful records management program is to secure records and information of its organization so as to guarantee a smooth reproduction of crucial information in the event of a catastrophe. This incorporates protecting records and information regardless of the format during times of emergency. More significantly, executing a vital records program can greatly lessen working methods and future expenses for an organization. Consistent audit and review of records management practices from their creation, capture, use and disposition is the surest way to enable organizations be aware of vital records related risks and take measure to secure the records.

A vital records management program will entail preservation of all critical records and information regardless of the format in which they are captured in. As per the

Treasury Board of Canada (2005), this can be accomplished by building up a program, which comprises of following;

- The assignment of program responsibilities to a person whose functional responsibilities include, dealing with all components of the an organization;
- The careful selection of vital records through a records inventory;
- The review of protection methods available and appropriate for vital records and information programs;
- The establishment of administrative procedures and policies;
- The creation of a disaster recovery plan; and
- The auditing procedures to maintain ongoing and effective programs.

A vital records program will include protection of all vital records and information regardless of the recording medium. However, as indicated by Stephens (2005), one of the most difficult steps in establishing an overall vital records program is the process of selecting and analyzing vital records and information. Often, vital information is interpreted as archival/historical information and vice versa. It is important to differentiate the two. Vital records are any media used to store information that is critical to continuation of an agency. Archival/historical records are generally used to preserve and benefit a scholar and posterity; they consist mainly of records that have served their primary purpose and now are being held for secondary purposes such as research or history.

### **2.2.8 Records Management and Business Continuity Planning**

Business Continuity Management, according to British Standards Code of Practice (BS 25999-1; 2001) is based on a principle that, it is the key responsibility of an organization's directors to ensure continuation of its business operations at all times.

It is a holistic management process that identifies potential threats to an organization and its impacts to business operations. Business Continuity Planning provide a framework for building organizational resilience with capability for an effective response that safeguards the interests of its key stakeholders, reputation, brand and value-creating activities.

Lost or damaged records can cause problems. All records need whole-of-life management, including counter-disaster planning. Business continuity management helps an organization prepare for, and recover from a major disruption. Records management identifies which records are vital to the conduct of a business, so it supports business continuity planning and assists in maintaining an operational, accountable agency in the event of a disaster (Territory Records Act, 2002).

Business continuity planning for records requires recognition of an important role that records play in enabling an organization carry out its essential or core responsibilities. An organization's full compliance with all Standards for Records Management is evidence of its recognition of the importance of records to a Government, community, its staff, and to delivery of its ongoing business functions including its accountability responsibilities. Successful implementation of its approved Records Management Program demonstrates an agency's compliance.

Business continuity management is an integral part of risk management framework within an organization. All organizations face a variety of risks. These may be sourced externally, and therefore largely out of an immediate control of an organization, or internally. Internal risks arise both at strategic (organization-wide) level and at operational (business process) level.

A key element of sound public administration and accountability is, adequate recording or documentation of a business of government. To achieve this, public organizations need to develop records management frameworks and systems designed to ensure that records are appropriately captured, accessed, stored, and disposed. This commences with creation and subsequent capture of records into a records management systems, through to maintenance, use, and ultimately transfer to the National Archival institutions or destruction. Records management need to be seen as important within governance, resourcing and information management arrangements of an organization for it to effectively support management of business activities, risks, and to satisfy records management requirements (Australian National Audit Office, 2012).

Continuity of public sector business is a critical issue to be considered by Boards, chief executives and senior management in public sector organizations and for business activities. Many services delivered by government organizations are critical to economic and social well-being of society and failure to deliver these could have significant consequences for those concerned. Barrett (2000) aver that it would be ill-advised to ignore risks to business continuity because their likelihood is too remote in the medium to longer term, this could well prove costly for both organizations and clients (citizens).

Recordkeeping practitioners in Government need to recognize the importance of records in their jurisdiction and be generally aware of a range of events that could pose a threat to continued access to these records. However, formal recordkeeping practices frequently give only nominal attention to records-related threats to business continuity. Organizations, especially those in the public sector, should address the need for proper assessment and mitigation of threats to business continuity. Business

continuity planning for records should be part of an agency's broader business continuity program. Lost or damaged records (in any form) can cause problems. All records need whole-of-life management, including counter-disaster planning. Business continuity management helps an agency prepare for, and recover from a major disruption. Records management identifies which records are vital to the conduct of a business, so it supports business continuity planning and assists in maintaining an operational, accountable agency in the event of a disaster (Standards Australia, HB 292-2006).

Business continuity planning for records requires recognition of an important role that records play in enabling government organizations carry out its essential or core responsibilities. An agency's full compliance with all Standards for Records Management is evidence of its recognition of the importance of records to the Government, community, its staff, and delivery of its ongoing business functions including its accountability responsibilities. Successful implementation of its approved Records Management Program demonstrates an agency's compliance. Risk and Business Continuity Planning provides a quick and smooth restoration of operations after a disruptive event. It addresses actions to be taken before, during and after a disaster. It spells in detail, what, how and when, about a disaster. Risk and Business Continuity Management (BCM) is based on a principle that it is key responsibility of an organization's management to ensure continuation of its business operations at all times (Mann, 2011).

Risk management is now becoming an established organizational discipline. Identifying risk, assessing its likely impact, establishing mitigating options, deciding optimal actions and implementing decisions are becoming part of the normal agenda for all lines of business. Risk management is a commonly used term that covers a

number of activities and methods. The extension of traditional risk management techniques to an entire organization has become known as enterprise risk management (ERM) and HR has a key role to play here.

The key elements of business continuity management in relation to records management include:

- Understanding the importance of records management,
- Understanding the overall context within which the agency operates and manages records including the agency's critical objectives,
- Understanding the risk management and security context within which an agency's records management operates,
- Understanding triggers for implementing disaster management, business continuity response and recovery procedures in relation to records management ,
- Ensuring that all those with delegated responsibility for records management play their part in ensuring business continuity, and
- Ensuring all staff understand their roles and responsibilities when a major disruption occurs.

The Australian Capital Territory Standard for Records Management (2008) provides two principles to help explain fundamental requirements that organizations need to put in place when implementing business continuity plan for records management. As indicated by the Standard, the first principle includes evaluating records for business continuity risks. This principle deals with issues of risk management, corporate governance, security and client support as priority areas for organization governance. According to this principle records and information are considered



crucial for governance purposes. It is important to guarantee continuous access to vital records to enable core business functions continue to be performed during and after disaster. The expression "disaster" is utilized here, to cover a wide scope of major and minor interruptions to records, records the executives and recordkeeping frameworks.

### **2.2.9 Legal and Regulatory Framework for Recordkeeping**

Legislative and regulatory framework provides a basis for effective records and archives management. The enactment of comprehensive legal and regulatory framework is a critical prerequisite for effective records management. Public organizations need to be aware of legal and regulatory environment that affect recordkeeping. According to Kennedy and Schauder (1998), legal and regulatory framework is fundamental to effective records management, because, some legislation specify the requirement to create and retain certain records, while other legislations show how long records should be retained.

Public records are national assets and are essential to government transparency and accountability. The citizens and other users such as researchers must have confidence in the integrity, authenticity and reliability of public records. Towards this ideal, a number of laws and regulations need to be put in place to govern the creation, maintenance and disposal of public records. According to NARA (2011), records management related laws and regulatory frameworks ensure that government employees document their actions and those of government, and retain records in a usable format for as long as necessary, and ensure preservation and availability of permanent records. Okello-Obura (2011) argues that, without an organized legal and regulatory framework, there would be a deficit in records and archives management.

Laws have a direct impact on ways in which government creates, maintains and disposes off records.

Kennedy and Chander (2000) pointed out that, in addition to legislative framework, it is important for a government to establish policies and regulations under which records are managed. Records management best practice means that organizations should provide adequate evidence of compliance with a regulatory environment. These are usually statutes, mandatory standards practices, code of best practice and code of conduct and ethics. The nature of an organization and sectors determine regulatory elements (ISO 15489- 2001).

McLeod and Hare (2006) argue that while some laws and regulations contain explicit records management requirements, many more contain implicit requirements for recordkeeping. According to Parer (2000), records and archives legislation may be composed of both primary and secondary legislation. Parliament or some other supreme legislative authority enacts primary legislation. A minister under powers conferred by the primary legislation usually promulgates the secondary legislation. Records and archives legal and regulatory framework determine the manner in which government bodies address records related issues. However, Higgs (1994) noted, legal and regulatory structures do no guarantee success for effectives records and archives management, but they are essential prerequisite of effective records and archives management.

Parer (2001) distinguishes between law and regulation. Law is a form of primary legislation that is enacted by parliament or some other supreme legislative authority, whereas regulation is a form of secondary legislation and is usually passed by a Minister under powers conferred by the primary legislation. Public organizations need

to be aware of the relevant laws, regulations and best practices that apply to records and archives management to be able to manage their records effectively.

According to Couture and Lajeunesse (1994), archival legislation of each country is dependent on the legal context and specific cultural, economic and political realities. Roper (1999) also noted that, the socio-political, economic, and cultural context of each country, existing records and archives legislation and the general level of records and archival development shape the form of records and archives law. Similarly, Parer (2001) recognized that, archival legislation of each country is dependent on the general political, economic, social, cultural and administrative environment, the existing records and archives legislation and general level of records and archival development.

Archival legislation in most of the commonwealth countries provides the national archives with the statutory mandate to manage and preserve government records. However, as Goh (2016) pointed out, majority of these legislations lag behind advances in technology and are not robust enough to support management and preservation of records in all formats.

Archival legislation should outline the roles and responsibilities an archives has to public records management. As Parer (2001) asserted, only few acts specify the responsibilities that a public body has to public records, to create and hold. An exception is the Queensland Act of 1999 which states, “A public authority is responsible for ensuring safe custody and preservation of records in its possession”. The Act also states that, public authority must make and keep full and accurate records of its activities and take all reasonable steps to comply with any relevant

policy and standards set or guidelines issued by archivist about making and keeping of public records.

Closely related to the role of national archives in records management is organizational placement of national archives in the government bureaucracy. Most studies according to Goh (2016) postulates that, the national archives should ideally be placed in a Ministry with influence and authority. Goh (2016) further stated that, only placement at the highest level of authority can give the archival administration a sufficient degree of legal and administrative effectiveness. One of the earliest studies on legislation related to public records and archives conducted by UNESCO (1977) stated that, the statutory basis relationship of the National Archives to government departments and other public bodies determine the success of a public archives policy. The UNESCO study recommended that, the national archives placed and report to a Minister who has a considerable degree of inter-ministerial influence or authority so that it can play a more active role in records management.

In addition, the national archives should ideally be placed within government administration which prevents competing interest and eliminate blurring of functions with other professional agencies and discipline. According to Parer (2001), the reporting of national archives is dependent on whether the national archives wants to emphasize its heritage and cultural role or the recordkeeping role.

#### **2.2.9.1 Records and Archives Legal and Regulatory Framework in Kenya**

Wilkins et al (2009) noted that, governments around the world are steadily issuing laws and regulations concerning records and archives management. In Kenya, a number of legislations have been enacted affect records management. To address the study objectives on legal and regulatory environment in Kenya, this section provides a

review of various legal and regulatory frameworks that affected management of public records in the country. In reality, as indicated by the IRMT (2009), virtually every piece of legislation created by government has recordkeeping implications. However, for this study only dealt with legislations that had direct influence on how ministries created, used and disposed off records, were reviewed.

#### **2.2.9.2 Constitution of Kenya 2010**

The Kenya Constitution 2010 is the supreme law of the Republic of Kenya. The 2010 edition replaced the 1963 independence constitution. The broader CoK 2010 and related records, information and archives legal and regulatory frameworks provide a basis for sound records and information management. The constitution has several articles that influence creation, access, use and disposal of records. Freedom of expression including right to access, receive and impart information is enshrined in the constitution.

In Kenya, the right to privacy and right to be informed and to access and disseminate information are provided in Articles 31 and 35 of CoK 2010. Article 31 (c)&(d) under Privacy, state that people have a right to privacy, which includes a right not to have information relating to their family or private affairs revealed or the privacy of their communications infringed. Article 35 under Access to information states that, every citizen has a right of access to information held by the state or to information held by another person. Additionally, every person has the right to correction or deletion of untrue or misleading information that affects a person. It further requires the State to, publish and publicize any information affecting the nation. Article 33 (1) (a) on Freedom of Expression states that, every person has the freedom to seek, receive or impart information or ideas. Article 24 (1) & (2) under Limitations of Rights and Fundamental Freedoms allows limitations of rights and fundamental freedoms where

it is reasonable and justifiable. Chapter Thirteen on the Public Service Article 232 (1) (f) under Values and Principles of the Public Service provides for transparency in the provision of timely and accurate information to the public.

### **2.2.9.3 The Public Archives and Documentation Service Act, Cap. 19 (revised 2003)**

The Public Archives and Documentation Service Act, 1965, Cap 19 of the Laws of Kenya is the principle legal instrument for the management of public records and archives in Kenya. There are also other related records management Acts, subsidiary rules, regulations and Executive Circulars which have been issued from time to time in line with Cap 19. The Director of Kenya National Archives and Documentation Service is responsible for enforcement of the Act. The Act gives the director, sole responsibility to house, control and preserve all public archives and public records. The Act identifies “public records” as:-

- The records of any Ministry or Government department
- Records of any commission, office, board or other body or establishment under the Government or established by or under an Act of Parliament. The records of the High Court and of any other court or tribunal.
- The records of Parliament and of the Electoral Commission
- The records of any Local Authority established for Local Government purpose.
- The records of the High Court and of any other court or tribunal.
- The records of Parliament and of the Electoral Commission

- The records of any Local Authority established for Local Government purpose.

The Public Archives and Documentation Service Act isn't media explicit, in this way, it very well may be deciphered to cover electronic records, yet it doesn't characterize electronic records explicitly or accommodate their administration. It will be essential to survey the Act to explain electronic records issues comparable to different enactments, for example, the Access to Information Act 2016, and the Kenya Communications Amendment Act, 2009. As indicated by the discoveries of IRMT (2011), there is an across the board observation inside the administration staff, that records made electronically are not records yet information, there is subsequently, need to explain this point and to explicitly characterize KNADS's duty in the territory of electronic records the board. IRMT (2011) further called attention to that, need clearness on legitimate and administrative arrangements has brought about, absence of initiative on records the board in the Kenyan Government, especially electronic records.

Under the current law, KNADS will at last need to take care of inactive electronic records, yet there is no arrangement set by the institution to undertake this critical national service. Indeed, KNADS isn't adequately prepared in terms of infrastructure and expertise to oversee the management of electronic records as part of the archives.

Roper (1999) argue that, the enactment and use of comprehensive and up-to-date records and archives management laws is an important step towards effective records management regime. In Kenya, an investigation led by Kemoni and Ngulube (2007), on strengths, weaknesses and opportunities of the Public Archives and Documentation Service Act, Cap 19 concluded that the Act didn't adequately addresses the needs of

effective records management from a records life cycle perspective. The weaknesses of the Public Archives Act are further reflected in Records Disposal (Courts) Act, 1962 (revised 1972), which deals with the disposal of Court and the Registrar General's records. Basically, it sets out a disposal schedule that, if appropriately applied, would result to the decongestion of court registries across the country, ultimately creating storage space for current court records.

It is important also to note that the Public Archives Act Cap 19 does not give considerable direction on the management of current and semi-current records. The government of Kenya should consider reviewing of the Act to make it to be in line with changing trends in records and archives management.

Shepherd and Yeo (2003) point out that, records and archives laws have a big impact on records and archives management frameworks as they provide express prerequisites for the creation and management of records. In regard to Cap 19 Kemoni and Ngulube (2007) also noted that the Act fails to address the issue of records creation and capture and does not address the continuity of care as provided by the continuum of care. Cap 19 doesn't catch all part of records management and doesn't assign clear responsibilities to records creating agencies.

Ngulube and Tafor (2007), in content exploration of records and archives legislations, revealed that most of the laws in the ESARBICA region were weak and outdated in terms of addressing current records management issues. The two researchers recommend that governments within the region to urgently review their current records and archives legislations. More considerations to put on the management of electronic records which have resulted from e-government service delivery.



The challenge of weak records and archival legislations is not curbed to the ESARBICA region. The ICA (2004) as well acknowledged that weak and imprecise laws as major challenges facing records and archives management globally.

#### **2.2.9.4 Access to Information Act, 2016**

The object and purpose of Access to Information Act, No. 31 of 2016 is to give effect to the right of access to information by citizens as provided under article 35 of Constitution of Kenya, 210. The Act seeks to create a framework to facilitate access to information held by public and private bodies and promote routine and systematic information disclosure. According to the COK (2010) and Access to Information Act, every citizen has a right to access information, and it may not be affected by what public entity's beliefs are as to a person's reasons for seeking access. Access to information of a public entity or private body shall be provided expeditiously and inexpensively. Ideally, access to public service information should be free; however the entity may charge and costs must be inexpensive.

According to Lowry and Thurston (2015), the benefits of openness, public service delivery, economic growth and eradication of poverty can be made easy as a result of freedom of access to information and open data. However, this can only be made possible when public agencies create quality, completeness and accessibility public records, data and information. Never-ending challenges in managing public records within many Commonwealth countries have continued to weaken capacity to achieve this goal. As Lowry and Thurston (2013) points out, "Freedom of Information regimes can only be effective, if government records are managed well".

In Kenya, the passing of Access to Information legislation is likely to have far reaching impact on how public agencies will create and manage public records. The

Act requires every public authority to set up, a records management system, for creating and preserving paper and electronic records needed, to adequately document their policies, decision, procedures, transactions and activities. There is need to ensure that, any FOI implementation plan includes steps to ensuring that records are in good order to support FOI requests.

Lowry and Thurston (2013) further point out that the success of freedom of access to information will to a large extent depend on the quality of records and information to which it provides access to. Access rights can be hindered or limited as a result of poor records management practices.

Concerns have however, been raised about the readiness of public entities in Kenya on the application of Access to Information legislation due to weak regulatory frameworks for records management. Lowry and Thurston (2013) and Oganga (2017) are in agreement that poor management of records in Kenya will put the accuracy of data and information across the ministries in question.

The Access to information Act requires government agencies to computerize their records and information management systems within three years from passing of the act, in order to facilitate, more efficient access to information. However, as it detailed in chapter four of this study not much has been done to meet this requirement.

Access to Information law has affects on preceding existing laws, including the Official Secrets Act Cap 187 Revised 2016. A subsequent amendment will have effect of repealing the provision of law, which makes criminal actions such as accessing, or taking photographs of prohibited places, as well as granting access or giving information believed to be, privileged by State officers

### **2.2.9.5 Risk Management Policy Framework**

Successful recordkeeping regime in an organization is guided with clear guidelines, policies and strategies. Mission statements that provide organizations with responsibilities are central in developing such policies and therefore determine what objectives and goals are and what frameworks will be applicable for achieving these objectives and goals.

Policies serve two purposes, firstly, for internal running of the organization they offer guidance of the functions and activities of what has to be done as well as standards, rules and procedures to be followed. For external purposes policies are used to explain to third parties under what policies or conditions the organization performs its functions and obligations. As argued by Duranti et al (2008), an indispensable part of this activity should be, a policy and framework for managing information and, more specifically, for managing organizational records.

Developing organizational policy framework need to be based on an examination and scrutiny of an organization's functions, juridical and societal context. This will include an identification and analysis of risks and measures, for how to mitigate those risks. The framework will guide all business and recordkeeping activities of the organization.

A risk management framework as indicated by the standard Australia (AS/NZS ISO 3100) is a set of mechanism that offer basics and managerial arrangements for scheming, actualizing, monitoring, reviewing and consistently improving risk management throughout an organization.

The risk management framework ought to incorporate a risk management approach, strategy, partner's commitment plan, and other administrative management composition. It is also important that those involved in records management to be aware of the existence and use of risk management framework within their establishments. This is will enable them to bring into line records management and risk management functions across an agency.

In support of this approach the Public Records Office Victoria (2010), argue that aligning records management with organizational risk management, makes easy for records related risks and business risks with a recordkeeping component to be identified and addressed consistently. Alignment may be achieved by:

- Ensuring that a risk management strategy includes recordkeeping requirements;
  - Aligning risk and records management policies;
  - Regular communication between records management and risk management teams;
  - Identifying any risks associated with a agency's current records management practices and procedures, through regular self-assessments and internal audits;
  - Emphasizing records management as a good risk mitigation tool, as poor recordkeeping practices increase an agency's liability and risk sensitivity;
  - Ensuring that potential risks are identified and reported to relevant people;
- and

- Implementing records management practices and tools that contribute to risk mitigation.

#### **2.2.9.6 Risk Management Strategies for Recordkeeping**

A risk management framework is a set of components that provide foundations and organizational arrangements for designing, implementing, monitoring, and reviewing; continually improving risk management throughout an organization. The risk management framework should include a risk management strategy, policy, a stakeholder engagement plan, and governance structure (Woods, 2010).

As with the case of risk management policy Records Managers ought to know about the risk management framework that exists in an organization this will enable them to effectively manage records related risks. The understanding will allow them to without much difficulty position records management requirements and risk management functions across an organization (Standard Australia, 2009).

Incorporating records management and risk management collectively can be accomplished by making certain that risk management strategy embraces recordkeeping requirements. It will likewise assist with recognizing risks allied with an agency's current records management practices and procedures, through regular self-evaluations and internal audits, and emphasize record management as good risk mitigation.

Alignment makes it possible for records related risks and any other business risks that have recordkeeping element to be identified and addressed without fail. This positioning may be achieved by ensuring that the risk management strategy has recordkeeping requirements and have regular self-assessments and internal audits.

Classifying, assessing and managing risks related to records and records management should be incorporated into an organization's records management programme. This will go along way of making recordkeeping risks to be addressed holistically and consistently across an organization. Mat-Isa (2006) further asserts that, alignment of risk management policy and records management policy will ensure that responsibilities regarding each policy for all organization personnel are clarified.

Positioning of risk management and records management strategies will facilitate risks related to records and records management be considered, reported, and addressed, as an important component of organization. Records management structures may be planned to routinely identify and report systems-related recordkeeping risks. Resources may be, brought into records management team, to ensure that the entire records management programme of an agency is assessed for, potential risks and adjusted to minimize any risks identified.

#### **2.2.10 Skills, Competencies and Training of Records Management Professionals**

This section of the literature review addressed issues the research needed to investigate in order to answer the question, *“Does the Records Management cadre in government ministries in Kenya have necessary competencies, skills, and professional training to manage public records in any format?”*

##### **2.2.10.1 Competencies and Skillsof Records Management Professionals**

Records management has been described as a profession that is constantly changing. This has inferences on skills and competencies required to successfully manage records. There is therefore need professionals working in the area to continuously improve their skills, competencies through appropriate training (Hughes, 2005).

In concurrence with Hughes (2005), Adina (2002) pointed out that, in a fast changing world of records and information management where nothing remains constant for three or four years much has to be learned along the way. New skills, new approaches to knowledge and new ways of working with new tools have to be acquired on a regular basis.

It is indispensable that, those assigned with records management responsibilities acquire relevant and adequate training, skills and competency. This will go a long way in supporting the professional to acquire new knowledge to manage new types of information and records, develop and implement records management policies, standard and legislative framework. These calls for records management professionals to be accorded adequate training to enable them acquire necessary skills and competency in technical and managerial duties.

Nengomasha (2013), Ngoepe (2014) cited by Marutha (2016) states that, in South Africa records and management skills and competency is a problem to the extent that some government bodies have no ability, knowledge or competency, to undertake simple records management tasks such as, to distinguish between archival valuable records and ephemeral records.

Within Sub-Saharan Africa records managers and archivists lack adequate skills and competencies to face existing challenges in records management, such as, development and implementation of records management policy, legislative and regulatory framework and management of electronic records. RM professionals within the region lack adequate skills, knowledge and competencies (Nengomasha, 2013). Wamukoya and Mutula (2005) also noted that, there was a dearth of skills and competency in records management especially e-records in the ESARBICA region.

According to Ngulube and Tafor (2006) one of the factors that contributed to poor records management in Sub-Saharan Africa was scarcity of skills and competency of those with records management responsibilities. Marutha (2016) is of the opinion that, organizations may have a good and advanced recordkeeping system but, if it does not have the necessary skills and competencies of records management staff, the systems will be as good as nothing. Records management professionals and other staff need to be trained continuously, to enhance their skills and competencies at all times, including technologies affecting recordkeeping.

The Public service commission of Kenya and other stakeholders in records management, such as, the KNA&DS and KARMA, need to identify and compile competency framework for records management professionals.

#### **2.2.10.2 Specific Records Management Competencies**

The National Records of Scotland (2016) states that, it is necessary to clearly define core competencies, key knowledge and skills required by all records management staff, to ensure that they offer expert advice, guidance, and remain proactive in their management of recordkeeping issues and procedures. With core competencies defined, an organization can identify training needs, assess and monitor performance, and use them as a basis from which to build future job descriptions.

Association of Records Managers and Administrators (ARMA) (2017), describe competency as knowledge, skills, characteristics, or traits that contribute to outstanding performance in a particular profession. Competency is therefore the demonstrated capability to perform a task or a range of tasks, or to fulfill duties and responsibilities, according to established standards. Competencies are described in a way that makes them observable, measurable, and ratable. Competencies move a



focus from "what" an employee must accomplish in a typical job description to "how" an employee accomplishes required tasks (ARMA, 2017).

McLeod and others (2004), identify different levels of competencies and skills required of different employees responsible for carrying out records management, functions and activities. It is necessary to clearly define core competencies, key knowledge and skills required by all records management staff so as, to ensure that colleagues understand their roles and responsibilities; can offer expert advice and guidance, and can remain proactive in their management of recordkeeping issues and procedures. With core competencies defined, an organization can identify training needs, assess, monitor performance, and use them as a basis from which to build future job descriptions (The Scotland Records Management Competency Framework, 2016).

The National Archives of Canada (NAC) Information management competency profiles (2000), divide records management competencies into two categories; Technical and General Competencies. Wamukoya and Mutula (2005) identified various competencies and skills required by records management staff in the ESARBICA region. Such skills and competencies are diverse, but can be categorized into various levels including; records and information management skills, technological skills, managerial skills and project management skills.

Other skills identified by NAC (2000) and IRMT (2004) include, but not limited to, skills to provide records management programs and services, capture records, organize and describe records, provide access to records, store and protect records, appraise archive and dispose of records, in both manual and electronic environment and to provide electronic records/document management services

Lack of adequate skills and competency for records management has been identified by a number of scholars as, the cause of poor records management in Africa. According to Asogwa (2011), majority of records managers in Africa were recruited without any consideration on professional training in records and archives management. This category of officers only possessed secondary school certificate, and have been promoted to position of records manager, without having adequate skills and competency in records and archives management.

In Kenya, Mnjama and Wamukoya (2005) pointed out that, lack of skilled and competent records management officers was one of the causes of poor records management in majority of government ministries and agencies. They observed that, with a few or non-existent trained and competent staff in records management, and low status accorded to records management, principles and standards that should guide records and information management were never included, as part of organizational strategic plans.

#### **2.2.10.3 Professional Training for Records Management Staff**

Professional training is significant in improving knowledge, skills and competencies in management of records. Records management has been portrayed as, a profession that is continually developing. This has implication on skills and competencies to manage records. The professionals ought to have skills, competencies and training to be able them plan effectively plan, structure and execute records management programmes (Johare, 2006).

Anderson (2007) pointed out that, in a fast changing world new skills, new approaches to knowledge, new ways of working with new tools, undertaking courses or learning with new technologies. Various studies have been conducted on education

and training, in records and archives management worldwide and particularly, Africa. Yusof and Chell (1998) expressed that, in developed countries, particularly the United Kingdom, United States of America and Canada, governments have benefited from systematic education and training in records management. The equivalent can't be expressed in Africa, where according to Wamukoya and Mutula (2005), there are shortfalls in addressing needs of competency, skills and training for records management professionals.

Katuu and Ngoepe (2015) are of the opinion that, a key component in addressing the training deficit in records and archives management, is through the adoption of professional education and training programmes throughout Africa. However, as argued by Sinclair (2002), governments, more especially in Africa, continue to ignore the need to prioritize training staff in records management.

Similar concerns have been raised Ngulube (2007) who aver that, majority of staff managing records in sub-Saharan Africa do not have adequate skills, competencies and training in records management. Wamukoya and Mutula (2005) further note that, the introduction of new technologies pose new challenges that require records and archives staff to be trained and retrained for new skills and competencies for effective records and archives management.

A study by Ngulube and Tafor (2006) revealed scarcity of skills in records management, which partly contributed to poor records management in sub-Saharan Africa. Akotia (2002), Katuu (2004) Keakopa (2003) and Nengomasha (2009) also observed same situation. These authors call on African governments to prioritize training for records managers and archivists, so as, to meet new challenges in records

management. As advocated by the ISO 15489–2001, training in records management be established in an ongoing basis.

As noted by McLeod et al (2004), training in records management should be provided at appropriate levels and details, in appropriate areas of subject and commensurate with roles and responsibilities. This will enable staff discharge their records management responsibilities efficiently. As noted by Katuu (2003), within the strategies of governments to improve management of public records, education and training strategy should be given priority to ensure that those responsible for recordkeeping infrastructure have the requisite knowledge, skills and competency to manage records.

According to IRMT (1999), lack of adequate training in records and archives management is one of the major causes of poor records management globally. The World Bank Group(2000) holds a similar view that, many countries around the world are not able to cope with the growing mass of unmanaged records and archives, this is particularly true, in countries where records and archives managers lack adequate training or professional development opportunities. Wamukoya (2000) states that, records and archives personnel, at all levels require appropriate training, not only to acquire new knowledge and skills but also to gain confidence in what they do. The training according to Wamukoya (2000), must be relevant and on-going, and must include both formal and informal approaches such as on-the-job training.

To address the dearth of professional training, several attempts have been made to address education and training challenges in Africa through National Archival institutions. A study by Marutha (2011) revealed, the National Archives and Records Service of South Africa offer a four days records management course, which teaches

the basics of records management. The course according to Marutha (2011) is designed to cover records managers, senior administrative officers, training officials and registry heads.

In Zimbabwe, registry staff is offered two weeks' compulsory training, conducted at the Public Service Training Centre (Ngulube, 2000). The National Archives of Namibia also offers two-five days informal courses, in records management for registry clerks and officers (Nengomasha, 2009).

### **2.2.11 Risk Management in Public Sector**

Currently organizations in all sectors of the economy consider risk management as a key component of management strategy. Each industry has novel difficulties in managing risk associated with its business the public sector organizations are no different. Government agencies such as ministries and departments are commonly enormous and slow-moving, making it intricate to get any sort of risk management plan up and running.

Risk management is considered an important component in enabling organizations accomplish their missions and agenda, while at the same time assist in protecting interests of the public and other stakeholders. The importance of risk management is being highlighted and endorsed by many changes taking place in the public sector around the world (Carmen & Dobrea, 2006).

The Australian National Audit Office further sees the significance of integrating risk management by and large with other organizational performance assessments. Such approach has also been advocated by Banham (2005) who is of opinion that organization more especially those within public sector should practice an enterprise-

wide risk management approach. This approach however, requires senior management commitment rather than for many overseers managing some specific risks.

A survey of public and private directors by the National Association of Corporate Directors in the United States (2004), show that Boards of Directors in majority of organizations have taken the role and functions of risk management, as part of their critical responsibilities. Besides this important approach, the survey however, further revealed that only less than 30 per cent of Directors and senior public officers across the USA believed their organizations were successfully managing organizational risks. Similarly 36 per cent of directors and senior public officers, who responded to a 2002 survey conducted by Mckinsay & Company pointed out that, they were not aware of the risks against their organizations (Atkinson & Webb, 2004).

It has become a trend that many governments globally are progressively being centered on accomplishing better performing and public service delivery. Of the essence has been a drive for prominent efficiencies and value for public funds through provisions that are less costly and more focused to citizens. Further, restrictions between public and private sectors are getting increasingly permeable; strategies that request entire government approaches are getting normal. This makes public sector organizations, not only address their own risks, but as well risks that come with joined up government and inter-agency partnership. Managing such complexity involves managing increasing complex risks (Russ, 2005).

The precincts of risk management in public sector have been expanding worldwide, from departmental approach to organization-wide risk management paradigm, where all sectors in government are coming into play. On this perspective, the UK's Strategy

Unit (2012) contends that, Governments have consistently had a basic responsibility in protecting their citizens from any kind of risk. Risk management has progressively become fundamental to the working of government. The key factors here incorporate, dealing with complexity in handling risks to public, recognition of importance of early risk identification in policy development, risk management in programmes and projects; and complex issues of risk transfer to and from private sector.

Governments are responsible for identification and management of risks that are related to their mandate own business, more especially those related to provision of services to citizens. Governments need to make decisions in, as open a way as possible, about the nature of risk and how responsibility should be allocated, recognizing that, there will always be some unavoidable uncertainty.

### **2.2.12 Electronic Records Management**

Many countries have embarked on the process of transiting from primarily paper-based administrative systems, to digital or electronic system through application of Information Communication Technologies as part of e-Government initiatives. Though much has been written about benefits of the use of ICTs to support service delivery and good governance, this study focuses on literature on risks associated with the use of ICTs in relation to electronic records management.

As a body of literature explored in this study suggests, in many countries introduction of ICTs has brought about new risks in records and archives management that will affect public service delivery, good governance and accountability. A surge in use of ICTs by governments started in 1990s, with the primary aim of improving government efficiency, improved service delivery and accountability (Lemieux, 2016).

As a result of e- Government initiatives, government agencies are increasingly using electronic systems to conduct their business, which has significantly changed the way records are created and kept. Katuu (2012) state that, public organizations have come to rely upon a growing array of ICTs, to create and store records and information from traditional paper-based filing systems, to unstructured content management systems, social media platforms, web technology and mobile platforms. According to Mampe and Kulosopa (2013), records created and contained in these platforms have brought new and unprecedented types of risk in records management.

Electronic records keeping poses particular challenges to governmental bodies and to the National Archival Services, both of which need to ensure that reliable records are maintained over time as evidence of official business for purposes of accountability, operational continuity, disaster recovery and, institutional and social memory. Paper-based records provide a well-structured file plan and, the records are physically protected ensuring that the evidence they contain remain accessible and readable over time. However, in the rapidly changing technological environment, the same cannot be said of electronic records (Wamukoya and Mutula, 2005).

Mnjama and Wamukoya (2004) pointed out that, there were real challenges faced by the Eastern and Southern Africa member countries in the capture and preservation of electronic records. These include: absence of organizational plans for managing records; low awareness of the role of records management in support of organizational efficiency and accountability; lack of stewardship and coordination in handling records; absence of core competencies in records and archives management; absence of budgets dedicated to records management; poor security and



confidentiality controls; lack of records retention and disposal policies and; absence of migration strategies for records.

Luyombya (2011) in his study of the state of digital records management in the Government of Uganda concluded that, despite the existence of ICT-related policies, digital records management strategy was lacking in Uganda. Luyombya (2011) further noted that, there was lack of leadership in relation to e-records management best practices. As a result, the management of electronic records was being handled at individual ministry level, with unregulated metadata to describe the content and structure. The study also noted that, senior managers interviewed were not concerned about digital or electronic archives management.

A previous study undertaken by Akotia (2000) in the ministry of Finance in Uganda, on the management of electronic records in government, established that though government agencies considered ICT an indispensable tool for enhancing productivity, little attention was paid to management of electronic records. Government ministries in Uganda were not keen to understanding risks that affect the form and integrity of electronic records. Akotia (2000) further noted that, the Ministry of Finance as other government ministries in the ESARBICA region, had no capacity for managing basic elements of electronic records programme including; staff who understand the functional requirement for recordkeeping and competencies, skills required to managing electronic information delivery; legal and administrative requirement for managing electronic records and accurately document policies, standards, operating procedures and formal methodologies for managing electronic records.

There is plenty of evidence to suggest that risks of managing electronic records are new and complicated. For at least the last 15 years, there have been regular warnings

about the impact of loss of control of records coming from the press, auditors, academic researchers and records professionals due to, unstructured use of ICT systems (Lemieux, 2016). Though government records management was weak in many countries before the introduction of ICTs, there is mounting evidence to suggest that the situation has worsened, with the increased use of technology in conducting government business.

This is not to say that government would have been better off without ICTs. Rather, the argument is that, it might be the case as stated by Lemieux (2016) of “one step forward, two steps backward” as the use of ICTs may not have successfully solved records management problems within the public authority but, it has brought new challenges. In many cases, the use of ICTs has brought new risks in records management as they have made the tasks of gaining control over recorded information much more challenging.

There is significant evidence that indicate, that in large parts of the world, most basic electronic records management structures and controls are not in place, to ensure long-term access and integrity of e-records. This is as true in well-resourced countries, as it is in less-resourced countries, though the challenge is clearly greater in the latter (Lemieux, 2016). While the problem is not unique or new, there is growing evidence, to suggest that the rising use of ICTs for creation, communication and storage of information within government authorities has created new risks and challenges that exacerbate previous risks in recordkeeping systems.

The challenges facing management of electronic records, as noted by Lemieux (2016), are not limited to Africa. Lim, Chennupati and Pitt (2003), discuss similar issues in Singapore. The authors argue that, combined problems of immense volumes,

unstable storage media; obsolete hardware and software, present major risks to e-records. Henriksen and Anderson (2008) describe a similar scenario in Pakistan. Studies conducted in Latin America, South Asia and East Asia by the International Records Management Trust revealed similar challenges (IRMT, 2015).

Electronic records are becoming critical as countries embark on e-government strategies, however; various studies have continued to indicate that electronic records are at higher risks as compared to paper records. The risks of electronic records include,

- The lack of awareness about the importance of e-records and risks associated with their loss, such as loss evidence, and risks to entitlements
- The lack of accountability for, the management of e-records, holding officials responsible for protecting integrity and authenticity of the records they create and manage
- Complex, fragmented and incompatible information systems and standards
- fragile, quickly changing records media, format and storage systems leading to e-preservation risks
- Unconnected and poorly integrated paper and electronic records and duplicated e-records
- The lack of e-records skills among both users and records managers
- Limited collaboration among information professions, such as records managers, archivists, librarians, IT specialists, web content managers etc.

These challenges as indicated by IRMT (2003), are greatest in countries where resources are scarce, records management systems weak and technologies unavailable. It is essential for governmental bodies to consider the management of

electronic records as part of a formal policy of managing records. To promote strategies for appropriate management of electronic records of in GoK ministries, there is need for Public Archives and Documentation Service Act Cap 19 to be revised, to address issues of electronic and digital records management.

#### **2.2.12.1 Electronic Records Management Risks**

An array of studies indicates that electronic records are at higher risk when compared to paper records. The earliest risk of e-records is in regard with their authenticity more especially whenever they are transmitted across space, between systems or applications and in time (InterPARES, 2006; ICA Committee on Electronic Records, 2010).

This section of the study therefore, discusses literature that provides explanations on, the nature and types of risks of electronic records, as well as the criteria for assessing them. The risk discussed include, creation environment and Meta data capture.

#### **2.2.12.2 Risks at Creation**

The primary instant of risk for electronic record takes place immediately at creation and capture stage. At this point it is crucial to determined whether the record it is saved in the creator's systems and captured in the recipient's system. When a system creates data, reflecting an institutional or individual action, and that data is captured by a sender or recipient in the course of a transaction or communication, then record is created. Technically, the records resides in RAM, in the creating system and fail to be "saved", but a copy of it has to be recorded in the receiving system. To some, whether a document becomes a record, depends on whether it is then set aside – that is, consciously managed – by a sender or recipient (MacNeil, 2002).

InterPARES Project (2002) describes a record as any document created by an entity in the course of undertaking its business activities and is used as an instrument or by-product of the activity. Record is captured during the phase of sending and receiving within the system independently. The saving of a document is usually considered as a technical matter and essentially has to be risk-free. However, collectively, saving a document and making of a record can be very risky. The risk becomes a reality especially when the creator and sender may dispose the document rather than setting it aside in a records management system, or may change it, purposefully or accidentally, prior to setting it aside in a management system. There are more risks for electronic records at the phases of creation, transmission and capture.

### **2.2.12.3 Metadata Management Risks**

The major risk in the use of electronic information management systems is caused by the fact that documents are not, by anyone's standards, the same as records. In order to save a record, a captured document requirements to be accompanied by adequate metadata relating to content, structure, and context to establish its value as evidence (MacNeil, 2002).

Bearman and Trant (2006) further argue that, both content and metadata need to remain together, unaltered, and usable over time. Electronic information systems do not necessarily create records this creates a major risk at Capture phase of electronic records management. There can also be risks at ingest phase, if adequate metadata is not captured or stored in a way that will permit it to be alienated from a record to which it applies. Metadata needs to be made explicit, that is, captured and persistently linked to the record. The characteristics of electronic records are not as obvious as in

the paper records and the mechanisms for creating it may not be available to the potential record creators unless certain prior actions have been taken.

### **2.2.13 Qualitative and Quantitative Approaches in Risk Management**

To carry out all-inclusive risk assessment knowledge of methodology to be used is a prerequisite for accurate risk evaluation. According to Frame (2003) risk evaluation can be conducted either qualitatively or quantitatively. The qualitative approach recognizes that experience coupled with good judgment provides deep about risk which cannot be possible when only working with measurable phenomena.

The focus of qualitative risk analysis is, to identify risks with low, moderate or high significance for a given project and prepare information for the subsequent stage of risk assessment. In qualitative risk analysis, the likelihood and consequences are presented in a descriptive manner. Unlike quantitative, the qualitative methods do not express the size of likelihood or consequences by means of figures.

Knight (2009) identifies the following four methods used in qualitative risk assessment.

#### **Delphi method**

This method uses knowledge and experience of experts representing various areas, which are relevant to the research. Main hypothesis fundamental to this method is, the fact that the experts invited to participate in the research do not know who else belongs to the panel and they do not interact with one another. They receive questionnaires containing statements, which are predictions about the long-term development of a given event. Their task is to choose and indicate the course of the event, which they find most likely. After that, using statistical methods, most frequently the median, average responses are identified. The collective replies are

then presented to experts, who are asked to give their opinions. This stage may be repeated a number of times, for experts to achieve consensus.

### **1. Brainstorming**

This method was developed by A.F. Osborn. It entails bringing together of a group of people, who are presented a specific problem that needs to be solved. These people express any ideas of how to solve a problem they are able to come up with and the ideas are written down. At the final stage, a host needs to sum up the ideas by conducting an analysis and evaluating all of them. The basic assumption behind the brainstorming method is the fact that, even the most unrealistic ideas cannot be criticized during a discussion. It should be added that, a method, similar in usage is the nominal group technique.

### **2. Scenarios**

This method involves building up a number of situations, which describe the prospective developments of an organization that is undertaking the project or investment in relation to its surroundings. These should be undertaken at best case, neutral and worst-case scenarios. The scenarios are usually presented in form of descriptive reports, drawings, tables or event trees.

### **3. Risk rating matrices**

This method identifies risks and places them on a coordinate system, where one axis shows the values of likelihood of a risk event and the other the consequences that the event may cause in a company. By placing every risk separately on the coordinate system, it helps to specify the size of its likelihood and effects. After placing all, examined risks, one arrives at a risk rating matrix, which is commonly known as a risk map. In order to make it clearer, the colours of traffic lights, i.e. red, yellow and green are used. The fields marked in green to signify low likelihood risks but with

different consequences or the risks with low consequences but different likelihoods. When constructing the matrix, these risks are regarded as, least harmful for the enterprise. In business practice, risk matrices are produced all the time so that, the risk dynamics can be monitored on a regular basis.

Qualitative approach to risk management requires prior knowledge of strength and weaknesses of specific methods and techniques that will be used in carrying out an investigation. The understanding allows decision makers to choose the most appropriate methods to use in a survey. Qualitative risk analysis can be applied all over an entire risk management process, particular, at risk identification stage, where a risk management process commences. This stage is vital for further successful risk evaluation, as any risks and risk factors ignored at this stage, may ultimately lead to inaccurate risk estimation.

While qualitative risk analysis is a process of assessing impact of identified risk factors with the use of subjective indexes, quantitative risk analysis on the other hand, seeks to obtain some numerical results that express probability of each risk factor. Quantitative risk analysis uses techniques such as the Monte Carlo method for:

- Determining probability of reaching an objective;
- Risk quantification on the entire project's level and determining the additional cost
- Identifying priority risk factors through quantification of their contribution to risk index on the level of the entire project;
- Identifying some realistic changes of cost and activity plan.

The most common formula for evaluating risk exposure is  $RE = P \times L$ , where:

- RE = risk exposure



- P = risk probability
- L = loss

Starting with probability of occurrence and amount lost (impact level) a risk matrix can be developed in order to better understand the risk exposure.

In these analyses, all known mathematical methods which could be useful in the situation, but without being stuck in this type of analysis are applied while at the same time considering personal judgment. The term quantitative risk analysis involves by and large reliance on probability and statistics.

According to Haimes (1998) however, some quantitative decisional methodologies on risk do not require probability knowledge. Other, scholars such as Mazareanu (2007), Tipton & Krause (1998), advocate for a combination of the two approaches. According to Mazareanu (2007), a combined use of quantitative and qualitative methods can ensure more accurate risk estimation. According to this author, if quantitative results are supplemented by qualitative approach, they result to better overview, and decision makers are able to manage risks more effectively.

Tipton & Krause (1998) argue that, whether use quantitative assessment, or we try a qualitative assessment, the fundamentals that need to be considered are:

- Tangible or intangible asset value (the value of these assets is determined, usually, in terms of cost required for replacing them)
- Threat frequency ( threat defines an event what would lead to an unwanted impact.) existence
- Threat exposure factor (this factor represents a measure of a magnitude loss or impact on value of an asset.)

- Safeguard effectiveness (this term represents a degree to which safeguard manages to effectively minimize vulnerability and reduce risks of associated loss.)
- Safeguard cost (safeguards are often described as controls or countermeasures and here, we can talk about the practice of cost/benefit analysis.)
- Uncertainty (this term characterizes the degree, expressed in percentages of trust in the value of any element of risk assessment process).

Risk managers should therefore, be conscious of advantages and disadvantages of quantitative and qualitative methods. The knowledge of their strengths and weaknesses is required to, appropriately respond to any business needs and apply the methods correctly in business activities. This knowledge is also vital for accuracy of such methods in specific cases and types of projects. In this study, the researcher will use qualitative method to gather and analyze data.

#### **2.2.14 A Critique of Literature Review**

The literature reviewed point out that risk management occupies an important agenda in public and private sectors because it enhances organizational performance and creates value for organizations. The literature therefore, underscores a fundamental fact that as much as Government of Kenya has addressed risks in other critical government agendas, there is urgent need for government to develop a risk management strategy for public records.

Literature review of this study was carried out within two disciplines encompassing, risk management and recordkeeping. The review revealed that, there are few works that cut cross the two fields. Notably, work that covers the two disciplines was that of Lemieux on risk management in records management (Lemieux, 2004). This book

covers risk management from records management perspective, looking at important facets of recordkeeping and accessibility. It brings out the need to manage records related risks more especially it highlights the fact that although records related risks are on the rise they are ignored in most organizations. These motivated reflections of the current study more especially in regard with what practical steps and theoretical concepts government ministries in Kenya can adopt to manage records related risks.

Lemieux's work is complemented by a condensed handbook on risk management by Holmes (2002). This handbook describes risk management in terms of a multidisciplinary. It identifies risk, risk types and steps that can be undertaken towards risk management. It is important to note that Holmes' handbook is intended for business professionals rather than any other group of practitioners, like record managers.

Of significance to this study, however, is the toolkit devised by Webb (2007), created for non-records managers to assess risk within their own records holdings; and practices of records management. Taking the form of an electronic download, the kit incorporates a comprehensive booklet on records management, detailing aspects of scheduling and retention concepts. The second half of the kit provides a set of checklists, activities, and ideas through which one can identify risks to one's records holdings, assess how immediate and impacting those risks are, and begin to identify who may be responsible for management of specific risks in specific business areas.

Although the literature review indicates that, there are some works on risk management in records especially in UK, Australia and USA, specifically the works of McDonald (2005), Bearman (2002) and Lemieux (2004), not much has been

written in Africa and particularly Kenya, enough to critically describe the situation in terms of records and risk within the Kenyan public sector.

### **2.3 Conceptual Framework**

This section discusses the conceptual framework designed to answer the research questions and guide the study. According to Imenda (2014) a researcher may be of the opinion that his/her research problem cannot expressively be researched in reference to one theory or concept. In such cases, the researcher may have to combine both theoretical the and empirical findings within the existing literature concerning a given situation. The synthesis in this context is called a model or conceptual framework, which essentially represents an ‘integrated’ way of looking at the problem (Golafshani, 2003).

According to Polit and Beck (2003) a conceptual framework is developed by a combination of theory and conceptual models to provide the overall conceptual, theoretical and philosophical foundation of the study. In most cases however, the terms conceptual framework and theoretical framework are used interchangeably.

Frameworks deal with abstractions, also known as concepts, which Ticehurst and Veal (2000), explain as being general representations of the phenomena to be studied and are building blocks of a study. A conceptual framework indicates how the concepts involved in a study are perceived, including the relationships between them. The concepts identified, and the framework within which they are set, determine the whole course of the study (Polit and Beck, 2003).

Thus, a conceptual framework may be defined as an end result of bringing together a number of related concepts to explain or predict a given event, or give a broader understanding of the phenomenon of interest – or simply, of a research problem

(Coetzee, 2009). The process of arriving at a conceptual framework is akin to an inductive process whereby small individual pieces (in this case, concepts) are joined together to tell a bigger map of possible relationships.

### **2.3.1 Purpose of Conceptual Framework**

To construct an informative conceptual framework, the researcher must understand the purpose of a conceptual framework. Different authors present the purpose of a conceptual framework in different ways. Marshall & Rossman (2016) focus on the conceptual framework as argumentative representation of a study. Anfara & Mertz (2015), Miles et al (2014) see conceptual framework as explanatory. Merram and Tisdell (2016) on the other hand, view conceptual framework as a generative element of research design and methods, whereas Robinson and McCartan (2016) emphasize the element of variable relationship and research design.

Crawford (2020) sums up the purpose of conceptual framework into three; argumentative, explanative and generative. According to Crawford (2020) argumentative focuses on the importance of studying the topic, the appropriateness of the design and rigor of the methods used. Explanative stresses the relationship among who and what will be studied while generative provides focus to the research problem, questions and methods of study.

The current study incorporated the three approaches by Crawford (2020) in building the conceptual framework. These enabled the study to build a comprehensive model that aided in justifying the study and classifying the relationship between records and risk management within GoK ministries. The conceptual framework also helped the study to develop the proposed Risk Management Strategy for Public Records and Archives in Kenya.

In the development of the conceptual framework the study first focused on identifying the concepts used in record management as well those applied within risk management discipline and their interrelationships. The study further considered the underpinning theory as well as the appropriate model within the two disciplines in order to provide a clear focus for the research. To address the research objectives and answer research questions the study was therefore, primarily informed by theories from the two disciplines of study, that is, the Business-Driven Recordkeeping Model for the records management field, and the Integrated Risk Management Model for risk management. These two primary theoretical models as well as the literature review guided the researcher in coming up with the conceptual framework for the study.

### **2.3.2 Development and Presentation of Conceptual Framework**

In developing a conceptual framework used by this study, the researcher was guided by the three steps proposed by Ticehurst and Veal (2000); identification and definition of concepts; description of the developed framework and operationalisation of the concepts.

On the issue of presentation, Crawford (2020) has identified two ways to present a conceptual framework, namely; graphically or normatively. Some authors, however, favour a diagrammatic portrayal of conceptual framework using concept map with or without an accompanying narrative (Marshall & Rossman, 2016; Maxwell, 2013; Merriam & Tisdell, 2016). Ravitch and Riggan (2017) on the other hand are less supportive of a graphical conceptual framework. The authors argue that, graphical and narrative presentation of conceptual framework can work well where there is a question about presentation. Ravitch and Riggan (2017) provide strong examples of narratively presented conceptual frameworks in relation to design, data collection, data analysis and presentation of findings.

The current study used both graphical and narrative presentation approach because of the need to provide explanations of the various variables of the study. The researcher therefore, used narrative presentation conceptual framework accompanied by a graphical representation. This approach was found to be relevant as it enabled the study to coherently conceptualize the variables of the study and thereafter determine appropriate alignment of the research design.

In order to understand the extent of records related risks and their management within GoK ministries, the current study conceptualized independent variables to comprise of legal and regulatory framework; records management control systems; records management officers' skills, competencies and training and; technological developments.

The study conceptualized formal legal and regulatory framework as key factors influencing records management in the public sector and therefore also risk management. The researcher therefore focused on various laws, rules and regulations that influence records management in Kenya, with an aim of finding out how they impacted on records related risks.

At the second level of the conceptual framework, the study considered the records management control systems used by GoK ministries and how they impacted on risk management. Good recordkeeping practices ought to identify records management control systems as being key to mitigation of records related risks. The current study considered records management control systems to include the following; records classification systems; records access control tools and; records retention and disposal systems.

Staff capacity, skills, training and competencies were considered as the third level of the study's conceptual framework. Effective records management requires adequate human capital, skills, training and a competent records management team. This was considered an important element to combat records management-related risks in GoK ministries.

The fourth level of the conceptual framework for this study comprised factors related to technological development in GoK ministries and its effects on records related risk management. There have been significant changes to public sector management over the past 15 years that have affected recordkeeping in GoK ministries; these include devolution of governance, downsizing and staff rationalization, restructuring, and a redirection of attention from the process approach to results-oriented approach. Furthermore, the rapid developments in information and communications technology, particularly in the area of electronic transactions, have meant that recordkeeping controls must undergo fundamental change. The pace of this change is likely to continue to accelerate with the emergence and rapid growth of online services, e-business, and electronic communications and transactions, all of which have resulted in e-records.

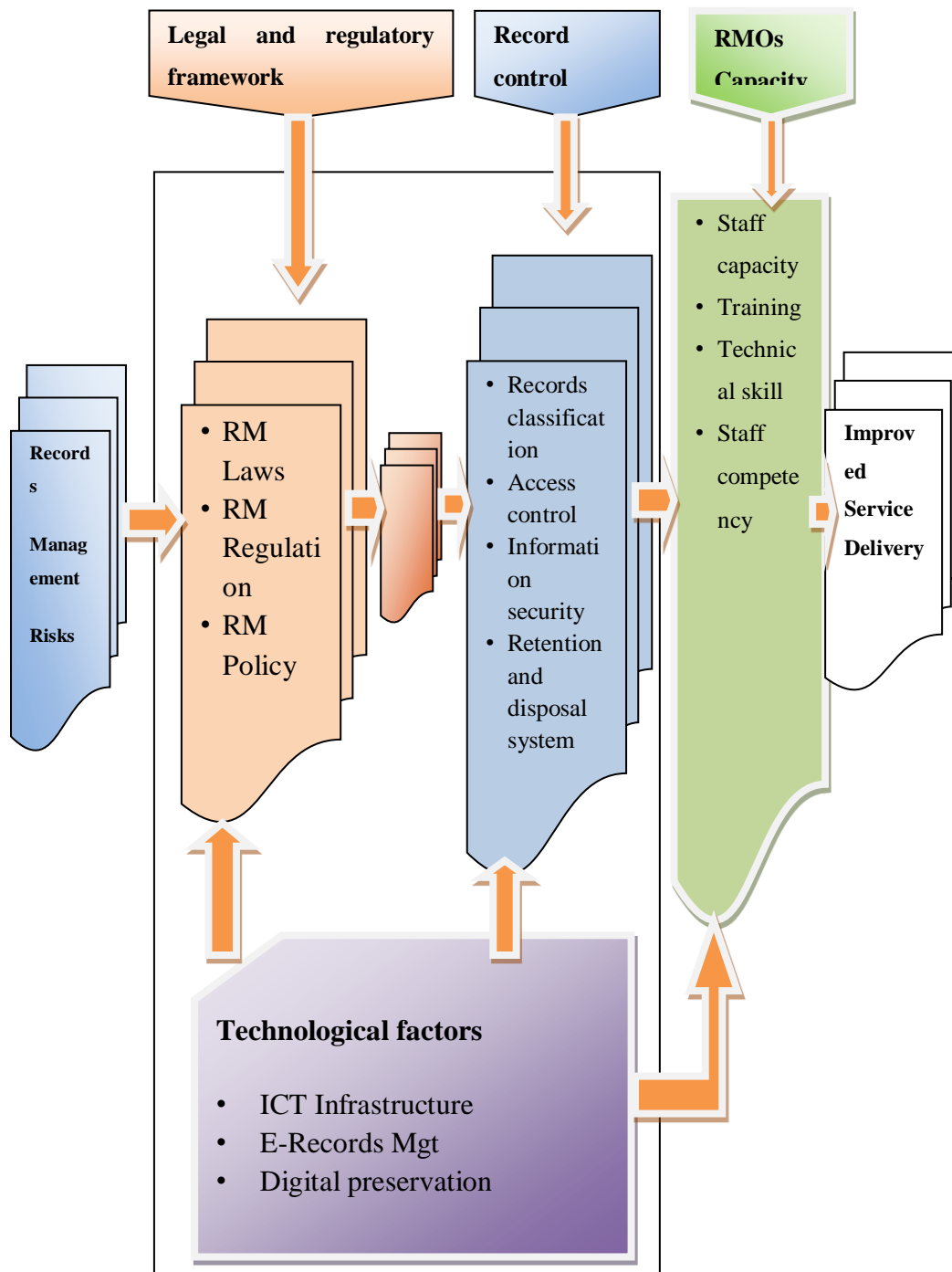
The use of technology in public service delivery has had far reaching effects on records management legal and regulatory framework, recordkeeping control systems as well the technical competencies and skills for records management officers. The conceptual framework has captured this as a critical area for effective records management for the ministries.

Lastly, the study interrogated the impact of effective records management in GoK ministries. Improved records management results do affect service users, practitioners



and other stakeholders' satisfaction at the ministerial level, which in-turn affects the Kenya public service, resulting in improved service delivery for the Kenyan public.

Below is a graphical representation of the Conceptual Framework for the Study;



**Figure 2.4: Conceptual Framework**

*Source: Researcher*

## **2.4 Chapter Summary**

This chapter has provided a critical analysis of current knowledge and literature on records management and risk management which were two subject areas of the thesis. The chapter discussed various models in records management and risk management. These included, records life cycle, Business-driven record keeping, ISO 15489-2016 Information and Document – Records Management and the Records Continuum models. Risk management related models discussed include, the Integrated Risk Management, Australian/New Zealand and the Orange Book Risk Management models. The Business-driven record keeping model for records management as well as the Integrated Risk Management model for risk management informed the study.

The literature reviewed covered, an exploration and historical evolution of the concepts of risk and risk management, risk management in the context of recordkeeping, the nature, types and causes of records risks, risk management policy framework, legal and regulatory framework for recordkeeping, skills, competencies and training for records management professionals and electronic records related risks. The chapter also provides a critique of the Literature as well as providing the conceptual framework that guided the study.

## **CHAPTER THREE**

### **RESEARCH METHODOLOGY**

#### **3.0 Introduction**

This chapter discusses the research methodology used to carry out the study. Research methodology refers to steps that the researcher generally adopts in carrying out the study. The steps involve research methods (techniques) that are used to conduct the research and the justifications for adopting those techniques (Kothari, 2004). Describing the methods used by a researcher is important because, it enables another researcher to replicate the study as well as ascertain the validity and reliability of the findings. Specifically, the chapter explains the use and justification of the following research techniques; research design, target population and enlisting procedures, sampling procedures, data collection methods and instruments, data collection procedures, data validity and reliability, methods of data analysis and constraints experienced during the study.

#### **3.1 Research Paradigm**

All researches are based on certain underlying philosophical assumptions about what constitutes valid research. Researchers also take into consideration research technique or method which will be applicable for the development of knowledge in a given study. The terminology research paradigm refers to a research philosophy with a set of beliefs, values, and assumptions that a researcher has in common concerning the nature and conduct of research (Neill, 2007). Research paradigm provides a lens that guides the choice of theory and methods in research. It is an approach to thinking about and doing research (Musa 2013). However, scholars provide different ways of understanding research paradigm. According to Creswell 2013) research paradigm is intrinsically associated with the concepts of ontology, epistemology and

methodology. A research inquiry should therefore be based on the concepts of ontology (i.e., the way an investigator defines the truth and reality), epistemology (i.e., the process in which an investigator comes to know the truth and reality) and methodology (i.e., the method used in conducting the investigation). According to Creswell (2003) and Neill (2007) these three elements define what entails research paradigm.

Moreover, the three paradigms have been cited as informing research in social sciences. These are the positivist (and post-positivist), interpretivist and pragmatic paradigms (Romm & Ngulube 2015; Mertens 2012; Mertens 2010; Creswell 2003). Positivist research paradigm collect quantitative data while interpretivist research paradigm collect qualitative data.

According to Creswell (2014) positivist paradigm hinges on an argument that social settings and relationship between social phenomena are defined by some regular cause-effect relationships. Positivist paradigm employs strategies of inquiry such as experiments, correlation and surveys, and collects data on predetermined instruments that yield statistical data (Lincoln and Guba 2000). The data are collected on an instrument that measures attitudes such as questionnaire, with precisely worded questions, and the information collected is analyzed using statistical procedures and hypothesis testing (Neuman, 2000).

The knowledge that develops through a positivist lens is based on careful observation and measurement of the objective reality that exists “out there” in the world. Additionally, positivist research paradigm usually uses theory to guide study through deductive approach. Deductive research approach is commonly called “top down research” in which, the researcher starts with a theory as a framework for the entire

study and then tests the theory by making observation and eventually confirm or reject the theory. Creswell (2003) further posit that positivists aim to test a theory or describe experiments. As a result, positivism is, therefore, associated with the quantitative research method.

The interpretivist paradigm, also called constructivist, unlike the positivist paradigm, does not begin with a theory in mind. Interpretivists believe that individuals seek understanding of the world they live in and as a result, these individuals develop subjective meanings of their experiences. These meanings are varied and multiple depending on the complexity and therefore, interpretations of the people attaching the meanings. The goal in an interpretivist research is to get the participants' views and generate a theory and/or pattern of meanings. A researcher that adopts the interpretivist paradigm approaches research with an open mind, unclear what it may result in and therefore relies on the feedback from the participants to construct (constructivism) ideas that will explain and support the existence of phenomena. They have neither a hypothesis nor a theory to prove or disapprove. Interpretivist paradigm is associated with qualitative research (Romm & Ngulube 2015; Mertens 2005; Creswell 2003).

Myers (2009) further argues that, the premise of interpretive researchers is that, access to reality is only through social constructions such as language, consciousness and shared meanings. The aim of interpretive approach is to explain the subjective reasons and meanings that lie behind social action. In-depth interview, focus group discussion and naturalistic observation are the most widely used data gathering methods for researchers using interpretative research paradigm (Amare, 2004).

Interpretive research does not predefine dependent and independent variables, but focuses on the full complexity of human sense making as the situation emerges (Creswell 2003). Maxwell, (2006) note that the interpretivist paradigm stresses the need to put analysis in context using inductive approach. Other methods of data analysis include thematic analysis, content analysis, discourse analysis, narrative analysis, and document content analysis etc.

The pragmatic paradigm on the other hand challenges the ideas advanced by both the positivist and interpretivist paradigms. The philosophy behind the pragmatic paradigm is that both the positivist and the interpretivist paradigms and their corresponding methodologies (quantitative and qualitative respectively) can be combined to provide a robust and more effective, valid and reliable way of understanding a phenomenon (Romm & Ngulube 2015; Cameron 2009). Pragmatic paradigm is the paradigm behind mixed methods research (Caruth 2013; Ngulube 2012).

In view of the foregoing discussions, this study was based on the interpretive paradigm. It was influenced by the fact that this study did not have a theory in mind to put to test; hence, not adopting the positivist paradigm. The researcher relied on the views of participants with regard to understand patterns of records related risks in GoK ministries and need to develop a risk management strategy for public records.

Because of the lack of variables to subject to quantitative data and analysis, the pragmatic paradigm was also not suitable for this study. Since little was empirically known about the present situation, it was difficult to design quantitative approaches that could capture meaningful variables that could be tested quantitatively. Instead, it was important for the researcher to collect qualitative data.

### **3.2 Research Design**

A research design is an action plan for a research conducted. It covers population or sample studied, data collection, duration and reliability and validity. A research design is used to give a guideline about the data collected and analyzed in relation to the purpose of the research. In other words, it offers a researcher the simplest and most affordable way of conducting a research beforehand. The design of a research depends on its questions and data to be collected, and shows the tools and procedures relevant for use in answering the research questions. This primary procedural plan includes five major characteristics which are, strategy used, conceptual framework, study population and subject as well as tools and procedures adopted for data collection and analysis (Creswell, 2013). The research design therefore, answers to questions regarding, research strategy, research adopted framework, population, and provided data, data collection procedures, and data analysis methods.

#### **3.2.1 Multi-Case Study**

Multiple case study approach takes place when a study includes more than one single case. This is frequently associated with several experiments. A difference between a single case study and a multiple case study is that, in the last mentioned, a researcher is studying multiple cases to understand the differences and similarities between the cases (Baxter & Jack, 2008; Yin, 2003). Multiple case studies can be used to either augur contrasting results for expected reasons or augur similar results in the studies. In this way, the author can clarify whether the findings are valuable or not.

To identify a specific type of case study that shall be implemented, a researcher has to consider, if to make a single or multiple case study, for understanding the phenomenon. Another important thing to take under consideration is the context (Yin, 2003).

The current study used a multi-case study referred to as a multi-site study, where eight National Government Ministries and the Kenya National Archives and Documentation Service Department Headquarters in Nairobi, were purposively selected. The study preferred to use the multi-case design because, evidence gathered from multiple case studies were considered to be more robust than those from a single case study which provided a basis for generalization.

Development of records management practices across GoK ministries were not in the same levels (Kemoni, 20110). This is the reason this study preferred to used multi case approach to get a deeper understanding on how each of the ministries was responding to the management of records related risks.

The multiple case approach was preferred as it is all-embracing and the evidence created from a multiple case study is strong and reliable as the researcher is able to analyze the data both within each situation and across situations (Yin, 2003).

The advantage of multiple case studies is that, they create a more convincing theory when the suggestions are more intensely grounded in several empirical evidence. Thus, multiple cases allow wider exploring of research questions and theoretical evolution, (Eisenhardt & Graebner, 2007). It is important to consider that, when a researcher does a multiple case study, it comes with both advantages and difficulties.

According to Baxter & Jack (2008), the evidence that is generated from a multiple case study is strong and reliable. Yin (2003) says that, when augur similar results in the studies or when augur contrasting results for expected reasons, multiple case studies can be used. Eisenhardt (1991) argue that, the writer then can clarify, if the findings from the results are valuable or not. Multiple case studies allow a wider discovering of theoretical evolution and research questions. When the suggestions are



more intensely grounded in different empirical evidence, this type of case study also creates a more convincing theory according to Eisenhardt & Graebner (2007).

The writer was able to analyse data within each ministry and across different department. The researcher used multiple cases to understand similarities and differences across the eight elected ministries and therefore provided deeper understanding of how each ministry managed records.

The evidence generated from a multiple case study was strong and reliable and a writer can clarify whether findings from the results are valuable or not. It also allowed a wider discovering of theoretical evolution and research questions. When the suggestions are more intensely grounded in different empirical evidence, this type of case study then creates a more convincing theory.

According to Cresswell (2013), a multiple-case design explores a real-life multiple bounded system through detailed, in-depth data collection involving multiple sources of information. Through using a multiple-case design, a wider exploration of the research question and theoretical evolution enabled this study to understand differences and similarities of risk management across the eight selected ministries. This enabled the study to address the complex issues in risk management that needed to be explored in-depth, and to understand behavioral conditions of management, based on comments, inputs and interpretative perspectives of the participants. Using a multiple-case design, a holistic and in-depth explanation of records and risk management in GoK ministries allowed the researcher to go beyond the quantitative statistical results of other research methods; to understand behavioral conditions through perspectives of participants who are closely involved in records management.

However, multiple case studies have some weaknesses in that, they can be enormously expensive and time consuming to implement (Baxter & Jack, 2008). According to Siggelkow (2007), the existence of a phenomenon can opulently be described by single case studies. For creating high-quality theory, Dyer & Wilkins (1991) argue that single case studies are better than multiple cases, because a single case study produce extra and better theory. In addition, the more case studies a scientific article has, the less observation time a writer has studied the case studies. However, the more likely it is that case studies are confident in their representativeness (Gerring, 2004).

### **3.3 Research Approach**

Research methodologies in social sciences revolve in three approaches, namely, quantitative, qualitative and mixed method research. (Creswell, 2013). Burns (2000) further asserts that, assumptions, purposes and methods of the three approaches also differ. This section provides a discussion of the two research methodologies as applied in social sciences.

#### **3.3.1 Qualitative Approach**

Qualitative approach to research is characterized by minimal or none use of statistical methods. Kombo and Tromp (2006), observe that qualitative research does not make use of statistical technique but rather employs such flexible and interactive methods as interviews, focus groups, observation, texts, audio or video recordings. Qualitative research is not built upon a unified theory or methodological approach and can adopt various theoretical stances and methods. Qualitative research is conducted in a natural setting and is concerned with viewing experiences from the perspective of those involved and attempts to understand why individuals react or behave as they do (Creswell, 1994).

Silverman (2005) asserts that, qualitative research design often operates with a relatively small number of cases. The research often sacrifices scope for details found in precise particulars of such matters as people's understanding and interactions. The purpose of qualitative research is to contextualize and interpret results using induction to deprive possible explanations based on observed phenomenon. Most qualitative researchers believe that qualitative methods can provide a deeper understanding of social phenomena than would be obtained from purely quantitative data.

Qualitative research is based on the idea that researchers must gain an emphatic understating of social phenomena and must recognize the historical dimension of human behavior and subjective aspects of human experiences. Researchers attempt to do this by getting to know the persons involved and their values, rituals, symbols, beliefs and emotions (Bryman, 1988).

Saunders et al (2003) note that qualitative research is based on meanings expressed through words. The data collected in qualitative research is a non-standardized form that requires classification into categories. The analysis of data is done through conceptualization. Qualitative research is carried out in a natural setting, with field research and participatory observations used as data collection strategies.

According to Frankfort- Nachmias and Nachmias (1996), data analysis in qualitative field research is an ongoing process, with researchers formulating hypothesis or research questions, and taking notes of important themes throughout the studies. As the research progresses, some hypothesis or research questions are discarded, others refined while others are formulated. Kombo and Tromp (2006) observe that, qualitative research designs are most appropriate when the subject matter is

unfamiliar and when a researcher wants to relate particular aspects of behavior to the wider context.

### **3.3.2 Quantitative Approach**

Quantitative approach to research is characterized by heavy use of statistical methods. Kombo and Tromp (2006) observe that, quantitative research relies on the principle of verification i.e. confirmation, proof, corroboration and substantiation. Unlike the qualitative studies, quantitative does not consider values, interpretation and feelings since they are based on an idea that knowledge emerges from what can be proven by direct observation. Quantitative research approach seeks to establish the cause and effect relationship by focusing on measurements.

Quantitative research approach is appropriate when a research incorporates statistical elements designed to quantify the extent to which a target group is aware of, think of, and believes in; frequencies are sought to explain the meanings, control of approach needed to allow for discovery of the unexpected and in-depth investigation of particular topics; data analysis is mainly statistical in nature.

Saunders *et al.* (2003) points out that, quantitative research is based on meanings derived from numbers. Data collected are in numerical and standardized form and analysis is carried out through the use of diagrams and statistics. Frankfort- Nachmias and Nachmias (1996) observe that, quantitative research is deductive in nature, with researchers dealing directly with operationalization, manipulation of empirical variables, and prediction of testing. Unlike qualitative study, it places great emphasis on methodology, procedure and statistical measure of validity. It helps show a clear progression from theory to operationalization of concepts, from choices of

methodology and procedures to the data collected, from statistical tests to findings and ultimately conclusions.

### **3.3.3 Mixed Method Research**

The mixed method research (MMR) is used, where there is a need to combine both qualitative and quantitative approaches to get rich data (Romm & Ngulube 2015; Cresswell 2012; Ngulube 2010). According to Ngulube (2010), MMR is used to eliminate partiality of using either quantitative or qualitative, to help obtain a much more comprehensive and accurate picture as possible. Researchers who have used MMR generally employ a combination of different types of data collection methods, where both qualitative and quantitative data is needed. The bottom-line in this method is, both quantitative and qualitative methodologies are “combined to produce a comprehensive and broad-based research” (Ngulube, 2015).

There have also been substantial debates on the philosophy of MMR. For instance, some authors argue that, a combination of close-ended questions and open-ended questions in one questionnaire or interview schedule is mixed methods research. Brannen (2005) argues that, MMR could also imply using different types of investigators. Advocates of MMR, such as Romm and Ngulube (2015) and Venkatesh, Brown & Bala (2013) however, argue that combining close-ended and open-ended questions is not MMR but multi-method research. Ngulube (2015) clarifies that multi-method research is the use of different techniques under same research design.

### **3.3.4 Justification of Research Approach**

Although both qualitative and quantitative techniques research approach can be used in risk management study, the study preferred to use qualitative research method to

gather and interpret data due to the flexibility of qualitative research, which allowed for methods to be devised as the research progresses. Qualitative research is also context specific and uses a naturalistic approach to understand phenomena in context specific settings (Struwing and Stead, 2001).

This study therefore, preferred to use qualitative approach because the study was context specific in terms of understanding the context under which government ministries in Kenya create, maintain, use and dispose of public records. The study also aimed to use a naturalistic approach that sought to understand risk management for records in context specific environment that was in GoK ministries. Such a study required a qualitative approach to provide detailed and in-depth descriptions of risk situations in Government Ministries.

The nature of this study influenced the adoption of qualitative approach because, the primary purpose of the study was to seek an understanding of the existing phenomenon of managing records related risks from participants' views and, determine how effective GoK ministries were managing. Out of the established interpretation, a risk management strategy would then be developed to improve the phenomenon.

According to Creswell (2013), qualitative method is used when a problem needs to be explored; when there is need for a complex and detailed understanding of an issue, or when there is need to empower individuals to "share their stories and hear their voices". Qualitative research is also useful when there is need to develop theories when partial or inactive theories exist; when quantitative techniques "simply do not fit the problem", or when a researcher needs to understand the context under which participants address an issue (Creswell 2013). The purpose of this study was, to

develop a risk management strategy for public records in Kenya, which addresses Creswell's (2013) "need to develop theories, when partial or inadequate theories exist". In doing this, there was need to gain a deeper, detailed understanding of the problem out of which, a sound strategy could be developed. For this study, quantitative techniques did not fit the problem because the researcher did not predetermine any variables to be tested as would have been with a quantitative approach, but sought to hear from participants, about how records related risks are managed in government ministries.

### **3.4 Study Population**

Graziano and Raulin (2007) define a research population as a large or entire group of people, events or things of interest about whom a researcher wishes to investigate. Fraenkel and Wallen (2000) view, it from the opposite perspective that is the larger group to which a researcher hopes to apply the results of their study. On the other hand, Kombo and Tromp (2006) refer to it as, a group of individuals, objects or items from which samples are taken for study.

From these definitions, a research population therefore refers to the total number of people from a particular social group that is subject of investigation. The actual population to which a researcher would like to generalize their findings on is called the target population. Each member of the population is called an element.

To safeguard against getting unreliable information, the study targeted respondents that were capable of supplying required information with some degree of accuracy. The study population for this study was therefore, comprised of Tactical-level and Strategic-level officers in eight selected ministries. From the Tactical level, the study regarded Records Management officers as people who were competent to respond to

the study interviews and questionnaires. The rationale for targeting this category of respondents was that, collectively they were directly involved in the day-to-day records management activities in their respective ministries. The researcher therefore, deemed them better placed to provide data relating to how records were managed in those ministries, and factors contributing to the current recordkeeping situation in Kenya. They also provided information about education and training required for efficient recordkeeping and risk management, which were important in answering the research questions in relation to the aim and objectives of the study.

At the Strategic Level, Under Secretaries (USs), Directors of Departments (DoDs) Financial Officers (FOs), Human Resource Management Officers (HRM) and ICT Managers or their representatives were regarded as key informants for the study. The rationale for targeting this group of research participants was that, the researcher believed that risk management was an institutional activity and ought to be a component of duties and responsibilities of senior government officials. The researcher therefore, deemed this category of respondent to be better placed to respond to policy issues related to records management and therefore risk management. Senior ministerial officers provided data relating to policy issues that affected recordkeeping practices in the ministries. These included records management policy, funding of records management functions and training of RMOs.

The Kenya National Archives and Documentation Service (KNADS) was included in the study because it is responsible for advising public bodies in Kenya on records management matters. In addition, national policy and “best practices” are formulated by KNADS, among other things that were investigated by this study were, issues pertaining to national records management policy, which made KNADS be one of the targets for study. The inclusion of National Archives personnel also helped the study



gather data on the role of KNADS on records management in Kenya, and the extent to which the current Archives legislation has contributed to recordkeeping in GoK ministries. The KNADS personnel were deemed important in providing key information on policy, legislatives on management as well as preservation and disposal of public records. The study population for this research was 130 respondents as tabulated in table 3.1.

**Table 3.1: Study Population (N=130)**

Ministry	Tactical Officers		Strategic Officers	Total
	RMOs	Archivists	USs, DoDs, FOs, HRM & ICT	
Land, Housing and Urban Development	12	0	5	17
National Treasury	12	0	5	17
Transport and Infrastructure	10	0	5	15
Information, Communication and Technology	5	0	5	10
Agriculture, Livestock and Fisheries	15	0	5	20
Ministry of Foreign Affairs	5	0	5	10
Sports, Culture and the Arts	8	0	5	13
Education	15	0	5	20
Kenya National Archives	5	3	0	8
<b>TOTAL</b>	<b>82</b>	<b>8</b>	<b>40</b>	<b>130</b>

*Source: DPM (2016)*

### **3.5 Sampling Procedures**

This section provides information on sampling procedures and techniques that were used to select respondents. A research sample is a subset of the population, from which data is collected and generalizations made. According to Ngulube (2017) in phenomenological studies, like the current study, “focus is on selecting only those who share the experience of the phenomenon under investigation”. This view is also shared by Creswell (2013), who contends that such an approach enables a researcher to form a common understanding. Purposive, snowball and maximum variation sampling techniques are the common sampling techniques in qualitative research (Mason 2010; Schumacher 2010; Martins 2008; Starks 2007 and Groenewald 2004). However, in descriptive research, as in this study, purposive sampling is most predominant and commonly used (Langdridge 2007).

In this study, the researcher employed stratified sampling and purposive sampling techniques to select samples for the study. The population was stratified in terms of public service sectors, ministries, directorates and cadres of public officers. This ensured that different cadres or categories of respondents that were deemed to be a representative sample or cross-section of people that were concerned with the creation, use and management of records were involved in the study.

During the period of this study, the GoK was structured into 20 ministries as detailed in section 1.3 subsections 1.3.1 to 1.3.4. According to the Executive Order No. 2 of 2013 on the Organization of the Government of Kenya, there were 20 ministries and 44 directorates. The 20 GoK ministries were stratified into four sectors namely; Public Service Ministries, Infrastructural Ministries, Production Ministries and Social Services Provider Ministries as detailed in section 1.3. The study used purposive

sampling to select two ministries from each sector; in total, the researcher selected eight ministries. The ministries selected for the study included;

1. Ministry of Land, Housing and Urban Development,
2. Ministry of National Treasury,
3. Ministry of Foreign Affairs,
4. Ministry of Transport and Infrastructure,
5. Ministry of Information, Communication and Technology,
6. Ministry of Agriculture, Livestock and Fisheries,
7. Ministry of Sports, Culture and the Arts and;
8. Ministry of Education

The study used purposive sampling to select information-rich respondents from both tactical and strategic level managers in the ministries. These categories of respondents were purposively selected because they were deemed informed on risk management and recordkeeping programmes in their respective ministries. Fraenkel and Wallen (2000) Creswell 2013, Schumacher 2010) all agree that, purposive sampling is applied to situations where a researcher already knows something about specific people or events and deliberately select particular ones because they are seen as instances that are likely to produce most valuable data. Purposive sampling allows a researcher to zero in on people or events which are good ground for believing that they will be critical to the research. The researchers use their judgment to select a sample. Purposive sampling allows a researcher to choose a case because it illustrates features or processes in which they are interested in (Fraenkel and Wallen, 2000).

Records Management Officers and Archivists were purposively selected because they were deemed to be information rich respondents as they handle both policy and day-

to-day records management issues. The study purposively selected Heads and Deputies of Records Management Units across the eight selected ministries, thus making the sample for RMOs sixteen, From the Department of KNADS, the researcher purposively selected the Director, three Deputy Directors and five Assistant Directors.

The second category comprised, strategic level managers or Senior Ministry Officers who included, Under Secretaries (USs), Directors of Departments (DoDs) Financial Officers (FOs), Human Resource Management Officers (HRM) and ICT Managers. The basis for inclusion of this category of respondents in the study was that, being policy makers, they were deemed to be key informants that would give insight on policy issues on records management and risk management in the selected ministries. As the number of senior ministry officials was small no sampling was done.

**Table 3.2: Sample Size (N=64)**

<b>S.NO</b>	<b>Target Group</b>	<b>Target Population (N)</b>	<b>Sample size (n)</b>
1.	Records Management officers	82	16
2.	Kenya National Archives	8	8
3.	Under Secretaries	8	8
4.	Directors	8	8
5.	Finance Officers	8	8
6.	Directors Human Resource	8	8
7.	ICT Managers	8	8
<b>Total</b>		<b>130</b>	<b>64</b>

### 3.5.1 Justification of Sample Size

The question of what would constitute an ideal sample size in phenomenological has been debatable, just as is the case with most qualitative designs (Onwuegbuzie & Leech 2007; Baker & Edwards 2012). For instance, Creswell (1998) suggests a sample size of five to twenty five. Creswell (2013) suggests at least three to five participants to be enough. Mason (2010) states that, “qualitative samples must be large enough to ensure that most or all perceptions that might be important are uncovered, but at the same time, if the sample is too large, data becomes repetitive and, eventually, superfluous”.

According to Ngulube and Ngulube (2017), “fewer participants examined at a greater depth is the gold standard for phenomenological research”. The number of participants would be determined by the nature of data required and the sampling technique to the extent that a researcher feels, the sample adequately provides a suitable representation of the phenomenon. Other authors agree that, since qualitative research is more involving in data collection and hence time consuming, a manageable sample size is recommended, unlike in quantitative research (Englander 2012; Gill et al 2008).

This study, therefore, considered the sample size of sixty-four as appropriate to provide the best and accurate representation of the phenomena under investigation, without duplication of data. This study’s sample size was not predetermined. It emerged naturally out of the need to achieve maximum variation across GoK ministries and other entities involved in records management.

### **3.6 Data Collection Methods**

This section discusses methods used by the researcher to collect data. Research data can be obtained from primary or secondary sources of information. Primary data refers to information obtained first hand by a researcher on the variables of interest to the specific purpose of the study. Secondary data on the other hand refers to information gathered from sources already existing. Some examples of secondary sources of data are organizational records and archives, government publications, internet materials etc.

The most common sources of data collection in qualitative research are interviews, observations, and review of documents (Locke, Silverman & Spirduso 2010; Creswell, 2009 and Gill et al 2008).

The present research used face-to-face interviews; this is because the study was interested in subjective views of those involved in records management function and the policy makers in ministries. The interviews therefore, deemed to provide the most appropriate means of engaging participants to get a more detailed and in-depth description of the phenomenon. Interview schedules were designed for each of the four categories of respondents (see appendix i-iv). Because of the distinctive roles of respondents, it was necessary to have interview questions that reflected on each category's role and not generic ones that cut across.

### **3.7 Data Collection Instruments**

The study used interview schedules to collect data. As asserted by Fraenkel and Wallen (2000) and Mugenda and Mugenda (2003), an interview schedule is a research instrument containing a set of questions to be answered by the subject of the study

during an interview. By using an interview schedule, an interviewer can clarify questions that are not clear and can also ask respondents to expand on their answers.

An interview schedule can be structured, semi-structured or unstructured. A structured interview schedule contains questions with responses that an interviewee can choose from. A semi-structured interview schedule contains some questions with responses and some without. An unstructured interview schedule contains questions without responses. The interviewer asks questions or makes comments that are intended to lead the interviewee towards giving data to meet the study questions. Because of the open nature of the questions, probing is used to obtain deeper information.

This study used semi-structured interview schedules. The researcher preferred this type of interview schedules since they are flexible; the use of open and closed-ended questions allowed the researcher to collect in-depth data as well as allowing the researcher obtain complete and detailed understanding of records management risks. The researcher used three different interview schedules; the first was used to get data from RMOs and archivists (Appendix II), the second for Informants (Appendix III). While the third targeted ICT managers (Appendix IV). The interview schedules were organized with an outline of planned topics and questions to answer the research questions and objectives of the study.

Responses were recorded on a standardized schedule. Respondents were asked same questions in the same way ensuring that key issues were covered, which enabled there searcher interview all respondents within the limited time available for each interview. Though there were some interaction between the researcher and the respondent, this was kept to a minimum.

### **3.8 Validity and Reliability of Research Instruments**

The quality of a research study depends on accuracy of the data collection procedures. According to Babbie, (2004), this entails the instruments or tools used to collect and accurately answer the research questions. Reliability and validity are major technical considerations in both quantitative and qualitative research (Babbie and Mouton, 2001).

Reliability and validity helps to establish truthfulness, credibility and believability of findings. Research is considered to be valid when the conclusions are true, correct and reliable when the findings are repeatable (Babbie, 2004; Bryman 2004). Reliability and validity concepts have been associated mostly with quantitative research, but they are now considered applicable to qualitative research as well (Golafshani, 2003).

Scholars view validity and reliability of a quantitative and qualitative study differently. For example, Tracy (2013), view validity in quantitative research as concerning objectivity, generalizability, replicability, predictability and controllability of the study. The scholar also views validity in qualitative research as it concerns honesty, richness, authenticity, depth, scope and subjectivity of the study. Tracy (2013) argues that reliability in quantitative research refers to consistency (stability), accuracy, predictability, equivalence, replicability, concurrence, descriptive and causal potential of the study. While in qualitative research, it refers to accuracy, fairness, dependability, comprehensiveness, empathy, uniqueness and conformability of the study.

Reliability refers to the consistency of measures and how replicable they are, that is, the degree to which an instrument measures the same way each time it is used under the same conditions with the same subjects.



Saunders *et al.* (2012) look at reliability as the ability of the data collection techniques and analytic procedures to produce consistent findings if they were repeated on another occasion or if they were replicated by a different researcher.

Validity refers to the strength of a researcher's conclusions, inferences or propositions. A measure is valid to the extent that it measures what it purports to measure. According to Babbie (2003), whilst qualitative research seems to have greater validity than quantitative research, it has reliability problems. Strauss, 1998) argues that reliability issues have no relevance in qualitative research, as they are not concerned with measurements. With qualitative research, a lot depends on the ability of a researcher, and coming up with measures is very personal (Bryman, 1988; and Strauss, 1998). Babbie (2003) shares the same sentiments and points out that those researchers who use qualitative techniques are aware of this and take great pains to address it. Golafshani (2003) refers to arguments by some qualitative researchers that, the term validity is not applicable to qualitative research and argues that, "The concepts of reliability and validity are viewed differently by qualitative researchers, who strongly consider these concepts defined in quantitative terms as inadequate". However, these researchers have "realized the need for some kind of qualifying check or measure for their research" (Golafshani, 2003).

This is possible if, the research process is well described and understood. Reliability and validity considerations therefore, are at the centre of design, data analysis, data collection and evaluation of results of a study. The following explains how this study attempted to ensure reliability and validity.

There is therefore, need to measure validity and reliability of research instruments when conducting a study.

In this study, sound measurements were put in place to meet the tests of validity, reliability and practicability of the study. Validity of instruments were important to ensure that, they measure what is supposed to be measured, by providing adequate coverage of the topic under study, relevant, reliable and free of bias. Validity and reliability were maintained through careful sampling, appropriate instrumentation, pre-testing of research instruments and triangulation as advocated by Creswell (2014).

To guarantee the validity of the research instruments, the study ensured that the instruments were adequate in scope and coverage, by ensuring all the objectives and research questions were covered. Questions posed in the research instruments addressed the objectives of the study and the research questions. To make certain that the research instruments were reliable and free of bias, they were reviewed by the supervisors and pre-tested.

To achieve reliability of the research instruments and reduce survey error, the study ensured that, the study population sample was broad enough. The study also ensured reliability through diligent efforts and commitment to consistency throughout interviewing, transcribing and analyzing the findings.

### **3.9 Pretesting the Instruments**

The quality of data from a survey depends on the questions asked. As pointed out by Babbie and Mouton (2001), no matter how carefully a researcher designed a data collection instrument, such as a questionnaire, there is always a possibility, indeed certainty, of errors. To address this challenge the current study pretested the interview schedules in order to:

- Uncover any defects in questions.
- Improve the standard of questioning before they were used in a survey

- Give the study an opportunity to fine tune the instrument before they were used
- Maximize reliability and validity of the instrument

As eluded by Ngulube (2007), there is no agreed composition and sample for pretesting questionnaires. Babbie and Mouton (2001) recommend ten as the minimum number of subjects that would be used for pre-testing research instruments

In pre-testing, a research instrument a researcher can rely on colleagues, surrogate respondents, or use a sample composed of individuals selected from potential respondents in a population to be studied, (Kemoni, 2007; Peterson, 2000).

In this study, the researcher used his colleagues at the KNADS, as well as surrogate respondents sampled from potential respondents within the population of the study. This included five surrogate respondents from the Ministry of Devolution, and five from the Ministry of Energy and Petroleum.

### **3.10 Piloting and Pre-Testing**

Pre-tests and pilot studies are different types of mini studies carried out as part of the process of planning and preparing for a study. When pre-testing, a researcher checks the effectiveness of the instruments to eliminate ambiguity and ensure that respondents understand the questions as intended by the researcher, thereby ensuring validity. On the other hand, a pilot study is a “small scale replica and a rehearsal of the main study” Piloting checks effectiveness of a research design, suitability and reliability of methods chosen and practicality of carrying out a research (Yin, 2003).

With case studies, piloting can establish availability of respondents, accessibility of a research environment and effectiveness of data collection techniques, whether it will collect too much or too little information.

Following this argument, the researcher decided to carry out a pilot study. The researcher selected an environment with similar categories of respondents as the selected cases for study. Piloting was carried out in November 2015 in the Ministry of Environment and Tourism, which were not among the ministries selected for study. Through piloting, it was possible to clarify, as well as identify other issues pertinent to the study, which were then included in the inquiry. Piloting established, for instance, that the time required to complete interview guides was too long and that some of the questions were unintentionally repetitive and ambiguous. The interview guides were then adjusted accordingly.

### **3.11 Data Collection Process**

This section describes the process and methods the research underwent from seeking authority, to conducting the study, arrangement for interviews, up to the collection of data. An introductory letter was obtained from the HoD, Department of Library, Records Management and Information studies, Moi University which enabled the researcher apply for a research permit from, the National Commission for Science, Technology and Innovation.

In line with government procedures and protocol, the researcher visited the eight selected ministries to explain the nature and purpose of the research and obtain authorization before conducting interviews with identified respondents.

In all the eight ministries, research endorsement was sought from Deputy Secretaries (Administration) as they were the immediate principal assistants to the respective Principal Secretaries and in charge of administration issues, under which research fall. All relevant documents for purpose of identification were produced. The aim, objectives and significance of the study were explained. The methodology for the

study was further explained, including the officers to be interviewed namely, HRMUs, RMOs, and senior ministerial officers. The study had purposed to interview CSs, and PSs, however, during the meetings with Deputy Secretaries (Administration), the researcher was instead advised to interview officers in the rank of Under Secretaries or Principal Personnel, as they were directly responsible for records management functions in those ministries. The other reason why the researcher was advised to change was because it could have been difficult to have appointment with CSs and PSs.

Upon completion of introduction, the Deputy Secretaries (Administration) contacted the HRMUs and senior officers targeted for the study by telephone and informed them about the research. They were further requested to give the researcher all necessary support “as the study was of great significance to records management programmes in the Public Service”. Interview sessions with HRMUs, RMOS and Senior Ministerial Officers were made at the time of the courtesy calls at the ministries.

During the interviews, all the HRMUs, RMOs in charge three Records Management Units namely; General Administration, Personnel and Confidential Registries were interviewed. Senior ministerial officers in the rank of Under Secretaries and Principal Personnel Officers were also interviewed. The Principal Personnel Officers provided key information regarding training assessment needs and training policy for Records Management Officers in the ministries. Most of interviews lasted for between 45 minutes and one hour.

Visits were also made to the KNADS to book appointments and conduct interviews with the Director and other officers at the KNADS Head office and Nairobi Records Centre. The researcher did not encounter challenges as he was one of the senior

members of staff of the department. The Director, two Deputy Directors, and one Senior Officer in the rank of Assistant Director, were interviewed. The four respondents provided useful information regarding the management of public records in Kenya, as well as activities undertaken by KNADS in public records management.

During the interviews, many of the discussions were audio recorded and the researcher made hand written notes as back up to the audio recording. Denscombe (2007) recommended audio recording interviews since it offers a permanent record and one that is fairly complete in terms of the speech that occurred. In a few instances, however, interviewees declined to be recorded and the researcher relied on the field notes, to make a record of the discussion. Two to three interviews were done in a day, depending on availability of the interviewees until all the targeted interviews had been completed. In some cases, interview dates had rescheduled owing to the busy nature of the staff involved, especially, respondents at tactical levels. The interviews for each day were transcribed the same day, mainly in the evenings, though in isolated cases, this would be done a day or two later.

### **3.12 Data Processing, Analysis and Presentation**

Creating a database is not sufficient to conduct a qualitative study. In order to generate findings that transform raw data into knowledge, a qualitative researcher must engage in active and demanding analytic processes throughout all phases of the research. Understanding these processes is, therefore, an important aspect not only of doing qualitative research, but also of reading, understanding and interpreting it (Thorne, 2000). What follows in this section is how the data analysis for this study was carried out.

The study applied content analysis, which “refers to the process of extracting desired information from a text by systematically and objectively identifying specified characteristics of the text. The object of qualitative content analysis can be all sorts of recorded communication, which include transcripts of interviews, from open-ended, focused but exploratory interviews, observations, video-tapes, documents, etc. (Mayring, 2000; Thorne, 2000). In the case of this study, these were transcripts of interviews from open-ended questions, observation and documents.

Trace (2001) describes the data analysis process of the InterPARES Research Project. The approach was to read and re-read the case study interview transcript in order to code for emergent themes. Trace (2001) cautions that, in using qualitative techniques, such as content analysis, it is important that, the person analyzing data allows the themes to emerge rather than attempt to impose a preconceived set of themes on the data. The approach ensures that, any anticipated themes are given an opportunity to emerge from data and that no undue weight is given a priori to any preconceived themes. The themes in this study were derived from the theoretical background and research questions (Mayring, 2000) and literature review and other areas, which came up and become prominent in the interviews.

Patton (2002) refers to inductive and deductive procedures of finding themes or categories. Inductive relies on pre-constructed solid templates of categories and deductive derives themes/categories as they arise in the content. Denzin (2000) gives procedures of carrying out content analysis as: identifying a body of text, determining unit of analysis; finding themes (inductive or deductive); building a codebook; marking texts and analyzing codes from texts quantitatively.

Data collected by this study was primarily qualitative with some quantitative. The Qualitative data were analyzed thematically. This involved coding the data where labels were attached to raw data, categorizing codes which involved identifying ways in which the codes could be grouped into categories, identifying themes and relationships among codes and categories, where patterns within the data began to unfold, and developing concepts and arriving at some generalized statements, which meant drawing conclusions based on relationships, patterns and themes that emerged from the data. During presentation, if data was presented verbatim, codes were used to disguise identity of respondents. On the other hand, quantitative data was edited, coded and subjected to a computer software package (SPSS version 16) for analysis.

### **3.13 Data Validation**

The data collected was evaluated and cleaned before coding. The purpose was to check for ambiguity, completeness, comprehensibility, internal consistency, relevance, and reliability. To avoid misinterpretation, the study constructed questions that were short and simple, to be easily understood by respondents. After receiving response, data was examined, to look for any extreme values, conflicting answers, errors in recording, and other indicators that suggested unreliable measurements.

### **3.14 Ethical Issues**

There are several ethical issues that must be considered when designing research. These include privacy and confidentiality, as well as informed consent. Codes of ethics insist on protection of participants' identities and research locations (Denzin & Lincoln, 2008). Creswell (2003) advises on the masking of names of people, place and activities to maintain privacy and confidentiality.



There are three primary ethical principles that are cited when discussing ethical concerns in research involving human participants. These are the principles of autonomy, beneficence and justice. Autonomy refers to obligation on the part of a researcher, to respect each participant as a person capable of making an informed decision regarding participation in the study. The researcher had an obligation to explain the nature of the research so that participants make informed decisions, on whether or not to take part in the study.

Accuracy of data “is a cardinal principle” in social science research and “fabrications, fraudulent materials, omissions and contrivances are both non-scientific and unethical (Denzin & Lincoln, 2000). Reliability and validity of a study partly depend on it. In this study, the researcher abided by this principle and occasionally had to go back to the participants for verification of data.

To fulfill research requirements in Kenya, a research permit is sought from the National Council of Science and Technology, which is a body that regulates all researches in Kenya (see Appendices VII and VIII). Thereafter, permission was sought from Principal Secretaries of the eight selected ministries. The respondents were then assured that their privacy, confidentiality and anonymity would be observed throughout the research process. To maintain privacy, confidentiality and anonymity, names of participants were not quoted in the study and the information received was strictly used for the purpose of the study.

During data analysis and presentation, respondents and the institutions were referred to by use of codes. This study was also complied with the Moi University code of research ethics.

### **3.15 Chapter Summary**

This chapter has explained the methodology used to conduct the study. It discussed the overall research approach, research design that was deemed appropriate to address research objectives and questions. Data collection methods and instruments used for this study is also discussed, and reasons given as to why each instrument for data collection was preferred. Validity, reliability issues and ethical standards which informed the research process were presented.

## CHAPTER FOUR

### DATA ANALYSIS AND PRESENTATION

#### 4.0 Introduction

This chapter presents findings of the study, while the next chapter is devoted to discussions and interpretation of the same. Data was collected by use of in-depth interviews with tactical and strategic level respondents in the eight selected ministries. In addition, data was also collected through observation of the records management operations, activities and functions within the selected ministries.

The findings are presented using qualitative with some aspect of quantitative. Quantitatively, the researcher used simple tables and percentages. Qualitatively, texts which were organized into phrases and direct quotations from respondents were used to explain the findings. It is crucial to mention that, data presentation and data analysis are two different activities although closely related. Data presentation is a process of describing data that was gathered, while analyzing data involves building themes from data that would serve as answers to main research questions. In this study data presentation and analysis have been done simultaneously with an aim to integrating the analysis with a rich description of the findings.

The findings were presented in form of a descriptive narrative with direct quotes from participants and use figures. The interviewees are referred to by alphanumerical codes, starting with the alphabet denoting the ministry followed by a numerical code representing individual interviewees. In terms of codes, LD refers to interviewees from the ministry of Land, Housing and Urban Development, NT refers to interviewees from the ministry of the National Treasury, FA to refers interviewees from the ministry of Foreign Affairs, TI refers to interviewees from the ministry of

Transport and Infrastructure, ICT refers to interviewees from the ministry of Information, Communication and Technology, ALF to refers interviewees from the ministry of Agriculture, Livestock and Fisheries, SCA to refers interviewees from the ministry of Sports, Culture and the Arts and ED refers to interviewees from the ministry of Education. KNA refers to interviewees from the department of Kenya National Archives and Documentation Service.

Data from different ministries was integrated within the thematic areas of study. The topics of research findings are presented based on the study objectives and have been arranged according to the order of the study objectives in chapter one, namely

- Legal and regulatory frameworks for recordkeeping in Kenya
- Nature, types and causes of records risks in government ministries,
- Records management control systems used by government ministries to mitigate records risks and;
- Capacity, skills, competencies and training for Records Management Officers

#### **4.1 Background Information**

In this section, the study provides background information to research respondents. The study was carried out in eight selected ministries which comprised the ministry of Lands, Housing and Urban Development; the National Treasury; Transport and Infrastructure; Information, Communication and Technology; Agriculture, Livestock and Fisheries; Foreign Affairs; Sports, Culture and the Arts; and Education.

The aim of the study was to develop a risk management strategy for records in Kenya. In order to achieve this aim, the researcher targeted two categories of respondents from the selected ministries: Tactical and Strategic level officers. The tactical

respondents comprised 16 Records Management Officers and 8 Archivists. The researcher purposively selected, Heads of Records Management Units and their Deputies as representatives of the tactical level. The rationale for targeting RMOs and Archivists was, being responsible for the management of public records and archives in Kenya, they were deemed to be better placed to respond to the research questions asked in relation to the aim and objectives of the study.

The Second target group comprised 40 Strategic level officers. These respondents were purposely sampled from specific departments in the ministries that were responsible for policy, finance, human resource and security related activities. They comprised Heads of Administration, Human Resource Development, Finance and ICT. The rationale for targeting this group of research respondents was that, the researcher believed that development of risk management strategy for records was a strategic management issues that required the support of senior management. The researcher therefore deemed them better placed to respond to research questions asked in relation to policy issues. Table 4.1 provides information on departmental representation and response rate.

**Table 4.1: Departmental Representation of the Eight Ministries (N=64)**

<b>Departments</b>	<b>Frequency</b>	<b>Percentage %</b>
Administration Division	16	25
Human resource development	8	12.5
Finance and accounts	8	12.5
Information communication technologies	8	12.5
Records management	16	25
National Archives	8	12.5
<b>Total</b>	<b>64</b>	<b>100</b>

**Source:** Field Data (2016)

## 4.2 Respondents Work Experience

The researcher sought to establish the years or period the respondents had worked in GoK ministries. The purpose was to establish whether the respondents had requisite experience and knowledge to provide reliable information for the study. As indicated in table 4.2 majority 30 (46.88%) of the respondents had worked in government ministries for a period of over 15 years, while 15 (23.44%) had 10 to 15 years work experience, and 12 (18.75%) and 7 (10.93%) had 5 to 10 and 0-5 years' work experience respectively.

**Table 4.2: Work Experience of Study Respondents in the Ministries (N=64)**

Work experience	Number of respondents	Percentage %
0-5 Years	7	10.93
5-10 Years	12	18.75
10-15 Years	15	23.44
Over 15 Years	30	46.88

**Source:** Field Data (2016)

With the exception of the 8 respondents from KNADS, the study established that all respondents had worked in more than one GoK ministries. This meant that majority of the respondents had a wealth of experience and knowledge on issues of public records management. The respondents were found to be knowledgeable and conversant with policy and regulatory frameworks for the management of public records in Kenya.

## 4.3 Legal and Regulatory Framework for Records Management in Kenya

One of the models underpinning this study, the Business-Driven Recordkeeping Model as described in chapter 2, considers the legal and regulatory framework as essential for effective records management. Objective 1 of this study therefore, sought

to assess the effectiveness of existing records and archives legal and regulatory framework in Kenya; especially in addressing records related risks. The issues that were investigated in this context included; the legislations relating to records and archives management, records management policies, standards and procedures.

#### **4.3.1 Records and Archives Management Legislations**

The study sought to establish whether there were laws and regulations that guided management of public records within GoK ministries. The study revealed that, Public Archives and Documentation Service Act (Cap. 19) laws of Kenya was the principal law for the management of public records and archives in Kenya.

Besides the Public Archives Act, the study also revealed that, there were other Acts, subsidiary rules, regulations and Executive Circulars which had records management implications. Table 4.3 provides a summary of the laws and regulations that have records management implications as identified by the respondents.

**Table 4.3: Laws and Regulations with Records and Archives management implications in Kenya**

Legislation	Records archives management provisions
Constitution of Kenya 2010	<p><b>Article 35 under Access to information</b> states that every citizen has a right of access to information held by the state or to information held by another person.</p> <p><b>Chapter Thirteen on the Public Service</b>  <b>Article 232 (1) (f) under Values and Principles of the Public Service</b> provides for transparency in the provision of timely and accurate information to the public.</p>
The Access to Information Act 2016	<p><i>The object and purpose of this Act is to;-</i></p> <ul style="list-style-type: none"> <li><i>a) give effect to the right of access to by citizens as provided under Article 35 of the constitution</i></li> <li><i>b) Provide a framework for public entities and private bodies to proactively disclose information that they hold and to provide information on request in line with the constitutional principles</i></li> </ul> <p><b>Section 17</b> deals with management of records:</p> <ul style="list-style-type: none"> <li><i>(a) records that are accurate, authentic, have integrity and useable; and</i></li> <li><i>(b) its records in a manner which facilitates the right of access to information as provided for in this Act</i></li> </ul> <p><b>Section 17 (3)</b> states that every public entity should</p> <ul style="list-style-type: none"> <li><i>(a) create and preserve such records as are necessary to document adequately its policies, decisions, procedures, transactions and other activities it undertakes</i></li> <li><i>(b) ensure that records in its custody, including those held in electronic form, are maintained in good order and condition</i></li> <li><i>(c) not later than three (3) years from the date from which this Act begins to apply it, computerize its records and information management systems in order to facilitate more efficient access to information .</i></li> </ul>
The Records Disposal Act, Cap. 14, 1962	<p><i>This statute provides for the disposal of records in the custody of the High Court and the Registrar-General. It establishes the authorities and procedures for disposal of records covered in the Act. It further defines the</i></p>



	<i>offices under the office of the Attorney-General, and provides a records retention schedule of the records covered in the Act, as well as the procedures for their disposal.</i>
The County Government Act 2012	<p><i>Various Sections and Parts of this Act are relevant to the management of records and information, for instance;-</i></p> <p><b>Part VIII</b> <i>on Citizen Participation in County Governments shall be based upon; -</i></p> <p><b>Section 87 (a)</b> <i>the principle of timely access to information, data, documents and other information relevant or related to policy formulation and implementation.</i></p> <p><b>Section 87 (c)</b> <i>protection and promotion of the interest and rights of minorities, marginalized groups and communities and their access to relevant information</i></p>
Assets Procurement and Disposal Act, 2015	<p><i>This Act establishes procedures for efficient public procurement and disposal of unserviceable, obsolete and surplus stores, assets and equipment by public entities.</i></p> <ul style="list-style-type: none"> <li>• <i>The Act spells out the legal requirements for creation of records, disclosure and confidentiality of procurement documents and their retention periods.</i></li> <li>• <i>It also highlights the need to have a clear link between procurement and expenditure records</i></li> </ul>
Public Finance Management 2012	<ul style="list-style-type: none"> <li>• <i>This Act deals with the administration of Government finances in relation to the Consolidated Fund, including the Supply Services. It defines the term “accountable documents”. It further outlines the categories of documents, their retention periods, and circumstances under which the documents may be preserved or destroyed.</i></li> <li>• <i>The authority for the destruction of accountable documents is vested with the Accounting Officers.</i></li> </ul>
Kenya Information and Communications Act, Revised Edition 2009 (1998)	<p><i>The Act provides for legal recognition of electronic records and specifies requirements for their retention.</i></p> <ul style="list-style-type: none"> <li>• <i>It provides for integrity and security of electronic information.</i></li> <li>• <i>It further gives the Cabinet Secretary responsible for communication the power to make regulations for the manner and format in which electronic records in State/Public offices shall be created, filed</i></li> </ul>

	<i>and used.</i>
Leadership and Integrity Act, No.19 of 2012	<p><i>This is an Act of Parliament that gives effect to, and establishes procedures and mechanisms for the effective administration of <b>Chapter Six</b> of the Constitution. Under <b>Part II</b> (General Leadership and Integrity Code) of this Act, state officers when performing their duties shall to the best of their ability;</i></p> <p><i><b>10 (b)</b> carry out duties in a transparent and accountable manner;</i></p> <p><i><b>10 (c)</b> keep accurate records and documents relating to the functions of the office; and</i></p> <p><i><b>13 (1)</b> for purposes of Articles 99 (1) (b) and 193 (1) (b) of the constitution, a person shall observe and maintain the following ethical and moral requirements –</i></p> <p><i><b>13(1) (c)</b> accurately and honestly represent information to the public</i></p> <p><i><b>13 (1) (g)</b> not falsify any records</i></p> <p><i><b>30.</b> A state officer shall not falsify any records or misrepresent information to the public</i></p>
Office of The President Circular ref. no. <b>OP.40/1/1A dated 6<sup>th</sup> June 2003</b>	<i>On the improvement of records management for good governance.</i>

Source: Field Data (2016)

The study further revealed that, the Public Archives and Documentation Service Act Cap 19 of 1965 revised 2012, provided for Kenya National Archives with statutory mandate to advise on the management of public records and archives in Kenya.

The respondents were specifically asked whether, the Public Archives Act adequately addressed records management issues. All the respondents indicated that, Cap 19 lacked sufficient rigor to enable the ministries to effectively manage records throughout their entire life cycle. The respondents were of the opinion that Cap 19

focused more on preservation of records and provided very little direction and clarity on creation, maintenance, access to, use and disposition of public records.

**Table 4.4: Summary of response on Records and Archives Laws**

<b>Respondent</b>	<b>Response</b>
LA2	<i>“Cap 19 focused more on preservation of records and provided very little direction and clarity on the creation and maintenance of records”.</i>
NT4	<i>“The act did not provide guidelines on the management of records during their entire life cycle”.</i>
FA1	“the act is more archives focused and ignores records management.”
KNA3	“the Public Archives Act was conceived in an analogue environment where majority of the records were paper. The existing provisions of Cap 19 are therefore insufficient in the management of electronic records to ensure the reliability and authenticity of records created in a digital environment”.
KNA2	“Cap 19 is permissive in nature, because it does not impose statutory obligation on the roles and responsibilities of creating agencies on recordkeeping”.
KNA4	“The act is notably silent about the roles and responsibilities of public officers to create and document actions and decisions carried out as part of their business activities”.

Source: Field Data (2016)

The study established that Cap 19 was insufficient in mitigating records related risks. Respondent ALF1 indicated that, “the Act was silent on how every public entity should create and preserve records necessary to adequately document its policies, decisions, procedures, transactions and other activities it undertakes pertinent to the implementation of its mandate”.

The study sought information whether Cap 19 was adequate in the management and preservation of electronic records created and maintained in the ministries. The response of one of the interviewee (SCA2) captured the actual situation that “*the Act was conceived in an analogue environment, where almost all the records that were created and preserved by government agencies were in paper format*”. The study established that the existing provisions in Cap 19 were insufficient in the management of electronic records.

Findings of this study further revealed that, the country had an elaborate Access to Information legislation (Access to Information legislation Act no. 31 of 2016). The object and purpose of this Act is “*to give effect to the right of access to information by citizens as provided under Article 35 of the Constitution; provide a framework for public entities and private bodies to proactively disclose information that they hold and to provide information on request in line with the constitutional principles among others*”.

Analysis of Access to Information Act revealed that, unlike Cap 19 which was silent on records creation and maintenance, section 17 3(a) of the Act provided that “*every public entity shall create and preserve such records as are necessary to document adequately the policies, decisions, procedures, transactions and other activities it undertakes pertinent to the implementation of its mandate.*” (b) ensure

*that records in its custody, including those held in electronic form, are maintained in good order and condition; and (c) not later than three years from the date from which this Act begins to apply to it, computerize its records and information management systems in order to facilitate more efficient access to information.*

When asked about the implications that Access to Information Act had on Cap 19 particularly on records management, the Director KNADS was of the opinion that, *“the Act had far reaching implications, first it repealed, changed or deleted several sections of both Cap 19 and the Records Disposal Act Cap 14, which made it necessary for the review of the Public Archives Act”*. The Director was also quick to point out that *“The Access Act did not override the 30 years access rule.”*

The study further established that, unlike Cap 19, Access to Information Act gave public organizations responsibilities to create and maintain complete, accurate and accessible records in all formats.

#### **4.3.2 Regulatory Framework**

The study considered formal instruments such as policies, standards and procedures as key elements in managing and mitigating records related risks. The study inquired about policies, standards and procedures used by ministries to guide the management of public records within Kenya’s ministries.

Response across the ministries indicated that, there was no National Records Management Policy in Kenya. The reasons for absence of the National Records Management Policy elicited different responses from respondents, with majority of them, especially the Records Management Officers, putting blame on the Kenya National Archives and Documentation Service Department. The researcher however,

established that, there was a Draft National Records Management Policy developed by KNADS in 2009 but had not been approved by Cabinet.

At the ministerial level, the study revealed that, only 1 (12.5%) ministry had a Ministerial Records Management Policy; while majority of the ministries had started the process of developing policies. The ministry cited to have developed the RM Policy was the Ministry of Foreign Affairs.

Besides this finding, all 64 (100%) respondents were in agreement that records management policies were key in efficient records, and risk management. The respondents further indicated that, absence of national as well as ministerial records management policies had a negative impact on records management. They were also in agreement that, absence of records management policies across ministries contributed to recordkeeping rising of records-related risks. The study also noted that absence of records management policy resulted to lack of commitment by ministries to address recordkeeping risks wholly.

When asked whether ministerial records management policies were important, all respondents agreed that *“having a records management policy was an important component for the success of any records management programme”*. The responses of a few respondents are summarised in Table 4.5 below;

**Table 4.5: Summary of responses on records management policy**

<b>Respondent</b>	<b>Response</b>
KNA2	“the development of a comprehensive records management policy in the public sector will ensure that records are protected against risks in the life cycle.”
LA2	<i>“It is the mandate of Public Service Commission of Kenya to assist ministries in developing records management policies as the commission had issued records management guidelines and manuals in the past”.</i>
NT3	<i>“My ministry has embarked on developing RM Policy that is likely to be ready by the end of 2019”.</i>
FA1	<i>“Having a records management policy was an important component for the success of any records management programme”.</i>
ALF4	“ a records management policy was an important tool for the succes of records management in the ministry. Having a policy in place will enable the ministry to allocate resources for records management. It will also enable the minstry to address records management risks from a ministerial point of view and not just the records management unit alone”.
TI3	“I even wonder how as a country and ministries we continue operating without national and ministerial records management policies. The ministries can be willing to develop their own records management policies, but It will be difficult to have ministerial records management policy without first developing a national records management policy”.

Source: Field Data (2016)

The above responses, like others not presented on the table, suggested that records management policy was an important component for effective records management in GoK ministries.

### **4.3.3 Institutional Framework for Records Management in Government Ministries**

Institutional framework and organizational structure provides records and archives management the scope and authority to address and enforce records and archival programmes adequately. To address this item, this study assessed the reporting and placement of records and archives management in GoK organizational structures with an aim of establishing how it influenced records related risk management.

The study established that all 8 (100%) ministries surveyed had functional records management units. This was in compliance with Office of the Prime Minister Circular No. MSPS.1//3/5A VOL. VIII (98) of 23<sup>rd</sup> July, 2010 on *Establishment of Records Management Units in Ministries/ Departments*. The study further noted that, all ministries had a person responsible for coordinating and overseeing the implementation of records management programmes. Majority of the Records Management Units were headed by Chief Records Management officers, with only 2 (30%) headed by Assistant Directors, Records Management Officers Job Group “P”. The study established that, this was in contrast with other departments or units within government ministries, where heads of departments were in senior positions.

When asked whether records management was adequately represented at ministerial policy and strategic meetings, majority (98%) of the respondents answered in the negative. All the 64 (100%) respondents were further in agreement that, the profile of records management was lowly placed in the public sector. All the 16 (100%) RMOs



interviewed were of the opinion that *“records management officers were not sufficiently placed at senior positions in the public sector to influence key decisions on records management.”* They felt that, this had affected the development of records management policies as well as getting adequate funding.

The study also established that, records management was considered a marginalized department where majority of employees did not prefer to be deployed to. Majority of the respondents pointed out that transfers and posting to the RMUs regarded as “Siberia”, where officers with disciplinary cases were posted. Records management was considered a last resort of positing, as records management was held in low esteem in the public sector. Responding to these claims, respondent AG1, a Director of human resource management remarked that *“usually officers are transferred to records management because they are underperforming or they are being punished. Furthermore, when there are cabinet changes, new Cabinet ministers bring their own staff and we are forced to transfer those who held key positions to records management.”*

The placement of Kenya National Archives and Documentation Service and the Directorate of Records Management within Ministry of Sports Culture and the Art (MOSCA) was identified as a major factor that undermined records management in Kenya. All respondents were in agreement that MOSCA was not an appropriate ministry for records and archives management. The ministry lacked interest in understanding the role and mandate of archives and records management since focus and interest of the ministry were in promoting sports and cultural heritage activities than records and archives management.

When asked to indicate the appropriate ministry for national archives and records management, all respondents were in agreement that records and archives management should be placed under the Presidency. The respondents were of the opinion that, since the Presidency had considerable degree of inter-ministerial influence and authority, that will enable the national archives and records management a suitable position to influence records management programmes across ministries.

Due to low placement of records and archives, the study revealed that records and archives management were placed too low in government hierarchy and lacked the political clout to adequately influence government decisions and policies in records management. The majority of respondents opined that, low placement of records and archives management functions fails to give them sufficient authority to adequately address and enforce records management programmes in the ministries.

This reflected the way in which records management was viewed in Government ministries, which provided clear indications that, records management and more especially risk management, were not considered a key area in the public sector.

Majority of 39 (60.94%) respondents attributed this situation to inadequate support by senior government management. The study revealed that top government failed to provide sufficient funding for records management function, development of records management policy and procedures as well providing passable training and promotion to records management personnel. However, a total of 26 (40.63%) respondents disagreed with this view and stated that, “*the government had done much in support of records management*”. They attributed the challenges facing records management

in the public sector to *“failure of RMOs and Archivists to articulate records management issues”*.

Respondent LA2 pointed out that, *“The problem is with RMOs who have failed to come up with new strategies of marketing records management and link records management to public service delivery and good governance.”*

Another respondent in the same ministry, LA3 noted that, *“how could records management attract more funding, training and support when the RMOs were pre-occupied with routine activities of document filing and retrieval while ignoring policy issues.”*

In the day-to-day management of records management, the study established that in all the 8 (100%) ministries, records management was placed under the Administrative Support Services.

The study further established that, placement of the RMUs within the Administrative Support Services in the ministries had a mixed response from respondents. There were respondents who felt that, such placement had positive impact on records management. These respondents were of the opinion that such placement made records management receive required attention and support. However, there were other respondents who argued that, placement of records management functions under Administrative Support Services had negative impact. This category of respondents were of the opinion that, *“records management should be placed under the ICT directorate which had support or leverage from senior staff, giving records management the required attention and support in terms of training and financial support”*.

Finally all 64 (100%) respondents were in agreement that, National Records Management Directorate was not in the right ministry. One respondent LA3 said, “...*what is the connection between records management with sports and culture for the government to place records management in the Ministry of Sports Culture and the Art? This shows how the government does not appreciate the value of records and records management.*”

#### **4.4 Nature, Types and Causes of Records Risk in Selected Government Ministries**

The second objective of the study was to assess the nature, types and causes of records related risks in the ministries. Firstly, the study sought to assess how the respondents understood the concept of risk. To the question what is risk, there were similarities in all the responses that had a negative interpretation of risk. None of the respondents used a positive narrative of the term risk. The study further noted that most of respondents found it difficult to precisely articulate what risk is. From the responses, the researcher established that, all respondents identified risk as having a negative impact on records and records management.

In response to the question whether records in ministries were at risk, all the 64 (100%) respondents were in agreement that, “*records in the ministries were at risk, regardless of their formats*”. The respondents were further in agreement that “*records related risks across the ministries were on the rise due to environmental and technological changes in ministries*”.

In response to the question on the nature and types of records risks, respondents identified the following as risk areas;

- Unauthorized access and disclosure,

- Premature and unauthorized destruction of public records,
- Unofficial changes and modifications of documents,
- Loss and theft of records,
- Hardware failure
- Environmental and malicious damage

When asked to state the causes of records risks, all the respondents were in agreement that records were at risks due to; inadequate access provisions, inadequate records retention and disposal schedules, and poor and unsuitable records storage facilities and equipments. Table 4.6 below provide findings on the nature, types, causes and extent of records risk in the selected ministries.

**Table 4.6: Types and Nature of Records Risks in Selected Ministries (N=64)**

Type and nature of records risks	Extent of risk	No. of respondents	%
Unauthorized Disclosure	High	48	75
Unauthorized Destruction	High	50	78.13
Unauthorized Modification	High	41	64.06
Loss/missing files	High	27	42.19
Environmental Damage	Moderate	37	57.81
Malicious Damage	Moderate	22	34.38
Theft	Low	30	46.88
Hardware Failure	High	44	68.75

**Source field data**

As indicated in table 4.6, the types and nature of risks against records in ministries included unauthorized destruction, unauthorized disclosure, hardware failure, unauthorized modification, environmental damage, theft and malicious damage. The respondents were also asked to rate the extent of risks; the majority of respondents 50 (78.13%) identified unauthorized destruction as the highest risks against public records in Kenya, followed by unauthorized disclosure 48 (75%), hardware failure 44(68.75%), unauthorized modification 41 (64.06%), environmental damage 37 (57.81%), theft 30 (46.88%), loss/missing files 27 (42.19%)and the least risk identified was malicious damage as indicated by22 (34.38%) respondents.

#### **4.4.1 Electronic Records Risks**

The study noted that government of Kenya adopted e-government strategy for service delivery in 2004. The result was creation of electronic records across ministries. The study further noted that electronic records play a key role in e-government service delivery. Proper management of electronic records was therefore, found to be crucial in successive implementation of e-service initiatives across GoK ministries since such initiatives depended on accessible, authentic and reliable electronic records.

Consequently, the researcher sought to find out the levels of risks associated with electronic records within selected ministries. The ICT managers were asked to indicate whether they thought the GoK had put in place adequate measures to address e-records related risks. All the eight (100%) ICT managers indicated that the ministries had not put in place infrastructures to manage e-records. They were therefore of view that *“e-records were even at higher risks than the papers records”*.

When asked to affirm the risks that were related to electronic records, all respondents were in agreement that electronic records were at risks associated with creation, capture, disposal and access to electronic records.

All the eight (100%), ICT managers interviewed noted that the policies and procedures used for the management of electronic records across ministries were inadequate. Respondent LA4 strongly noted that, *“the ministry is yet to develop policies, standards and procedures to ensure that electronic records created in the ministries were protected against any risk which would affect the records’ reliability, authenticity, integrity and usability”*.

Interviews and documentary analysis established that, ministries treated electronic records like paper records and followed a print-and-save approach. All the ministries surveyed could not estimate the quantity of electronic or digital records they had created and had responsibility of custody. Further, responses indicated that, even knowledgeable employees such as IT Officers, lacked basic understanding of electronic recordkeeping obligations thus putting records at risk.

None of the eight ministries surveyed had e-mail records management systems which ensured that all e-mail communications were captured into the ministries’ recordkeeping systems. When asked how the ministries were managing and preserving e-mail generated records, the response of TI2 captured the common practices across government ministries *“we print and file the e-mail records in the respective paper file as most of the recordkeeping systems and e-mail systems used were not compatible.”*

The respondents, specifically the RMOs and IT staff were asked to state their level of skills and expertise in various aspects of electronic records management. The responses indicated that none of the respondents had even basic training in electronic and digital records management.

The other challenge that the respondents identified, in regard to e-records management was, lack of or failure to involve RMOs in the development and implementation of electronic systems in the ministries. Only in 2 (25%) ministries, RMOs were involved in the identification, purchase and implementation of ministerial ICT systems. The study further established that, lack of collaboration between RMOs and IT was an area of concern in all the ministries. The study established that, although the ministries had made tremendous progress in computerization of public services, most of systems used did not have recordkeeping functionalities. The study further established that, none of the 8 (100%) ministries had complied with the ICA functional requirements for recordkeeping in an electronic records environment.

Majority of respondents claimed that, their ministries had policies and procedures requiring electronic records to be preserved in usable formats. However, the study established that, IT policies used by majority of the ministries did not address the issues of electronic records. This was true as most of the systems used did not have recordkeeping functionality. Respondent TI2 again stated that, *“efforts to acquire an e-mail “archiving system” were not supported and the ministry has continued to back e-mail in tapes”*. This reinforced the researcher’s notion that ministries continued to equate this with a records preservation strategy.



Respondent ICT4 stated that, *“the ministry had a written electronic records management system requirement but it has not been adopted due to lack of senior management support for records management in the ministry”*.

Findings on electronic records management revealed a weak underlying infrastructure across the ministries. The study established that, there was inadequate infrastructure to protect integrity and evidentiary value of electronic records and data as they move across ministries’ networks, applications and media. None of the respondents was aware of the existence of disposal schedules for electronic records or procedures for the disposal of electronic records.

With constant advancements in technology, the study established that existing record formats in most ministries were likely to become outdated as there were no strategies to ensure that, existing records could be accessed over longer period of time.

At the ministerial level, the study established that 6 (75%) of the ministries surveyed were at risk resulting from unsuitable electronic recordkeeping practices. The failure of ministries to incorporate recordkeeping functionality into the processes dealing with electronic records was identified as a risk area that exposed electronic records to risks relating to creation, capture, and retention.

#### **4.5 Recordkeeping Control Systems used by Ministries in Kenya**

The third objective of the study was, to assess the adequacy of recordkeeping control systems used by government ministries, to mitigate records related risks. In order to answer this objective, the researcher assessed the effectiveness of records management areas which the study considered to be risk areas in relation to public records management. The areas that were investigated included;

Access control systems used by ministries  
Security systems for public records in ministries  
Records classification systems  
Records disposal procedures  
Records appraisal and acquisition procedures  
Vital records management programme  
Risk assessment programmes for public records

#### **4.5.1 Records Access Control Systems**

In this item, the study assessed risks that were associated with unauthorised access to public records and leakage of official information. The study established that, information insecurity and inadequate protection of confidentiality of public records, information and data were a major risk area in all the 8 (100%) ministries surveyed.

In response to the concern whether there was adequate security for records at the stage of creation, the researcher observed that there was no effective security system that made it possible for RMOs to detect when new records are created. The RMOs only knew about the new records once they have been brought to the registries for filing.

The study also established that, the management of file content was not adequate as not all documents were given folio numbers. This means that the RMOs would not easily detect missing documents. The missing documents were only detected when they were needed for a particular purpose. The study established that this practice posed risk of documents being destroyed, removed, stolen or mishandled for various reasons without the RMOs detecting.

In response to the question whether ministries had adequate access control systems to protect records against unauthorized access and leakage of official information, majority of the respondents indicated that most of the measures used were inadequate. Respondents FA1, LA1 and ICT1 who were at strategic level management in their respective ministries all pointed out that, *“unauthorized access and leakage of official information was on the rise and it was a major concern to government”*. Respondent SCA1, who was the head of records management unit, also remarked that *“leakage of official information was being experienced at a high level than ever before and unless the issue is urgently and deligently addressed, the government stands to loose vital information which will be a public embarassment”*. Respondent SCA1 attributed the problem of leakage of official information to *“the unstructured redesignation, deployment and posting of officers to records management units without considering the intregity and disciplinary issues of officers”*.

Another senior officer, respondent ED3 was of the opinion that *“for as long as records management registries continued to beconsidered as dumping departments where non-performers and disciplinary case officers were posted, leakage and mismanagement of records will continue. These are the officers responsible for leakage of official information”*.

The study further established that, there was inadequate security vetting procedures for officers working in both open and confidential records management units in all the ministries. On the question whether records management staff had undergone security vetting, the study established that none of the RMOs had been vetted. The study also noted that none of the ministries surveyed had guidelines and policies on vetting

process. Respondent SCA1 observed that, “*security vetting for records management staff was not considered a priority area in government*”.

Another respondent LA4 further indicated that “failure or lack of ministries to conduct regular security vetting for officers working in records management units contributed to the mess of leakage of and loss of government information and records.”.

#### **4.5.2 Risk of Missing/Loss of Files and Records**

Respondents were also asked whether their ministries experienced loss or missing of files and records to which all respondents 64 (100%) were in agreement that, they experienced the risk of missing/loss of files and records. The study further revealed that majority of the ministries did not have adequate records control systems such as file movement registers and file movement cards. The study further revealed that, rarely did the heads of records management units conduct file census. The study also observed that it was a common practice for majority of action officers to keep files in their drawers and cabinets for long, therefore making it difficult for the RMOs to keep track of the files and account for them.

#### **4.5.3 Records Classification Systems in Government Ministries**

The study sought to establish whether Government Ministries had developed effective file classification systems. The study considered this item to be important, because classification systems are essential tools in ensuring that records created, received and maintained by the ministries were accounted for to minimise the risks of loss and misplacement.

The study first sought to find out whether the ministries had file classification systems in place. Second, to ascertain whether the classification schemes used by the

ministries were up to date and whether they were revised regularly to keep them up to date with changes in government.

When asked whether their ministries had file classification schemes, all 16 (100%) RMOs answered in affirmative. The study therefore revealed that, all the ministries surveyed had a written file classification schemes. However, data obtained by observation showed that majority of the file classification schemes available were not adequately documented, they were hand written and some were in a state of deterioration, torn and fading.

On the question whether the classification systems used had been approved by the National Archives, the findings revealed that, none of the 8 ministries had approved file classification plans.

The study further established that majority (75 %) of the file classification plans used by ministries were out dated. Only 5(20.83%) of the 24 directorates had revised their classification systems, to align their records management functions and activities with the new mandate of the ministries and directorates. Another 5 (20.83%) of the directorates were in the process of revising their file classification systems.

Although majority of the respondents were aware of the need to revise or update their classification systems to be in line with new mandates and functions, not much had been done to address this concerns. Respondent ICT4 was very categorical on the need to revise classifications across all ministries *“a lot of changes have taken place in government over the last few years with alignment of ministries and departments, where new functions and activities have been introduced meaning that new classes of*

*records have been created, but the file classification systems used in the registries are yet to be revised or updated”.*

When asked whether changes of governance brought about by the Kenya Constitution 2010 had any effects on records management and therefore classification systems, respondent LA1 who was at the rank of Deputy Director commented that, *“with the new constitution many things had changed. New subjects have been brought into the system as well as new administrative divisions created which ultimately affected recordkeeping systems in the ministry this require revision of file classification systems”.*

Interview with all the 40 (100%) Senior Ministry Officials raised concerns on the failure of RMOs to revise and update the classification. They all shared similar sentiments *“that classification schemes used by the ministry were outdated and required urgent revision, to address the risks of files and documents getting lost or misfiled but the RMOs were doing little in addressing the issue”.*

When asked to comment on the situation, KNA 4, the officer in-charge of Nairobi Records Centre responded that *“Ministries rarely took initiative to review filing systems despite the fact that most government ministries and departments had undergone several organizational and structural changes”.*

All respondents from KNADS pointed out that failure by the ministries to update file classification systems was putting public records at risk of loss and misfiling as important documents cannot be easily accounted for.

**Table 4.7: State of File Classification Schemes in Government Ministries**

<b>Ministries</b>	<b>Directorates</b>	<b>State of file classification scheme</b>
Land, Housing and Urban Development	Lands	Not revised for long
	Housing and Urban Planning	Revised
	Public Works	In process of revising
National Treasury	National Treasury	Not revised
Transport and Infrastructure	Transport	Revised
	Infrastructure	Not revised for long
	Shipping and Maritime Affairs	In process of developing file index
	Housing and Urban Development	Not revised for long
	Public Works	Not revised for long
Information, Communication and Technology	ICT & Innovation	In process of developing file index
	Broadcasting and Telecommunication	Not revised for long
Agriculture, Livestock and Fisheries	Agriculture	Not revised for long
	Livestock	Not revised for long
	Fisheries	Not revised for long
	Maritime Commerce	In process of developing file index
Labour and East African Affairs	Labour	Not revised for long
	East Africa Community Integration	Not revised for long
	Cooperatives	Not revised for long
	Social Security Services	Revised
Sports, Culture and the Arts	Sports Development	Revised
	Arts & Culture	Revised
Education	Basic Education	Not revised for long
	Higher Education	Not revised for long
	Science and Technology	Not revised for long
	Vocational & Technical Training	Not revised for long

#### **4.5.4 Registry Procedure Manuals**

The study considered registry procedures manual as a critical records management system required for the implementation of sound records management practices and

hence mitigation against records related risks. The study therefore sought to establish whether the surveyed registries had records procedures manuals in place.

In this context, respondent KNA2 captured the value of procedure manuals by observing that, *“registry procedures manual is a critical document which public registries cannot afford to function without.”*

When requested to identify activities covered by registry procedures manuals respondent KNA3 stated that, *“the procedures manuals were guides on how to handle incoming and outgoing mail, filing procedures, creation of new files, file movement control, file closure instructions, file storage methods and good housekeeping procedures.”*

However, findings of this study revealed that, registry management manuals were not considered an important component in GoK ministries. None of the 8(100%) had a registry management manual. Majority of registries across ministries operated without documented guidelines to assist them to systematically manage their records.

#### **4.5.5 Records Retention and Disposal Procedures**

A retention schedule variously described as, a retention and disposal schedule or retention and disposition schedule is a list of record series maintained by an organization together with the period of time that each series is to be kept. The study identified the development and use of records retention and disposal schedules as an important area that needed to be investigated in relation to the objectives of this study. The study therefore sought to, establish whether, the ministries surveyed had records retention and disposal schedules. The study also assessed the adequacy of the disposal



procedures used by the ministries in ensuring that public records were protected against unsystematic and unauthorized disposition.

Majority of the respondents indicated that although the ministries had continued to dispose off records that were no longer needed for administrative purposes, there were no clear records disposal procedures or guidelines. The study established that only 3(37.5%) of the surveyed ministries had records retention and disposal schedules. However, when asked to produce the schedules only one ministry was able to provide a copy of the schedule. The findings further revealed that, the available schedule was developed in 1990 and had not been revised.

In the absence of records retention and disposal schedules, the ministries relied on guidance, advice and disposal authority granted by the KNADS, to make disposal decisions. When asked on what basis they made, disposal decisions respondent KNA4 stated that, *“Director of National Archives uses the provisions of the Public Archives and Documentation Services Act Cap 19 to make disposal decisions”*. However, all respondents were in agreement that, in the absence of records retention and disposal schedules records were at risk of premature destruction or continued retention of records that have no value. When asked to identify areas that inadequate retention and disposal schedule contributed to records risks, respondent SCA1 stated that, *“absence of adequate records retention and disposal scheduled in the ministries caused unsystematic and unauthorized disposal and destruction of valuable records and delayed destruction of non valuable records”*.

The study established that, although retention schedules are a core component of a systematic records management program, development and use of records retention and disposal schedules were not considered to be a priority area of government

ministries. The respondents pointed out that, as long as they were getting advice from KNADS “*there was no need to develop records retention and disposal schedules*”. The researcher observed that, lack of adequate records retention and disposal policy in ministries exposed public records in Kenya to delayed and unsystematic disposition.

#### **4.5.6 Records Appraisal Systems**

The study sought to establish whether government ministries and the national archives had records appraisal and acquisition policies. Findings of the study revealed that, there were no policies to guide the appraisal and acquisition of public records in Kenya. Majority of the respondents 56(87.5%) indicated that, records appraisal in the ministries had been a challenge due to the absence of appraisal policy and guidelines. One respondent AG3 stated that, “*the appraisal of closed records in the ministries had not been systematic and regular as the ministries entirely depended on advice and recommendations provided by KNADS’ personnel to carry out appraisal and not any policy or guidelines*”.

The researcher observed that, majority of records appraisal activities were conducted when the ministries were in crisis to create space for office use as opposed to systematic identification of valuable records for permanent preservation. As a result, of the unstructured appraisal and transfer of records, the study established that there were risks of vital records being lost or destroyed before selection and transfer to the archives.

On whether KNADS had an acquisition policy to provide the foundation for records of selection, transfer and acquisition to national archives, the respondent KNA1, Director KNADS, indicated that, “*the department did not have such a policy. The staff of KNADS used knowledge, skills and experience to make disposal decisions*”.

Respondent KNA3 however noted that, *“such approach was dangerous to future archival acquisitions because it lacked uniformity, consistency and appraisal decisions can were be subjective and biased”*.

When asked about the level of training KNADS staff responsible for appraisal, the response of KNA1 was that. *“Currently there was no criterion, in the past only degree holders used to conduct appraisal, but this was no longer possible due to shortage of staff with degree level training”*.

On the appraisal and acquisition of electronic records, the study revealed that none of the RMOs and archivists interviewed had adequate skills and competency on how to identify and transfer electronic records to KNADS for permanent preservation. When respondent KNA1 was asked on the readiness of KNADS in archiving electronic records the response was that *“the department was in the process of identifying resources required for archiving of e-records, but it seemed that the government was yet to see the role of KNADS in electronic records management”*.

The study observed that, although the ministries were creating electronic records, very few, with the exception of defunct Commissions, had transferred electronic records to KNADS for permanent preservation.

#### **4.5.7 Vital Records Management and Disaster Preparedness of Government Ministries**

In an endeavor to establish how GoK ministries were risk and disaster prepared, the study assessed measures that the ministries had put in place to identify and manage vital records. The study focused on two categories of vital records; first, the study sought to establish whether GoK ministries had identified emergency operating records to assist the ministries to meet their operational responsibilities during

national security or other emergency. Secondly, the study sought information on legal and financial records that protect the legal and financial rights of GoK ministries and those affected by government activities during emergency.

All the 8(100%) ministries did not have a vital records management programme. The respondents further indicated that, the ministries did not have any guidelines and procedures to identify and manage vital records. All 64 (100%) respondents indicated that, ministries were inadequately prepared for disaster, and in the event of a disaster they were not well prepared to recover for business continuity as they did have vital records management plans. None of the ministries had identified vital records and they did not have a disaster recovery plan for vital records.

One respondent argued that, *“while there were policies and guidelines on assets and equipment management, there was none for records, and in case of a disaster, it would be difficult to get vital records for continuity of the ministry”*. The study further established that, the concept of vital records management was not well understood in all the 8 (100%) ministries studied. The study also established that, respondents across the ministries did not have a clear distinction between three vital records confidential records and secret records.

#### **4.5.8 Risk Assessment Programmes for Records Management**

The study sought to find out whether government ministries in Kenya carried regular risk assessment for public record. All the respondents indicated that none of the 8 ministries under study had a risk assessment programme for records. Respondent NT1 who was at the rank of Director responded that, *“the ministry conducts risk assessments for assets, finances and human resource but not for records as the ministry is yet to consider records as an important public asset.*

The study established that, none of the 8 ministries surveyed had conducted risk assessment programme for records management. The study further revealed that though KNADS conducted regular records management surveys in ministries and departments, the archives had not developed mechanisms for identification of records risks.

#### **4.5.9 Security Control Measures for Records**

The study sought to establish security measures that ministries had put in place to protect public records against physical and intellectual risks. In this item, the study wanted to establish whether the facilities and equipments used for recordkeeping were suitable to establish whether ministries had disaster preparedness plans for records, and whether the majority of ministries had lockable steel cabinets and doors to records storage areas.

The study established that, all the 8(100%) ministries surveyed did not have disaster management and preparedness plans for records. All the 64 (100%) respondents interviewed were in agreement that the absence of disaster preparedness plans for records was a major risk area for public records in Kenya. When asked whether the ministries had experienced any records disaster in the past, majority 57.69 % of the respondents were in agreement that their ministries had experienced records disasters. When asked to state the types of disaster, the respondents cited incidents where records had been damaged due to, flooding caused by leakage of pipes, fire and unsuitable environmental conditions. All the respondents were in agreement that, *“such incidents could have been prevented if the ministries had written disaster management plans that address aspects of disaster preparedness, response and recovery for public records”*. Respondent ED4 further remarked that, *“although the*

*ministries had good registry systems, absence of a disaster management plan for records puts the ministries' records and information at risk of lose in the event of a disaster".*

The study established that all the 8 ministries surveyed did not have adequate fire and floods fighting equipments and techniques. The study established that, the only available fire fighting equipments were water and powder fire extinguishers, which are not suitable for paper records. Respondents FA4 and ICT6 had a similar opinion that, *"lack of knowledge for records requirements during purchase was the reason for availing such kind of fire extinguishers"*. The study further established that none of the 16 (100%) RMOs interviewed had training in disaster management.

#### **4.6 The Staff Capacity, Skills, Competencies and Professional Training for Records Management**

The fourth objective of the study was to assess staff capacity, skills, competencies, and professional training of records management officers and other staff with records management responsibilities in government ministries.

##### **4.6.1 Staff Capacity for Records Management**

The researcher sought to ascertain whether there was an establishment of records management cadre within the civil service structures, and its capacity. Findings on this objective revealed that, the government of Kenya through Office of the Prime Minister Circular No. MSPS./1.3/5A VOL.VII of 2010, authorized for the establishment of records management cadre within the ministries, with a staff capacity of 1,135 records management officers. Table 4.8 provides details of the establishment of records management officers' cadre in the ministries.

**Table 4.8: Authorized Establishment and in-Post Positions for RMOs**

Designation Title	Job Group	Authorized Establishment	In-Post	Variance
Deputy Director, Records Management	R	1	0	1
Senior Assistant Director, Records Management	Q	14	0	14
Assistant Director, Records Management	P	51	26	25
Principal Records Management Officer	N	86	0	86
Chief Records Management Officer	M	166	22	144
Senior Records Management Officer	L	321	48	273
Records Management Officer III/II/I	H/J/K	496	490	6
<b>Total</b>		<b>1,135</b>	<b>586</b>	<b>549</b>

*Source: DPM*

Analysis of the findings showed that, staff capacity responsible for records management in all the ministries was inadequate. This was proven to be true as only 586 (51.63%) of the authorized positions for records management cadre were filled of which majority 490 (43.17%) of the RMOs were in lower job groups H/J/K, while senior positions R and Q remained vacant. Staff capacity for middle level management positions of job groups N and M was also found to be inadequate as only 70 (28.93%) of the positions had been filled.

When asked whether the capacity of RMOs in the ministries was adequate, all the respondents indicated that, the records management cadre was understaffed. Respondent LA3 noted that, *“the records management function was highly understaffed to meet the ministry’s records and information management needs”*.

Respondent ICT1 further argued that, “*the situation of records management capacity is likely to worsen as majority of RMOs were likely to retire within a period of two to three years*”.

#### 4.6.2 Skills and Competencies Rating of RMOs

The study sought to assess the skills and competencies that RMOs and other staff responsible for records management possessed in regard to public records management. Respondents were requested to state whether they strongly agreed, agreed, were unsure, disagreed or strongly disagreed with certain statements about their skills and competencies. Table 4.9 provides details of the findings in regard to, the rating of Records Management Skills and Competencies.

**Table 4.9: Rating Records Management Skills and Competencies (N=64)**

SKILLS AND COMPETENCIES TO		RATINGS				
		STRONGLY AGREE	AGREE	NOT SURE	DISAGREE	STRONGLY DISAGREE
Provide Records management services	NO.	64	0	0	0	0
	%	<b>100</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Capture records in paper format	NO.	64	0	0	0	0
	%	<b>100</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Capture records in electronic format	NO.	5	8	10	22	45
	%	<b>7.81</b>	<b>8.89</b>	<b>11.11</b>	<b>24.44</b>	<b>50</b>
Create classification schemes	NO.	20	15	5	20	30
	%	<b>31.25</b>	<b>16.67</b>	<b>5.56</b>	<b>22.22</b>	<b>33.33</b>
Develop records retention/disposal schedule	NO.	4	6	14	20	46
	%	<b>6.25</b>	<b>6.67</b>	<b>15.56</b>	<b>22.22</b>	<b>51.11</b>
Appraise, archive and dispose of records in all formats	NO.	2	4	5	18	61
	%	<b>2.22</b>	<b>4.44</b>	<b>5.56</b>	<b>20</b>	<b>67.78</b>
Develop records mgt policy	NO.	2	2	4	22	60
	%	<b>3.13</b>	<b>2.22</b>	<b>4.45</b>	<b>24.44</b>	<b>66.67</b>
Provide electronic RM service	NO.	0	0	5	30	55
	%	<b>0</b>	<b>0</b>	<b>5.56</b>	<b>33.33</b>	<b>61.11</b>
Provide risk and vital RM services	NO.	3	5	15	22	45
	%	<b>4.69</b>	<b>5.56</b>	<b>16.67</b>	<b>24.44</b>	<b>50</b>



### **4.6.3 Training and Professional Qualifications of RMOs**

Records management staff require to be trained in records management field, either at a certificate, diploma or degree level. The trained staff should be charged with the responsibility of managing records in the life cycle and more especially at records management Units, where the bulk of records creation, maintenance access and storage is done, and also be responsible for managing semi-current and non-current records. As part of the fourth objective, the researcher sought to assess the levels of training and professional qualifications of RMOs and other staff responsible for records management in the selected ministries.

The study revealed that RMOs in the selected ministries had records and archives management training at different levels. In terms of the highest level of training in records and archives management 1(6.25%) of the respondents said they had masters degrees, 4 (25%) had bachelor degrees, 4 (25 %) had higher diploma, 3 (18.75%) had diplomas, 3 (18.75%) had certificates in Archives and Records Management while 1 (6.25%) did not have any technical or professional training.

#### **4.6.3.1 Training Opportunities for RMOs**

The researcher also sought to assess training opportunities accorded to RMOs in the selected ministries. On this issue, the study established that, training opportunities for RMOs were limited compared with other professions in government. The respondents attributed this trend to negative attitude by senior government officials towards records management profession. Respondent FA3 had this to say, *“Records management is yet to be acknowledged as a profession by Government as compared to other professions like ICT, Accounting and Human Resource Management. This has contributed to inadequate government sponsorship for records management training courses”*.

The current study confirmed that, the number of RMOs who received government sponsorship for further training in the 8 ministries studied was negligible. It was evident from the findings that all the RMOs who had gone for training in the financial years 2014/2015, 2015/2016 and 2016/2017 did not receive government sponsorship. All the RMOs had similar complaint that, *“officers who sponsor themselves for any training are entitled to get a refund of 80% of the cost incurred, but those who did records management courses were not being considered for the same.”*

The study further noted that, this was one of the major hindrance for professional training and development for RMOs working in government ministries. The officers further lamented that, the government failed to promote them even after *“sacrificing to pay for the trainings.”*

In the area of risk management, the study established that respondents both in tactical and strategic levels of government did not have requisite skills and training to address records related risks. Inadequate training in risk management was considered by majority of respondents as a risk area in the management of public records in Kenya. Commenting on the “risk state” of public records management in Kenya, a Senior Officer in one of the ministries, NT2 stated that, *“the government is yet to consider training in risk management and more so in records management as a priority area. Although recordkeeping risks have negative effects across government ministries and departments yet training in this area has continued to be ignored by policy makers in government. There is need for records management officers to be trained specifically on recordkeeping risks as the area has continued to experience new and complicated risks that require new approaches”*.

Another respondent, TI2 had this to say, “*senior officers expected us to use common sense and intuition to deal with records management risks besides the fact that, records management risks are complicated and not easy to identify and deal with.*”

These sentiments were support by the findings of this study which established that, none of the 16 (100%) RMOs interviewed had been trained in risk and disaster management.

#### 4.6.3.2 Preferred Areas for Training

The study also sought to establish key areas that the RMOs required further training.

As shown in table 4.10 majority of the respondents 60(93.75%) preferred to be trained in electronic records management.

**Table 4.10: Preferred Areas for Training (N=64)**

S. No.	Training area	No.	%
1.	Electronic records management	60	93.75
2.	Disaster and risk management	25	39.06
3.	Preservation and conservation	10	15.63
4.	Microfilm and Audio visual	5	7.81
5.	Digitization	25	39.06

In terms of risk management training programmes, the study established that, none of the ministries had a programme to train RMOs and other members of staff on risk management. The respondents were of the opinion that, it was the mandate of Heads of Records Management Units to develop such programmes.

Respondent SCA5 stated that, “*Heads of Records Management Units should initiate risk management training programmes for records management officers instead of*

*waiting for initiatives from senior management who are not even aware or do not understand the records management risks and challenges”.*

Despite the foregoing, the researcher noted in the course of interviews that both senior ministry official and the RMOs were aware of the importance of training in risk management in the area of records management. Nevertheless, they assumed that the staff knew how to react and manage the risks even without any training.

The researcher further observed that, training RMOs in risk management would have a positive impact on the ministries just like training in other areas. It is important that key members of staff are trained in risk management. The training will enhance their capability and make them aware of the increasing types of records management risks. Response from respondents LD2 sums up the need to enhance training in records and risk management in the public sector in Kenya; *“However much we struggle to be part of the ministry’s risk and disaster initiatives, we would always fail. This is because we have never been included in the formulation of any programme. This is due to the fact that, we have not been seen as important players in ministerial decision making processes.”*

The study also investigated whether the ministries had induction programmes for new staff with an intention of, establishing whether such inductions programmes covered records management. All the respondents were in agreement that, although the inductions did not include records management, it was time that the same was considered.

Lack of adequate training in records management was identified by the current study as one of the factors that highly contributed to poor records management in ministries. To address this challenge, all respondents were in agreement that, training in records

management be considered as a strategic area in all the ministries. The respondents were also in agreement that, the records training should cover all employees. When asked the best method through which the training was to be done, majority of the respondents indicated seminars and workshops to be conducted by KNADS or Kenya School of Government (KSG).

The study also sought to assess technical and general competencies of RMOs to plan, design, maintain records management programmes. On this item, the study established that all the 64 (100%) RMOs interviewed lacked technical competencies to develop records management policies, procedures and standards required to support ministerial goals and objectives.

#### **4.7 Contribution of the Study Findings towards the Proposed Risk Management Strategy for Records and Archives in Ministries**

One objective of the study was, to propose a risk management strategy for records and archives for the ministries with a view of improving records management in the public sector. The development of the proposed strategy was guided by the findings of the study which revealed that, public records in the eight selected ministries were at risk of unauthorized access, disclosure, destruction, modification, loss, environmental damage, theft and hardware failure. The research findings also revealed that, public records were valued due to the critical role they played in supporting service delivery and good governance. However, the findings revealed that effective risk management for records and archives in GoK ministries and departments, was hampered due to inadequate training of RMOs in risk management, absence of national as well as ministerial risk management strategies. Despite these findings, the study revealed that,

there was no government strategy to guide ministries in the management of recordkeeping risks.

It is against the findings that the study has proposed a risk management strategy for records and archives in all government ministries, which will be provided as the last section of the study after the section on discussion of the findings, conclusion and recommendations in chapter 5.

#### **4.8 Conclusion**

The findings of this study clearly illustrate the value of establishing key records management legal and regulatory framework, policies, training skills and competencies for effective records management and mitigating against records related risks. Setting up correct legal, regulatory and policy framework, procedures and practices are important in mitigating against records risks. Adequate training, skills and competencies have equally proved to be an essential element for a successful risk management strategy for a records management programme.

#### **4.9 Chapter Summary**

This chapter focused on presentation and analysis of the data collected during the study. Data is presented and analyzed in a logical sequence in relation to the objectives and research questions. The findings are presented using a combination of quantitative and qualitative methods. Quantitatively, the researcher used simple tables and percentages. Qualitatively, the researcher used texts which were organized into phrases and direct quotations from respondents to explain the findings. According to the data, the study established that records in all the eight ministries surveyed were at risk of unauthorized access, disclosure, destruction, modification, loss, environmental damage, malicious damage, theft and hardware failure. Analytically, there were also

other factors that contributed to poor records management in the ministries hence contributing to high risks for public records. These included, absence of records management policies, rules, inadequate regulatory and legal framework and inadequate skills, competencies and training for records management officers.

The chapter proceeded to present findings on background information of the respondents, skills and professional training of RMOs, nature, types and causes of records risks, records control systems used in management of public records and legal and regulatory framework for recordkeeping in Kenya.

## **CHAPTER FIVE**

### **DISCUSSION AND INTERPRETATION OF RESEARCH FINDINGS**

#### **5.1 Introduction**

This chapter provides a discussion and interpretation of the findings of the study presented in chapter four. As part of the discussion process, the researcher compares the major findings of the study with those of similar works reviewed in chapter two. This was to determine and explain their points of convergence and divergence. Sections are arranged in a logical sequence in relation to the objectives and research questions. Covered in this chapter are discussions relating to; legal and regulatory framework for recordkeeping, placement of Records Management Units on organizational structure and its impact on records management; nature, types and causes of records risks in government ministries; recordkeeping control systems used by ministries to mitigate records related risks and skills, training and competency of records management officers.

#### **5.2 Legal and Regulatory Framework for Records Management in Kenya**

The study considered legislative and regulatory framework as the basis for effective records and archives management. This was in tandem with the Business-Driven Recordkeeping (BDR) model, which require organizations, GoK ministries included, to address their recordkeeping requirements within the legal and regulatory framework that ministries operate under. According to BDR mode, if the ministries were to meet the transparency and accountability requirements, all their business activities must be documented as evidence of that which created them. This should happen at all levels of government. The study therefore believed that, enactment of comprehensive legal and regulatory framework was, a critical prerequisite for the effective management of records related risks.



In matter of records and archives management related legislations, the findings of this study were in agreement with, the observations made by IRMT (2009) that virtually every piece of legislation created by government has recordkeeping implications. However, Public Archives and Documentation Service Act (Cap. 19) was the principal legal instrument for the management of public records and archives in Kenya's public sector.

The study revealed that, the records and archives management legislation in Kenya was weak as the law failed to address records management requirements in the life cycle context. The study further established that laws were drawn in view of manual records management and were inadequate in terms of electronic records. Cap 19 was therefore found to lack sufficient rigor to enable ministries to effectively manage records throughout their entire life cycle and more so electronic records. Similar finding were identified with the National Archives Act of Botswana by Keakopa (2006), who concluded that, although the NARS Act is the primary legislation for governing archives and records management practice in Botswana, it is inadequate to regulate the management and preservation of records in all formats.

The respondents were of the opinion that, Cap 19 focused more on preservation of records and provided very little direction and clarity on creation and maintenance of records. In this context, the researcher felt therefore, that the Public Archives Act was insufficient in mitigating records related risks. The Act was also found to be silent on however public entities created and preserved records necessary to document adequately its policies, decisions, procedures, transactions and other activities they undertook. This was found to be in contrast with to NARA (2011) who advocates that, records management related laws and regulatory frameworks must ensure that,

government employees document their actions and those of government and retain the records in a usable format; for as long as necessary and guarantee the preservation and availability of permanent records pertinent to the implementation of its mandate.

This study findings are in agreement with Roper (1999) who argues that, the enactment and application of a comprehensive and up-to-date records and archives legislation, is a critical prerequisite for the establishment of effective, integrated systems for managing records and archives throughout their life-cycle. Like this study, a previous study conducted by Kemoni and Ngulube (2007) on the strengths, weaknesses, opportunities and threats of the Public Archives and Documentation Service Act, Cap 19 also concluded that the Act did not effectively facilitate the management of public records.

The study revealed that, weak legislative framework for electronic records was a limiting factor to effective electronic records management. In Kenya, similar concerns were previously raised by Ambira (2016), Wamukoya & Mutula (2005) and Kemoni (2009) that, inadequate legislative framework was a limiting factor to effective management of electronic records. The study further revealed that, KNADS did not provide specific documented guidelines on electronic records management. These findings were found to be similar as in the case in South Africa, where the National Archives and Records Service (NARS) of South Africa has a manual for “Managing electronic records in governmental bodies: policy, principles and requirements (NARS 2006).

### **5.2.1 Records Management Policy**

The study established that, absence of institutional records management policies contributed to inadequate management of records risks in the ministries. These

findings serve to vindicate the aim of this study, which considered the development of a records management policy as one of the key strategies to improve records management in government ministries. The policy sought to establish how public agencies in Kenya create, capture, maintain and dispose off their records. Further it will seek to define responsibilities of personnel assigned to manage records.

Absence of institutional records management policies have been cited by many scholars as the main cause of poor records management in Africa. A study by Kemoni (2007) established that, the development of a records management policy was one of the key items of advice that records staff received from KNADS staff whenever they conducted records survey. Findings of this study however, indicate that none of the 8 ministries surveyed had developed records management policy.

Failure by national archival institutions to lead in the development of a records management policies was also noted by Ngoepe and Kalusopa (2011), who observed that, BNAR faced challenges in fulfilling its mandate in the management of public records in Botswana, especially in as far as, development of records management policies was concerned.

In Kenya, the absence of national as well as ministerial records management policy meant that, the management of public records in the ministries was not guided by a well established regulatory framework. These finding could be interpreted to mean that, it could be difficult to have efficient records management systems in place to ensure that public records were protected against any risks.

Previous researchers in Kenya, South Africa and Ghana highlighted the need for public organizations to develop and implement records management policies (Kemoni,

2007, Ngoepe, 2014, Mnjama and Wamukoya, 2004, and Akussah, 1996). A study by Mnjama and Wamukoya (2004) pointed out that, one of the challenges that countries in ESARBICA region faced in relation to the management of paper and electronic records was the absence of policies and procedures to guide in their management. The findings of this study were also similar to those of Wamukoya and Mutula (2005) who noted that, failure of public institutions in Eastern and Southern Africa region, to adequately manage their records was due to lack of records management policies and procedures.

### **5.2.2 Placement of Records Management function in Government Ministries**

The findings of the study indicated that, despite records having a direct link with quality service delivery and good governance, there was inadequate support for records management in the ministries. Records management was lowly ranked in government's organizational structure. These findings concur with Millar (2006) who observed that, there is a general lack of recognition and support for records management in majority of government organizations globally. It also concurs with Wamukoya (1988) who noted that, non-existence of records management policies and inadequate funding was due to lack of support and enthusiasm in records management by senior officers in Kenyan government. Mnjama and Wamukoya (2004) also pointed out that, one of the challenges faced by records management and archival institutions in the ESARBICA region was inadequate support by government.

The findings of this study were similar to those of Abioye (2007) who established that, the placement of records and archives management functions in the organizational structure partly contributed to poor records management in many governments in Africa. Abioye (2007) raised a concern about the placement of records

and archives mandate in Zimbabwe under the Ministry of Home affairs whose functions had nothing to do with records and archives management. In concurrence, Nengomasha (2009) noted that, in Namibia the records management mandate was placed under General Service Ministry and was highly marginalized.

The support of senior management and upgrading of records management in a government structure, may lead to increased funding, training opportunities and developing of records management policies. The need for senior management support was also emphasized by Makhura and Du Toit (2005) who observed that, senior management need to support the concept of a well-run records management programmes and vigorously enforce a records management culture in south Africa government organizations.

### **5.3 Nature, Types and Causes of Records Risks in Government Ministries**

The second objective of the study was, to assess the nature, types and causes of records related risks in ministries. First, the study sought to assess how respondents understood the concept of risk. To the question what is risk there were similarities in all the respondents that had a negative interpretation of risk. There was no respondent who used a positive narrative of the term risk. The findings of this study were similar to Hay-Gibson (2011) who observed that all the three cases of her study had certain commonalities of the negative interpretation of risk, where risk was preferred as a negative force. The study further noted that, most of the respondents found it difficult to precisely articulate what risk is.

The study assessed the nature, types and causes of records-related risks and established that records in the eight selected ministries were at high and moderate of unauthorized access, destruction, modification, loss and theft.

The study further revealed that although government ministries in Kenya, like elsewhere, were moving into an era of increased and changing records and archives risks brought about by new regulatory and legislative regimes as well technological changes, the government continued to ignore the need to develop a national records and archives risk management strategy. The findings of this study were consistent with a number of studies reviewed in this study. First, they were consistent with Lemieux (2004) who highlighted that, many organizations globally are at risk due to lack of sufficient attention to risks associated to poor records management. The findings are also consistent with Poynter (2008); Gouanou and Marsh (2004); NARA (2011) who differently raised concerns that many organization public and private in UK, USA and Australia were not sufficiently addressing records related risks due to absence of risk management strategy for records and archives.

The current study is also in agreement with Hay-Gibson (2011) conclusion that, there is greater need today than ever, to not only acknowledge that, records both in public and private sectors are at risk, but that they also need to identify exactly what risks are and measures to mitigate those risks.

### **5.3.1 Electronic Records Risks**

The study established that electronic records were more vulnerable to risk than the paper records in Government ministries. These findings meant that electronic records posed new risks and challenges to government ministries. The risks were likely to worsen unless clear strategies that included the development of records management

policies, top management in terms of resource allocation and adequately trained personnel were put in place.

In addition to lack of skills and competences, this study established that the ministries did not have legal and administrative framework for e-records management. None of the ministries studied had accurately documented policies, standards and operating procedures and formal methodologies for managing e-records. These findings could be interpreted to mean that, government ministries had not demonstrated full commitment in putting in place an elaborate ICT infrastructure. The ministries had not considered procurement of software with adequate recordkeeping functionalities to enable capture authentic and reliable public records. This could mean that the ministries are at risk of losing the integrity of public records. This could also be interpreted to mean that electronic records created in the course of e-service delivery could fail to provide credible evidence of business activities and transactions carried by government ministries. This could imply that, the benefits envisaged by the government to provide quality service through the use of ICT could not be achieved.

Previous studies in countries like USA and Uganda have also highlighted challenges in managing e-records. In the USA, a records management self assessment conducted by NARA (2010) noted that, managing electronic records remains as significant challenge for Federal agencies, as technical issues were often compounded by lack of senior management support and inadequate human resource.

A study by Akotia (2000) on the management of finance records in Uganda established that, though ICT was considered an indispensable tool for enhancing productivity in government agencies, little attention had been paid to the information

management issues and to understanding the forces of change that affected the form and integrity of records created within an IT environment.

The current study established that, there was a weak underlying infrastructure across government ministries in Kenya to support the management of electronic records. The ministries had not put in place adequate infrastructures to protect the integrity and evidentiary value of electronic records and data especially as they moved from varied networks in government.

#### **5.4 Recordkeeping Control Systems used by the Ministries**

In objective two, the researcher sought to establish measures that Government ministries had put in place to protect public records against risks. The study in particular sought information on registry systems, access and security measures, records classification systems, disposal and transfer of public records to KNADS, vital records management, and risk assessment programmes for records in government ministries.

##### **5.4.1 Classification of Records**

The current study like previous studies (Kemoni, 2007; Mampe and Kalusopa, 2012) noted that, records classification systems were important elements in records management. They provide a means of knowing what records exist and where they are kept in organizations. It also facilitates easy access to records and information. The purpose of this section was to establish whether Government Ministries under study had approved records classification systems and whether the classification schemes were up to date.

The study identified incomplete, inadequate and outdated records classification systems a risk factor across government ministries. The study further revealed that,



public records were at high risk, as use and implementation of classification systems was inadequately monitored leading to confusion, lack of compliance and inadequate protection of government records. Previous research on records management in Kenya had highlighted poor classification as being a problem in the public sector. For instance, Kemoni (2007) noted that, although a large number of ministries in Kenya had written classification schemes “they were not fully documented and updated.”

The findings of the study further revealed that the classification schemes used by the ministries were not backed up by procedure manuals, due to this, the classification schemes used by Government ministries were found inefficient to support the business and functional requirements of the ministries.

This situation does not seem to be exclusive to Kenya alone. Elsewhere in Botswana Mampe and Kalusopa (2012) noted that, poor classification of records was a major problem to the management of public records in the country and by extension public service delivery. The implication of poor classification as noted by Mampe and Kalusopa (2012) had led to misfiling of information and delay in information retrieval and dissemination thereby compromising service delivery.

#### **5.4.2 Records Access and Control Systems**

To understand and assess the nature, types and causes of records risks in government ministries in Kenya, the study examined access control systems used by the ministries. The current investigation revealed that access control systems used by the ministries were inadequate in protecting public records against unauthorized access, leakage of official information and loss of public records. The negative trend in establishing access control measures for public records in all the 8 ministries surveyed is an issue of concern.

Inadequate access to public records in the ministries was attributed to the absence of access policy in all the 8 (100%) ministries surveyed. This was collaborated by Garaba (2010) who observed that access to public records should be facilitated by relevant policy.

Managing access and use of records is an important aspect of records related risk management, since organizational records can only be useful to an organization if the records and information are protected from unauthorized access and leakage of information. The BDR model and ISO 15489 standard underscores the importance of effective management of records access and use in upholding the integrity of records and in maintaining an audit trail as proof that records were effectively protected from unauthorized use, alteration or destruction.

The findings of this study are similar to Maseh (2015) who indicated that, access to and use of records in the Kenyan Judiciary was affected by the fact that the Judiciary did not have access policy.

#### **5.4.3 Records Retention and Disposal Procedures**

Saffady (2011) argued that, retention and its counterpart, disposition, are two of the eight generally accepted recordkeeping principles. The study established that, although retention and disposal schedules are a core component of a systematic records management program, they continued to be ignored by government ministries in Kenya. This was evident as only 3 (37.5%) of the ministries surveyed had retention schedules and none of them was current. Failure by the ministries to develop retention schedules implied that, the ministries did not consider records and information as important government resource and assets that required systematic disposition

governed by formalized operating procedures rather than by the discretion of individual employees.

The findings of this study are similar with Kemoni (2007) who pointed out that, poor records management and delayed disposal of non-current records in most ministries in Kenya was as a result of inadequate disposal systems. From these findings it can be said that, the ministries had little knowledge on the importance and benefits of records retention and disposal schedules.

From the research findings, it can be deduced that absence of consistent, controlled and uniform identification, preservation and disposal of records would result to unsystematic and premature disposition of public records in Kenya. Given such a scenario the study noted that, it was fundamental that all ministries develop retention and disposal schedules for both paper and electronic records as part of the risk management strategy for public records.

These findings were similar to the study by Motsaathebe and Mnjama (2007) who noted that, lack of records retention and disposal schedules had a negative impact on the management of public records in Botswana. The findings of the study also established that, the KNADS had done little to assist government ministries in developing records retention and disposal schedules. These findings were in agreement with a study by Abioye (2007) who noted that, the absence of records retention and disposal schedules in government agencies in Africa was, as a result of the failure by national archival agencies in Africa to play their advisory role in records management.

The study established that, although the KNADS was mandated to provide advice to government ministries on matters of records retention and disposition, the department had not been able to successfully fulfil this mandate as, none of the 8 ministries surveyed had a current records retention and disposal schedules. These findings were similar to a study by Nengomasha (2009) in Namibia Public Service which established that, though the National Archives of Namibia was mandated with providing records management advice to Namibian public service, the department had not made any meaningful impact on the development of records retention and disposal strategies.

Like the National archives of Namibia, the study established that the reports and recommendations made by the National Archival institutions on the development of records retention and disposal schedules failed to be implemented by the ministries. There were also similarities in the two countries as the Archives staff too failed to make follow-ups to ensure that their recommendations on development of retention schedules were fully implemented.

## **5.5 The Staff Capacity, Competencies and Professional Training for Records**

### **Management**

The study established that records management was not prioritized in government ministries and not enough records management staff with adequate skills, competencies and training had been employed and assigned records management responsibilities.

#### **5.5.1 Staff Capacity of Records Management Officers**

The capacity of RMOs in the ministries surveyed were inadequate as a number of established posts remained vacant. In terms of records management unit structure,

majority of RMOs were concentrated at junior job groups of “K, J and H” while senior job groups “R and Q” remained vacant. The study also revealed that majority of RMOs had stagnated in one job group for more than 10 years without being promoted

The findings of the study established that part of the factors that contributed to poor records management in government ministries in Kenya was due to inadequate number of RMOs in the ministries. The study also noted that low morale of the RMOs caused by unstructured and delayed promotions had a negative impact on records management across the ministries. . The study further established that, the absence of adequate and competent RMOs in the government ministries contributed to inadequate risks management for public records and archives in Kenya.

These findings are in agreement with Mnjama (2003), who pointed out that among the major factors that contributed to poor records management in Kenya was related to inadequate number of RMOs in the ministries. Mnjama (2003) concludes that, one way of addressing records management challenges in Kenya would be the recruitment and deployment of adequate number of RMOs across government ministries.

The importance of having adequate records management staff was also revealed by Mbugua (2013) and Kemoni (1999). A study by Mbugua (2013) established that, there was a shortage of medical records staff and competence deficiencies, which had a negative impact on the proper management of medical records at Kenyatta National Hospital. In a study carried out at Moi Teaching and Referral Hospital Kemoni (1999) established that inadequate number of medical records staff impacted negatively on proper management of medical records.

The significance of adequate and qualified RMOs was strongly captured by Chibani (2005) in a study of records management in Botswana public service. Chibani (2005) pointed out that, prior to the introduction of a records management cadre in Botswana public service, records were managed by arbitrarily nominated administration staff, who used inconsistent records management methods and practices.

The study further revealed that, the purpose of Office of the Prime Minister Circular No. MSPS./1.3/5A VOL.VII of 2010 on Establishment of Records Management Units in Ministries/Departments to develop, support and build records management staffing capacity in GoK ministries had not been fully implemented. The findings of this study were broadly similar to those of Duffus (2016) who noted that, although the Public Information and documentation Group/ Records and Information management structure was developed to support records management staffing capacity in Jamaica's public service, the structure was ineffectively utilized in appointing record management professionals.

### **5.5.2 Training, Skills and Knowledge of RMOs**

The study generally established that, education and training play an important role in updating knowledge, skills and competencies in records management. It applies for those who are already working and to prospective records managers. This study established that there was a good number of records management practioners in government ministries of Kenya, but few with records management qualifications, training skills and competencies. Most of the records management practioners in the ministries had not received formal training at graduate and post graduate levels. The ministries had traditional view on records management as a low-level routine work that did not require heavy investment in training and development of those

responsible for recordkeeping. Inadequate training, skills and competencies for RMOs and other staff on recordkeeping were established as one of the major areas that contribute to poor records management in Kenya, hence records related risks.

The study further established that training and capacity building for records management practitioners was as a result of absence of competency profile framework for records management staff. The study deemed it necessary that the PSCK which is responsible for hiring, promoting and training public officers to develop competency profile framework for records management staff. Continued hiring and deployment of staff for records management without considering their skills and competencies could result to most recordkeeping in the ministries to collapse or even become dysfunctional. This study is therefore in agreement with Asogwa (2012) argument that, the organization may have a good and advanced recordkeeping system, but if it does not have the necessary capacity, skills and competencies to operate and manage the records, the system will be as good as nothing.

The study further considered it necessary that records management staff should be given adequate training to acquire necessary skills that can enable them manage records adequately. It was established that majority of the RMOs in the selected ministries were not professionally trained for records and archives management but they were merely appointed or deployed as RMOs with little or no regard to their background training.

These findings could be interpreted to indicate one of the key investments for sound records and archives management is the identification, employment of competent, skilled and trained records management professionals. Lack of competent skilled, knowledgeable and well trained records management professional cannot be replaced

by any effort to improve records management in the public sector. RMOs and absence of appropriate training could seriously compromise the quality of records in government ministries. The above findings could be interpreted to mean that, deployment of adequately skilled RMOs was critical in ensuring proper management of public records in Kenya. This situation was likely to impact negatively on risk management which is largely dependent on competent and skilled personnel.

The findings could also be interpreted to further mean that, inadequate training for RMOs and records clerks on modern methods of technology of managing records created as a result of e-government; could severely affect their capabilities to manage electronic records risks.

Previous studies in other countries have also highlighted challenges affecting training in records management. A study by Katuu and Ngoepe (2015) noted that, besides inadequate infrastructure, another factor contributing to inefficient management and preservation of records in Africa was inadequate training and skills in records management. This challenge, according to Ngoepe, Maluleka and Onyancha (2014) is compounded by the fact that very few universities in Africa offer training in records and archives management. A survey by Ngoepe, Maluleka and Onyancha (2014) established that, in South Africa, out of 25 universities, 10 offer courses in Library and Information Science, and out of those only three offer training in records and archives management. Katuu and Ngoepe (2015) further noted that, the curricula of these universities did not comprehensively embrace the management of records of all format as compared to universities in the global hub such as Canada and Australia.

This study also concurs with Pullen and Maguire (2007) who pointed out that majority of organizations' records were at high risk as a result of staff and training issues. The



two pointed out that, if staff were not adequately aware of their recordkeeping responsibilities with regard to the creation and use of organizational records and systems, all vital records may not be kept and maintained as required.

### **5.6 Chapter Summary**

This chapter provided a discussion and interpretation of the research findings. As part of the discussion process, the researcher compared major findings of the study with those of similar works reviewed in chapter two, in order to determine and explain their points of convergence and divergence. Sections are arranged in a logical sequence in relation to the objectives and research questions. Covered in this chapter, were discussions related to nature, types and causes of records risks in government ministries, recordkeeping control systems used by ministries to mitigate records related risks, legal and regulatory framework for recordkeeping, placement of Records Management Units on organizational structure and its impact on records management and skills, training and competency of records management officers.

## **CHAPTER SIX**

### **SUMMARY OF STUDY FINDINGS, CONCLUSION AND RECOMMENDATIONS**

#### **6.0 Introduction**

On the basis of the data presented and interpreted in the two previous chapters, and the research experience gained during the conduct of the study, this chapter therefore, provides a summary of the findings, conclusion and recommendations.

#### **6.1 Summary of Study Findings**

The summary of study findings is presented based on the objectives of the study as outlined below;

- Legal and Regulatory Framework for Records Management in Kenya
- Nature, types and causes of records risks in ministries,
- Recordkeeping control control systems used by government ministries
- Staff Capacity, Comptencies and professional training

##### **6.1.1 Legal and Regulatory Framework for Records Management in Kenya**

This section summarizes findings of the first objective of the study which sought to investigate the effectiveness of the current legal and regulatory framework in mitigating records related risks in GoK ministries. The researcher considered formal instruments such as records and archives management legislation, policies, procedures and regulations as risk factors for records management. The study revealed that, the current legal and regulatory framework for recods and archives management in Kenya were inadequate in addressing records related risks.

The study revealed that Public Archives Act, Cap 19, was the principal law for the management of public records and archives in Kenya. However, the law was found to lack sufficient rigor to ensure that government ministries managed and preserve public records throughout their entire life cycle regardless of the format. The Act was also found to give more focus and prominence towards archival preservation with little emphasis on how records were being managed when they were at current phase. The Act failed to provide adequate direction and commitment to ministries on how records were to be created, captured, classified, maintained and eventual disposition. Public Archives Act was further found to be permissive in nature, because it failed to impose statutory obligation on the roles and responsibilities of creating agencies on recordkeeping.

The Act didn't provide a system, to ensure that public officers comply with recordkeeping requirements. In terms of addressing the needs of electronic records, the Public Archives Act was found to be lagging behind technological advances as it has not been revised to sufficiently address the management and preservation of electronic records.

In matters of policy and regulations, the study revealed that, government ministries in Kenya lacked adequate policy framework for records management in general and risk management in particular. This was therefore identified as a major cause of the rising of records related risks across the ministries.

### **6.1.2 Nature, Types and Causes of Records Risks in GoK Ministries**

This section presents a summary of findings in relation to the nature, types and causes of records related risks within government ministries surveyed in Kenya.

- The study revealed that, risks management within record keeping, is a subject that had not been wholly explored in across government of Kenya ministries. It was also clear from the respondents that, records related risks were not easily identifiable and that, it was difficult for the respondents to precisely articulate risks relating to records and records management.
- In regard to the types of risks, the study revealed that records in the ministries were at risk of unauthorized access, disclosure, destruction, modification, loss, environmental damage, malicious damage, theft and hardware failure for electronic records. However, unauthorized destruction was identified as the highest risk that records faced across the ministries.
- The study also revealed that electronic records are a reality in government ministries. There were evidence of rampant generation of electronic records occasioned by extensive use of ICTs in government ministries. In terms of risks, the study established that electronic records were at higher risks compared to paper records. The study therefore, showed that, the use of ICTs within government introduced new types of records related risks.

### **6.1.3 Record Keeping Control Systems used by the Ministries**

In this objective, the study evaluated recordkeeping control systems related to registry systems, access and security measures, records classification systems, disposal and transfer of public records to KNADS, vital records management, and risk assessment programmes for records in government ministries. In summary, the study established that records control systems used by ministries were inadequate and outdated. File classification systems used by ministries were incomplete and outdated. Access and security measures used by ministries were inappropriate. This explains why unauthorized access was ranked as second most risk area to public records in the

surveyed ministries. The absence of records retention and disposal schedules was also identified as a major risk factor for public records in Kenya.

#### **6.1.4 Staff Capacity, Competencies and Professional Training**

The study revealed that GoK had an establishment for Records Management Units across the ministries. Records Management Units within the ministries were established by Office of the Prime Minister Circular No. MSPS/2.3/5A VOL. VII of 2010. The circular further provided an authorized capacity of Records Management Officers at 1,135.

The study however, revealed that Staff capacity for records management function was inadequate. Majority of the posts for RMOs specifically senior positions were be vacant.

The study findings also showed that the ministries did not have adequately trained personnel in records management. Majority of registries were manned by clerical officers who did not have any basic training in records management. This seemed to have a negative impact on records management function. The staff lacked competency to perform technical responsibilities in areas of records management such as development of file classification systems, records appraisal and dispositions and management of electronic records.

The study further revealed that records management staff lacked adequate support and training opportunities by government. It was revealed that a few RMOs who were trained had taken personal initiatives with no government sponsorship.

## **6.2 Conclusion**

This section presents conclusions of the study in view of the findings and interpretation of the study. The objective of the conclusions was to reflect on the findings of the study and indicate their implications, which led to the drawing of recommendations of the study. The conclusions are presented in paragraphs below corresponding to the study objectives.

### **6.2.1 Conclusion on Legal and Regulatory Framework for Records Management in Kenya**

Legal and regulatory framework are important components for effective records management. As Lipchak (2002) argued, laws and policies are an important part of effective records management, and the degree to which records are captured and used, to support good public administration depends on, supportive legal and regulatory framework. It is in this regard, that objectives no. 1 of this study was to investigate the effectiveness of legal and regulatory framework in mitigating records related risks in GoK ministries. The study revealed that, inadequacy of institutional, legal, and regulatory framework was a major cause of insufficient risk management, for records management across government ministries in Kenya. The study also established that the Public Archives Act Cap 19, the principal law that govern the management of public records in Kenya, had several weaknesses that made it inefficient. The study further established that Cap 19 had no reference to the management of electronic records. The study further revealed that, absence of a national records management policy had a negative impact on records management across the ministries. Failure by KNADS to develop records management policies was also identified as a major cause of inadequate records management in public organizations in Kenya.

The study concluded that, development and implementation of effective legal and regulatory framework for records management would greatly enhance proper records management in government ministries. The framework would seek to establish how public agencies in Kenya create, capture, maintain, access, use and dispose of public records.

### **6.2.2 Conclusion on Nature, Types and Causes of Records Related Risks in Government Ministries**

This study revealed that records risks in Kenya's government ministries were as a result of activities related to access, capture, control, storage and disposal. The study also revealed that, good recordkeeping programs need to perceive risks, reduce uncertainty and protect records and information against risks. The study further established that, increased volumes of records across the ministries, use of information technologies and the expansion of demand for access to information were new risk areas against public records in government ministries that require focused attention. However, the existing practices in records management were not adequate to address records related risks across the ministries. Failure by the Government of Kenya to develop a National Risk Management Strategy for public records was also identified as a gap for effective management of records related risks across the ministries. This study therefore concludes that, the development of a risk management strategy for public records and archives was critical, as it will enable the ministries to identify, plan and mitigate records related risks.

### **6.2.3 Conclusion on Recordkeeping Control Systems used by Government Ministries**

Findings of the study also revealed that, there were inadequate records management control systems to mitigate records risks. The control systems that were considered

by the current study included, records classification systems, records retention and disposal schedules, records appraisal and records transfer procedures used by Kenya National Archives. Findings of the research revealed that, although government ministries in Kenya had written classification schemes, they were not fully documented and updated. The study revealed that inadequate classification systems were a major risk factor across ministries in Kenya.

The study also revealed that, the absence of records retention and disposal schedules in government ministries exposed public records to the risks of premature and unsystematic destruction.

The study further revealed that, appraisal and acquisition of records for permanent preservation by the National Archives was not done in a structured manner. The study also revealed that, KNADS did not have a records appraisal and acquisition policy to provide guidance for selection and transfer of records to national archives. The study noted that, such an approach was dangerous to future archival acquisitions as it lacked uniformity, consistency and, the appraisal decisions were likely to be subjective and biased.

In view of these findings, it can be concluded that the recordkeeping control systems used across government ministries in Kenya were inadequate to address records related risks. Efficient records control systems would improve records management in government ministries.

#### **6.2.4 Conclusion on Staff Capacity, Skills, Competencies and Professional Training**

Professionally trained, skilled and competent records management officers are a major component for effective records management and therefore successful risk



management. The study established that, the government of Kenya had made deliberate commitment to improve records management across the ministries by establishing a records management cadre with a scheme of service for Records Management Officers (RMOs). However, the current study revealed that staff capacity for records management functions across the ministries was inadequate. This challenge was further compounded by inadequate skills, competency and professional training for RMOs.

It was therefore, the conclusion of the study that, even though records management was acknowledged across the ministries as being central to effective service delivery, there have been little efforts to employ and train adequate RMOS in Kenya's ministries. It emerged from the findings that, PSCK has done little to fill vacant posts of RMOS across the ministries.

### **6.3 Recommendations**

In view of the foregoing findings and conclusion of this study, this section presents recommendations to Government and respective stakeholders in public records management namely: ministries, Public Service Commission of Kenya and Kenya National Archives and Documentation Service. The recommendations, if adopted, will go a long way in addressing a number of records management risk factors established by this study.

#### **6.3.1 Legal and Regulatory Framework for Records Management in Kenya**

The study established that, the existing legal and regulatory framework for management of public records in Kenya was weak and inadequate in addressing records related risk factors. This study therefore recommend that;

- The Public Archives and Documentation Service Act be revised to incorporate electronic records management and ensure that, it is in line with other legislations such as the Kenya Communication Amendment Act 2009 and Access to Information Act No. 31 of 2016. The act should also provide clear definition of electronic records and specifically provide responsibility for their management.
- Government ministries should develop and implement appropriate infrastructure for Electronic Records Management.
- The directorate of e-Government should work in consultation with KNADS and other relevant agencies in the procurement of electronic records management hardware and software in ensuring that, the systems have record keeping functionalities.
- The department of KNADS, Ministries of Information Communication and Technology and the Kenya Communication Commission work together to ensure that their roles in electronic records management are well defined and closely coordinated.

The involvement of National Archives should be extended to the formulation of policies, standards, procedures and guidelines as well as, training of records management staff across government ministries.

KNADS should take a lead in developing a comprehensive records management policy, to harmonize the management of public records across government ministries and institutions. This policy should cover records in all formats created, received and maintained by government ministries.

### **6.3.2 Recommendations on the Nature, Types and Causes of Records Related Risks**

One of the key findings of the study was that, although records related risks were on the rise, there was inadequate information on risk factors affecting records across the ministries. To address this inadequacies, the study recommends that;

- Kenya National Archives and Documentation Service (KNADS) to develop a National Records Management Risk Assessment Management Framework for public records. This will not only ensure that records related risks are identified but also that, they are mitigated and effectively managed.

### **6.3.3 Recommendations on Electronic Records Management**

The study established that, the Public Archives and Documentation Service Act is not media specific and does not provide specific definition for electronic records. The study further noted that, there was widespread perception among government staff that records created electronically were not records but data. As a result of this perception the study established that most of the ministries felt that KNADS did not have any responsibility for electronic records management. The study recommends that;

- The Public Archives and Documentation Service Act be revised to incorporate electronic records management and ensure that it is in line with other legislations such as, the Kenya Communication Amendment Act 2009 and Access to Information Act No. 31 of 2016. The Act should also provide clear definition of electronic records and specifically provide responsibility for their management.

- Government ministries should develop and implement infrastructures for Electronic Records Management.
- The directorate of e-Government should work consultation with KNADS and other records management professions in the procurement of electronic records management hardware and software in ensuring that the systems have records keeping functionalities.
- The department of KNADS, Ministries of Information Communication and Technology and the Kenya Communication Commission should work together to ensure that, their roles in electronic records management are well defined and closely coordinated.

#### **6.3.4 Recordkeeping Control Systems used by Government Ministries**

The study established that, records management in government ministries operated with inadequate and outdated recordkeeping control systems. It is therefore recommended that,

- Principal Secretaries in liaison with Director KNADS should urgently revise or review all existing files classification systems. Where the systems are not in existence, the study recommends urgent development of the same. For this to succeed, the study recommends that ministries to have a specific budget for the exercise.
- The Kenya National Archives should develop records retention and disposal policies to address the risk of premature destruction of public records and the risk of prolonged retention of non-valuable records. When developing the schedules, the ministries should ensure that, the retention and disposal framework provide clear guidelines relating to public records retention requirements based on business needs, statutory, regulatory and research

needs. The policy once implemented, will facilitate systematic disposition of public records and safeguard vital records needed for administration, legal, fiscal and research needs

### **6.3.5 Staff Capacity, Skills, Competencies and Professional Training**

The findings of the study revealed that, the levels of skills, competencies and professional training were significantly low among records managers within government ministries. The study therefore recommends that;

- The Public Service Commission of Kenya (PSCK) in conjunction with the Directorate of Personnel Management (DPM), develop minimum training requirements for all officers with records management responsibilities across government ministries.
- PSCK in collaboration with other stakeholders such as the KNADS and Professional associations for Records and Archives, develop and implement competency profile framework for records managers. The framework is to outline key knowledge and skills required by RMOs as well any staffs within the public service that have records management responsibilities.
- KNADS to take a lead role to develop a records management training program with theoretical and practical content to be offered to public officers. The practical component of the program should have a clear focus on operational records management.
- PSCK to raise the profile of records management by highlighting its role to service delivery and good governance.

### **6.3.6 Proposed Risks Management Strategy for Public Records**

The findings of the study established a gap in the management of records related risks in government ministries. To address this gap, the study has developed a Risk Management Strategy for Public Records and Archives in Kenya. The proposed strategy is discussed in chapter seven.

### **6.3.7 Chapter Summary**

Chapter six provides a summary of study findings, conclusion and recommendation made by the researcher. The summary was made, based on the objectives of the study and the conclusion was guided by the findings. Recommendations were made to inform policy and practices in government ministries.

## CHAPTER SEVEN

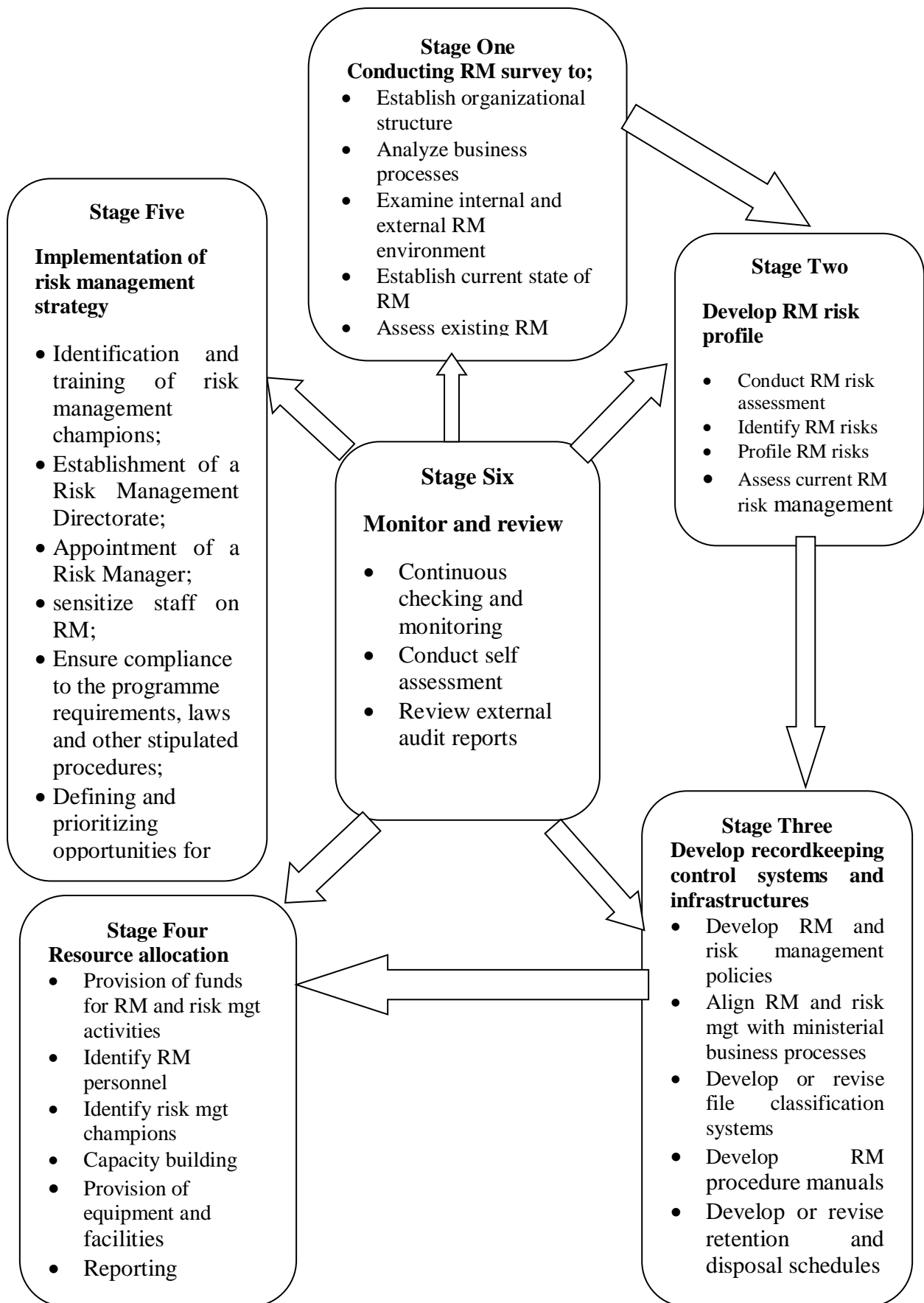
### PROPOSED RISK MANAGEMENT STRATEGY FOR PUBLIC RECORDS AND ARCHIVES IN KENYA

#### 7.0 Introduction

The aim of this study was to develop a Risk Management Strategy for public records in Kenya, with a view to improving records management practices in the country. In line with this, the study has come up with a risk management strategy, which aims to bring a collaborative approach in risk management between stakeholders across government ministries. The strategy is divided into two parts. The first part is in diagram form, depicting the five stages of the proposed risk management strategy. The second part is a description of various elements of the strategy. In developing the strategy, the researcher borrowed some of its elements from the Australian Standard AS/AZS ISO 3100:2009, namely;

- Establishment of records management context
- Development recordkeeping control systems
- Alignment records management with ministry business processes
- Resource allocation for records and risk management
- Monitoring and review

The strategy establishes an operational self-assessment program, which will enable the ministries diagnose records' risks against a set of recordkeeping controls. The strategy also aims to provide a comprehensive and consistent tool for government employees regardless of their positions or work; to identify and mitigate potential records risks. The strategy is shown in **figure 7.1**



**Figure 7.1: Proposed Risk Management Strategy for Records**  
*Source: Researcher*



## **7.1 Stages of the Proposed Risk Management Strategy**

The proposed strategy has five stages that ministries will follow to identify and mitigate records risks.

### **7.1.1 Stage One: Conduct high-level Records Management Survey and Assessment**

This stage entails the ministry undertaking an initial high-level records management survey, to determine the internal and external environment in which the ministry's records are created, maintained, accessed, used and disposed off, based on the following specific activities;

- i) Analysis of all business processes, functions and activities of the ministry to provide a better understanding of the nature and types of records created.
- ii) Examination of the internal and external environments in which records are created, maintained, accessed, used and disposed of
- iii) Establishment of the current state of records management
- iv) Assess existing records management systems

### **7.1.2 Stage Two: Identification and Profile of RM Risks**

Stage two is about identifying and profiling records risks in the ministry. It also entails Identifying, describing and categorizing the nature, types and causes of records risks in ministries. Use the information gathered in step one to identify and list all potential risks associated with;

- i) Creation and capture of official records
- ii) Unauthorized access to and disclosure of public records

- iii) Unauthorized destruction of records
- iv) Unauthorized modification
- v) Accidental loss of records in the ministries
- vi) Environmental damage of records
- vii) Hardware failure
- viii) Malicious damage of public records
- ix) Theft of official records

When identifying records risks, consider the following;

- i) What will happen to the records
- ii) Why will it happen
- iii) Where will it happen
- iv) When will it happen
- v) How will it happen

The ministry can also identify records risks through examination of other business operations, including policy and procedure, internal and external audit, customer complaints, incidents and system analysis.

### **7.1.3 Stage Three: Develop Recordkeeping Control Systems and Infrastructures**

Stage three is about setting records and archives management control systems to address records related risks. It also entails developing recordkeeping infrastructures.

The specific activities to be undertaken include;

- i) Development of recordkeeping and risk management policies and have them formerly approved by CS or PS
- ii) Aligning RM and risk management with ministerial business processes

- iii) Developing records filing classification plans to provide a consistent method of filing of government records
- iv) Developing records management procedures to cover the entire records management processes in the ministries
- v) Developing disaster management plan to provide the ministries with the means to plan for continued operations in the event of a disaster
- vi) Develop or revise retention and disposal schedules
- vii) Developing risk assessment program to provide self and internal audits for the ministries to assess recordkeeping risk against records management requirements

#### **7.1.4 Stage Four: Resource Allocation for Records and Risk Management Program**

This stage entails the identification and allocation of all resources required for implementation of RM and risk management programs in the ministries. This includes;

- i) Budgetary allocation for records management in all government ministries
- ii) Recruitment of qualified and adequate number of records management officers in the ministries
- iii) Training and capacity building for records and risk management
- iv) Provision of facilities and equipment for RM

#### **7.1.5 Stage Five: Implementation of Risk Management Strategy for Records and Archives**

Implementation of the proposed risk management strategy for records and archives is done at stage 5. All the stages in this strategy are to be implemented in a continuum

without any separate steps. The following activities will be carried out at the implementation stage;

- i) Identification and training of risk management champions;
- ii) Appointment of a Risk Manager and establishment of a Risk Management Directorate;
- iii) Educate and sensitize staff on RM and risk management program details;
- iv) Enforcing adherence to the established programs, policies and procedures;
- v) Ensure compliance to the program requirements, laws and other stipulated procedures;
- vi) Defining and prioritizing opportunities for improvement;

#### **7.1.6 Stage Six: Monitoring and Review Records Risks**

This stage involves assessing the performance of the strategy, to determine compliances or lack of it. Recordkeeping risk management strategy should be monitored and reviewed regularly, to determine compliance or failure to comply. Once the initial direction of the strategy has been set, it is important to ensure that everyone is complying with the processes. Review and monitoring methods includes;

- i) Continuous checking and monitoring of current and possible future recordkeeping risks
- ii) Establishing control systems to ensure that, risk management programs, policies and procedures are followed
- iii) Conducting self-assessment and internal audits to identify and report risks associated with recordkeeping practices

- iv) Facilitating continuous training for RMOs and risk management staff
- v) Benchmarking the strategy
- vi) Reviewing external audit reports such as, KNADS records management reports, Auditor General, Ethics and Anti-corruption reports

## **7.2 Implications of the Study**

This section examines implications of the study to theory, policy and practice.

Research implications basically refer to the impact that a research will have on future research or policy decision or the relevant field of interest of a study. According to Mitchell (2012) the significance of a study is evaluated on how it enriches scholarly research and literature in the field (theory), how it improves practice and how it affects policy.

With regard to the present study's implication to theory, the study has sought to illuminate the relationship risk management, effective records management and public service delivery. Empirical findings have been provided to demonstrate the role of risk management strategy for public records. These findings together with other expositions from literature contribute to the ongoing scholarly discourse on the need to effectively manage records related risks.

In terms of the study's implications for policy and practice, it is envisaged that the findings of the study may go a long way in influencing policy and practice of records management in general and risk management in particular, in Kenya and globally. If the recommendations of this study are taken into consideration, they could help in the formulation of policies and strategies for records and risk management in government ministries.

This study provides the ministries' strategic direction required to initiate risk management and mitigation to protect public records and archives. The study in turn assists decision makers to understand the nature, types and causes of records related risks. It is evident from literature that, there is little research-based related risk factors in public sector. It is therefore the argument of this study that, policy makers are making decisions about risk management that are not based on necessary research information. The study is therefore likely to inform the decision making process on this largely ignored area. Knowledge generated by this study therefore forms an important component in decision making process.

### **7.3 Further Research**

The assessment of the nature, types and causes of records related risks in government ministries is the first such inquiry and study of this magnitude in Kenya. It has, consequently, brought to the fore, several risk factors that require further research that would provide in depth understanding of issues critical to the mitigation and management of records risk at the two levels of government in Kenya.

This study suggests that, records related risks are on the rise across public sector. There is therefore need for independent study on records related risks at the county governments' level, to identify the extent of the risks.

A further study on risk factors for electronic records is necessary. At the moment, there is little reliable information on the management of electronic records in Kenya. This study did not gather enough data on how ministries are managing electronic records and associated risks factors. A further study would be necessary to assess how the Kenya National Archives is providing the preservation of electronic records.

#### **7.4 Conclusion**

The study achieved its aim of identifying the nature, types and causes of records related risks in government ministries. The proposed risk management strategy for public records and archives in Kenya has been drawn for action and implantation.

Accessible, usable and authentic records are essential tools for service delivery and good governance. The Constitution of Kenya 2010 and the Access to Information Act No. 31 of 2016; require public agencies to set up a records management system for creating and preserving paper and electronic records needed, to adequately document their policies, decision, procedures, transactions and activities. Continued access and use of public records largely depends on, how they are managed and protected against risks. However, risk management for records remains a neglected area not only in Kenya but globally as well. Yet risk management and mitigation is key to making records and archives accessible and usable for current and future use.

In summary the study's conclusions are that proper management of the records is critical for the survival and efficient operations of the day-to- day businesses of the ministries in Kenya. The ministries must properly manage the records to ensure that they are protected against any risks. To achieve this, ministries should develop and implement sound records management strategies to safeguard the records against risks.

Findings of this study revealed, inefficient management of public records in government ministries in Kenya, which exposed records to various risks. Factors that were identified to contribute to this included, lack of adequately trained records management staff, absence of records management policies, procedures and standards, lack of senior management support changing technologies among others. To alleviate these challenges, ministries should integrate records management and risk management programs into government business processes.

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## APPENDICES

### APPENDIX I: INTRODUCTORY LETTER

Dear Sir/ Madam

I am a student at Moi University doing a PhD in Records and Archives Management. As part of the degree requirement, I am conducting a study entitled *Development of a Risk Management Strategy on Records and archives in Kenya; a study of selected Government Ministries.*”

The study aims to develop a risk management strategy for recordkeeping in government ministries in Kenya, with a view to addressing problems of risk management in relation to records and archives in a more logical and systematic manner.

I have identified you as one the respondents of the study. The purpose of this letter is to request you to help fill in the attached questionnaire. All information provided will be kept confidential and will be used only for the purpose of this study.

If you have any question or clarification, Please feel free to contact me on 0722835584 or E-mail nafcochweya@yahoo.com.

Naftal Chweya Oganga



**APPENDIX II: INTERVIEW SCHEDULE FOR RECORDS MANAGEMENT OFFICERS AND ARCHIVISTS**

**BACKGROUND INFORMATION**

**Ministry** \_\_\_\_\_

**Department** \_\_\_\_\_ **Section** \_\_\_\_\_

**Telephone** \_\_\_\_\_ **Email** \_\_\_\_\_

**Current Designation** \_\_\_\_\_

**Section 1: Academic and professional qualifications**

1. For how long have you worked in the ministry's records management department?

.....  
.....  
.....  
.....

2. What are your academic/professional qualifications

.....  
.....  
.....  
.....

3. Briefly describe your day to day duties as a Records Management Officer

.....  
.....  
.....  
.....

4. What types of courses, workshops or training on records management have you attended since you were employed as a records management officer?

.....  
.....  
.....  
.....

5. What type of security vetting training have you undergone?

.....  
.....  
.....  
.....

**Section 2: Policy issues**

6. Does your ministry have a records management policy?

.....  
.....  
.....

Is records management in your ministry guided by any internal or national policy?

.....  
.....  
.....

If yes, does the policy have a component on risk or disaster management?

.....  
.....  
.....

What other key areas does the records management policy cover?

.....  
.....  
.....  
.....

**Section 3: Records management risks**

7. What risks do records in your ministry face?

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.....  
.....  
.....

8. What are the causes of these risks?

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.....  
.....

9. How does the ministry deal with the risks?

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.....  
.....  
.....

10. Have the staffs in the Records Management Unit trained on ways of dealing with various types of risks?

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.....  
.....

11. What strategies or measures has the ministry put in place to deal with electronic records risk?

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.....  
.....

**Section 4: Internal Records control tools**

12. What records management tools are in place in the ministry

.....  
.....  
.....  
.....

13. In what ways does the existence or non-existence of the tools cause risks in records management in the ministry?

.....  
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.....  
.....

14. What recordkeeping systems has the ministry put in place to ensure the capture and control of all records?

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.....  
.....

15. Which type of file classification system does the ministry use?

.....  
.....  
.....  
.....

16. Does the system cover both paper and electronic records generated in the Ministry?

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.....  
.....  
.....

17. What guideline or policy does the ministry use to dispose of no-current records?

.....  
.....  
.....  
.....

18. How regular does the ministry dispose of non-current records?

.....  
 .....  
 .....  
 .....

### **Section 5: Records storage**

19. What physical facilities has the ministry put in place for the management of current and semi-current records?

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 .....  
 .....  
 .....

20. What risks are associated with the facilities?

.....  
 .....  
 .....  
 .....

### **Section 6: Vital records management and disaster management**

21. What measures has the Ministry put in place for the management of vital records

.....  
 .....  
 .....  
 .....

22. Which of the following methods does the ministry use to protect vital records?

- a) Offsite storage.....
- b) Duplication.....
- c) Microfilming.....
- d) Digitization.....
- e) Other, please specify.....

23. What additional support will you like to see the ministry provide to support records management functions?

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.....  
.....

24. What other challenges do you face as a Records Management Officer that are likely to cause risks to records in the ministry?

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.....

**APPENDIX III: INTERVIEW SCHEDULE FOR INFORMANTS**  
**BACKGROUND INFORMATION**

**Ministry** \_\_\_\_\_

**Department** \_\_\_\_\_ **Section** \_\_\_\_\_

**Telephone** \_\_\_\_\_ **Email** \_\_\_\_\_

**Current designation** \_\_\_\_\_

1. How long have you work at the Ministry?

.....  
.....  
.....

2. What are your duties in day to day basis?

.....  
.....  
.....  
.....

3. Do you consider records management to be important in your day to day work?

.....  
.....  
.....

4. Briefly explain

.....  
.....  
.....

5. Does your work involve any capture of specific records or document?

.....  
.....

6. If yes, what are the risks of not capturing records accurately?

.....  
.....  
.....  
.....

7. Has your department/section experienced any specific risks due to poor records management?

.....  
.....  
.....  
.....

8. Does the ministry/section have a records management policy?

.....  
.....  
.....  
.....

9. In case of any occurrence of records risk how will you deal with it?

.....  
.....  
.....  
.....

10. What training have you attended on both records and risk management?

.....  
.....  
.....  
.....



11. Does your professional training have any component of records management?

.....  
.....  
.....  
.....

12. How do you assess the security levels of the ministry's records?

- a) Very good.....
- b) Good .....
- c) Fair.....
- d) Bad.....

13. Do you think it is important to have a risk management strategy for the ministry's records?

.....  
.....  
.....  
.....

14. What type of risk are your ministries' records likely to face

.....  
.....  
.....  
.....

15. How do you evaluate the ministry's risk management skills and preparedness in terms of records management?

- a) Good .....
- b) Adequate.....
- c) Inadequate.....
- d) Not sure of how to assess.....

16. What do you think are the major causes of poor records management in the ministry?

.....  
.....  
.....  
.....

17. What type and level of training will you consider appropriate for records management officers?

.....  
.....  
.....  
.....

18. What measures has the ministry put in place to ensure that records management officers have the required skills and qualifications?

.....  
.....  
.....  
.....

19. What measures has the ministry put in place to ensure records are secure against the following threats?

- a) Unauthorized access.....
- b) Pests infection.....
- c) Leaking of roofs.....
- d) Computer systems failure.....
- e) Sabotage.....
- f) Floods.....
- g) Explosions/Terrorist attacks.....
- h) Other, please specify.....  
.....  
.....

20. What suggestions can you make to improve records management in do you thinks are the ministry?

.....  
.....  
.....  
.....

**APPENDIX IV: INTERVIEW SCHEDULE FOR ICT MANAGERS**  
**BACKGROUND INFORMATION**

**Ministry** \_\_\_\_\_

**Department** \_\_\_\_\_ **Section** \_\_\_\_\_

**Telephone** \_\_\_\_\_ **Email** \_\_\_\_\_

**Current Designation** \_\_\_\_\_

1. What is the role of your department in the ministry?

.....  
.....  
.....  
.....

2. What support does the ICT Department provide towards the capture and control of electronic records in the ministry?

.....  
.....  
.....  
.....

3. What risks are e-records and other digital information are exposed to in the ministry?

.....  
.....  
.....  
.....

4. As ICT Unit what measures are in place to prevent such risks?

.....  
.....

5. What training does the ICT Unit provide to staff in the ministry on dealing with e-records risks?

.....  
.....  
.....  
.....

6. What measure has the Ministry put in place to control the use of personal e-mail address to conduct official business?

.....  
.....  
.....  
.....

7. Are there systems in place to ensure official e-mail are preserved in appropriate recordkeeping systems?

.....  
.....  
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.....

8. How closely do you work with Records Management Officers?

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.....  
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9. What additional suggestions will you make to enhance the management of electronic records in the ministry?

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.....  
.....

**APPENDIX V: LIST OF ADDRESS OF SURVEYED MINISTRIES****1. Ministry of Agriculture, Livestock and Fisheries**

Kilimo House, Cathedral Road,  
P.O Box 34188-00100,  
Nairobi,  
Telephone: +254-020-2718870  
E-mail: [info@kilimo.go.ke](mailto:info@kilimo.go.ke)

**2. Ministry of Education**

Jogoo House "B" Harambee Avenue  
P.O Box 30040-00100  
Nairobi.  
Telephone: +254-020- 318581

**3. Ministry of Foreign Affairs and International Trade**

Old Treasury Building Harambee Avenue,  
P.O Box 30551-00100  
Nairobi  
Tel: +254- 020- 3318888  
e-mail: [info@mfa.go.ke](mailto:info@mfa.go.ke).  
Website: [www.mfa.go.ke](http://www.mfa.go.ke).

**4. Ministry of National Treasury**

Treasury Building, Harambee Avenue  
P.O Box 30007-00100  
Nairobi.  
Tel: +254 -20- 3318888  
Email: [info@mfa.go.ke](mailto:info@mfa.go.ke).  
Website: [www.mfa.go.ke](http://www.mfa.go.ke).

**5. Ministry of Sports, Culture and The Arts**

Kencom House 2nd Floor.  
P. O. Box 49849-00100.  
E-mail:[psoffice@minspoca.go.ke](mailto:psoffice@minspoca.go.ke).  
E-mail: [csoffice@minspoca.go.ke](mailto:csoffice@minspoca.go.ke).  
Telephone: Tel. +254 -020- 2251164.  
[www.sportsculture.go.ke](http://www.sportsculture.go.ke).

**6. Ministry of Lands, Housing and Urban Development**

Ardhi House, Ngong Road

P.O Box 30450-00100

Nairobi

Telephone: 254-020-2718050

Fax 254-020-2721248

E-mail: <http://www.ardhi.go.ke/>

**7. Ministry of Transport and Infrastructure**

Transcom House. Ngong Road,

P.o Box 52692 – 00200,

Nairobi.

Tel. +254-020-2729200.

E-mail: [info@transport.go.ke](mailto:info@transport.go.ke)

**8. Ministry of Information, Communication and Technology**

Telposta Towers, Kenyatta Ave. Koinange Street

P.O Box 30025-00100,

Nairobi.

Tel. +254- 020- 4920000

E-mail: [info@information.go.ke](mailto:info@information.go.ke)

## APPENDIX VI: MAP OF KENYA



Source: [www.africantravelinc.com/aboutATI/Kenya.html](http://www.africantravelinc.com/aboutATI/Kenya.html)



### APPENDIX VII: RESEARCH CLEARANCE PERMIT FROM NACOSTI

.....

**THIS IS TO CERTIFY THAT:** **Permit No : NACOSTI/P/16/41380/12421**

**MR: NAFTAL CHWEYA OGANGA** **Date Of Issue : 26th July,2016**

**of MOI UNIVERSITY, 2656-20100** **Fee Received :Ksh 2000**

**nakuru,has been permitted to conduct**

**research in Nairobi County**

**on the topic: DEVELOPMENT OF A RISK**

**MANAGEMENT STRATEGY FOR PUBLIC**

**RECORDS AND ARCHIVES IN KENYA: A**

**STUDY OF SELECTED GOVERNMENT**

**MINISTRIES**

**for the period ending:**

**26th July,2017**


*[Handwritten Signature]*

**Applicant's Signature**

*[Handwritten Signature]*

**Director General**

**National Commission for Science, Technology & Innovation**



**APPENDIX VIII: LETTER OF RESEARCH AUTHORIZATION FROM  
NACOSTI**



**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

9<sup>th</sup> Floor, Utalii House  
Uhuru Highway  
P.O. Box 30623-00100  
NAIROBI-KENYA

Ref. No.

Date:

**NACOSTI/P/16/41380/12421**

**26<sup>th</sup> July, 2016**

Naftal Chweya Oganga  
Moi University  
P.O. Box 3900-30100  
**ELDORET.**

**RE: RESEARCH AUTHORIZATION**

Following your application for authority to carry out research on *“Development of a risk management strategy for public records and archives in Kenya: A study of selected government ministries,”* I am pleased to inform you that you have been authorized to undertake research in **Nairobi County** for the period ending **26<sup>th</sup> July, 2017**.

You are advised to report to **the Principal Secretaries of selected Ministries, the County Commissioner and the County Director of Education, Nairobi County** 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 Principal Secretaries  
Selected Ministries.

The County Commissioner  
Nairobi County.

The County Director of Education  
Nairobi County.

*National Commission for Science, Technology and Innovation is ISO 9001: 2008 Certified*