

ORGANISATIONAL, LEGISLATIVE AND POLICY FRAMEWORK

Just as in the case of managing any other public service resource, efficient and effective management of public service records and information resources requires an organisational, legislative and policy structure that establishes general authorities, responsibilities and organisational structures.

Many of the problems that public service agencies experience with the management of their records and information resources arise as a direct result of a lack of clear authority and responsibility. For example, in the absence of legislation or policy giving public service officials authority to take decisions about the disposal of public records, often they are forced to place themselves and the organisation at risk by making unilateral and *ad hoc* decisions to dispose of records or, reluctant to take such risks, do not dispose of records, leading to accumulation of records and consequent space problems within public service agencies.

ORGANISATION STRUCTURE

An organisational structure for a public service records and information management programme must be established for the public service as a whole and within each public service agency, registry and office. At each level, specific authorities, responsibilities and inter-relationships must be defined. In addition, the organisational structural requirements for a public service-wide records and information management programme should be viewed in the context of short-term needs to implement new systems and long-term requirements for maintaining systems once implemented.

In the long-term, a senior official should be assigned responsibility for the overall public-service wide records and information management programme, including authority for programme development, implementation and compliance monitoring. One option, favoured by many countries, is to assign this role to the national archivist in order that the management of the entire life cycle of public records, from creation to final disposition, is co-ordinated by one official and under one agency. In countries where the national archivist does not oversee the public service-wide records and information management programme, problems can arise because processes for the management of records throughout their life cycle may be divided up between a number of officials and agencies with differing organisational and professional allegiances. Fragmentation of records and information management authorities and responsibilities can create barriers to effective management of records arising from organisational conflict and lack of process co-ordination. These problems can be avoided when authority and

responsibility for the management of records throughout their life cycle is integrated and assigned to a national archivist with oversight of an integrated archives and records service.

Authorities and duties of the senior official with overall programme responsibility should be established in policy or, preferably, legislation and form the basis of a job description for this post. The position should be placed at a level within the public service scheme of service (e.g. head of agency) commensurate with defined authorities and responsibilities. If responsibility for the programme is assigned to an official in an existing post, the person's skills may have to be upgraded to permit performance of new duties. If programme responsibility is assigned to an official whose position does not yet exist within the public service, for example, in the case of a public service without a national archivist, the post should be established and a suitable candidate recruited.

It is also necessary to plan and budget for positions to perform the functions and deliver the services of the records and information management programme. Usually, at least two additional posts are required: one to provide on-going records management training and technical assistance to public service agencies and one to manage a records centre facility. In addition, depending on the volume of work, these positions may require clerical support.

During the implementation phase of a public service-wide records and information management programme, it may be necessary to assign temporary responsibility for the programme to an official or agency other than the one which will have ultimate responsibility for the programme to allow the agency which has been assigned programme responsibility to build the necessary organisational capacity to take over programme management. Temporary assignment of programme responsibility allows the official who will have ultimate programme responsibility time to acquire new competencies and hire new staff, as necessary.

In addition, some jurisdictions have found it helpful when changing from old records management practices to new records management systems to establish a records and information management change team. Such teams usually consist of individuals at a senior level, for instance permanent secretaries, from each public service agency who, together, function as a steering committee to lead the change initiative. It also may include officials at less senior levels who have skills and competencies that enable them to provide technical assistance and training in support of implementation of the new systems. The change team usually takes responsibility for developing and implementing a records and information management project plan, and for co-ordinating the delivery of technical support and training to public service agencies.

Certain general authorities and responsibilities, comparable to those that exist for the management of financial resources within the public service, also should be established for all public servants involved in the management of records or performing record-keeping functions.

Heads of public service agencies and units within public service agencies should have overall authority and responsibility to ensure that their records are managed responsibly, in accordance with established policy and in a manner that promotes public service efficiency and effectiveness.

Those with responsibility for the operation of agency record-keeping systems, such as registry personnel, and each agency employee, also clearly must understand their roles and responsibilities with respect to specific agency or public service-wide records and information management policy, procedures, practices and standards.

The appointment of a records management officer for each agency is a critical element of the overall organisational structure for a public service records and information management programme. Through this person, the agency is able to establish and maintain its own records and information management programme in alignment with the broader public service-wide programme. Moreover, these individuals are an essential link in the chain of authority that will ensure that records are properly managed throughout their life cycle. It is not necessary for public service agencies to establish the records management officer as a new post, although in larger agencies this may be desirable; rather, the records management officer may be an official who already has responsibility for general administrative functions. The person appointed as an agency's records management officer should be at a level within the agency with sufficient decision-making authority to recommend new policies and procedures, appraise records, recommend retention periods and disposal actions, and provide direction to agency personnel on records and information management policy, procedures, practices and standards with which the agency must comply.

SCHEME OF SERVICE

Often, public service agencies find it difficult to retain knowledgeable registry and other records staff. Time and money is invested in training these employees only to see the very best leave for better positions after a relatively short period. The cause of this problem lies squarely in the fact that registry work is usually low paying and has a low status within most public service organisations. Further, registry work is perceived as being 'dead end', due to the lack of a defined career path for personnel involved in records and information management. As a result, staff looking for pay increases, improved status and position advancement must look outside of registry and records-related work. High turnover of registry and other

records staff ultimately has a negative impact on registry operations and the management of records throughout their life cycle, as much valuable experience and knowledge is lost with every employee who leaves. Moreover, loss of experienced and knowledgeable registry and records staff means that public service agencies often lack a cadre of trained records personnel who can be relied upon to perform more complicated records and information management functions, such as records appraisal, scheduling, and disposal.

In order to promote the development of a trained, experienced and knowledgeable cadre of records personnel, a career path should be established for records management personnel within the public service scheme of service. The career path should start at the most junior levels, for example, a filing clerk within a registry, and end at the most senior level, for example the person with overall responsibility for the public service records and information management programme. At each level, the requisite education, experience and competencies needed to perform the work should be identified. It is important that a training programme be developed to support implementation of the scheme of service and individual employees' advancement along the records management career path.

The Government of Jamaica has established a career path for records and information-related personnel. Standards for the Public Information and Documentation Group (PIDG) of employees were drafted in 1996. The Records and Information Management Group (RIM) followed in December 1997 and encompassed the traditional clerical posts in registries up to senior managers with special responsibility for registries and libraries within government agencies. The career path evolved out of a "Proposal for the creation of an Information Resources Division in each Government Department" drafted by a sub-committee of the Archives Advisory Committee. The proposal identified current problems with the management of records and information within the Jamaican public service and drafted a model scheme of service for records and information-related personnel to address those problems, integrating a career path for staff involved in the registry, library and information systems areas and establishing responsibility for these staff to a Systems and Information Manager. The Ministry of Finance and Planning has adopted the model, merging its registry, library and information systems into one unit under a single director.

LEGISLATIVE AND POLICY FRAMEWORK

Records management and archives legislation is an essential component of the wider legislative basis for accountable, effective and efficient government. Further, it provides the essential framework which enables the records and information management programme to function with acceptance and authority.

The following content elements are traditionally included in the legislative and policy framework for public service records and information management programmes:

- Definitions and interpretations. Usually this section includes definitions of the term records, public records and technical terms, such as records retention schedules.
- Establishment of an advisory body with responsibility for providing advice to the minister or head of the records and information management programme on broad records and information management policy issues.
- Establishment of the Archives' mandate. Legal status and authority must be given to the Archives and its roles, functions and responsibilities defined, particularly if it is assigned responsibility for records and information management as part of an integrated records and archives service.
- Assignment of various authorities and responsibilities for the management of records throughout their life cycle to the head of the records and information management programme, head of public service agencies, records personnel and records creators.
- Prohibition of the destruction of public records without proper authorisation and establishment of the procedures that must be followed to obtain proper authorisation.
- Provision of penalties for unauthorised destruction of records or other breaches of the act.

In addition, many public service organisations have enacted complementary legislation to establish a code of access and confidentiality for public records, including those in the care and custody of the Archives, and to protect valuable cultural property.

Public service agencies have a number of options from which to choose in establishing the legislative and policy framework for their records and information management programmes. First of all, the framework may be detailed and prescriptive, or general. The advantage of a detailed and prescriptive framework is that it establishes a clear mandate as the basis for implementation of various records and information management programme elements and functions. However, its weakness is that it becomes outdated much more quickly and requires more frequent changes, changes for which it may be difficult to obtain approval. A less

prescriptive, more general framework requires fewer amendments; however, enforcement of programme policies and standards may be difficult because of the vagueness of provisions.

Secondly, the various content elements of the legislative and policy framework can be enacted as one omnibus piece of legislation, or separately. For example, in jurisdictions with integrated archives and records management services, an archives act usually establishes records and information management programme functions, including the procedures for scheduling and disposing of public records. In other jurisdictions, the Archives' legal status and mandate are dealt with in an archives act, while matters relating to records and information management are addressed in a separate public records act. In addition, some jurisdictions address aspects of the protection of records of historical value in a cultural properties act, while systems for the legal deposit of publications are established in legal deposit acts. Further, it is increasingly common in many jurisdictions to establish separate access to information and privacy legislation governing all aspects of the access to public records.

Finally, the public service organisation will also have a choice as to the legislative instrument used to establish the framework for the management of its records. A mixture of statutes, regulations, cabinet or executive orders, policy instruments, procedures manuals and standards is possible. It is recommended that at least the general aspects of the legislative and policy framework be set out in one or more statutes (e.g. the Archives' legal status, roles, responsibilities and authorities, and procedures for scheduling and disposing of public records). More detailed aspects of the framework and those elements that are likely to change more often, such as schemes of service for records personnel, may be dealt with in subsidiary legislation, such as regulations, or policy documents.

The approach taken to establishing a legislative and policy framework for the records and information management programme, whether it is detailed and prescriptive or general, established as one omnibus piece of legislation or as separate enactments, and established as statute or in some other instrument, will depend on the public service organisation's constitutional, legislative and professional environment, in addition to its particular requirements and preferences.