IRMT/World Bank Evidence-based Governance in the Electronic Age

Global Forum Electronic Discussions

Summary of Discussion Four:

Public Sector Reform and Record Keeping

10-14 March 2003

Introduction to the Summary

The following is a brief summary of the Global Forum electronic discussion on **Public Sector Judicial Reform and Record Keeping**. The electronic discussion, held from 10-14 March, was organized by the International Records Management Trust and the World Bank Information Solutions Group and World Bank Institute, with funding provided by the UK Department for International Development and the Commonwealth Secretariat.

Background to this Discussion

This is one of four electronic discussions being organized by the IRMT and World Bank, to be held between 27 January and 14 March 2003. The other discussions address the following topics:

- Information Technology, Electronic Records, and Record Keeping (27-31 January)
- Financial Management Reform and Record Keeping (10-14 February)
- Legal and Judicial Reform and Record Keeping (24-28 February)

Once these electronic discussions are completed, the IRMT and World Bank will host a series of video conferences with senior government officials around the world, to examine the issues raised in more detail and to seek concrete solutions to the challenges of electronic records management.

Participants in the Discussion

Participants in the invitation-based discussion included representatives of public sector reform divisions, administrative reform and governance offices, human resource departments, foreign affairs departments, legal departments, and representatives of national archives and record keeping departments in Commonwealth governments around the world, as well as other invited officials involved with electronic records or public sector issues and selected observers. Contributions to the discussion came from such diverse regions as the Bahamas, Ghana, Namibia, India, Fiji, Sierra Leone, Botswana, Kenya, Zanzibar, South Africa, St Lucia, Trinidad & Tobago, Sri Lanka, Tanzania, and Swaziland. A total of 217 participants were registered in the discussion, from over 30 countries.

Purpose of the Electronic Discussion

The purpose of this electronic discussion was to facilitate a dialogue among experts in their own fields about the relationship between public sector reform, record keeping, and accountable and efficient government and governance. The goal was to identify key emerging issues, and gaps in understanding, about the creation and management of public sector records in governments in developing countries. The ultimate goal was to raise awareness amongst all participants of the legal, administrative, and record keeping issues involved with creating, managing, and protecting government information. The project organizers hope that the dialogue will start the process of building a network of professionals in regions around the world who share related concerns.

The Process of the Discussion

The discussion began with participants answering introductory questions about public sector management and reform; the questions were designed to highlight possible relationships between public sector management and record keeping. These questions included the following:

1   What categories of records do you think are more important to an effective public service? Do you think those records are well managed in your jurisdiction?

2   Given the reality of limited resources, how do you think the management of key public sector records could be improved?

3   How do you think the management of civil servants' personnel records affects the process of public sector reform?

4   What kind of steps does your government take to ensure that key government records are protected when one administration is replaced by another or when there is a period or considerable administrative change, such as during a public sector restructuring program? What steps do you think should be taken to prepare record-keeping systems for such organizational changes?

5   Do you think the "paperless office" is a potential reality in the short- and medium term? What do you think are the benefits to and drawbacks to an electronically oriented public service?

These questions served as a starting point, but the participants introduced a range of other issues throughout the week. A topic of particular interest was the issue of whether governments protected their records when new administrations took over from old ones or when major reforms were enacted in the public sector, and what record keepers could do to protect public records during times of conflict or change.

Results of the Discussion
Throughout the discussion, participants emphasized the importance of quality record keeping for all aspects of public sector reform. As one participant noted, actions which enhance the government's relationship with citizens and clients and which protect citizen's rights need to be prioritized in government restructuring initiatives. Computers

alone should not be relied upon to ensure strong record keeping in government. Institutional capacity needs to be strengthened overall, and top-level support is required to achieve the long-term goals of improved accountability and efficiency in government. It was critical for government to look beyond the technology, as one participant noted, to consider the management issues behind technology and to address critical issues in change management, work flow, standards, and interoperability.

As a contributor from Fiji noted,

> Public Sector Reform is almost a global phenomenon. The sad reality, however, is that reforms cannot succeed without proper, reliable, and readily available records, and this fact is not recognised, at least in many developing countries.

By the end of the week, the participants had identified five distinct issues as central to the current problems of – and critical to the future success of – public sector reform and the protection of records related to the public sector management. These issues are

1. the need to link accountability and efficiency with quality record keeping

2. the need to protect critical government records

3. the importance of ensuring a smooth transition to electronic technologies and protecting paper and electronic records in the process

4. the need to manage human resources records so that the objectives of civil service reform are well met throughout government

5. the importance of ensuring sufficient institutional capacity for quality record keeping.

Each of these key issues is discussed in more detail below.

Issue No. 1

Government accountability, efficiency, and record keeping

Background

The participants recognized the essential relationship between accountability in government and the importance of quality record keeping. They also discussed the relationship between accountability and efficiency, and the role of records in assisting with the provision of good government.

Several participants discussed the tragic problem of corruption in governments around the world, agreeing that record keeping was critical to public sector accountability. As one participant noted, "through the 'efficient management of public records it should be possible to establish who did what, when and how, and that should serve as a deterrent for any fraudulent or corrupt acts."

The neutrality of the civil service, many argued, should be supported by assistance for record keeping. Government records are state property and must be protected even when there is dramatic change in the political environment, or even when there is anticipated change, such as the transition to a new government after an election. The challenge at the

moment in many countries is that records are so disorganized that successive governments cannot access information and so cannot move ahead with a smooth transition. While some participants suggested expressed concern for inappropriate practices, others argued that the problem was more one of poor record keeping than wilful mismanagement of information.

This discussion led participants to question why governments seem to be so slow to see the relationship between record keeping and good governance or public sector management and reform. The low profile of record keepers was cited as one reason, along with the perpetual misunderstanding of the importance of information and evidence for government operations. In the transition to the electronic age, participants noted that it was critical to link paper and electronic systems, introduce standards, and reform public sector activities in order to improve accountability and efficiency.

Suggestions for action
1. link e-readiness and e-government with a functioning paper-based records system to ensure overall accountability
2. introduce and maintain standards for record keeping
3. reform public sector record keeping systems, particularly payroll and human resources systems, to improve accountability and efficiency
4. ensure that any systems established are well integrated and harmonized to gain maximum benefit without unnecessary cost
5. ensure mechanisms are in place for protecting the security and confidentiality of records during administrative change

Issue No. 2

The protection of critical government records

Background

The participants commented specifically on the importance not only of keeping valuable records but also of NOT keeping unneeded records. They pointed out that often governments do not know how to decide which records are worth keeping and which are obsolete after a time. Record keepers are, or should be, well trained to make such decisions, but participants again noted that senior officials often did not acknowledge that these personnel had the expertise and were the key agents in government for making such decisions.

Many participants noted that, because governments are not sure which records to keep and which to destroy, and because they are not placing responsibility and authority in the hands of the record keepers, government offices are filled to overflowing with disorganized, poorly managed records, both essential and non-essential, leading to unnecessary use of limited space and great difficulty in accessing critical information when needed.

Participants expressed their satisfaction at the growing public sector focus on the management of personnel records, as discussed below, but they also were concerned that human resource records were not the only types of records needing effective management. As one participant noted, "a records management programme should not be restricted only to personnel records but should encompass records relating to financial management, income tax, the legal and judicial system, and teachers." Many other categories of records were also identified as important, and it was generally recognized that an overarching records management program was essential to the implementation of any kind of quality reform.

Indeed, participants extended the debate to encompass the management of non-government and quasi-government records. The operations of mining or gas companies, for example, can have an enormous impact on the functions of government, and the records of those companies can be crucial to understanding actions or transactions that directly affect citizens. As one participant noted, if non-government records are identified in or encompassed by the country's archives and records legislation, then the government archives has a responsibility ensure their protection. The larger issue is one of enforcement, especially if the agencies in question are disinclined to welcome government involvement. When, for example, governments negotiate privatization agreements, it was argued, record keeping must be a key part of the agreement so that the public interest is protected and the government recognizes the level of resources and facilities it will require to provide the requisite service.

Suggestions for action

1. recognize the specific speciality of record keeping and provide record keepers, including national archivists and their staff, with the authority and responsibility required to protect public sector records
2. encourage and support training and education for record keepers, to ensure their skills are as up to date as possible
3. recognize the importance of managing all types of records – paper and electronic, and from all agencies of government – for accountability and efficiency
4. revise archives and records legislation as required to address the changing needs of government, particularly with regard to such changes as privatization and decentralization.

Issue No. 3

The transition to electronic technologies and the protection of records

Background

The participants acknowledged the importance of addressing the move to an electronic environment for public sector work, in particular the political impetus for e-government and the search for the "paperless office". Most participants agreed that the "paperless office" was not achievable in the short- or medium term but many did say that there was a need to make the transition smoothly to the electronic age.

As one participant argued, four factors were hindering acceptance of electronic technologies by civil servants, including senior officials:

a. lack of awareness of the capabilities of electronic systems

b. lack of budget to support the installation of IT equipment

c. lack of training and exposure to IT

d. fear of the unknown and the fear of change in their familiar work environment.

Participants recognized the resistance by governments and the public to the use of new technologies and argued that citizens and civil servants needed to develop a level of comfort with and trust for new technologies before embracing them fully. As one participant noted, it was critical to look beyond the technology to the management issues behind it and ensure that business operations in the government functioned well before systems were automated, so that employees provided – and clients received – the best service possible. Several participants noted that e-governance was a priority in their government and that they were anxious to learn about pilot projects and examples of best practice to help them see the most appropriate way forward in their own jurisdictions.

One participant from the Bahamas spoke very positively of the experience of using Internet technology to store records and information, and encouraged other participants to investigate such creative solutions to record-keeping problems. He also noted that document imaging was proving to be very costly and also steered participants away from expensive and untested "solutions" to electronic records problems.

A participant from Malaysia spoke specifically of their e-government initiative, launched in 1999. Details were provided about the human resource management information system being developed, which is a "technology enabled HR system [that] covers the whole HR processes from the creation of positions to recruitment, development, transfer, disciplinary, promotion, and right up to separation or retirement." This participant offered colleagues a reference to the government of Malaysia's websites www.mampu.gov.my and www.jpa.gov.my.

On the other hand, a participant from Sri Lanka emphasized the attraction people still had to paper. As this participant noted, "I am sometimes impressed by petitioners who come up with letters, usually of a routine nature, sent to them several years ago, which they have preserved for posterity. So the practice of paper keeping will be difficult to dislodge." Other participants noted that there were other more pressing reasons why electronic records should not become the norm without extensive examination of all the technological and legal implications. As a participant from Swaziland noted, "there are drawbacks to an electronically oriented public service which include the greater expense of setting up the system, the lack of expertise, and frequent power failures common in our developing countries. Moreover, the courts of law in most developing countries such as Swaziland only recognise hardcopy evidence because it proves its authenticity with original signatures and stamps."

In sum, participants agreed that broad principles must be in place to guide governance reforms with regard to electronic technologies. These included focusing on citizens' needs and rights as a priority, following a principle of equity in the application of services, seeking collaborative and cooperative solutions, and recognizing the importance of analyzing potential solutions in depth so that decisions made are adequate for the long term.

Suggestions for action

1. recognize the critical and inextricable relationship between records and accountability when considering electronic systems
2. support initiatives in electronic government with sufficient resources to allow for record-keeping and management issues to be addressed properly
3. ensure all staff receive adequate training in and exposure to information technologies, so their "computer literacy" skills are heightened
4. make the transition to the electronic environment as smooth as possible, and focus on priority areas – particularly client- and citizen-centred areas – in order to effect the most useful change in the short term
5. ensure that management and infrastructure issues are fully addressed when considering changes in information technology; do not just assume computers will "solve the problem"
6. consider best practice examples emerging around the world, and seek information and cooperation from colleagues in other jurisdictions, to find effective solutions and avoid "reinventing the wheel".
7. recognize the importance of indigenous knowledge and the limited exposure of many citizens to new technologies, and do not replace traditional systems without adequate methods to help the public make the transition

Issue No. 4

Civil service reform and the management of human resources records

Background

The participants considered human resources records as an area of particular concern in the management of, and reform of, the public sector. The issue of ghost workers was raised by several participants, and the key issues of efficiency, accountability, liability, and ethics were all identified as crucial to effective public service management. As one participant illustrated, without proper human resources records, it is difficult to deploy staff appropriately according to the reform challenges faced by government. Similarly, without controls governments find that members of the staff go on leave but there is no record of them ever taking time off, leaving the government liable and opening up opportunities for corruption. Similarly, staff can be employed and promoted without any supporting record of their achievements, again opening up opportunities for corruption.

Several participants discussed efforts underway to manage civil servants' personnel files using information technologies. Advantages included reduction in duplication, reduction of delays in service delivery, enhanced capacity to organize, collate, and coordinate data

and disseminate information in a timely manner, and the imposition of standards and processes that would encourage conformity and therefore efficiency.

Participants also noted that decisions about government operations were often made without attention to human resource factors, and the implementation of standardized protocols – as found in electronic systems – could enhance decision making, recruitment, selection, promotion, transfer, and other human resource management processes.

Suggestions for action

1. institute quality record-keeping systems specifically for human resources management
2. ensure that electronic personnel management systems include protocols and mechanisms for accountability, record keeping, and authorization, to reduce the opportunity for mismanagement and corruption
3. relate human resources records management to the wider goal public service reform so that governments recognize and acknowledge the importance of information and records for an effective and efficient public service.

Issue No. 5

Institutional capacity for quality record keeping

Background

Ultimately, the participants recognized that governments had to support record keeping not just in the short term but as a long term objective. Institutional capacity had to be increased and sustainability had to be achieved so that record keepers could protect critical evidence of government actions and transactions.

As one participant noted, institutional capacity is not just a matter of hiring more people or providing specific training. Staff need to be hired, trained, given adequate salaries, given appropriate authority and responsibility, and placed within a functioning effective infrastructure, so that they can achieve their goals and support their government. As one participant commented, many senior administrators think of reforms as high performance output, efficiency, performance-based rewards, and so on. But these reforms cannot be achieved without effective and efficient record-keeping systems. The process of planning, monitoring, appraising, and rewarding staff all require documentation to ensure continuity and uniformity. Records are essential to that process.

Other participants agreed that human effort is critical to any success in government. Governments are composed of people who perform to the best of their abilities. It is up to senior officials, the participants felt, to support their staff – in this instance, particularly record-keeping staff – so that they can help government achieve sustainable changes and manageable, reliable solutions, regardless of the level of technology used.

Suggestions for action

1. ensure basic administrative systems are in place so that the institutional as a whole remains effective and efficient

2. implement organizational change in a planned fashion, to allow for smooth transitions and better compliance within and outside of government

3. encourage top level support for reforms by implementing manageable and planned changes, rather than sweeping but unachievable reforms, so that successes can build on successes for long-term sustainability

4. recognize that officials such as national archivists, while critical to the success of record-keeping initiatives, cannot solve major systemic problems alone; many issues reach beyond record keeping to the essential operations of government and have to be addressed in a collaborative and cooperative fashion, involving senior officials from a range of government sectors

5. seek integrated, holistic solutions that ensure records are managed throughout their life cycle in an effective and sustainable fashion and that changes are not piecemeal or ad hoc.