

A Framework for Devolution of Records Management to County Governments in Kenya

Vol. 8 No. 1

May 2023

Elijah Nyamberi

Moi University, Eldoret, Kenya
nyamberii@gmail.com

Cephas Odini

cepodini@gmail.com
Moi University, Eldoret, Kenya

Damaris Odero

Moi University, Eldoret, Kenya
oderodjn@gmail.com

Abstract

Rationale of Study – This paper assesses the devolution of records management to county governments to develop a suitable framework.

Methodology – The study was conducted with an interpretivist stance and a qualitative approach. A multiple-case research design was found appropriate for the study. A sample size of 43 was obtained at the saturation point. Interviews, observation, and documentary analysis were used for collection.

Findings – The devolution process resulted in the closure and transfer of records of devolved functions. However, Kenya lacked criteria on closure and transfer for managing such records leading to an absence of requisite resources for managing the records at the counties. Kenya's Constitution of 2010 does not require the devolution of the State's responsibility for archives from the central government to the 47 county governments. The counties cannot, as a result, each establish and maintain their archives infrastructure. Despite these challenges, properly devolving records management to county governments would offer Kenya a wide array of opportunities to realise its goal of developmental cooperative devolution.

Implications – This study proposes a framework that governments can apply to execute a seamless devolution of the records management function from the national to the county governments.

Originality – This was an original study conducted as part of a doctoral degree thesis. No study known to the author has explored the issues under study.

Keywords

Devolution of records, records management, infrastructure, record systems, and framework

Citation: Nyamberi, E., Odini, C. & Odero, D. (2023). A Framework for Devolution of Records Management to County Governments in Kenya. *Regional Journal of Information and Knowledge Management*, 8 (1),24-40.



Published by the

**Regional Institute of
Information and Knowledge
Management**

P.O. Box 24358 – 00100 –
Nairobi, Kenya

1 Introduction

Devolution of records management can contribute to realising a country's developmental devolution goal. A devolved records management system that is designed well typically consists of archival institutions at the national, sub-national, and local government levels. Such systems bring required records and archives services closer to the officials at the different levels of government for them to implement national development goals (Bank, Cheema, Nellis, & Rondinelli, 1983; Florestal & Cooper, 1997; Thurston, 2020).

Records can support the measuring of development indicators (Thurston, 2020). Records support the development of policy and strategic plans that provide a national development roadmap. Dearstyne (1983) argued that local government records document local government programmes' origin, evolution, and current operations. Shepherd (2006) argued that records in any form and media, including audio-visuals, documentaries, photographs, and databases, must be managed appropriately. Shepherd (2006) further observed that inadequately managed records do not serve their purpose; they can be misplaced, disposed of prematurely, or retained for too long. These inadequacies can create new challenges, such as difficulty in records retrieval.

Devolution of records management can support a devolution programme whose aim is developmental. However, the devolution of records management is only sometimes included in the devolution policies, especially in Eastern and Southern African countries. The World Bank (2000) asserted that although many stakeholders recognise the need to devolve government functions, little thought is given to devolving records management to support these functions. Therefore, devolved government functions are not adequately supported with appropriately devolved records.

Designing the devolution of the records management programme is complex. It requires proper organisation of variables such as input, process, structure, and environment. It deals with the degree to which a sub-national archival institution controls its establishment, goals, facilities, and financial resources. It also deals with how sub-national archives determine priorities, policies, strategic plans, and budgets (Fenton, 1996). Kangu (2010) emphasised the role of the appropriate architectural design of records management in enhancing the effective management of devolved records. The other enabler of effective devolution of records is seamless cooperation between the various levels of government while discharging the records management mandate. The central government records management units, which are more robust, should support the

weaker units in the devolved governments through training personnel, maintaining oversight over projects and initiatives in devolved units, offering technical support, and seconding experienced staff to bridge staffing gaps in the devolved units.

According to Wamukoya (2015), more serious thought in the design and implementation of the devolution of records was required. Ngoepe (2016) echoes this call and decries the scenario of many countries in the global South in which records management programmes are not based on context-suitable models. Parer (2003) asserted that country-level uniqueness requires contextual thinking while initiating records management programmes. This uniqueness should be reflected in the country's legislation, policy, infrastructure, and staffing realities.

In the context of this study, devolution of records management refers to the constitutional and legal means of transferring from the central archives authority, responsibility, planning, management, and resources to sub-national government's archives (Ngoepe, 2016; Ngoepe & Keakopa, 2011; Platform, 2015; Williams, 2006). Ideally, this transfer commences with each local government unit being enabled to develop a suitable records and archives management Act and an enabling infrastructure. The primary objective of devolving records is to enhance the performance of the devolved units in local development. Ultimately, the devolved records and archives units transform into local centers for records and archives, which local governments can use to deposit records of local nature and support their operations and business.

2 Research rationale and context

Devolution of records management offers opportunities for Kenya to realise its developmental goals. Devolution was adopted in Kenya in 2013 for the second time following the promulgation of the Constitution of Kenya in 2010. The primary intent of devolution is to transfer decision-making and self-governing power to local levels of governance. The rationale of this is to take services closer to the people as a means of enhancing the relevance and access to services. Effectively managed records support realising the devolution agenda and implementing Kenya's development blueprint, Kenya Vision 2030. This vision aims to transform Kenya into a "newly industrialising, middle-income country providing a high quality of life to all its citizens in a clean and secure environment" (Government of Kenya, 2012). The records needed in the devolved governance units are best met by establishing autonomous archival institutions at the County and national government levels with delineated functions that guarantee

autonomy for each. This ensures prompt access to professional advice and support for the creators of records. It also leads to improved access to records required by creators of records in delivering better services nearer to those served.

There are, however, no consistent forms of devolution of records management. Different variants exist, each shaped by constitutional provisions establishing the country's form of devolution. Kangu (2020) observes that Kenya's form is "a multi-dimensional approach to organisation and management of governance" based on Article 6(2) of Kenya's Constitution, 2010, which creates national and County governments and allocates them resources. The Fourth Schedule of Kenya's Constitution, 2010, assigns the national government policy, regulatory and normative roles. The exact schedule assigns county governments functions related to direct service delivery. In some cases, the functions of the national and County governments are not explicitly distinguished. The management of archives is one of the functions not defined as exclusive or concurrent. It is classified as residual and is assigned to the national government. This means that to build a county archive, the national government will need to determine the County's capacity, draw plans for its infrastructure and locate it where it is needed. This is information that counties may have more readily and accurately than the national government. Therefore, devolution creates numerous opportunities for the national and County governments to reform records management to support their functions.

Kemoni (1998) showed the disadvantages of Kenya maintaining a centralised records management while implementing a decentralised government system. The author points out that decentralising archives in Kenya, in line with the District Focus for Rural Development strategy, failed. The records centre established under the District Focus programme performed limited records and archives services as stipulated under the Public Archives Act (Cap 19) of 1965. Also, the scope and mandate of the records centres were not matched with the requisite resources. Although the records centers needed more autonomy, they were managed by a regional archivist who reported to the Director of Kenya National Archives. Furthermore, Kemoni (1998) pointed out various weaknesses of the Public Archives and Documentation Service Act (Cap 19) of 1965 as a framework for managing public sector records. Therefore, the study recommended rebranding the existing records centres into autonomous regional archives. He argued that this would broaden their services, expand their operations and services, maintain records emanating from sub-national governments closer to their users, and relieve pressure on the storage space at the Kenya National Archives headquarters.

On his part, Wamukoya (2015) elaborated the importance of the devolution of archives. He observed, however, that neither the national nor the county governments planned adequately for the devolution of records and archives. He cautions that this lack of attention will lead to the devolved local entities adopting the recordkeeping models existing in the central government with their inadequacies. There is a need to investigate the devolution of records and archives to identify specific challenges that militate against the devolution of records management and propose a suitable framework. With a focus on four county governments based in western Kenya, namely, Kakamega, Bungoma, Busia, and Vihiga, this study assesses the suitability of record management infrastructure of laws, policies, regulations, and circulars in promoting the devolution of records management existing in selected county governments; how the counties are addressing the challenges they are facing with the devolution of records management; and a suitable framework for devolving records management in county governments in the four selected counties in western Kenya.

3 Literature review

This literature review is structured according to the main themes in the study's objectives. These are forms of devolution of records management, the suitability of records management systems for devolution, challenges militating against devolution of records, and framing records for devolution.

3.1 Forms of devolution records management

Different variants of devolution of records management exist, with each country adopting a unique variant. Nonetheless, the devolution of records is typically characterised by the exercise of considerable power by sub-national archives. Locally, recordkeeping professionals enjoy certain flexibility to make decisions unique to their records. Scholars (Ngoepe, 2016; Swan, Cunningham, & Robertson, 2002) argue that under the advice of their respective archives, government agencies at the local level determine how best to create and maintain records.

Williams (2006) observed that federal countries such as the USA, Austria, Brazil, the Federal Republic of Germany, and Switzerland each adopted a different form of devolution of records management. In line with its form of devolution, the mandate of the National Archives in the U. S.A. does not extend to sub-national government archives at the levels of individual states or municipalities, which function independently. However, in quasi-federal states such as South Africa, the records management

programme combines autonomy and interdependence. The national and sub-national archival units must respect, assist, support, and consult each other. Ngoepe (2016) argues that in the devolution of records management, the State's transfer of responsibility for archives from the central government to sub-national authorities has to be provided in the Constitution. Under this provision, each sub-national unit should promulgate its Act on archives and establish and maintain its archival infrastructure. This requires the two levels of government to work closely with each other in operations and policy development.

A country's Constitution is essential in developing a suitable architecture and design for devoting records management to a county. Some scholars (Florestal & Cooper, 1997) stress that a constitution is a country's fundamental law that organises, distributes, and regulates government functions. Consequently, a suitably designed devolution of record management programme has to be anchored on the Constitution, which distributes archives functions between diverse levels of government and clarifies their roles through regulations and laws.

3.2 Records management legislation for devolution of records management

The devolution of records happens within a system supported by the requisite ecosystem (Florestal & Cooper, 1997). While anchored on the Constitution, the records of devolution legislation may emerge from reviews of the existing laws or the enactment of new ones. This is a recognition that most sub-national legislations do not apply outside the local territory. Consequently, these laws are structured and applied differently in different territories. Platform (2015) argued that subnational laws are drawn from national laws but with provisions customised to local needs. This enhances the relevance of the laws. Nonetheless, Kangu (2010) calls for harmony in applying national and subnational laws and emphasises that where there is a conflict, the national law takes precedence. Similarly, Ngoepe (2016) calls for developing coherent and compatible laws regulating records management at the national and sub-national levels.

Kangu (2010) also points out the place of policies and emphasises that discordant policy mechanisms hinder the effective devolution of archives since the laws may contradict themselves in certain respects. There may also be occasions when multiple institutions may be established to manage the same issues at national and subnational levels leading to more confusion. These duplications also create competition for limited resources that can otherwise be harnessed to devolve records and archives effectively. Thus, ineffective

devolution of records would compromise rather than enhance service delivery, particularly at the subnational levels.

3.3 Records systems in support of devolution of records management

Success in devolving records management depends on the architecture and design of records systems into which responsibility for records management is transferred. Shepherd and Yeo (2003) opine that a records system is a conglomeration of interconnected assets, including humans, equipment, space, protocols, and information which work together to ensure adequate records and archives management. Anything that affects the functioning of even one part of the system would hinder the whole system's effectiveness and efficiency, resulting in inadequate devolution of records and archives. A records system that is designed well naturally has national, sub-national, and local components. Such a system should be clear, simple, and user-friendly to enable the staff implementing it to work with higher-level authorities seamlessly. Also, the system is structured to enhance the participation of the sub-national governments in making decisions on managing their records (Reed, 2017). Devolved units will not perform if they adopt records systems structured to support the centralised government (Wamukoya, 2015). Almost all countries whose governments have made efforts towards devolution have encountered challenges with implementation. This situation, particularly in the global South, has experimented interchangeably with decentralisation and centralisation since 1950 (Bank et al., 1983).

3.4 Challenges of Devolution of Records Management

The devolution of records and archives is a complex process involving the organisation of various variables. Often, the most significant challenge most governments face is striking an appropriate balance between what records management activities are to be devolved and which are to be centralised (Ngoepe, 2016). It is not easy to determine the optimal mix of devolution of records management. It keeps shifting with the country's socioeconomic change (Bank et al., 1983; Fenton, 1996).

Suspicion of local governments toward perceived central government-level intrusion in their affairs is the other challenge of devolution of records management (Weinberg, 1999). This wariness is rooted in experiences of exploitation and discrimination and, in some cases, an awareness of how colonial domination was enforced through appropriating and accumulating the material culture of subordinated peoples. Suspicion could inhibit the sub-national government's ability to receive advice from the national

government required to upgrade the management of local records broadly and systematically.

The Platform (2015) argues that the devolution of records management creates inequalities in providing archives services to citizens and local government officials. This is because, during the devolution of records management, some sub-national authorities inherit physical infrastructure such as archival repositories, records centers, records rooms, equipment, and supplies from the national archives. Hence, they can provide a solid foundation for establishing an excellent local records management programme. However, those sub-national authorities which fail to inherit any physical infrastructure are made to start from scratch. This inequality can spark court disputes over funding of new infrastructure needs where such disputes delay the development of new county government archives and records management services.

3.4 Strategies to improve devolution of records management

Planners need to assess the capacity needs of both the local and national governments to undertake devolution of records management and recommend necessary interventions. This is to ensure it is not possible that the transferred functions may overwhelm the local governments. In order to succeed, the transferred responsibilities must be commensurate with the authority and resources available to local governments to execute them (Bank, 2012). Transitory arrangements are often required. Implementation of devolution of records management requires time. Incremental implementation is recommended. Most of the processes and the desired results will take time to accomplish. To avert chaos, gradual progression is recommended.

Devolution of records management elicits all manner of resistance. According to the Government of Kenya (2012), effective change management must prepare the parties involved in deviating the records process to understand and own the programmes. Notably, the rationale for devolving the records and archives needs to be communicated comprehensively to win the goodwill and support of the strategic stakeholders.

The other strategy provides a mechanism for closing and transferring public records and information. Managing the transfer of records is vital in the change management process, generating positive benefits for all stakeholders. It introduces structures and systems into the change process, ensuring records retention to meet the needs of good governance, accountability, research, and practice learning and providing future access to personal case file records.

The analysis and transfer of devolved records management functions to the county governments are necessary. Towards this end, the devolution body should develop a framework to guide the analysis and unbundling of the records management function (Bank, 2012). The policies that transfer adequate financial resources are more necessary for the successful devolution of records management than those that merely transfer responsibilities. Devolution of records ideally should begin by transferring resources to the organisations to which responsibilities are transferred than rules to follow. In addition, sub-national governments need to establish new sources of revenue to support the devolution of records (Walch, 1997).

3.5 Devolution of the records management framework

The devolution of records management is complex. Many countries which have attempted it have not fully achieved their intended outcomes. Nonetheless, it is noteworthy that some countries have been prosperous in the process. Using appropriate structures, standards, and policies to govern the process is a panacea for the successful devolution of records. Ngoepe and Walt (2010) and Nengomasha (2009) have discussed the factors influencing the effective management of central government records. They emphasise setting up appropriate policies, procedures, and practices. On the other hand, Nengomasha (2009) emphasised resource requirements, reviewing the present records management infrastructure and developing the records center.

Previous studies have shown plenty of frameworks for operating national records management initiatives. However, a framework for devolving records management to sub-national authorities is lacking but is essential (Magee, 2014; Platform, 2015; Ryan & Woods, 2015; Wamukoya, 2015). The reviewed literature further indicated that local records are essential, but more needs to be written about them. Also, the American and Australian models of devolution of records management which have been tried in some African countries, such as South Africa, have failed and are being criticised because they are resource-intensive (Platform, 2015). This current study contributes to the ongoing discourse on records management by using the principle of subsidiarity to guide the study and by developing a framework for guiding the devolution of records management to local governments.

4 Research Methodology

Multiple research designs are expensive in terms of resources because research is usually planned in a way that one plan for multiple experiments (Flick, 2014). This study was,

however, conducted through multiple case studies involving four county governments to enrich the findings. Hence, detailed conclusions from one case could be contrasted and compared with the findings from the other three cases. This was in the real spirit of case studies which entails exploring a defined system through a comprehensive collection of in-depth data gathered in context from multiple information sources, but duly focused on the specific study objectives (Boddy, 2016).

This study was conducted explicitly as an exploratory case study guided by the tenets of the interpretive research paradigm. This facilitated the interpretation of the data collected from the respondents' perspectives. Burke (2007) says interpretivism is becoming increasingly popular in information science. He suggests that although information science does not subscribe to a particular paradigm, the discipline frequently prefers interpretivism. A triangulation of data generation instruments was used in the study, namely: interview guide, observation schedules, and document analysis.

Forty-three participants were recruited to participate in the study. The first group of the target population consisted of 40 county government heads of departments, including the county executive committee members, chief officers, and directors. The second group comprised four heads of records management units in the counties. The third group was 40 county departmental records management officers, which included health records and information officers, revenue officers, executive officers, clerks, and secretaries. The final group was eight archivists comprising the deputy director of archives, regional archivists, senior archivists, and archivists who, according to the Public Archives Act, CAP 19 of the Laws of Kenya, are responsible for overseeing the management of public records in Kenya. A sample size of 43 was attained at the saturation point. This was done with the understanding that in a qualitative study, the sample is not set at the beginning of the research but should be purposefully selected as the data analysis progresses.

Four study sites were selected to see different instances of devolution of records management (Miles et al., 2018). The four cases selected were Kakamega, Bungoma, Busia, and Vihiga counties located in the Western part of Kenya, previously referred to as the Western Province.

5 Presentation and discussion of findings

The study sought to explore how existing records management infrastructure of laws, policies, regulations, and circulars supported the devolution of records management to

county governments. A crucial finding of this study is that the constitutional provision is a precondition for the devolution of records management. Participants believed that the county government performed record management, although constitutionally, the function was regarded as a national government function by Article 186(3) of the Constitution of Kenya, 2010. It states, “A function or power not assigned by this Constitution or national legislation to a county is a function or power of the national government.” The Constitution determines the design and how a country deviates from the records management programme (Kangu, 2010). Other researchers (Hofman & Katuu, 2023; Ngoepe, 2016) suggest that constitutional acknowledgment of devolution of records management is essential as it paves the way for enacting laws and regulations to clarify the constitutional provision. Also, a constitution creates the levels of government and geographic governance units at the sub-national level. It distributes functions at each government level, sets clear rules for allocating resources, and establishes institutions at each level of government. This implies that counties cannot enact archives laws and establish infrastructure and systems to deliver their records management function. Counties can only do this where the function is legally transferred to them by the national government. The other option is for the counties to seek the court’s assistance to rule on functional and competency distribution in the records management function, which is bound to be expensive and messy.

Unlike a previous study (Ngoepe, 2016), this study went further to identify the challenges of managing the devolution of records using records management infrastructure primed for managing records in central government. The main challenges identified were: 1) Officers of the central government assigned to manage devolved records are often far from the county stations and unable to pay closer attention to the unique setups in the counties. 2) Central government records management officers tend to develop generalised and unrealistic plans that do not sufficiently address the local community’s records management needs. 3) Records management units in sub-national units lack the requisite resources to manage the records optimally. There is a need to clarify the roles required at the central and devolved units. This clarity on the differentiation of the roles and levels of human and financial resource support is needed for the devolution of records management to perform effectively.

The study sought strategies to counter the challenges hindering the seamless devolution of records management to sub-national units. The study findings revealed good progress following the Kenya Gazette Supplement No. 29 of March 11, 2016, on the Mechanism

for the Closure and Transfer of Public Records and Information. However, various setbacks were still holding back the effective devolution of records management by the national the county governments. Hofman and Katuu (2023) explained that Kenya's government is central. All powers not explicitly devolved to the counties in the Constitution belong to the national government, which may regulate the areas devolved to the counties through an Act of Parliament. The study findings confirm the critical argument in the existing literature that attempts to devolve records have faced many implementation challenges in nearly all parts of the world. Most of these challenges revolve around the political and administrative leaders' centrist attitudes.

Researchers (Florestal & Cooper, 1997) have suggested that a suitable framework should guide the records devolution process if the intended outcomes are to be realised. The framework should, among other things, clarify the goal of the devolution, prioritise the devolution activities to be undertaken, determine the capacities of the various levels of governance to manage the different roles, explore and assess the legal and policy ecosystem in which devolution happens, establish the linkages between the entities involved in the devolution of records, identify the stakeholders in the devolution process, and document step by step activities necessary for the devolution to succeed.

This study's findings show that enacting and reviewing the devolution of records management infrastructure alone is never a guarantee that the devolution of records management will become a functional part of devolved governments. Instead, the adequate allocation of funds can make the devolution of records management take off. The longer-term consequence of inadequate government allocation of resources to records management is a dysfunctional government, which needs more resources to work efficiently, effectively, and accountable. Corruption thrives when accountability is compromised, and service delivery suffers when information is not readily at hand to inform planning (Platform, 2015). Conversely, if the devolution of records management is perceived as mere decentralisation of roles to subordinate and semi-autonomous units, then it will not succeed as expected. The best subsidiarity practice is to assign roles to the unit which can best perform them. Similarly, the formulation of standards and policies which govern how devolved records are managed are best handled at the devolved levels, not the national level.

6 Conclusion

The study was about the devolution of records management to the county governments in Kenya, focusing on developing a framework for the devolution of records management. The study underestimates the role of the devolution of records management in realising the Developmental Devolved Government in Kenya. That is a development built on equity and equality for all Kenyans. That is where there is equal opportunity for all, an inclusive nation where everyone feels they belong, and the government is closer to the people. The un integration of devolution of records management in the policies of devolution, including the Constitution, the imposition of records systems structured to support the centralised government on county governments, and the under-resourcing of records management end up with records management programmes that cannot support the people of Kenya realise developmental devolved government.

Devolution of records management will change Kenya's defective central records management practices. This practice has resulted in record creators at the local governments facing diverse problems regularly. These problems are a lack of comprehensive and efficient file classification systems, inadequate filing equipment for records, insufficient records storage space, lack of training for registered personnel, and inadequate knowledge of records disposition procedures. Devolution of records management will give greater freedom, responsibility, and autonomy to professionals and the people at the local level. The best model of devolution of records management will bring services closer to the people. However, creating adequate recordkeeping systems to support decentralisation will require significant investment in resources, infrastructure, legislation and policy, and human capital. The records system established in support of devolution must be reviewed to transform into local archives centers where residents can go to learn about their history and culture and where local researchers, community groups, and businesses can deposit collections of records concerning local events and activities.

7 Recommendation: A framework to support effective devolution of records management

The overall aim of this study was to develop a framework for the devolution of records management to County Governments. More research needs to be done on the subject with the intended purpose. The framework seeks to show that devolution implementation depends on the programme's design and architecture. As shown in

Figure 6.1, the framework is divided into six parts: criteria on closure and transfer of public records, records management systems, records management infrastructure, pathways of devolution of records management, and post-review of devolution of records management.

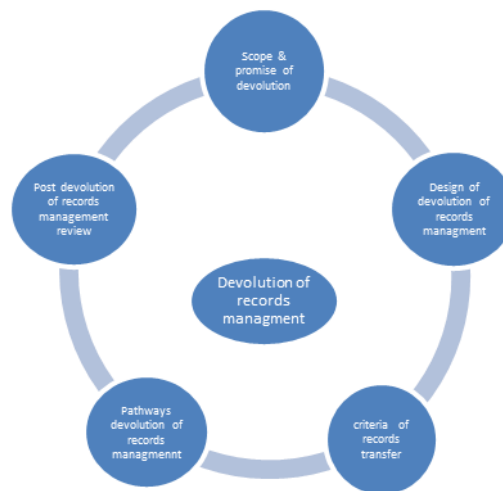


Figure 1: Proposed Framework for Devolving Records Management in County Government

7.1 Promise and Scope of Devolution of records management

The objective of devolution of records management must be defined right at the beginning of the project. Countries devolve records management for various reasons. One of the reasons is to comply with the view that administrative responsibility should be with the lowest level of government. In Kenya, the devolution of records management is expected to support the 47 devolved units to implement development programmes and projects evenly. The more nearly the motivation for devolution of records management characterises the initial purpose of devolution reform, the greater the prospects for success.

7.2 Create and modify records management systems

Records management systems are to be tailored to the context of the devolved. Ideally, a devolved records management system should have institutions at the national, sub-national, and local governments. There should be a formal constitutional distribution of records management functions of the archival institution at each level of government which is properly delineated and ensures some areas of autonomy for each. Successful and sustainable implementation of devolution of records management initiatives is possible in counties with appropriate records systems. Kenya will start devolving records

management from a centralised government structure and distribute responsibilities for records management functions to 47 county governments and the national government.

7.3 Devolution of records management requirements

Records management infrastructure comprising the Constitution, archives act, regulation, and policies provide a basis for the existence and operation of devolution of a records management programme to sub-national units. A constitution provides the distribution of records management functions of each level of government and facilitates some autonomy for each. The Constitution also lays down the procedures and mechanisms for distributing resources that support the devolution of records management functions. Devolution of records management should be anchored in the country's Constitution of Kenya 2010, requiring the central government to devolve responsibilities to the county governments. Schedule 4 of the Constitution of Kenya (2010), which lists functional areas of county legislative competence, should include the devolution of archives alongside cultural matters, museums, and libraries. Constitutions are implemented through statutes, which, in turn, are fleshed out through regulations, and regulations are put into practice through policies and standards. Each County should enact archives act to establish and maintain archives infrastructure in their respective counties.

7.4 Regulations for Devolution of records management

Regulations are rules issued by a governmental department to carry out the law's intent. In Kenya, Regulations on Transition to Devolved Government (Mechanism for Closure and Transfer of Public Records and Information), 2016, have been adopted. These regulations provide an implementation framework for closing and transferring public records and information during devolutionary changes. The regulations are made compulsory by Gazette Supplement No. 29 of March 11, 2016. The counties may act by adopting similar regulations.

7.5 Resources in support of devolution of records management

Devolution of records management requires adequate resources. These should be allocated appropriately in tandem with the devolved responsibilities. Attaining a seamless devolution of records devolution takes time and effort. It also requires adequate human resources, equipment, and capital.

7.6 Post-devolution of records management review

After implementing the DORM programme, each element, including closure and transfer of public records and information, records management systems, and records

management infrastructure, needs to be reviewed and evaluated regularly. The county government records management unit needs a regular programme for monitoring records management systems and procedures. Regular assessment of a programme raises confidence in records managers that their own and others' behaviour is being reported. Suspicions that others' behaviour may be going undetected or may be misreported can undermine the devolution of the records management programme, triggering uncooperative behaviours that can threaten the programme's and the resource's success.

References

- Bank, W. (2000). Managing records as the basis for effective service delivery and public accountability in development: an introduction to core principles for staff of the World Bank and its Partners. In: Bank, W. (2012). *Devolution without disruption: pathways to a successful new Kenya*: World Bank.
- Bank, W., Cheema, G., Nellis, J., & Rondinelli, D. (1983). *Decentralization in Developing Countries-a Review of Recent Experience*.
- Boddy, C. R. (2016). The sample size for qualitative research. *Qualitative Market Research: An International Journal*.
- Burke, M. (2007). Making choices: Research paradigms and information management: Practical applications of philosophy in I.M. research. *Library Review*, 56(6), 476–484.
- Dearstyne, B. W. (1983). Principles for Local Government Records: A Statement of the National Association of State Archives and Records Administrators. *The American Archivist*, 46(4), 452–457.
- Fenton, G. S. (1996). Towards a research paradigm on devolution. *Journal of Educational Administration*, 34(1), 4-23.
- Flick, U. (2014). Mapping the field. *The SAGE Handbook of qualitative data analysis*, pp. 1, 3–18.
- Florestal, K., & Cooper, R. (1997). *Decentralization of education: legal issues*: World Bank Publications.
- Hofman, D., & Katuu, S. (2023). Law and record keeping: A tale of four African countries. In *Managing Digital Records in Africa*: Taylor & Francis.
- Kangu, M. (2010). Final taskforce report on devolved government: A report on the implementation of devolved government in Kenya. *Nairobi: Government of Kenya*.
- Kemoni, H. N. (1998). The impact of records centers on the management of public sector records in Kenya. *Records Management Journal*.
- Kenya, G. O. (2012). Sessional paper No. 10 of 2012 On Kenya Vision 2030. In: Government Printers Nairobi.
- Kenya, L. O. (2013). *The Constitution of Kenya: 2010*: Chief Registrar of the Judiciary.
- Magee, K. (2014). Local government records management: a case study of Bellingham, WA.
- Miles, M. B., Huberman, A. M., & Saldaña, J. (2018). *Qualitative data analysis: A methods sourcebook*: Sage publications.
- Ngoepe, M. (2016). Records management models in the public sector in South Africa: Is there a flicker of light at the end of the dark tunnel? *Information Development*, 32(3), 338–353.
- Ngoepe, M., & Keakopa, S. M. (2011). An assessment of national archival and records systems in the ESARBICA Region: a South Africa-Botswana Comparison. *Records Management Journal*.
- Ngulube, P. (2019). *Handbook of research on connecting research methods for information science research*: IGI Global.
- Parer, D. (2003). Archival legislation for commonwealth countries.
- Platform, A. (2015). State of the Archives: An analysis of South Africa's Archival system, 2014.
- Reed, B. (2017). International Records Management Standards ISO 15489 and 23081. In *Encyclopedia of Library and Information Science, Fourth Edition* (pp. 2481-2486): CRC Press.
- Ryan, R., & Woods, R. (2015). *Decentralization and subsidiarity: Concepts and frameworks for emerging economies*. Paper presented at the Forum of Federations Occasional Paper Series.

-
- Shepherd, E. (2006). Why are records in the public sector organizational assets? *Records Management Journal*, 16(1), 6–12.
- Shepherd, E., & Yeo, G. (2003). *Managing records: a handbook of principles and practice*. Facet publishing.
- Swan, K., Cunningham, A., & Robertson, A. (2002). Establishing a high standard for electronic records management within the Australian public sector. *Records Management Journal*.
- Thurston, A. (2020). *A Matter of Trust: Building Integrity Into Data, Statistics, and Records to Support the Achievement of the Sustainable Development Goals*. University of London Press.
- Walch, V. (1997). State archives in 1997: Diverse conditions, common directions. *The American Archivist*, 60(2), 132–151.
- Wamukoya, J. (2015). Reflections on African archives: their role in meeting societal needs in the 21st century. *Journal of the South African Society of Archivists*, pp. 48, 14–20.
- Weinberg, D. (1999). The impact of grantmaking: an evaluation of archival and records management programmes at the local level. *The American Archivist*, 62(2), 247–270.
- Williams, C. (2006). *Managing archives: foundations, principles, and practice*. Elsevier.