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Records disposal governance at lower levels of governments in Uganda: The case of Arua District Local government

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Abstract

The study aimed at examining the methods used in disposing off records and finding out the challenges hindering proper disposal of records and suggest recommendations to improve records disposal in Arua District Local Government.

The study adopted a non-experimental, qualitative, explanatory-descriptive approach that was contextual. Data was collected by means of interviewing and observation.

It was noted whereas, it is true that there are national laws regarding records management, these seem to guide the process of disposal in passing, are too old to deal with current realities or are not suited to the needs of the lower levels of local governance realities and interconnections.

To improve records disposal in Arua District Local Government, the study proposed a design of a records disposition policy rather than depending on central government policies that may not consider the unique situation in the district.

1.Introduction to the Study

Disposing of records that are no longer needed is an important part of effective records management. In fact, records disposal an activity that is under legislation such as the National Records and Archives Act, 2001 of Uganda.

Records disposal can be described as a process by which records are either destroyed or retained as archives. Disposal may involve a range of processes associated with implementing the records retention, destruction or transfer decisions documented in the records retention and disposal guidelines of any given entity.

This study therefore attempted to examine records disposal procedures and related governance conducted in Arua District Local Government.

2. Background

In considering the lifecycle of records, disposition is normally considered as the final stage of records management in which a record is either destroyed or is permanently retained in a storage facility (ISO, 2001). This opinion is further supported by Gingrich and Brian (2006) who states that disposition is the final destination of a record after it has reached the end of their retention period in active and or inactive storage. He asserts that records may be transferred to an archive for retention, or they may be destroyed.

In this regard, records may be housed on-site or offsite and notes that an on-site is the storage of inactive records on the premises of an organisation while offsite storage is a potentially secure location, remote from the primary location at which inactive and vital records are stored.

Disposal is therefore an important part or records management. Properly done, it ensures that the organisation retains records for as long as they are needed and then, when they are no longer needed, destroys them in an appropriate manner or disposes of them in some other way, e.g. by transfer to an archives service. Millar (2009) opines that disposal of records has the following benefits:

- It avoids unnecessary storage costs incurred by using office or server space to maintain records no longer needed by the organisation;
- Finding records and retrieving information is quicker and easier because there is less to search, and
- disposal will reduce the costs of storing and managing information and records no longer required for business or other purposes.

As noted above disposal of records involves two possibilities: destruction and transfer to the archives. However, the methods adopted in each case will largely depend on the nature of the records in question and the decision matrix the organisation managing the said records will find itself in. This is also true for administrative units including District Local Governments in Uganda.

Local government is the system of government or a town or an area by elected representatives of the people who live there or the organisation that is responsible for government of a local area and for providing services and others (The Local Government Act, 1997).

Arua district is one of the major administrative units in Uganda under the auspices of decentralisation (Uganda Bureau of Statistics, 2015). Under decentralisation powers of governacne under devolved to districts, which in turn supervise even lower units (The Local Government Act, 1997). On the other hand, the district report to the central government through the Ministry of Local Government.

Arua District Local Government is supervised by the Ministry of Local Government and operates under departments of; Administration and Human Resource, Finance, Internal Audit, Education and Sports, Health, Natural Resource, Physical Planning, Production and Markets and Community Based Services (Arua District Local Government, 2013).

In fulfilling its mandate, Arua District Local Government creates, receives, and maintains different categories of records in the various departments. Such records are maintained for accountability, corporate memory, support the needs of the organisation, decision making and service provision. Such records are managed throughout their lifecycle and with time they reach their ultimate stage of records disposal. Owing to the requirements of legal compliance and the general principle corporate governance, such disposal ought to be conducted with care.

However, there has been evidence that District Local Government units in Uganda have treated the function of records disposal as a haphazard function. According to Luyombya (2010), Local Government records have the following characteristics:

- Records are thrown in stores without care
- There is evidence that there is lack of care for records
- Files over stay in the registries when no longer needed.

The same can be said of Arua District Local Government. Such as a potential of poor disposal of records to the detriment of the of records, haphazard disposal and environmental degradation.

It is from the above basis that the study was undertaken to assess disposal of records in Arua District Local Government.

3. Aim of the study

The study aimed at examining the methods used in disposing off records and finding out the challenges hindering proper disposal of records and suggest recommendations to improve records disposal in Arua District Local Government

4.0. Literature review

4.1 The position of records disposal in the records lifecycle
Records management can be described as the management of a continuum of records of an organisation which facilitates the systematic capture, control, maintenance, dissemination and disposition of records of that organisation (Ellis, 1993).

Kallaus (1992) described the records life time in three phases These include:

- **Active records**. These are records that are used frequently, typically in excess of three times a month. As such these are stored in very accessible equipment in the active storage file.
- **Inactive records**, refers to records that are created and are referred to less frequently compared to the active records times a year and are stored in less expensive areas.
- **Archives** also refer to those records that have historical value to the organisation and are permanently preserved.

Therefore, it is evident that managing records clearly involves understanding of the stages of the life cycle of the records.

According to Stewart and Melesco (2002) each record goes through a life cycle. He observed that the cycle has seven stages; creation, records are created and distributed to the users, maintained, protected, controlled, stored and destructed when they are no longer of value to the organisation. Robek, Gerald and Stephens (1996) also agree with the lifecycle ideal. Robek, Gerald. and Stephens (1996) however identify five stages in records life cycle and these include; creation, distribution and use, storage and maintenance, retention and disposition, Archival preservation stage.
Despite the differences in the number of stages by the different scholars, it is clearly evident that scholars agree to the notion that records go through a cycle.

There are fundamental points of agreement among scholars in the lifecycle. These include;

i)   That records must be retained

   According to Myburgh (2005), records retention programs are developed to retain and protect a company's vital records and to dispose of the records that no longer serve as useful purpose.

   ARMA (2007) observes that once a record is no longer useful for performing current activities, it becomes inactive and should be retained as long as it is needed to meet the organisation's administrative, fiscal and legal requirements. The length of time the records must be kept to meet those requirements is called a retention period.

ii)   That records ought to be appraised at some point

Myburgh (2005) opines that records appraisal is the beginning phase of the process of disposition. It determines the value of records to an organisation and is of two categories.

- Records of permanent nature to be preserved by the organisation.
- Records which are disposed either immediately or at a later date. She emphasizes the need to appraise the functions and use of the record in order to determine which category a record belongs to.

Diamond (1995) also observes that after the records inventory is completed, records must be appraised not for their monetary worth but for their value to the organisation and in particular, the length of time they should be kept. Penn, Pennix and Coulson (2016) stress that appraisal should not be on intuition or arbitrary suppositions of value, it should base on thorough analysis of documentation bearing on the matter to which the records pertain.

iii)   That records are transferred

Records transfer involves the act of changing the physical history of records with or without change of legal title (Stewart and Melesco, 2002). Records are moved from one single storage area to another but usually still owned by one company. He adds that records are transferred when they are no longer used frequently.

According to Ellis (1993) records transfer is the physical movement of records from the office to records centre. It is also the transfer of records from high cost office space to low cost, high-density storage space. He stresses that records may be transferred at any time even though some specific transfer methods have been developed.

iv)   That records are disposed

Gingrich and Brian (2006) states that disposition is the final destination of a record after it has reached the end of their retention period in active or inactive storage space. Records may be transferred to an archive for retention or may be destroyed. He asserts that inactive storage may be housed on-site or offsite and that on-site is the storage of an organisation while off-site storage is a potentially secure location, remote from the primary location at which inactive or vital records are stored.

The Ministry of Public Service, Uganda (2008) in its "Basic Registry procedures manual" further states that only after records are permanently preserved because of their enduring value and are transferred to the archive, most records should be destroyed as soon as they cease to have legal or administrative value and notes that decisions about transfer or destruction of closed files are the responsibility of the head of department and the archives department in consultation with relevant officials.

The National Records and Archives Act, Uganda (2001) refers to destruction as the physical destruction of records on paper or microfilm and the permanent deletion of data from analog and digital media. It defines records disposal as the removal of records from active recordkeeping system and their subsequent destruction or deletion or their transfer to the study of the archives or to an approved commercial storage supplier-Records disposal

applies to all media. It should be planned and integrated into a public office records management program.

Myburgh (2005) also states that record disposition is the final phase of a records life cycle. In this phase, records with specific retention periods are normally destroyed. She adds that records that are to be retained permanently are considered vital records and are not normally stored with records that are to be destroyed.

Disposal of records does not only mean destruction but can include transfer to a historical archive, museum or private individual. It ought to be authorised by law, statute regulation or operating procedure, and the records should be disposed of with care to avoid inadvertent disclosure of information. The process of disposition needs to be well documented, starting with a records retention schedule and policies and procedures that have been approved at highest level (Robek, Gerald and Stephens, 1996).

4.2 Importance of records disposal

Understanding what information to keep and disposing of information that is no longer needed is an important part of effective information management. In fact, disposal is something that you are required to do under legislation such as The National Records and Archives Act, 2001.

Robek, Gerald and Stephens (1996) opines that disposal must be done responsibly through a clear understanding of:

- an organisation's business functions

- the value of the information to the business

- legislative retention requirements including information of historical value/

It can be argued that responsible disposal of records presents significant opportunities to your organisation in terms of:

- Reducing storage and maintenance costs by separating the records that are required from your business functions

- Increasing efficiency by making it easier to find and use the information you need

- Supporting compliance.

However, keeping records for longer than is required exposes your organisation to risks around:

- Cost- there are significant costs around maintaining, preserving and presenting digital information back to the user and the more information you hold the more expensive this will be.

- Efficiency-keeping too much information will impede the performance of your digital systems and make it difficult to find the information you need to carry out your business functions. It is also hard to maintain large amounts of digital information and ensure that is complete, available and usable for as long as you need it.

- Reputation- not disposing of records in a responsible and timely fashion will put your organisation at risk of non-compliance for example of not disposing of personal information as required under the relevant legislations.

5.3 Common approaches to records disposal

Since records are managed on different media, there are different approaches that can be adopted in the disposal of such records. Penn, Pennix and Coulson (2016) suggest four methods that are generally acceptable for destroying records.

- Shred this method is most suited for security destruction of confidential records such a s law enforcement and personnel records.

- Burn: this method is most likely confined to the rural parts of the state where unregistered burning is still allowed.

- Landfill: this method requires that the records be buried in trench 3 to 4 feet below the surface of the landfill and immediately covered over to prevent the wind from blowing records about. It is recommended that when possible, once the records are placed in the trench, they be sprayed with water to facilitate a more rapid decomposition.

- Recycle: This method is desirable for non-confidential records where possible. It promotes good conservation and reuse of paper resources.

The following issues are suggested by Myburgh (2005) as factors records professionals should consider when making records disposition decisions;

a) What are the volumes, frequency and sizes of the documents to be destroyed?
b) What are the local and state restrictions concerning burning or any other type of disposal?
c) What problems might be encountered in handling confidential records?
d) Is there a reliable salvage company available that would satisfy organisational requirements?
e) Does an organisation wish to set up an in-house destruction operation?
f) Are in-house facilities and personnel such as power, space, water, waste storage and trained operators, available?
g) What are the cost benefits to the organisation of disposal compared to selling records?

5.4 Methods of destruction

According to Penn, Pennix and Coulson (2016) the records are destroyed by several methods and these include following

- For non- sensitive records, the trash bin or dumpster is satisfactory through perhaps not environmentally friendly though recycling is preferred. This saves hand fill space, generate revenue through the sale of papers
.
- Sensitive records should be shredded. Alternative to this is pulverizing, pulping or macerating, burying, incinerating. Some organisations use burn bags or security in which documents are deposited for later sensitive destruction. The containers are locked so that once documents are put into them, they cannot be retrieved.

- Commercial disposition firms. It proves to the most efficient way to destroy large quantities of records particularly sensitive records such the cost of purchasing equipment is eliminated. He stresses the need to inspect commercial firm periodically to ensure the secure destruction of records.

Penn, Pennix and Coulson (2016) opine that records may only be destroyed by approved methods of destruction and these include; burning, dissolving in acid, chemical recycling (for microform or x-rays), deletion of electronic records, pulping and shredding. Burying or dumping are not approved methods of destruction.

According to National Records and Archives act of 2001, options for disposal include

- Litigation holds. It is the process of identifying and preserving documents, electronic information and other materials that may constitute evidence in pending or reasonably foreseeable litigation. Information subject to litigation hold should not be disposed of until the hold is cancelled or removed.
- Retain. Records with disposal method of retain are kept by the holder or in a designated storage area for all formats of records.
- Recycle. Paper records with a disposal method can be disposed of in normal recycling bins, other media like microforms or electronic would be discarded.
- Shred. Records that contain confidential information must be disposed of properly using an office shredder or through shredding service. In case of very large volumes of documents to shred it is advisable to keep shredding them daily. For electronic records, the device may be completely overwritten with data at the end of its life cycle.
- Archive. Records are transferred to the archives at the end of the hold time.

4.5 Paper record disposal procedures

All quality paper should be mechanically shredded if the contents in any way sensitive if you dispose of waste using a shredder, ensure that it is according to the operating instructions and waste cannot in any way be put back together again and made comprehensible). Other paper can be disposed of in boxes or bins provided in offices for environmentally friendly disposal of non-sensitive paper waste.

For Electronic records disposal procedures

Marchionini (1995) states the procedure to destroy confidential electronic waste on medias like hard drive, CD-ROM, cassettes, disks, DVD, tapes as; medias that are being destroyed because of they can be showing signs of damage or are obsolete should be physically destroyed by cutting them into pieces or other ways prior to disposal.

Records recommended for disposal

According to National records and Archives Administration (2001) records recommended for disposal are those with no significant operational, informational or evidential value can and should be routinely destroyed at a local level as soon as they have served their primary purpose. For example

I.   Out of date address lists, distribution lists, personal diaries and address books.

II. Duplicates copies such as snapshot print outs or extracts from databases, unaltered drafts, day book duplication or notes of correspondence, circulated or convenience duplication of master documents, which have served the purpose for which they were made.

III. Announcements and notices of meetings and events, notifications of acceptance or apologies relating to meetings and events.

IV. Published reference materials received which require no action and are not needed for record purposes for example trade magazines, vendor catalogues, flyers, newsletters.

V. Requests and confirmations of reservations for internal services for example meeting rooms, car park spaces or catering where no internal charges are made.

VI. Request for stock information- brochures, maps, and travel directions.

VII. Working papers where the results have been written into an official document and are not required to support it not to be confused with draft or preparatory versions of documents leading to official or substantive versions which should be retained and only disposed of in accordance with corporate policy.

VIII. Stocks of in-house publications which are obsolete superseded or otherwise useless like magazines, marketing materials, directories, forms and other materials produced for wide circulation.

5 Selected theories on the theme of records disposal function

Pettigrew and McKechnie (2001) note that information science has been a theoretical for a long time but relies on theory to emphasise its credibility. Records management being an offshoot of the information science field also relies on theory for the same purpose among others.

For purposes of this study two theories have been considered to inform the research. These are; *The Continuum theory* and *the lifecycle theory*.

The lifecycle theory is one of the most fundamental theoretical bases understanding records disposal. The JISC (2012) emphasises that this is the most foundational theory and thinking basis for records management, which sees records having a series of phases from creation or receipt to final disposition ultimately resulting either in their controlled destruction or being retained on a permanent basis as an archival record. One aspect of disposal aspect that stands out of this theory is that there must be controlled disposal and such as the records manager (s) ought not to lose control over records assets even at their termination stage.

Another theory that informed the study is the continuum theory. This continuum theory stresses that the functional analysis considers the archival, cultural and accountability as well as the business value of the function (The National Archives of Australia, 2012). As such the theory reechoes the need to establish control over records and lose functional use of records throughout their "life".

6.0 Methodology

This study was conducted using a qualitative research paradigm. Denzin and Lincoln (2005) define qualitative research as a situated activity which locates the observer in the world. Qualitative research implies an emphasis on the qualities of entities and on processes and meanings that are not experimentally examined or measured (Denzin & Lincoln, 2005). Weinreich (2009) indicates that qualitative research provides the researcher with the perspective of target audience members through immersion in a culture or situation and direction interaction with people under study.

For the purpose of this study, the population included the records manager and the Principal Personnel Officer (PPO) of Arua District Local Government.
These were selected because of their roles in managing of records throughout their life cycle until disposal at the Arua District Local Government respectively.

7.0 Findings

The findings were collected from the central registry staff that was believed to have relevant knowledge about records management and disposal.

i.   Forms and categories of records in Arua District Local Government

Arua District has mainly paper based records generated from its functions and others are received from creator outside the district activities. The records kept are classified into major groups of finance, personnel, administration, audit, education, health, agricultural, fishing and game, population, environment, trade and industry, community services, land, amenities, women and gender, transportation, procurement and disposal, water, tourism and National parks records.

ii.   Methods of records retention and disposal in Arua District Local Government

The registry uses a retention and disposition schedule that determines records duration in a particular storage area. The schedule also acts as a guideline for records appraisal, making decision for transfer, archiving or destruction of records. It was revealed that the registry staff uses transfer, burning as a means of records disposal.

iii.   Challenges faced in record disposition. The study identified that records disposal in Arua District Local Government is being faced with a number of limitations as it was revealed by respondents and from other methodology used

- In an interview with the senior records officer, records disposal is faced with limited funds to facilitate the activity for example purchasing supplies like recycle bins, shredders, allowances for staff, hiring professionals to perform disposal procedures.

- Through observation it was established that there is limited storage space in records center, no records store room and thus no space to easily allocate records meant for disposal. This hinders easy removal of records to be destroyed limiting in flow of additional records.

- Limited skilled personnel. The interview with respondents showed that some staff was not familiar with records disposal, this leads to poor disposition like open air burning which pollutes the environment.

- Lack of records disposition equipment. As it was observed, there was no disposal equipment like shredders, recycle bins, pulping machines, incinerators.

- Lack of an archive to dispose the non-current records hence there was a problem of over staffing of records in the registry hence hindering easy allocation of records. Records that are passed their mandatory retention in the registry are haphazardly placed in boxes and placed in any convenient location without consideration to the preservation requirements

- Absence of a disposition Authority and records disposal plan that is tailored to the needs of the District. This has always brought confusion among staff on who should identify records for disposal, when, what procedures to follow. In fact, there is a general lack of awareness of the procedures that are spelt out in the national legislations concerning records disposal.

8 Recommendations

In a view of assessing records disposal in Arua District Local Government, the following are recommended for effective records disposal

Adaptation of a records disposition plan. This should be considered to guide on records to dispose, disposal authorization, disposition committee, procedures to follow, certificate of disposition to promote more accountability, transparency and prevent litigation risks resulting from poor disposal.

Training of staff and records users. Registry should emphasize on proper records management such that they avoid premature deletion, reckless disposal of records. The Staff need to be equipped with knowledge of other disposal methods like retaining, pulping, shredding, dissolving in acid and recycling.

Recruiting personnel with relevant qualifications and skills. The district should recruit staff with records disposition knowledge to train other employees in various departments, all vacant posts should be filled.

Increasing on the funding. As it was observed that no disposal equipment was available there is need for the district to provide more funds which will also motivate staff to conduct records disposal in a timely and efficient manner.

Extending the size of records center. The district should extend the records center size in order to house more inactive records to avoid congestion in the registry and record center. This will create space for current records and allow large storage of records pending disposal.

Automation of records. Records management system should be automated to have electronic retention and disposal schedules and enable automatic deletion of records. This will prevent environment pollution from burnt records, un-authorized destruction as systems have authorization levels to grant action.

Out-sourcing. Since there are few workers concerned with records management there can be contracting of an external firm to provide records disposal services and functions. This would allow regulatory compliance to disposition and allow staff to concentrate on other activities.

8.1 Proposed design of records disposal policy

To improve records disposal in Arua District Local Government, the study proposed a design of a records disposition policy that will promote efficiency, effectiveness and accountability. The policy considers the following aspects;

- Definitions of Operational Terms
- Policy statement
- Records disposition committee.
- Records retention periods
- Records Appraisal
- Records transfer
- Preparation for Records disposal (including propose Records disposal forms)
- Authorization of destruction (including Proposed records disposal authorization forms)
- Principles for physical destruction of records
- Deciding records to dispose of.
- Disposition actions and recommended methods of records disposal
- Confirmation of record destruction (and related forms)
- Monitoring
- Revision of the policy

9. Discussion and conclusion

Arua District Local Government needs some improvement since proper records disposal benefits the organisation by strengthening information management processes to meet the business needs, avoid accumulation of records, reduce costs by clearing un needed records from storage facilities, clear the way for immediate destruction of records that are non-essential, promoting accountability, ensuring preservation of records with enduring value and so on.

The activity of disposition should be governed by authorization, preservation and protective storage of records pending litigation, assurance of confidentiality, and destruction of un-necessary records (including those with normal administrative functions) and carefully monitored in accordance to established standards and procedures. Whereas, it is true that there are national laws regarding records management, these seem to guide the process of disposal in passing, are too old to deal with current realities or are not suited to the needs of the lower levels of local governance realities and interconnections.

Arua District Local Government is a lower level of governance in a resource constrained country, Uganda. Even then, it is in a poorer place of this country. It is very easy for one to assume that records and information systems have characterized the first two decades of the 21st century are a given, but this is not the case for lower levels of government in many African communities. Arua District Local Government displays both traditional paper records in many of its transactions and service delivery efforts. A few nuggets of computerised records systems are evident in financial systems and payments but these are new and developing. As such, lower levels of governments in Uganda ought to be encouraged to develop their own records management procedures which should in turn be aligned to the national records legislations and international standards.

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