



**RIGHT TO ACCESS INFORMATION COMMISSION - SIERRA LEONE**

# **RECORDS MANAGEMENT CODE OF PRACTICE TRAINING MANUAL**

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# Code of Practice on the Management of Records by Public Authorities

## FOREWORD

The successes of the RAI Law rely greatly on Records Management. RAIC as an entity is tasked with the responsibility of ensuring Public Authorities have proper records to enable them provide access to information. For without proper records keeping there would not be access to information and as such, the RAI Law is crucial to the establishment and implementation of the Records Management Code of Practice.

Record keeping is a fundamental activity of public administration. In the absence of records there can be no rule of law and no accountability. Public servants must have information to carry out their work, and records represent a particular and crucial source of information. Records provide reliable and legally verifiable sources of evidence of decisions and actions. They document compliance or non-compliance with laws, rules, and procedures. Without access to authentic and reliable records, efforts to establish good governance cannot be fully achieved, or realized. Records management is an important function of any organization as it provides institutional accountability and timely access to information.

Accordingly, the Right to Access Information Act 2013 provides in part IV, Section (27) Subsection (1) – measures to promote openness thus:

‘Every public authority shall record and maintain records of its activities in a manner that facilitates the right to information, as provided for in this Act, and in accordance with the Code of Practice referred to in subsection (2)’.

Subsection (2) provides that ‘The Commission shall, after consultation with interested parties, issue and from time to time update a Code of Practice relating to the keeping, management and disposal of records, as well as the transfer of records to public archives.’

Thus, the reason for the establishment and implementation of the records management code of practice Training Manual. This Manual is to complement the current provision of the Right to Access Information (RAI Act 2013). Essentially, the accessibility and quality of records (paper and electronics) and information contained therein underpin the substance and relevance of the RAI Act 2013.

This Training Manual provides guidance to public authorities and create a framework for keeping, managing and disposal of their information and records. Complying with this Code would help public authorities to account for their activities. It would also help public authorities to fulfil their duty to publish information about their activities and to comply with the RAI Proactive Disclosure of Information (PDI) Publication scheme.

In addition, public authorities who create and acquire information in the course of their service delivery and policy development may consider information to be an asset in the present and may become a resource for future generations. Information can become a liability if it is not properly managed and recorded. Therefore, public authorities should know what information they hold, why they hold it, how sensitive it is, and how it should be managed and recorded. They should keep information for as long as they need it and dispose of it when they no longer have a reason to keep it in accordance with guidelines in this Code of Practice. The increasing volume of information regularly generated by public authorities in the course of their service delivery is a challenge for them so they need to manage it effectively.

All public authorities are obliged by the RAI law 2013 to ensure that all their records and archives staff use this Manual as a standard resource material to guide their practice of keeping and managing records in their institutions in a manner that supports access to information. They also need to use this document to reflect on their professional practice in the management of their records and see what they are getting right and what they are getting wrong, and then make a conscious effort to improve on the latter.

My Commission is pleased to see this manual used for the first time in the training of Records Management professionals at the Family Kingdom Resort on Tuesday 17<sup>th</sup> August 2021 on the importance of the Code of Practice for Records Management and on how to use it to support their professional practice. It is our fervent hope that this learning resource would be used in future training of more records management professionals in the country.

Finally, let me take this opportunity to thank UNESCO for providing the funding needed to support the preparation of this Training Manual and use it in the training of records management professionals from a diverse range of Ministries, Departments, and Agencies (MDAs) in the country.

My thanks also go to the Consultant and everyone that contributed directly, or indirectly, to compile this document to support the implementation of the RAI Law.

A handwritten signature in blue ink, appearing to read 'Ibrahim Seaga Shaw', with several horizontal lines above and below it.

Dr Ibrahim Seaga Shaw, Chairman and Information Commissioner, RAIC  
24<sup>th</sup> September, 2021

## **1.0 Preamble**

The Code of Practice is the manner or routine exercise and activity engaged in by public officers, records users and media practitioners, for improving skills or processes for managing records and information (paper and electronics) and making the records accessible. Most importantly, the rules shall cover the nature and category of the records to be shared widely as contained in Part II subsection 2 paragraphs 1 and 10 of the Right to Access Information Act 2013. A code of practice, wherein referred to as the “code” is a set of written rules which explains how records resources should be used, maintained, stored and disposed of. The difference between a code and an Act is that a code has eminence and a collection of comprehensive rules on the proactive dissemination of records emanating from the Act, and an Act is a piece of legislative framework passed as an overarching law for governing and administering practices, systems and processes, procedures, standards and guidelines.

This Code is a supplement to the current provision of the Right to Access Information (RAI Act 2013). Essentially, the accessibility and quality of records (paper and electronics) and information contained therein underpin the substance and relevance of the RAI Act 2013 and by extension this Code of Practice. Rights to access information are limited to the ability and competency to create reliable records, and whether the enabling environment for subsequent storage and disposition of the information thus created are adequate. The Code shall provide guidance to all “public authorities” for practicing records management, as required in discharging their functions subject to the RAI Act 2013.

Suffice it to note that the code is not limited to the RAIC Act 2013. It shall apply to other legislative instruments on public records for instance the Public Archives Act 44 of 1965 or any other Act that shall supersede the administration of current records and archives. Under Part IV subsections 27 paragraphs 1 and 2, the functions on maintenance of records as contained in the RAI Act 2013 are henceforth fulfilled.

### **1.1 Purpose**

Subject to Part IV subsections 27, 28 and 29, the code of practice sets out standards of professional behavior for records creators, users, and researchers in their quests for relevant and critical information deemed necessary for public interest and for improving socio-economic status of the citizenry. Part IV subsections 27,28,29 broadly establishes the environment for the development of standards & guidelines, operating manuals for effective information governance. This code of practice is therefore an output of the sections setting professional standards of records users, and the reference to it here.

The code instructs on routine activities which public offices and agencies as stipulated by section 4 of subsection 1 of the Public Archives Act 44 of 1965 and prescribed by Part IV subsection 27 in the RAI Act 2013, should follow in relation to creation, management,

disposing and dissemination of any record in all technical and physical formats and information contained therein.

“Every public authority shall record and maintain records of its activities in a manner that facilitates the right to information, as provided for in this Act, and in accordance with the Code of Practice”

## **1.2 Relevance of Records Management in Governance**

Contemporary issues in the public sector have driven the concept and definition of records management to a much more radical and productive interpretation. There has been a paradigm shift from the text book definition to one that exudes social human behavior. It is nowadays perceived as a social science as it deals with human behavior such as supporting accountability, justice, human rights, transparency, as well as fighting graft and criminology. For instance, the Audit Service Sierra Leone in yearly reports has indicated that poor records management is a challenge in public authorities. This means that because records are not properly managed in public authorities, evidence of transactions are not available. Consequently, the country loses from this neglect and chaos. Poor records management is a recipe for chaos and corruption which undermine good governance. Transactional records should be managed to inform on probity, due diligence, and the rule of law. When a case file of a suspect is missing or fallen within the cracks due to systemic failures, including poor records management, and the suspect is remanded in custody for inordinate period, the course of justice and human rights are deliberately abused and violated in the judiciary.

When there are no aggregated and structured data to inform medical decisions to tackle infectious diseases, the prevalence of diseases and documented control measures in the country, health service delivery is weakened. Available records in the form of structured aggregate data should inform decisions on quality service delivery in health, education and case management in the judiciary.

Records management is a policy-based internal control of records to maximize value and meet legal, regulatory, risk, and research demands; and this involves not only understanding how records management can mitigate risks but how it can effectively improve productivity and impact effective public governance. It is a holistic strategy for using and managing information to meet business, operational and transactional objectives.

## 1.3 Interpretation of Terms

Some terms in records and information management are defined and explained for the purposes of the Code of Practice.

**Administrative Records.** Records that relate to the administration of human resources, finance, equipment and other facilitative operations as distinct from substantive or sector records

**Archives.** They are documents created or received (hard or electronics) and accumulated by public authorities in the course of the conduct of business and preserved for their continuing and enduring information value. It can also mean the building or part of the building where archival materials are located, also referred to as archival repository. It can also mean the institution responsible for selecting, acquiring, preserving and making available archival materials.

**Classification Plan/Scheme.** The method of recognizing relationships between documents. It is the systematic identification and arrangement of documents in categories according to logically structured activities, methods and procedural rules represented in a classification plan.

**Computer-Based Indexing.** Indexing is the alphabetical listing, description and location of records. Indexing is primarily carried out through the use of a computer. Indexing has both intellectual and mechanical aspects and computer-assisted indexing creates a practical ground between the two

**Current Records.** Also known as active currents. The first stage in the life cycle concept of records and information management. They are records or documents required daily for business operations and transactions of the authority. The frequency of use is such that they are usually maintained in active computerised folders, office space and filing cabinets close by.

**Database.** Data organised and stored so that it can be manipulated or extracted to meet various applications but managed independently.

**Data Processing.** The systematic performance of an operation or sequence of operations upon data by one or more computer processing units to achieve a desired result. It is used synonymously with information processing.

**Disposal.** The actions taken regarding non-current records as determined by their appraised value pursuant to Part VIII section 47 of RAI Act 2013, and the National Records Service legislation, regulations or administrative procedure. Actions include transfer to an archives or destruction. The National Records Service and the RAIC cognizant of the intrinsic value that records can contain, shall develop records retention schedules in consultation with records creating agencies and other relevant transparency and accountability agencies for example ACC and Audit Service Sierra Leone. It is prohibitive as the RAI Act 2013 provides for anyone to arbitrarily destroy public records. Such actions violate sections 47 (d) and (f) of the RAI Act 2013.

**Disposal Schedules.** They are also referred to as Retention Schedules or Records Schedules. A document describing records of a public authority or agency establishing continued retention value and timetable for their life cycle and providing authorisation for their disposition. Disposal Schedules are regulatory instruments developed by National Records Service, who are the technical and professional practitioners, in consultations with Right to Access Information Commission ( RAIC) and in collaboration with key accountability and transparency institutions, and records creating agencies. No ephemeral papers, for instance records of short term value, unsolicited correspondences and adverts etc. shall be disposed of without the expressed intervention of the National Records Service and the RAIC

**Information Governance (IG)** IG for short is a holistic strategy for using and managing information to meet business objectives. IG assures the quality of content and data, maximizes its value, and ensures that security, privacy, and life-cycle requirements are met. Policy-based control of information to maximize value and meet legal, regulatory, risk, and business demands. It is the content that organisations struggle to manage which includes email messages, word processing documents, PDF documents, presentation slides, spreadsheets, scanned images, and the like.

**Intrinsic Value.** The inherent worth of a document based upon factors such as age, content, usage, circumstances of creation, signature or attached seals.

**File Integrity.** The concept that the accuracy, completeness and original order of the records in a filing system is maintained.

**Filing System.** A group of conventions, methods, and procedural rules according to which documents are sorted, classified, cross-referenced, stored and retrieved.

**Keyword.** A word or group of words taken from the title or text of a document characterizing the content and facilitating retrieval.

**Metadata.** This is data describing data and data systems for instance, the structure of databases, their characteristics, dates on pictures and audios, location of where pictures were taken or videos recorded, usage, file titles and references, keywords, review and disposal information. It is supplementary information about a record adding value and supporting information retrieval and records management systems. It also includes details about the nature of electronic record (e.g. minute, letter, spreadsheet, etc.) and technical information (e.g. software type and version).

**Records.** They are referred to as information recorded in all formats and created, received, maintained as evidence of transactions or activities. In data processing, it is a grouping of interrelated data elements forming the basic unit of a file. Examples of records include paper, electronic, video, microfilm, etc.

**Registry.** A unit of a public authority responsible for the creation, control, and maintenance of current records and or semi-current records. It is also called **Records Office** in modern times.

**Restricted Access.** A limitation on the use of a body of documents or of single items containing information of a specific kind or in a form. The restriction may limit the use for a time to users.



## 1.4 Characteristics of Right to Access Information Commission

As provided for in the Right to Access Information Act 2013 and the Public Archives Act 44 of 1965 or subsequent superceding Act, the legislative framework has special attributes for supporting implementation of various provisions of the Act. Acknowledging and adopting the characteristics shall provide capacity to demonstrate not only commitment but more importantly compliance.

- (a) The code of practice is an instructional instrument and should be in conformity with the provisions of the RAI Act 2013. For instance, evidentiary records should be available in the format requested and should cover records in the hybrid environment for instance all categories of records in technical or physical formats, created and in use, managed or otherwise and are under the custody of public authorities..
- (b) The RAI Commissioner must issue in writing a practice recommendation to a public authority after an assessment and report indicating records activities do not meet provisions set out in the code or are in contravention with the public disclosure requirements of Part II subsection 8 paragraphs 1 (a-q). The citation should specify the provisions that have been flouted and advising relevant steps to enable compliance with the code.
- (c) Under the provision of Part V section 32 subsection 3 (a) the Commissioner shall serve a notice (known as “information notice” to the public authority. The authority is obliged to furnish the Commissioner within the specified time in the notice relating to compliance with the code (Smith, 2007 page 2).
- (d) Although the right to access recorded information in the custody of public authorities predominates and for most exempt information the Act may declassify the category of records including the 30-year-rule, the right however is limited to certain conditions and exemptions as provided for in Part III sections 15 and 16 of the RAI Act 2013 ; for instance, there are provisions in respect of records under the 30-year access rule and other sensitive security exempt records the disclosure of which “seriously prejudice national security and the defense” and self-determination of Sierra Leone and citizenry. This means that the public interest in upholding the exemption on disclosure for maintaining peace and tranquility shall supercede the interest to disclose the information under custody (Smith, 2007 page 3).
- (e) A feature of the RAI Act is that public authorities should be trained, and assessed as proficient on the provisions of the Act, including the code of practice issued, any relevant Memoranda of Understanding between government agencies (for instance between ACC and Audit SL or ACC and Statistics SL), and other operational manuals issued by the commissioner and the National Records Service. Cognisant of the requirements of best practice, for instance as contained in the Carter Centre RAI Implementation Assessment Tool, the RAI Commission Sierra Leone shall fully adhere to the principle that public records are managed and that what is managed is measured for enabling performance and compliance of public authorities’ proficiency in information governance.
- (f) The Right to Access Information Commission should oblige public authorities to maintain the quality, completeness and integrity of records through effective policies, procedures, standards, systems and qualified records management expertise. Public

authorities should ensure the integrity of data and statistical records captured, and more importantly the processes involved in collecting and analysing the data.

- (g) Public authorities should sensitise and communicate that “data” is not different from “records”, they are intrinsically connected. For instance, the information contained in statistical data are records. Data and records should be considered as part of the same in the quest to ensure the quality and integrity of the information contained in them. Data users should ensure that computerised records held on laptops and desktops are accurate, reliable, and retrievable. Otherwise users would not be able to make informed decisions on weak and inconsistent records.

Digital government records generated should be supported by required framework of policies and systems to protect, preserve and ensure that the evidence shall endure for long time. IT systems deployed in public authorities and create records should be supported with required policies to ensure veracity, reliability and authenticity of records for inordinate periods. Most digital records are stored in un-networked computers and unmanaged network drives or mobile devices. This practice is troublesome because information may not survive with the potential of losing national resource. It is a recipe that the information can be altered, deleted, fragmented or corrupted through malicious interference and mismanagement and with time difficult to retrieve (IRMT, 2014 page 5). The records or data created by Public Authorities are public records, whether they are on paper or are cloud data. The National Records Service on behalf of the GoSL own and manage records. Because cloud computing services are garnering increased attention from public and private entities looking to more efficiently store data, essentially means data created by public or private authorities sits on computers elsewhere. But, a critical element of cloud security is retaining data ownership.

Public authorities should ensure retaining ownership over the cloud data by complying with the following:

- Every term and condition from the provider should be understood fully.
- Public authorities should never stop backing up locally. Data might be lost, if the provider is faced with challenges or collapses.
- The cloud partner should fully encrypt public data and should use end-to-end encryption when transmitting public data.
- Public authorities should ensure that data regulations are aligned with local regulations on storage, and regardless of data location the data is always nationally owned because the data is created by public authorities.

- (h) Public entities should ensure that information protocols on access meet the desired impact, if records are not accessed, or are corrupted, or cannot be retrieved easily, or are retrieved at expensive costs.

- (i) The Commission (RAIC) should oblige public authorities to maintain and protect the metadata for example dates in data so there is clarity on time, and where the data has come from that is location, how it is compiled and for what purpose, sample test, aggregated and amalgamated, analytical methods and algorithms used to arrive at interpretations and whether the data was effectively anonymised. Data users and

manipulators in data community should be well trained and qualified and equipped to follow rigorous information science methodologies.

- (j) With the paradigm shift in digital and e-governance structures, RAI Commission should enforce sanitizing records kept in disarray and chaotic situations before starting digitising the records. There is the potential for skewed findings and analysis, culminating to faulty policy recommendations when data is extracted from disorganized and poorly processed records.
- (k) The Commission should also ensure that the National Records Service which has the sole authority for selecting and organizing public records for permanent preservation is empowered with the available resources including purpose-built infrastructure to collect, appraise accession and preserve government records and data as provided in Part IV section 27 paragraph 3.
- (l) The Commission should support the harmonisation of policies on information governance rather than overseeing information environment with disparities in creating and managing data. The Commission should pay attention to the objective of close collaboration and harmonisation of various policy frameworks.

This is the instructional section of the Code of Practice. It instructs on two principles (1) Management of Public Records (2) Review of Public Records Under the Right to Access Information Act 2013 and Records Disposition

The following Code of Practice is issued pursuant to Part IV Section 27 Sub section 2 of the RAI Act 2013 and after consultations involving the Minister of Information and the RAI Information Commissioner.

The aims of the Code are under two principles:

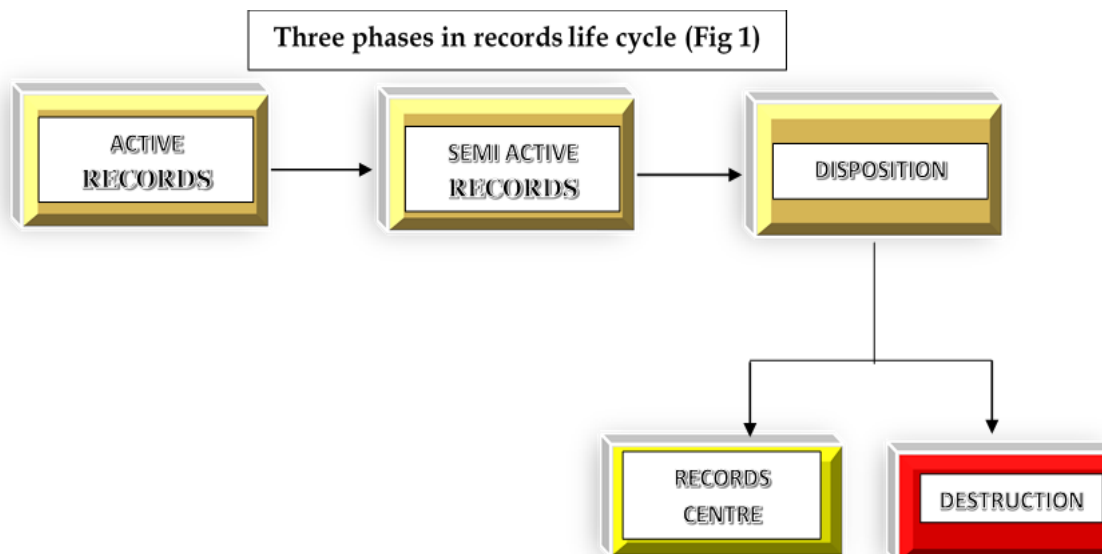
**Principle 1.** To set practices which public authorities, and bodies subject to the Public Records Act 44 of 1965 should follow in relation to the creation, keeping, management and destruction of records, and

**Principle 2.** To describe the arrangements which public record creators should follow in reviewing public records and disposing of records either by transferring to National Records Service or through the application of an authoritative retention schedules.

## 1.5 Principle 1: Records Management

Records management is a strategic function in public authorities. It covers recorded information on paper and electronic formats. When properly implemented, such an approach should underpin the control of the unnecessary proliferation of records (paper and electronics) and make retrieval and utilization of records more efficient.

Records management is a social process and not an event. It aims at systematically managing records through their life cycle stages, creation/current or active records stage - these are active records in use and accommodated in nearby storage facilities such as filing cabinets in public authorities; semi-active/semi-current – these are in intermediate repositories or records centres; and non-current or archives – records that have retired from purely administrative use and are subjected to the 30-year access rule.



Electronic Records Management has claimed levels of the records life. They are either current/active or electronic archives. Active electronic records are held in the cloud or in folders on electronic based devices (laptops, desktops, tablets, android phones etc.) and electronic archives are mostly held in the cloud and on backup devices or in folders on desktops and laptops.

The primary aim for managing records is to provide access and retrieval of information for evidenced-based management, litigation, administrative communications and transactions or for supporting and maintaining veracity and integrity of public financial

management systems. There is no public authority in the Sierra Leone public sector where there is a comprehensive records management programme; for instance, the agency or public authority has a programme for managing records (paper and electronic) from their creation through their active and inactive stages to their disposition (IRMT, 2014). It is the near neglect or no attention for this valued resource that the Right to Access Information Act 2013 was passed to leverage the effective utilization of the Public Records Act 44 of 1965.

The strategic objective of public authorities is to ensure that information resources created in different systems are managed in a holistic integrated approach. Integration of record-keeping systems should be considered as a series of incremental improvements, starting with purely paper records and ending with a fully integrated electronic records or 'content' management system that provides information about, and access to, both paper and electronic records.

Public authorities who create electronic records should have shared network drives to facilitate information sharing. Records should not be kept in personal workspaces, for preventing fragmentation of the government's information base. Public servants who retire, resign or are transferred from one authority to another should not take with them records held in their personal computers as institutional memory are lost as a result of such practices. Public authorities are at risk of non-compliance with the Right to Access Information if these basic practices are not executed (IRMT, 2014).

**Specialised Records.** Although the broad principles apply in managing and administering various categories of records, requirements for managing specialised records differ from general correspondence and administrative records. There is no 'one-size-fits-all' solution to records management, and each category of records may need applicable systems, procedures and training needs. The broad principles include, records should be protected against unauthorised change, destruction or alteration, they should be authentic and reliable, preserved and accessible to authorised users.

## 2.0 Functional Responsibility

- (a) **Qualified Staff.** A public authority should have designated and dedicated staff responsible for records management functions. The records staff should also have direct responsibility and institutional connection with other staff across sectors responsible for right to access information, data protection and other information management issues. For ensuring compliance and measuring quality of records managed, functions should be recognised as a specific resource managed similar as other resources, that is financial, human and asset. The resource staff of the public authority should coordinate responsibilities for records in all format throughout the life cycle concept, that is planning and budget, creation and disposal.

- (b) **Records Management Policy.** Every public authority should have records management policy in their strategic plan. Obviously, the authority's strategic plan document should be endorsed by top management and internally shared. The strategic plan should incorporate records management policy and Access to Information. The policy statement should set out commitment to create and manage records and instruct users on performance of records and information management functions (paper and electronics) including principles of probity, openness and transparency. The role of records management and its relationship to the authority's overall strategy should be outlined in the policy and the authorities' strategic plan.

Individual roles and responsibilities to document actions and decisions and developing standards, procedures and guidelines should clearly be defined in the policy. Appropriate resources for enabling records management functions across all activities should be provided. The principle of monitoring and measuring quality for maintaining compliance should be clearly documented. Regular review of the records policy statement at least every two years, for updating growing trends and reflecting emerging issues in the administration should be applied to ensure currency and compliance with best practice.

The policy should enforce specific guidelines on ATI. It should specify frequency and periodic review of the guidelines and determining the reviews are as result of change in policy. It should also include making the guidelines accessible for consultation by civil servants and the public. The public authority should establish instructions for ATI implementation and/or operation and the instructions detailing ATI implementation document should be internally disseminated. For indicators relating to activities and government functions and responsibilities, please refer to the document on access to information legislation Implementation Assessment Tool (IAT) developed by the Carter Center for effective implementation of the Access to Information.

The policy should more importantly document and have in place contingency or recovery plan to provide protection for records which are vital to the continued functioning of the authority.

- (c) **RAI Public Information Officers.** Pursuant to Part III section 28 subsection 1 of the RAI Act 2013 , public information officers shall be appointed by public authorities as the principal contact persons responsible for "providing reasonable assistance" to the person seeking information. The provisions of the Act stipulate that the head of the public authority should be the public information officer empowered to make binding decisions in relation to information disclosure under the Act. The job specifications and descriptions should include appropriate skills and knowledge of records management programme as referenced in section 29 under Part III. The rationale for leveraging on the records management cadre are outlined as follows:

- (i) staff are qualified and trained in records management from University of Sierra Leone.
- (ii) staff should establish internal control systems for example, maintenance of keyword classification scheme, registering creation, dispatch and movement of files

- (iii) developing competency framework to determine knowledge and skills level in records and information management.
- (iv) maintaining professional development for staff with records management responsibilities including induction and awareness training on issues and practices for new staff.

## 2.1 Records Creation.

- (i) Records created and managed in public authorities should comply with legal and regulatory requirements and should be subject to specific internal controls to ensure evidential value. The paper record received should be date stamped and registered in a correspondence register with entries to mitigate misplacing records received. A file is created and classified, titled and indexed using subject classification or keyword scheme. Computerised records created should also be classified and placed in subject folders using keyword classification scheme. This is to facilitate finding the file by entering the keyword in a search entry. The integrity and veracity of records in paper and electronic format should be maintained and should contain metadata (descriptive and technical documentation) to provide administrative context for effective management and to enable the records system to be understood and operated efficiently.

Most electronic search functionalities allow for easy search using the keyword. Correspondence and mail management are referenced using specific, narrow or broad keywords. The records and information system should adopt file classification plan using the main subject, and referencing, titling and indexing through keyword thesaurus schemes. Any security markings should be clearly understood for easy retrieval of information. The file content is registered in a file diary which records all files created in the public authority. The file diary easily provides the number of files created and specific periods that they were created.

- (ii) **Routing and Movement of Records.** Records contained in folders are upon being requested routed to other users within the public entity. Records on folders routed from one user to another are logged to track its movement. During an audit or census conducted, the logging or recording of a file/folder can easily locate and retrieve a file. When the file is returned to storage, the movement is updated and filed in its logically arranged location. To ensure that records are easily retrieved when needed and there is an auditable trail of its transaction, the movement of the file should be controlled.

Records should be prevented from damage and other hazardous elements and pests. The environment for storing records should be clean and tidy. Storage equipment for current records should be safe and secured from unauthorised access and should meet guidelines on frequency of use and fire regulations.

- (iii) **Closing Records.** Records not currently required for administrative and transactional business should be transferred to the National Records Centre for more economic and efficient use of office space. The file covers should be marked with two diagonal lines and the word CLOSED written in caps between the two slanted lines. The reason for the markings is that to indicate to users that no additional active record should be placed on the closed file. It should be noted on the index or database of the files that a file or electronic folder has been closed. Files that have outlived their activeness or are five years old since last created, should be closed except if the file is thin and is not 5 cm thick. Files can also be closed if their thickness measured from front edge cover to back edge cover is more than 5 cm thick. A new volume of the file shall be opened if action on the file continues.

On the other hand, disposal action on electronic records should be noted in the metadata of the new record created. Files should be closed when no further actions are noted on the content, five years from the date on the first record on the file. Closing files and transferring them to the National Records Service should be the end point of custodianship for public authorities over files, unless a semi-current file is recalled for reference by the depositor. There is a process for recalling files from the Records Centre. It is the responsibility of the National Records Service to continue exercising control over records deposited to the centre by public authorities.

## 2.2 Disposing Semi-Current Records

This is the third stage in the records life cycle. The file is closed for active use and instead of adding to the congestion of office space, the closed records can be transferred to the records centre and in consultation with National Records Service to determine retention value. Ephemeral records or records not worthy for retention may be destroyed. Pursuant to Part VIII section 47 (d) of the RAI Act and the Public Archives Act 44 of 1965, it is an offence punishable by law for destroying records with intent to denying access.

However, disposal of records should be undertaken in accordance with clearly established retention and disposal policies formally approved by stakeholders and authorities and are enforced by authorized staff. In consultation with National Records Service and the Right to Access Information Commission the records determined as ephemeral or unworthy of continued retention can be recommended for destruction either by shredding or incineration.



## 2.3 Records Appraisal

The activity on records appraisal to determine permanent retention value, classify and declassify to meet the 30-year access rule requirement should be the remit of the National Records Service and the Right to Access Information Commission. Records creating agencies should not be overburdened with continued disposal actions. The RAI Commission should collaborate with the National Records Service for empowering and capacitating the National Records Service which by legislative framework has the mandate for managing and administering public records as provided in the Public Archives Act 44 of 1965. For ensuring consistency in records appraisal and disposal, an appraisal system shall be executed and should detail appraisal procedures and requirements for effective records appraisal.

## 2.4 Management of Electronic Records

As electronic records are increasingly used to create and distribute information in the digital age, it is incumbent upon public authorities to introduce electronic record-keeping systems or scanning/digitisation programmes that meet basic records management standards (IRMT 2014 page 8). The principal issues for managing both paper and electronic records are similar, for example record creation, tracking and disposal of records. In the electronic environment the issues are addressed differently. Public authorities should adopt the following requirements for effective electronic record maintenance:

- (i) The nature of electronic record should be clearly understood in relation to the creation of records and metadata necessary to document processes.
- (ii) Logical arrangement of records as a result of the maintenance of a structure of folders and secure maintenance of the integrity of electronic records.
- (iii) The accessibility and use of electronic records for as long as required including records migration across various systems.
- (iv) The ability to cross reference electronic records to their paper counterparts in a mixed environment and the application of appropriate disposal procedures for electronic archiving.
- (v) Provide audit trails for all electronic information and should be kept securely and accessible for dissemination.
- (vi) Records policy contained in authorities' strategic plans should include rules for managing emails as email is a method of communicating within government. The motive is to resolve the widely and varied used of service providers, which complicates what servers emails on government transactions are held and organised.
- (vii) To improve access to paper records and communicating electronically, digitisation should be considered a practice as digital images are stored, and technology can search for individual images cost effectively.

## 2.5 Principle 2: Review and Transfer of Public Records

Public authorities should follow stipulated arrangements to ensure timely and effective review and transfer of records. Primarily, public authorities in reviewing records for public release, should ensure that public records become available to the public at the earliest possible time in accordance with the RAI Act No 4 of 2013. In consultation with the National Records Service they should determine the following:

- a) Records for instance that are of technical nature maps, those of intrinsic value, etc. should be selected for permanent preservation, and
- b) Records that should be accessible to the public are logically organised and a finding aid developed to provide lead to where records are accessioned.

Under the supervision of the National Records Service, the arrangements should be established for reviewing records for release to the public. For instance, records should be transferred to the Public Archives Office by the time the records are 30 years reflecting the first record on file or if a bound report or document the date should be 30 years since it was issued. The records should be reviewed for selection and unrestricted before the records are 30 years old. Alternatively, National Archives Services in consultation with the Right to Access Information Commission may authorise continued restriction from access for longer period depending on the sensitive nature and security implications. The following questions must be asked when reviewing records before they are released to the public:

- Are the records worthy of continued protection pursuant to the provisions of the RAI Act 2013?
- Are the records to be released in the public interest subject to the exemption rule of RAI Act 2013?
- Relevant exemptions in the RAI Act 2013 have ceased to apply; can the 30-year old records be available to the public?
- Can the transferred records be available for viewing because no exemptions apply under the RAI Act 2013?

## 3.0 Monitoring Implementation

The Right to Access Information should be underpinned by effective monitoring of implementation and practices. It is incumbent that the Commission adopts the Carter Center Implementation Assessment Tool (IAT) for implementing Access to Information (ATI). The assessment tool should be followed to the letter as is the yardstick on which the Commission is assessed for compliance. The following are instruction codes derived from performance indicators in the Carter Center Implementation Assessment Tool (IAT) for implementing Access to Information (ATI).

### 3.1 Leadership.

Public authorities' strategic plan should incorporate ATI and should include specific mention of access to information, openness and transparency.

Public authorities' leadership over records policy should participate in meetings with public officials in other agencies responsible for ATI activities.

Agencies should adopt specific guidelines on ATI code of practice. Agency official with authority over policy should review ATI code of practice and ascertain agency compliance. The review should detail instructions for ATI implementation, and implementation should reflect the Agency's ATI policy. For instance, the agency should develop guidelines that establishes instructions for ATI implementation and operations.

The agency should internally disseminate electronically the documents detailing instructions for ATI implementation and operations and should make the code of practice available for reference.

The public authority outreach programme should specifically include a component regarding ATI. It should provide information on how to make a request and to find proactively published information.

Public official (s) should be responsible for ATI functions and duties. The name of the public official responsible for ATI functions and duties should be made known to the public. He should have the authority needed to comply with ATI mandate. The public official should have the time and staff needed to fulfill his responsibilities.

The public official responsible for ATI functions and duties should have specialised training on ATI. He should be aware of basic ATI principles. They should create and maintain training materials related to ATI for future reference by public officials. He should have regular access to necessary equipment for instance, computers with internet, scanners and photocopiers. The agency should create physical and virtual space to make requests, review documents and share proactively published information.

Public authorities should regularly monitor ATI functions and duties, and written reports with findings and recommendations issued annually. They should effectively fulfill their fundamental functions related to access to information.

Authorities' oversight body and auditing mechanism should deliberately cover ATI functions and duties. Performance reviews of focal persons for ATI functions and duties should be reflected in the annual reviews.

## **3.2 Receiving and Responding to Requests:**

Authorities should have written guidelines for receiving requests. The parameters within which the authorities work for receiving requests are as follows: (a) determining what constitutes a request, (providing an acknowledgement of receipt, and assisting the requester).

Public Authorities should have written guidelines for responding (either releasing or denying) to requests from the public. The guidelines should include the following: (a) process for determining release, (b) means for providing requested information, (c) means for providing notice of denial, and (d) reason for denial of information requested.

Public Authorities should have procedures for logging and tracking requests and responses, and the procedures should follow (a) updating to keep current, (b) tracking the request in one place, and (c) detailing the requests from submission through resolution.

Public authorities should create and adopt procedures for processing requests. The procedures for processing requests should cover the following: (a) identifying the focal person holding the information, (b) searching and finding information, and (c) determining release, reduction or denial.

Public authorities should create and adopt procedures for referring requests to another agency if the authorities do not have the information requested, and the procedures should include the following: (a) identifying the correct agency that have the information, (b) referring requests, and (c) providing notice of referring to the requester.

Public authorities should create and adopt procedures for issuing and releasing responses that include the following: (a) provision of requested documents, (b) notice and collection of applicable fees, and (c) sending notice of denial and right of review or appeal.

For monitoring and measuring, public authorities should regularly and systematically capture statistics relating to receiving and responding to requests annually. The following should be metadata to capture: (a) number of requests made in a year, (b) number of referrals to another agency, (c) number of denials, (d) reasons for denials, and (e) days/time duration to respond to requests.

The public authority should effectively fulfill its functions related to receiving and responding to requests.

### **3.3 Proactive Disclosure IAT Indicator.**

The public authority should create and adopt written guidelines for proactive disclosure that include the following: (a) development of the publication scheme, (b) updating and maintaining the scheme, (c) guidance for clearly identifying/listing classes of documents to be proactively disclosed, and (d) how documents should be disclosed.

Public authorities should appoint designated officers responsible for proactive disclosure functions and duties. The official should have adequate time and staff necessary to effectively fulfill his/her functions and duties. He should be trained to comply with his/her job description.

For monitoring, the public authority should systematically capture measurable statistics for proactively disclosing records and information annually.

### **3.4 Records Management IAT Indicator.**

The official agent responsible for records management should participate in meetings with other public officials responsible for records management regularly. The public authority should appoint public official (s) responsible for records management functions and duties and the appointed staff should have the time and staff needed to fulfill their responsibilities. The appointed staff should have specialised training in records management and should be aware of basic records management procedures.

The public authority should create and adopt a records management policy for managing records in the hybrid environment (paper and digital records). The authority should have written guidelines for records management regardless of format and should establish instructions and guidelines for implementation and or operations. It should for instance, create and adopt procedures to manage digital records that includes the following, (a) records creation, including structured metadata, (b) retrieving and accessing digital information, (c) organisation/aggregation of files that are of non-security related classification, (d) survey and inventory, (e) security rights and access permissions, and (f) retention/preservation and disposal. The procedures should include accessing and retrieval of paper records for instance, (a) keyword classification schemes, indexes or registries, (b) scheme to physically locate records and (c) a log that tracks circulation and retrieval.

The public authority should create guidelines for correspondence and security classification of documents, and these include the following: (a) determining classification and periods of classification, (b) access and internal transmission of classified documents, and (c) creation of index or other means of identifying classified documents.

The public authority should be able to provide adequate space and accommodation for storing and preserving paper and digital records.

Regular monitoring of records management functions and duties should be the responsibility of public authorities. Records management systems and written reports with findings and recommendations should be issued annually.

# Validation and Training on Records Management Codes of Practice

The re-validation of Records Management Codes of Practice was conducted on **10<sup>th</sup> August, 2021**. The validation exercise was the process whereby records users and practitioners proved the authenticity and confirmed the validity of the Codes of Practice. As a supplement to the re-validation activity, the training on Records Management Code of Practice was rolled out on **17<sup>th</sup> August 2021**. The beneficiaries were records officers and other users of records. The training drilled down on the relationships between paper records in active use and computerised information or data generated through Information Technology (IT) and the critical need for integration; so that IT can transform the creation, use and retrieval, and processing of information.

The training focused on four thematic pillars or themes which are as follows: (a) Leadership, (b) Receiving and Responding to Requests for Information, (c) Proactive versus Reactive Disclosures, and (d) Records Management. After thorough interactive session, participants were placed into four groups with each group handling one of the indicators above, and assessing the specific indicator through underpinning activities: rules, procedures, resources, monitoring and wild card

## Group One – Leadership

The group members brainstormed on leadership as a motivating factor, and using leadership as cross-cutting indicator to preposition records service. Members cited that records service is challenged by lack of clear career progression path, consequently records professionals are demotivated. Every public authority should involve records managers in strategic management meetings, reporting on and articulating records management issues.

## Group Members

- Khalila J. Thomas – Senior Records Supervisor, Ministry of Local Government
- Idriss Din-Gabisi – Dir, Research and Monitoring, National Commission for Democracy
- Augustine Sahr Lahai – Assistant Secretary, Public Sector Reform Unit
- Hassan Raje Kamara – Records Officer, Ministry of Agriculture and Forestry
- Emelia Haja Bangura – Records Officer, Ministry of Social Welfare

## Functions

### Rules.

- Repeal and ratify Records and Archives Bill into an Act of Parliament.
- Every public authority should have internal records management policy
- There should be sound implementation of internal control systems.

## **Procedures.**

- The implementation of a hybrid records management system
- Periodic training of administrative officials in records management

## **Resources.**

- Adequate space and equipment for the storage of records
- Provision of modern tools and skills for records users
- Increase funds allocation to the records service

## **Monitoring.**

- Quarterly tracking of records services and determining status of records management system.
- Quarterly records management reporting system to the leadership of the MDAs

## **Wildcard (Special Card).**

- Institutionalised framework of centralised records management system for every public authority.
- Influence top management by demonstrating that records management system is effective and efficient
- Induction trainings and changing the mind set of staff about the records service in the public authority.

## **Group Two – Receiving and Responding to Requests**

The group deliberated on receiving and responding to requests including public authorities implementing guidelines for receiving and responding to requests. They also discussed parameters within which the authorities should work for receiving requests for instance (a) determining what constitutes a request, providing an acknowledgement of receipt, and (b) assisting the requester.

## **Group Members**

- Joanes A. Caulker – Sierra Leone Public Archives Office
- Andrew M. Aruna – (Rapporteur) Public Service Commission
- Alhaji M. Jaward – Ministry of Information and Communication
- Rugiatu Bangura – Ministry of Public and Political Affairs
- Musa Kargbo – Ministry of Basic and Senior Secondary Education

## **Functions**

### **Rules**

Control measures for incoming and outgoing correspondences are inadequate in public authorities.

Recommendations are made to top management to put in place internal records control systems: (a) incoming correspondence register, (b) outgoing correspondence register, (c) file indexing, (d) file diary, (e) file transiting, (f) file census; weak staff inputs in performing records services; recruit, trained and qualified records professionals; develop internal records management policy.

## **Procedures**

See also records internal controls (control measures), for instance developing finding aid which will facilitate quick access and response to information requested. There should be procedures in transferring requests to other agencies.

Recommend to top management the need for MOU with other agencies who might have information available. In strict adherence to access to information regulations, there should be procedures for issuing and serving responses.

## **Resources**

There are inadequate staff to undertake records management tasks. The group recommends the recruitment of trained and qualified records professionals to carry out routine records management duties.

Lack of funds to undertake records management activities. The group recommends to top management the need to have funds allocated to records management tasks.

Inadequate space for the storage of records and also personnel handling records. The group also suggests the provision of storage facilities for both records and staff in order to perform effective and efficient records services.

Inadequate supplies and equipment, for instance, filing cabinets and shelves, file covers, desktop computers, printers and scanners etc. The group brings to the attention of management to the above-mentioned anomalies.

## **Monitoring**

In terms of monitoring, there should be regular checks on the control measures to ascertain the application is carried out. Records appraisal and retention reviews should be done regularly to identify active from inactive records with the aim to transferring inactive records to the National Records Centre.

Records managers in public authorities should develop quarterly reports on the total number of "requests", responses and transfers of records, and information giving out or shared.

Records users should be mindful of the proper handling of the records so as to enhance the longevity of the records.



## **Wildcard (Special card)**

The benefits derived from sound records management practices will lead to the following:

- Fast retrieval of information
- Space management
- Prompt response to requests
- Cost effective benefit
- Facilitate effective decision making

## **Group Three – Proactive Disclosure versus Reactive Disclosure**

Proactive disclosure is the act of releasing information before it is requested, for example the national broadcasting service publishing datasets of individuals or groups that appeared and used the services, on its website or the information is published through newspapers. The purpose of proactive disclosure is to inform citizens of information they can use to hold the government or agencies accountable. Proactive disclosure differs from reactive disclosure, as reactive disclosure occurs when a request is made, while proactive disclosure occurs without the filing of the request.

### **Group Members**

- Yankuba Bangura – Sierra Leone Library Board
- Amadu Tejan Shaw – Cabinet Secretariat
- Hannah Jimmy – National Council for Civic Education and Development
- Abu Bakarr A. Koroma – Sierra Leone Roads Safety Authority
- Felix Conteh – Ministry of Foreign and International Cooperation

### **Functions**

**Rules:** The group deliberated and recommended the following:

- Records inventory.
- Classification of materials
- Availability of resources
- Retention schedule
- Management engagement
- Records management policies and manual
- File movement and control
- Outreach programmes
- Disposal of records
- Digitilisation

### **Procedures**

- Creation of documents
- Completeness, authenticity and reliability
- Maintenance of records
- Storage of records

- Retention schedule
- Disposal of records
- Accessibility of records
- Indexing
- Digitisation

### **Resources**

- Proficient and skilled human resources (staff)
- Training of staff, attending workshops, etc
- Management support
- Availability of storage space
- Equipment
- ICT connectivity
- Awareness raising through outreach programmes
- Budget allocation
- Participate in manpower planning

### **Monitoring**

- Movement and tracking of records
- Staff performance measurement and management
- Utilisation of resources
- Security – protection from fire, flooding
- Building and strengthening relationships between management and staff
- Compliance

### **Wild card (special card)**

- Maintain oath of secrecy
- Maintain and uphold the civil service codes and rules

## **Group Four – Records Management**

### **Functions**

#### **Rules**

- Retention schedules for financial and non-financial records
- Decongest records stores and structures of inactive records
- Records should be managed by records officers and managers
- Records stores should not be accessed by unauthorised persons

#### **Procedures**

Requests for access to documents should be made through the head of the institution

Record the description of the document requested

Recipient of document should sign to receive the document

## **Resources**

- Records service in public authorities should have budget line
- Train records officers to be abreast with modern trends in information
- Trained and qualified records staff should be hired to work in the records unit in public authorities
- Free and conducive storage system to store records

## **Monitoring**

- Provide quarterly reports on challenges and successes
- Conduct file census monthly and follow strictly on procedures and non-compliance

## **Wild card (special card)**

- Ensuring that efforts are coordinated and implemented for effective service delivery in the public entity

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