

# WHERE ARE THE RECORDS IN THE PUBLIC SECTOR REFORMS? ADVOCATING FOR INTEGRATION OF RECORDS MANAGEMENT INTO PUBLIC SECTOR REFORMS IN MALAWI

**Clement Mweso**

National Archives of Malawi

cmweso@gmail.com

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## Abstract

Public sector reforms tend to focus on restructuring public institutions and addressing dysfunctional operational systems without dealing with inefficiencies in records management. Such focus partly addresses the heart of the service delivery challenge in the public sector. Sometimes, the biggest challenge for people seeking particular services in public institutions is not necessarily impediments caused by dysfunctional structures, but lack of records to support citizens' claims or inability by public officers to timeously track files and provide relevant information to clients on time. This qualitative study examines the public sector reforms in Malawi and advocates for the inclusion of records management into such reforms. The study is based on analysis of government reform reports, policy briefs, circulars, scholarly texts and media reports. While a wide variety of institutional reforms within the public sector are essential, it is important to recognise that without well-functioning records management systems, efficient delivery of public services will remain a challenge. The study established that public sector reforms that focus purely on restructuring public institutions and addressing dysfunctional operational systems without dealing with inefficient records management systems adversely compromise service delivery of the reformed institutions. The study further expounds that despite numerous attempts to reform the public sector in the country, records management remains a challenge evidenced by numerous malpractices. It is concluded that consistent with the objective of reforming public institutions, it is imperative when implementing institutional reforms in the public sector that they are integrated with reforms in records management systems.

**Keywords:** records; public sector reforms; service delivery; records management system; Malawi

## Introduction

Public sector reforms have been done in Africa as a means for providing strategic leadership to public management and constitutes a part of the changing political environment. Whenever public sector reforms are conceived in many countries, the overriding objective remains to significantly change the traditional approach to governance and particularly to cultivate new management ethos and practices in order to improve public sector operations. Traditionally, the state has been most active in initiating processes that lead to reforming the public sector. The 'public sector' as used in this study means the system of administration that 'deals with all services under government authority' (Kilelo 2015:20). The public sector reforms are meant to address any issues relating to poor service delivery offered by public institutions, thereby enhancing institutional capacity as well as efficiency in performing their statutory obligations in society (World Bank 2012). The idea for reforming the public service in Africa originated from the numerous grand societal problems encountered by states, since the attainment of independence. The problems, according to the World Bank, included irregular mechanisms for generating public funds, inadequate systems for regulating and managing public expenses, a huge dysfunctional public service and enormous non-performing state-owned enterprises (World Bank 1992:12). Ngoepe (2018) further expounds that many, if not all, African countries are characterised by 'wicked problems' such as corruption, poor governance, services, healthcare and others. He attributes records as central to mitigating most of these grand societal challenges facing the African continent. These problems compelled the international community to recommend reforms in the management of the public sector (World Bank 1989).

Embarking on public sector reforms has proven to be a challenging undertaking for many African governments. Even with external funding and internal availability of political commitment towards reforms and universal acceptance of the importance of a transformed public sector, it is still difficult to fully establish a reformed public sector. Attempts to reform have faced various challenges and partial realisation of the intended objectives (ESID 2017:2). The challenges of the implementation of reforms come from a number of dynamics, including but not limited to 'absence of ownership of reforms, inadequate resources allocated for implementation, and lack of shared vision for reforms' (Government of Malawi (GOM), Public Service Reform Policy (PSRP) 2018:6). According to Mark Robinson, the biggest challenge is that public sector reforms fundamentally alter the 'traditional approach to public administration' in sub-Saharan Africa and they are a complete 'departure' from bureaucracy 'predicated on a top down and elitist approach' (Robinson 2015:4). In addition, the emphasis of the public sector reforms is on public choice theory, which emphasises the accountability of officials to citizens (Robinson 2015). In fact, the World Bank spelt out four elements of public

governance, namely ‘public sector management, accountability, the legal framework for development, and information and transparency’, as being crucial to the realisation of efficient public services (World bank 1992:2). But it is almost inconceivable to achieve public governance and accountability without the availability of information (Lemieux 2015). Accordingly, any plan towards improving service delivery in the public sector or reforming the administrative and governance functions in government should ideally include information and records management (Kemoni & Ngulube 2007).

Records are crucially important for understanding government operations. Not only do they provide a window to the outside world to gain insight about ‘decisions and actions’ of public officials, but they can also expose what needs to be reformed within the realms of the public sector operations (Lemieux 2015:3). As Ngoepe (2018) would attest, no activity can be effectively executed in a work environment without records, be it auditing, finance, health, justice, or anything else. This study examines the integration of records management into public sector reforms in Malawi. It is argued that public sector reforms that purely focus on restructuring public institutions and addressing dysfunctional operational systems without dealing with inefficient records management systems adversely compromise service delivery of the reformed institutions. The paper further expounds that it is imperative when implementing institutional reforms in the public sector that they are integrated with reforms in information management systems.

This study utilised qualitative analysis of six official documents and reports from the Malawi government on public sector reforms. These documents included the Malawi Public Service Management Policy; Public Service Reform Commission: Making Malawi Work, Final Report; Malawi National Public Sector reforms policy; Ministry of Civic Education, Culture and Community Development: Progress Report on Reform Areas; Malawi Public Service Regulations; and Malawi Public Service Charter: Raising the Bar of Excellence. The study also relied on primary and secondary data such as records management survey reports by the National Archives of Malawi, circulars on records management in the public service, newspaper articles and scholarly articles available on public sector reforms and records management in Malawi.

## **Public sector reforms in Malawi**

The government of Malawi has undertaken a series of reforms since the dawn of independence in 1964. The reforms were directed towards enhancing the functions of the public institutions in order to ensure that they are competently delivering and ably serving the country’s citizens (GOM, PSRP 2018). The reforms undertaken so far have focused on administrative and financial management restructuring (GOM, PSRP 2018). The first attempts at public sector reforms were embarked on

immediately after the attainment of independence (Durevall 2002). At the core of these first reforms was to manage the transition from European dominated colonial civil services to one dominated by Africans (Chiweza 2010). During the entire period of colonial rule, very few Malawians had attained higher or professional education and consequently not many had been integrated into the senior hierarchy of the colonial civil service (Chiweza 2010). As a consequence of this, at the time of independence, the civil service was mainly run by Europeans, with Malawians mostly holding junior messenger or clerical positions in the civil service. The first reforms were designed to resolve this conundrum of civil service with cost cutting being the goal for efficient service delivery by the civil service as well as implementing other administrative reforms to suit the needs of the post-colonial state.

Subsequent public sector reforms were undertaken in 1985 with the commencement of Malawi's initial structural adjustment programmes (Durevall 2005). The reforms that were implemented during this period were intended to cushion the state from the economic meltdown and the aftermath of the global oil crisis, as well as to deal with the burden of debts and inefficient public service (GOM, PSRP 2018). Although the reforms undertaken were necessary to withstand the prevailing economic environment, they inadvertently had huge ramifications for the operations of the public services (Durevall 2001). The public sector was severely pressed due to budgetary constraints imposed by reforms although they did not fully deal with underlying issues that had impaired the performance of the sector (Durevall 2001).

The situation remained the same for quite some time with the reforms partially addressing the teething troubles prevalent in the public sector. There was a revival in interest for reforms with the attainment of democratic governance in 1994. The newly elected government embarked on new reforms designed to address the already existing complications that hindered the productivity and competence of several state organs (GOM 2018:10). Through these reforms, the government introduced a new structural adjustment programme in 1995 which, according to Tambulasi (2010), provided motivation for public sector reforms. Apart from the structural adjustment programme, the reforms also tackled other areas of governance, including embarking on the decentralisation of administration to local government, privatisation of non-performing parastatals, revision of public service salary structure and establishing public expenditure controls (Tambulasi 2010).

The nature and dimension that public sector reforms take in Malawi, just as in many other sub-Saharan African countries, mainly involve New Public Management (NPM) variations. It is imperative to understand that public sector reforms implemented along the lines of the NPM are principally motivated by four organisational essentials: 'delegation, performance, competition and responsiveness

to clients' (McCourt 2013:8). In essence, the NPM was aimed at overhauling the bureaucratic and hierarchical model of public service organisation replacing it with market-based public service management (Larbi 1999). Primarily, the focus of the NPM reforms was on enabling the state to develop modern methods of doing business to achieve economic efficiency of public sector bodies (Edigheji 2008). It is, therefore, not surprising that governments undertake public service reforms with the aim of modernising the public services in order to inculcate a business culture and eliminate organisational rigidities that undermine public service efficiency. According to Tambulasi (2010), although public sector reforms in Malawi have not explicitly specified alignment with the NPM, the nature and form of implementation allude to the NPM agenda (Tambulasi 2010). Having considered the implementation of public sector reforms in the public service in the country in general, the next section will look at the relationship between public sector reforms and records management.

## **Public sector reforms and records management**

As previously highlighted, according to the World Bank, the success of any public service reform programme depends on four elements of public governance, namely 'public sector management, accountability, the legal framework for development, and information and transparency' (World Bank 1992:2). Crucially important among these factors is the proper and organised process of managing the records and information systems. There is significant evidence from a wide range of sources that point toward information management in the public sector being key in evaluating the successes or failures of public services programmes (World Bank 2015; Larbi 1999; Millar 2003; Sicalwe & Ngulube 2009; Lemieux 2015). The colonial government in Malawi had systematically managed and controlled record keeping in the public service through the enactment of the Nyasaland protectorate general orders first issued in 1920 (Lihoma 2012). Through the general orders, the Nyasaland colonial government had established elaborate systems of managing government information from creation to disposal of the records. The general orders acted as regulations on records management throughout the colonial period and were pivotal in providing guidance on information management during the time (Lihoma 2012).

The first significant setback brought by reforms in government information management took place during the first reform process pursued by the first post-colonial government. The Nyasaland protectorate general orders which were instrumental in regulating records management were replaced with new regulations, the Malawi Public Service Regulations (MPSR) (Lihoma 2012). Although the MPSR were essentially a revision of the Nyasaland protectorate general orders, they critically skipped entire sections of the previous regulations that dealt with records management (Lihoma 2012).

This failure to recognise and incorporate records management as part of the MPSR has inevitably led to a public governance system that has overlooked records management as crucially important. The consequences of the omission of records management regulations in the MPSR led government ministries, department and agencies (MDAs) to have poor records management practices. This is evident in so many ways, including MDAs having no policies and guidelines for standardising records management functions, absence of appropriate filing systems for both paper and electronic records; cluttered registries without file tracking systems where retrieval of documents is difficult thus slowing government operations and decision-making (NAM 2007). Unless deliberate measures are undertaken at a policy level to reverse the situation by entrenching excellent records management systems in the public sector as a cornerstone for achieving accountability, efficiency and effective service-delivery public service will remain stagnant and inefficient (NAM 2007).

## **New wave of reforms in the public sector**

The most recent initiatives for public sector reforms were launched by President Peter Mutharika in February 2015. These reforms were specifically to address the public sector institutional malaise which threatens to undermine service delivery. They were earmarked to galvanise the efficiency of the public sector so that it can serve the private sector effectively. The private sector is considered to be the engine for economic growth, wealth creation, poverty reduction and a better quality of life for the citizenry (PSRC report 2016). According to the principal secretary for public sector reforms unit, the main thrust of the current reforms effort in Malawi is to ensure that reforms are sustainable and achieve the desired national goals (Mpaka 2015).

Among other things, the reforms were focusing on integrated service delivery. The objective was to enable citizens to have easy access to government information and be able to conduct several public service transactions under a single platform, thereby improving on the speed of service delivery (Mpaka 2015). In order to simplify government transactions, the reforms commission, headed by the then Vice-President, came up with 15 recommendations which they submitted in a report to the President. Among the notable recommendations was that public sector institutions should quickly embrace information technology as a means of improving efficiencies and modernisation (PSRC report 2016). This recommendation was particularly driven by the recognition by the commission that 'MDAs were behind in the utilisation of information technology as a tool to improve service delivery in today's technologically driven world' (MPSR Report 2016).

## **E-government and records management in the public sector**

The swift growth in usage of information and communication technologies in the world has not spared sub-Saharan Africa. There is general movement towards taking on electronic government services. Malawi of late has seen the adoption of e-government platforms for payment of public services such as driver's licences, water, electricity bills and other services. In the previous section, we noted that the Public Sector Reforms Commission (PSRC) stated that MDAs are lagging in the utilisation of information technology in the country. However, that assertion on its own fails to explain the underlying reasons for this slowness in adoption of information, communication and technology (ICT). There are considerable constraints to consider as far as slow adoption of ICT is concerned. Firstly, Malawi faces an underdeveloped ICT infrastructure, high cost of telecommunications, and unstable and unreliable power supply (Isaacs 2007:4). Secondly, a fair share of these challenges also relate to a lack of human and financial resources for the development of its ICT sector. Despite the challenges outlined, the government adopted a National ICT Policy in December 2013 (GOM 2013). The policy is very progressive and aims to tackle some of the bottlenecks affecting the ICT sector (GOM 2013).

Nevertheless, the government, in pursuit of its public sector reforms, has encompassed E-government as crucially important to the realisation of efficiency and effective service delivery to the general public. The government has been in the forefront championing MDAs to introduce electronic government services as one way of ensuring timely delivery of such services. The services that the MDAs have been encouraged to adopt include 'creation of websites, computerisation of information systems and automation of services' (Malanga 2016:331). The country has witnessed an upscaling in the adoption of computerised operations in its various departments and agencies. A number of government services and operations have gone digital and these include Integrated Financial Management Systems (IFMIS), Human Resources Management Information Systems (HRMIS), Judiciary Case Management System (JCIS) and Malawi Traffic Information System (MALTIS) (Malanga 2016). The proliferation of the use of electronic records and transmission of records electronically has brought much efficiency in processing various government documents, including passports, driver's licenses and other government permits and payments of taxes.

As much as the adoption of e-government and automation of information eases government operations, there is a need to put in place mechanisms to protect information stored electronically. There is also the financial scandal in 2013 whereby some corrupt officers had entered into the IFMIS and tampered with some figures in MDAs budget allocations, made unauthorised payments and deleted the transactions in the system (National Audit Office of Malawi (NAO) 2014). In the

face of rapid developments in information and communication technology, there is a need to ensure that electronic systems are integrated with records management in order to secure the records generated electronically. With the adoption of e-government, more documents are created or received electronically by MDAs, but currently, there are no standards and procedures to ensure that e-records are properly organised and controlled so that they can be retrieved when required (NAM 2007).

The principal secretary for culture echoed the problems with regard to electronic records in 2012. In his circular to all government departments, he bemoaned the poor state of record keeping in government in general and in particular highlighted that ‘most institutions do not have integrated records management systems in place. Institutions acquire computers and software without due regard to recognised electronic recordkeeping requirements and preservation of records in digital format’ (circular NA/RM/3/3/45 2012). He further pointed out that ‘there were no established procedures for filing, care, and disposal of electronic records. Consequently, officials tend to individualize the management of electronic documents/records on their desktops, laptops, flash disks, CDs, and other storage media which have no guarantee to the security and lifespan of the records’ (Circular NA/RM/3/3/45 2012). This situation still remains a challenge in many public offices and has created huge information gaps evidenced by numerous records surveys conducted by the national archives in some public offices which revealed that public officials ‘rarely print copies to file, and vital records/information cannot be traced. There are no controls to the disposal of such records as they are kept in individual officers’ file folders’ Circular NA/RM/3/3/45 (2012).

From the foregoing, one clearly notices the dysfunction that is currently prevailing in records management in the public sector in Malawi. Regrettably, even though some reforms have been implemented in the public sector; most public institutions are still grappling with the effects of poor record keeping. This compelled the chief secretary to the government to issue a circular on 17 March 2017 which deplored the continued poor records management in the public service (Circular ref:15/15/2 2017). In his observation in the circular, he was concerned about rampant incidences of missing files and documents during audits, failure by MDAs to provide relevant records for audit purposes, serious lapses of security of government records and the unfortunate instances where fires had mysteriously occurred in some ‘government offices which destroyed valuable records’ (Circular ref: 15/15/2 2017). Furthermore, even after the current reforms were inaugurated and several organisations have undergone the reform process to improve service delivery, several malpractices pertaining to poor recordkeeping have been reported. For instance, the Malawi Electoral Commission (MEC) was embroiled in financial malpractices. An audit report revealed that the MEC had failed to persuade the Ministry of Finance to accept its justifications on how it transacted about K1.6



billion in tax payers' money between July 2012 and December 2014 (Mkandawire 2015).

Similarly, another audit of the payroll at the Ministry of Education uncovered 'systematic' manipulation of the records to insert ghost workers on the payroll. Some observers even alleged that the 'pilferages were going on as if there were no reform processes in place' (Chimjeka 2015). The report exposed that public officers in the government were seizing the opportunity through the poor record-keeping system in ministries to manipulate payroll data and insert ghost workers on the government's payroll. For instance, a civil servant working for a certain department could create five bank accounts purportedly for several officers working for several ministries/departments such as extension worker stationed in Chitipa District, accounts assistant stationed in Ntcheu District (Chimjeka 2015). The civil servant will collect his numerous salaries from his bank accounts and share it with his accomplices (Chimjeka 2015). This audit report on the ministry of education raised issues of serious abuse of state resources 'requiring further follow up by accountability institutions if the public sector reform agenda is to be meaningful and not merely rhetoric' Chimjeka (2015).

### **Insufficient funding and lack of commitment by senior public officers**

Perhaps, a question would be what is the National Archives of Malawi doing to address the challenges of poor record keeping observed in the public sector? The answer to that question is very simple and inconceivable in the sense that the main setback to the operations of the National Archives of Malawi is financial limitations. Most of the national archives' programmes have not been implemented successfully in the past because the levels of funding have only been sufficient to support the administrative functions alone like payments of utility bills, fuels and other support services, while the rest of the technical operations have suffered to the detriment of record-keeping management in the public sector. The main reason for the inability of the archives to secure funds for its activities in recent times has been that when it comes to the evaluation of the activities of the national archives' budgets by the treasury, it is very difficult for resource allocators to appreciate and consider the functions of the national archives as a priority. Most activities have been overlooked because of their inability to forecast the revenue-generating potential of the government. However, management has tried to seek audiences with authorities to unlock the funds from the treasury. For instance, on 17 June 2005, the management of the national archives, took the unprecedented step to write a memo directly to the state president on the poor state of records management in the public sector and the need for increased funding to improve the situation on the ground (Memo ref MHQ/CUL/05/01). The president noted the concerns and instructed the minister responsible to factor the concerns into the

budget for that year. However, when the budget was approved, the increase of the funding was nominal.

## **New reforms in records management in the public sector**

The current reforms process may significantly improve the operations of the National Archives of Malawi because a functional review of the organisation and its operations recommended that the national archives be elevated to the status of government department. The new department should be renamed to National Records and Archives Services (NRAS) headed by a director. Previously, the institution was a division under the Department of Culture, headed by a deputy director of Culture. According to the reform process plan, the National Archives Act will have to be reviewed and processes are currently under way to review the Act. There is also a proposal in the plan to empower the NRAS in the new Act to have regulatory powers in records management. It is envisaged that this change should eventually lead to improvement in the operations of the NRAS. It is also envisioned that changing the profile and structure of the archives will significantly lead to improvement in records management in the public sector. However, structural reform changes like the creation of the new Department of National Records and Archives run the risk of being seen on its own merit as an achievement, without necessarily improving the service delivery of the institution. If the elevation of National Records and Archives Services, into the status of department, does not lead to increased resources to enable its efficient operations, the change will only be in the name and structure of the institution with little tangible benefits.

According to Chirombo (2015), with public sector reforms sometimes a challenge arises whereby reforms were focus on restructuring institutions while ignoring the role of systems. As such, the reforms may even not change anything because while the focus is on reforming the institutional structures, which may lead to increases in structural performance perceptions, other systems within the reformed institution will continue to behave as usual because there have been no corresponding efforts to reform these systems (Chirombo 2015). In this instance, if you only concentrate on reforming the managerial structure of the institution like National Archives of Malawi without the corresponding effort towards reforming the way the institution contributes towards improving information management in the public sector, the efforts may not bear the intended results. It could result in the undesirable scenario where you have excellent managerial structures but still have persistent poor records management systems making a mockery of the management restructuring and reforming process.

As previously noted, the Malawi public service reforms focus on service quality as part of the general direction of public sector management reforms, namely to improve the responsiveness of public sector institutions by requiring and

encouraging a greater emphasis on performance or results (PSRC report 2016). In this regard, the consolidation of reforms at the NRAS will hinge on the financial support the institution receives to implement a robust and improved records management programme to meet the needs of the public sector. Indeed, MDAs and the general public will expect more from the reformed NRAS, because of the assurances that once reformed to a public institution, it will efficiently and effectively serve them.

However, the experience since the inception of the new reform programme shows that the reform process itself is slow. For instance, the director of the newly formed department of National Records and Archives Services has only been appointed to office in February 2019, yet the reforms actively commenced in July 2017. The funding levels for the years 2017/2018 and 2018/2019 have remained relatively low to effect any significant changes to records management in the public sector. These funds are proving to be inadequate for sustainability of the newly created department, rather what is needed is a complete overhaul of the funding to a level that the institution would be able to implement and deliver improved records management programmes in the public sector.

Ideally, the reforms should have completely transformed records management systems in the public sector and established robust mechanisms for information management, but, currently, the situation is still a far cry from there. However, the goodwill is still there and should be seized by the NRAS. This goodwill by the government is evidently portrayed in the newly launched Malawi Public Service Management Policy (MPSMP) which identifies records management as an important aspect of good governance in the public service (MPSMP 2018:36). Among the strategies identified by the MPSMP to improve records management in the public sector is the reviewing of the policy, legislative and regulatory framework for records management (MPSMP 2018:36). The policy further identifies the need for strengthening the capacity of records management in the public service institutions (MPSMP 2018:36)

Accordingly, it can be categorically stated as Nwaomah (2015) argues that ‘the absence of information can cripple the planning and decision making process of management’. Despite the importance attached to records management and the crucial role that information and records play, it is surprising that the public sector reforms historically undertaken in Malawi have skipped and in some cases completely overlooked records management.

## **Conclusion**

From the preceding discussion, a few conclusions can be drawn. Firstly, when implementing reforms in the public sector, the government should strive not only

to empower public institutions to effectively carry out their functions, but also invest corresponding effort in improving information management systems for the reformed institutions because that will guarantee improved service delivery of the reformed institutions. Secondly, with increased adoption of information and communication technology platforms by MDAs, it is imperative to ensure that electronic systems are integrated with records management in order to secure the records generated electronically. Finally, this paper has argued that the focus of public sector reforms should not purely focus on restructuring public institutions and addressing dysfunctional operational systems, but consistent with this objective should also deal with other inefficiencies in the public sector, including records management.

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