

Records management service providers and the law:

What governmental bodies need to know

National Archives and Records Service  
of South Africa

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REPUBLIC OF SOUTH AFRICA

**The National Archives and Records Service of South Africa Act and the management of public records**

The National Archives and Records Service has a statutory responsibility to promote effective management of public records to support evidence-based governance and service delivery. Records created in electronic and paper-based record keeping systems contain the memory of governmental decision-making and its impact. The National Archives and Records Service also has a responsibility to ensure that this memory is maintained and protected for centuries to come.

The National Archives and Records Service of South Africa Act charges the National Archivist with the proper management and care of public records in the custody of governmental bodies. It specifies that no public record under the control of a governmental body may be transferred to an archives repository, destroyed, erased or otherwise disposed of without the written authorisation of the National Archivist. The Act also charges the National Archivist with the responsibility to determine the records classification systems to be applied by governmental bodies and to determine the conditions for the management of electronic records systems.

Heads of governmental bodies are accountable for all records management practices of the governmental bodies and should ensure that the body's records are managed according to the National Archives and Records Service's requirements as set out in the following publications.

- *Managing public records and the law: What governmental bodies need to know;*
- *Electronic records and the law: What governmental bodies need to know;*
- *Records managers and the law: What governmental bodies need to know;*
- *Records Management Policy Manual;*
- *Managing electronic records in governmental bodies: Policy, principles and requirements;*
- *Managing electronic records in governmental bodies: Metadata requirements; and*
- *Performance criteria for records managers of governmental bodies.*

These publications are available on the National Archives and Records Service's website or can, alternatively, be requested in hard copy from the Records Management Division.

**Using the services of consultants**

Implementing a sound records management programme requires a wide range of skills that may not be readily

available in-house. It may also be difficult for a governmental body to designate staff to give full-time attention to a records management project. In such cases, to supplement available expertise and assist the records manager, governmental bodies may consider using the services of consultants and/or contractors to

- *do records management audits*
- *compile file plans*
- *establish registry functions*
- *do back-log clearing and decongestion of registries and records storage areas.*

Consultants can play a beneficial role in developing and improving a governmental body's records management programme and assist staff in gaining expertise they need to maintain sound records management programmes.

**Considerations when hiring consultants**

The following should be considered before hiring consultants and contractors

- *Is the body's in-house expertise sufficient for a particular task?*
- *Has the body sought assistance through the National Archives and Records Service's publications?*
- *Has the body consulted the National Archives and Records Service's records management staff for advice?*

Should it be proven that a records management project cannot be managed in-house, it may be necessary to in source the expertise to assist with the project(s).

Before appointing service providers, governmental bodies should ensure that they have good knowledge of the National Archives and Records Service's records management requirements and that they have a proven track record in the field of records management. It is recommended that reference sites be requested in tender documentation.

### **Responsibilities of governmental bodies when procuring the services of records management service providers**

Using service providers to render records management services is a very costly exercise. To justify this expenditure and to make sure that the services of the service providers are used optimally to enhance records management practices, heads of governmental bodies should ensure that

- tender specifications and contracts with the service providers that are tasked with compiling the file plan(s) include the following services:
  - training the users in the use of the file plan;
  - doing knowledge transfers to the records manager regarding the maintenance of the file plan;
  - supporting the registry staff to implement the file plan;
  - regular hands-on support with regard to the file plan after the implementation.
- their commitment to the project is advocated to the users in such a manner that users are obliged to participate in the
  - file plan design;
  - training; and
  - implementation of the file plan.

Heads of governmental bodies should also ensure that the top and senior

management are committed to the project and that they participate fully in the project and in any records management training that is provided.

### **Responsibilities of records management service providers**

The services of records management service providers should be obtained via each governmental body's own tender procedures. To ensure that the work of the records management service providers is in compliance with the National Archives and Records Service's requirements, the National Archives and Records Service requires that the following responsibilities should be included when writing specifications for tenders and drafting contract agreements with records management service providers:

#### **• Designing and implementing file plans**

- Draft file plans according to the principles contained in the *Records Management Policy Manual* Part 3 and Annexure 5.
- Interview the users/records creators to ensure that the design of the file plan is aligned with the needs of the users.
- Train all staff on how to read the file plan.
- Provide implementation support during the implementation phase to enable the service provider to eliminate all possible teething problems during implementation.

#### **• Designing and implementing a registry**

- Establish registries in line with the *Records Management Policy Manual* Annexure 22 regarding registries and Annexure 21 regarding the protection of records.
- Design a procedure manual that sufficiently covers all paper-based and electronic registry procedures. It should be sufficient to be used as an in-house training manual.

- Train registry staff sufficiently to manage paper-based and electronic registry procedures.
- Provide operational support until the registry staff are able to function independently and until all users are using the registry optimally.

#### **• Back filing projects**

- Ensure that where approved file plan(s) exist for the period that the records were not filed, the unfiled records are filed against the relevant approved file plan(s).
- Ensure that where no approved file plan(s) exists for the period that the records were not filed the National Archives and Records Service is consulted to discuss the various options.

#### **• Decongestion/clearance project**

- Transfer records to off-site storage facilities according to the prescriptions of the National/Provincial archives services. See Part 4 of the *Records Management Policy Manual*.
- List and batch records for transfer to off-site storage facilities according to the National Archives and Records Service's prescripts. See Part 4 of the *Records Management Policy Manual*.

### **Further information**

Further guidance on the management of public records can be obtained from:

The Records Management Division  
National Archives and Records  
Service of South Africa  
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Tel: (012) 323 5300  
Fax: (012) 323 5287  
Fax to e-mail: 086 682 5055  
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<http://www.national.archives.gov.za>