

Full Length Research

THE MANAGEMENT OF PERSONNEL RECORDS FOR TRANSPARENCY, ACCOUNTABILITY, AND PROTECTION OF EMPLOYEE RIGHTS AT THE KISII UNIVERSITY IN KENYA

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The article gives an empirical assessment of how personnel records are managed at the Kisii University (KSU) to facilitate administration and protection of employee rights. The study employed the descriptive survey method and triangulation of both qualitative and quantitative methods of data collection. Data were collected through interviews, observations and content analysis of the university reports.

The major findings were that KSU does not retire employee records to a Records Centre; records of those who have since departed/retired are kept in boxes in a strong room, KSU is fast running short of filing space, and there is restriction of access to employee records. To improve on the management of employee records that continue to increase and are voluminous, KSU needs to establish a university records centre and retire records to an offsite records centre.

Keywords: Personnel records, records management, employee rights, accountability, transparency.

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INTRODUCTION

Similar to other organizations, employee records in the universities are very important. The Kisii University (KSU) in Kenya is no exception. Ever since the establishment of

KSU, academic and non-academic employees have joined and left the university. In the process, a lot of records have been generated to facilitate and support

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decision making, planning, coordinating and controlling staff activities. In some cases there have been challenges with regards to staff benefits and personnel records were unavailable to assist.

Utilization of employee records to meet personnel employee rights gives a reflection of transparency, accountability and respect of employee rights as enshrined in the United Nations Charter. In many organizations these records are poorly organized and utilized despite the vital or important information contained there. Emerson (1984) cited in Akporhonor and Iwhiwhu (2007) argued that personnel records pose a particular problem because of their "bulk, longevity, and sensitivity." In spite of the important role of records and archives in society, studies done in Africa have inadequately addressed issues related to how records and archives facilitate transparency, accountability and protection of employee rights in society (Kemoni, Ngulube and Stilwell, 2007; Ngoepe, 2004; Mnjama, 2003). Personnel records that contain information about individuals are also likely to be highly sensitive and confidential and must therefore be adequately protected from unauthorized access (State of New South Wales, 2003).

CONTEXTUAL SETTING

The Kisii University (KSU) is a centre of research, and has ties with Universities on the African continent and in the world. KSU strives to become a university of 21st century and reputable institution among the international fraternity of Universities. Since it was officially opened on 6th of February 2013, by H.E. Mwai Kibaki The President of the republic of Kenya i, a lot of staff records have been generated. Currently the staff establishment stands at 1400 for both teaching and non-teaching. KSU like any other University is guided by a vision and a mission in its institutional operations. As part of the broader Vision, KSU aims to be a world class University in the advancement of social welfare, research and academic excellence. The KSU Mission states that the University strives to train high level employee resource that meets the development needs of the country and international labour market, and to sustain production of high quality research and consultancy, and dissemination of knowledge, skills and competencies for the advancement

of humanity. The following are are some of the core values embraced in order to realize our vision and mission at Kisii University; Professionalism, Teamwork, Accountability, Transparency, Responsiveness and Integrity. As it carries out its mandate, KSU creates a lot of records. While the core business of the universities is learning, teaching, research and community development (Chinyemba and Ngulube, 2005) they create employee records of such staff to facilitate the execution of all those responsibilities.

Employee records are duly created for administrative purposes. According to International Records Management Trust (IRMT) (1999), personnel records provide a basis for decision making in every area of personnel work, including employee resources forecasting and planning; recruitment and selection; employment (including promotion, transfers, disciplinary procedures, termination and redundancy); education and training; pay administration; health, safety and welfare. IRMT further states that it is impossible to eliminate ghost workers from the payroll unless it is possible to establish an authoritative list of staff. This can only be provided from accurate personnel records. The employees whose services are engaged by universities are both academic and non-academic staff. Staff files are important as they serve as evidence that an employee really exists and that the employee's grade is appropriate to the paid salary and that any additional benefits are correct and duly authorized (Dzandu, 2009). It therefore implies that the employee records should be properly and systematically managed to foster such democratic values of transparency, accountability and protection of employee rights. If University personnel records are not properly managed or misplaced, then valuable evidence of who did what, when, why and how would be lost forever and may result in litigation. Accurate, complete, reliable right information available in personnel records assist university administrators for academic planning, personnel management particularly staff training and development, payment of pensions and gratuities, staff retirement, payment of wages and salaries, conflict resolution (Popoola, 2009). Proper records management requires the establishment systematic controls at every stage of the record's life cycle, in accordance with established principles and accepted models of records management.

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TRANSPARENCY

Transparency encompasses a wide range of elements involving political legitimacy, accountability and official competence. Transparency is also closely allied to public sector accountability, which in turn requires measurement and verification of government performance (Cain and Thurston, 1997). Transparency is central to the functioning of universities. It implies that the effective management of a university's resources is done in a manner which is open, accountable, equitable and responsive to the needs of the staff. Transparency could also mean the provision of good public services with transparent decision-making and implementation of policy without corruption. Staff records come in handy when important decisions are made about an employee. Decisions made by the Staff development Committee to allow a member of staff to proceed on study leave are based on the information found in the staff files. Personnel records are also used to meet appropriate disciplinary measures on individuals in a transparent manner. This implies transparency on the part of the university.

According to Cooper (2007), the key elements of transparency include legality and the rule of law; absence of corruption; absence of discrimination; procedural fairness in the decision-making process; substantive fairness in the decision making process; efficiency; civil service independence; the right to judicial review before an independent and impartial tribunal; and access to information. At the heart of transparency, therefore, is accountability, and ultimately that accountability is guaranteed before an independent, impartial and informed judiciary. These are also the bedrock principles of good administration. As such, transparency cannot be delivered without good administration. Best democratic practice requires that the actions of governments and their departments may be scrutinized by the courts. Personnel records contribute to transparency in that decisions that affect employees are made using their employee records.

ACCOUNTABILITY

Accountability, according to the Encyclopedia of Democracy, refers to "the ability to determine who in

government is responsible for a decision or action and the ability to ensure that officials are answerable for their actions" (Lipset 1995:9 cited in The Ghana Center for Democratic Development, 2011). Accountability is also defined as holding responsible elected or appointed officials and organizations charged with a public mandate to account for specific actions, activities or decisions to the public from which they derive their authority. In a narrow sense, accountability focuses on the ability to account for the allocation, use, and control of public assets in accordance with legally accepted standards. In a broader sense, it is also concerned with the establishment and enforcement of rules of corporate governance, avoidance of conflict of interest, and prudent as well as competent discharge of public trust (The Ghana Center for Democratic Development, 2011). Staff records contribute to accountability immensely. Decision makers in the University system such as the Vice Chancellor, Deputy Vice Chancellor, Registrar and various committees, are accountable to their actions as contained in the staff records. Such decisions include dismissals, allocation of benefits and entitlements; long service awards are allocated using the appointment letters, assumption of duty communication generated at department level, personal payments made to individuals or those on university business. Personnel records reflect which university officers were responsible for decisions that were made in every activity and this is an element of accountability.

PROTECTION OF EMPLOYEE RIGHTS

The Universal Declaration of employee Rights is built on the fundamental principle that employee rights are based on the "inherent dignity of all members of the employee family" and are the "foundation of freedom, justice and peace in the world" (Cooper, 2007). It recognizes that to be able to guarantee employee dignity, economic and social, as well as civil and political, rights need to be observed. The International Covenant on Civil and Political Rights (ICCPR) cited in Cooper (2007) details the basic civil and political rights of individuals, and duties attached to the state. Among the rights of the employee are the right to life; the right to liberty and freedom of movement; the right to equality before the law; the right to presumption of innocence until proven guilty; the right to

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be recognized as a person before the law; the right to privacy and protection of that privacy by law; the right to legal recourse when rights are violated; freedom of thought, conscience, and religion or belief; freedom of opinion and expression; freedom of assembly and association. Individual employee rights are observed in the management of personnel records. Staff records should only be accessed by a selected few individuals even in the HR section. This is because of the sensitive nature of personnel records. KSU HR avoids violating employee rights on privacy. The employee records they work with contain personal data that in some cases is found to be sensitive and confidential.

The rights in the International Covenant on Economic, Social and Cultural Rights (ICESCR) adopted from Cooper (2007) include the:

- a) right to work;
- b) right to equal pay for equal work;
- c) right to equal opportunity for advancement;
- d) right to form and join trade unions;
- e) right to strike;
- f) right to social security;
- g) right to special protection to the family, mothers and children;
- h) right to a standard of living adequate to the health and well-being of persons and their families including food, clothing and housing;
- i) right to education;
- j) right to a scientific and cultural life.

Job advertisements are posted on the KSU website and intranet to ensure that all employees will see and respond if need be. General announcements are made to inform KSU staff on various issues about the university. Important information about staff promotion, work conditions, right to education is contained in the KSU annual book that is available to staff on appointment and found in their respective departments. The terms and conditions outlined in the contract that is signed by an employee spell out issues about employment benefits, pension and entitlements. Consequently employees are required to submit accurate certified copies.

The human resource departments in any organization generate employee records in order to run their day today business activities smoothly. According to Popoola (2000)

cited in Akporhonor and Iwhiwhu (2007), what actually keeps the civil service going in any modern system of government is recorded information called "records," which are used for planning, decision making, and controlling. The need for a records management programme in all organizations cannot be overstressed even in the digital age. Employee records may be defined as "record that contain initial application forms, results of physical examination, interviewers' notations, test scores, periodical appraisals, transfer and promotions, disciplinary actions, releases and retiring wages, salaries, taxes paid, contributions and similar items" (Soveign, 1984 cited in Akporhonor and Iwhiwhu, 2007). Some or all the following information may be also included in an employee file: full name, address telephone number, age and sex, nationality, ethnic origin, religion, membership in trade union, and so on (Akporhonor and Iwhiwhu, 2007).

According to the State of New South Wales (2003), the commonly used personnel records include:

- a) personnel files for each employee and this is often known as personal or employee files (organized by name or position number)
- b) Non-employee-specific personnel files (organized by activity or topic), for example, procedural or policy files
- c) personnel database systems, either generic packages or custom built for the organization and at KSU the Navision database system is currently in use, and
- d) Integrated database systems with some personnel components.

Improved employee resource management is central to current development policy thinking. A World Bank report (1989) cited in Cain and Thurston (1997) identified weak public administration as one of the factors inhibiting sustainable economic growth in Sub-Saharan Africa. The report called for better personnel management in terms of staff testing, competitive entrance examinations, regular appraisals, promotion on merit, selective improvement in the pay structure and accurate personnel records (Cain and Thurston, 1997). Accurate personnel records help organizations in increasing the efficiency of recruitment, training and development, and promotion. They can also provide the raw data to monitor equal opportunities issues and the legal requirements placed on all organizations. Keeping records of employee skills and

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competencies aids an organization to pinpoint any particular opportunities to improve skills to match requirements. Personnel records are about people, and it is therefore in everybody's interests that the records are accurate and secure. Knowledge of this will contribute to better working relationships. Workers and their representatives will know what information is kept and why. It should promote fair and consistent treatment (ACAS, 2005).

STATEMENT OF THE PROBLEM

Professional literature on archives and records management pays little or no attention at all to the subject of managing personnel records even though these files are substantial. In comparison to financial records, which have clear retention periods, personnel records do not seem to have well developed retention period (Akporhonor and Iwhiwhu, 2007; Mnjama, 2001). At KSU, the main challenges faced in the management of personnel records include the absence of a dedicated University Registry/ Records Centre/ Archives for the storage of personnel records including the absence of a University Records Manager/Archivist tasked with the responsibility of managing the University records. The room where staff files are kept is now clogged with boxes of employee records is increasingly running out of space to keep the voluminous and ever growing piles of records that are generated by the HR department. Again the KSU HR department does not have documented retention and disposal schedules for managing personnel records. The main problem with managing personnel records at KSU is that staff records of deceased and retired personnel are placed in boxes not properly arranged, and are stored in a haphazard manner. There is no professional records officer responsible for the management of these records. Staff files are misplaced when moved from one office to another for administration purposes. Reports of employee records are misplacement, lost and failure to locate some records result in violation of staff rights. Filing cabinets are old, broken and thus difficult to open and close.

AIM AND OBJECTIVES OF THE STUDY

The aim of this study was to establish how the

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management of personnel records at KSU fosters accountability, transparency and respect of employee rights. To achieve this, the researchers were guided by the following objectives:

- a) To establish how KSU employee records are organized and classified,
- b) To determine the relationship between personnel records, transparency and protection of employee rights at KSU.
- c) To establish the storage and security status of personnel records at KSU
- d) To investigate if KSU has a retention/disposition schedule
- e) To determine the calibre and qualifications of the records management personnel at the HR department at KSU.

RESEARCH METHODOLOGY

In order to understand and examine the processes of personnel records management activities at KSU, the case study method was chosen as the research design guiding the research. The study population comprised 30 records personnel working with employee resource records from the university wide faculties and departments as of January 2016, from both academic and non-academic sections. Participants' educational background ranged from diplomas to Masters in Information Science degrees and their working experience ranged from 1 to 15 years. This means that information they gave to the researchers was valuable and the experience in working with records was relevant. Purposive sampling was used because of the in-depth nature of the study that required a particular characteristic of a population to provide data required to answer certain questions. Interviews were held with the Senior Assistant Registrar (Academic), Senior Assistant Registrar (Non-Academic) and Senior Assistant Registrar (Training) who were purposively sampled. Their ages ranged from 19 to 52 years old. Data was collected through interviews, observations and a study of university documents. A structured questionnaire was divided into sections with at least 3 questions that gave room for follow up. Section A was on biographical data, Section B dealt with personnel records on transparency, Section C

was on personnel records and the promotion of employee rights, Section D covered the storage and security of personnel records, Section E looked at the disposition and retention of personnel records while the last Section F covered the skills and qualifications of personnel records management staff. Due to the nature of their job, dealing with employee resource issues, a total of 2 hours and 16 minutes were spent interviewing the selected Assistant registrars. However, 2 opted to be interviewed together so that they would assist each other with information when it was necessary.

RESULTS AND DISCUSSION

From the interviews it emerged that KSU has a total staff establishment of 1400 employees distributed as 900 academic and 500 non-academic members. All employees have staff files that are created on appointment. There is no colour coding of the personnel records at KSU though it could assist in easing retrieval of files and avoid misplacement of files. The university uses alphabetic system in organizing its employee records. The HR department is headed by the Senior Assistant registrar who reports to the University Registrar. Faculties and Departments maintain personnel files for staff in their respective sections. However, these files are not as comprehensive as are the master files in the HR department. The faculties and departments receive copies of communication on individuals generated from the HR. Uwaifo's (2004) study similarly noted that the personnel records for the entire university are housed in the Establishment Division of the Registrar's office.

PERSONNEL RECORDS AND TRANSPARENCY

The study established that KSU HR department keeps employee records as a requirement of the Labour Act which states that the employer shall keep records of employees. The Tax Act of Kenya requires that employee records to do with taxation should be kept for not less than five years to cater for queries. In some cases Kenya Revenue Authority (KRA) inspects the taxation, pay and pension payment benefits. This shows transparency and transparency as Dzandu (2009) suggests that transparency is one of the pillars of good governance.

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The KSU HR department preserves personnel records in the storeroom. Non-active files of retired, deceased, resigned and dismissed employees are stored in a converted room accordingly by year of separation. These files are easily retrieved as was demonstrated to the researchers in one of their visits to the department. Contrary to Uwaifo's (2004) finding where respondents spent 16-30 minutes to locate a requested record, in this study it took less than six minutes to locate and retrieve a staff file. This efficiency could be attributed to the proximity of the offices. In the case of Uwaifo's (2004) study it was because of the system and the offices were far apart. Without proper records-keeping, it would be difficult to hold the university accountable for what it does. The KSU HR department endeavors to keep accurate records in order to make correct decisions and communicate proper information about employee resources matters at any given time.

PERSONNEL RECORDS AND THE PROMOTION OF EMPLOYEE/EMPLOYEE RIGHTS

Through interviews the research gathered that employees are free to check on their files about particular information such as accrual of leave days, query on the length of service or grades, errors on contract that may be corrected. So, by guaranteeing employee's rights of access to official information these personnel records are fundamental to democracy, accountability and transparency (Kemoni, Ngulube and Stilwell, 2007). This is done by making an appointment. The viewing of employee files' content is done in the presence of an HR Officer to ensure that no alterations are done either by adding or pulling out folios. This finding is in contrast to Mnjama's (2001) who noted that in ESARBICA region, employees of organizations have no access to information contained in their personnel files, whether that information is accurate or not.

Employee records at KSU are held in strict confidence and as such access to others' records is violation of employee rights. Through such restriction, employees are assured of employee privacy. Complete, accurate and reliable records are kept to enable the processing of employee entitlements such as retirement packages. Efficient information and records management provides for the protection of rights and entitlements of citizens

(International records Management Trust, 2005). On attaining another qualification employees are encouraged to submit evidence in form of certified copies so that the status is changed e.g. from Mr/s to Doctor or even to Professor.

The KSU HR department requires such information in order to update the employee records. The study established that KSU uses employee records for the purposes of rewarding hard working staff.

The study established that pension is payable to permanent KSU employees. Pension and medical contributions are compulsory to this category of employees. An employee is eligible for pension at the pensionable age of 55 years. In Kenya pensionable age range is 55 to 60 years but the university can pay benefits on early retirement at 55. Those who are dismissed are presumed to have withdrawn from the pensionable fund so they lose the employer's contribution fund but get some interest earned on benefits. Casual / temporary employees are not included in the pension scheme. To address pension benefits the HR department ensures that employee information about age, duration of service, marital status, number of legal dependents and salary is accurate. HR requests members to submit certified copies of birth certificate, national identity and passport for foreign nationals, marriage certificates and birth certificates of legal dependents. Employees are required to update number of dependents in the staff files. To determine the duration of service, the employer checks on the letter of appointment, memo generated by the head of section about the assumption of duty and the contract of appointment which determines whether an employee was appointed on temporary, contract or permanent status. As suggested by Kargbo (2009), complete employee records do certify and confirm pension, social benefits and other entitlements. This is consistent with Dzandu's (2009) assertion that a government is expected to protect and respect the rights and entitlements of its employees.

During the interviews it emerged that the Senior Assistant Registrar (Training) facilitates induction training designed to familiarize the new employees with KSU rules and regulations (Ironically the researchers experienced the same on joining KSU). The induction normally covers the employment conditions, records about leave and employees are informed about leave days as well as ensuring that information contained in the

staff files are correct. Employees are free to check the leave days with HR records. This is consistent with Deserno's (2009) definition that regards transparency as the availability of information to the public and openness about an organization's management, rules, regulations and decisions.

It also emerged that HR discloses corporate information through its website and emails to staff members, meetings, regular reporting and dialogues with employees. The HR posts job adverts and general announcements encouraging staff to take their leave days on the KSU website. Staff meetings are posted on the intranet. This is meant to create trust between the employees and KSU as an organization. Deserno (2009) suggests that by offering the public access to information, an organization meets the requirements of transparency and accountability, synonymous with good corporate governance.

STORAGE AND SECURITY OF PERSONNEL RECORDS

Personnel records at KSU are stored in a room which is kept locked when not in use. The university premise is under 24 hour security so cases of break-in and theft from outsiders are rare. This is consistent with Uwaifo's (2004) study where cases of records theft/misplacement were minimal. There is restricted access to the room. Employee records of principal officers i.e. the Vice Chancellor, Deputy Vice Chancellor, Registrar, Librarian, Finance officer and their deputies, Directors, Deans are all kept in the Registrar's office. The researchers observed employees' records that were kept on the floor. When asked, the Senior Assistant Registrar cited space shortages. In this way records are put on risk of absorbing moisture which could shorten their life.

Staff files for academic and non-academic are kept separately in the cabinets and are stored in an alphabetical order. The cabinet houses files of the same category such as for instance there is a cabinet housing secretaries' files, another one for lecturers, and another cabinet for technicians regardless of grades and notches. The study established that the KSU HR department faces such challenges as inaccurate records and leakage of confidential information at times.

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DISPOSITION/RETENTION OF PERSONNEL RECORDS

KSU HR department disposes of semi-current and non-current records by storing them in boxes. Some records deemed of less value are shredded/ destroyed. Uwaifo's (2004) study indicated that the records in Delta State University have no standard retention/disposition schedules for records; the records are never disposed of due to lack of an archival centre in the area. Similarly in the current study no records either semi-current or non-current are transferred to the Kenya National Archives and Documentation centre or records centre. Further probing revealed that the interviewees were not comfortable transferring records to an archival centre where they could not have direct control.

SKILLS AND QUALIFICATIONS OF THE RECORDS MANAGEMENT PERSONNEL

Records management practices can be executed efficiently when the records personnel are properly skilled. The study established that KSU HR personnel have qualifications in personnel management. Not even one staff has records management qualification. This confirms studies done elsewhere (Chinyemba and Ngulube, 2005; Uwaifo, 2004) where respondents did not have professional training in records management.

RECOMMENDATIONS

Based on the results and discussions with some identified setbacks the researcher has the following recommendations to make;

- 1) The study recommends that the KSU HR department can establish a post for a Records Manager/Archivist who can properly manage personnel records using the appropriate records management principles. This could be achieved by KSU HR Section trading one of their clerical positions for that of a records manager. This is consistent with Kemoni, Ngulube and Stilwell's (2007) suggestion that for records to foster transparency and accountability, they have to be managed by archivists and records managers

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- throughout their lifespan.
- 2) The study recommends that KSU should establish a university records centre where it can retire its non-current records. Employee records remain active for long periods therefore KSU may not utilize the local provincial records centre.
 - 3) KSU may engage the services of a professional archivist to appraise its personnel files and retain some records for corporate memory. Such records may be kept in the KSU repository for the purpose of organizational memory.
 - 4) The study recommends that the current KSU HR staff be taken through records management training to develop an appreciation of records management. By so doing the employees are equipped with relevant records management skills.
 - 5) There is need to conscientise the KSU decision makers on the importance of creating a Records manager's post, establishing the university records centre and the professional management of university wide records system.
 - 6) The study recommends that the KSU HR section adopts colour coding of its personnel records to avoid mixture of colours to avoid cases where clerical staff files found in administrators' cabinets would thus be avoided.
 - 7) The KSU HR section needs to develop and improve its personnel electronic records system in order to move with times in this modern technology. This could assist in providing space solutions for records.

CONCLUSION

The article has presented the definition of terms transparency, accountability and employee rights. It has demonstrated how KSU's HR department uses records to promote good transparency and respect of employee rights. Furthermore this article demonstrated how employee records are used to confirm employee pensionable benefits. It also highlighted how the staff files are stored and the security therefore with regards to protecting employee rights. The study presented the findings and the recommendations made to KSU in general but to the studied department in particular in order to improve the management of personnel records so as to protect employees.

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