UNIVERSITY OF KWAZULU-NATAL

THE ROLE OF RECORDS MANAGEMENT IN FOSTERING GOOD GOVERNANCE: THE CASE OF THE KWAZULU-NATAL REGIONAL LAND CLAIMS COMMISSION

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DECLARATION

I Babongile Lembethe declare that:

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DEDICATIONS

This piece of work is dedicated to my lovely angels' iSahluko and Lisabongwa Mshengu who could not enjoy most of their family time with mom during the frenetic demanding studying schedule.

LIST OF ACRONYMS

CLCC	Chief Land Claims Commission
CRLR	Commission on Restitution of Land Rights
DCLCC	Deputy Chief Land Claims Commission
DRDLR	Department of Rural Development and Land Reform
ECTA	Electronic Communication and Transaction Act
ELCM	Entity Life Cycle Model
EPMO	Enterprise Project Management Office
GG	Good governance
ICT	Information Communication Technology
ICT4D	Information Communication Technology for Development
IRMT	International Records Management Trust
KZN-RLCC	KwaZulu-Natal Regional Land Claims Commission
NARSSA	National Archives and Records Service of South Africa
NASAA	National Archives of South Africa Act
NDP	National Development Plan: Vision 2030
PAIA	Promotion of Access to Information Act
PAJA	Promotion of Administrative Justice Act
PMFA	Public Finance Management Act
RCM	Records Continuum Model
RDP	Reconstruction and Development Programme
RLCC	Regional Land Claims Commission
RLCM	Records Life Cycle Model
RLRA	Restitution of Land Rights Act
RM	Records Management
RSA	Republic of South Africa
SAHRC	South African Human Rights Commission
WPLP	White Paper on Land Policy

ABSTRACT

Land is a contested issue in South Africa. The post-1994 democratic government has brought forth various laws, policies, programmes and projects to deal with dispossession of land that occurred during colonisation and apartheid. The Department of Rural Development and Land Reform oversees the land reform agenda. The Commission on Restitution of Land Rights is nationally responsible for processing land claims with provincial commissions in each of the nine provinces. Processing land claims requires records management. Land claims processing has been fraught with delays, missing records, changing laws, diminishing budgets and dissatisfied claimants and land owners. These problems highlight the need for good governance. Therefore, the main objective of this study was to determine the role of records management in fostering good governance, including accountability, community participation, efficiency, effectiveness and transparency.

This qualitative study was underpinned by the interpretivism worldview, using the KwaZulu-Natal Regional Land Claims Commission (KZN-RLCC) a case study to explore records management for land claims processing. Sub-units of the KZN-RLCC were units of analysis; namely: information management unit, operations unit, finance unit and legal unit. The study was driven by a meta-conceptual framework of the record life cycle and record continuum models. Primary data were collected through in-depth semi-structured interviews while secondary data consisted of journals, books, laws and policy documents. Data were analysed through a combination of content, matrix and thematic analysis.

The study revealed that proper records management fosters good governance. In addition, data show, among other things, that the KZN-RLCC is faced with extremely heavy caseloads and does not always comply with records management policies and practices for a variety of reasons. It is recommended that KZN-RLCC invest in recruiting qualified personnel and/or provide training to present staff. It is further recommended that the information management unit receive sufficient support from top management, including designation of an official records manager. These along with other recommendations emanating from the study would facilitate efficient and effective record keeping, which in turn will promote good governance.

TABLE OF CONTENTS

LIST OF FIGURES

LIST OF MATRICES

LIST OF TABLES

LIST OF APPENDICES

CHAPTER ONE: INTRODUCTION TO THE STUDY

1.1 Introduction

According to Ndenje-Sichalwe (2010:1) records provide the proof of what individuals and organisations are doing or have done. They are a crucial aspect of accountability in institutions and the foundation of public history for future reference. The Library Information and Association of South Africa (https://www.liasa.org.za/default.aspx) suggests that maintaining records has a bearing on good governance (GG).

This chapter presents the outline of the study including the research problem that arose from the literature review and the research questions and objectives. In addition, the underlying reasons for conducting the study as well as the research methodology used and covered by the structure of the study, a table of key terms and definitions as well as a chapter summary bring the chapter to a close.

1.2 Background to the study

South Africa began the process of land reform before the democratic elections of 1994. A number of legal instruments that concerned with property rights have been in existence since 1993. The Interim Constitution of the Republic of South Africa (RSA 1993) provided for land reform. The South African Constitution of 1996 (RSA 1996) contributed to the land reform discourse and established public administration requirements which are linked to executing land reform. The Constitution (RSA 1996) is the supreme law giving a mandate for restoration of land rights. While the Restitution of Land Rights Act (RLRA) 22 of 1994 was enacted to advance land reform, the 1996 Constitution, sections 25(5), (6) and (7) was the basis for the development of various other legislations concerning land rights. These three sections are:

- "A person or community dispossessed of property after 19 June 1913 as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an act of parliament, either to restitution of that property, or to equitable redress";
- "The state must take reasonable legislative and other measures, within its available resources, to foster conditions which enable citizens to gain access to land on an equitable basis"; and
- "A person or community whose tenure of land is legally insecure as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an act of parliament, either to tenure which is legally secure, or to comparable redress" [South Africa Constitution, RSA 1996, sections 25(5), 25(6) and 25(7)].

The legislative mandate for the Regional Land Claims Commission (RLCC) is resulting from section 25(7) of the Constitution (RSA 1996) that was promulgated. Before the 1996 Constitution was finalised, the RLRA 22 of 1994 was enacted in conjunction with both the 1993 Interim Constitution and the Reconstruction and Development Programme (RDP) of 1994 (RSA 1994). The RDP aimed to meet the basic needs of South Africans and land was one amongst the priorities which were listed along with water and sanitation, jobs, housing, healthcare and nutrition. Land reform is considered central to addressing the imbalances of the past caused by dispossession of land rights. The RLRA allowed individuals, families and communities wronged to file land claims (Boudreaux 2010:15).

Another legal instrument which was developed by the Department of Land Affairs is the 1997 White Paper on Land Policy (WPLP) (RSA 1997). It is related to section 25 of the South African Constitution (RSA 1996) which outlines the strategies to be followed and how the policy should be applied in the land reform programmes. "Success of the programme is dependent upon various services in support land reform, demanding complementary working arrangements between various governmental spheres and partnerships with nongovernmental organisations and the private sector" (WPLP, RSA 1997:7). While the Department of Land Affairs previously oversaw the land reform trajectory, it is now overseen by the Department of Rural Development and Land Reform (DRDLR). Land reform in South African requires intergovernmental relationships. For example, the national Commission on the Restitution of Land Rights (CRLR) and the nine provincial Regional Land Claims Commissions work together to handle land reform and land claims. The reasons for establishing the CRLR are outlined in section 4 of the RLRA (RSA 1994), as amended. All South Africans whose land rights were infringed by apartheid are entitled to restoration or compensation. Dispossessed individuals have to lodge land claims with the CRLR. The composition of CRLR includes a number of commissioners representing national and provincial government. The commissioners enforce and ensure the implementation of the RLRA (RSA 1994), as amended (Boudreaux 2010:15; South African Human Rights Commission (SAHRC) Report 2013). Section 6 of the RLRA (RSA 1994) empowers the RLCC to conduct research on land claims, compile memoranda for settlement and adjudicate where disputes arise, refer such disputes to the Land Claims Court and to generate documentation showing how claimants will receive redress (SAHRC Report 2013). This is further discussed in section 4.2.

Dispossessed individuals and groups were expected to file claims between 1995 and 1998. In 2013 the DRDLR worked on a document called the Rural Development Framework (2013:7) which aimed at supporting land reform programmes for those previously dispossessed of land due to racial discrimination. The relevant land reform components for the purpose of this study are the government's responsibility to:

- Foster land distribution "conditions which enable citizens to gain access to land on an equitable basis".
- Provide "tenure which is legally secure or to comparable redress".
- Provide "restitution of that property or to equitable redress" (Rural Development Framework (2013:7)

Pursuant to the amendment of the RLRA in 2014, the time within which to file land claims was enlarged to between June 2015 and June 2019 (Boudreaux 2010:19). However, on 28 July 2016 the South African Constitutional Court interdicted the CRLR from processing claims lodged from 1 July 2014 until it first settled all land claims lodged by 31 December 1998 (Constitutional Court Judgement, case no. CCT 40/15 available at https://dvh.law.za/) Hence it is likely that the slow processing of land claims contributed to the court's decision to disallow reopening of lodgement claims.

Challenges facing the KZN-RLCC, as well as other provinces, besides processing delays, include lack of access to information collected by the RLCC, misplaced records and the lack of or poor communication between the RLCC and stakeholders (SAHRC 2013:10, 30, 40). In addition, to Pienaar (2009:20-21) "settling and adjudication of land claims, are mostly linked to a lack of good governance, especially a lack of transparency, communication, financial management, accountability and efficient administrative systems".

It is the responsibility of the KZN-RLCC and other commissions across to the country to ensure that individuals and communities reap the benefits of land redistribution, tenure, and restitution. Competent records management (RM) and good governance (GG) seem necessary elements for processing land claims. This is because records and GG are crucial in processing claims. The verdict and settlement of land claims is dependent upon the availability of information that can be used as evidence. Only authentic records that can be used by officials to take sound decisions while allowing for public participation in those decision makings. Transparency, accountability cannot be ensured without proper records and in turn GG cannot be practised where records are misplaced.

1.3 Problem statement

De Vos (2011:108) is of the view that the research problem must capture the important focus of the study Brynard and Hanekom (2013:17) state that the research problem should be presented clearly and succinctly. In South Africa, land is a contentious issue given the country's history of colonialism and apartheid. Millions of Africans indigenous to South Africa were dispossessed of land. The problem remains unresolved although the democratically elected government has tried

to address it. In light of the South African Human Rights Commission's report (SAHRC, 2013) as well as the South African Constitutional Court's denial of the CRLR's attempt to reopen the time within which to lodge a land claim, it has become evident that RM at the CRLR is problematic. This includes some of the RLCCs being problematic as well. Many scholars opine that public institutions seldom take management of records seriously (Ndenje-Sichalwe 2010:20; Wamukoya 2009:337; Kargbo 2009:255; Kemoni 2007:69; Van der Walt 2009:116; Mutula and Nengomasha 2009:122; Moloi and Mutula 2007:302; Ngoepe 2008:43) Failing to engage in RM impedes the efficiency of government departments when attempting to enhance service delivery, increase productivity and accomplish good governance (GG).

Good governance is concerned with accountability, transparency, public participation and trust in government integrity, institutional memory and achievement of outcomes. These elements of good governance cannot be achieved in the absence of effective and efficient RM (Mehluli and Makwanise 2012:191). Governments should maintain records "to prove accountability when they need to show that they have met their obligations or complied with best practices according to the established policies" (Okello-Obura 2012:15; Masuku and Makwanise 2012:190; Ndenje-Sichalwe 2010:21-22). This means that the CRLR generally and the KZN-RLCC in particular must engage in effective reporting and oversight and be transparent about processing of land claims, not unlike other government departments. In addition, Information Communication Technology for Development (ICT4D) has offered new inroads for e-government (Walsham 2017:37; Rivett and Loudon 2010:33). Unfortunately e-government projects often fail (Rivett and Loudon (2010:33), in part because of lack of e-readiness and lack of involvement of a wide range of stakeholders from different disciplines. In other words, ICT4D could assist with improvement of processing land claims but there is no evidence of the ICT4D experience at KZN-RLCC which compounds the problem.

Access to information as well as effective and efficient records management (RM) are essential for public governance (Ngoepe 2010:83). Accurate and relevant public records provide an evidentiary basis so that government can preserve the rule of law and practice in a democratic society (Okello-Obura 2012:205; Ngoepe 2008:1). Records management strategies "also protect citizens' rights, such as their right to ownership of land, documented through land registration records, or their right to pensions, documented through employee or personnel records" (Ngoepe 2008:2). It is problematic if citizens are unable to participate in government by at least being informed of what records reflect (Kenosi 2011:20). It is only through record-keeping that the KZN-RLCC can develop and maintain institutional memory and uphold its responsibility to affording redress to millions of South Africans who were dispossessed of land (Mukwevho and Jacobs 2012:34). The fact that the CRLR was unable to produce records for court cases regarding

land claims raises questions of integrity of records (IRMT 1999b:58-60). Outcomes of processing land claims cannot be achieved without sound RM (Mukwevho and Jacobs, 2012:34). Government is expected to engage with its citizens as outlined in the Batho-Pele principles. Yet there is little empirical research on "the importance of RM in fostering accountability in the implementation of reforms programme in the public service" (Ndenje-Sichalwe 2010:21). Given the issues at KZN-RLCC, this study will explore the role of RM in fostering GG at KZN-RLCC in an effort to help address internal administrative issues related to the land claims dilemma in South Africa.

1.4 Research questions

This research project is guided by five research questions that are preceded by the main research question which is:

- What is the role of records management in fostering good governance?

The sub-research questions are namely:

- What legislative frameworks are available for records management?
- What is the status of records management practices at KZN-RLCC?
- To what extent do KZN-RLCC staff have the relevant knowledge, skills and competencies pertaining to records management?
- What is the status of e-records readiness at KZN-RLCC?
- What is the link between records management and good governance?

1.5 Research objectives

The main aim of the study is to find out the role of records management in fostering good governance.

The main research objective is:

- Determine the role of records management in fostering good governance.

The research sub-objectives of this study are to:

- Discuss legislative frameworks pertaining to records management.
- Examine the status of records management practices.
- Assess the level of knowledge, competencies and skills pertaining to records management amongst KZN-RLCC staff.
- Evaluate the extent of e-record readiness.

- Establish the link between records management and good governance.

1.6 Motivation/rationale for the study

De Vos (2011:107) says a research study must be convincing to the readers. The value of the study must be seen by the reader through its relevancy to various settings. The findings must be of use to other settings of similar nature. There are a number of reasons for the underlying motivation and rationale for conducting this study. One motivation is the SAHRC (SAHRC 2013:10) study that determined, among other things, during a court case, the KZN-RLCC was unable to retrieve necessary records. Another motivation is that, as an employee of the KZN-RLCC (although not in RM), the researcher has observed that sometimes files are inadvertently misplaced. In some records, documentation such as claim forms are missing from files. There seems to be lack of security control measures at registry as well as non-adherence to registry procedures. These factors place service delivery and good governance in jeopardy. Avoiding such jeopardy is a rationale for conducting this study. For example, management of records is a vital aspect of government, and compliance with the principles of RM should be adhered to in order to ensure accountability. Good governance is only possible when RM principles are followed. Principles such as accountability, efficiency, effectiveness, transparency and participation are a guide to GG which cannot exist without records because information underpins GG (Mohamed–Sayeed, Pillay & Reddy 2014:73). It is apparent that without reliable written evidence, accountability and transparency will be minimal. Yet another rationale is that findings from this study could assist other RLCCs throughout South Africa's provinces.

1.7 Significance of the study

According to De Vos (2011:107), "research study must contribute to the literature available, must have meaning and should be of benefit to the targeted group". While the study draws from different scholars who have written about the subject, it also examines new phenomena in the role played by RM in fostering good governance of land claims. It is envisaged that findings from the study will assist KZN-RLCC and other commissions with recommendations for improving RM. In addition, land reform programme as a redress programme was included in the National Development Plan: Vision 2030 (NDP) (RSA 2011). It is illustrated in chapter six of the NDP indicates that land reform acceleration could lead to raising the economy of the country through agricultural production. Agriculture was found to be having the potential to create jobs and alleviate poverty. Findings from this study then, can help advance the NDP. In this respect, the NDP can be seen as more likely to materialise if the KZN-RLCC office adheres to the RM principles which in turn will lead to good governance.

1.8 Research paradigm

Du Plooy-Colliers, Davis and Bezuidenhout (2014:19) define a research paradigm as a set of beliefs that influence what should be investigated, how the research should be conducted, and the process to be followed for interpretation of results. Research paradigms are sometimes referred to by scholars as worldviews or traditions. Du Plooy-Colliers, Davis and Bezuidenhout (2014:19) note that while paradigms are used in natural sciences, they are also used in social sciences to refer to research traditions or worldviews. Creswell (2014:5) refers to research paradigms as philosophical worldviews. According to Creswell (2014:6) worldviews are general philosophical positions about a certain phenomenon and the nature of research that the researcher brings to the study. An interpretivism paradigm is adopted in this study as discussed in Chapter Three.

1.9 Research design and methods

Research design is a plan of investigation that a researcher decides to adopt in a study. This plan provides direction for procedures to be followed in a research. Research design comprises quantitative, qualitative and mixed methods. It is defined by Kumar (2014:123) as a structure for investigation and is sometimes called a road map that a researcher decides to follow during research journey. The research plan involves data collection and analysis that will assist the researcher in answering research questions or make it possible to test a hypothesis. A qualitative research approach and case study strategy were employed to explore RM and GG at KZN-RLCC. Primary data were collected through semi-structured interviews (Saunders, Lewis and Thornhill 2012:45).

Secondary data were retrieved through journal articles, books, legislations and policies. These are delineated in Table 2-1 in Chapter Two. The researcher used non-probability strategy with the purposive technique for sampling of primary data (Babbie and Mouton 2014:166-167). Data quality control meant making efforts to safeguard the data collection and data analysis processes. The aim was to collect and analyse data keeping credibility, transferability, confirmability and dependability in mind (Du Plooy-Colliers, Davis and Bezuidenhout 2014:258-259). A combination of content, matrix and thematic analyses were used to analyse qualitative data. Finally, ethical clearance protocols were granted approval by UKZN Research Office in keeping with ethical principles. Section 1.10 presents definitions of important terms.

The study now turns to key terms and definitions on overleaf.

1.10 Definitions

Table 1-1 shows the definitions of key terms utilized in the study.

Table 1-1: Definitions of key terms

Key terms	Definitions
Appraisal	An "archival function of determining eventual disposal of records". (National Archives and Records Service Act (NARSA) 43 of 1996)
Archival value	Those "values, administrative, fiscal, legal, evidential and/or informational, which justify the indefinite or permanent retention of records" (National Archives and Records Service of South Africa, Records Management Policy Manual 2007: vi)
Archives	"Materials created or received by person, family, organisation, public or private, in the conduct of business of their affairs and preserved because of the enduring value contained in the information they contain or as evidence of the functions and responsibilities of their creator" (Brown, 2014:14).
Archives repository	The building in which records with archival value are preserved permanently (National Archives and Records Service of South Africa, Records Management Policy Manual 2007: VI)
Disposal	The "action of either destroying/deleting a record or transferring it into archival custody" (National Archives and Records Service of South Africa, Records Management Policy Manual 2007: VI)
E-Governance	"Public sector use of information and communication technologies with the aim of improving service delivery, encouraging citizen participation in the decision-making process and making government more accountable, transparent and effective" (Mukonza, 2014:500).
E-Government	"Use of information and communication technology (ICT) to improve the delivery of government services and information, enhance the efficiency and accountability of the public administration and strengthen economic performance" (Nkala, Ngulube & Mangena, 2012:109).
Electronic record	"Recorded information created or stored in an electronic format" (The National Archives and Records Service Act 43 of 1996).
Good governance	The "state of excellence in decision making and conformance to rules/regulations" (Masuku & Makwanise, 2012:188).
Governance	The "process whereby decisions are taken and implemented" (Sebola, 2014:996).
Information management	The "process of planning, controlling and use of information resources" to execute organisational activities (IRMT 1999a:56).
Preservation	The processes and operations involved in ensuring the technical and intellectual survival of authentic record over time (Msibi, 2015:7)
Public record	A document for public purposes maintained by a governmental body (IRMT 1999a:10).
Record	"Recorded information produced or received in the initiation, conduct or completion of an institutional or individual activity and that comprises of content, context and structure sufficient to provide evidence of the activity" (Brown 2014:14).
Record keeping	The process of keeping track of organisational activities on a daily basis (The National Archives and Records Service of South Africa Act 43 1996).
Records management	"Procedure for controlling the creation, receipt, care, use and discarding of records to ensure accountable and transparent governance" (Ngoepe & Ngulube, 2015:3).
Retention schedule	Document specifying the length of time that records must be stored on site before transferred, archived or destructed (Ndeje-Sichalwe, 2010:80).

Sources: Various authors as indicated per definition.

1.11 Structure of the dissertation

Structure of the dissertation is depicted in table 1-2 showing what is contained in each chapter.

Table 1-2: Structure of the dissertation

Name of chapter	Synopsis of chapters
Introduction to the study	Chapter one presents the context of the entire study, the research problem statement and identifies the research questions and objectives. It then goes on to briefly highlight research design before providing key definitions and the structure of the dissertation.
Records management and good governance	Chapter two discusses literature from various scholars on records management and good governance. The chapter presented the legislative and the conceptual framework that guide the study namely: the records life cycle, entity life cycle and records continuum.
Research design	Focused on research design and methods employed for purposes of data collection. The study utilised a qualitative research method using face-to-face in-depth interviews.
Data presentation and analysis	Presented data collected through qualitative method and the data was analysed.
Findings, conclusions and recommendations	Discusses findings, conclusions and recommendations for records managements and good governance and illustrate how the chapters answer the research questions and also responded to the objectives of the study.

Source: Researcher fieldwork, 2016.

1.12 Chapter summary

Chapter one encapsulates what is contained in this dissertation. In this chapter the research background, problem statement, motivation for the study, research questions and objectives, research design, ethical consideration and definitions are highlighted.

CHAPTER TWO: RECORDS MANAGEMENT AND GOOD GOVERNANCE

2.1 Introduction

A review of literature is a very significant part of research because it enables the researcher to see what has been researched before in the field and to identify issues worthy of study (Babbie and Mouton 2014:566; De Vos 2011:109). This chapter presents literature that examines different perceptions on RM and GG. To begin with, the chapter will outline RM trends at the KZN-RLCC, followed by the legislative frameworks underpinning RM. Records management, GG and public administration will be broadly discussed. This includes RM objectives, processes, practices and principles, as well as e-records and e-governance. Benefits of RM and the link between this and GG are considered. Conceptual framework underpinning the study is likewise presented in this chapter. The research will endeavour to ascertain whether good RM plays a role in preserving and fostering GG.

2.2 Record management trends: KZN-RLCC

The KZN-RLCC is mandated to process land restitution claims and compensate beneficiaries as per the provision in section 25(7) of the 1996 Constitution and other policy frameworks highlighted in section 2.3. The KZN-RLCC office is encountering RM challenges such as missing files and lack of communication with stakeholders; which hinders service delivery (SAHRC, 2014:40). Over the years paper-based systems have tended to give way to electronic systems. During 1995 to 1998 claims were lodged manually, a specific claim form was designed. Claim forms were distributed to claimants who filled them in and returned them to the office. Claims lodged were acknowledged through letters from KZN-RLCC.

A RM system called Land Base was once used to capture claims. However, it was later phased out because of information communication technology (ICT) related challenges. Shortly thereafter, the Umhlaba Wethu electronic interface was introduced. It too faced ICT problems to the point of the system crashing making some information irretrievable. Next came the Electronic Document Management System (EDMS) whereby all physical files were digitized and saved in electronic format making records more accessible. Recently the Enterprise Project Management Office (EPMO) programme has come on board and is expected to facilitate consistency between project management and accomplishment of goals and objectives.

Even with e-government strategies for lodgement of claims, paper records are still to be kept as evidence. Nevertheless, digital processes mean that claimants more readily received reference numbers once their claims were lodged into the system. Hence, ICT is being used to communicate and store documents and claims unless the RLCC requests a paper format. The next section shows legislative mandates related to the work of KZN-RLCC.

2.3 Legislative framework and policies guiding record management

There are various pieces of legislation that govern RM and these are summarised in the table below. The prescripts and policies which deal with RM in South Africa universally emphasise the necessity for proper management. Scholars highlight that the South Africa government has good policies in place, a regulatory framework and infrastructure that encourages transparency, effective governance and ensures accountability (Mukwevho and Jacobs 2012:37; Mutula and Mostert 2010:38). These legislations and policies provide direction on how records should be managed from creation stage to its final disposition. Table 2-1 below illustrates some of the relevant laws and policies for RM.

Table 2-1: Records management legislations and policies

Source of legislation/policy	Provision of legislation and policy
Republic of South Africa Constitution (RSA 1996)	Sections 32, 33 and 195 are foundational to information management rights. Section 32 provides for access to information stating that information kept by the public office must be accessible while section 33 (a) (b) (c) specifies that individual rights affected by administrative law must be made available in writing. Section 195 provides principles to be followed by government such as subsection 195 (f) which requires accountability and transparency.
National Archives of South Africa Act No. 43 of 1996 (NASAA) (RSA 1996)	Promotes RM efficiency. For example, Section 13 of NASAA gives powers to the national archivist to ensure proper creation and protection of records.
National Archives and Records Services of South Africa Regulation No 158 of 2002 (NARSSA) (RSA 2002)	NARSSA outlines guidelines ensuring proper care of records and put security measures in place for all records created or received.
Public Finance Management Act No. 1 of 1999 (PMFA) (RSA 1999)	Governs financial resources of organs of state. For instance, Section 36 (2) requires officials to keep proper records for accountability purposes. Section 10 (1) (b) provides for compilation of financial statements for audit purposes.
Promotion of Access to Information Act No. 2 of 2000a (PAIA) (RSA 2000)	Encourages transparency with the aim of facilitating access to information.

Source of legislation/policy	Provision of legislation and policy
Promotion of Administrative Justice no. 3 of 2000b (PAJA) (RSA 2000)	Specifies how government must interact with people. It enforces constitutional values and promotes effective governance, transparency and accountability, including the documentation of the lawful and procedurally fair administrative action of governmental bodies.
Electronic Communication and Transaction Act (ECTA) 25 of 2002 (RSA 2002)	Establishes e-records as true evidence of transactions and legally admissible in courts or other tribunals and forums.

Sources: National Archives Records Management Manual 1999:13; Ngoepe 2015:2-3; Katuu and van der Walt 2016: 686-690).

Each legislative framework is discussed in turn. The South African Constitution (RSA 1996) Sections 32, 33 and 195 are highlights issues to be considered in the management of information and is a base to RM related policy formulation. Section 32 of the Constitution gives effect of right of access to information. Moreover, the Constitution states that the public has a right to access information. Section (195) of the Constitution highlights principles and values that govern the public administration, emphasising how the provision of accurate and accessible information can foster accountability and transparency to address the needs of the public. This section also allows for the participation, promotion and maintenance of high standards of professional ethics (Marutha, 2011:42). The citizen's right to information that is held by the state is also catered for in sections 32 and 141 of the Constitution and such information can also be used to protect individual's rights. Records management then, seems to have a role to play in GG.

Section 13 of the NASAA (RSA 1996b) promotes efficient RM. It makes the national archivist responsible for ensuring the proper protection and management of records that are of value, whether public or private. The NARSSA (RSA 2002) is a regulation that gives full force and effect to NASAA (RSA 1996b). It requires organs of state to "ensure that records receive proper physical care and have effective security measures in place" (Marutha 2011:21). The NARSSA regulations guide RM for the country. Records can only be disposed of upon written authorisation from NARSSA (RSA 2002) (Marutha 2011:33-34).

The PMFA (RSA 1999) is a pillar of GG that serves as a control mechanism to avoid maladministration for public finance. For instance, Section 36 (2) requires accounting officers to keep proper records. Accounting officers are obligated by Section 10 (1) (b) to prepare annual financial statements which they submit for auditing to the Auditor General, which can only be prepared with sound RM.

On the one hand, PAIA (RSA 2000) mandates proper RM to enforce and promote access to information in state custody and to maintain the protection of people's rights. NARSSA and PAIA work hand in hand. Both legislative prescripts encourage people to understand and exercise their rights, comprehend functionality of organs of state function and critically analyse governmental activities as a vested participant (NARSSA Guidelines, 2004:2). On the other hand, PAJA (RSA 2000) is concerned with "lawful, reasonable and fair administrative action" (Ngoepe 2004:8). Such actions must be documented. This law obligates government to ensure that the public is informed of the decisions made and given reasons for these decisions. This will ensure the reasonable and procedurally fair administrative action to everyone

Finally, the ECTA (RSA 2002) was established to ensure electronic information, inclusive of data messages, is authentic and can be relied upon as true evidence of a transaction. This is recognition of ICT in records management. It helps regulate South Africa's national e-strategy for electronic maintenance of records (Wamukoya and Mutula 2005:74).

For many reasons all these legislations and others are relevant to comprehensive record management as shown in subsequent chapters.

2.4 Records management

2.4.1 Understanding records, documents and archives

Records management has been in existence since ancient times in various forms such as writings, recordings through a variety of mediums including ancient clay tablets, papyrus and many other forms (ISA 2009:3). In the 21st century which is considered an information age and a knowledge economy, RM becomes even more important. At the outset it worth knowing interrelationships of the terms record, document and archives which have been defined by various scholars.

As to the term 'record', some scholars see it as written information captured in any format created and or received during the execution of business and kept as proof of the daily dealings (Coetzer 2012:3; Chaterera 2013:8). For Dikopoulou and Mihiotis (2012:123) it is a tool of accountability that facilitates legal compliance. Brown (2014:14) argues that "a record is recorded information produced or received in the initiation, conduct or completion of an institutional or individual activity and that comprises of content, context and structure sufficient to provide evidence of the activity". This study follows Brown's definition.

According to Dikopoulou and Mihiotis (2012:124) a document is information generated or received and maintained, while IRMT (1999a:5) refers to it as a unit of recorded information. Irrespective of form or medium, a document is created, received, maintained and used by an organisation (public or private) or an individual in pursuance of legal obligations or in the transaction of business, of which it forms a part or offers evidence. Documents are foundational to records. These treasured assets safeguard service delivery, as they support policy development and decision making (Ndenje-Sichalwe 2010:3). Records document evidence to advance the rule of law and democracy (Masuku and Makwanise 2012:191).

Turning to archives, Brown (2014:14) defines them as "materials created or received by person, family, organisation, public or private, in the conduct of business of their affairs and preserved because of the enduring value contained in the information they contain or as evidence of the functions and responsibilities of their creator". The terms archives and records are sometimes used interchangeably. Although they both refer records, they differ in their life span. Archives are non-current but valued to an extent that requires preservation to prolong life; usually in a facility or area designed for that purpose (Yuba 2013:23; Msibi 2015:7, 32).

2.4.2   Purpose and objectives of records management

There are numerous reasons for management of records. Richmond (2010:28) highlights five as depicted in figure 2-1. With proper RM, an organisation is able to preserve its memory, and the record is critical because the organisation is able to preserve proof of accountability to the public. Where there are no records, conclusions cannot be made about whether an organisation has achieved its set outcomes (Kenosi 2011:22). Figure 2-1 shows the purpose of RM.

Figure 2-1: Purpose of records management

Source: Researcher's literature from various sources 2018.

As Figure 2-1 shows, the purpose of RM is to design to create, store and maintain documents in a way that ensures easy and efficient retrieval of information. Records management supports decision making. An organisation is able to make informed decisions when there is reliable information. Organisational policies should advance records management. The records should be created and organised in such a way that they can be easily retrieved on request. In terms of reducing cost, the organisation or the company can waste money due to missing information. If the information is properly managed and stored, it is easy to track and retrieve the information timeously. In conclusion, the service becomes efficient. There are also certain objectives of RM which are next discussed.

Most scholars agree on the purpose of RM (Cho 2009:4; Dekopoulou 2011:124; Maseh 2015:52). To Cho (2009:4) the purpose of RM is "the efficient and systematic control of the creation, receipt, maintenance, use and disposition of records, including processes for maintaining and capturing evidence and information about business activities and transactions of business in the form of records". Similarly, Dekopoulou (2011:124) and Coetzer, (2012:4) indicate that RM should be responsible for "the systematic control of all records from their creation or receipt, through their process, distribution, organisation, storage, and retrieval, to their ultimate disposition".

2.4.3 Managing physical and electronic records

For an organisation to function efficiently and effectively, Makhura (2005:51) argues that both physical and electronic records need to be managed properly. The IRMT (1999a:3) has summarised the processes that needs to be followed when managing both physical and electronic records as shown in Table 2-2.

Table 2-2: Records management process

Stage	Process
Collecting	Determine significance and keep it for subsequent use.
Systematising	Design a mechanism for locating, protecting and destructing.
Maintaining	Keep records safe and free from defacement.
Safe-keeping	Invent modalities that involve planning for avoidance of records becoming unreadable or otherwise unusable.
Locating	Create methods and tools for getting specific records where users are entitled to do so.
Tracking	Know the status of records at any point in time.
Destroying	Decide a time-frame for retaining records and a system for appropriate destruction.

Source: Adapted by researcher from IRMT (1999a:3)

Consistent with the stages in Table 2-2, RM systems can ensure institutional memory but an organization must design and implement policies and procedures for this purpose (Garaba 2015:3).

Turning to electronic records, these are best understood in terms of e-records, and for this study, e-government and e-governance. These electronic modalities are made possible by application of ICT to public organisations in furtherance of knowledge management (Singh 2012:279). Moloi and Mutula (2007:290) and Mutula and Wamukoya (2005:67) define e-records as recorded information, documents or data providing transaction and activities carried out in government. Electronic records come in a variety of forms according to these authors, such as "text, data graphics, images, video, audio, email, internet content".

According to Nkala, Ngulube and Mangena (2012:109) "e-government is a generic term for web-based services from agencies of local, state and federal governments. In e-government, the government uses information technology, and particularly the internet, to support government operations, engage citizens and provide public services". E-government is intended to improve both government accountability and service delivery (Mukonza 2014:501). E-governance is sometimes referred to as a tool of e-government. Mukonza (2014:500) sees e-governance as "the

public sector use of information and communication technologies with an aim of improving service delivery, encouraging citizen participation on the decision making process and making government more accountable, transparent and effective". In other words, e-governance supports good governance (Nkala, Ngulube & Mangena 2012:109-110).

2.4.4   Record management principles

Best practices of RM are achieved when principles are observed. "The guiding principles are there to ensure that information is available when needed and where needed in an organised and efficient manner and in a well-maintained environment, it is vital that records management principles are adhered to ensure the importance of records management" (National Archives of Scotland 2013:1).

International Records   Management Trust (1999a:5) identifies four principles: "firstly, that records must be kept together according to the agency responsible for their creation or accumulation, in the original order established at the time of their creation; secondly, that records follow a life cycle; thirdly, that the care of records should follow a continuum; and fourthly, that records can be organised according to hierarchical levels in order to reflect the nature of their creation" (IRMT 1999a:5).

IRMT (1999b:128) affirms that RM principles ensure that the intellectual integrity. Records are characterised as static, accurate, accessible, comprehensive, compliant, effective, complete and secure (National Archives of Scotland 2013:1-2; Yuba 2013:19). Yuba (2013:19) states that whilst records are information, not all information is a record. Rather, there are unique characteristics of records which distinguish between information and a record. A record must have content, context and structure. It indicates who originated it and for what purpose. It can also have an evidentiary basis. All these properties will result to the records being authentic, reliable and complete. Information is more general than specific characteristics attributed to a record.

2.4.5   Records management practices and processes

RM is gaining momentum, although in some organisations RM is not recognised. However, it is only recently that a number of organisations have realised the importance of RM. Among the models that demonstrate RM practices and processes used from RM are the (1) entity life cycle (2) life cycle and (3) records continuum models respectively. The first one emphasizes the life

history of a record and consists of three stages which are creation, maintenance and use (Msibi 2015:13).

The entity life cycle model (ELCM) is becoming unpopular due to its shortcomings of having only three stages. Rather, records managers tend to prefer the records life cycle and records continuum as the two concepts that underpin RM in organizations affirmed by Yuba (2013:20). Yuba (2013:20), Chaterera (2013:18), and Azman (2009:35) agree that the records life cycle has three phases, the "current, semi-current and non-current". The current phase is a phase whereby the record is created or received active and kept in the office registry. The semi-current phase means the record becomes inactive and therefore can be kept in the records centre or off-site storage. The non-current phase records are destroyed or transferred to the archives repository for permanent preservation. The records life phases are illustrated in figure 2-2 below.
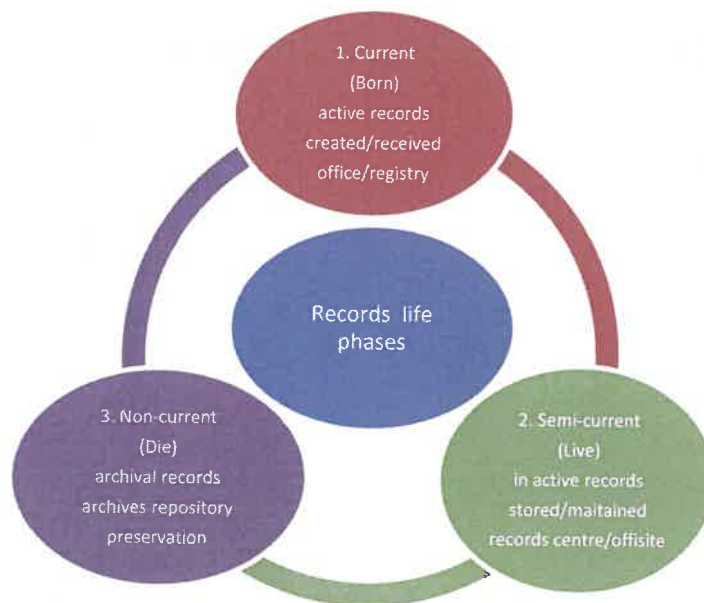
Figure 2-2: Records' life phases

Source: Yuba (2013:20), Chaterera (2013:18), Azman (2009:35) and IRMT (1999a:5)

Whilst Figure 2-2 shows the three phases of the life of a record, Figure 2-3 shows the five stages of the records life cycle model (RLCM). According to Chaterera (2013:9) Msibi (2015:13) and Kemoni (2007:59) the life cycle model consists of five stages and is the core to creation of RM. However, a shortcoming of this model is its failure to include archival and electronic elements of records (Chaterera, Ngulube & Rodridgues 2014:368).
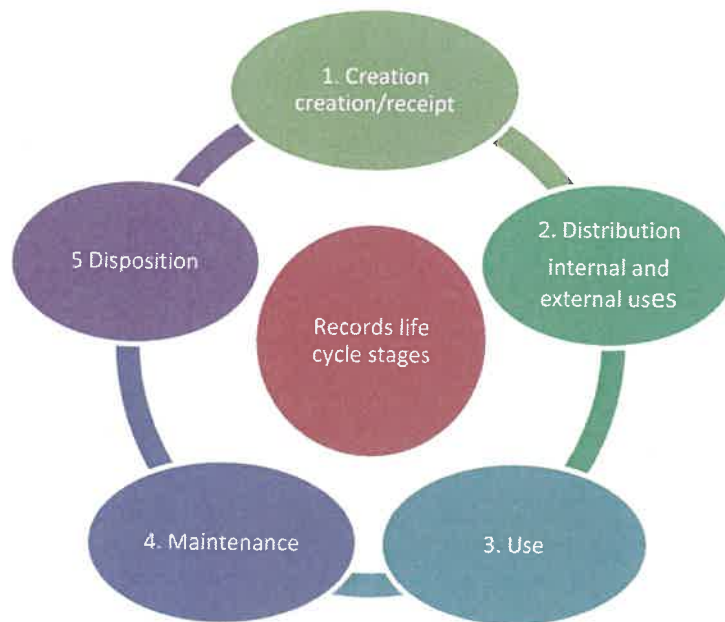
Figure 2-3 Records life cycle model

Source: Azman (2009:37)

The model depicted in Figure 2-3 has an inclusive approach that serves the RM profession (Chachange and Ngulube 2006). Most archivist and RM professionals seem to support this model. It is more concerned with archives than the ELCM but less concerned with archives than the records continuum model (RCM). Appraisal of records is important. An appraisal process has to be conducted to differentiate between records of enduring value and those ephemeral. Appraisal helps determine the status of a record as to whether it should be transferred to another stage such as semi-current, non-current or disposal (Yuba 2013:23). This process of transferring items to a repository can only take place once the record has exhausted its retention life in the office of origin. Records of archival or enduring value can be transferred to the repository soon after exhaustion of life span in the office of origin. Archive repository is the building where all records of archival value are kept and preserved. Preservation is the process whereby records are taken care of and protected from deterioration.

Turning to the RCM, it was devised after the records life cycle was criticized for being biased in two ways. First, the RLCM insufficiently considered how to handle inactive records over time. Second, it was not equipped for the electronic era. In contrast, the RCM caters for archiving and electronic RM.

Power Modalities

Normalisation

Interpretation

Facilitation

Enunciation

Dimension 1 CREATE

Dimension 2 CAPTURE

data modelling

Inter-Org. requirements

Group requirements

Org'n requirements

Data representation

Source

Linkages

Inter-org Connectivity

Org. Connectivity

Data Plumbing

Medium

Dara structures

Data warehouse

Dimension 4 PLURALISE

Data warehouses

Dimension 3 ORGANISE

Data Storage

Figure 2-4 Recors continuum model

Source: Maseh (2015:28)

The RCM is also useful in establishing good governance. Non-functional RM is a challenge to GG (Lung'aho and Rotich 2014:1, quoting Shepherd 2006). Okello-Obura (2012:15) states that "one of the reasons for keeping records is that organisations use records to prove accountability when they need to show that they have met their obligations or complied with best practices according to the established policies". Lung'aho and Rotich (2014:1) add that records keep vital information for proper decision making which is a pillar of GG.

The RCM sets the stage for best practices that promote good public governance. The international organisation concerned with RM, Iron Mountain puts it this way: "a compliant record management [system] is necessary for organizations to proactively and progressively manage all data, media and information. As the number of laws and severity of punishment governing record management continues to increase it becomes even more paramount that organizations follow best practices for proper record management" (Iron Mountain, https://www.ironmountain.co.za). Best practises of RM demonstrate good faith or intention. This includes "retention, policies and procedures, access and indexing, compliance and accountability" (Iron Mountain, https://www.ironmountain.co.za). These factors are central to public administration and the good governance that it seeks to promote.

2.4.6 Good governance in Public Administration context

It is worth understanding GG in a Public Administration context to appreciate the importance of public sector RM. Mohamed-Sayeed, Pillay and Reddy (2014:72) highlight the role of GG for facilitating effective and efficient public administration. Cheema (2004:12) likewise points out the importance of the relationship between the characteristics of GG and public administration. Sebola (2014:995) refers to governance and GG as mutual terms that have been used to advance democratic societies. To the United Nations (2012:3) "governance refers to the existence of political and administrative authority at all levels to manage a country's affairs. It comprises the mechanisms, processes and institutions through which citizens and groups articulate their interest, exercise their legal rights, meet their obligations and mediate their differences". Good governance, according to Olum (2014:606), "is about good government and the inclusion of civil society and the private sector in the management of public affairs. It is also about enabling citizens to gain freedom, have their views heard, choose their representatives and associate freely with others". Masuku and Makwanise (2012:188) define GG as the end result when one has followed guidelines and procedures and conformed in decision making.

Good governance encompasses public management. Ngoepe (2004:9), quoting (IRMT 1999:8), states that good public management can be achieved through practising proper RM because government actions or accomplishments can only be proved by access to information contained in records. Without the records, many issues will be left unattended by government (Lor & Snyman in Ngoepe 2008:1). Practices and principles of public administration and public management as a whole are expected to accomplish good governance. Hence, GG comprises the norms and values that a government considers as it governs. This suggests that government governs on behalf of the public that gave it the mandate. Government should be transparent to enable the public to know how it functions. This discussion suggests a link between GG and RM.

Good governance is characterised by at least the eight characteristics depicted in Figure 2-5 (Mehluli and Makwanise 2012:189).

Figure 2-5 Tenets of good governance

Source: Mehluli and Makwanise (2012:189)

These characteristics shown in Figure 2-5 are dependent upon individual compliance and the execution of policies and regulations. It therefore follows that best practices for RM must follow whether with the ELCM, RLCM or RCM. Mehluli and Makwanise (2012:190) argue that sound records and archives are a mandate if an organisation is committed to its purpose. Thinking about the responsive aspects of GG, South African laws and policies have tried to respond to fighting the injustices of the past since 1994 when the RLRA 22 of 1994 was enacted. The RLRA has been amended and extended until 2014 when the lodgement of claims was reopened for those who could not file their claims by 31 December 1998. In the same year, 2014 the reopening of lodgement of claims was found to be unconstitutional due to failure to involve the public as prescribed in the Constitution (RSA 1996). The Land Access Movement of South Africa, the Association for Rural Advancement (AFRA) and other various groups successfully sued the RLCC (RSA 2016a) in the case entitled. The Land Access Movement of South Africa and Others vs. Chairperson of the National Council of Provinces. The Constitutional Court on 16 February 2016 found the reopening of lodgement claims unconstitutional (RSA 2016b).

2.4.7 Good governance and records management

Thus far, this study has defined RM and looked at the purpose and objectives of RM, types of records (physical and electronic) and the principles, practices and processes of RM before considering GG in the context of public administration. This part of the study examines how good or proper RM leads to GG. Here it is worth reading Figure 2-3 which depicts a records life cycle model or 'value chain', in conjunction with Figure 2-5 which shows tenets of good governance. For example, the significance of associating components of the RLCM such as 'use' and

'maintenance' with accountability and transparency as elements of governance is particularly projected by various scholars in the 21st century. The rule of law, as an element of GG is fostered by such components of the RLCM like 'maintenance' and 'disposition' of records. The responsiveness and participatory elements of GG are associated with creation and receipt of land claims components of the RLCM or value chain of land claims processing. Hall (2010:9) laments that lack of community participation hinders accountability, management and administrative challenges. These result in capacity constraints, amongst others leading to inadequate results of the land restitution programme. In other words, citizens should participate in the land restitution programme and this aspect of GG is best accomplished through an effective RLCM.

As highlighted by Pienaar (2009:20-21), the adjudication and settlement of land claims is affected by lack of GG. One major challenge faced by RLCC offices is the absence of GG which includes financial management transparency, accountability, communication and effective administration. The absence of GG slows the land restitution process and leads to dissatisfied claimants and landowners (SAHRC 2013:11). Masuku and Makwanise (2012) argue that good RM leads to GG. Without authentic records, officials may take decisions with no foundation which would detract from institutional memory. Okello-Obura (2012:205) emphasises that transparency and accountability cannot be ensured if organisations do not take the time to establish accurate documentary evidence. This is supported by (NARSSA, 2004:13) that postulates the absence of accountability mechanisms cannot be properly executed and function efficiently without appropriate RM practices. Furthermore, "proper RM is perceived as a crucial instrument which underpins the management of change on which modern management and practices can depend" (Kargbo, 2010:6). Put another way, the absence of elements of GG slows the land restitution process and the RLCM thereby leading to dissatisfied claimants and landowners which is compounded by inadequate RM. (SAHRC 2013:11).

Dikopoulou, and Mihiotis, (2012:136) argue that the modernisation of public service in a form of e-government; protection of records and accountability of officials; use of archives as a primary source of history and culture; digitising records for economic regeneration; and reusing records for decision-making purposes are central in an information age with a knowledge economy.

The key aspect or strategy for sustaining GG is making sure that the management of records is prioritised and properly managed. All spheres of government and society or private organisations and agencies should prioritise the management and care of records. RM has proved to be the key aspect in the functioning of several organisations. In South Africa, the majority of South Africans have been oppressed and corrective measures have been taken because of the past. This is where

RM becomes significant as records attest to the inconsistencies in the laws that were imposed on South Africans. Hence, the connection between GG and record keeping arise from common characteristics. This is suggested by Figure 2-6.

Figure 2-6 is an illustration of the relationship between records/archives and GG.

Figure 2-6 Relationship between records management and good governance

Source: Researcher's literature from various sources 2016-2017.

The arrows from each of the small circles point to the largest circle in the middle because of shared characteristics. Records or archives and GG share crucial features such as accountability, transparency, rule of law, efficiency, effectiveness, responsiveness. In order for governmental bodies to perform their mandatory functions, the elements of GG as shown in the middle circle of Figure 2-6 are paramount. For records or archives to be meaningful, people should be able to access information as needed. This is particularly true for decision-making. Mehluli, Makwanise and Masuku (2012:189-190) emphasise that sound decisions can only be presented when prescribed information is available and citizen participation evident through listening to the public voices, especially in a democratic country.

Organizations can only practice GG where there are available records and it is crucial that the system for managing such records is proper in order for organizations to discharge duties as mandated. Mehluli, Makwanise and Masuku (2012:191) indicated that GG is enabled through available records and records are central for all GG activities to be undertaken. RM and GG not only share common characteristics. In addition, RM can lead to effective implementation of GG.

Figure 2-7 below illustrates the RM implementation in relation to GG.

Figure 2-7 RM Implementation in relation to GG

Source: Researcher literature from various sources 2016-2017.

There is a difference between figure 2-6 and figure 2-7. Figure 2-6 is a pictorial presentation illustrating the relationship between records/archives and GG while figure 2-7 illustrates that proper RM leads to effective implementation of GG. There is an inextricable link between RM and GG since GG is best implemented with efficient and effective RM. As verified by various scholars, one cannot survive without the other. Proper RM means each organisation should have a RM system in place and follow the procedures as well as adhere to the policies which will lead to effective implementation.

Table 2-3 provides a comparative analysis of the RLCM and RCM.

Table 2-3: The difference between the records life cycle model and records continuum model

Comparative factors	RLCM	RCM
Early beginnings	Exercise control	Control and management of e-records
Defining elements	Concerned with physical entity	Content, context & structure
RM objectives	Focus on paper-based systems	Electronic expressions
Strategies	Concerned with linear approaches to collectives	Multi-purpose and asymmetrical
Maintaining records	Static differences	Integrated and dynamic
Archiving	Contemporary or from the past	Holistic worth
Appraisal period	Once record is over	Ongoing
Involvement of RM professionals	Non-active but responsive	Forward thinking and planning
RM action	Sequentially process-oriented	System integration

Source: Coetzer, (2013: 43)

The table shows how the two models differ from one another. The RCM was designed to cover what was not catered for in the RLCM life cycle.

2.4.8　Conceptual framework guiding the study

As previously discussed, there are a number of principles, practices and processes associated with RM. Practices and processes include the ELCM, the RLCM and the RCM (Ndenje-Sichalwe 2010:54, 55; Maseh, 2015:28). Of these, the researcher selected the latter two to guide this study. These models of RM both pass through similar stages of current, semi-current and archival and they both share the same goal of guaranteeing the authenticity, reliability and completeness of records (Yuba 2013:19). However, the RCM is more holistic and integrated than the RLCM.

Table 2.4 shows how the literature and conceptual framework complement GG.

Table 2-4: Illustration of good governance, records management framework and literature review

Good governance tenets	Meta-conceptual framework for this study	Literature
Accountability	records life cycle records continuum	Good governance with its principles correlates to the records management conceptual framework in such a way that each tenet is accounted for in the both records life cycle and records continuum models. Chaterera (2013:210) and Olum (2014:604) opined that the records continuum model improves the accountability, responsiveness and efficiency while ensuring that actions and decisions taken are responses to the needs of the public. The life cycle model ensures that principles of good governance cannot be fulfilled without proper records care on each life cycle stage (Azman 2009:34) This is confirmed by Masuku and Makwanise (2012:191) who alluded that good governance rests with sound information management and government officials cannot be held liable for the decisions they have taken;
Transparency	records life cycle records continuum	
Responsiveness	records continuum	
Rule of law	records life cycle records continuum	
Efficiency	records continuum	

Source: Researcher's literature from various sources 2016-2017.

It is clear from the literature that the two concepts, RM and GG have an inextricable link and one cannot survive without the other.

2.5　Chapter summary

Undoubtedly when referring to GG one cannot deny that records are essential in fostering GG. This chapter discussed trends in it RM at the KZN-RLCC. The legislative framework that guides the processes of RM was examined, and this was followed by a discussion of objectives, principles and practices of RM. In addition, e-government, GG and public administration concepts were

discussed. The conceptual framework for the study was introduced. The chapter lays the foundation of the study that will unfold further throughout this dissertation.

CHAPTER THREE: RESEARCH DESIGN

3.1 Introduction

Chapter two reviewed the historic background of RM, the legislation pertaining to RM, the link between the GG and RM, and identified the conceptual framework that guides the study. Chapter three will focus on the research design and strategy, units of analysis, population and sampling as well as data collection. Data quality control measures such as credibility, dependability, transferability and confirmability are observed in order for the study to be of worth. Data were analysed using content, textual, thematic, and matrix analysis. The methodological triangulation was used to increase trustworthiness of the study. Finally, this chapter discusses study limitations and ethical considerations before providing the chapter summary.

3.2 Rigours of research

Research is defined by Kumar (2014:7) as a systematic search for knowledge that has developed as a result of human inquisitiveness. Leedy and Ormrod (2014:2) see research as a logical process that is followed in data collection analysis and interpretation of data in order to understand the phenomenon under research. Brynard and Hanekom (2013:3) refer to research as a multidimensional procedure with complimentary interpretations. In this study various sources were consulted to gain deep understanding of the applied concepts and consistency or contradiction in terms of arguments adduced by the scholars.

According to Leedy and Ormrod (2014: 2) research is characterised by eight distinctive features which originate from the problem to be solved or question to be answered in the study. Leedy and Ormrod (2014:2) clearly articulate that the aim of the research must be clearly indicated, and the problem must be must be broken down into manageable or researchable sub-problems. A research plan is required, as is the collection of data and its interpretation in order to resolve the problem or answer the question. Kumar (2014:7) notes further that in academia, research is used to define and redefine problems, suggest solutions, collect and organise data, and make deductions from the data to reach conclusions. The purpose of this is to discover a truth or to become familiar with a certain phenomenon. Kumar (2014: 2) further suggests research is not only a set of skills but also a way of thinking that starts with observation. This leads to questions that the researcher explores in an attempt to understand further, and finally draws conclusions on certain phenomenon. Myers (2010: 6) is of the opinion that in a university setting, research is an enquiry that contributes to new knowledge and exploration of a particular phenomenon.

Basic research is referred to by Babbie and Mouton (2014: 75) as non-empirical or scientific enquiry, while applied research is referred to as empirical research. Applied research is central when a specific problem must be solved, while basic research is fundamental when one need to understand various issues of interest rather than solve a problem. This study involves applied research in an effort to solve issues related to RM at the KZN-RLCC

3.3   Research design

Research design and research methods are essential aspects in any study and must be carefully selected. Different scholars have sought to define research design and it came up as an ambiguous concept. All in all, scholars tend to focus on different aspects of what a research design is and the definitions are part of a larger whole. For example, research design is a type of tool or method that can use quantitative, qualitative, or mixed methods approaches which provide for specific procedures to be followed in the research study (Creswell 2014:12). De Vos (2011:307) highlights the planning involved and Schurink (2010:424) thinks about the value of step by step procedures tht the researcher will follow from topic identification to the data interpretation.

Babbie and Mouton (2014:74-75) remark research design as an outline of how the researcher aims conducting the research. The focus of research design is on the type of study that is to be conducted and the results. The focus is on the logic of the research including what kind of evidence is required to address the research question adequately. The goals of research design are meant to be reached through the design. Research goals can be achieved through linking of theoretical frameworks, questions, research, methods used and available resources (Flick 2014:116). Myers (2011:19) describes research design as a written plan for the entire project with all its various components. The design involves written methods for data collection, the structure of the study and data analysis. It is clear therefore that a plan that specifies the sources and types of information relevant to the research problem, a strategy specifying what approach will be used for gathering and analysing the data, and a clear statement are all important features of research design.

Three approaches have been identified by some scholars to research design, being; quantitative, qualitative and mixed methods (Creswell, 2014:18; Maseh 2015:80; Edmonds & Kennedy 2013; Henning 2004; Lapan, Quartaroli & Riemer 2012). Creswell (2014:4) defines qualitative study as "inquiry process of understanding based on the distinct methodological traditions of inquiry that explore a social or human problem". Qualitative research is about exploring and understanding the meanings that are associated with research problem. The views of study participants matter

and constructivist and interpretivist worldviews are useful (Singh 2014:133). It is advantageous to use open-ended questions in a qualitative approach as it gives participants an option to dwell on the issues as they wish and the research can probe into deeper meanings. These qualitative methods assist the researcher in extracting detailed narratives from the interviewees with regard to reality and their understanding of the phenomenon. The approach makes it possible for individual informants to ascribe their own meanings.

This study uses a exploratory qualitative research design to begin to understand RM at KZN-RLCC and to seek if RM demonstrates good governance. In other words, the study explored the effectiveness of RM including diagnostics of the current RM status in promoting GG.

This study adopts an empirical approach as it seeks to provide information that can be used to resolve the RM challenges facing the office of KZN-RLCC and to examine how RM can foster GG. It should be noted that RM is a core activity in every organisation. Makhura (2005:34) notes that elements of RM such as responsibility, accountability, legal obligation and transparency speak directly to the practice of GG. The study unpacks current RM practices, the origin of the present situation in KZN-RLCC where the primary data was collected, the impact that current practices have on the operation of the office, and the causes of the challenges.

Figure 3-1 below depicts the type of empirical/applied research employed in this study.

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                    │    RESEARCH      │
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│ Case studiy  │      │ Analysing Existing│
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                      │ Textual criticism│
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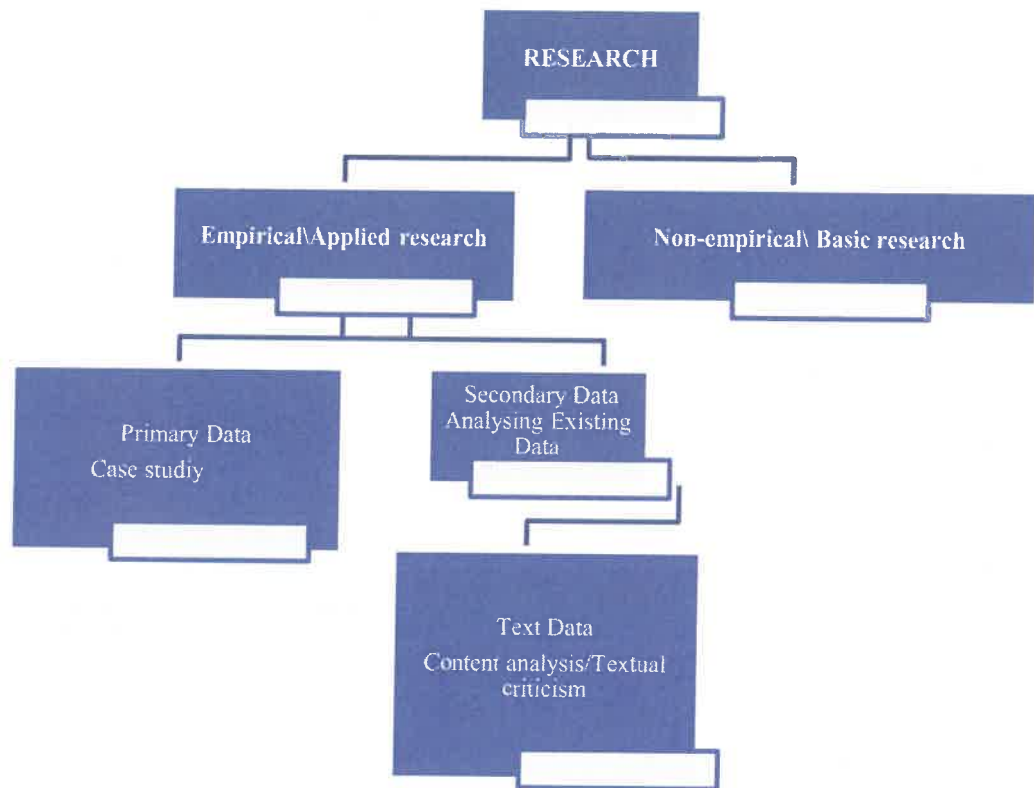
Figure 3-1: Research Types

Source: Babbie and Mouton (2014:78)

3.4 Research paradigm

Creswell (2014:5-6) refers to research paradigms as the philosophical worldviews a researcher brings to the study. Mayring (2014:7) identifies worldviews such as positivist, postpositivist, interpretivist or constructivist, as does Creswell (2014:6).

Table 3-1 below shows the differences between research philosophies.

Table 3-1: Research paradigm

Item	Positivism	Postpositivism	Critical realism / Interpretivism	Constructivism
Ontological	"Naïve realism – "real" reality but apprehendable"	"Critical realism – "real" reality but only imperfectly and probabilistically apprehendable"	"Historical realism – virtual reality shaped by social, political, cultural, economic, ethnic, and gender values; crystallized over time"	"Relativism – local and specific constructed and co-constructed realities"
Epistemology	"Dualistic/objectivistic; findings true"	"Modified dualistic/objectivistic; critical tradition/community; findings probably true"	"Transactional/subjectivistic; value-mediated findings"	"Transactional/subjectivistic; value finding"
Methodology	"Experimental/manipulatic; verification of hypothesis; chiefly quantitative methods"	"Modified experimental /manipulative; critical multiplism; falsification of hypotheses; may include qualitative methods"	"Dialogical/dialectical"	"Hermeneutical/dialectical"

Source: Mayring 2014:7

Interpretivism came about as a result of the shortcomings of positivism with regard to its application to natural sciences. Interpretivists suggest the need for different ways to study people and objects. Creswell (2014:8) considers constructivism as combined with interpretivism. Several intellectual traditions influenced interpretivism these are, phenomenology, hermeneutics and symbol interaction as dominant traditions:

- "Hermeneutics is focused with the theory and method of interpretation of human action.
- Phenomenology looks at the way in which individuals make sense of the world around them. Phenomenologists maintain that human action is meaningful and people therefore ascribe meaning both to their own and other people's action.
- Symbolic interactionism views reality as highly symbolic and constructed" (Du Plooy-Colliers, Davis & Bezuidenhout 2014:27-28).

There is a similarity between constructivism and interpretivism as both seek to understand the world (Du Plooy-Colliers, Davis & Bezuidenhout 2014:27-28; Creswell 2014:8). Constructivism requires direct contact while interpretivism requires the researcher to personally collect the information. Both approaches are subject to qualitative data collection methods such as documentary evidence and in-depth interviews.

This study adopts an interpretivist approach as it interacts with human beings who are examining their views and ideas on the role of RM in fostering GG, according to their own interpretations as knowledge holders. The interpretivist approach was used in this study as the researcher sought to understand the perspective of the participants and to interpret, yet preserve intended meanings. This was done to achieve deeper understanding and meaning of the role that can be played by RM in fostering GG. Interperetivism is useful in qualitative studies which allows researchers to personally capture information that will help address the research problem. Use of interpretivism is further justified because it allows for discovery of emerging themes. The researcher applied it in this study to help capture and analyse how RM is being handled at KZN-RLCC.

3.5   Research strategy and units of analysis

This study used as a research strategy the case study approach, although some scholars consider a case study a research design. To Yin (2014:16) it means "an empirical inquiry that investigates a phenomenon in depth and within its real-world context, when the boundaries between the phenomena and context are not clearly evident". Case studies may be single, multiple, holistic or embedded or a combination of these (Yin (2014:46). This is a single study of the KZN-RLCC office embedded with four units of analysis. Units of analysis are an essential part of the research design and strategy. These refer to the persons or objects particularly under study (Bless, Higson-Smith and Sithole 2013:133).

The four units of analysis are sub-units in the KZN-RLCC office; namely the 'Information Management Unit', 'Operations Unit', 'Legal Unit' and 'Finance and Administration Unit'. These KZN-RLCC were selected because of the role they play in RM and the knowledge they hold about RM. Each is described in turn.

First, the information management unit provides management and administration of information and it manages registry. Registry is in control of all registry services such as filing of documents, circulation of files, photocopying, mail management, records storage and disposal. Capturing of data and projects statistics is managed in this unit. Second, the operations unit is responsible for investigating land claims, facilitate gazetting, valuation of claimed land, name verification of land

claims beneficiaries, negotiations with land owners, updating claimants in the status of the claims, Plan monitor and manage land restitution projects, implement policies and new systems and compilation of land claims submissions. Third, the legal unit is responsible for the provision of legal support; the legal advice, briefing, drafting of legal documents, ensuring compliance with the RLRA and represent the office of the KZN-RLCC in all litigations and court proceedings. Finally, the finance and administration unit is tasked to manage and maintain finance systems, resources, and budget and payments of all stakeholders including claimants, land owners and service provides. The next section discusses data collection.

3.6   Data collection

Data collection methods are an essential part of research, without it research will be impossible, therefore it is important that researchers employ relevant data collection methods and techniques or strategies in order to answer the research questions. Bhattacherjee (2012:35) distinguishes between the types of data collection required for positivist versus interpretivist research. Both types of research can use either quantitative or qualitative data but the former is more associated with quantitative and the latter more aligned with qualitative data. Data collection methods are dependent on the research problem, research objectives and questions all of which suggest a suitable research design, philosophical worldview and data collection strategies and instruments.

There are many data collection methods that researchers use for different kinds of research depending on which methods suits their project. Some of the data collection methods for qualitative research include interviews, focus groups and documentary evidence. Qualitative research is designed to increase understanding of real-life phenomena. The skills of a qualitative researcher are particularly important (Yin 2014:212). In this study, primary data collection was done through face-to-face interviews and secondary data collection through documentary evidence. This is further explained in sections 3.6.1 and 3.6.2.

3.6.1   Interviews

Singh (2014:186) points out that "as an instrument of gathering data, interviews yield information reflecting the life experiences of people if conducted under the principles of objectivity and neutrality by the interviewer". Saunders *et al.* (2012: 23) discuss the differences between structured, semi-structured, and unstructured or in-depth interviews. The researcher conducted semi-structured interviews, meaning questions were prepared but interviewees were free to speak their mind and the researcher asked deeper questions when necessary to get at how RM is being handled at KZN-RLCC (Maseh, 2015:90).

In this study, the data were collected from selected officials in KZN-RLCC from all four units and different levels. As shown in Table 3-2, officials ranged from Senior Registry Clerk, Deputy Director Project Coordinator and Project Officer. The Senior Registry Clerk is responsible for daily function of registry as a custody of all records created and received by the office. Deputy Directors are at management level responsible for ensuring the flow of operations functions, involved in the decision-making processes and compliance. Project Coordinators and Project Officers are responsible for ensuring that land claims projects are processed and settled.

The set of questions used as a guide attached as Appendix 2. As indicated earlier, the questions were semi-structured open-ended questions and the researcher had an opportunity to probe for more information. Table 3-2 shows the interview schedule used by the researcher.

Table 3-2: Interview schedule

Respondent code	Designation	Rank	Interview date	Duration of interview
IMU 01	Deputy Director	11	11 June 2016	115 minutes
IMU02	Senior Registry Clerk	8	17 June 2016	50 minutes
FU01	Deputy Director	12	12 July 2016	70 minutes
OU01	Project Coordinator	10	23 July 2016	110 minutes
OU02	Project Officer	8	2 August 2016	130 minutes
LU01	Deputy Director	12	3 October 2017	97 Minutes

Source: Researcher fieldwork 2016.

All interviewees are employees of the KZN-RLCC. Interviews were conducted from various respondents of various days and the duration varies per informant as indicated on Table 3.2

3.6.2   Documentary evidence

Mogalakwe (2006:222) describes the documentary method as "the techniques used to categorise, investigate, interpret, and identify the limitations of physical sources, most commonly written documents whether in the private or public domain". Collection of documentary evidence is another method which has gained popularity in social science research. It saves money and can yield useful information. The documentary evidence used for this study included books, journal articles, legislation and policy documents. The policy documents included the Land Reform Policy Discussion Paper (RSA 2012), Commission on Restitution of Land Rights Strategic Plan 2015-2020 (RSA 2016a), the DRDLR Annual Performance Plan (RSA 2016b) and DRDLR Annual Report (RSA 2017). Use of books and journal articles are justified since they lay the

foundation of the study through a review of literature that shows existing knowledge about RM and GG. Legislation and policy documents were required to interpret how RM and GG are expected to operate when it comes to public administration generally and processing of land claims in particular.

3.7 Target population and sampling

A target population can be seen as a "theoretically specified aggregation of study elements from which the sample is selected" (Babbie and Mouton 2014:173-174). The most well-known types of sampling strategies are probability and non-probability. Simply put, the former means that everyone in the target population has as opportunity to participate in the study. The latter indicates, for example, that only those with certain characteristics of those who hold particular knowledge would be likely to participate in the study (Babbie and Mouton 2014:166-167). Non-probability strategies can be applied through a number of techniques including the purposive technique (De Vos 2011:391-394). In this study the purposive technique was used because only individuals who have knowledge about RM at the KZN-RLCC would be able to provide knowledge that would help answer the research questions and achieve the research objectives. Table 3-3 shows the target and sampling population.

Table 3-3: Target and sampling population

Units	Target population	Sample	Designation
Information management unit	10	2	Deputy Director and Senior Registry Clerk
Operations unit	24	2	Project Coordinator and Project Officer
Legal unit	6	1	Deputy Director
Finance and administration unit	4	1	Deputy Director

Source: Researcher's fieldwork 2016.

As explained in section 3.5 certain units at the KZN-RLCC were selected as units of analysis. Table 3-3 depicts the titles of the individuals who were purposively selected from the four KZN-RLCC sub-units. These decisions were taken in light of the fact of the role that each play in RM. Individuals were drawn from each of these sub-units because they work together as a whole, and they hold requisite knowledge that helped answer the research questions and achieve the research objectives. The next section is about how data quality control was followed during the study.

3.8 Data Quality Control

Data quality control in qualitative research is concerned with trustworthiness of the data. Du Plooy-Colliers, Davis and Bezuidenhout (2014:258) point out that "even though some qualitative researchers still use the term 'reliability' and 'validity', the way in which they determine reliability and validity differs from how this is done in quantitative studies. There is a move towards the use of different terminology to indicate validity and reliability in qualitative studies, which is trustworthiness. According to Bless, Higson-Smith and Sithole (2013:236-238) the term trustworthiness is about how much trust can be placed on the research process and findings. Since qualitative researchers do not use instruments with established metrics to measure validity and reliability, it is pertinent to address how qualitative researchers establish the trustworthiness of a study's findings. In qualitative studies the term is referred to as credibility, dependability, transferability and confirmability (Du Plooy-Colliers, Davis and Bezuidenhout 2014:258-259). Each one is next discussed.

3.8.1 Credibility

Credibility refers to the accuracy with which the researcher interprets the data provided by the participants. According to Bless, Higson-Smith and Sithole (2013:236) credibility seeks to convince reviewers that findings depict the truth of the reality under study. In order to ensure accuracy in the interpretation, the researcher took notes while conducting the interviews. The researcher was assisted with note taking by a student intern. The fact that the researcher in an employee in the office of KZN resulted in the engagement with the respondents being prolonged. Probing was used in order to get to the gist of the matter and the respondents were given a chance to dwell on issues concerning RM and GG for as long as they wished to.

Body language of the respondents was observed, and their willingness to participate fully met the objective of making sense of all the concerns arising from the interviews. The responses were grouped together according to their similarities. The researcher has been employed by KZN-RLCC for the past eight years, which allowed the researcher to have a lengthy discussion with the respondents and also to observe them over the long period of time.

3.8.2 Conformability

Conformability is about how well the data supports the findings and interpretation of the researcher. Confirmability is referred to by Bless, Higson Smith and Sithole (2013:237) as being able to obtain findings similar to those of other scholars who have conducted a similar research

process. The researcher consulted various sources and studies of similar nature, and redirected the respondents, when necessary, to get answers to the questions. The findings were similar. The data was confirmed by the literature on RM and GG. An audit trail confirmed the researcher had referenced all sources.

A set of open-ended questions was prepared as a guide to the study. This was done in order to make sure that the data collected supported the findings and interpretation. Dependability refers to the quality of the process of integrating what takes place with the data collection method, data analysis and the theory generated from the data.

3.8.3 Dependability

Barbie and Mouton (2014:278) argue that dependability refers to the quality of the process of integration between the data collection method, data analysis and the theory generated from the data. The notes taken during interviews were grouped together to establish similar responses. The study must provide evidence that if it were to be repeated with the same respondents in the same context, the findings would be the same.

3.8.4 Transferability

Transferability asks if the findings can be applied to a similar situation and deliver similar results. According to Barbie and Morton (2013:277) transferability refers to the extent to which the findings can be applied in other context or with other respondents. A purposive sampling technique was utilised in the study in order to maximize the range of specific information. Respondents were selected from different units and different levels and open-ended questions were asked in order to collect detailed information which would allow for deeper understanding.

3.9 Data analysis

The researcher collected data through the interviews with the main objective of determining the relationship between GG and RM. The data was then analysed to interpret the findings. Bhattacherjee (2012:113) states that qualitative analysis is the analysis of qualitative data such as text data from interview transcripts. Unlike quantitative analysis, which is statistics driven and largely independent of the researcher, qualitative analysis is greatly dependent on the researcher's logical and integrative skills and understanding of the social context in which the data is collected.

According to Martins (2013:83-84) the analysis of qualitative data involves summarising the mass of data collected and presenting the results in a way that communicates the most important

features. Most types of analysis involve the categorisation of verbal data for purposes of classification, summarisation and tabulation. Martins (2013:82) describe data analysis as the process a researcher uses to reduce data to a story and its interpretation. It involves the reduction of large amounts of collected data to make sense of them.

The emphasis in qualitative analysis is on making sense of the data collected or understanding a phenomenon. This is why the interpretivist approach discussed in section 3.4 is important. An innovative and analytical mind-set is necessary for qualitative analysis, based on an ethically enlightened and participant-in-context attitude, and a set of analytic strategies.

This was achieved through a combination of content and textual, matrix and thematic analysis, each of which is discussed in turn.

3.9.1   Content and textual analysis

In Du-Plooy-Colliers, Davis and Bezuidenhout (2014:234) textual and content analysis are used interchangeably and assert that they both mean the same thing. These data analysis methods are to explore and identify overt and covert themes and patterns embedded in a text.

The content can be analysed on two levels. The basic level of analysis is a descriptive account of the data; this is what was actually said, with no assumptions being made. Some refer to this as the manifest level of analysis. The researcher's application of this level analysis can be seen in Appendices 4 to 7. These appendices show where the researcher extracted verbatim statements from transcripts to begin to develop matrices. The higher level of analysis is interpretive; it is concerned with what was meant by the response, and what was inferred or implied. It is sometimes called the latent level of analysis. The researcher's demonstration of this can be seen in the matrices shown in Chapter 4. The matrices show how the researcher further reduced the data and interpreted the information in the effort to answer the research questions and achieve the research objectives. Content analysis seeks to show the meaning or visual sources (like newspapers and advertisements) by systematically allocating their content to pre-determined, detailed categories, and then both quantifying and interpreting the outcomes" (Payne & Payne 2004:51). The matrices reflect the various categories that emerged from the content or text of the transcripts.

In other words, the transcripts were used for the analysis of content and categorisation of similar and dissimilar responses as well as nuanced responses. To analyse collected data, the researcher examined the data, and categorised the statements whilst grouping statements together. This allowed data reduction whilst preserving meanings intended by interviewee.

3.9.2 Matrix analysis

Maxwell (2013: 13) indicates that a matrix imposes more linear ordering of constituents and allows a researcher to show how research questions relates to specific goals and theories; he further states that a matrix is a multipurpose tool for connecting research questions and methods in a form of rows and columns that address a specific event or phenomenon. Kruger, Welman and Mitchell (2005:219) mention that matrices are mostly used in describing events and those events are categorised according to similar occurrences of events.

Codes were assigned to respondents as depicted in Table 3-2 entitled 'Interview schedule'. This was critical as Ngubane (2013:65) argues that coding of responses assists in maintaining anonymity and confidentiality just as categorising data helps identify themes.

3.9.3 Thematic analysis

Each one of the data analysis methods built on each other. Content and textual analysis gave rise to what the interviewees had to say. Matrix analysis providing a way of presenting and analysing data. Finally, thematic analysis draws upon the matrices and categories coming out in the matrices to determine themes (Martins 2013:82). Categories from the various matrices along with results of documentary analysis eventually led to identification of themes once various levels of matrices were designed.

3.10 Qualitative multi-mode triangulation

Triangulation is seen to be one of the best ways of increasing research trustworthiness in qualitative research (Bless et al. 2013; Babbie & Mouton 2014). This strategy reduces the risk of biasness of conclusion and increases the credibility to the findings (Maxwell, 2013:103). Triangulation occurs when one or more paradigms, methodologies, methods, or researchers are utilised with the aim of ensuring rigour of the study. Triangulation is a process of using multiple sources in order to find the similar or dissimilar answers or relationships. Yin (2018:288) explains triangulation as a process of determining the convergence and divergence of data collected through different methods to assess the strength of a finding. Yin (2018:128) asserts that triangulation can diverge or converge in order for themes to emerge. This study involved multi-mode triangulation. It is a qualitative study but there were different modes used within the qualitative approach; namely interviews and documentary evidence. Section 4.5 presents tables that demonstrate the results of qualitative multi-mode triangulation for each research question

using primary data which are interviews and secondary data which is comprised of laws, policies and literature from various scholars.

3.11 Limitations of the study

Limitations can be seen as drawbacks of the study that are somewhat unavoidable (Simon 2011:2). For example, the small sample size in a qualitative study like this means that the findings may not be representative to other RLCC. However, qualitative findings are not designed for generalisability. Rather, someone reading the study would have to decide whether the results of this study are transferable to another RLCC in South Africa. The researcher is an employee at KZN-RLCC, which could raise a limitation in terms of bias. However, the researcher is not involved with RM. This assisted with guarding against bias.

3.12 Ethical considerations

When doing research, it is important that all research protocols are respected and stakeholders are not harmed in any way in the research process especially in the process of data collection. These considerations are referred to as ethical considerations. Du Plooy-Colliers, Davis and Bezuidenhout (2014:264) hold the view that the participants in research is affected by issues such as informed consent, collecting data from participants, avoiding harm etc. Neuman (2011: 149) refers to informed consent as a fundamental ethical principle and warns that people must never be coerced into participating in a research. They must do so voluntarily.

Anonymity is another important ethical consideration in research and it means participants remain anonymous, or nameless in the research (Neuman, 2011:152). Sometimes anonymity is confused with confidentiality; confidentiality means that no names will be attached to the information or data obtained from research. Du Plooy-Colliers, Davis and Bezuidenhout (2014:267) hold that "confidentiality and anonymity are not synonymous and do not refer to the same concept". Creswell (2014:99) states that the researcher is obliged to abide by ethical consideration such as respect for participants' rights, values, needs and desires. The following ethical issues are to be considered:

- "Informed consent;
- Harm and risk;
- Honesty and trust;
- Privacy, anonymity and confidentiality
- Intervention and advocacy.

- The researcher must avoid falsifying authorship, plagiarism, disclosing information that would harm participants, sharing data with other people, duplication of publication and avoiding the use of words that are biased" (Creswell 2014:99-101).

To ensure that the above factors were accomplished, the researcher received official ethical clearance from the UKZN Humanities and Social Sciences Research Ethics Committee. These factors were explained at the outset of the interviews. Participants signed consent forms to acknowledge their understanding. To facilitate privacy, anonymity and confidential, actual names are not used in this study. Rather, a coding system was employed as shown in table 4-1 in Chapter Four.

Participants were given an option to withdraw if they were not happy about the proceedings in this study. The participants' names were not recorded in order to avoid matching responses with the respondents. This was communicated during interviews and confidentiality was confirmed in the 'request to participate' letter. Since the researcher was also an employee in the office, assurance was given to the respondents that responses would not be revealed or matched against the identity of respondents. Information was kept by the researcher and supervisor. All the above ethical considerations were ensured to protect and respect participants.

3.13 Chapter summary

Chapter Three has examined research design, paradigm, strategy and units of analysis were discussed. Data were collected through interviews and documentary evidence. Population and sampling were examined in this chapter taking into consideration of the data quality control measures such as credibility, conformability, dependability and transferability. Data analysis methods were presented using content, textual, matrix and thematic types of data analysis. Triangulation, limitation of the study and ethical considerations were illustrated at the end of the chapter. Detailed data analysis and findings are presented in the following chapter.

CHAPTER FOUR: DATA PRESENTATION AND ANALYSIS

4.1 Introduction

This chapter provides a brief synopsis on the participating department in section 4.2. It then goes on to present and analyse data in section 4.3. Section 4.3.1 explains how that subsection is organised. The chapter then highlights how the conceptual framework was used and methodological triangulation accomplished before the chapter closes with a summary.

4.2 The case of KwaZulu-Natal Regional Land Claims Commission

The KwaZulu-Natal Regional Land Claims Commission (KZN-RLCC) is part of the national DRDLR. Therefore, it is useful to place the KZN-RLCC in the context of the national DRDLR. The DRDLR is mandated by the South African Constitution (RSA 1996) to drive and facilitate land reform in the country. The DRDLR does so through four separate components of land reform which are (1) the restitution of land rights, (2) land tenure, (3) land redistribution and (4) recapitalisation and development. These components are "dependent upon various services in support of land reform, demanding complementary working arrangements between, various governmental spheres and partnerships with the non-governmental organisations and private sector" (WPLP 1997:7). As indicated earlier, this study is concerned with the restitution of land rights. Land restitution is based on the RLRA (RSA 1994) and the legal requirements are executed by the national CRLR.

The functions of the CRLR are to:

- Receive and acknowledge claims filed for restitution of land rights lost,
- Assist claimants with the lodgement of claims,
- Update claimants on regular basis about the progress of claims lodged,
- Research all lodged land claims,
- Negotiate mediate and resolve disagreements that might arise,
- Refer to land claims court all claims with unresolvable issues,
- Compile reports for settlement of claims and
- Publicise all claims lodged that met the required merits (CRLR Annual Report, RSA 2017; CRLR Annual Performance Plan, RSA 2016b)

The CRLR heads up the land restitution component of land reform. The CRLR comprises the Chief Land Claims Commissioner (CLCC), Deputy Chief Land Claims Commissioner (DCLCC)

as well as Regional Land Claims Commissioners (RLCC) who are mandated to implement the RLRA (RSA 1994) as amended (SAHRC report 2013). The vision of the CRLR is to achieve excellence by ensuring effective, efficient and speedy redress for victims of racially based land dispossession. Its mission is to provide redress to these victims. It carries out this vision and mission by conducting investigations of land restitution claims and preparing them for settlement by the Minister of the DRDLR or for adjudication by the Land Claims Court. (RLRA, RSA, 1994).

It is worth mentioning that, even though the CRLR now reports to the DRDLR, this was not always the case. As originally conceived in 1994, the CRLR was part of the Department of Land Affairs from 1994 to 1996 and then part of the merged Department of Agriculture and Land Affairs from 1996 to 2009. In 2009, these two departments were separated and Land Affairs became part of the newly established DRDLR. Even until today, there is discourse indicating that the CRLR should be autonomous and not part of the DRDLR.

At any rate, through intergovernmental relations, the CRLR takes shape across all South African provinces, namely: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, Northwest and Western Cape regional offices. This study examines RM at the KZN-RLCC.

The organogram for KZN-RLCC as a provincial off-shoot of the national CRLR is shown on overleaf in figure 4-1.

The below figure 4-1 is the organisational structure of KZN-RLCC with its extension to National DRDLR whereby commissioners are located. The DRDLR is a national department with various directorates located in various provinces in South Africa.
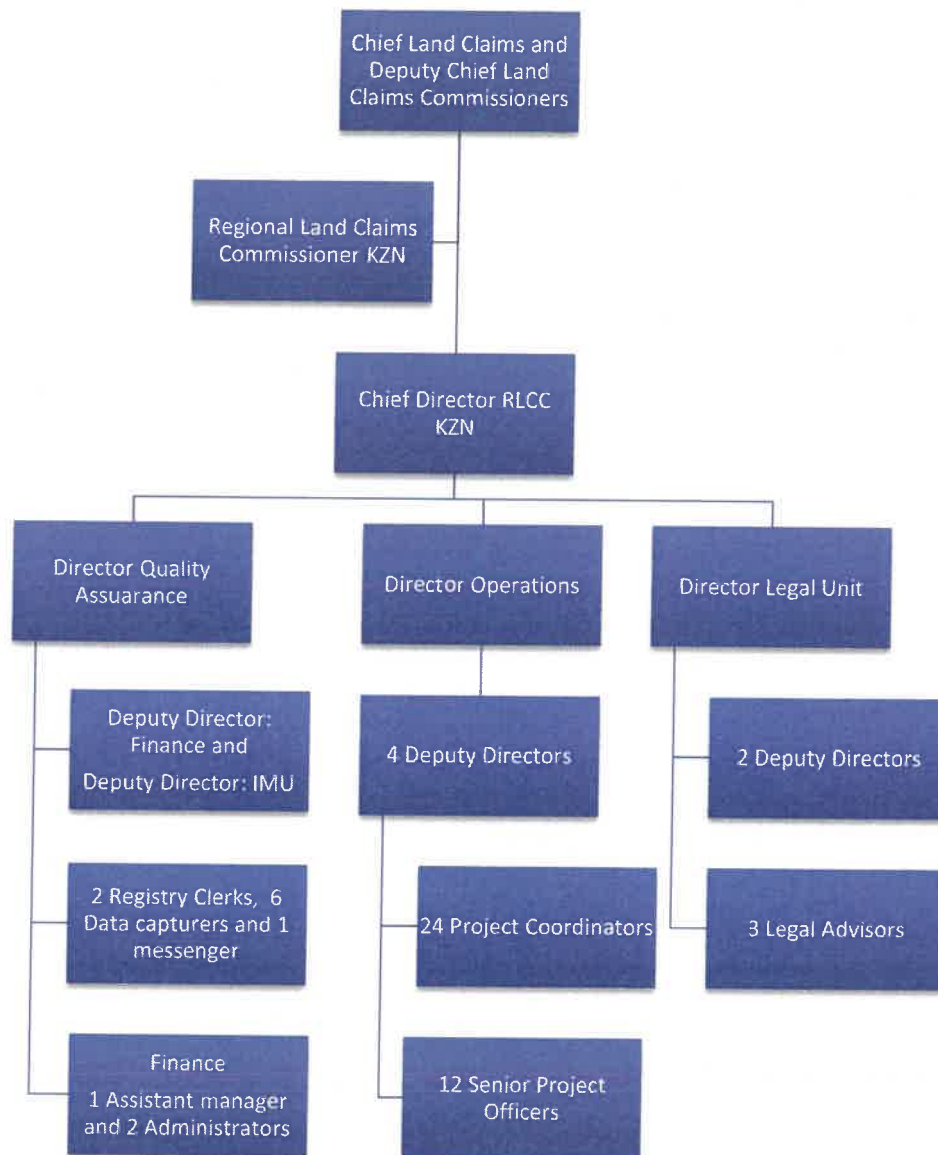
Figure 4-1: Organisational structure of KZN-RLCC

Source: Researcher fieldwork 2016-2017.

At the top of the organogram are national officials, the CLCC and the DCLCC and Regional Land Claims Commissioner whose offices are based at national office in Pretoria. Underneath, from a provincial standpoint is the Chief Director RLCC, three Directors being Director Operations, Director Quality Assurance and Director Legal Unit. Under each director there are Deputy Directors who forms part of units under each director. Those units are: Legal, Finance, Operations

and Information Management and these are the units of analysis for this study, described in section 3.5. Data from interviewees at the KZN-RLCC are presented next.

4.3   Presentation and analysis of data

4.3.1   Organisation of the subsection

This chapter presents the analysis of the data collected from interviews. Creswell (2014:162) mentioned that various steps are followed when a researcher is conducting data analysis that includes categorizing the responses and finally present the results and interpret them in order to make conclusions. Various means of analysis can be used such as content, thematic, matrix and many more.

Table 4-1 shows the coding used to protect confidentiality and anonymity of respondents.

Table 4-1: Coding system to ensure anonymity and confidentiality

Codes	Explanation
IMU 01	Information and RM Unit respondent 1
IMU02	Information and RM Unit respondent 2
FU01	Finance and Administration Unit respondent 1
OU01	Operations Unit respondent 1
OU02	Operations Unit respondent 2
LU01	Legal Unit respondent 1

Source: Researcher fieldwork 2016.

The next section presents data collected from the interviewees. An important step in data analysis was to align interview questions with research questions and objectives to focus on certain data. This part of preparing for data analysis is shown in Appendix 3. Data presented under subheadings are organised in sections 4.3.2 to 4.3.6 in a way that reflects the research questions and objectives. In other words, statements were inserted as sub-headings consistent with the research questions and objectives. For ease of reference, data are displayed through matrices and corresponding graphs for each of the five objectives.

4.3.2   Legislative framework for RM.

Data collected from the interviews with the respondents allowed for in-depth discussion of the legislative framework pertaining to RM at KZN-RLCC.

Four participants (IMU01, IMU02, OU01, LU01) understand the RM legislative framework while two (OU02, FU01) of the respondents do not. For those who understand the legislative framework, this was gained on their own as the department did not provide in-house training or send them on training to learn the importance of RM.

One respondent indicated that no training or information sessions on RM are provided to officials, who only came across the policies during their personal reading and internal communications. (FU01, OU01). Another respondent suggested it is imperative for every official to be exposed to and trained on RM policies and procedures, since they are dealing with important information (OU01). One is also tempted to say that the lack of knowledge is the key, in the sense that where ignorance is bliss people perish (FU01). The responses indicate different understandings of RM policies or the legislative framework. The roles of the staff at KZN-RLCC differ and they therefore have different experiences and responses. One respondent appeared to be somewhat more informed when asked about the policies and procedures and was able to comment on various laws and regulations such as PAJA (RSA 2000), PFMA (RSA 1999) and NARSSA (RSA 2002).

This reflects the views of Mukwevho and Jacobs (2012:37), quoting Mutula and Mostert (2010:38), who highlight that the South African government has policies, infrastructure, and regulations that promote GG. The PAJA (RSA 2000) requires fairness in administrative action. All affected citizens must be treated equally before the law and given written reasons for such an action (Ngoepe, 2004:8).

One of the respondents mentioned that they were aware of the policies but exposure to PAJA, PAIA and PFMA has been limited (OU01). However another respondent said they were not aware other than from a practical point of view (OU02, FU01). Two of the respondents said they were aware of the policies because one had attended workshops where these policies and procedures were discussed, while the other had learned about the policies through independent reading out of curiosity (IMU02; IMU01). However, the last two respondents specified that they are not familiar with the legislative prescriptions as the office managers did not take the time or have any interest in exposing officials to these policies (LU01, OU01).

Table 4-2: Understanding policies and procedures concerning RM

Participant views on implementation of RM law and policy	
Categories	**Responses**
Disregard for existing rules and policies	There are existing registry/RM policies and procedures but these are ignored (IMU02; IMU01, IMU02, LU01, OU01)
	Some officials completely ignore matters pertaining to RM due to lack of understanding and or knowledge of underlying principles of RM issues. (FU01; IMU01; OU01, OU02)
	There is no control of registers for all incoming and outgoing documents as per the requirement of the Act but officials are doing as they pleased. IMU01, IMU02).
Inefficient systematic categorisation of records	Land Claim Files needed by customers, employees, auditors, the public, attorneys, and others are increasingly difficult—or even impossible—to find,: (IMU02; OU02)
	Important categories of critical records (e.g., vital records, archival records) go unidentified and unprotected—some may be thrown out in the trash, (IMU02)
	No proper system was put in place, not even today. For an example there is no control of registers for all incoming and outgoing documents as per the requirement of the act but official are doing as they pleased IMU01, IMU02).

Source: Researcher fieldwork 2016.

Legislations and or policies on RM understanding are the basis of every aspect of RM. It is crucial that RM units implement the policies and procedure to comply with the prescripts. South Africa has various pieces of legislations that guide RM. (Marutha 2011: 40)

The respondents stated that RM has prescriptions that ensure good practices, such as the NASAA (RSA 1996b) which obligates all governmental bodies to take proper care of the records and use an approved filing system. The PAJA ensures access to information. The respondents displayed knowledge of the relevant laws and confirmed that in order to comply with the practices, they had to be trained on the law and practise its prescripts. In Marutha (2011: 21, 31, 33, 34, 40) and Ngoepe (2004: 8) various legislation and regulations like the PAIA, PAJA, NARSA regulations and the RSA Constitution are cited as legislation that is relevant and important when it comes to the broader topic of RM. More precisely, with regard to this research, this was demonstrated in the interview responses from the respondents.

4.3.3 Understanding the term records management

Responses to the interview questions authenticate what the meta-conceptual framework denotes: that records have a life cycle. The explanations provided by the respondents suggest that there is a good understanding of RM practices (IMU02; IMU01, FU01, LU01, OU01 and OU02). Respondents

explained that records can be categorised according to the file plan that exists, and it is a process that involves creation, maintenance and disposal. One respondent pointed out that in order to have good records keeping one needs to have "an adequate records facility on the ground floor and sufficient capacity to do the sorting, arrangement and description of archives" (OU01).

The responses confirm the meta-conceptual framework in answering the question on sound RM practices to ensure GG. All six respondents do not think KZN-RLCC has sound or good RM practices that ensure GG (IMU02; IMU01, FU01, LU01, OU01 and OU02). The office does not have steel cabinets to protect the records. There are files which are more than 3cm thick and documents with different subjects are placed in one file. The office is not using the recommended file covers (IMU01). The post is fetched from the post office by different individuals (OU01). This demonstrates that RM practices are not adhered to. Information is missing because of poor RM.

The following definitions and elaborations emerged: proper management of records, a set of activities required for systematically controlling recorded information, accountability and transparency, the process of creation, maintenance, use and disposal, data capturing and preserving of information, and disposal of information. This implies that all respondents understand that RM deals with the storage of information, preserving it for future reference.

One interviewee mentioned that, since KZN-RLCC deals with the land claims, it is important that the information provided to them is stored in a safe place and can be disposed of when necessary. Another interviewee said that RM is essential for the purposes of transparency and accountability. One can conclude that generally all respondents understand that RM deals with the storage of information so that it can be accessible and ready for use when needed and that this is linked to practices of GG as it reflects and ensures accountability and transparency.

The interviewees understanding of the term RM is supported by ISA (2009:22) when defining RM as "the systematic control of all records from their creation or receipt, through their process, distribution, organisation, storage, and retrieval, to their ultimate disposition". According to ISA (2009:3) when RM activities are followed properly, retrievable and timeous access to records is ensured.

4.3.4   Understanding of RM policy and registry procedure manuals

Understanding policies and procedures is not only for registry officials as custodian of records as this is the case in the KZN-RLCC office. Such understanding should be more widespread.

Understanding of records management policy and registry procedure manual

Legend:
- Yes
- No
- Limited understanding
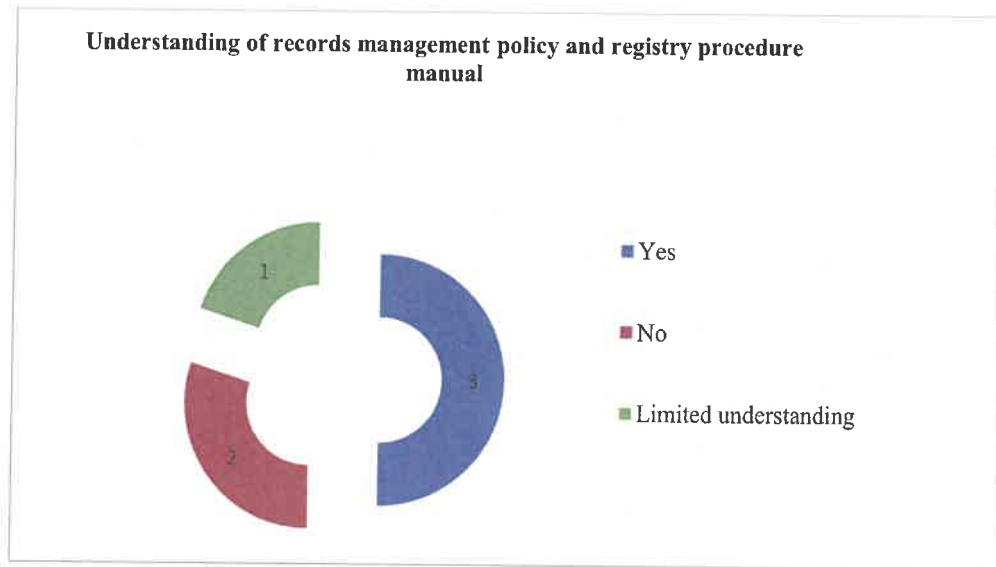
Figure 4-2: Understanding records management policy and registry procedure manual

Source: Researcher fieldwork 2016.

In Figure 4-2, the numbers inside the diagram represent the number of respondents who either understood, did not understand or had limited understanding of RM policy and registry procedures. Three respondents report that they understand the RM policies and procedure manuals and that they acquire this understanding through training and personal educational qualifications. Two state that they have no understanding at all, saying that there is a lack of reinforcement of the policies from top management and a lack of knowledge. Finally, one respondent indicated limited understanding and suggests that the limited information they have, has been acquired through independent reading and from internal communication circulars.

4.3.5 Adherence to sound records management practices and current records management practices

Figure 4-3 below illustrates the responses to the question about adherence to sound RM practices at the KZN-RLCC office. The digits inside the figure show the number of respondents who believe that there is adherence to sound records management either fully or partially at the KZN-RLCC office.

Adherence to sound records management practices and current records management practices

Yes
Partially
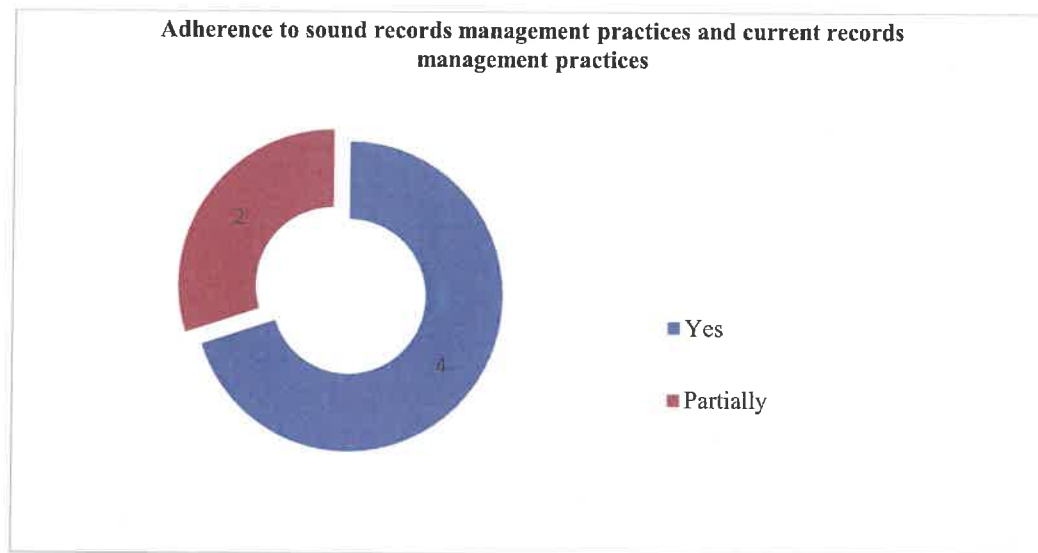
Figure 4-3: Adherence to sound records management practices and current records management practices

Source: Researcher's fieldwork 2016.

Apparently, the office does adhere to RM practices in that there is a designated area, a registry, for keeping records, and there are officials trained in records and registry management. However, there is insufficient space, and some records such as verification records and settlement agreements are kept in boxes in staff offices and boardrooms. The respondents confirm there is a procedure manual that guides records personnel but there is limited compliance.

Respondents also point out that the office where records are stored does not have a reliable air conditioner to control humidity and temperature, both of which impact negatively on the condition of the records and affect their life cycle. There is a registry procedure manual and a RM policy in place to ensure procedures are followed but officials do not adhere to these. The registry is used as an office by one member of staff. This may attract insects and rodents that could harm the records. The registry does not have fire extinguishers to protect records in case of fire, nor is staff trained to operate such apparatus.

4.3.6 The status of RM practices

Various challenges concerning the status of RM practices were mentioned by the respondents as tabled in the matrix below second level of matrix analysis responding to objective two

Matrix 4-1: Understanding records management practices

Understanding RM practices	
Categories/ Sub-categories	**Responses**
Quality service and sound management	RM in the unit itself at the commission always strives to maintain the highest quality of service to both its internal and external clients. (IMU01)
	The office does adhere to sound RM. There is still a lot to be done. OU02)
	There is designated area to keep records which is registry and there are officials trained on records and registry management. There is still a lot to be done. OU02)
	There is basic understanding of RM from personal enrichment (OU01).
Ineffective RM	current filing systems are no longer able to handle the growing volume,
	In is in complete dire straits, RM in our office is in ICU and it needs an urgent intervention. (FU01) (IMU01)
	Managers spend too much time waiting or searching for documents, (IMU02)
	Important documents are sometimes inadvertently discarded or removed without authorization, (IMU02; LU01))
	No proper system was put in place, not even today. For an example there is no control of registers for all incoming and outgoing documents as per the requirement of the act but official are doing as they pleased. IMU01, IMU02).

Source: Researcher's fieldwork 2016.

The responses show that the RM function is underestimated therefor there is a need for swift response to the challenges affecting RM.

The graph below also emphasizes the key challenged that the KZN-RLCC office is facing concerning the status of RM practices.

Data reveals poor RM. Respondents stated that RM is in dire straits and another respondent reiterated this, describing the situation is chaotic. No stringent rules that would guarantee continuity or sustainability are followed. Files are misplaced, missing, muddled up or not updated. One respondent referred to this chaotic state as "RM in ICU (intensive care unit)".

In contrast to the results of interview data, literature shows that the "importance of RM cannot be underestimated in this day and age (Makhura 2005:23). Elements of RM such as responsibility, accountability, legal obligation and transparency are the drivers of RM (Makhura 2005:34). This suggests that RM has much to do with GG.

4.3.6.1 Determining the status of RM practices at KZN-RLCC

The status of RM practices is depicted below in various categories of RM requirements and challenges.

Records management practices are lacking because people with inadequate qualification are recruited and necessary practices are not enforced. There is a need to start from the basics, such as compiling a registry procedure manual to ensure control and uniformity in registry practices. The records manager must also compile a RM policy to ensure that the department adheres to proper guidelines and procedures. Hence, proper RM could address: "difficulties in accessing relevant information and documentation held by the commission when needed, the concern about missing documents attributed to a change of staff, and the lack of communication and cooperation from the commission office leading to threatened court applications to compel the commission to make the relevant information available (SAHRC 2013:10)." Proper RM could also help overcome poor governance (Pienaar 2009:20-21).

4.3.6.2 The condition of records/quality of records management at KZN-RLCC

Amongst various challenges facing the RLCC office, as mentioned in the SAHRC report (2014:40) are those of missing files, missing documents, and the poor or lack of communication between the office and stakeholders, all of which result in delays in the settlement of land claims.

Respondents described the RLCC office as striving towards high quality service but still struggling to comply with the relevant legislation and regulations. Records storage space is lacking. There is no proper registry to keep records which are kept in a designated office that does not comply with the registry specifications as prescribed in the act and regulations. The office that is used as a registry has windows which are not appropriate. There is no control of temperature or humidity as required. Light and dust threaten the life of records. As described above, a member of the registry personnel is using one of the registry-designated offices as an office, which should not be allowed to happen.

Though some records are kept in steel cabinets that are elevated a few centimetres from the floor, many are stored in boxes and stacked on top of the cabinets. The cabinets themselves are squashed full with records so it is difficult to retrieve and replace files. There is no separation of active and inactive records. Closed files are kept together with current files. There is no separation of ephemeral from valuable records, which could create space for new in-coming records. The issue

of disposal of ephemeral records is new to registry personnel as the seven-year retention requirement has not been properly applied. No attempt has been made to comply with these stages of RMs at the RLCC office.

The office of KZN-RLCC is not adhering to the RM principle as outlined in the IRMT report of (1999:128) and National Archives of Scotland of (2013:2). IRMT (1999b:128) describes the key principles of record management as "managing, appraising, selecting, acquiring, preserving and making available for use records and archives, ensuring their intellectual integrity and physical protection, for the benefit of users both in the present and in the future". These RM principles are used as a guide for ensuring the availability of information to the enquirer. Records that are well maintained and organised are easily accessible.

The respondents maintain there are no stringent rules, continuity or sustainability at RLCC. The place is unorganised and files are mixed-up, misplaced and not updated. The condition of the records is of concern and this is a clear indication that there are no RM experts at RLCC. The poor record management practice jeopardises GG. Schenkelaars and Ahmad (2004) (in Okello-Obura (2012:205), make a compelling argument that one cannot ensure transparency and accountability without trustworthy written evidence supporting the processes of accountability. Transparency and accountability cannot be secured without reliable information be it a private or government institution.

4.3.7 Assessment of the level of records management knowledge, competencies and skills for KZN-RLCC staff.

Ndeje-Sichalwe (2010:284) (Yuba: 2013:39) opined that the lack of skill, competency, and training is a challenge to RM personnel this is confirmed by Ngulube and Kemoni (2007:136) in their study highlighted that lack of trained staff and support from the senior personnel is inadequate. Maseh and Mutula (2016:156) state that "the skills and competencies in RM is necessary for the organization to demonstrate accountability, transparency and commitment to deal with corruption".

The designations of the respondents revealed that they mostly occupy high positions although some are at lower levels of state employment. Despite the positions they occupy, one respondent indicated that they had attended training. Two other respondents responded with a 'Yes', but one mentioned that they had limited experience in terms of the required knowledge for effective RM.

Interestingly, one participant mentioned the lack of skills but said the department was working towards achieving GG. The last respondent admitted they did not have any skills even though they are required to have certain skills, competencies and capabilities pertaining to RM practice.

From the responses, it appears that respondents have different understandings of their roles at KZN-RLCC and therefore have different experiences.

One of the respondents mentioned being aware of the policies but said exposure to the legislation was limited. Another respondent said their awareness of policy was limited to practicalities. Two respondents indicated they were aware of the policies because one had attended workshops where these policies and procedures were discussed, while the other had read up on the policies independently out of curiosity. The last respondent mentioned that office managers did not take the time or have any interest in exposing the officials to these policies.

It appears from the interviews that KZN-RLCC does not fully adhere to sound RM practice that will ensure GG. This is surprising since there was consensus among the respondents on the importance of such practices for GG. The respondents offered a numerous reasons for their responses, which can be summed up as follows:

- Malpractice
- Ignorance of the policies
- RM is in a chaotic state
- Some verification boxes are kept in individuals' offices.

However, one respondent stated that KZN-RLCC does, to a certain extent, adhere to good practices and this is because they have adopted an Electronic Document Management System which makes records easily accessible. Matrix 4-2 depicts the responses from interviewees.

Matrix 4-2: Records management knowledge, skills and competencies

Assess the level of knowledge, competencies and skills pertaining to RM	
Categories/ Sub-categories	**Responses**
Recruitment	The key to all this is for the top management to invest in its human capital put or employ right people at or for the right jobs. (FU01)
	Training and recruitment of people with skills in is needed in order for the office to practise comprehensive RM, two officials ae attended the required RM courses (IMU01 and IMU02).
	Shortage of trained and skilled officials to effect, coordinate, implement the use of ICT strategies is a huge challenge LU01, IMU02 and OU01)

	It is imperative for every official to be exposed and trained on RM policies and procedures, since we are dealing with very delicate information. OU02 andFU01).
Capacity building	proper training is required for paper based RM first as the understanding is very limited,(LU01, IMU02 and OU01)
	The department must start investing on vigorous training and capacity building of human capital then everything will be possible since understanding is very limited OU02, OU01, and FU1).
	Lack of knowledge (IMU01, IMU02, LU01 andOU01)

Source: Researcher's fieldwork 2016.

According to Yuba (2013: 39) "lack of skills and resources to ensure sound RM practice in the public was attributed to a lack of understanding from senior management of the value of RM in the functions of the department". Msibi (2015:41) agreed with Ngoepe (2012:187) that the senior personnel with RM qualification contribute to RM functions being left to the junior personnel who do not possess the required skills. This eventually leads to the mismanagement of records. Msibi (2015:107-108) cited that professional training is paramount. Kalusopa (2011:200) and Nsibirwa (2012:223) stressed the "need to employ staff with relevant qualifications and skills, in order to ensure that they make a positive contribution towards the protection and proper care of collections".

The responses show limited training of officials as a result the level of understanding is limited; some officials indicated no understanding at all.

Four of the respondents say that they have been trained on RM practises while one indicated lack of training, knowledge, experience and required skills. One indicates that the limited knowledge in their possession is through in-house training and personal learning development. The remaining reveal that they have no understanding at all of the required skills, knowledge and competencies needed with regards to RM practises

4.3.8   Evaluation of the extent of e-record readiness

Invention of Information Communication technology during the 19th and 20th century has created a concern over records that are created electronically. The use of technology has been said by Dikoplou and Mihiotis (2014:130) to be a tool which improves service delivery and enhances accountability and efficiency of governmental departments. ICT4D advances the development agenda (Walsham 2017:37; Rivett and Loudon 2010:33). But as Matrix 4-3 shows, some government offices such as the one under study, are slow to get on board.

Matrix 4-3: Electronic records management readiness

Categories/ Sub-categories	Responses
Migration to electronic RM	Overcrowded office space with needless housing of records no longer required for day–to–day business; these records are often adverse environmental things like insects and mildew which make the records unusable. (IMU02)
	Adherence is ignored; there is an urgent need for technology advancement. There is still a lot to be done. OU02)
	Records storage areas for active and inactive records as well as digital media do not meet national standards for climate control. (IMU02)
ICT challenge	Digital divide is a challenge; this is caused by disparities in access to ICT which results from differences in exposure and inconsistence use of ICTs. (LU01, IMU02, OU01)
	The technology infrastructure is outdated, for example the server can crash at any time due to old infrastructure. (LU01, IMU02, OU01)
	Systems such as Umhlaba Wethu and land base that were used to capture all land claims lodged and updates has crashes and is not recoverable till today that is due to poor technology infrastructure. (LU01, IMU02, OU01)
Electronic records implementation	There is no plan to keep up with the ever-changing technology, and the strategies that are place such as EDMs has no continuous plan but that were implemented and no plan capture the new or incoming documentation LU01, IMU02, OU01)
	The office has undergone digitising records and files were scanned and saved on EDMS so that no one can tamper with those records. EPMO was implemented as one of the tools for managing projects. (IMU01, FU01)
Resources need	The issue of budget allocation highly impact on resources that are required for the ICT to be fully functional and the EPMP that was introduced is not cascaded down to all officials, some official could not log on since they were not given the login details. (LU01, IMU02, OU01)
	The office still needs to deal with the issue of infrastructure, bearing in mind that it deals mostly with rural public. (LU01, IMU02, OU01)
ICT Capacity building	The office must start investing in human capital through vigorous training. Only if all officials can listen to the Records Manager then one can say the office is ready to operate electronically. (OU01)

Source: Researcher's fieldwork 2016.

Interview responses revealed that the office of the RLCC is not ready for e-records (matrix 4-3). One respondent highlighted the fact that the technology in the office is outdated; the Umhlaba Wethu and Land Base systems crashed a long time ago and there is no remedy; the server is in not in a good state and the RM unit receives zero support from officials and top management. One respondent mentioned that e-record readiness is still a grey area as there are financial challenges and the budget could be an issue. Another respondent stated that e-records readiness

could only occur if officials complied with RM policies or followed instructions. There is minimal compliance with RM policies. Before embarking on e-government, the existing paper system needs to be strengthened by disposing of records and duplicates that are not needed and having proper storage for records.

Thus, it can be induced that the department is not ready for an electronic system because it is still struggling to manage the paper system. The registry division appears to be facing significant challenges with information and missing files. This is a huge challenge for KZN-RLCC and should be attended to as a matter of urgency. The department needs to invest in its employees and create the opportunity to move to e-records. It is imperative to employ qualified, experienced people who can persuade the management to comply with legislative prescriptions in order to promote good record keeping, which in turn will promote GG.

"The KZN-RLCC is currently not ready for e-records" (IMOU1, LU01, IMU02). This is the response from respondents who felt that the office of the RLCC still needed to address challenges like complying with paper records. This is the response from one respondent who feels the office of the RLCC has a long way to go. The feeling from the respondents is that the department needed to get its house in order. Management must ensure that there is proper infrastructure and training of the staff. Officials need to understand paper-based RM first. The office still needs to deal with the issue of infrastructure, bearing in mind that it deals mostly with a rural public. The office must start investing in human capital through vigorous training. The office has digitised records: files have been scanned and saved on EDMS so that no one can tamper with records. This is a grey area as some areas look positive while on the other hand there will be financial constraints and the budget could be an issue. Thirty percent of respondents indicate that the office of the RLCC has made an effort with regards to RM. (IMU01, FU01), although twenty per cent state that they are not sure whether the department is ready for e-records. In summary, three interviewees indicate that the office is not ready for e-records, while 2 indicate the office is ready for e-records. The remaining participant was unsure about the requirement to validate the readiness to e-records. This displays the lack of knowledge about the general movement towards e-records readiness.

4.3.9   Linking management of records with good governance

Records management and GG has an interrelationship, GG would not exist without GG. GG can only be proven where records are available as evidence of daily transaction.

The responses support the conclusion that the two concepts, good RM and GG, are interrelated. Respondents agree that RM is linked to GG. Ensuring proper RM throughout their life cycle

would promote GG since decision makers will have information on which to base their decisions. The issues of accountability and transparency as tenets to GG can only be practical when records are available (IMU01, IMU02, OU01, OU02, FU01, LU01). This response links to both records life cycle and continuum frameworks as illustrated in the literature paragraph 2.4.7 and 2.4.8 as having inextricable link. Taking it further, ICT4D could enhance good governance through e-government. This means going beyond systems development and implementing systems to governments, professional and communities working together to create space susceptible to success (Rivett and Loudon 2010:33).

Good RM implies the existence of GG and good practices of record keeping. Data from interview questions further show that good record keeping ensures GG is practiced. For any public institution to implement those decisions, good records keeping strategies are needed as evidence moving forward. Without good records keeping there will be no GG. On the other hand without GG there would possibly be no good records keeping. One of the respondents further reiterated that the two terms are symbiotic: you cannot have one without the other: efficiency and effectiveness holistically contribute to GG.

Results from interviews converge with the literature. Mehluli and Makwanise (2012:190) purport that "no government or organisation can claim to be practicing GG or be accountable to its people without sound records or archives". Ngoepe and Van der Walt (2009:117) and Mutula and Moloi (2007:291), state that the foundation of GG relies on sound RM practices. Additionally, as these provide clear structures of accountability and audit trails, the efficient, economic and effective handling of records enhance GG. Good governance and record keeping is linked and this is very important.

All respondents indicated that there cannot be GG without good records keeping. In other words, all of the respondents agreed that there is a link between RM and GG. Respondents pointed out that GG is something that the KZN-RLCC office will have to work hard to achieve because there is limited compliance with RM practices. It was pointed out that the office needed to invest in its personnel through training and recruiting qualified staff. This would in turn foster good governance by way of improved record-keeping. Belief in the RM and GG link is not only indicated by the interviewees but supported by literature (Kargbo 2010:4; Cloete and Auriacombe 2007:199; Ngoepe and Van der Walt 2009:117). Matrix 4-4 highlights the further analysis of the data collected on the link between RM and GG.

Matrix 4-4: Relationship between records management and good governance

Categories/Sub-categories	Responses
Records storage	Inactive records are banished to hostile environments, such as strong rooms and there is neither an adequate list of locations nor an effective index to what is stored there, (IMU02; OU02)
Ineffective governance	Documentation of decision-making and objections at meetings of project officers and community members hindered due to poor record management. (IMU01)
	We are moving from the premise that says for a GG to be attained public institutions must first invest on its human capital unless the GG will remain a dream. (OU01, FU01)
Good records keeping	Partially adheres to sound RM practices in ensuring GG because they have the following: Approved file plan, project called EDMS so that records can be made easily accessible on computers without going to Registry. However, there is absence or poor implementation of RM strategies, policies and procedures, (IMU02)

Source: Researcher's fieldwork 2016.

Respondents reveal further evidence of how RM and GG in Matrix 4-4. Archives occupy a central position relative to accountability, human rights and GG (Mehluli and Makwanise 2012:190).

The majority of respondents understood the concept although they defined it in different ways in terms of their experience of the concept of GG. When discussing RM. all six respondents stressed accountability, transparency, economics, effectiveness, the processes of implementing good and sound decision-making, conduct in terms of the laws and regulations prescribed to rule an institution., Batho Pele principles, service delivery and access to information.

From the all the interviews, 50 per cent of respondents mentioned and linked GG to sound decision making, and 50 per cent mentioned accountability and transparency. This implies that in total, they have different understandings of what the concept of GG is: one respondent mentioned that the concept has many legs.

All of the respondents have a sound understanding, primarily based on their experience and practice in the workplace, as they all touched on GG principles. Half the respondents associated GG with implementing good and sound decision making. This is supported by Mehluli and Makwanise (2012: 188) who refer to GG as a process by which decisions are made and implemented. However, only 20 per cent of the respondents felt that with good RM, the department could ensure efficiency and effectiveness. This would mean that the information on claimants will be easily accessible and ensure work is done timeously. This would decrease the amount of money the department spends on tracking claimants due to missing information or the

information that has been lost due to lack of knowledge and poor RM. Once the department is organised and practices good record keeping, people will be prioritised, and customer service will improve. Some 40 per cent of respondents indicate that GG is about complying with the regulations and laws that govern the institution.

One respondent stated that: "Good governance is the end result, displaying transparency at work and being accountable and using resources effectively, efficiently and economically, ensuring a participatory approach. Good Governance becomes visible when there is clean audit" (OU01). This is supported by literature (Mohamed–Sayeed, Pillay and Reddy 2014:73).

4.3.9.1 Records management ensures good governance

There will be no GG without records. It is therefore crucial that RM policies are adhered to in order to achieve this. Figure 4-4 reveals the number of interviewees which believe that RM ensures GG either partially or fully.

Records management ensures good governance

- yes
- Partially
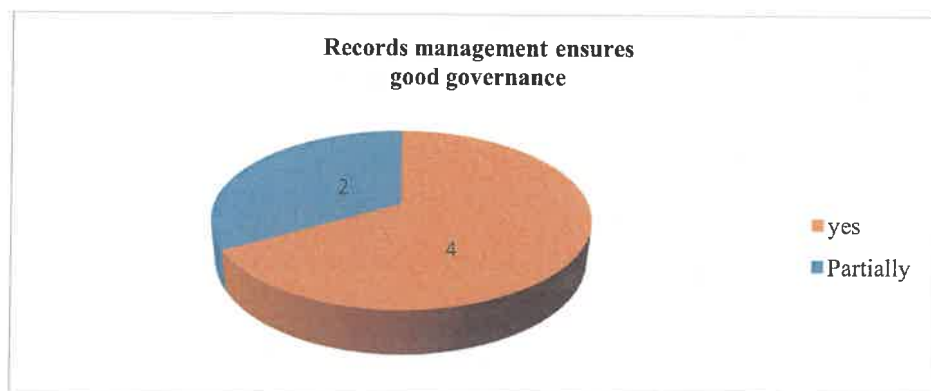
Figure 4-4: Records management ensure good governance

Source: Researcher fieldwork 2016.

As Figure 4-4 reveals, the majority of the respondents agree that RM ensures GG. Respondents mention that without adequate records, organisations cannot perform their work efficiently or account for their actions. One of the respondents brought out the importance of decision-making to achieve GG and decision-making requires evidence. IMU02 states: "Implementing RM system can reduce the risk associated with litigation and potential penalties thus ensuring that there is GG. The important pillars of GG such as accountability, transparency can only happen where there is RM in place with accessible information."

Only two of the respondents were not uncertain about whether RM ensures GG, stating that even though RM exists, individuals will always look for loopholes which they can exploit to their advantage. IMU01 suggests that organisations which are still using paper-based filing systems are unfortunately still susceptible to people manipulating records to suit their needs. An example of this is when physical records are destroyed so that there is no paper trail.

4.3.9.2   Records management system fosters good governance

Figure 4-5 reveals perspectives on whether a RM system fosters GG.
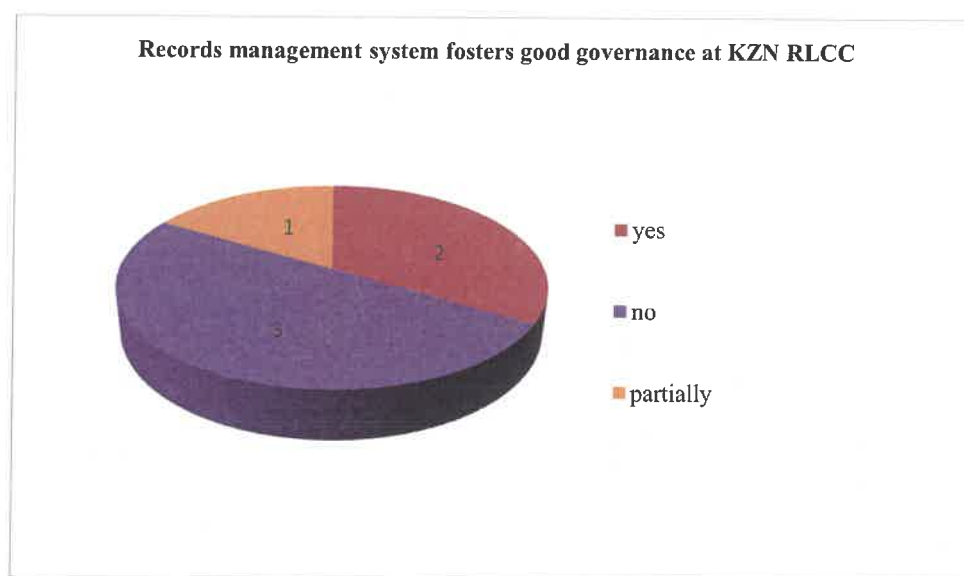
Figure 4-5: Records management system fosters good governance

Source: Researcher fieldwork 2016.

As Figure 4-5 depicts, half of the respondents do not believe that RM at KZN-RLCC fosters good governance. This may be because the RM system is poorly managed and outdated, with files missing and valuable information missing from some files, according to a number of respondents. FU01 states: "Officials are sharing work, due to mismanagement of records; officials are working claims that have been settled long time ago. This is because files are not updated, not closed and kept in individual's offices making them susceptible to damage and loss."

Two of respondents felt that RM at RLCC fosters GG and mentioned that there is a registry where incoming and outgoing files are accounted for. However, one respondent reports: "Records at

RLCC are not properly managed to foster GG because officials keep records in their offices and they don't submit records to registry for filing."

Only one respondent answers 'partially'. It must be noted that the RLCC office does have a registry but there is no dedicated budget for registry, which makes it difficult for the personnel to perform their duties such as standardising files.

4.4   Use of the meta-conceptual frameworks for emergence of themes

Chapter three explained the thematic analysis as one of the processes used in data analysis. From the qualitative data, broader meanings arose that can point to what would work best from a pragmatic perspective. The themes that emerged from the data indicate or emphasise what was mentioned in the conceptual framework driving the study. Thematic analysis allows the researcher to analyse, classify and present data to determine themes that emerge from that data (Ibrahim 2012:10).

Table 4-3: Role of conceptual framework in emergence of themes

Emerging themes	Contributing conceptual framework
Process of ensuring proper creation, maintenance, use and disposal of records	Records Life cycle and records continuum even though records life cycle is they both administer records from creation to disposition which could be in a form or destruction or archiving
Compliance with RM prescripts	Records Life cycle and records continuum both concepts govern the care of both records and archives as stipulated in the NASAA (RSA 1996). That governmental bodies should take proper care or records and use an approved filing system, The PAIA provides for the access to public records
Noncompliance with RM prescripts and procedures	Records life cycle as it does not cover for the preservation of electronic records as well as keeping records of archival value.
Decision making	Records continuum provides for referral or historical reference to the archival information which assist in the decision making process.

Source: Researcher fieldwork and literature 2016-2017.

4.5   Methodological triangulation

As indicated in chapter three, section 3.10 triangulation is seen to be one of the best ways of increasing research trustworthiness in qualitative research (Bless *et al.* 2013; Babbie & Mouton 2014). Yin (2018:288) explains triangulation as a process of determining the convergence and divergence of data collected from different sources of evidence, to assess the strength of a case study finding. Tables 4-4 to 4-8 reveal methodological triangulation for each research objectives as the research objectives mirror the research questions.

Table 4-4 shows how the primary data and secondary data converge or diverge in response to research objective.

Table 4-4: Triangulation of research objective one

| Research question one | Primary data: Interviews | Secondary data: | |
		Law and Policy	Literature
Legislative frameworks pertaining to RM	80% of the participant have an understanding of legislative framework guiding RM while 20% have limited or no understanding	RSA Constitution (RSA 1996) NARSSA Regulations, (RSA 2002) PAJA (RSA 2000) PAIA (RSA 2000)	Mukwevho and Jacobs (2012:37), and highlight that the South African government has policies, infrastructure, and regulations that promote transparency and effective governance and ensures accountability administrative action

Source: Researcher fieldwork and literature 2016-2017.

South Africa has a list of legislations in place and the challenge is the lack of implementation. The literature confirms that there are good RM policies. Data and secondary sources converged in that the implementation of RM policies in governmental institution is a challenge.

Table 4-5: Triangulation of objective two

| Research objective two | Primary data: Interviews | Secondary data: | |
		Law and Policy	Literature
Status of RM practices	The registry is fully functional, and has staff to perform registry duties. There is an approved filing system, policies and procedures to be followed. However this is limited to registry staff and not cascaded to all official who are using these official records. Records storage if limited, cabinets are full, the registry building is not proper; records are exposed to dust, sunlight and many other hazardous environments. Records are overcrowded in cabinets. All this leads to deterioration of records. No stringent rules, therefore files are all over offices, and documents are duplicated,	RSA Constitution (RSA 1996) RM Policy Manual NARSSA Regulations R158 (RSA 2002)	The KZN-RLCC cannot access records held by the office; files are missing therefore the office cannot account for some actions taken (SAHRC 2013:10-13)." Pienaar (2009 20-21) share the same sentiment and state that the misplacement of records lead to poor governance.

Source: Researcher fieldwork and literature 2016-2017.

The primary data shows divergence in terms of respondent's opinions on the status of RM. Respondents could not agree on the status as indicated in the table 4-4. The law, policies and registry staff are available but the challenge is the non-compliance or ignorance of the policies and procedures that are available with the objective and data collected as stated by Pienaar (2009 20-21) that misplacement of records contribute to ineffective governance

Table 4-6: Triangulation of objective three

Research objective three	Primary data: Interviews	Secondary data:	
		Law and Policy	Literature
Level of knowledge, competencies and skills pertaining to RM	Training and recruitment of people with skills in is needed in order for the office to practise comprehensive RM, two officials have attended the required RM courses (IMU01, IMU2, OU1, FU1 and IMU02).	RM Policy Manual, NASAA (RSA 1996b) NARSSA (RSA 2002)	Officials must obtain RM qualifications and skills to handle document preservation and to make information accessible (Kalusopa 2011:200; Nsibirwa 2012:223)

Source: Researcher fieldwork and literature 2016-2017.

Table 4-7 Triangulation of objective four

Research question four	Primary data: Interviews	Secondary data:	
		Law and Policy	Literature
Evaluate the extent of e-record readiness.	RM unit is not prioritized. There is no implementation of the filing system, policies and procedures. There is no plan to keep up with the ever changing technology, The office must start investing in human capital through vigorous training. Official are ignorance and do not listen to the Records Manager. . Records Manager has good ideas and is not given an enabling environment to implement those ideas. The technology infrastructure is outdated, The systems such as Umhlaba Wethu and Land Base that were used to capture all land claims lodged and updates crashes and is not recoverable till today. KZN-RLCC has attempted conversion to e-records, undergone digitising records and files were scanned and saved on EDMS. EPMO was implemented as one of the tools for managing projects.	Constitution of the Republic of South Africa, (RSA 1996) RM Policy Manual, NASAA (RSA 1996b) NARSSA (RSA 2002) ECTA (RSA 2002)	Organisations the world over must uptake e-readiness with appropriate ICT integration (Moatlhodi 2005:25). E-readiness is necessary to bridge the digital divide between developed and developing countries (Wamukoya and Mutula 2005:70)

Source: Researcher fieldwork and literature 2016-2017.

It is crucial that one understand paper-based RM first before attempting to electronic RM. The issue of infrastructure, digital divide is a challenge; this is caused by disparities in access to ICT which results from differences in exposure and inconsistence use of ICTs. Shortage of trained and skilled officials to effect, coordinate, implement the use of ICT strategies is a huge challenge. ICT is a challenge therefore the primary and secondary data diverge in that electronic records are not catered for in the system and no proper continuous plan for managing electronic record.

Table 4-8: Triangulation of research question five

Research question five	Primary data: Interviews	Secondary data:	
		Law and Policy	Literature
Link between RM and good governance	100% respondents agreed that there is a link between RM and GG Accurate records keeping ensures that all documentation are readily available to either support or deny a supposition in cases of accusations and fraudulent activities to make subsequent decision we have to refer to the information kept to maintain GG decision to be accounted for through records keeping that is proper good records keeping strategies are needed as evidence moving forward	Constitution of the Republic of South Africa, (RSA 1996) RM Policy Manual, NASAA (RSA 1996b) NARSSA (RSA 2002) RSA constitution no 106 of 1996 PMFA (RSA 1999) PAIA (RSA 2000).	"GG requires good information management, so that public officials can be held liable for the decisions they have taken" (Masuku and Makwanise 2012:191). Literature supports GG resting on the premise of well thought out management of information and documents.

Source: Researcher fieldwork and literature 2016-2017.

Scholars like Makwanise (2012:190), Lung'bo and Rotich (2014:2), Okello-Obuta (2012:205) Ngoepe and Van der Walt (2009:117) argue that RM is foundational to GG. There can be no accountability or GG without sound or reliable documented evidence. Similarly to the arguments made by scholars, 100 per cent of the participants support these arguments, pointing out that accountability and transparency as tenets of GG can be practical when records available. Hence all data sources converge on the GG and RM link.

4.6 Chapter summary

This chapter has analysed the data and presented by respondents and opinions about the relationship between sound records practices and GG. The chapter presented the current scenario of the KZN-RLCC office followed by the presentation and analysis of data collected and showed how the data responded to the research questions and research objectives. The role played by the meta-conceptual conceptual framework in the emergence of themes and guiding the study was demonstrated in this chapter. Methodological triangulation was conducted to increase the trustworthiness of the study.

In the chapter which follows certain findings and conclusions are highlighted and recommendations are presented, which conclude the dissertation.

CHAPTER FIVE: FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

Chapter five of this study presents a brief summary of the results of the study. This study examined the role of RM in fostering GG. KwaZulu-Natal Regional Land Claims Commission was used as a case study. This chapter started by giving overview of the contribution of chapters to this study, followed by findings, conclusions and recommendations based on the data collected and literature. It then move to how the study responses to the research questions and meeting the research objectives.

The units of analysis were four units in the KZN-RLCC office; namely finance information management, legal, and the operations units. The study employed a qualitative method in an interpretivism paradigm that included matrix analysis which preserved the responses of participants whilst interpreting meanings directed to addressing research questions and objectives. This chapter provides guidance and recommendations on the improvements to RM practices in order to have GG. Each of the findings from the study is presented with corresponding conclusions and recommendations. This final chapter brings this study to a close.

5.2 Overview of contributions of chapters to the study

This study was conducted with the aim of answering the research questions and achieving the research objectives set forth in table 5-1.

Table 5-1: Research questions and objectives

Research questions	Research objectives
What is the role of records management in fostering good governance?	Determine the role of records management in fostering good governance.
What legislative frameworks are available for records management?	Discuss legislative frameworks pertaining to records management.
What is the status of records management practices at KZN-RLCC?	Examine the status of records management practices.
To what extent do KZN-RLCC staffs have the relevant knowledge, skills and competencies pertaining to records management?	Assess the level of knowledge, competencies and skills pertaining to records management amongst KZN-RLCC staff.
What is the status of e-records readiness at KZN-RLCC?	Evaluate the extent of e-record readiness.

| What is the link between records management and good governance? | Establish the link between records management and good governance |

Source: Researcher's fieldwork 2016

Each chapter contributed to addressing the research questions and objectives in a number of ways. Since the research questions and objectives mirror each other, the focus will be on how each chapter contributed to achieving the research objectives. In other words, when the research objectives are achieved, the research questions are answered.

Chapter one helped achieve the main research objective by laying the foundation to establish the role of RM in fostering GG. For example, the preliminary literature review provided background of the study lay out, brief history about the land restitution and challenges that are faced by the office of the KZN-RLCC and highlights the necessity for conducting the study at KZN-RLC. Next, Chapter two presented the literature review which includes the legislative framework and conceptual framework to guide the study. Two models of RM were utilised in the study, namely: the records life cycle and records. This chapter also presented the status of RM practices as laid out by various scholars was also presented in literature review chapter. The chapter presented a guide to measure whether RM promotes GG at KZN-RLCC and whether KZN-RLCC operates within the frameworks of RM. This helped achieve the second research objective of discussing RM in light of legislative frameworks. It also helped achieve the fifth and sixth objectives by explaining the contours of e-readiness and establishing the link between RM and GG.

Chapters three and four are closely connected when it comes to meeting the objectives of the study. For instance, on the one hand, to answer the research questions and accomplish the objectives of an empirical study such as this one, care must be taken to define, explain and justify research methodology decisions. For example, Chapter three set forth the research design that would be used as a map to take steps that address the research problem regarding processing of land claims. This contribution helped navigate the study as a whole. On the other hand, Chapter contributed a presentation and analysis of data derived by following the steps set forth in Chapter Three. Chapter Four went on to yield the findings that were subject to interpretation of responses without changing their meaning. Chapter Four drew upon the meta-conceptual framework to place the responses from the interviewees in context of how the RLCM and RCM work in conjunction with each other to gauge whether RM can foster GG. The fourth chapter was particularly useful in achieving the objective of examining the status of RM practices. The data presented in this chapter assessed the level of knowledge, competencies and skills pertaining to records management amongst KZN-RLCC staff. That chapter went on to evaluate the extent of

e-record readiness and establish the link between records management and good governance. Besides revealing the scenario of the KZN-RLCC office it led to the emergence of themes that emanated from the study. Qualitative multi-mode triangulation assisted with answering the research questions and meeting the objectives through a comparative analysis of documentary evidence and results from interviews.

Finally, Chapter Five helped the study reach its objectives by disaggregating the findings, conclusions and recommendations pertaining to each objective.

The data presentation and analysis in chapter four has led to the summary of findings, conclusions and recommendations that are set forth in section 5.3 below. A brief explanation of the outcome regarding RM fostering GG is followed by delineation of the outcome for each research objective.

5.3 Findings, conclusions and recommendations

The main research objective is concerned with the role of RM in fostering GG. The study found that RM has a role to play in fostering GG. One hundred per cent of the participants of this study indicated that accountability and transparency as tenets of GG can only be practical when records are available. The same was shown by literature. Therefore, both data sources converge on the point that RM fosters GG. However, it was also discovered that RM is not fostering GG sufficiently because KZN-RLCC practitioners are not putting adequate effort towards this endeavour. It is concluded, generally, that, although RM principles, practices and rules are understood; there are limitations in terms of compliance of employees. It is therefore recommended that said enforcement be applied. This will allow RM to foster GG at the KZN-RLCC.

Sections 5.3.1 to 5.3.5 reveal findings, conclusions and recommendations for each of the sub-objectives which assists with achieving the main research objective and thereby answering the main research question as shown in Table 5-1.

5.3.1 Records management legislative framework.

5.3.1.1 Findings

The study revealed that 80 per cent, the majority of the respondents understood the rules of RM practice. However, there is a need for formal training to ensure better understanding of RM as it will lead to an effective and efficient service being delivered to the claimants.

It is concluded that the lack of training on the legislative framework detracts from the effectiveness and efficiency of service delivery.

5.3.1.2 Conclusion

Based on the findings, it can be agreed that RLCC staff need training on RM practice and to comply with existing policies and procedures to ensure that the information being created, can be properly maintained and disposed of as per requirements of the legislations. The main challenge in the RLCC is the ignorance at top management level, as well as the fact there is no designated records manager in the unit and no adequate budget for operational purposes.

5.3.1.3 Recommendations

It is therefore recommended that KZN-RLCC train its employees, enforce RM practice and ensure that adequate budget is allocated to the unit in order to improve efficiency and effectiveness. In addition, in-house training and workshops must be introduced to assist in information sharing at all levels.

5.3.2   Status of records management practices at the KZN-RLCC

5.3.2.1 Findings

The findings indicate that the RLCC office lacks the capacity and therefore cannot afford to properly implement RM principles. There is no compliance with good practice and prescripts of RM therefore GG is compromised by the poor practice or RM. In addition, from the responses, it became evident that non-cooperation of the management is one of the challenges RLCC is facing,

5.3.2.2 Conclusions

It is concluded that there are no stringent rules regarding continuity or sustainability of RM practices at RLCC. The registry is chaotic and the files are mixed up, misplaced and not updated. The condition of the records is appalling and this is a clear indication that the office does not comply with RM practices thus, leading to poor RM.

5.3.2.3 Recommendations

Based on the findings and conclusion it is recommended that the management buy in to record management practices and drive the implementation process to ensure that the RLCC Office complies with the legal prescripts.

5.3.3 Staff's level of knowledge, skills and competencies pertaining to RM

5.3.3.1 Findings

The findings show that the RLCC staff has limited knowledge, expertise and commitment from management to ensure good RM practice which will in turn ensure GG. Failure to implement the procedures and guidelines on RM practice were visible. The essential weakness stressed is the minimal training employees receive on RM.

5.3.3.2 Conclusions

The conclusion is that department lacks the knowledge and training are needed to build staff capacity. Training and recruitment of people with skills in is needed in order for the office to practise comprehensive RM.

5.3.3.3 Recommendation

It is recommended that RLCC outsource for an expert in RM to assist the department identify and address the gaps. Training of officials internally on policies

5.3.4 Status of e-records readiness at KZN-RLCC

5.3.4.1 Findings

The finding highlights the fact that RLCC is not ready for e-records as it is still struggling to manage paper-based records. Some 70 per cent of respondents felt that RLCC needed to understand paper records system before embarking on electronic RM. Respondents further pointed out that technology in the office is outdated.

5.3.4.2 Conclusions

It can be concluded from the finding that the lack of financial, human and IT resources, as well as trained personnel are among the challenges faced by RLCC.

5.3.4.3 Recommendations

Good record keeping system is essential for any organisation if it is to execute its duties efficiently and effectively. Therefore, it is recommended that RLCC employs an expert in record management. This will ensure that the KZN-RLCC complies with the available prescripts for RM.

It is further recommended that KZN-RLCC draw upon the advantages of ICT4D to involve a wider range of stakeholders in the shift to e-government or e-governance. Ultimately, citizens should be able to track their land claims on line which is consistent with transparency of the land claims process.

5.3.5 The link between records management and good governance

5.3.5.1 Findings

Findings demonstrate the link between GG and RM. All respondents, 100 per cent, agreed that without good record keeping RLCC cannot function efficiently or account for its decisions. The respondents further pointed out records are vital in every organisation as GG cannot be guaranteed without written records. The effectiveness of the management of the organisation is dependent on available records. Good RM implies the existence of GG and good practices of record keeping. Important pillars of GG such as accountability and transparency can only exist when there are sound RM practices in place and information is accessible.

5.3.5.2 Conclusion

Conclusion induced from the findings is records management and GG are interrelated.

5.3.5.3 Recommendation

It is recommended that RLCC needs to be promote good record keeping in order promote GG. It is critical that RLCC succeed in rendering a service to the clients that is accurate and trustworthy. This can be done by training staff through workshops and in-house training.

5.4 Contribution to the body of knowledge regarding records management

This study adds to the available literature on records management and provides additional information on the role played by RM in fostering GG. The focus was also directed to the practice of RM at KZN-RLCC. Findings, conclusions, and recommendations made in this study may be relevant for other RLCC in the other eight provinces. The study provides an alternative advice to KZN-RLCC to upgrade the current systems the e-records and respond to the challenges identified in this study. The findings clearly provide guidance on the required changes that can contribute to overcoming the challenges and improving the standard in RM practice which will in turn foster GG.

5.5 Summary of the chapter

The study synopsis, findings, conclusion and recommendation are presented in this Chapter Five. Findings of this research were used as a foundation for conclusions and recommendations. Additionally, the study responded to the research objectives and questions that examined the role played by well managed records in fostering GG. It was shown that this study has contributed to the available literature. The role played by the records management in fostering GG was highlighted with indication of the extent to which RM contributed to GG and how RM models connected with the study participants' responses. This summary concludes this dissertation.

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APPENDICES

Appendix 1: Interview guide

UNIVERSITY OF KWAZULU-NATAL

COLLEGE OF LAW AND MANAGEMENT STUDIES

SCHOOL OF MANAGEMENT, IT AND GOVERNANCE

1. **PERSONAL INFORMATION** Please indicate here-below your name, rank/salary level, designation and unit as part of participating on the interviews. This information will be used only to conduct analyses of the research, and will not be distributed, shared and handed over to anyone or institution.

Full Names	
Salary level	
Designation	
Unit	

QUESTIONS:
What is your understanding of good governance?
What is your understanding about records management?
Can you elaborate on the role of records management in fostering good governance at KZN RLC?
What are the records management practices that you can think of at the KLZN RLCC?
What is the relationship between good records keeping and good governance?
To what extent you do think good records management ensures good governance?
How does records management foster good governance at RLCC?
Do you think records management can foster good governance? If so how?
What records management skills, capabilities, and competencies do you possess?
Do you understand any of the policies and procedures concerning records management and good governance and how do you know about them?
Do you think KZN-RLCC adhere to records management practices to ensure good governance and Explain why?
Thank You for your participation

Appendix 2: Informed consent letter

UNIVERSITY OF KWAZULU-NATAL

INYUVESI YAKWAZULU-NATALI

UNIVERSITY OF KWAZULU-NATAL

COLLEGE OF LAW AND MANAGEMENT STUDIES

SCHOOL OF MANAGEMENT, INFORMATION TECHNOLOGY AND GOVERNANCE

Private Bag X 01, Westville, Durban, 4000, Republic of South Africa. 03126052k

01 June 2016

Researcher: Ms B Lembethe

Email address: lbabongile@gmail.com

Supervisor: Professor Fayth Ruffin

Institution: University of KwaZulu-Natal

Email address: Ruffin@ukzn.ac.za

I, Babongile Lembethe a student of University of KwaZulu-Natal, kindly invite you to participate in the research project entitled **The Role of Records Management in fostering Good Governance at Kwa-Zulu Natal Regional Land Claims Commission (KZN-RLCC).** The study is aimed at making a contribution towards Records Management and Good Governance. It is undertaken as part of the requirements of the award of Masters Degree (Public Administration), at the University of KwaZulu-Natal.

Your participation in this research project is voluntary. You may decline to participate or withdraw from the research project at any stage and for any reason without any form of disadvantage. There will be no monetary gain from participating in this research project. Confidentiality and anonymity will be maintained by the researcher and the School of Management, Information Communication and Governance, at the University of KwaZulu-Natal. The data collected will be securely kept at the school

premises and eventually disposed of by incineration after a period of five years. Meanwhile the results will be availed to the participants after analysing the data as a way of improving the trustworthiness of the study. Eventually a copy of the theses will be donated to the Department's library.

If you have any questions or concerns about participating in this study, please feel free to contact myself or my supervisor at the contacts provided above. It should take you about 30-60 minutes to complete an interview session.

Thank you for agreeing to participate in this research project.

DECLARATION BY THE PARTICIPANT

I .... (full names of participant) hereby confirm that I understand the contents of this document and the nature of the research project, and I consent to participating in the research project.

I understand that I am at liberty to withdraw from the project at any time, should I so desire.

I consent / do not consent to this interview being recorded.

SIGNATURE OF PARTICIPANT: -------------------------------------- DATE ---------

Yours Faithfully

Babongile Lembethe

Telephone: 0797684305

Email: lbabongile@gmail.com

Appendix 3: Alignment of interview questions with research objectives

Research questions and objectives	Interview questions
What records management legislative frameworks are available?	Do you understand the policies and procedures concerning records management and good governance?
Discuss legislative frameworks concerning records management.	If you do, how did you come to know about them? If not, why are you not familiar with the policies and procedures?
What is the link between records management and good governance?	What, in your view, is the relationship between good records keeping and good governance? Please provide reasons or examples in support of your answer.
Establish the link between records management and good governance.	Do you think that good records management ensures good governance? Please motivate reasons for your answer.
	Do you think records management can foster good governance? If so how? If not why not? Yes and No.
What is the status of records management practices at KZN-RLCC?	What are the current records management practices at KZN-RLCC?
Examine the status of records management practices	What is your assessment, of the condition of records/quality of records management at KZN-RLCC? please explain
What is the status of e-records readiness at KZN-RLCC?	In your assessment is KZN-RLCC ready to operate an e-government as a means towards achieving good governance? please explain
Evaluate the extent of e-record readiness.	
Does KZN-RLCC staff possess the relevant knowledge, skills and competencies pertaining to records management?.	Do you possess any records management skills, capabilities or competencies? Please provide examples in support of your answer.
Assess the level of records management knowledge, competencies and skills	Do you understand the policies and procedures concerning records management and good governance? If you do, how did you come to know about them? If not, why are you not familiar with the policies and procedures?
	Do you think that KZN-RLCC adheres to sound records management practices to ensure good governance? Please provide reasons for your answer.

Appendix 4: Records management policies and procedures

Interviewee Responses
Training and recruitment of people with skills in is needed in order for the office to practise comprehensive records management (IMU01, IMU02). No proper system was put in place, not even today. For an example there is no control of registers for all incoming and outgoing documents as per the requirement of the act but official are doing as they pleased
There is basic understanding of records management (OU01). This understanding is from the experience and personal enrichment on legislations governing public administration
No understanding pertaining to records management. It boils down to the lack of interest on the side of the office management. It is imperative for every official to be exposed and trained on records management policies and procedures, since we are dealing with very delicate information. One is also tempted to say may be its not the lack of interest only but the lack of knowledge as such. (Where ignorance is bliss people parish) (OU02, FU01).
There should be registry and records management policies in place (IMU01, IMU02, LU01, and OU01).

Appendix 5: Records management status and practices

Categories	Interviewee responses
Access to records	- Access to registry should be limited to registry staff (IMU0) - There is a records management system in place but not all processes are followed, for example, there is no disposal and there is no preservation of valuable records. (IMU02, OU01) - Crucial documents like claim forms are missing due to access issues. (OU01, LU01, IMU02) - The volume of duplicates documents and inactive files are kept at registry while the registry is running out of space. (IMU02, OU01)
Policies and procedures.	- There are existing registry/records policies and procedures but these are ignored (IMU02) - Records Management in the unit itself at the Commission always strives to maintain the highest quality of service to both its internal and external clients.(IMU01) - Managers spend too much time waiting or searching for documents, Land Claim Files needed by customers, employees, auditors, the public, attorneys, and others are increasing difficult—or even impossible—to find,: Important documents are sometimes inadvertently discarded or removed without authorization, Offices are needlessly housing records no longer required for day–to–day business; current filing systems are no longer able to handle the growing volume, Office space is becoming crowded with filing cabinets, Important categories of critical records (e.g., vital records, archival records) go unidentified and unprotected—some may be thrown out in the trash, Inactive records are banished to hostile environments, such as strong rooms and there is neither an adequate list of locations nor an effective index to what is stored there, Records in offices are exposed to dust, dirt, rodents, insects, mold, mildew—all of which accelerate deterioration of records, Records storage areas for active and inactive records as well as digital media do not meet national standards for climate control. Shortage of space to house current new land claim files. (IMU02) - Very poor, bad practices. Records are poorly handled, no stringent rules or continuity or sustainability. (IMU02) (LU01) - Not good, have come across challenge of loss of information in files. Rating is medium, standard is average. The office need to improve to avoid misplacing information. Critical information are lying around. Records are to be kept in a sense that cannot be tampered with. (OU02) - In is in complete dire straits, records management in our office is in ICU and it needs an urgent intervention. The key to all this is for the top management to invest in its human capital put or employ right people at or for the right jobs. In our office you will find some officials completely ignoring matters pertaining to records management because they do not understand the principles behind records management issues.(FU01)

Cont.

Categories	Interviewee responses
Lack of skills, knowledge and understanding.	• Officials lack skill and understanding and therefore do not adhere to records management principles (OU01, FU01) • No. there is numerous officials within the office who do not subscribe to sound records management policies. For instance, numerous officials have documentation in their offices relating to claims and these same documents are supposed to be on file for records purposes. However, they chose to ignore this and hence, documentation relating to meetings for example, between the project officers and community members are never placed on record and as a result, there is no way of deciphering decisions or objections which were taken at meetings.(IMU01) • Yes RLCC-KZN partially adheres to sound Records Management practices in ensuring good governance because they have the following : Approved file plan, They also embarked in a project called EDMS so that records can be made easily accessible on computers without going to Registry; however there is absence or poor implementation of records management strategies, policies and procedures, Approved file plans not implemented in filing structures, Low awareness of the importance of proper records management practices, An overwhelming volume of older stored records, Staff changes that leave the context of many records unknown, Vital records not identified and secured (lack of a disaster preparedness plan), Failure to implement a proper electronic document and records management system (EDRMS), Staff not adhering to a central filing strategy (keeping files at their desks), resulting in inability to locates files later, Documents not verified as being complete before being returning to the registry, filing room or archives.(IMU02) • No, space to keep records is not enough. Some records are kept in boxes in individual's offices and boardrooms e.g. verification records, settlements agreements. (OU01) • To a reasonable extent. The office does adhere to sound records management in that there is designated area to keep records which is registry and there are officials trained on records and registry management. Adherence is ignored; there is an urgent need for technology advancement. There is still a lot to be done. OU02) • Not at all, to do that the office management must invest in their human capital (officials) since they are not seen to be doing justice to records themselves; this problem will forever be there. (FU01) • Yes, I have attended numerous working group sessions at our National Office. This was based on the formulation of the file plan and in addition, we had to provide input on the drafting of the policies and procedures with regards to records management within the Commission. • Yes I do understand the policies and procedures concerning records management and good governance, those are: The constitution, 1996, National Archives and Records Service Act No 43 of 1996, Records Management Policy Manual which is issued in terms of ... Archives and Records Service Act (Act no.43 of 1996, archives act regulations, records management policy manual 2007, national archives and records service of south Africa regulations, The promotion of Administrative Justice Act No. 3 of 2000b which helps to ensure that administrative action is lawful, reasonable and fair and properly documented, The PFMA Act No 1 of 1999 which regulates financial management in the public service and to prevent corruption, The Electronic Communications and Transactions Act No. 25 of 2002 which legalizes ECTAs and to build trust in electronic records. I know these acts and policies because I refer to them when dealing with records management and I also worked at KZN Archives I also attended a lot f workshops regarding records management where

	these acts were discussed. I also did a post grad diploma in archives and records management at UKZN where these acts and policies were also discussed. (IMU02)
	• Yes I do although the level of understanding is limited. I should be equipped. I only understand by reading policies, circulars, the National Archives Act, Records Management Policies. I know these polices through ICM and my personal readings. (OU01)
	• No, not at all.(OU02)
	• No, it boils down to the lack of interest on the side of the office management. It is imperative for every official to be exposed and trained on records management policies and procedures, since we are dealing with very delicate information. One is also tempted to say may be it's not the lack of interest only but the lack of knowledge as such. (Where ignorance is bliss people parish) (FU01)

Appendix 6: Knowledge, skills and competencies in records management

Responses	Interviewee responses
Training Experience and Skills.	In order to have good practices of records management there is a need for training and recruitment of officials with skills. Two respondents answered by saying that: yes, I have attended the following training: National Archives based in Pretoria (twice), also completed 2 written exams and passed on both occasions with distinction, Document Warehouse. I have been based in my current position for the almost 19 years and the skills and knowledge I have gained over the years are invaluable; involved in training KZN Provincial and Local government officials in Registry Management Course and Records Management Course; Conducted Filing System implementation workshops in governmental bodies; assisted KZN Provincial and Local government in setting up their Registries; conducted Records Management inspection to governmental bodies and compiled reports; assisted KZN Provincial and Local government in dealing with disposal of records by identifying records to be transferred to archives for permanent preservation and ephemeral records and compiled Filing systems , Records Management Policies and Records Control Schedules for governmental bodies in KZN (Municipalities and Departments) (IMU01, IMU02)
Limited skills and knowledge	There is basic understanding of records management; very limited, no formal training. Processes are learnt while performing duties. Officials are not well well-versed with records management principles and or policies. (OU02)
No knowledge competencies and skills.	No understanding pertaining to records management. No proper training offered to us as officials. We are moving from the premise that says for a good governance to be attained public institutions must first invest on its human capital unless the good governance will remain a dream The skill designated to individuals who are Records management leaders or officials while this should cut across all officials dealing with records on daily basis.(OU01, FU01)
Records Management policy and Registry procedure manuals knowledge.	There should be registry and records management policies in place. The lack of interest on the side of the office management. It is imperative for every official to be exposed and trained on records management policies and procedures, since we are dealing with very delicate information. One is also tempted to say may be it's not the lack of interest only but the lack of knowledge as such. (Where ignorance is bliss people parish) (IMU01, IMU02, LU01, OU01)

Appendix 7: The e-records readiness

Response	Collective explanation
Not ready for e-governance.	The feeling of three respondents was that RLCC is not ready until proper training is provided. Officials need to understand paper-based records management first. The office still needs to deal with the issue of infrastructure, bearing in mind that it deals mostly with rural public.
	Digital divide is a challenge; this is caused by disparities in access to ICT which results from differences in exposure and inconsistence use of ICTs.
	Shortage of trained and skilled officials to effect, coordinate, implement the use of ICT strategies is a huge challenge.
	The bureaucracy of fulfilling departments targets rather than equipping officials on skills that could help with the effectiveness and efficiency of all daily operations. The issue of budget allocation highly impact on resources that are required for the ICT to be fully functional. There is no plan to keep up with the ever changing technology, and the strategies that are place such as EDMs has no continuous plan but that were implemented and no plan capture the new or incoming documentation and the EPMP that was introduced is not cascaded down to all officials, some official could not log on since they were not given the login details. The office must start investing in human capital through vigorous training. Only if all officials can listen to the Records Manager then one can say the office is ready to operate electronically. Records Manager has good ideas and is not given an enabling environment to implement those ideas. The technology infrastructure is outdated, for example the server can crash at any time due to old infrastructure. Systems such as Umhlaba Wethu and land base that were used to capture all land claims lodged and updates has crashes and is not recoverable till today that is due to poor technology infrastructure. (LU01, IMU02, OU01)
	There is a need for officials to understand paper passed records management system prior to electronic
Beginning to implement e-governance	20% of the respondents pointed out that the RLCC has in the past attempted conversion to e-records, for example, the office has undergone digitising records and files were scanned and saved on EDMS so that no one can tamper with those records. EPMO was implemented as one of the tools for managing projects. (IMU01, FU01)
Mixed feelings about e-records readiness	One respondent felt that this was a grey area as the Department needs a fool proof plan. (OU02). The department must start investing on vigorous training and capacity building of human capital then everything will be possible.

Appendix 8: Link between records management and good governance

Accurate records keeping ensures that all documentation related to a particular project are kept together and in an accessible manner. Strict records management ensures that project officers are always aware that there are supporting documentation readily available to either support or deny a supposition. For example, if there has been an accusation of fraudulent activities pertaining to the settlement of a land claim, the records kept at the office will be called into question to verify the authenticity of the accusation. Records such as the Sec42D, valuation reports and the name verification reports will be made available. (IMU01)

When citizens cannot get prompt service from public offices because the relevant records are missing or lost, or when the records in question have been intentionally hidden by some corrupt public servants, the citizens will be tempted to bribe so that somebody will "search" for them. This really happens. Another example is the matter of water bills: citizens may not be correctly billed because correct information in the form of records is missing. There is no doubt in my mind that the services provided by the Commission would have been much more efficient if its record keeping systems were efficient. For an example RLCC is not sure of how many claims were lodged prior 1998 because there are no records, people lodged their land claims but now their claims cant be processed as a result of missing files .It is therefore not an exaggeration to state that poor records management directly leads to delays and poor service, frustration on the part of the public, and opportunity for corruption. In other words, no government can achieve good governance without efficient record keeping systems. (IMU02)

Where there's Good Records keeping it endures that good governance is practiced, eg if one is not at work one can retrieve information in your absentia, it becomes a problem if information is kept in someone's office and not filed properly in registry and because of Records missing. (OU01)

follow proper process of decisions based on the information available to use, that can only happen if the information is kept properly, to make subsequent decision we have to refer to the information kept to maintain good governance decision to be accounted for through records keeping that is proper.(OU02)

Good records keeping influences good governance and vice versa, since good governance is all about decision making and how those decisions are implemented to yield desired outcomes. For any public institution to implement those decisions good records keeping strategies are needed as evidence moving forward. Without good records keeping there will be no good governance, one is also tempted to say without good governance there will be no good records keeping.(FU01)

Appendix 9: Ethical clearance

UNIVERSITY OF
KWAZULU-NATAL
INYUVESI
YAKWAZULU-NATALI

01 September 2016

Ms Julie Lambethe (962110512)
School of Management, IT & Governance
Westville Campus

Dear Ms Lambethe,

Protocol reference number: HSS/1274/016M
Project title: The role of Records Management in Fostering Good Governance: The case of the KwaZulu-Natal Regional Land Claims Commission

Full Approval – Expedited Application
In response to your application received on 18 August 2016, the Humanities & Social Sciences Research Ethics Committee has considered the abovementioned application and the protocol have been granted FULL APPROVAL.

Any alteration/s to the approved research protocol i.e. Questionnaire/Interview Schedule, Informed Consent Form, Title of the Project, Location of the Study, Research Approach and Methods must be reviewed and approved through the amendment/modification prior to its implementation. In case you have further queries, please quote the above reference number.

PLEASE NOTE: Research data should be securely stored in the discipline/department for a period of 5 years.

The ethical clearance certificate is only valid for a period of 3 years from the date of issue. Thereafter Recertification must be applied for on an annual basis.

I take this opportunity of wishing you everything of the best with your study.

Yours faithfully

Dr Shenuka Singh (Chair)

/ms

Cc Supervisor: Professor Derek Taylor and Dr Fayth Ruffin
Cc Academic Leader Research: Professor Brian McArthur
Cc School Administrator: Ms Angela Pearce

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