Managing Records as Reliable Evidence for ICT/ e-Government and Freedom of Information

Tanzania Country Report

International Records Management Trust

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Contents

Overview

The Government of Tanzania has been moving forward steadily in building policies and frameworks for ICT/ e-Government. Its e-Government strategy charts a clear course for the next five years as Tanzania moves forward with its government-wide electronic infrastructure and builds its e-Service Flagship project.

Freedom of Information (FOI) legislation has not yet been enacted in Tanzania. While there is a great deal of support from citizens, an FOI Bill is still under discussion. Before FOI is introduced it would be valuable if the regulatory framework needed to manage both paper and electronic records were to be strengthened.

Tanzania has built a strong regulatory framework for managing public sector records, which should provide the basis for developing electronic records management capacity. At present, there is little capacity in this area and no digital repository in which to store and manage electronic records.

The chart that follows provides an overview of the regulatory framework that needs to be in place to successfully manage records in relation to ICT/ e-Government and to FOI/Right to Information (RTI) and an analysis of the current position on records management in Tanzania. A '✔' means that the framework element is in place; an '✖' means that it is not in place.

ICT/ e-Government	
Planning for ICT/ e-Government systems ensures that the records needed for the proper functioning of the system are complete, accurate and accessible.	✖
Planning for ICT/ e-Government systems addresses functionality for the management of records from creation to disposition.	✖
The national records and archives authority is included in consultations on ICT/ e-Government initiatives.	✖
Freedom of Information	
An FOI law has been enacted.	✖
The FOI legislation is aligned with existing legislation, particularly the national records and archives legislation and other legislation relating to the release of information.	✖
FOI legislation specifically over-rides a 30 year access law where there is one.	✖
The FOI law stipulates mandatory response times.	✖
A plan for FOI implementation has been adopted by the Government.	✖
The plan for FOI implementation considers the completeness, accuracy and accessibility of government records in all formats.	✖
The plan for FOI implementation makes all government staff aware of their responsibilities for managing records.	✖

Records Management	
Legislation	
The records and archives legislation establishes a single authority on the management of government records, from creation to disposition.	✘
The records and archives legislation positions the national records and archives authority centrally within government so that it can fulfil its crosscutting function.	✔
Policy	
A government-wide records management policy has been adopted to define responsibilities for records management and relationships with ICT/ e-Government and FOI bodies.	✘
Standards	
The national records and archives authority has adopted a records management standard has been adopted (ie ISO 15489).	✘
A standard for records management functionality in ICT systems has been adopted (ie ICA-Req or MoReq)[1].	✘
A standard for archival management and digital preservation has been adopted.	✘
Procedures	
The national records and archives authority has issued or approved procedures for every phase of the management of records, from creation to disposition.	✘
A national retention and disposal schedule exists and is applied to all hard copy and electronic records.	✘
The national records and archives authority is mandated to enforce compliance with the retention and disposal schedule.	✘
Staffing	
A cadre of records management staff exists.	✔
A scheme of service exists for staff responsible for managing records in electronic or paper form, from creation to disposition. The scheme of service spans government and ranges from clerical to management positions.	✘
Infrastructure and Facilities	
The national records and archives authority is allocated sufficient funds to fulfil its mandate.	✘
MDAs have sufficient space and equipment to manage active records securely, in electronic and paper formats.	✘
Purpose built records centres have been provided for the storage of inactive records.	✘

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[1] ICA-Req is the International Council on Archives standard *Principles and functional requirements for records in electronic office environments*. MoReq is the European Commission *Model Requirements for the Management of Electronic Records*.

Purpose built archival repositories have been provided for the storage of inactive records.	☐
A digital repository has been created to preserve electronic records over time.	☐
Capacity Building	
Training in records management is available to staff at all levels and includes practical training in electronic records.	☐
University programmes offer in-depth education for records management with practical training in electronic records management.	☐

ICT and E-Government

The Government of Tanzania is committed to using ICT/ e-Government as a tool for socio-economic growth in the public and private sectors. The journey to e-Government started with the introduction of the National Information and Communications Technologies Policy in March 2003. The policy states that e-Government will be used to facilitate the public's relationship and interactions with the Government of Tanzania. It links accurate and timely information generated through e-Government with the Government's ability to shape policies, strategic plans and tactical decisions for developing and enhancing the delivery of affordable public services. The policy reflects confidence in the ability of ICT/ e-Government to promote good corporate governance by furthering information sharing. The authors of the National ICT policy understood the value of information to government and good governance.

The policy provides a framework for using ICT to pursue national development goals and provide a means of transforming Tanzania into a knowledge-based society. It considers strategic ICT leadership, ICT infrastructure, the ICT industry, human capital, the legal and regulatory framework for ICT, local content and universal access. The policy was followed by a Cabinet directive in 2004 that called for developing a government-wide unified communications network for e-Government implementation, creating awareness of strategic opportunities for ICT use across the public service, and establishing a focal point for co-ordinating existing fragmented and isolated e-Government initiatives.

In August 2009 the Government took another important step by launching an e-Government strategy to provide a more co-ordinated and citizen-driven focus to Tanzania's e-Government initiatives and ensure that they bring services to citizens through an organised adoption of ICT. By that time, a number of significant developments were underway, including the installation of a government-wide network, sensitising large numbers of public servants to ICT opportunities, and implementing several government-wide systems, including the Integrated Human Resource and Payroll Management System (IHRPMS), Integrated Financial Management System (IFMIS) and the Geographical Information System (GIS).

The e-Government strategy charts a development path over a five-year period:

- *By 2011*: improve human resource capacity for e-Government, including executive management, ICT governance and technical expertise.

- *By 2012*: develop an e-Government institutional framework, in stages; increase e-Government awareness, including developing an e-Government IEC plan, conducting Government leadership fora and introducing national e-Government awards.

- *By 2013:* develop a government-wide electronic infrastructure, including a secured government-wide network and data centre, implement government-wide shared systems with common support systems including the Human Resource Information System, the Service Complaint Case Management System, a government-wide secured e-mail system, a Government intranet and a document registry and workflow management system (by 2012).

- *By 2014*: implement E-Service Flagship Projects by 2014, including implementing business licensing, e-procurement, land information, national vital registration and national ID systems.

In October 2009 the Government moved forward with its e-Government Strategy. It issued two significant circulars that again demonstrated its recognition that records management is a vital component of ICT and e-Government programmes. The circulars provide clear guidance on controlling and using information created in electronic form. *Circular No 5* includes requirements that confidential government information should be protected when staff members use electronic storage media such as flash disks, diskettes, tapes, DVDs and CD-ROMs and that hard disks identified for disposition should be sent to the Records and Archives Management Department (RAMD) for storage. However, it does not recognise the need for RAMD inputs at the point that the records are created and captured in electronic systems.

Circular No 6: also addresses electronic information management issues. It provides instructions on retention and disposition of government information in electronic form to ICT personnel, public servants who use ICT for their work and other public servants who have access to ICT tools. The circular requires that:

- Government electronic storage media must be used for official purposes only and during office hours.

- Public servants may not use government computers or electronic storage devices for personal use inside or outside the office.

- All government data should be properly preserved in a secured storage media for future data recovery.

- Retention and disposal of electronic records should follow the retention/ disposal schedules for paper records and the system for electronic records management should

indicate which records are supposed to be transferred to the National Archives for permanent preservation and when records with no permanent value are to be destroyed.

- Records should be digitised and scanned according to standards set by the President's Office – Public Sector Management (PO-PSM).

- When using the Internet, government institutions should follow government regulations regarding security, confidentiality and records management.

- Confidential information should not be sent via the Internet. Fax should be used if necessary.

The circular again refers to the role of RAMD, this time in relation to preserving electronic records 'for future data recovery'. However, it is not clear how RAMD is to achieve this, as there is no provision for a national digital preservation plan or for a national digital repository and/ or migration plan that is an essential missing component of a national e-Government strategy.

Circular No 6 directs civil servants to apply retention rules for paper records to electronic records, and it requires that the documentation for electronic systems should indicate which records will eventually be transferred to RAMD for preservation. This instruction is crucial to the preservation of government records, but there are still many issues to address.

Retention and disposal schedules for paper records have been in use since the 1990s, but they are not working effectively. There is a lack of understanding of the use of retention schedules. The schedules legally authorise records offices and RAMD to destroy records that meet the specifications in the schedules without seeking permission again, but senior officials tend to be unwilling to authorise destruction due to a concern that they may be acting illegally, and RAMD is hesitant to destroy records without seeking permission again. As a result, the available storage space is largely full, so hard copy records are rarely transferred there. Under the schedules, some records could be destroyed in the creating agencies, but this does not happen. The present situation delays the process of destruction and results in severe congestion in limited storage facilities. This makes records that are still needed increasingly difficult to locate.

There is also an issue in relation to digital preservation. RAMD has no facilities for receiving or storing electronic records securely, nor do the MDAs that are creating the electronic records have the facilities needed to store and preserve them reliably over time. RAMD needs to develop a digital repository as a matter of urgency.

The circular recognised the need to digitise hard copy records in accordance with standards set by PO-PSM through RAMD. However, these standards are not yet available. MDAs need guidance on scanning using consistent formats and according to international standards; assigning appropriate metadata to digital surrogates and linking digital surrogates to the hard

copy originals. Staff indicated that a good deal of time and money has been lost because digitisation projects were conducted in isolation, without guidance.

There is also the question of how the digital copies are to be stored. For example the Ministry of Land's staff indicated that the sustainability of scanning initiatives has not been given priority. They have encountered problems including the lack of resources needed for on-going scanning. They also stated that the earliest batch scanning initiatives were indiscriminate and that files were not put in order before scanning started, with the result that the corpus of digitised records is incomplete.

RAMD needs to introduce standardised formats and metadata for electronic records, but it does not have the expertise to do so and there is no source of training in Tanzania that could build this capacity. These formats and standards need to be linked to the requirements of a digital repository, but as yet there are no plans for a digital repository. The E-Government Strategy of 2009 indicates that a data centre should be developed by 2013, but it is not clear whether this data centre is intended also to serve as a repository for electronic records. The stakeholders consulted were not aware of the international standards for digital repositories, and in particular for Trusted Digital Repositories. RAMD, the relevant professional body for electronic records management, has not been involved in preparing the blueprint for the data centre. This suggests that it is not to be based in the Archives. If it were, it could function as a trusted digital repository, capturing, preserving and making accessible reliable digital records, with their context, securely over time, as would be international good practice. Staff in the Ministry of Communications, Science and Technology indicated that the President's Office - Management Information Systems Department (PO-MIS) would be responsible for the data centre.

Despite these challenges, Tanzania is well positioned to support records management in MDAs. It is significant that RAMD is a division of the President's Office, which, as staff within RAMD and in the MDAs explained, gives the National Archives a certain level of authority that it would not have if it were in a less powerful ministry, regardless of its legal mandate. Moreover, records management is a standing item on the agenda of the President's Office Directors' Meetings. In no other EAC country is the issue of government records afforded this level of attention.

More than the other National Archives in the EAC countries, RAMD has begun to make inputs to ICT and e-Government projects. It has been involved in consultations on government policies and strategies related to ICT and e-Government. However, despite its interest and concern, RAMD relies on a theoretical understanding of electronic records management issues, as it has not benefited from professional training and expertise in the practical issues involved. It has good working relationships with MDAs, through its network of Departmental Records Officers (DROs), and it is often asked to provide guidance and advice on records management.

The RAMD staff does not yet have the capacity needed to provide the required level of support on electronic records management when ICT and e-Government projects are being developed.

For instance, it was not involved in the design of the LAWSON system that was developed and introduced in the Ministry of Finance and Economic Affairs. Officials at the Ministry stated that they would welcome guidance on electronic records issues from RAMD and that they would participate in a centralised approach to records management in systems design.

The Ministry of Communication, Science and Technology is expected to monitor ICT projects in MDAs, and as a step in this direction, it is establishing a standard-setting ICT Board to be responsible for issuing specifications for government systems. If RAMD could work closely with this Board, a great deal could be achieved toward closing the gap between records management and ICT/ e-Government. RAMD could also work with the Tanzania Bureau of Standards to help develop technical protocols for managing electronic records in line with international practice. However, again, RAMD will need to be equipped with new skills in order to fulfil its legal role in the electronic environment.

Freedom of Information

Tanzania has been moving steadily toward the passage of an FOI Act. In February 2005, the United Republic of Tanzania Constitution of 1977 was amended to introduce a new section, under Article 18, that gives citizens the right to freedom of opinion and expression with a few exceptions. Citizens can seek, receive, impart and disseminate information through any media and have the right of freedom from interference with these communications. This new section effectively introduces a constitutional basis for FOI.

In October 2006, the Tanzanian Government published a draft FOI Bill on its official website. The Bill would, if enacted in its current form, establish a Media Board and Privacy Commissioner and amend certain provisions of the Newspapers Act, the Broadcasting Services Act, the National Security Act and the Communication Regulatory Authority Act. The Bill has prompted a national debate on FOI.   An FOI Coalition, comprising 11 civil society institutions, has held meetings and public hearings on the FOI Bill across Tanzania. It has emerged that the public is not only interested in an FOI law, but citizens want the Right to Information as a basic right.

The Coalition was encouraged by the fact that so many Tanzanians were involved in developing recommendations. Recommendations included RTI and Media Services Bills, regulations to guide the smooth implementation of the two laws once they are enacted by Parliament, a list of existing laws that would contradict the FOI law, and a list of laws and sections of laws that might be repealed to permit the smooth implementation of FOI. The Coalition noted that the language of the FOI Bill is unnecessarily complex, making it inaccessible to most citizens, that its provisions restrict more information than it opens to public access, contravening the fundamental principles of FOI, and that it would establish a Privacy Commissioner who would be unable to issue binding orders.

A crucial factor in the law's success will be access to accurate and reliable records. In the build-up to the UK's FOI legislation, the Lord Chancellor (Code of Practice on the management of

records issued under section 46 of the FOI Act 2000) stated,

FOI is only as good as the quality of the records and information to which it provides access. Access rights are of limited value if information cannot be found when requested or, if found, cannot be relied on as authoritative, or the arrangements for their eventual destruction or transfer to an archives, are inadequate.

Records management controls exist to enable organisations to function generally and to support their business efficiency, not only for access legislation. However, access laws place a special focus on an organisation's ability to retrieve information from their systems. International good practice requires a central agency, normally the national records and archives institution, to be responsible for ensuring that public sector records, regardless of their format and media, can be accessed easily. Legally, in Tanzania, RAMD is the correct agency to take on this responsibility, but it will require additional support and resources to do so, particularly with regard to electronic records. At present, though well positioned, RAMD does not have facilities for accessioning or preserving electronic records or the skills to play an active role in managing them. Nor are the MDAs equipped to apply the internationally agreed good practice necessary to comply readily with an FOI/ RTI law.

Records Management

Tanzania recognises the impact of poor records management on the efficiency of government operations and on accountability and transparency in the public sector and has been working to strengthen its records management systems for nearly a decade and a half. Between 1997 and 2001 a DFID-funded records management improvement project delivered a number of key reforms, that involved:

- passing a new records Act

- establishing the Records and National Archives Division, President's Office – Public Sector Management

- creating a records cadre across government

- developing and introducing a new file classification system based on keyword indexing

- introducing a full range of file control systems, including file titling rules, location indexes, file censuses, file movement procedures and access controls across a wide range of MDAs

- developing records retention and disposal schedules

- introducing physical improvements to registries, which were upgraded to records offices, including removing closed files to the records centre or destroying files with no ongoing

value, according to the schedules

- developing and extending a professional certification course in records management at the Tanzanian Public Service College.

Although the National Archives of Tanzania had existed since 1965, the Records and Archives Act of 2002 broadened its power by establishing the Records and National Archives Division (RAMD) within the President's Office - Public Service Management. The Act is clear on RAMD's roles and responsibilities, which include maintaining oversight and co-ordinating the government records management programme. In this capacity, RAMD advises on government records systems and oversees staff capacity development in MDAs by offering training in collaboration with the Tanzanian Public Service College.

RAMD has 70 staff, of which 40 are archives and records management professionals. The staff development budget has been used to provide professional and management training, largely through the Tanzanian Public Service College, the Eastern and Southern African Management Institute, and the School of Library, Archive and Information Studies at University College, London.

RAMD's statutory responsibility covers the management of public sector records in all formats in MDAs across Tanzania, from creation to permanent preservation or destruction. As the Government of Tanzania implements its e-Government strategy, RAMD recognises the importance of building electronic records management capacity and of establishing a digital repository as a cornerstone of an electronic records management strategy. MDAs are introducing a range of electronic systems, while a number of new electronic office applications are planned. However, issues of records functionality, controls, standards and storage have not yet been defined.

The PO-PSM recognises the need to address electronic records management issues and bridge the gaps in institutional capacity. There is a concern that otherwise records necessary for decision-making and accountability will lack evidentiary reliability and will be difficult to retrieve over time, thus eroding Government performance and effectiveness.

In the light of its statutory responsibility for records management, RAMD recognises that an Electronic Records Management and Preservation Programme is required to strengthen its capacity to provide advice and training to MDAs on how to introduce records functionality into their electronic applications and facilitate the creation of proper metadata, or information about the records. RAMD would like to engage to a greater degree in the development of laws, policies, systems and procedures needed to protect the accuracy and authenticity of electronic records over time and to build strategies for enhancing government officials' awareness about their responsibilities for protecting the authenticity of records in the electronic environment.

When consulted, RAMD's senior management team and key operational staff noted that the Government of Tanzania expects RAMD to manage records and archives to ensure the safe

custody and integrity and trustworthiness of government records and to make information available when it is needed. The staff commented that RAMD services, including the support of MDA record-keeping, have improved since 1996 due to the Public Sector Reform Programme, which is now in its second phase. The number of complaints about service received from the public has reduced during this time. The staff cited examples of improvements:

- Records management in MDAs is now monitored and evaluated regularly, including quarterly assessments, for instance key records, such as missing land titles, have been discovered during RAMD inspections.

- Departmental records officers (DROs) have been appointed in each MDA and meet annually at a National Records Management Forum.

- A procedure has been developed for seconding RAMD staff to MDAs when problems arise. The staff stated that MDAs are receptive, and that good working relationships have developed between RAMD and MDAs because of these mechanisms.

They also gave examples of the challenges that they face in strengthening records management in the MDAs. These include:

- inadequate storage space in MDAs and within RAMD

- inadequate skill levels among departmental records officers, especially up country, in relation to ICT and electronic records management to equip them to manage the electronic records in their care

- the lack of protocols and facilities for managing electronic records over time

- inadequate funding to procure electronic records management systems. RAMD did seek funding to acquire a system for the whole of Government but was unsuccessful.

RAMD does not oversee any e-Government projects, but it was invited to participate in formulating the national e-Government strategy, which may, in part, be due to the RAMD's high visibility in Government. Tanzania's development strategy, *Achieving Economic Growth, Prosperity and Reduction of Poverty by 2025*, establishes a role for RAMD in its provisions for good governance and accountability, and this has been factored into RAMD's corporate action plan. However, at present, there are no national standards for records management. RAMD issues guidance on managing paper and electronic records, and it attempts to preserve paper records over time through conservation (though equipment and supplies are limited) and through microfilming. Electronic records management remains an issue. However, RAMD is beginning to examine data migration as a preservation strategy. The over-arching issue for RAMD is that there is no infrastructure for the long term preservation of electronic records.

RAMD's advice on electronic records management includes, for instance, a circular on e-mail management and retention. It has also issued a government circular requiring MDAs to deposit hard disks with RAMD, although it does not have the space, facilities or expertise to manage them. However, electronic records management has not yet been addressed systematically. As a result, paper records and electronic records are managed separately and differently. This situation will have significant implications for information retrieval, as records in different media will not be managed through integrated systems.

RAMD does not have a designated electronic records unit, a digital repository or a budget to support this work. This means that records remain in the MDAs, where they are unlikely to survive long. The National Archives and Records Administration in the United States estimates that there is a six month half life on a preservation opportunity for electronic records: the opportunity to preserve the readability and accessibility of the record deteriorates by half every six months. The development of electronic records management has largely been left to the IT staff in individual MDAs, with the result that there is inconsistent treatment of records.

There are no government-wide standards or guidance to ensure that organisations consistently create, capture, organise, store, dispose, search or retrieve electronic records. It is significant that there is no:

- digital preservation strategy to ensure that the electronic records remain accessible for as long as they are needed

- guidance on key issues, including classification, naming conventions and titling to support accurate retrieval

- training in electronic records management

- standardised guidance on functional or system requirements and no records management input to IT processes

- formal business continuity plans or assessments of the risk to electronic records caused by, for instance, power failure or surges, system or telecommunications break downs, computer malfunctions or data input errors

- education for users in identifying what electronic records are pertinent to the organisation's business

- off-site back-up and storage

- print and file policy to ensure that significant records are placed on the relevant registered files until electronic records management is introduced; as a result, paper files on a specific subject are incomplete because some information is held on computer and some in paper form.

Other Findings: Government Agencies, Parastatals and NGOs

Court of Appeal

The ICT unit has been distributing desktop computers to Court offices and laptops to judges. Most judges have already received ICT training at the Eastern and Southern African Management Institute (ESAMI) at Arusha, but staff members stated that clerks needed ICT training and that all staff 'badly need records management training'.

An electronic case management system was installed in August 2009, but it is not being used due to the low bandwidth and unreliable electricity supply. Even if these issues had been addressed in advance of the system's implementation, the Chair of the Court's ICT Committee believed the system would have been ineffective, citing the unnecessary duplication of certain paper records as an example of poor work-flow analysis and a disregard for records issues during system design.

The Court is now implementing a digital recording system in the courtrooms with live recording. It is hoped that the recording system will make judgments quicker and improve accountability. The Court also has a mobile recording unit. At time of the study, the Court had not developed access rules for the recordings, as the systems were being tested in open courts. The recordings are presently stored on servers within the Court. Judgments, which were printed, signed, sent to the library, scanned and stored on servers, were not linked to these recordings by metadata.

The Chair of the Court's ICT Committee felt that the Court had been misguided by the vendor of the digital recording system, which recommended transcribing every case. This is now believed to be a waste of staff time. The Chair was also concerned that plans for real-time recording had led to a disregard for the training of stenographers, who are relied upon during the frequent power failures experienced by the Court.

Every case has its own case file, although the Assistant Registrar stated that hard copy record-keeping in all the courts was 'chaotic'. An American consultant had been engaged to prepare for the implementation of an e-filing system that was expected to allow citizens to file new cases via the Internet, removing the need for complainants to travel to the Court in person. The consultant identified the organisation of hard copy records as a critical step in preparing for the new system, and he intended to organise manual files going back to the year 2000.

While those interviewed tended to view computerisation as a means of dealing with court case backlogs, the Evidence Act does not allow electronic records to be used as evidence in courts. The Prime Minister was reported to have instructed the Law Reform Commission to review this, but as of July 2011 no action had been taken.

E-Government Agency

The E-Government Agency is responsible for the co-ordination of e-Government in Tanzania through the publication of standards and guidelines on ICT in Government.

At the time of the interview, the E-Government Agency was preparing a tender for the development of technical specifications for the government network that, it is hoped, will allow multi-agency use of shared systems. Some shared systems are already in use, including the Integrated Human Resource System (Human Capital Management Information System, or HCMIS), the Integrated Financial Management System (IFMS), and the Parliament Online Information System (POLIS). The E-Government Agency planned to launch a searchable interactive portal that would aggregate information from MDA websites and provide citizens with access to the Land Management System (MOLIS), the business registration system, and the Public Services Directory.

In December, 2008, the PO-PSM signed a Memorandum of Understanding with the Korea IT Promotion Industry (KIPA) to co-operate on an E-Office Project. The aim was to develop a prototype for an initiative to automate administrative processes across Government; this would involve digitising existing paper records and scanning all incoming paper records. RAMD has been consulted on the E-Office Project, but the project documentation refers only to 'document management', a term that often refers to document tracking, rather than records management, and RAMD still has concerns over the storage of electronic records produced by the system.

The E-Government Agency is aware that, since 2000, many of the digitisation projects undertaken within the Government of Tanzania have failed. Staff believed this was due to a lack of co-ordination. For that reason, the E-Government Agency staff intends to enforce guidelines and possibly take charge of ICT procurement. However, staff members were unaware of any digitisation, metadata, or storage standards, retention policies or schedules, or provisions for the long term preservation of electronic records. They were, nevertheless, aware of the national data centres operating in Korea and Singapore and hoped that a similar repository might be built in Tanzania.

At the time of the interview, over 5000 Tanzanian public servants had received ICT training with scholarships from Korea, China, Japan and the World Bank. Much of this was delivered through the Tanzanian Public Service College, the Tanzanian Global Distance Learning Centre and the University of Dodoma ICT Department. However, the training has not included electronic records management.

The High Court at Dar es Salaam

The High Court at Dar es Salaam is in the process of automating case management. At present, well functioning registries manage case files in hard copy. The most pressing records management issue at the Court is the lack of storage space that has resulted from the fact that retention and disposal schedules are not applied to the records.

An ICT strategy has been prepared for the Judiciary and is focused on harmonising the ICT initiatives that are being introduced in the various courts. The strategy highlights a number of records management issues and seeks to address problems, such as the backlog of cases and the speed of information retrieval. A case management system has been introduced in courts, with varying degrees of success. The system has already been abandoned in a number of courts, where frequent system failures required staff to revert to the use of hard copy records and manual processes. The level to attention given to preparing hard copy records for digitisation has also varied. The system lacks some key records management functionality. In particular, it cannot capture all records in their original formats, does not permit retention and disposal rules to be applied to electronic records, and has a limited audit function. This last issue leaves the records open to tampering and mismanagement.

See the separate in-depth case study of records issues in the High Court of Dar es Salaam.

Management Information Systems in the President's Office, Public Sector Reform (PO-MIS)

PO-MIS is responsible for e-Government service delivery under the Public Service Reform Programme. After a 2004 Cabinet directive to begin e-Government implementation, PO-MIS developed an e-Government strategy. The strategy defines six areas of activity:

- development of a common and co-ordinated institutional ICT framework for MDAs (with the aim of having this in place by 2012)

- capacity building, including technical and user training (PO-MIS has been training public servants since 2004)

- establishment of a government-wide electronic infrastructure that MDAs can use to facilitate e-Government systems (a component of the national ICT backbone that will extend to the village level)

- development of shared systems across government, to break down information silos and eliminate the use of systems developed in-house

- development of e-services, or service delivery through the Internet, building on private enterprise initiatives like mobile telephone infrastructure

- public awareness raising.

Through the provisions of the e-Government strategy and the 2003 National ICT Policy (which has ten main areas, one of which is e-Government), PO-MIS has developed a working relationship with the Ministry of Communications, Science and Technology, which is responsible for the ICT policy at the national level and the implementation of systems in the public sector.

Media Council of Tanzania

The Media Council of Tanzania adjudicates complaints against the media, conducts research, and delivers training.

Staff at the Council stated that, before the early 1990s, the Tanzanian media was entirely government-owned. Media liberalisation only occurred after pressure was applied by the international community, particularly the World Bank. Despite this liberalisation, basic media laws and policies were not reformed, which has impeded freedom of expression and FOI. Council staff noted that The National Security Act of 1970 is an example of an Act that negates constitutional provisions for FOI. Under this Act, the Government can silence the media. Access to information is further limited by the 30-year rule, a long-standing convention that only allows government records to be opened to the public 30 years after they are closed.

The Council claimed that new laws and policies continue to erode the liberties of citizens and the media. In 2003, the Government created a media policy that over-classifies information, meaning that records are now given unnecessarily high protective markings to restrict access. For example, records that might formerly have been marked 'confidential' might now, under the 2003 media policy, be marked 'secret', a classification that attracts higher security measures and restricts access to fewer members of staff. Further, the Prevention and Combating of Corruption Act 2007 prevents the press from reporting on court cases and criminal investigations. This situation is exacerbated by the centralisation of power in the Ministry of Communications. The staff of the Council are of the opinion that the Minister for Communications' discretionary powers need to be reviewed.

The Coalition for the RTI was established in 2006, led by the Council and including local and international experts in FOI and freedom of expression. The Coalition's position is that the present FOI Bill does not go far enough to meet the rights guaranteed by the constitutional provision (Article 18) of 1977. The Coalition works by proposing rules and regulations to the Minister.

Ministry of Communications, Science and Technology

The Ministry of Communications, Science and Technology operates the ICT Infrastructure Development Programme, which includes the National ICT Backbone project. This project seeks to extend networking across the country to region and district levels. A contract was issued in 2008 and implementation began in February 2009. At the time of the interview, 16 regions had been connected, with ten still awaiting connection; 4,500 kilometres of cable had been installed. The Ministry has an agreement with telecommunications companies operating in Tanzania (approximately 14 at present), whereby each company will develop local infrastructures in given districts, which may then be used by the other companies, by agreement. It is not clear whether the extension of fibre-optic cabling to the districts depends on private sector implementation under this agreement, or whether the agreement is limited to other forms of infrastructure. However, the Ministry staff interviewed could not cite firm plans for the extension of cable to the districts by the Ministry. The Government expects the project to result in lower bandwidth costs and to reduce the need for citizens to travel to government offices. To date, the primary challenge experienced by the Ministry during the laying of fibre-optic cabling is the requirement for digging permits from municipalities and water, railway, and highways authorities.

The Regional Communications Infrastructure Project funded by the World Bank is also under the ICT Infrastructure Development Programme. This project is concerned with providing the Government with the equipment needed to connect MDAs to the National Backbone. The Ministry is responsible for the National ICT Policy; its mandate includes developing specifications for government systems. The Ministry consults widely with other MDAs and is the only body that can issue system specifications on behalf of the Government. More generally, the Ministry is responsible for monitoring ICT initiatives in MDAs, although members of the staff stated that the Ministry is often unaware of MDAs' plans and projects.

The Ministry's programmes and projects are implemented by its agencies, such as the state-owned telecommunications company. The Ministry is also establishing an ICT Board to set standards, track uptake and usage, and provide certification services. It is not yet clear what relationship will exist between the ICT Board, in its capacity as a standard-setting body, and the Bureau of Standards.

The Ministry also works closely with the Tanzanian Communications Regulatory Authority in managing the Universal Communications Fund (UCF), established to fund the connection of 'non-lucrative communities' to the National Backbone. The UCF is funded from donations from private sector operators, the Government of Tanzania and foreign donors. The Ministry is currently working on a fund deployment action plan in order to guide funding distribution.

The Ministry's internal records management processes are much like those elsewhere in the Government of Tanzania, in that they are manual and file tracking is a problem. The Records Management Unit has three staff members with records management diplomata and six with records management certificates. All were graduates from the Tanzanian Public Service

College. The staff believe their training did not fully prepare them for records management work, although they stated that the on-going support and training provided by RAMD is helpful.

The staff of the Ministry believe that PO-MIS will be responsible for establishing a national data centre, and this project is now at the planning stage. This centre is expected to host government e-services, which are currently hosted by a company based in the USA.

Ministry of Finance and Economic Affairs

The Ministry of Finance and Economic Affairs is charged with managing government finance. It oversees four major electronic systems:

- The IFMIS payment system, via the Accountant General's Department.

- The CSDRMS debt management system, via the Accountant General's Department and the Bank of Tanzania.

- The Aid Management Platform (AMP), managed directly by the Ministry.

- The Government Pension Payment System (GPPS), managed directly by the Ministry.

These systems work independently and are not connected to each other, nor to e-Government systems managed by other MDAs. When data in one system are required by another system, the information is downloaded, printed and input manually. Much of the information contained in the four systems was derived from hard copy records. Staff members claim the systems have improved efficiency and streamlined processes, although the lack of system integration and inter-operability does slow processes when data transfer is required.

The staff of the Ministry believes that the technological infrastructure required by its electronic systems is in place and operating adequately. Each system runs on an independent network and connectivity is not affected by the network outages experienced by clients of private sector providers, with the exception of IFMIS. IFMIS is now used government-wide and not all MDAs have the ICT capacity to support the system without interruption. IFMIS is also limited in its capacity to act as a long-term storage facility for data. Further digitisation is planned in the Ministry of Finance. The LAWSON system, now being implemented, integrates payroll and human resource processes. It allows for the storage of scanned documents and the Ministry plans to use the system to digitise all pension records. Although these systems are expected to ensure the authenticity of the records by eliminating human error and fraud, the Ministry has experienced difficulties in proving the authenticity of the records, particularly after a number of data entry errors and cases of fraud were identified.

At present there are two registries within the Ministry, one open and one confidential. There is no corporate records manager post in the Ministry. In June 2010 the Paymaster General

demanded that record-keeping be improved within the Ministry. At the time of the interview, no action had yet been taken.

There are no written guidelines on records management or digitisation, with the exception of a draft that has been awaiting approval for three years. The lack of senior management support for records management is seen as a hindrance. The staff also stated that a centralised approach to computerisation would eliminate the problem of each Ministry learning by trial and error.

Ministry of Lands, ICT Department

Since 2000 the Ministry of Lands has increasingly focused on records management as a service delivery issue. In 2001, a Management Information Systems Department was established to explore how records management and ICT might be harmonised to improve service to citizens, beginning with an assessment of the existing records and records management procedures. In 2001, the Ministry worked closely with RAMD to reform registry operations. There was some discussion of transferring records to RAMD at that time, but staff members stated that no further action had been taken.

Between 2001 and 2004, the MIS Department scanned records relating to approximately 200,000 parcels of land. After the records were scanned, the MIS Department identified the need for a Local Area Network to support access to the scanned records. The network was installed and 50 computers were connected to the network. There are now 400 computers connected, all located at the head office in Dar es Salaam. LANs have been established in the six zonal offices and the MIS Department now intends to link the seven networks to allow information sharing between offices.

In 2004 a land management system was implemented across Ministry sites, through the World Bank-funded Performance Improvement Programme. This automated land administration processes. The Ministry has derived an ICT policy from the national ICT policy but have yet to implement it. A number of other initiatives are being planned at present. The Ministry is working on a large land registration programme funded jointly by the World Bank and the Government of Tanzania. This involves redeveloping the current system to expedite the issuing of titles and is intended to allow citizens to access information without travelling to Dar es Salaam. At the time of the study this two year programme was at tendering stage. Issues with backing up electronic information have not been resolved. The Ministry hopes to use zonal offices as back up sites, with a primary back up made at the Dodoma office. Local mirror back ups are currently in use, off-site. There are also unresolved data security and privacy issues. While the servers themselves are secured, the Ministry is seeking an administrative solution to access control issues. At present, there are a limited number of users and no one has access to change documents.

Throughout this computerisation process, each digitisation initiative has been considered a success, but the staff believes these initiatives were not planned with sustainability in mind. The lack of planning for migration and lack of resourcing for ongoing scanning were given as examples of the Ministry's short term view. Staff also stated that the earliest batch scanning initiatives were indiscriminate and that files were not put in order before scanning started. A guide to the minimum record requirements for scanning files is in preparation. The Ministry uses an electronic file tracking system for its hard copy records. The Ministry is aware that hard copy records are still required for legal purposes. The data used in the Ministry's electronic systems are not considered records by most of the staff.

It is a widely held view within the Ministry that service standards have improved over the past ten years due to ICT implementation. Electronic systems are seen to be a solution to corruption and a means by which citizens' faith in the Government might be restored. Conversely, this same notion has led to resistance to computerisation from some quarters.

Although there is no FOI legislation in Tanzania, citizens can inspect records at Ministry of Land's offices for a fee (usually between 2000 and 5000 Tanzania Shillings). The most frequently requested information is about land ownership and rent rates. There are no controls on which records can be viewed, and there is no requirement that the request to view the records comes from the owner of the land the records concern.

Registration, Insolvency and Trusteeship Agency (RITA)

The Registration, Insolvency and Trusteeship Agency registers deaths, births, marriages, divorces and adoptions, insolvencies and trusteeships. The Agency performs the function of a Public Trustee, overseeing properties owned by children or not owned by anyone. There are a number of challenges facing the Agency, including registering traditional and Islamic marriages, registering deaths, which are only registered if a certificate is likely to be required, and the registration of births outside of hospitals.

There are District Registration Offices in 29 of the approximately 130 districts in Tanzania. Registration in the remaining districts is conducted via mobile registration units. The law now requires all Tanzanian citizens to be registered; the World Bank is funding registration in ten districts.

Between June and August 2008, birth registers were linked across the districts and hard copy records were digitised. The project was motivated by the perceived benefits of digitisation, including rapid searching and reduced records storage costs. This digitisation was an internal initiative that was not directed by policy. When asked about the records management controls for the digitised records, staff responded that records management is concerned only with hard copy records. There are no archiving procedures in place for digital surrogates at RITA.

Significant challenges were experienced during the digitisation process, including the intermittent electricity supply and recurring computer viruses, which resulted in data loss. The project concentrated on the digitisation of records kept in the central office in Dar es Salaam. Most of the hard copy records in the districts have not been scanned, and are not arranged or being preserved. Now that the database is in use, automatic and manual backups are made, and kept centrally. The original hard copy records are considered an additional back-up.

The Agency has an ICT strategy that it is presently implementing. It has not referred to any international standards and is unaware of standards on records management or digitisation.

Tanzanian Bureau of Standards

The Tanzanian Bureau of Standards is an agency established by the Standards Act in 1975, repealed by Act 2 of 2009. The Bureau's two major functions are reviewing and adopting international standards and implementing standards through quality assurance schemes. The Bureau offers training, certification and inspection services to support these functions.

Staff at the Bureau stated that there are not yet any technical committees for records management, e-Government, or FOI issues in Tanzania. They had no knowledge of ISO 15489, the international standard on records management, but they are implementing ISO 9001, the international standard on quality management systems, which staff members believe is driving improved records management.

Tanzanian Communications Regulatory Authority

The Tanzanian Communications Regulatory Authority was established by the Tanzanian Communications Regulatory Authority Act, No. 12, 2003, and has regulatory, administrative and adjudicative functions in the communications sector, which includes telecommunications, postal services, and broadcasting. The Authority regulates the sector by licensing service providers, plays an administrative role by allocating frequencies and .tz domain names, and an adjudicative role in dispute resolution between providers and consumers or other providers.

Broadly, the Authority is charged with promoting accessible and affordable communications services. It claims to take a 'technology-neutral' approach to regulation, via a 'Converged Licensing Framework', which it claims to be the first regulator in the region to implement. Based on this, and its claim to be the first regulator in the region to prepare for digital broadcasting, the Authority envisages itself as a world class regulator. The Authority's relationship with the Ministry of Communications, Science and Technology is complimentary. The Ministry sets policies that the Authority regulates and implements. The two work closely on the management of the Universal Communications Access Fund, which was established by the Authority, and to which it makes regular contributions.

The Authority was involved in the development of the e-Government Strategy and actively promotes e-Government within Government. Authority staff members noted that the National ICT Backbone project resulted from the Authority's advocacy for fibre-optic cabling.

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