



Public sector archival selection statement

August 2019



New Zealand Government

DOCUMENT DETAILS

Document Identifier: 19/Sm4

| Version | Date | Description | Revision due |
|---------|----------|--|--------------|
| 0.1 | Jun 2017 | Development draft | |
| 0.2 | Sep 2017 | Internal consultation draft | |
| 0.3 | Oct 2017 | Initial external draft | |
| 0.4 | May 2018 | Updated initial external draft | |
| 0.5 | Oct 2018 | Updated with response to external feedback | |
| 1 | Jun 2019 | Final for approval and release | |
| 1 | Aug 2019 | Published | Aug 2022 |

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LICENCE



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ISBN (if required)

ISSN (if required)

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1 BACKGROUND

Archives New Zealand, Te Rua Mahara o Te Kāwanatanga, is dedicated to ensuring that, under the Public Records Act 2005, the recorded memory of the New Zealand Government is preserved for present and future generations to enable government accountability.

Archives New Zealand also has a mandate to enhance the accessibility of information, records and data of archival value relevant to New Zealand's historical and cultural heritage and sense of national identity, through the systematic creation and preservation of public and local authority archives.¹

Responsibility for determining which information, records and data² (hereafter 'information and records') are selected as public archives is vested in the Chief Archivist³, who has statutory independence in making decisions on the disposal of public information and records, and local authority protected records.

Archives New Zealand aims to retain and preserve public archives which meet the archival selection principles outlined in this Statement.

Me titiro whakamuri, ki te anga whakamua.

Connect to the past, prepare for the future.

Public sector organisations need to be aware that this *Public Sector Archival Selection Statement* is part of Archives New Zealand's approach to appraisal and disposal.

2 PURPOSE

The purpose of this Statement is to:

- establish the selection principles underpinning the Chief Archivist's decisions when selecting public archives
- communicate these principles to stakeholders so that their scrutiny helps to ensure and maintain the principles' currency, comprehensiveness and relevance
- promote and support the integrity of selection decisions, and
- assist New Zealand public sector organisations to comply with their legal obligations under the Public Records Act.

¹ Public Records Act, sections 3(c)(ii), 3(f), 11(c)(ii) & (iii).

² Data is a sub-set of information. It refers to a set of discrete, objective facts about events, people or places, without context or interpretation. Data is covered by the Public Records Act and standards issued by the Chief Archivist apply to it.

³ Ibid, section 18 & 20.

3 SCOPE

While appraisal of all public sector information and records should be an ongoing process, this Statement is focused on the principles guiding the selection of public archives only. Likewise the Statement does not provide guidance on how long public sector information and records should be managed, or what appraisal methodologies to use and how to apply them.

This Statement applies, without limitation, to:

- all information and records, regardless of form and format, from documents through to data, created and/or received by a public sector organisation (including any matter that is contracted out) in the conduct of its affairs and stored in many different places, including, for example, line-of-business systems; third-party systems in the cloud; enterprise content management systems; mobile devices; shared drives; and social media platforms

3.1 Inclusion of local authorities

Archives New Zealand will use the principles in this Statement when reviewing classes of information and records that have been protected by the Chief Archivist under section 40 of the Public Records Act. Local authorities may use the principles in the appraisal of local authority records and the selection of local authority archives.

4 ARCHIVAL SELECTION PRINCIPLES - OVERVIEW

Public sector organisations should be guided by the archival selection principles below (detailed below in *6 Principles for selecting public archives*) to identify and appropriately manage information and records in their custody that warrant preservation as public or local authority archives:

- Principle 1 – Information and records that provide evidence of the authority, functions and activities of the New Zealand public sector.
- Principle 2 – Information and records that provide evidence of recognition and respect for the Treaty of Waitangi/Te Tiriti o Waitangi principles and fulfilment of the Crown's obligations, and evidence of the absence or failure of these.
- Principle 3 – Information and records that contribute to individual and community knowledge, identity and memory.

Final responsibility for confirming whether public records meet any of the principles, and approving them for permanent archival retention, remains with the Chief Archivist in accordance with the provisions of the Public Records Act. This confirmation comes through disposal authorities.

5 APPLICATION OF THE PRINCIPLES

Public offices and local authorities should be aware that:

- the principles are applicable to all formats
- all principles are potentially equal
- some information and records could fit within more than one principle
- information and records that meet the principles are not exempt from selection as a public or local authority archive because of any privacy or security concerns (for example, New Zealand Government security classifications), as the Public Records Act has mechanisms in place for managing access restrictions and deferral of transfer, and
- the examples given for each principle are not an exhaustive or definitive list but are provided for illustration only and are intended to provide the basis for further detailed discussion with Archives New Zealand as required, and future progressive implementation of the Statement.

As the value of information and records can change over time, Archives New Zealand recommends that the process of selecting public and local authority archives by public sector organisations should be flexible and agile enough to encourage and enable continual change.

It is also important for public sector organisations to note that information and records that have current administrative or business value and that may be important to the operation of business functions for many years, might not have archival value and therefore might not require preservation as a public archive. When the business need for these information and records has ceased, their destruction, sale or discharge under the authority of the Chief Archivist can proceed.

6 PRINCIPLES FOR SELECTING PUBLIC ARCHIVES

Please note that the following examples are not an exhaustive or definitive list but are provided for illustration only.

| Description | Evidenced by: |
|--|---|
| <p>Principle 1 – New Zealand public sector authority, functions and activities</p> <p>Information and records that provide evidence of the authority and performance of the New Zealand public sector (including all public offices and local authorities as well as public/private partnerships and outsourced providers).</p> <p>This includes information and records that illustrate and provide clarity on the functions of governing New Zealand, such as the development and implementation of public policies and programmes in response to national as well as international issues.</p> <p>Particularly where the information and records:</p> <ul style="list-style-type: none"> • set a legal precedent and/or impact the development and/or implementation of legislation • generate public interest, debate and/or controversy due to the costs involved, risks taken and/or impact created • affect the obligations, responsibilities and/or liabilities of a public organisation • document the development and implementation of innovative, unique or precedent-setting practices, techniques or methods. | <p>Examples of information and records meeting this principle are those that document:</p> <ul style="list-style-type: none"> • the development, passing, commencement and review of legislation and/or regulations which illustrate changes of direction or provide clarity on the extent of jurisdictions and powers • formal instruments authorising the establishment or dissolution, merging and/or separation of a public sector organisation, its purpose, functions and operations, particularly those which document changes or reforms of New Zealand’s political and administrative structures and institutions • the formulation, determination and implementation (or not) of public policy which provides the authority for decision-making within and across government sectors, including policy proposals, consultation and evaluation reports, strategic plans and accountability reports • the monitoring, analysis/evaluation and review of public sector functions and activities, including enquiries and investigations that change and/or influence their management and performance • New Zealand’s relations and interactions with foreign governments and international organisations, and responses to global issues such as climate change, trade and security • the Crown’s stewardship, kaitiakitanga, of New Zealand’s environment and natural resources, including impacts and changes which have occurred over time, such as flood maps, hydrographic charts and meteorological data. |

| Description | Evidenced by: |
|---|---|
| <p>Principle 2 – Treaty of Waitangi/Te Tiriti o Waitangi</p> <p>Information and records that provide evidence of recognition and respect for, or fulfilment of the Treaty of Waitangi/Te Tiriti o Waitangi (the Treaty) principles and the Crown’s obligations, or in the absence of this, evidence of failure to fulfil these principles and/or obligations.</p> <p>Particularly where the information and records:</p> <ul style="list-style-type: none"> • provide evidence of negotiations and settlements between the Crown and iwi Māori in relation to the Treaty principles • detail how the principles of the Treaty are being acknowledged and embedded • document strategies to identify opportunities for partnerships with tangata whenua. | <p>Examples of information and records meeting this principle are those that document:</p> <ul style="list-style-type: none"> • government decisions and the management of cohesion and conflict in relation to consultation, negotiations, debates and discussions with iwi Māori, including those that document failure to fulfil obligations • the development and management of post-Treaty relationships and partnerships between the Crown and Māori, such as an ongoing programme of formal Letters of Commitment and partnerships between iwi and industry, as well as iwi and other intermediaries including tertiary institutions • the Crown sustainment and protection of Mātauranga Māori, such as incorporating a Māori way of being and engaging in the world in cultural sustainability programmes, and collaborative research for land use planning, ecosystem health and sustainable development • changes in government policy which have occurred over time and which add to understandings of the relationship between the Crown and iwi Māori over such issues as Māori land blocks, Te Reo Māori education and fishing rights. |

| Description | Evidenced by: |
|---|---|
| <p>Principle 3 – Individual and community knowledge, identity and memory</p> <p>Information and records that contribute to the knowledge and understanding of New Zealand, its history, geography, society, culture and achievements, and to all New Zealanders’ sense of their local, regional and national identity and legal status, their Māori iwi/hapū and whānau, ethnic or other communities.</p> <p>Particularly where the information and records:</p> <ul style="list-style-type: none"> • involve land and/or resources considered to have community, cultural, Māori, environmental or heritage significance • enable connections across generations or communities, providing links between the past and the present • contribute to an understanding of New Zealand’s history and the health, well-being and development of its society. | <p>Examples of information and records meeting this principle are those that document:</p> <ul style="list-style-type: none"> • specific iwi/hapū/whānau knowledge and information including whakapapa, waahi tapu • changes which have occurred over time to how people lived as well as their concerns and issues, such as fertility and mortality indices, Māori descent statistics and occupational classifications • the history of land use and occupation, such as landfill sites, town planning and the establishment of national parks and reserves • inquiries and/or investigations that impact the whole country, such as the Pike River disaster, genetic modification, pest eradication and the Canterbury earthquakes • proof that individuals or groups and their descendants qualify for and have an ongoing right to benefits or entitlements, or to participate in public affairs, such as local authority elections and strikes for working conditions • the impact of public sector policies and programmes on the lives of individuals, such as the care and protection provided for vulnerable children and the management of mental health institutions • legal decisions that impact individuals or groups and their fundamental rights, such as criminal court prosecutions, the enforced acquisition of land, and Privacy Act complaints. |