



Selection Statement

Identifying and selecting public archives

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Te Rua Mahara o te Kāwanatanga

ARCHIVES

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LICENCE



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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 Act), the recorded memory of government is preserved for present and future generations to enable government accountability.

Archives New Zealand also has a mandate to ensure the preservation and public accessibility of records of long-term 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 and records are preserved as public archives is vested in the Chief Archivist, who has statutory independence in making decisions on the disposal of public information and records.

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

Me titiro whakamuri, ki te anga whakamua.

Connect to the past, prepare for the future.

2 Purpose

The purpose of this Statement is to:

- promote and support the integrity of the information and records assessment, identification and selection process by providing a transparent framework and criteria, consistent with best practice
- assist New Zealand public offices to comply with their legal obligations under the Act by providing guidance on the identification and selection of information and records to be preserved as public archives
- emphasise the importance of legislative and regulatory compliance in protecting accessible records and information as a foundation for citizens' fundamental right to participate in the affairs of the Government and to lay claim to any entitlements and protection
- ensure that the principles and obligations of the Treaty of Waitangi/Te Tiriti o Waitangi are fundamental in selection decisions
- communicate Archives New Zealand's selection criteria to stakeholders to enable us to be held accountable for our responsibilities, and
- shape the scope and breadth of New Zealand's national archival collection.

While the assessment process (traditionally known in the information management profession and by Archives New Zealand as appraisal) should be applied to all public information and records, this Statement focuses on the criteria guiding the identification and selection of public archives.

¹ Public Records Act 2005, s.3(c)(ii), 3(f), 11(c)(ii) & (iii).

3 Scope

This Statement includes:

- All information and records, regardless of form and format, from documents through to data, created and/or received by a public office 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

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 Act and the standards issued by the Chief Archivist apply to it. The Chief Archivist has a particular interest where data forms a record of a transaction or decision making that may be needed to hold government to account.

This Statement excludes:

- Special collections
- Private records (unless these add value and contribute to the nation's memory)
- Local authority archives

Local authority archives are local authority records that are no longer in current use by the controlling local authority or have been in existence for 25 years or more. They include "protected records"² and other local authority records the local authority has determined are worth permanent preservation.

4 Selection criteria – overview

The process of assessing, identifying and selecting information and records of archival value is primarily based on a series of evaluative judgements. This statement aims to establish a consistent and transparent framework of criteria to guide these judgements and assist in the selection of information for permanent preservation for the government and people of New Zealand.

Public offices should be guided by the following criteria, which are described in greater detail in *Appendix A: Expanded table of criteria for selecting public archives*, to identify and appropriately manage information and records in their custody that warrant permanent preservation as public archives. The criteria are applicable to information and records in all and any formats.

- Criteria 1 – Treaty of Waitangi/Te Tiriti o Waitangi
- Criteria 2 – Authority, establishment and structure of government
- Criteria 3 – Primary functions and activities of public offices
- Criteria 4 – Rights and entitlements of individuals and groups
- Criteria 5 – Knowledge and community memory
- Criteria 6 – Environmental management and change

² "Protected records" are local authority records the Chief Archivist has declared under section 40 of the Act to be protected records. Under section 40(2), a local authority must provide for the adequate protection and preservation of a protected record it holds, in accordance with any applicable standards or instructions issued by the Chief Archivist.

5 Application of the criteria

Archives New Zealand has developed a framework to guide public offices in the identification of information and records with potential enduring and permanent value to the government and the people of New Zealand. To assist with selection, each of the criteria includes descriptions of related government activities and illustrative examples which would meet the criteria.

Public offices intending to use the criteria outlined should be aware:

- the criteria are applicable to all formats
- all criteria are potentially equally significant
- information and records could meet more than one criteria
- while no quotas or limits exist on how much information and records should be retained as public archives, it is assumed that overall a very small proportion created and/or received by public offices will warrant permanent retention
- information and records that meet any of the criteria are not exempt from selection as a public archive because of privacy or security concerns, as the Act has mechanisms in place for access restrictions and deferral of transfer
- the examples included are not an exhaustive or definitive list but are provided for illustration only and are intended to provide the basis for further detailed discussion and assessment between Archives New Zealand and public offices, and
- Archives New Zealand can assist public offices in selecting the information and records which best represent the criterion described.

6 Interpretation of the criteria

A number of criteria include the qualification that a particular activity, issue and/or impact must be “significant”, “high-level” and/or “major” to be selected. As evaluative judgements, these qualifications are currently a barrier to automated assessment. However, Archives New Zealand and other archival institutions overseas are beginning to explore machine-assisted and machine learning technologies for digital appraisal and disposal.

Public offices must assess their information and records holistically in the context of the whole of government rather than on a single public office or function. Information and records that might be considered “significant”, “high-level” and/or “major” in the individual business context may not merit permanent retention as a public archive when considered through the wider lens of local, community, regional and/or national memory.

The following examples and their level of impact on the government or the community may contribute to the degree of significance:

- economic impact
- environmental impact
- extent of the population affected
- government expenditure or commitment

- international context
- constitutional, political or legal ramifications
- public interest or public opinion
- public safety implications
- social or cultural impact
- aesthetic or artistic impact
- Crown/Māori relationships
- the importance of taonga to Māori.

However, as significance and the value of information and records can change over time, Archives New Zealand recommends that the process of identifying and selecting public archives should be flexible and agile enough to encourage and enable regular review. It is important to note that information and records that may have high current administrative or business value and be important to the operation of business functions for many years, may not have archival value and require permanent preservation as a public archive.

7 Important secondary considerations

In addition to the selection criteria, there are several other factors that may need to be considered. These considerations do not determine the significance or value of the information and records; rather they may influence and guide decisions about which to select and can be discussed further with Archives New Zealand if needed. They relate to the quality and accessibility of the information and records, as well as the resources needed to preserve them and make them accessible.

- Integrity, reliability and completeness – where possible only complete, accurate and reliable versions should be kept as public archives, unless the inadequacies have a significance that brings the information and records within a criterion.
- Relationships and dependencies – the meaning of certain information and records may depend on historical relationships to other information and records or on related descriptive or contextual metadata such as Māori specific metadata, requiring the retention of information and records of contextual rather than inherent value.
- Best available and most representative source – where several public offices may undertake the same function or activities and several sources of the same information and records are available, select the most complete.
- Accessibility and usability – information and records should be in formats that can be accessed and readily used, or be capable of conversion to accessible formats.
- Preservation feasibility – the survival of digital information and records is dependent on their capability of being migrated to more durable, long-term preservation formats.
- Ongoing costs – after taking into account all of the above considerations, assess the risks associated with not having the information and records against storage, retrieval, maintenance and accessibility costs.

Appendix A:

Expanded table of criteria for selecting public archives

Description	Evidenced by:
<p>1 – Treaty of Waitangi/Te Tiriti o Waitangi</p> <p>Information and records that provide evidence of recognition and respect for, fulfilment of or aspirations to, 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 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 criterion are those that document:</p> <ul style="list-style-type: none"> • government decisions 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 • the Crown sustaining and protecting Mātauranga Māori • collections and analyses of data detailing changes which have occurred over time and which significantly add understanding of the relationship between the Crown and iwi Māori, such as Māori land blocks, Te Reo education and fishing rights • Treaty negotiations, including the management of cohesion and conflict.

Description	Evidenced by:
<p>2 – Authority, establishment and structure of government</p> <p>Information and records that provide evidence of the source of authority, establishment and structure of the New Zealand government (including all public offices and local authorities). This includes information and records that illustrate and provide clarity on the function of government, such as the nature and extent of the government’s jurisdiction, obligations and powers.</p> <p>Particularly where the information and records:</p> <ul style="list-style-type: none"> - signal a major reform or change of direction - set a legal or substantive precedent - clarify the extent of jurisdictions and powers - generate significant public interest, debate and/or controversy - significantly impact the obligations, responsibilities or liabilities of the government or a public office organisation - significantly impact the whole-of-government function - significantly impact the implementation or development of legislation. 	<p>Examples³ of information and records meeting this criterion are those that document:</p> <ul style="list-style-type: none"> • the development, passing, commencement and review of legislation and subordinate legislation (regulations), particularly those with significant and/or controversial impact which illustrate changes of direction or provide clarity on the extent of jurisdictions and powers • significant submissions from a public office on legislation they administer or are responsible for, particularly those which would alter the legislation if implemented • legal opinions and interpretations of a public office’s own legislation and its statutory responsibilities, particularly those which set precedent • formal instruments authorising the establishment or dissolution of a public office, its purpose, functions and operations, particularly those which document major changes or reforms of the nation’s political and administrative structures and institutions • legal delegations to perform duties and functions of the government • judgements or rulings determining the extent of jurisdictions and powers, or setting legal precedents and amendments.

³ Please note that these examples are not an exhaustive or definitive list but are provided for illustration only.

Description	Evidenced by:
<p>3 – Primary functions and activities of public offices</p> <p>Information and records that provide evidence of the government’s deliberations, decisions and actions relating to primary functions, programmes and significant issues faced in governing New Zealand. This includes information and records that illustrate the development and implementation of high-level policy and strategic management decisions within and across public offices and sectors.</p> <p>Particularly where the information and records:</p> <ul style="list-style-type: none"> - significantly impact the obligations, responsibilities or liabilities of a public office organisation - set a significant precedent - signal a major reform or change of direction - significantly impact an industry or a community - generate significant community or public interest, debate and/or controversy due to the costs involved, risks taken and/or impact created - significantly impact the development or implementation of government policy - significantly impact an organisation’s business, structure or policy - lead or contribute to a major investigation or formal inquiry - involve innovative, unique or precedent-setting practices, techniques or methods. 	<p>Examples of information and records meeting this criterion are those that document:</p> <ul style="list-style-type: none"> • high-level endorsements, including Cabinet decisions, Ministerial approvals • the formulation and determination of policy across government which provides the authority for decision-making, including policy proposals, consultation and evaluation reports, endorsed whole-of-government policy, strategic plans and accountability reports • the formulation, determination and implementation of high level policy and strategic management decisions within public offices and across government sectors and industry • monitoring, analysis/evaluation and review of high-level, strategic policy affecting primary government functions, such as reports of Commissions of Inquiry and policy evaluations, particularly those which change the way work is carried out • collections and analyses of data compiled for planning and decision making in relation to issues significantly affecting the primary functions and activities of public offices, such as population datasets, economic performance indicators and labour market statistics • formulation and delivery of significant infrastructure or planning schemes and services, particularly those which alter the way an organisation operates • development of, reaction to, and impact of major internal and external audits/review and reports on major social issues • minutes, agenda and papers of executive/senior leadership level decision-making and significant project control groups.

Description	Evidenced by:
<p>4 – Rights and entitlements of individuals and groups</p> <p>Information and records that provide evidence of the legal status and fundamental rights and entitlements of individuals and groups, and of the significant impact of government decisions and actions on these. This includes information and records that might be required where the government’s decisions and/or actions alter or change the lives of individuals or groups.</p> <p>Particularly where the information and records:</p> <ul style="list-style-type: none"> - document significant interactions of individuals and groups with government, which are necessary to protect their enduring rights and entitlements - significantly impact, alter and change the lives of individuals and sets precedence for community behaviour - significantly impact the obligations, responsibilities or liabilities of a public service organisation - significantly impact the development or implementation of government policy - set a legal precedent - generate significant community or public interest, debate and/or controversy due to the costs involved, risks taken and/or impact created - involve land and/or resources considered to have community, cultural and/or heritage significance - involve land and/or resources considered to have Māori significance - lead or significantly contribute to a major investigation or formal inquiry. 	<p>Examples of information and records meeting this criterion are those that document:</p> <ul style="list-style-type: none"> • significant life events, including births, deaths and marriages registrations, adoptions records, national honours/awards • proof that an individual and their descendants qualify for and have an ongoing right to a benefit or an entitlement • confirmation of the existence of individuals or groups and their right to participate in public affairs, such as changes in working conditions, consolidated analysis of public opinion polls and surveys on controversial issues • collections and analyses of data detailing changes which have occurred over time to the rights and entitlements of individuals and groups, such as Māori descent statistics, disability surveys and gender stocktakes • individual case management where government functions and programmes had significant impact or influence on the lives of individuals, including the state’s care of children removed from their family, institutionalised care of individuals • the outcome of legal decisions, including criminal court prosecutions, the enforced acquisition of land for specific purposes, Privacy Act requests/complaints that set precedent • significant breaches of human rights • deeds of ownership, including patents and trademarks.

Description	Evidenced by:
<p>5 – Knowledge and community 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, their Māori iwi/hapū and whānau, or other ethnic community.</p> <p>Particularly where the information and records:</p> <ul style="list-style-type: none"> - involve property (land, infrastructure, structures, buildings or items) considered to have cultural, Māori, environmental or heritage significance - involve innovative, unique or precedent-setting practices, techniques or methods - enable connections across generations or communities, providing links between the past and the present - have aesthetic qualities that resonate, move, inspire or educate, or have had a major influence on New Zealand thinking, behaviour and attitudes - have scientific, research or technical significance to the broader community and to New Zealand - contribute to an understanding about New Zealand’s history and the development of its society, and the impact of significant events, issues, persons, places and themes. 	<p>Examples of information and records meeting this criterion are those that document:</p> <ul style="list-style-type: none"> • specific iwi/hapū/whānau knowledge and information including whakapapa, land records, waahi tapu • the work and activities of individuals or public offices who have made significant or unique contributions to New Zealand’s character • planning, management and staging of major social, economic, cultural or scientific events, ceremonies, celebrations, exhibitions, visits, discoveries or developments with significance for, or having a special relationship with, specific regional or local communities • the identification, development and management of properties and sites of conservation, cultural and/or heritage significance • collections and analyses of data detailing changes which have occurred over time and which significantly add understanding of how and where people lived, their concerns and issues, such as fertility and mortality indices, ethnic population projections and occupational classifications • the use by the Government of emergency powers, including in times of environmental disaster, terrorist threat.

Description	Evidenced by:
<p>6 – Environmental management and change</p> <p>Information and records that provide evidence of the Government’s stewardship, kaitiakitanga, of the land, including the management and use of New Zealand’s natural resources.</p> <p>Particularly where the information and records:</p> <ul style="list-style-type: none"> - detail significant actions in relation to New Zealand’s environment and natural resources - contribute to an understanding of climate change, weather patterns and natural disasters - document a history of land use which has, or may, significantly impact on the health and well-being of the New Zealand community and the natural environment - concern the long term environmental impact on Crown land, waters and air - involve land and/or natural resources considered to have cultural, Māori, environmental or heritage significance - significantly impact the obligations, responsibilities or liabilities of the government or a public office organisation - significantly impact the implementation or development of legislation or government policy - document government functions and programs with significant impact or influence on the environment or its resources. 	<p>Examples of information and records meeting this criterion are those that document:</p> <ul style="list-style-type: none"> • the history of land use and occupation, such as landfill sites, town planning • the implementation of Treaty of Waitangi/Te Tiriti o Waitangi Settlements and Māori land management • collections and analyses of data compiled for planning and decision making in relation to issues significantly affecting the environment or resource management, such as hydrographic charts, flood maps and resource consents • collections and analyses of data detailing environmental changes which have occurred over time, such as meteorological data • major changes to land use, such as the establishment of national parks and reserves • management of situations where there is a potential for contaminants to be released into the environment, including identification and monitoring of hazardous substances, pest eradication programs • the control and management of catastrophic natural disasters involving loss of life, such as the Canterbury earthquakes.