



Appraisal statement

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1 Archives New Zealand's Role

Archives New Zealand has a legislative responsibility to the government and citizens of New Zealand to provide a framework for the systematic creation, management, disposal and preservation of public records and local authority records. This framework ensures that government can be held accountable and manages its information and records appropriately to meet business requirements and fulfil its legal and societal obligations. The framework also ensures that information and records of long-term value are accessible to present and future New Zealanders as well as encouraging the spirit of partnership and goodwill envisaged by the Treaty of Waitangi/Te Tiriti o Waitangi [*Public Records Act 2005*, Part 1 Section 3, (e), (f) and (g)].

2 Purpose

The purpose of this document is to:

- set Archives New Zealand's direction for appraisal within the New Zealand whole of government information management context;
- refocus appraisal as a core element of the practice of information and records management;
- set the bar for long-term retention of information and records as archives;
- provide criteria and indicators of value to be used by participants and contributors in the appraisal process; and
- inform the Chief Archivist's decision-making on disposal of public records, under section 20 of the *Public Records Act 2005*.

This document is supported by other products produced by Archives New Zealand that outline the requirements and best practice for the creation, maintenance, disposal and transfer of public records and protected local authority records¹.

3 Context

This Statement has been developed in the context of a rapidly changing information environment where the use of technology is altering the ways in which information is created, used and preserved. Appraisal theory and practices need to move out of the paper paradigm.

One of the consequences of this is the need to pay more attention to the appraisal of metadata as well as the content of the record. Good metadata adds value to information and records and increases the ability to understand, access, use and reuse the content over time.

The quantity of information and records created is increasing and even with reducing costs of digital storage, so too are the costs associated with long-term management and preservation. To

¹ A local authority record declared by the Chief Archivist to be a protected record by notice in the Gazette. A local authority must provide for the adequate protection and preservation of its protected records. Protected records must not be disposed of without the authorisation of the Chief Archivist. The list of local authority protected records is known as the "List of Protected Records for Local Authorities." (*Public Records Act 2005*, s40)

control the costs to taxpayers it is therefore incumbent upon Archives New Zealand to ensure that information and records are kept only for as long as they are needed and only the most valuable are transferred as archives. We are of the view that historic retention practices are neither sustainable nor justified, and there is a conscious “lifting of the bar” within this Statement. It is expected that some information and records previously identified for long-term or permanent retention will in future be considered only to merit shorter retention. The underlying principle is that the burden of proof is on the appraiser to justify long-term retention. Longer term retention recommendations will need to point to genuine longer term benefits – value that will continue to be relevant for the entire life proposed.

All disposal actions, including retention and destruction should be justifiable by reference to the criteria in this statement. All information and records have some value, and all managed retention and preservation has some cost. The essence of appraisal is the balancing of these to ensure the best archives are kept and understanding the rationale for investing in their retention.

Information and records must be appraised in the context of the whole of government, rather than on an agency by agency basis. Information and records that are significant in the context of single agency or function may not merit retention when considered through the lens of their part in the story of the nation over time. Similarly, the intention is to seek to retain long-term only a sufficient or best record of those events and actions considered vital.

Value is a fluid concept that can, and will, increase, diminish and change over time, therefore the appraisal process should be flexible enough to encourage and enable review.

4 Scope

This Statement applies to the appraisal of all public records, protected records and other information and records as defined by the *Public Records Act 2005*.

It applies to all participants in the appraisal of public records or protected records. It does not cover practices or procedures for carrying out appraisal, nor information on discharge or custody decisions such as use of approved repositories.

5 Appraisal

5.1 The purpose of appraisal

Appraisal, within a wider information management context, is about enabling decisions. It is the process of analysis used to evaluate functions, activities, information and records to determine appropriate management of that information and records over time, the retention period and disposal actions.

Appraisal is a process of risk analysis; it involves a balance between the cost of continued retention, maintenance, migration and preservation and the risks that may be incurred if the information and records were no longer accessible or destroyed. Retention of information and records requires more than demonstrating that they have value; that value needs to clearly outweigh the costs of ongoing management. This also means that information and records delivering the same value, but stored in different formats with different ongoing cost structures may have different retention periods and/or disposal actions.

Appraisal is a pro-active component in information and records management. When appraisal is carried out early it is possible to optimise management over the whole life of the information and record, ensure timely disposal and maximise the benefits.

Archives New Zealand acknowledges that the process of appraisal can occur at various times and at whatever level of aggregation is meaningful and practicable. It is a repeatable process should the environment, business or societal expectations or context of the information and records change.

Therefore, the process of appraisal can occur:

- before the creation and during the design of business processes and systems: this will determine what information and records need to be created or captured for that process and how and for how long they should be maintained (i.e. whether they are of transitory or of longer term value);
- at or after creation: this will determine how long information and records need to continue to be available and accessible and so justifies the cost of management and maintenance;
- retrospectively for un-appraised information and records that have fulfilled their immediate business and accountability purpose, and where authorised disposal is required; and
- in this statement appraisal is discussed in the context of enabling public offices and local authorities to recommend appropriate retention periods and disposal actions, with the aim of the Chief Archivist approving them.

5.2 The benefits of appraisal

As part of a pro-active and well managed information and records management programme, appraisal, the creation of retention and disposal rules, and sensible metadata supports normal prudent business practice. It also increases efficiency and contributes to government and societal memory by allowing:

- government to be held accountable for its actions and decisions;
- the identification of information and records for ongoing use and re-use;
- efficient use of resources: information and records are not maintained and stored for longer than necessary and digital information and records are not migrated when they could be destroyed;
- time saving: improved ability to locate and retrieve information and records of continuing value and less need to recreate information and records;
- the identification of vital or high value information and records for immediate business needs;
- an understanding of the context and reasons for disposal actions;
- compliance with legislative requirements of the *Public Records Act 2005*;
- the preservation of New Zealand's historical and cultural heritage; and
- the ability to optimise management and preservation in line with retention requirements.

6 Implementation of appraisal

6.1 Principles of appraisal practice

The appraisal of information and records must be undertaken with the following in mind:

Lawfulness - During the process of appraisal, identification and compliance with statutory or other legislative obligations for the creation, maintenance and destruction of information and records relevant to the public office, local authority or function must be applied.

Accountability and transparency - The decisions made in regards to appraisal must be transparent and enable accountability for the justifications and rational of those decisions.

Responsive to stakeholders - The rights and interests of relevant stakeholders should inform the decision making process. Identification and involvement of internal and external stakeholders will provide different perspectives such as external accountability, operational importance, public interest, cultural and historical significance as well as providing a whole of government and longer term view.

Consistent - Appraisal should be done in a planned and systematic manner, following standards and guidance provided by Archives New Zealand.

Considerate of resources - Appraisal should promote the efficient use of resources to enable the undertaking of the process and its implementation, with information and records not of long-term value destroyed as soon as possible.

6.2 Appraisal criteria

The criteria below must inform decisions concerning retention periods as well as disposal actions. The criteria do not sit in isolation; they can interact, or overlap.

Not every criterion will be applicable, nor are all criteria of equal relevance in all circumstances; for example accountability is likely to lessen over time, whilst cultural and social value may increase.

Some information and records may have a high level of value for an extended but specific period of time, for example, they document rights or entitlements valid for the lifetime of an individual. Such information and records therefore require a long retention period while their value beyond this could be negligible. In some cases, information and records may serve accountability or evidential purposes in ways unanticipated at the time of their creation, as new legislative regimes enable new rights to be asserted. Information and records used to support Treaty grievances, for example, are now used in statutory processes established long after they were made. While it is not possible to predict future legislative arrangements, it is critical to consider both the original and current environments in assessing the value of information and records.

In general it is expected that business value will have the shortest duration, depending on the nature of the function or business process and the length of the relationship between the parties. Accountability and rights will have a longer duration, but will depend on the legal framework allowing for enforceability of rights, and the legal and moral accountability for actions. In the very long term – decades or centuries – the role of information and records as a source of knowledge about the past will provide the most enduring justification for retention.

Within the criteria there is also the need to explore and consider the extent of the value of the information and records. The example questions in the Appendix are intended to assist the appraiser in this process.

Thus a number of evaluative judgments are necessary to determine or justify information and records being of high enough value to warrant long-term retention, either by the agency, or by Archives New Zealand. The needs for access to information and records in both their current, immediate context and in the wider, future context need to be considered in making these judgements.

There will be a number of different perspectives of the value of information and records from owners, creators, contributors or subjects of the information and records, to users and future users, and these should all be considered when applying these appraisal criteria.

6.2.1 *Criteria 1. Business value*

Information and records that are fundamental to the ability of a public office or local authority to carry out its business and enable continuity of services to the New Zealand public.

Statement

Information and records identified will be considered essential for the particular business processes or services of an agency or public office, or for fulfilment of other requirements whether legislative, regulatory or commercial. This information and records will need to be retained for a period of time as opposed to those of a transitory nature.

Guidance

Indicators of value may include:

- requirements for business continuity – high value information and records;
- evidence of decision-making;
- use for business intelligence for the development of new services;
- risk management; and
- use in other business processes by other agencies.

Length of retention will be determined by the business need for access to that information and records. Although information and records determined to have business value may need a long retention period their value beyond that date may not merit them becoming public archives.

6.2.2 *Criteria 2. Accountability*

Information and records that are fundamental to providing citizens with trust in government; providing evidence of the well-being of the community and the impact of government activities on them, in compliance with relevant legislation and regulations.

Statement

Information and records identified will be considered essential for the protection and well-being of current and future generations and enhance public confidence in the actions of public offices and local authorities. This includes information and records documenting the impact of government activities on the community or individuals, and the intervention of the government in people's lives.

Guidance

Indicators may include evidence of:

- the impact of Public Office or Local Authority's actions, on people's lives;
- agreements between governments; and
- audit or monitoring of government interventions in response to inequalities.

Length of retention will be determined by the type of activity and influenced by the scale of impact and the level of accountability. Many activities have a big impact on individuals for a relatively short period of time, but once that activity is over accountability will diminish. However, the impacts of other activities have longer and wider implications and the level of accountability remains high.

6.2.3 *Criteria 3. Rights and entitlements*

Information and records providing evidence of the legal status and fundamental rights and entitlements of individuals and groups.

Statement

Information and records that are essential for the establishment and protection of fundamental rights and entitlements of individuals, legal or natural, and groups within the community and nation, and the ongoing administration of the government of New Zealand. This includes information and records documenting the existence of individuals or groups, their rights to participate in the affairs of the nation and make claim to entitlements, and protection provided by the government.

Guidance

Indicators may include evidence of:

- impact on individuals/groups, people who are disadvantaged, affect on wellbeing, and the right to participate;
- the effect on individual identity; and
- proof of rights/qualification for ongoing rights.

Length of retention will be influenced by the nature of the right or entitlement and the length of time that right or entitlement may need to be proved.

6.2.4 *Criteria 4. Legitimacy of Authority*

Information and records that identify and document the source of authority and foundation of the machinery of government of New Zealand and its public sector bodies.

Statement

Information and records that document the establishment and allocation of functions to government agencies and local authorities. They will define the nature and extent of their jurisdiction, obligations and powers. They will originate from legislation and central agencies of the public service.

Guidance

Indicators may include evidence of:

- validation of authority e.g.: high level public service appointments;
- formal instruments or authorities establishing or dis-establishing functions, jurisdictions, mandates, powers and operations; and
- judgments or rulings determining the extent of jurisdiction or powers.

Length of retention will be determined by requirement for proof of authority.

6.2.5 *Criteria 5. Treaty of Waitangi/Te Tiriti o Waitangi*

Information and records that provide evidence of recognition and respect for, fulfilment of or aspirations to the Treaty of Waitangi/ Te Tiriti o Waitangi principles and the Crown's obligations, or in the absence of this, evidence of failure to fulfil obligations and/or principles.

Statement

Information and records provide evidence of government decisions that have been documented in relationship to consultation, negotiations, debates and discussions including those that document failure to fulfil obligations. They will also provide evidence of post Treaty settlement relationships and partnerships with Iwi Māori. They will be taonga available for all New Zealanders, iwi and the Crown.

Guidance

Indicators may include evidence of:

Treaty negotiations and settlements;

- the principles of the Treaty of Waitangi/Te Tiriti o Waitangi being acknowledged and embedded;
- strategies to identify opportunities for partnerships with tangata whenua; and
- the Crown sustaining and protecting Mātauranga Māori

Length of retention will be determined by the level of evidential value.

6.2.6 *Criteria 6. Knowledge*

Information and records that will substantially contribute to knowledge and understanding of New Zealand, its history, geography, society, culture and achievements and New Zealanders' sense of their national identity.

Statement

All information and records carry knowledge through time. Ongoing retention is only justified for information and records identified as having the capacity and potential to substantially contribute to the body of knowledge or understanding that will materially improve the life of New Zealanders now and in the future.

Guidance

Societal

Indicators may include evidence of:

- cohesion and conflict between social groups and the government
- development and management of infrastructure
- social well-being.

A 'New Zealand' Identity

Indicators may include evidence of:

- New Zealand's place in the world, international relations, involvement in, or opposition to global developments
- involvement with, relevance to, global events, movements
- uniquely New Zealand enterprises, systems, services
- contributions of notable individuals to New Zealand's character
- Treaty settlements.

Whakapapa/genealogical

Indicators may include evidence of:

- Family relationships – links between the past and the present.

Cultural

Indicators may include evidence of:

- iwi, hapū, ethnic community/group identity, issues and initiatives
- government responses to, or services for, specific ethnicities
- management /registration/preservation of areas of cultural or heritage importance/meaning
- initiatives to preserve and/or promote a resurgence of languages.

Scientific/technical/engineering

Indicators may include evidence of:

- innovation, development or improvement to services / processes / infrastructure
- degree of transformation of a service, delivery or process

- major discoveries of importance for communities/New Zealanders.

Stewardship/Kaitiakitanga

Indicators may include evidence of:

- environmental monitoring, data - collections and analysis of environmental data
- changes to land use e.g.; National Parks, marines reserves
- contaminant usage, hazardous substances.

Length of retention will be determined by the level of contribution that can be demonstrated.

7 Appendix – Consideration of the extent of value

Listed below are a series of questions to prompt discussion during the appraisal process and assist in the assessment of the extent of value of the information and records and the appropriate retention and disposal recommendations.

Answers to these questions will not necessarily lead to a simple yes/no determination of value. The question should lead to debate and deliberation to enable informed decision-making on disposal recommendations.

They are not to act as a 'tick list'. Not all questions will be relevant to all criteria. They are provided as a guide only and will require modification dependent on what is being appraised:

- is the information malleable for future use and re-use? How complete is the metadata?
- does a dataset with summary information exist?
- is there duplication? Where else is the information and records available and being retained, e.g.: websites, publications, other public offices, other repositories?
- if the information and records were to be lost, could it be recovered, with a meaningful context, from other sources?
- what are the cost considerations for long-term maintenance of the information and records? Has a risk analysis of the maintenance cost against information and record loss been investigated?
- will technological obsolescence be an issue for long-term retention? Have mitigating actions been investigated, and is the cost of maintenance justified by the value of the information and records?
- is the public interest served by retention, or destruction?
- does the information and records document momentous events?
- what are the interests of Māori?
- are the information and records the best evidence of changes that are/will be innovative, a 'first', or provide advancements or extensive changes an existing situation?
- do the information and records provide the best evidence of a substantial change to citizens entitlements e.g.: changes to legal entitlements, ramifications of such changes?
- do the information and records provide evidence of the rationale leading to extensive change in central or local government, or agency policy?
- to what extent is our understanding of social development enhanced?
- does the information and records document a departure, or a change, from a previous set of circumstances?
- is the impact of actions or change on a small proportion of the population? Are they identifiable as a group, e.g. ethnicity, iwi/hapū, geographically, gendered? Have the views or perspective of these groups been considered?

- Does the information and records relate to an individual or individuals that exemplify the New Zealand identity documented, e.g., eminence in achievements, locally or internationally within the sphere of government and global politics or social activity?
- is controversy, resulting in resistance/objection or high engagement with government expected to occur?
- did an event/policy/change to services attract national or international media attention?
- do the records reflect regional implementation of policy or government agency function?
- is a specific locality or region affected? How and to what extent?
- is the physical landscape/layout altered or affected?
- what is the economic impact, e.g. were jobs created? Was a sector of the population positively or detrimentally affected? and
- is this an all-of-government or shared initiative? Where is the most complete information? Is it best to retain a dense summary rather than a detailed report?