



Disposal

Sentencing

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1 Introduction

Sentencing is the process of applying a disposal authority and its disposal actions across your organisation's information and records. A disposal authority provides a 'sentence' that specifies the minimum amount of time information and records need to be kept before being approved by the administrative head or delegated Executive Sponsor for disposal.

2 How to sentence

Sentencing at the point of creation allows information and records to be managed according to their value and to make sure they are preserved and retained for as long as required. However, sentencing is an ongoing activity as purpose and values may change over time and as disposal authorities are reviewed and updated.

2.1 Points to note when sentencing

1. Be familiar with your organisation's functions and activities, now and at the time the information and records were created.
2. Determine the current disposal authority to be used.
3. Identify the relevant disposal grouping or class for the information and records being sentenced.
 - Use the description or examples in the disposal authority. Note that any list of examples is not exhaustive, so try to link the information and records to the activities being described in the disposal authority.
 - Examine the contents, or scope notes for any classification system in which the information and record was created.
 - If more than one group or class is appropriate, choose the one with the longest retention period.
4. Ensure that the information and records contain metadata on their retention periods, disposal triggers and disposal actions as outlined in the disposal authority. For digital information and records, this can be attached in an electronically managed system. For physical information and records, this can be written on a file cover or other container.
5. Confirm whether the disposal trigger has already taken place, for example, "date of last action". If the disposal trigger has not yet taken place (i.e. the file is still being used), then set a review date for the future.
6. Confirm that the prescribed retention period has been met. If the retention period has not been reached, then set a review date for the future.
7. Obtain internal approval from the appropriate level of management according to your procedures, and implement the disposal action.
8. Disposal control records need to be updated with the disposal action/date and authorisation, for example, a disposal register that documents what happened to information and records, and under what authority they were disposed of.

9. When legacy information and records are sentenced, points 4 and 5 may both be relevant. For example, a property management record that was closed nine years ago matches a group or class in a disposal authority with a disposal action to destroy seven years from closure; therefore it can be destroyed immediately.

2.2 General rules for sentencing

2.2.1 Core versus administrative

General disposal authorities cover common administrative information and records and are not to be used for an organisation's core information and records (i.e. those reflecting primary duties and responsibilities).

2.2.2 Finding a disposal group or class

If you cannot find a disposal class that fits with the information and records being sentenced, then put them to one side. Consult with colleagues or the business unit responsible for creating them to help clarify which class it fits.

2.2.3 Use the longest retention period

If the information or record fits into more than one disposal class, always use the class with the longest retention period. For example, where file examination suggests it could fit into a class that says "destroy seven years after date of last action", or into another class that says "destroy 10 years after date of last action", then retain the whole file for 10 years.

2.2.4 Never cull information or records from a file

Culling information and records destroys the integrity of the file by breaking the transactional chain of evidence. That is, a document by itself may be of very little value, but in the context of the other information and records in the same collection, it holds significant evidence.

2.2.5 Files with more than one part

When files have more than one part, you can generally sentence each part as a separate item and destroy or retain them according to the disposal authority. However, it is possible that file parts being sentenced will contain information and records that the business requires to understand the active file part. Use your own judgement and common sense. For example, an Official Information Act request file opened in 1999 has a new part started each year, so parts 1999-2001 can be destroyed in 2007, if the disposal class authorises destruction after five years.

2.2.6 Copies or duplicates

Make sure you can identify the original file documenting a particular activity of your organisation. For example, copies of a contract may be held with a business unit for reference purposes, but the original signed contracts are retained by the finance department. Copies can be destroyed using class 1.3 of General Disposal Authority 7 (DA576).

2.2.7 Handle with care

When sentencing information and records, you may be handling fragile formats. Please ensure the person carrying out the sentencing project understands any specific requirements for handling these. Similarly, for older audio-visual or digital material held on portable storage formats, such as microfiche or CD, make sure that you have the correct equipment to view them. Do not try and force a format to read on unsuitable machines.

2.2.8 *Sentencing problem information and records*

During the sentencing project, you may come across information and records that are difficult to fit within a disposal class. Here are some tips.

- Look at the file cover or file structure description. They should tell you which series or group it comes from, or which business unit created it. There may also be a date, giving you some idea of the age. Be aware that file titles, especially for older information and records, can be misleading. If unsure, check the contents.
- Consult the business unit responsible for creating the item. If it is recent, they may be able to tell you why it was created and what aspect of business activity it relates to.
- Check to see if anyone consulted the item after it was closed. The user may be able to provide guidance for sentencing. This may also indicate that it contains active reference material and should not be disposed of.
- If the item could fit into a class recommended for retention as archives and a class recommended for destruction, then choose the archival class.
- If you come across information and records which do not fit into any disposal class, it is possible that they have not been appraised. Rather than forcing these into a disposal class, they should be appraised separately.