

APPRAISAL MEMORANDUM: AMENDING AN EXISTING DISPOSAL AUTHORITY

File/Document ID: [Removed]

Agency

Name: Ministry of Justice

Contact

Name: [Name Removed]

Contact

Details: [Name Removed]

Schedule to
be changed: DA220

1. Circumstances

Every month the Privacy Unit of the Ministry of Justice receives a large number of signed hard-copy applications from either individuals or third parties for information on the convictions of individuals held in the Ministry's courts and collection information systems. The applications are required in hard-copy because a signature is required before the information requested can be released. The current rate of accumulation is in the vicinity of 250,000 applications per year.

In April 2007 a variation to retention and disposal schedule for Department for Courts National Office was granted. (**DA279**)

The scope for the variation was for records relating to requests for criminal records under the Privacy Act and the Official Information Act.

This variation had an expiry date of 1 July 2008.

These items are of an administrative nature only, and have no value as a public record. The variation allowed for them to be routinely destroyed at an early stage due to the nature of the content and the sheer volume of accumulation.

2. Description

The agreed variation allowed the following:

- The retention period for applications from individuals and third parties for copies of records of criminal convictions is recommended to decrease from 3 years to 3 months before destruction
- The retention period for staff security checks is recommended to decrease from 2 years to 1 year before destruction
- A new entry for complaints about incorrect recording of convictions and investigations into complaints is recommended to have a retention period of 5 years and a disposal of destruction.

Approved original details:

Class Title: Administrative routine - security

Class number: 04.8.2

Retention Period: 1 year

Disposal Action: Destroy

Proposed changes:

[Removed]

Class Title: Administrative routine - security
Class number: 04.8.2
Retention Period: 1 year
Disposal Action: Destroy

Approved original details:

Class Title: Requests for information – Privacy Act
Class number: 20.5.1
Retention Period: 3 months
Disposal Action: DESTROY

Proposed changes:

Class Title: Requests for information – Privacy Act
Class number: 20.5.1
Retention Period: 3 months
Disposal Action: Destroy

Approved original details:

Class Title: Requests for information – Privacy Act Complaints
Class number: 20.5.2
Retention Period: 5 years
Disposal Action: Destroy

Proposed changes:

Approved original details:

Class Title: Requests for information – Privacy Act Complaints
Class number: 20.5.2
Retention Period: 5 years
Disposal Action: Destroy

Approved original details:

Class Title: Requests for information – OIA Act requests
Class number: 20.6.1
Retention Period: 3 months
Disposal Action: Destroy

Proposed changes:

Approved original details:

Class Title: Requests for information – OIA Act requests
Class number: 20.6.1
Retention Period: 3 months
Disposal Action: Destroy

3. Justification

The Privacy Unit continued to apply the retention schedule of 3 months retention followed by destruction with the last destruction being carried out in early November. All records from August are still held; we have been compliant since then under GDA 4 as no destructions have occurred since November 2008.

As a result we are now in the situation where we do not have a current schedule relating to this class of file within the current Ministry schedule and assume that the GDA 4 now applies.

There has been no change to the business processes of this function. The only variable affecting this application has been the expiry of the extension to the old Department for courts schedule (**DA280**) to which the variation was originally attached.

4. Recommendation

[Removed]

There has been no change to the business processes of this function, thus the Ministry proposes that variation **DA279** be incorporated into the current Ministry of Justice Schedule **DA220** with urgency to allow these items to be managed without unnecessary accumulation before destruction.

Quantity recommended for retention as public archives: 0 lm or items (0% of total)
Quantity recommended for destruction: 25 lm or items (100% of total) – This comprises material accumulated and not routinely destroyed since the expiry date of the schedule (DA279)

Estimated amount added per year: 40 lm or 250,000 applications p/a

Records must be kept for the minimum period specified.

Records may be destroyed at any point once the minimum retention periods have passed. Records do not have to be destroyed; the agency may keep them for longer if required.

This authority is valid from the date of signing for a period contiguous with the original disposal authority being amended, unless previously authorised by the Chief Archivist.

Contact Details

For further information or advice on the appraisal process or regarding disposal

recommendations, contact Archives New Zealand Appraisal Section at appraisal@archives.govt.nz

For further information or advice on the transfer process, contact Archives New Zealand

Arrangement and Description Section at transfer@archives.govt.nz