



Appraisal Report

Functions, activities and records evaluation for

The Ombudsman

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Agency	The Ombudsman
Contact Name and Details	[Name and details removed]
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Purpose

The purpose of this appraisal report and accompanying disposal schedule is to obtain authorisation from the Chief Archivist for records created by The Ombudsman/Tari o te Kaitiaki Mana Tangata with the aim of ensuring the effective and consistent management of core records and related documentation. The report will:

- Ensure on-going coverage for the legal disposal of records created by or for by the Ombudsman/Tari o te Kaitiaki Mana Tangata in alignment with the Public Records Act 2005 (PRA);
- Enable the identification of records of high value which will require long-term preservation and those records of little archival value which may be destroyed once no longer required for on-going business;
- Obtain legal authority to dispose of records not covered by the general disposal authorities (GDA6 and GDA7);
- Enable the implementation of management systems for information and records;
- Support a culture of best practice recordkeeping within the organisation as part of the Information Management programme of work.

Scope

This schedule applies to all records created, maintained and received by The Ombudsman.

Format

This schedule covers records in any format:

- Digital format;
- Hard copy;
- Non-text format (images, sound recording, video).

Agency and System Information

The functions of The Ombudsman are to handle complaints against government agencies and undertake investigations and inspections. They also encourage good administration by giving feedback and training to agencies. The Ombudsman initiates its own investigations where appropriate. The powers and functions of the Ombudsman are contained in five main pieces of legislation:

1. The Ombudsmen Act 1975;
2. The Official Information Act 1982;
3. The Local Government Official Information and Meetings Act 1987;
4. The Crimes of Torture Act 1989; and
5. The Protected Disclosures Act 2000.

The agencies that come under the Ombudsman's jurisdiction under the Ombudsmen Act are listed in Schedule 1 of that Act.

The agencies that come under the Ombudsman's jurisdiction under the Official Information Act include:

- Ministers of the Crown;
- the departments and organisations listed in Part 1 and Part 2 of Schedule 1 of the Ombudsmen Act (except for the Parliamentary Counsel Office, the Parliamentary Service and mortality review committees); and
- the organisations listed in Schedule 1 of the Official Information Act.

The agencies that come under the Ombudsman's jurisdiction under the Local Government Official Information and Meetings Act include:

- The local authorities listed in Schedule 1 and Schedule 2 of that Act; and
- Council-controlled organisations and council organisations (the Local Government Official Information and Meetings Act applies to council-controlled organisations as if they are local authorities - see section 74 of the Local Government Act 2002).

History and legislative context

The first New Zealand Ombudsman was appointed in 1962 under the Parliamentary Commissioner (Ombudsman) Act 1962. New Zealand was the fourth country, after Sweden, Finland and Denmark, to establish the Office of Ombudsman. When the office was first established, the Ombudsman's jurisdiction was limited to investigating complaints about central government departments and organisations. In 1968, the Ombudsman's jurisdiction was extended to include education and hospital boards. In 1975, the legislation was consolidated in the Ombudsmen Act 1975. Under this Act, the appointment of additional Ombudsmen was permitted, and the Ombudsman's jurisdiction was significantly extended to include local government agencies.

In July 1983, the Official Information Act 1982 came into force. Under this Act, the Ombudsman was given the function of investigating and reviewing complaints about decisions made by Ministers of the Crown and central government agencies on requests for information.

In March 1988, the Local Government Official Information and Meetings Act 1987 came into force, giving the Ombudsman the function of investigating complaints about decisions made by local government agencies on requests for information.

In January 2001, the Protected Disclosures Act 2000 came into force. This is commonly known as the 'whistle-blower' legislation. Under this Act, the Ombudsman is responsible for providing advice and guidance to any employee who has made, or is considering making, a disclosure about serious wrongdoing in their workplace (either public or private sector). The Ombudsman is also one of the 'appropriate authorities' listed in the Act to whom a protected disclosure can be made.

On 25 January 2005, the Crown Entities Act 2004 came into force. This brought all crown entities within the Ombudsman's jurisdiction under the Ombudsmen Act and Official Information Act.

On 21 June 2007, the Ombudsman was designated a National Preventive Mechanism (NPM) under the Crimes of Torture Act 1989 (COTA). COTA gives effect to New Zealand's obligations under Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment ('OPCAT'). The objective of OPCAT is to establish a system of regular and independent visits to places of detention, in order to prevent torture and other cruel, inhuman or degrading treatment or punishment. The Ombudsman is responsible for visiting prisons, immigration detention facilities, health and disability places of detention, child care and protection residences, and youth justice residences. In June 2018, the monitoring role was expanded to include monitor privately run locked aged care facilities and court facilities. The Ombudsman monitors and makes recommendations to improve the conditions of detention and the treatment of detainees.

In June 2009, section 241 of the Land Transport Act 1998 gave the Ombudsmen the role of commenting to the Ministry of Transport on applications for authorised access to personal information on the motor vehicle register.

In October 2010, the Ombudsman, along with the Human Rights Commission, and the New Zealand Convention Coalition, took on the role of an independent mechanism responsible for protecting and monitoring implementation of the United Nations Convention on the Rights of Persons with Disabilities.

Functions

The functions of The Ombudsman are to:

- improve public sector capability to do its work and make decisions;
- inform the public to enable them to take constructive action to realise their rights;
- undertake formal consultations to assist public sector agencies to make specific decisions;
- deal with requests for advice and guidance about alleged serious wrongdoing;
- protect and monitor disability rights in New Zealand;
- monitor and inspect places of detention for cruel and inhumane treatment;

- resolve, investigate and review complaints about decisions on requests for access to official information;
- monitor general compliance and good practice by public sector agencies in managing and responding to official information requests;
- resolve and investigate complaints about public sector administration and decision making;
- contribute to systemic improvement by identifying, resolving and investigating concerns with public sector administration and decision making; and
- learn from and assist to develop, international best practice.

In carrying out the Ombudsman functions, The Ombudsman provides Parliament and the New Zealand public with an independent and impartial check on the quality, fairness and integrity of public sector administrative conduct.

By contributing to administrative improvement across the public sectors, The Ombudsman can help to reduce overall downstream costs caused by poor decision-making and ineffective administrative processes.

System information

The Ombudsman's core business system is a bespoke Case Management System (CMS) which is used to manage all complaints and investigations. The CMS is a repository and tracking system for all case information. It has been in use since late 2009 in its current format. However, it is not the formal record due to the limitations of the system – the paper files are currently the formal record. The CMS will be replaced in 2020 with Open Text's App Works.

All case information is currently still printed out and placed on a case file, although it is planned to keep case information in electronic format when App Works is implemented. Two sequencing systems have been used for these case files. An alphanumerical system with a prefix of W, A or C to denote the location (Wellington, Auckland or Christchurch) ran from 1962 until 2009. Auckland and Christchurch sequences had their owning numbering sequence separate to Wellington so case numbers W12345, A12345 and C12345 could all exist. This numbering system was replaced in 2009 when CMS was implemented with a six-digit sequential numbering system for each case file regardless of location. Recordkeeping requirements for both paper and electronic records are described in detail in the Continuous Practice Improvement (CPI) manual.

Corporate support and administrative files are also maintained which as well as standard corporate functions, also cover strategy, advice and governance issues relating to the work of The Ombudsman. A numerical subject series ran from 1996 to 2010, where a large proportion of information was also kept on hard-copy files. This was replaced in 2010 with an alphanumerical functional series of electronic and hard-copy files. A separate numerical series is also maintained for financial records. The files are coded with an ID number matching that of the provider in the financial management system (Greentree).

An Enterprise Content Management System (Open Text Content Suite, known internally as Waka) was implemented at The Ombudsman's Office in April 2018 to replace information stored on Shared Drives.

These Shared Drives are now read-only and all information migrated to the ECMS. A new business classification structure was designed for the implementation of Waka.

Methodology

This appraisal report is written in a manner that will enable a new DA to adapt as systems and formats change.

The previous disposal authority (DA), OP 99/144 (Archives New Zealand's old job file reference number), was a continuation of the decisions contained in the schedule originally prepared in 1992 (OP 92/66). It recommended retention of all case files, and administration files that have long term archival value. OP99/144 expired at the end of 2010. The length of time since the previous Disposal Authority expired provides The Ombudsman with an opportunity to rethink the need to permanently retain all case files as public archives.

The Office also gained new functions in 2010 which were not covered under the previous disposal authority. These relate to its role as an Independent Monitoring Mechanism and National Preventative Mechanism for protecting and monitoring the implementation of the United Nations Convention mandates; to providing advice, guidance and training to agencies; and international leadership roles.

As some administrative and case files from previous series are still retained on-site and in off-site storage, this appraisal report will cover all the information in these series. The recommendations from previous Disposal Authorities (OP 99/144 and OP 92/66) have been adhered to in order to complete the series that have already been transferred to Archives New Zealand.

The following is the process of appraisal:

1. Review Archives New Zealand's Appraisal Statement 2014 and contact Archives New Zealand informing them of our intention to modify the selection of files recommended as public archives (OP 99/144 and OP 92/66);
2. Research existing records series, both onsite and offsite;
3. Research The Ombudsman's functions, powers and duties, and analysis of the complaint and investigation process;
4. Analyse relevant Disposal Authorities in New Zealand and Ombudsman Disposal Authorities in Australia;
5. Determine what constitutes a 'significant' case;
6. Determine disposal classes and disposal recommendations;
7. Draft accompanying appraisal report;
8. Internal consultation;
9. External consultation.

In addition to previous disposal authorities relating to the Office of Ombudsman, the following relevant disposal authorities were also consulted.

Authority reference	Agency	Scope
DA 469	Human Rights Commission	HRC records
DA 612	Department of Corrections	Prison Inmate records
DA 527	Health and Disability Commissioner	Mental Health records
DA 574	Independent Police Conduct Authority	Complaint and OPCAT records
DA205	NSW Ombudsman	
PROS 05/01	Ombudsman Victoria	
QDAN 376 and QDAN 553	Office of the Information Commissioner Queensland	
TAHO 28	Ombudsman and Health Complaints Commissioner Tasmania	
2012/12	Office of the South Australian Ombudsman	
NI 2011-93	Australian Capital Territory Ombudsman	
2008/00422945	Office of the Commonwealth Ombudsman	

A summary table of Australian disposal practice in relation to Ombudsman offices can be found below.

Class	Action	Agencies
Complaints (exercise of formal powers / set precedent/ actions / investigated / public interest)	Archive	NSW Ombudsman (DA205) Ombudsman Victoria (PROS 05/01) Office of the Information Commissioner Queensland (QDAN 376) The Ombudsman Queensland (QDAN 553) Ombudsman and Health Complaints Commissioner Tasmania Office of the South Australian Ombudsman (2012/12) Australian Capital Territory Ombudsman (NI 2011-93) Office of the Commonwealth Ombudsman
Complaints (no exercise of formal powers / precedent / no action / early resolution / withdrawn)	Destroy (1-2 years)	Office of the Information Commissioner Queensland (QDAN 376) The Ombudsman Queensland (QDAN 553) Australian Capital Territory Ombudsman (NI 2011-93)

Complaints (no exercise of formal powers / precedent / no action / early resolution / withdrawn)	Destroy (5 years)	NSW Ombudsman (DA205) Ombudsman Victoria (PROS 05/01) Office of the Commonwealth Ombudsman
Complaints (no exercise of formal powers / precedent / no action / early resolution / withdrawn)	Destroy (10 years)	Office of the South Australian Ombudsman (2012/12)
International programmes – liaison	Destroy (7 years)	Office of the Commonwealth Ombudsman
International programmes – reports	Archive	Office of the Commonwealth Ombudsman

Consultation

Internal Consultation

In preparing this appraisal report and disposal schedule, staff from the Strategic Advice team were consulted with, particularly in relation to determining what constitutes a ‘significant’ case. The appraisal report and disposal schedule was then reviewed by the Deputy Ombudsman, the Assistant Ombudsman – Compliance and Practice, and the Assistant Ombudsman – Complaints Resolution. The appraisal report and accompanying disposal schedule was also socialised with managers from the following teams to verify that no records of archival value were designated for destruction and that the retention periods meet business needs:

Team	Manager
People and Capability	[Name removed]
Finance, Administration and Business Services	[Name removed]
Virtual Chief Information Officer	[Name removed]
Communications	[Name removed]
OIPI (Official Information Practice Improvement)	[Name removed]
SII (Systemic Improvement and Investigation)	[Name removed]
SIMR (Systemic Improvement, Monitoring and Reporting)	[Name removed]
OPCAT (Optional Protocol on Crimes Against Torture)	[Name removed]
Strategic Advice	[Name removed]
Disability Advice	[Name removed]
IEA (Intake and Early Assistance)	[Name removed]

Team	Manager
ERT (Early Resolution)	[Name removed]
IRT (Investigation and Resolution) Wellington	[Name removed]
IRT (Investigation and Resolution) Christchurch	[Name removed]
IRT (Investigation and Resolution) Auckland	[Name removed]
General Counsel	[Name removed]

The appraisal report and disposal schedule was approved by the Senior Management Team and Chief Ombudsman on 11th September 2018.

External Consultation

Stakeholder	Position	Summary of comments
New Zealand Historical Association	President / Chair	No response
Professional Historians' Association of New Zealand / Aotearoa	President / Chair	No response
Victoria University of Wellington	Associate Professor and Head, History Programme	Class 6.1 Crimes of Torture Act - Evidence – question on disposal decision. The Ombudsman's recommendation - The reports and survey database provide ample evidence for future historical research. The disposal decision stands. Class 6.4 Crimes of Torture Act - Inspections administration – question on disposal decision The Ombudsman's recommendation – This class contains low-level administration, such as travel arrangements and timetables. Pertinent details of any administrative details are contained in the final report. The disposal decision stands.
New Zealand Law Society	Executive Director	Responded but no comment
NZ Police	GM Professionalism and Assurance	Acknowledgement of the Memorandum of Understanding with Police over Deaths in Custody.
NZ Security Intelligence Service	Information Manager	No response

CASS, on behalf of Treasury, Department of Prime Minister and Cabinet, and State Services Commission	Information Management Advisor	Classes 11.3 and 11.4 Sector groups – question on disposal decision. The Ombudsman’s recommendation – These are of archival value as they determine policy and direction for approaches to the different sectors. The disposal decision stands. Class 6.6 Crimes Against Torture Act – question on disposal decision. The Ombudsman’s recommendation – The current operations manuals are generic in nature. A more detailed chapter for inclusion in the Continuous Practice Improvement Manual is being developed. Inspections criteria are recommended for transfer. The disposal decision stands.
Department of Internal Affairs	Information Manager	No response
Office of the Clerk	Senior Advisor Information & Records Management	Responded but no comment
Office of the Auditor General	Information Manager	No response
Ministry of Education	Information Manager	No response
Ministry of Foreign Affairs and Trade	Information Manager	No response
Human Rights Commission	Information Manager	No response
Office of the Privacy Commissioner	Information Manager	No response
Health and Disability Commission	Information Manager	No response
Te Puni Kokiri	Information Manager	No response
Department of Corrections	Principal Advisor Recordkeeping	Agree with classes of interest – 2.10, 4 and 6. Minor editing
Ministry of Social Development	Senior Information Management Advisor	Revised statements in classes 1.0, 2.0, 5.9, 5.10, 6, 9, 10, 14 for clarification
Ministry of Business, Innovation and Employment	Information Manager	No response
Ministry for Primary Industries	Information Manager	No response
Ministry for Justice	Information Manager	Revised statement in class 5.10 to accommodate legal deposit.

Inland Revenue Department	Information Specialist	Revised statements in classes 1, 5.9, 9.1 for clarification Question whether 8.9 & 16.8 are covered by GDA (clarified in class description)
Oranga Tamariki, Ministry for Children	Lead Advisor Information Management	Interested in classes 2, 4, 6 and 8 Class 4 – clarification on whether identifiable information is contained in the records (classified in class description and access restrictions) Class 6 – confirmation that the Ombudsman carry out inspections in Care and Protection and Youth Justice residences (clarified in class description). Class 6.2 – clarification on whether reports contain identifiable information about children (clarified in class description).
Christchurch City Council	Information Manager	No response
Wellington City Council	Information Manager	No response
Auckland Council	Information Manager	No response

Note: Government agencies consulted were selected as the agencies with the most complaints under the Ombudsmen Act, Official Information Act and Local Government and Official Information and Meetings Act.

1.0 Alphanumeric case numbering system files (1962-2009)

Description

This class covers case files and card indices created between 1962 and 2009. Each file relates to a specific case investigated by the Ombudsman under the Ombudsman Act (OA), Official Information Act (OIA), or Local Government and Official Information and Meetings Act (LGOIMA).

These records were managed in an alpha-numerical system (W/A/C). This numbering system was replaced in 2009 when a case management system (CMS) was implemented with a six-digit sequential numbering system for each casefile regardless of location. This class completes the existing series with this legacy numbering system held at Archives New Zealand transferred under previous schedules.

Prior to the implementation of the Case Management System, card indices were the only way of searching for cases. Cases were indexed by complainant and agency and cross-referenced. These indices are still the only way of accessing the older case files and are still used at the Office.

Value statement

All case files and card indices created in this class are recommended for retention as public archives and they meet the **Accountability** and **Rights and Entitlements** criteria of the Appraisal Statement 2014.

These records provide evidence of the role of the Ombudsman and of the implementation of government policies by a wide range of different agencies. They have evidential value in that they protect the interest and rights of individuals.

Parts of these records have already been transferred to Archives New Zealand under the previous disposal authority (OP 99/144). In order to complete the series of these records, it is also reasonable to retain these remaining records as public archives.

Retention and disposal recommendation

Recommended for retention as public archives:

Class	Title	Description	Minimum retention period	Trigger	Disposal action
1.1	W / C / A case files	Cases file with W / C / A prefixes. Complaint and investigation case files include all incoming and outgoing correspondence, evidence and supporting documentation created during the course of the complaint or investigation.	10 years	Date case closed	Transfer to Archives New Zealand
1.2	Card indices	Paper card indices to case files prior to the Case Management System. Indices are available and cross-referenced by contact name, by topic, and by agency	Until no longer administratively required	Date of last action	Transfer to Archives New Zealand

Recommended for destruction:

No class of records is recommended for destruction.

2.0 Complaints and Investigations under the Ombudsman Act, Official Information Act, Local Government and Official Information and Meetings Act

Description

This class covers all records created under the Ombudsman Act (OA), Official Information Act (OIA), and Local Government and Official Information and Meetings Act (LGOIMA). Under the Ombudsmen Act, the Ombudsman can investigate the administrative acts and decisions of central and local government agencies, either on complaint or as a self-initiated matter. OIA and LGOIMA legislation allows people to request official information held by Ministers and specified central and local government agencies. It contains rules for how such requests should be handled, and provides for a right of complaint to the Ombudsman in certain situations.

Complaint and investigation case files include all incoming and outgoing correspondence, evidence and supporting documentation created during the course of the complaint or investigation.

The Ombudsman uses 'closure codes' which were set up as part of the CMS metadata structure. The closure codes help identify and distinguish between the cases that weren't investigated, were withdrawn, were discontinued or referred to other agencies and those cases that were investigated and to what conclusion. Cases are reported in this manner in the Annual Report.

Closed case files are often referred to by investigators to provide consistency of decisions and advice via precedents. Investigators sometimes use case files closed more than 20 years ago.

Value statement

Records created as part of the Complaints and Investigations series under the Ombudsman Act, Official Information Act, Local Government and Official Information and Meetings Act recommended for retention as public archives in this class meet the **Accountability** and **Rights and Entitlements** criteria of the Appraisal Statement 2014. These are the records of complaints investigated and/or resolved (classes 2.6 to 2.9). Complaints resulted in investigations that were cited by the Ombudsman in case notes, annual reports or other publications; were of major public interest; of political significance; of legal or constitutional significance; resulted in changes to agency processes or were referred from Parliament or reported to Parliament.

Records created as part of the Complaints and Investigations series under the Ombudsman Act, Official Information Act, Local Government and Official Information and Meetings Act recommended for destruction meet the **Business** criteria of the Appraisal Statement 2014. They did not result in a subsequent complaint; were cases outside of Jurisdiction or where an investigation was not undertaken (classes 2.1 to 2.5). They are transitory in nature and hold no long-term value to researchers as they are largely transactional and repetitive in nature. Statistical data on these records is available in the Ombudsman's Annual Report for analysis of trends which satisfies future research needs. Their retention period is 'retain until no longer required as precedent' since these records could be referred to at any time by investigators to ensure consistency of advice, or identify trends and re-occurring

issues. The Office of Ombudsman consider 'precedent' as any investigation or complaint which they may refer to again. Complaints from prisoners (subclass 2.10) have a longer-term business value. This is due to the requirements of the Prisoner and Victims Claims Act 2005, whereby a prisoner must first have made reasonable use of internal and external complaints mechanisms to get a complaint off the ground but may lodge this complaint after the end of the sentence.

Retention and disposal recommendation

Recommended for retention as public archives:

Class	Title	Description	Minimum retention period	Trigger	Disposal action
2.6	Complaint resolved without investigation	Complaints that are resolved without investigation, through remedial action to benefit complainant, and / or to improve state sector administration, or through the provision of advice that satisfies the complainant	10 years	Date case closed	Transfer to Archives New Zealand
2.7	Investigation discontinued	Complaints that are withdrawn by the complainant, where further investigation is unnecessary, or the agency has agreed to review	10 years	Date case closed	Transfer to Archives New Zealand
2.8	Complaints resolved during investigation	Complaints that are resolved but no final opinion is formed, as remedial action is identified to benefit complainant and / or to improve state sector administration; or advice is provided by the agency or Ombudsman that satisfied complainant	10 years	Date case closed	Transfer to Archives New Zealand

2.9	Complaints investigated and finalised	Complaints where a final opinion is formed which may identify administrative deficiency, and make recommendations, or no deficiencies are identified, or issues cannot be determined	10 years	Date case closed	Transfer to Archives New Zealand
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Recommended for destruction:

Class	Title	Description	Minimum retention period	Trigger	Disposal action
2.1	Complaints - Other contacts	Other contacts are not an expression of dissatisfaction that is reduced to writing. This can include phone enquiries, requests for guidance or OIA requests	Retain until no longer required as precedent	Date case closed	Destroy
2.2	Complaints Outside Jurisdiction	Complaints that are not covered by the acts, refer to an agency not listed in the Ombudsman Act scheduled agencies, or are a scheduled agency otherwise outside jurisdiction	Retain until no longer required as precedent	Date case closed	Destroy
2.3	Complaints Referred	Complaints that are referred to another agency, such as the Health and Disability Commissioner, the Independent Policy Conduct Authority or the Privacy Commissioner	Retain until no longer required as precedent	Date case closed	Destroy

2.4	Investigation not undertaken (withdrawn)	Complaints that are withdrawn; where there is recourse through a right to appear to Court or Tribunal; an adequate alternative remedy; out of time; or where there is insufficient personal interest	Retain until no longer required as precedent	Date case closed	Destroy
2.5	Investigation not undertaken (trivial / frivolous)	Complaints that are trivial, frivolous, vexatious, not in good faith; or where an investigation is not necessary	Retain until no longer required as precedent	Date case closed	Destroy
2.10	Complaints from prisoners	Under s11 and s64 of the Prisoner and Victims Claims Act 2005, to get a complaint off the ground, a prisoner must first made reasonable use of internal and external complaints mechanisms. The files constitute a record of any prior approaches and advice given by The Ombudsman.	30 years	Date case closed	Destroy

3.0 Complaints and Investigations under the Protected Disclosures Act

Description

This class covers all records created under the Protected Disclosures Act (PDA). The Protected Disclosures Act encourages people to report serious wrongdoing in their workplace by providing protection for employees who want to 'blow the whistle'. This applies to public and private sector workplaces.

The cases are similar to complaints and investigations under OA, OIA and LGOIMA, as they include all correspondence, evidence and supporting documentation generated as part of the complaint or investigation process.

Value statement

Records created as part of the Complaints and Investigations under the Protected Disclosures Act series recommended for retention as public archives in this class meet the **Accountability** and **Rights and Entitlements** criteria of the Appraisal Statement 2014. By the very nature of the Protected Disclosures Act, the records of complaints investigated (class 3.3) provide evidence of accountability in government processes. The records also provide evidential value in that they protect the interests and rights of individuals, and also contain information on a variety of significant issues and events which have resulted in complaints to the Ombudsman.

Records created as part of the Complaints and Investigations under the Protected Disclosures Act series recommended for destruction meet the **Business** criteria of the Appraisal Statement. They are those that are not put in writing or are referred to another appropriate authority and hold no long-term research value (classes 3.1 to 3.2). Statistical data on these records is available in The Ombudsman's Annual Report for analysis of trends which satisfies future research needs.

Retention and disposal recommendation

Recommended for retention as public archives:

Class	Title	Description	Minimum retention period	Trigger	Disposal action
3.3	Complaints Investigated	Complaints investigated under PDA, which may result identification of serious wrongdoing and / or recommendations	10 years	Date case closed	Transfer to Archives New Zealand

Recommended for destruction:

Class	Title	Description	Minimum retention period	Trigger	Disposal action
3.1	Complaints - advice given	Other contacts are not an expression of dissatisfaction that is reduced to writing. This can include phone enquiries, requests for guidance or OIA requests	Retain until no longer required as precedent	Date case closed	Destroy

3.2	Complaints Referred	Referred to another appropriate authority, such as a professional body, of head of a public sector agency.	Retain until no longer required as precedent	Date case closed	Destroy
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4.0 Monitoring Deaths in Custody

Description

These files record monitoring of death in custody investigations by Department of Corrections Prison Inspectors to ensure that proper process has been followed. The Ombudsman is notified of a Death in Custody by Corrections, and monitors to consider whether any issues arise that should be investigated under the Ombudsmen Act. These files include identifiable information about the deceased in question.

The Ombudsman and New Zealand Police have entered into a Memorandum of Understanding (MoU). The MoU sets out the principles for co-operation between the Police and Ombudsmen in the investigation of deaths of prisoners in the custody of the Chief Executive of the Department of Corrections, and the investigation of other incidents or matters in prisons adjudged by the Ombudsmen to merit investigation under the Ombudsmen Act 1975. The intent is to ensure that any investigations by the Police and an Ombudsman which cover, or may cover, the same or similar issues are effectively conducted, and without prejudice to the functions of either. In particular, it is recognised that overlap and duplication of investigative functions will generally not be in the public interest, and that repeated interviews of witnesses by different agencies is not desirable.

The status of a death (natural / unnatural) may change but will be finalised when the case is closed.

Value statement

Records created as part of Monitoring Deaths in Custody recommended for retention as public archives in this class meet the **Accountability** and **Rights and Entitlements** criteria of the Appraisal Statement 2014. The records of Unnatural Deaths (class 4.2) include correspondence, analysis and reports. Although some records are copies of reports received from the Department of Corrections, retaining and disposing of the information as a whole is important and pragmatic as the information becomes an essential recordkeeping part of a case file and is used as evidence for decision-making. In instances where the evidence is returned to the originating agency, a list of records seen is maintained. They provide evidence of accountability in custodial governance and process. The records also provide evidential value in that they protect the interests and rights of individuals.

Records created as part of Monitoring Deaths in Custody (class 4.1) recommended for destruction in this class meet the **Business** Value criteria of the Appraisal Statement 2014 as natural deaths do not present any accountability or malpractice issues.

Retention and disposal recommendation

Recommended for retention as public archives:

Class	Title	Description	Minimum retention period	Trigger	Disposal action
4.2	Unnatural Deaths	Analysis, correspondence and reports into Department of Corrections and Coroners investigations into Deaths in Custody that were not due to natural causes. These records contain copies of reports received from the Department of Corrections, but retained as part of the evidential decision-making process.	10 years	Date case closed	Transfer to Archives New Zealand

Recommended for destruction:

Class	Title	Description	Minimum retention period	Trigger	Disposal action
4.1	Natural Deaths	Analysis, correspondence and reports into Department of Corrections investigations into Deaths in Custody that occurred due to natural causes. These records contain copies of reports received from the Department of Corrections but retained as part of the evidential decision-making process.	10 years	Date case closed	Destroy

5.0 Systemic Interventions

Description

The Ombudsmen Act gives Ombudsmen the authority to improve public sector administrative conduct through self-initiated investigations and pro-active identification of systemic issues across the public sector. This includes monitoring agencies' official information practices, resources and systems to ensure that requests are being dealt with appropriately.

A self-initiated intervention or investigation is usually prompted by issues where the Ombudsman thinks their intervention has the potential to improve public sector administration and decision-making. An issue may come to the Office's attention because one or more complaints from the public has been received. However, the Office also hears about issues in other ways, for instance through active environmental scanning and media reporting.

A systemic improvement intervention or investigation might be suitable where:

- a pattern of similar complaints has been received;
- a large number of people are directly affected by the issue raised;
- there is significant public interest in the issue raised;
- there is potential for the Ombudsman's investigation to improve good administration across the public sector or on a broad basis in a particular agency;
- a practical and enduring outcome may be achievable for agencies and the public;
- an investigation is the best and most efficient use of resources.

Records include all correspondence, evidence and supporting documentation generated as part of the investigation process.

Value statement

Records created as part of Systemic Interventions under the Ombudsmen Act recommended for retention as public archives in this class meet the **Accountability** and **Rights and Entitlements** criteria of the Appraisal Statement 2014. This growing pro-active role at the Ombudsman is an essential component of public service accountability and transparency in governmental practice and decision-making. The records of key parts of the systemic interventions are governance (class 5.1), planning and methodology (class 5.2), scoping of cases to be investigated (class 5.5), systemic issue resolution (class 5.6) and final opinions (class 5.7).

Records created as part of Systemic Interventions recommended for destruction in this class meet the Business Value criteria of the Appraisal Statement criteria as the records are administrative in nature and only exist to support the investigative function. Issue and sector monitoring (class 5.3) have a

longer retention period as issues are tracked over time but the Administration class (5.4) have short-term business value.

Retention and disposal recommendation

Recommended for retention as public archives:

Class	Title	Description	Minimum retention period	Trigger	Disposal action
5.1	Governance	Setting up and running of a governance body that assess matters requiring systemic investigation, including terms of references, agenda and minutes from Board meetings, including issues referred to governance bodies for consideration	10 years	Date of last action	Transfer to Archives New Zealand
5.2	Planning and Methodology	Planning and scoping for the methodology of identifying systemic issues, including methodology and practice reviews	10 years	Date of last action	Transfer to Archives New Zealand
5.5	Scoping of cases to be investigated	Detailed analysis of issues identified from scanning for potential system intervention. Records include an assessment of the issue, summary of evidence and recommendations for action.	10 years	Date of last action	Transfer to Archives New Zealand
5.6	Systemic Issue Resolution	Actively working with an agency to achieve systemic resolution without an investigation through resolution strategy. Records include engagement records, evidence of actions and debriefing notes.	10 years	Date of last action	Transfer to Archives New Zealand

5.7	Systemic investigation case opinions	A detailed systemic investigation case resulting in a final opinion with recommendations. Records include notification correspondence, issue assessment and evidence summaries, and provisional and final opinions. This also includes correspondence generated as part of post investigation monitoring.	10 years	Date of last action	Transfer to Archives New Zealand
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Recommended for destruction:

Class	Title	Description	Minimum retention period	Trigger	Disposal action
5.3	Issue and sector monitoring	Information collection and analysis of public sector activity. Can be passive monitoring (scanning) or active monitoring (watch-list)	20 years	Date of last action	Destroy
5.4	Administration	Low-level administrative documentation supporting the monitoring and investigation. Including travel arrangements and setting up of meetings	5 years	Date of last action	Destroy
5.8	Systemic investigation cases evidence	Evidence from systemic investigation cases including meeting notes and interview recordings, agency questionnaires or surveys, desk research.	7 years	Date of last action	Destroy

6.0 Crimes of Torture Act Inspections (prisons, health and disability units)

Description

New Zealand is a signatory to the United Nations Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). The purpose of the protocol is to establish a system of independent monitoring of places of detention. The Crimes of Torture Act 1989 gives effect to OPCAT in New Zealand.

The objective of OPCAT is to establish a system of regular visits by independent international and national bodies to places of detention, in order to prevent torture and other cruel, inhuman or degrading treatment or punishment. Inspecting places of detention helps to ensure that people who are deprived of their liberty are treated humanely, and their rights are protected and restored. These include prisons, immigration detention facilities, health and disability places of detention, child care and prevention residences and youth justice residences. In June 2018, the monitoring role was expanded to include monitoring privately run locked aged care facilities and court facilities.

Records include all correspondence, evidence and supporting documentation generated as part of the investigation process.

Value statement

Records recommended for retention as public archives in this class meet the **Accountability** and **Rights and Entitlements**, and **Knowledge** criteria of the Appraisal Statement 2014. The records meeting the criteria are survey database (class 6.2), inspection reports (class 6.3), inspections criteria (class 6.5) and inspection policy development (class 6.7).

These records document the development and implementation of the Ombudsman's work, provide high-level evidence of how the Ombudsman manages its responsibilities under the OPCAT for procedural fairness and administrative justice and government decision-making in custodial governance and process.

Summaries of prisoner surveys have research value for social science and history as they contain first-hand evidence of incarceration conditions that is unique.

Records created as part of Crimes of Torture Act Inspections (prisons, health and disability units) recommended for destruction in this class meet the Business Value criteria of the Appraisal Statement 2014 as they are operational in nature and as such, are of short-term business value. Evidence (class 6.1) that informs the reports and monitoring of recommendations is a snapshot in time and not used for future comparative purposes. Other material (class 6.4 and 6.6) is administrative in nature and only exists to support the investigative function.

Retention and disposal recommendation

Recommended for retention as public archives:

Class	Title	Description	Minimum retention period	Trigger	Disposal action
6.2	Survey database	Collation of comments from the anonymous surveys	10 years	Date inspection finalised	Transfer to Archives New Zealand
6.3	Inspection reports	Inspection reports including provisional reports sent to the institution and comments from consultation. This also includes follow-up reports as part of the monitoring of recommendations.	10 years	Date inspection finalised	Transfer to Archives New Zealand
6.5	Inspections criteria	The drafting and approval of criteria which determine priorities for selecting institutions to be inspected	10 years	Once superseded	Transfer to Archives New Zealand
6.7	Inspection policy development	Records documenting the development of policy for monitoring and inspections places of detention	10 years	Date of last action	Transfer to Archives New Zealand

Recommended for destruction:

Class	Title	Description	Minimum retention period	Trigger	Disposal action
6.1	Evidence	Evidence gathered as part of the inspection including copies of documentation from the unit, anonymous prisoner surveys, inspection photos.	10 years	Date of last action	Destroy

6.4	Inspections and visits administration	Administrative arrangements regarding the arrangement of inspection visits	2 years	Date inspection finalised	Destroy
6.6	Operational inspections manuals	Operational manuals for carrying out inspections	10 years	Once superseded	Destroy

7.0 International engagement

Description

The Ombudsman has a leadership role in promoting anti-corruption and integrity on the world stage, but particularly in the Asia-Pacific region and provides advice and support in strengthening overseas integrity institutions. The Ombudsman belongs to a number of international networks including the:

- International Ombudsman Institute (IOI), which has members from over 90 countries;
- Australian and New Zealand Ombudsman Association (ANZOA);
- Association of Information Access Commissioners;
- Pacific Ombudsman Alliance.

The exchange of information and ideas helps to improve the Ombudsman's practice. The Ombudsman also provide advice and assistance on request to counterparts in the Pacific and hosts international delegations.

Value statement

Records created as part of International Engagement with organisations such as professional bodies and international Ombudsmen (class 7.1 and 7.3) are recommended for retention as public archives as they meet the **Knowledge** criteria of the Appraisal Statement. As one of the earliest nations to establish an Ombudsman's office, these records are evidence of 'New Zealand' identity and document New Zealand's place in international relations.

Conference proceedings (class 7.2) are recommended for destruction in this class as they are operational in nature and have only short term business value.

Retention and disposal recommendation

Recommended for retention as public archives:

Class	Title	Description	Minimum retention period	Trigger	Disposal action
7.1	Professional bodies	Relations and participation in the International Institute of Ombudsmen and other international professional bodies. Includes papers presented at conferences and agenda and minutes	10 years	Date of last action	Transfer to Archives New Zealand
7.3	Relations with International Ombudsmen	Relations with other Ombudsmen including visits and information sharing, including hosting delegations from overseas bodies	10 years	Date of last action	Transfer to Archives New Zealand

Recommended for destruction

Class	Title	Description	Minimum retention period	Trigger	Disposal action
7.2	Conference proceedings	Published conference proceedings	1 year	Date of last action	Destroy

8.0 Provision of advice and guidance, including Jurisdictional

Description

The Ombudsman plays a pro-active role in improving public sector administration. It provides advice, guidance and training to agencies in advance, before things go wrong, to help lift public sector performance. It also aims to improve public awareness and accessibility of their functions. To this end, The Ombudsman undertakes a range of outreach work and speaking engagements via a variety of channels. They include:

- Requests for advice and guidance by media and agencies;
- Reviewing and commenting on legislative, policy and procedural matters under our jurisdiction;
- Providing advice, guidance and training to state sector agencies;
- Formal consultation on legislative, policy and procedural matters under our jurisdiction;
- Develop and promote good administrative and complaints handling practices, processes, policies and systems within agencies;
- Improve public awareness and accessibility of the Ombudsman services;

Note that The Ombudsman is not subject to the Official Information Act. Despite this exemption, the Chief Ombudsman expects that the Office will, where practicable, respond to information requests in a manner consistent with that legislation, with the exception of information subject to the secrecy provisions in our governing legislation. For this reason, it is necessary to include class 8.9 in this appraisal report and disposal schedule.

Value statement

Records created as part of Provision of Advice and Guidance, recommended for retention as public archives in this class meet the **Legitimacy of Authority** criteria of the Appraisal Statement criteria. They do this by commenting on legislative review (class 8.4) under jurisdictional authority, such as the Law Commission review of the Official Information Act and Use of the Ombudsman Title (e.g. Banking and Insurance Ombudsman). Community Outreach records (class 8.6) meet the **Knowledge** criteria of the Appraisal Statement criteria by providing evidence of relations between social groups and the government. Policy and practice advice (class 8.1), including agency requests for advice (class 8.2) meet the **Accountability** and **Rights and Entitlements** criteria of the Appraisal Statement criteria as they support government transparency and accountability. The records also demonstrate evidence of how The

Ombudsman assists the agencies in ensuring that citizens rights are protected through the OIA process.

Records of media requests for advice (8.3) and agency training (8.7) are recommended for destruction in this class, as they have only short-term business value and hold no long-term value to either The Ombudsman or New Zealand.

Retention and disposal recommendation

Recommended for retention as public archives:

Class	Title	Description	Minimum retention period	Trigger	Disposal action
8.1	External policy and practice advice	Guides that assist agencies in improving internal administrative practice, for example, internal OIA policy and procedures.	10 years	Date of last action	Transfer to Archives New Zealand
8.2	Agency request for advice	Commenting on agency policies and procedures relating to OIA, OA, LGOIMA, PDA	10 years	Date of last action	Transfer to Archives New Zealand
8.4	Legislative review	Review of any governing legislation, including new legislation, amendment bills and issues with current legislation, for example the Law Commission review of the Official Information Act	10 years	Date of last action	Transfer to Archives New Zealand
8.5	Comment on other agency legislation	Commenting on other agency legislation, including looking at legislative trends across the sector	10 years	Date of last action	Transfer to Archives New Zealand
8.6	Community outreach	Community engagement, such as speeches and presentations to community organisations	10 years	Date of last action	Transfer to Archives New Zealand

8.8	Use of Ombudsman Title	Under the Ombudsman Act, the use of the term 'Ombudsman' is protected. Records in this class include requests for use of the protected term, such as the Banking and Insurance Ombudsman.	10 years	Date of last action	Transfer to Archives New Zealand
8.10	Requests for The Ombudsman information complaint information	Office of the Ombudsman is not subject to the Official Information Act. Despite this exemption, the Chief Ombudsman expects that the Office will, where practicable, respond to information requests in a manner consistent with that legislation, with the exception of information subject to the secrecy provisions in our governing legislation. Records covered under this class include requests for information about work in hand, for example, how many complaints have been received about healthcare in prisons.	10 years	Date of last action	Transfer to Archives New Zealand

Recommended for destruction:

Class	Title	Description	Minimum retention period	Trigger	Disposal action
8.3	Media requests for advice	Commenting on requests from the media	5 years	Date of last action	Destroy
8.7	Agency training	Training to agencies on the role of the Ombudsman, good administrative decision making and complaints handling processes.	5 years	Date of last action	Destroy

8.9	Requests for The Ombudsman corporate information	Office of the Ombudsman is not subject to the Official Information Act. Despite this exemption, the Chief Ombudsman expects that the Office will, where practicable, respond to information requests in a manner consistent with that legislation, with the exception of information subject to the secrecy provisions in our governing legislation. Records covered under this class include requests for information about our supporting functions and expenses.	7 years	Date of last action	Destroy
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9.0 Monitoring the Disability Convention

Description

The *United Nations Convention on the Rights of Persons with Disabilities* (the Disability Convention) exists to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by disabled people. The Ombudsman is a signatory of the United Nations Convention on the Rights of Persons with Disabilities. The Independent Monitoring Mechanism is the framework for promoting, protecting and monitoring the implementation of the Convention. The Ombudsman has a role in monitoring and reporting on the implementation of the Disability Convention by being a part of the Independent Monitoring Mechanism (IMM).

The Ombudsman monitors and analyses information and evidence about the realisation of disability rights in New Zealand. It publishes reports which identify and promote good practice; follows up on recommendations; provides training, advice and guidance to public sector agencies on disability rights; makes submissions of legislation, policy and practices affecting disabled people and formally reports to Parliament and the United Nations.

Value statement

Records created as part of *Monitoring the Disability Convention* recommended for retention as public archives in this class meet the **Accountability, Rights and Entitlements** and **Knowledge**

criteria of the Appraisal Statement criteria. This Ombudsman’s role provides evidence of the implementation of the Convention through its public submissions and reporting which protects the rights of societal groups who may experience inequalities.

Retention and disposal recommendation

Recommended for retention as public archives:

Class	Title	Description	Minimum retention period	Trigger	Disposal action
9.1	Independent Monitoring Mechanism (IMM)	Collaboration with other IMM members and relevant disability stakeholders. Records include terms of references, and agenda and minutes, and input into collaborative reports	10 years	Date of last action	Transfer to Archives New Zealand
9.2	Provision of advice and guidance	Provision of advice to public sector agencies on complying with the Disability Convention.	10 years	Date of last action	Transfer to Archives New Zealand
9.3	Submissions	Making submissions on disability policy in compliance with the Disability Convention	10 years	Date of last action	Transfer to Archives New Zealand

Recommended for destruction:

No class of records is recommended for destruction.

10.0 Practice Management

Description

Practice Management is a vital part of the work at The Ombudsman, as the it seeks continuous ways to improve investigations practice to ensure that the role of the Ombudsman is carried out in a transparent, effective and efficient way.

Practice management aims to increase The Ombudsman’s knowledge of key cases and precedents internally, as well as publishing key case notes and other information that will be of interest to the public. Continuous Practice Management is carried out through training and is documented in the practice manuals and guides, which are extensive documents detailing all aspects of investigation and inspection functions.

Value statement

Records created as part of Practice Management such as final guidelines, manuals and precedents (class 10.2 and 10.3) are recommended for retention as public archives in this class and they meet the **Accountability** and **Knowledge** criteria of the Appraisal Statement 2014. They do this by supporting the core investigative and inspection work carried out by the Office. The detailed practice manuals contain a wealth of research information on the Office’s investigative practice and how this has evolved over the years.

Working documents of guidelines and manuals (class 10.1) are recommended for destruction, as they hold no long-term value. However, as these records are often referred by The Ombudsman for its business continuity, they need to be retained at least for 10 years.

Retention and disposal recommendation

Recommended for retention as public archives:

Class	Title	Description	Minimum retention period	Trigger	Disposal action
10.2	Continuous Practice improvement guidelines and manuals - final	Final copy of guidelines and manuals that document investigative practice management	10 years	Once superseded	Transfer to Archives New Zealand
10.3	Precedents	Cases that form a precedent or which contain a particularly interesting feature and are captured in published case notes, case updates, guidance notes	10 years	Date of last action	Transfer to Archives New Zealand

Recommended for destruction:

Class	Title	Description	Minimum retention period	Trigger	Disposal action
10.1	Continuous Practice improvement guidelines and manuals - working documents	Working documents and drafts of guidelines and manuals that document investigative practice management	10 years	Once superceded	Destroy

11.0 Stakeholder and Sector Management

Description

The Ombudsman has pro-active relationships with many agencies and organisations, including involvement in cross-agency working groups. They include other NZ Ombudsmen, Government Departments and Ministries, Local Government, District Health Boards, Independent Crown Entities, Tertiary Education Institutions, Maori iwi and hapu and groups, Pacific Island groups, Dispute Resolution groups and sector non-government organisations (NGOs).

In order to improve the analysis of sector issues, The Ombudsman has formal sector groups which include a cross-section of operational staff and raise cases and issues of relevance to different government sectors.

Value statement

All records created as part of Stakeholder and Sector Management are recommended for retention as public archives and they meet the **Accountability** and **Knowledge** criteria of the Appraisal Statement 2014. They provide evidence about The Ombudsman's strategic relations and collaboration with external organisations in New Zealand. These records will enable research to understand how the Ombudsman managed its relations with sector stakeholders and is a continuation of previous decisions made in former Ombudsman's Disposal Authority (OP 99/0144 and OP 92/66). The records also determine the policy and direction for approaches to different sectors.

Retention and disposal recommendation

Recommended for retention as public archives:

Class	Title	Description	Minimum retention period	Trigger	Disposal action
11.1	Relations with other agencies	Senior level engagement with agency stakeholders, including other NZ Ombudsmen, Government Departments and Ministries, Local Government, District Health Boards, Independent Crown Entities, Tertiary Education Institutions, Maori iwi and hapu and groups, Pacific Island groups, Dispute Resolution groups, sector non-government organisations (NGOs). Records include meeting agenda and minutes and terms of reference	10 years	Date of last action	Transfer to Archives New Zealand
11.2	Working groups	Involvement in sector wide committees and working groups involving issues under jurisdiction. Records include meeting agenda and minutes and terms of reference	10 years	Date of last action	Transfer to Archives New Zealand
11.3	Sector groups	Meetings of stakeholders Records include meeting agenda and minutes and terms of reference	10 years	Date of last action	Transfer to Archives New Zealand

Recommended for destruction:

No class of records is recommended for destruction.

12.0 Governance, Strategic Planning and Reporting

Description

Like all public bodies, The Ombudsman has accountability and reporting responsibilities. The decisions which affect the direction and governance of the Ombudsman are recorded at the Executive Committee, and the Senior Management Team (SMT) meetings for which full agenda and minutes are recorded.

Value statement

All records created under class 12 *Governance, Strategic Planning and Reporting* are recommended for retention as public archives and they meet the **Accountability** criteria of the Appraisal Statement 2014. They provide high-level evidence of the Ombudsman's decision-making, and in particular with regards to the planning and methodology for new functions and activities, such as privately run locked aged care facilities and court facilities.

Retention and disposal recommendation

Recommended for retention as public archives:

Class	Title	Description	Minimum retention period	Trigger	Disposal action
12.1	Governance Meetings	Agenda and minutes of executive level meetings. Includes Executive committee, Senior Management Team, Project Governance and Boards.	10 years	Date of last action	Transfer to Archives New Zealand
12.2	Strategic development of core functions	Planning, scoping, methodology and policy for implementation of new core jurisdictional area, function, activity, process or area, including terms of reference, process mapping, business requirements.	10 years	Date of last action	Transfer to Archives New Zealand

Recommended for destruction:

No class of records is recommended for destruction.

13.0 Statutory Consultation

Description

The Ombudsman has a role in overseeing access to information held by other agencies. The Ombudsman provides comment to the Ministry of Transport on applications for authorise access to personal information on the motor vehicle register, and to the New Zealand Custom Service under s317 of the Customs and Excise Act 2018. Requests are received and recommendations for appropriate release made to the relevant agency.

The Ombudsman also provides comment to the Cabinet Office on the annual release of information from the Ministerial conflict of interests register.

Value statement

Records documenting annual release of information from the Ministerial Conflict of Interests Register (class 13.2) are recommended for retention as public archives. They meet the **Accountability** criteria of the Appraisal Statement 2014. The information created by the Ombudsman provides evidence of how it supports transparency to maintain public trust and confidence in policy makers by monitoring the information of annual release of Ministerial conflict of interest register.

Records of requests for information release (class 13.1) as part of *Statutory Consultation* are recommended for destruction as they are operational and support routine business practice. The length of retention period reflects their longer business need to ensure consistency of release recommendations.

Retention and disposal recommendation

Recommended for retention as public archives:

Class	Title	Description	Minimum retention period	Trigger	Disposal action
13.2	Ministerial Conflict of Interest	Records relating to the annual release of information from the Ministerial conflict of interests register	10 years	Date of last action	Transfer to Archives New Zealand

Recommended for destruction:

Class	Title	Description	Minimum retention period	Trigger	Disposal action
13.1	Requests for information release	Requests for approval by a third party to access registers which contain Personal Identifiable Information (PII) such as the Motor Vehicles Register, and s317 of the Customs and Excise Act 2018	10 years	Date of last action	Destroy

Access Recommendations

[Details removed]

Appendix

Previous transfers to Archives NZ include:

Office	Series #	Series description	Dates
Auckland Office	4939	Auckland Ombudsmen Case Files	1976 – 2004
Auckland Office	5753	Auckland Ombudsmen Case Files (Official Information Section)	1987 - 2004
Auckland Office	4938	Auckland Ombudsmen Files	1975 – 2004
Auckland Office	23794	Auckland Ombudsmen Register of Incoming complaints	1976 – 1993
Christchurch Office	3154	Investigation Files	1976 – 2005
Wellington Office	22511	Card index to Ombudsman case files	1962 – 1991
Wellington Office	7537	Case files	1962 – 2003
Wellington Office	22594	Case management database	Unknown
Wellington Office	16493	Correspondence with international Ombudsmen	1963 – 1996
Wellington Office	16491	Official Information Act administration files	1982 – 1996
Wellington Office	7601	Official Information Act case files	1983 – 1993
Wellington Office	16490	Ombudsmen Act administration files [first sequence]	1962 – 1997
Wellington Office	16492	Ombudsmen Act administration files [second sequence]	1998 – 2005
Wellington Office	22600	Ombudsmen personnel files	1962 – 1993
Wellington Office	22512	Petitions to Parliament	1963 – 1991
Wellington Office	22518	Register of Ombudsman case files	1962 - 1993

Caveat

Refer to any sentencing guidelines accompanying this report for specific recommendations:

- **Records must be kept for the minimum period specified.**
- **The retention periods in the disposal schedule do not override any other retention period required by law.**
- **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.**
- **No disposal action may be taken under this authority to any record in respect of which an OIA request has been made under the Official Information Act 1982 until such time as access has been granted to the requestor, or in the case where access is denied, an appeal against refusal has been determined or, in the case where no appeal is made, 3 months after the refusal.**

This authority is valid for a period of 10 years from date of signing, unless previously agreed with the Chief Archivist.