Submission by the Archives and Records Association of New Zealand (ARANZ) to the National Archival and Library Institutions Ministerial Group

Executive Summary

ARANZ has read the five consultation questions and our detailed response is below. In respect to the three organisations involved in this submission our recommendations are as follows:

Archives New Zealand:

ARANZ believes the Chief Archivist should be made an Officer of Parliament. The Chief Archivist should also remain within the organisation of Archives NZ to continue to carry out their regulatory roles and manage the business of Archives NZ. A Deputy Chief Archivist role may need to be established to support the Chief Archivist.

National Library of New Zealand

ARANZ believes the National Library of New Zealand should be reinstated as an Autonomous Crown Entity or stand-alone government department outside of the Department of Internal Affairs (DIA). While there are some similarities between the National Library and Archives NZ in the organisational services they offer, there is a significant difference in their functions. Archives NZ is a regulatory body that monitors and records though collections the evidence of Government activities. The National Library collects heritage collections of social history for all New Zealanders and provides access to knowledge as a function of civil democracy. These two organisations need to be separate and independent. They should not be amalgamated into a new department.

Nga Taonga Sound and Vision

ARANZ believes Nga Taonga should either stay under their current Charitable Trust structure with more financial support from government, or become an Autonomous Crown Entity reporting through to their own Board. These options means Ngā Taonga would maintain their own identity, independence and budget, and can remain a trusted and secure repository for collections outside of the machinations of a governing department. Two thirds of Ngā Taonga’s collections are Government record so Ngā Taonga should continue to work closely with the Ministry for Cultural Heritage in whatever structure is finalised. Ngā Taonga should not be merged with either the National Library or Archives NZ.

Questions

1. What are the key challenges for the National Library, Archives NZ and Ngā Taonga Sound and Vision?
   • Authority of the Chief Archivist to carry out her or his function as the regulator of government recordkeeping and records disposal.
• Independence of Head Librarian and Ngā Taonga Sound and Vision from Minister’s policies.
• The Chief Archivist’s independence to keep an authentic record of the memory of government free from interference from public service managers and ministers’ political ideologies. When the Chief Archivist position sits under an Executive branch of government Department, there is a conflict of interest, resulting in a limitation of Archives reach across all three branches of Government and a diminishing of the Archives status to be able to wield any influence.
• Recognition of the constitutional function of an official government archive that is context and provenance is captured and maintained as part of guaranteeing authenticity and integrity of the record when it leaves the systems of the creating agency.
• Stable governance structures for all three organisations that acknowledges everyone’s independence and allows for cross-agency collaboration.
• Visibility and accessibility of all three institutions in their own right and not subsumed under another department’s branch.
• Adequate funding for Archives NZ, National Library and Ngā Taonga Sound and Vision.
• Balancing the power of the Executive Government.
• Transparent and accountable government decision making.
• Maintaining citizen’s rights.
• Describing and preserving born digital archives to they are authentic and accessible.
• Online delivery of archives.

What is the most urgent challenge (National Library, Archives NZ and Ngā Taonga Sound and Vision)?

• Setting up a governance structure for Archives that gives the Chief Archivist the authority and independence to carry out her or his function as the regulator of government recordkeeping and records disposal and the Head Librarian and Ngā Taonga Sound and Vision, independence from Minister’s policies.
• All three organisations need to maintain their independence and identity to maintain the trust of New Zealand’s and the government. All three need to be better resourced by increased budgets, further staffing and new collection repositories, so the high level of access and collection storage can be maintained.

2. Does the position of Chief Archivist have the independence and authority necessary to be an effective regulator of records and information management within its broad regulatory mandate?

The Chief Archivist’s authority and independence to be an effective regulator appears to be compromised when you study the Annual Reports on the State of Government Recordkeeping.

Chief Archivist Marilyn Little’s Annual Report on the State of Government Recordkeeping 2014-15 said it was "disappointing that barely half of the public offices audited by Archives New Zealand had an appropriate level of record-keeping maturity, 10 years after the Public Records Act came into force".
In her Annual Report 2015-16 she says Archives New Zealand took important steps to address these concerns however there is no percentage given of public offices now with the appropriate level of record-keeping. Reference http://archives.govt.nz/chief-archivist-annual-report-state-government-recordkeeping-2015-16.html

The Chief Archivist’s functions keep changing to reflect the Minister’s of the day policy decisions. For example, in the last 20 years the Chief Archivist’s functions have been through the following permutations:

- restructuring the organisation itself to incorporate a quasi-policy / provider split including the decentralising appraisal services.
- the Chief Archivist functions changed so the possession of archives resides with the department (DIA) but control of the same material resides with the Chief Archivist to possession and control under Archives NZ department and then split again under DIA. See Public Records Act Section 21 Mandatory transfer of public records
- the position of Chief Archivist being changed from being an employee under a CEO of a government department to being a CEO of an independent department under a Minister and back to being an employee under a CEO of a government department.
- being a third-tier manager to being a CEO and back to being a third-tier manager.

These changes ARANZ asserts, have adversely affected the independence and especially the authority of the Chief Archivist’s role to:

- verify that mandatory and voluntary record keeping and disposal standards are being met by public entities.
- exercise her of his regulatory role across all government departments in records creation and disposal.
- hold all machinery of government accountable to Parliament.

Why the Chief Archivist does not have the independence and authority to be an effective regulator ARANZ asserts is because:

- the position sits in a government department subject to Ministerial policy decisions.
- authority over government CEOs and their senior leadership teams is compromised as currently the position is third-tier.
- the number of restructurings provides little stability and interferes with the ability to carry out functions.
- the position does not have the power to check or regulate the powers of the public entities or the Executive Branch of Government with regard to the creation and disposal of its records. It is worth mentioning here the Ombudsman, as an Officer of Parliament, only makes recommendations, however in most cases the prestige of the office is enough to lead any public agency to comply with any such recommendation addressed to it. Reference https://www.parliament.nz/en/visit-and-learn/how-parliament-works/parliamentary-practice-in-new-zealand/chapter-7-officers-of-parliament-and-other-officers-and-bodies-associated-with-parliament/
- the position, unlike an Officer of Parliament does not have the authority to be able to carry out its own inquiries and provide of assistance to select committees.

2. Does the position of National Librarian have the independence and authority necessary to carry out the responsibilities of that position? Why/why not?
The National Librarian does not have the independence and authority necessary to carry out her or his responsibilities. The National Library has an important role to provide leadership and support to libraries across the country. This is defined in the National Library Act. Currently this position does not have the autonomy or resources to do this work effectively. They are a unit in a Government department, and so subject to Minister’s policies and Senior management priorities. The National Library needs to be made an Autonomous Crown entity (ACE) so they have a clear, independent legal status. Failure in this area, will have a knock on effect to citizens access to information, literacy, and the free flow of ideas.

3. What changes, if any, would you suggest to the role or structure of Archives NZ or the National Library?

ARANZ recommends the following roles and structure of Archives NZ:

- Chief Archivist be made an Officer of the NZ Parliament for a term not exceeding seven years, appointed by the Governor-General on the recommendation of the House of Representatives. The Chief Archivist report on their activities to the House of Representatives. As retired Professor of Accountancy and economic consultant, Dr Donald M Gilling stated in his submission, Submission on the State Sector Management Bill (Bill No 193-1), the role of the Chief Archivist in preserving public archives as a means of ensuring public accountability, is no less important than the role of the financial watchdog, referring here to the Auditor General.

Reference: https://www.parliament.nz/resource/NCNZ/098CBS_EVNLDDDBH/BILL12341_1_1A1A3290/056750fbbb25e5e4b5ee37cd77dd9aab80u

- She or he is responsible for auditing public entities record keeping and disposal, carrying out inquiries, encouraging good records management, providing advice to public entities. Also advice to Parliament. Working with the archival profession. Their mandate and responsibilities are set out in legislation.

- She or he is independent of executive government and Parliament in discharging the functions of the statutory office, but is answerable to Parliament for stewardship of the public resources entrusted to her.

- The Chief Archivist provides independent assurance that public entities are operating in keeping with Parliament's intentions.

- Under legislation the Chief Archivist would audit all public entities, including the Crown, government departments, crown entities, state-owned enterprises, local authorities and their subsidiaries, district health boards, tertiary education institutions, schools, statutory boards and other public bodies.

- The Chief Archivist employs staff in one business unit with no separation of policy-making from operational functions, because of its weaknesses in coordination and consultation between policy makers and implementers. Reference: Comment Archives and Records: Who Caras? J. E. Traue School of Communications and Information Management, Victoria University. Archfacts April 1999, pp45 – 58

The National Library and Ngā Taonga Sound and Vision are both made Autonomous Crown entities (ACEs) so they have a clear independent legal status.

Further, Officers of Parliament typically have watchdog powers and functions so the role and structure of the Chief Archivist fits.
As well this structure meets the Finance and Expenditure Committee’s five criteria to consider for the creation of an Officer of Parliament, in particular the two criteria, an Officer of Parliament must only be created to provide a check on the arbitrary use of power by the executive and an Officer of Parliament must only discharge functions that the House itself, if it so wished, might carry out.

The New Zealand Labour Party Manifesto 2017 states, it wants to protect the independence of Archives New Zealand and the National Library. ... merge Archives New Zealand and National Library into the Department of Internal Affairs has undermined the independence and influence of these institutions that are crucial parts of our constitutional and democratic infrastructure. The Chief Archivist and the National Librarian are currently third tier managers who are not part of the leadership team at DIA, with no guaranteed access to Ministers. Archives NZ play the ultimate accountability role for government, It is their job to make sure records are kept and retained. They play a key part in our constitutional infrastructure. The National Library is a key force in our historical and democratic processes. Both need independence and influence to do their job properly, and that is currently being compromised. Labour will Commit to Archives New Zealand and the National Library being re-established as independent and separate entities outside of the Department of Internal Affairs Investigate the National Archivist being an Officer of Parliament. Reference

Given the support in the NZ Labour Party Manifesto for the arguments put forward in this submission this further backs the move for change.

The Chief Archivist being made an Officer of Parliament and Archives NZ the delivery of those functions will:

- give the Chief Archivist the authority and independence from Ministerial policy making to fulfil on her or his functions.
- entrench the main powers and functions of the Archives as answerable to the Legislature branch of Government, Parliament not the Government of the day.
- make it harder for upcoming governments and the State Services Commission to undo this reform.
- provide a stable structure, ending the frequent restructuring in the archives policy area, prevent waste and ensures the efficient use of resources, and loss of productivity resulting from staff changes.
- Acknowledges the constitutional function of an official government archive. Archives New Zealand is the regulator of government record making, keeping, and disposal. It has an important constitutional role by providing the foundation of democratic accountability: records provide evidence of government activity and of citizens’ relationship with the state. Records underpin the Official Information Act, the work of the Ombudsman, Courts and commissions of enquiry.
- Ensures the Chief Archivist and the Archives are not organised and rearranged at the whim of a Minister or the State Services Commission, but report directly to the whole parliament, as the Auditor-General does.
4. What opportunities exist for the national archival and library institutions to work more effectively together in collecting, preserving and providing access to New Zealand's documentary heritage? In particular, what opportunities exist in relation to digital preservation and access?

Opportunities for the archival and library institutions are
- Digital preservation as a service.
- Common Web platform.
- Databases with API functionality for public to access and reuse information.
- Digitisation.
- Preservation and access to physical archives.

5. What does the public need in the next 30 years from the national archival and library institutions?
- An independent, trusted and accessible government archive that has the authority to regulate the Executive Branch of Government, preserve citizens' rights and keep a check on Ministers' powers.
- An independent, trusted and accessible National Library and Nga Taonga that are not subject to a Minister's policies.
- An authentic and trusted record of the memory of society and government.
- Institutions are well-known by the general public – they know why they are important, what they hold and they receive exceptional customer service.
- Transparency of government decision-making.
- Well-managed cultural institutions, each with targets and cross-agency targets that include preservation of digital and hardcopy, disposal, and access to holdings/collections.
- Assurance in the democratic institutions and citizens' rights are preserved.
- A sound records management regime is a key foundation of our democracy because it provides the evidence necessary for organisational and democratic accountability.

On a final note, it is worth considering J. E. Traue’s statement in his article, Archives and Records: Who Cares? We do not have the instruments of direct democracy that were available to the Greeks to control the performance of our governors...but we have developed alternatives appropriate to modern societies, and one of those is comprehensive and reliable recordkeeping for the short-term auditing of governance. We need, quite simply, to make a greater public investment in National Archives to enable it to fulfil its proper constitutional role to prevent costly litigation cases. Reference Comment Archives and Records: Who Cares? J. E. Traue School of Communications and Information Management, Victoria University, Archifacts April 1999, pp45 - 58
One_Key_Challenges>I think a key challenge is managing records and information that are stored in the 'Cloud' (e.g. someone else's computer). The cloud based services often seem like an easy solution for alleviating immediate problems (particularly ones connected to resourcing) but there is a lot of unease around these solutions as we don't always know exactly where our information is, especially with the possibility of it being stored across many locations on multiple servers. Another challenging area is around digital obsolescence - will information we create on our current systems continue to be available 100 years from now in spite of the rapid, ongoing changes in technology? Will the information be complete, available and usable for as long as it is needed?

Two_Independence>I would like to see the Chief Archivist (Archives NZ) undertake records and information management audits at local authorities. This would crystallise the mandate of information management staff, and increase their influence over information management practices in their organisation. The possibility of 'failing' an audit would prompt Councils to better resource their records and information management teams, and give information management the mana and priority it deserves.

Three_Changes>No suggestions for change at this time, apart from the suggestion above to include local bodies in Archives NZ audit purview.

Four_Opportunities>No suggestions regarding opportunities at this time.

Five_30_Years>The public need to be able to easily access information, no matter what format it is in. Being technology agnostic is key, however I recognise this principle is difficult to achieve in reality. Another area where I would like to see an improvement is around publicity and advocacy. It would be great if Archives NZ were more visible to the public through social media, marketing, etc. There is a lot of interesting information held at Archives NZ but the public seem unaware of it, or how it to access it.

Six_Comments>One of our biggest issues with Archives NZ is getting practical advice with real-life examples. If we ask a question we often receive a generic answer with what we need to do but not the 'how', which can make the answer ineffectual. The response is usually "it's up to you how you do it". We would like to able to speak to an experienced professional who can understand our issues and perspective, and is able to give practical and realistic advice. Also, sharing details regarding what other organisations are doing or how they tackle issues can be invaluable, for example: what is working well, and what hasn't worked so well.
<First_And_Middle_Names>Toni Maria DeLorenzo</First_And_Middle_Names>
<Surname>Thompson</Surname>
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<Best_Phone_Number></Best_Phone_Number>
<Keep_Confidential>0</Keep_Confidential>
<One_Key_Challenges>
• Poor customer service impacting on their reputation. • Relevance • Access/reuse – both physical and digital • Storage capacity • Provision of meaningful advice • Access – not putting the customer first • Information up front – put it first • Maintaining autonomy • Alignment vs “merger” of ANZ, Nat Library and NZSV • ANZ – relationship and mandate with Local Govt • Digital Preservation Most urgent. Overarching relationship management: o Customer service – responding to requests – this is specific to ANZ and NTSV. Also being open outside business hours enabling ease of access for users. o Local Govt relationship – either strengthen or remove = give us autonomy or be a stronger regulator for Local Govt. • Storage</One_Key_Challenges>
<Two_Independence>No the Chief Archivist does not have the independence and authority necessary. • If the CA was the head of their own department they would hold more authority/mana. • Currently they are seen as weak and unable to hold agencies to account - no real power • Too far down the pecking order • While within DIA too much of a conflict of interest</Two_Independence>
<Three_Changes>Archives NZ: • Remove from DIA • Make the CA an Officer of Parliament – splitting out the functions of: Policy, Regulatory & Audit from the operational business. • Put the operational business with another umbrella organisation i.e. culture and heritage • ANZ as an “auditor” needs to be independent • Accountability as far as auditing goes • Govt Archives vs “National” Archives • Name change – “Archives” is misleading • Separate regulatory from operational • Stronger role in Local govt • Chief “Information” Officer – split ‘archiving’ from information management</Three_Changes>
<Four_Opportunities>
• Collaborative access – joined up and working together with the customer in the centre • Agency – independent access – customer centric • Working together better for access i.e. film is held within each of the 3 agencies – why do you have to go to separate locations for access? • Papers past do it well • Understanding our heritage (cultural/historical) is important • Single view of access – customer centric • Curatorial role “Chief Curator” across the 3 institutions • Preservation • Central portal • Where is Te Papa’s role in this? Digital Preservation opportunities: • Improved advice for organisations • Cloud storage: criteria, simplified language, list of Archives approved options • Training • More advice on open access – push towards being more open – ANZ should lead • Open data – where does this sit? • Aggregated data vs sharing • Where does Digital NZ fit into the picture? • Looking at the ‘Digital Legal Framework” • Getting a better understanding of the digital divide</Four_Opportunities>
<Five_30_Years>
• Better access – both physical and digital • Improved customer service where the customer is at the centre of these services • Future access • Te Papa as a front end for access • Connection between central and local govt • The value of information • Well-funded • Information democracy • Central access to ALL heritage information • Cross-agency connectedness</Five_30_Years>
<Six_Comments>
• Right skill sets • Importance of collections • Understanding balance and passion/care for collecting • Specialised storage assistance o Smaller groups – community, local government o Nitrate o Acetate • Digital conversion/preservation I would also like to acknowledge that Laurinda Thomas the Library and Community Spaces Manager for Wellington City Council has worked collaboratively with me and my teams on our response. She is also submitting a response from the library perspective. These two
submissions have been endorsed by the Executive of Wellington City Council who are comfortable that the specialist teams within the Council have prepared the feedback.
</Six_Comments>
1. Download this form to your PC or device

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3. Click the button on page 4 to email it to mentalhealth@inquiry.govt.nz

nalifeedback@dia.govt.nz

Ministry for Culture and Heritage

Department of Internal Affairs

New Zealand Government

National Archival and Library Institutions Ministerial Group

The National Archival and Library Institutions Ministerial Group is seeking your feedback on how to strengthen the contribution to New Zealand’s culture and democracy made by Archives New Zealand, the National Library of New Zealand and Nga Taonga Sound & Vision.

For more information please visit www.dia.govt.nz/National-Archival-and-Library-Institutions-Ministerial-Group


Submitting feedback

(All first and middle names) Tracey Louise

(Surname) Sim

(Organisation, if relevant) University of Otago (Head of Corporate Records Services)

(I wish to keep my details confidential) Unchecked
Once your feedback has been received this becomes a public document and may be made publicly available to anyone who requests it. You may request that your contact details be kept confidential, but your name, organisation and your feedback itself will become a public document.

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Last updated 16 July 2018
Questions

(1. What are the two or three key challenges for the national archival and library institutions (Archives New Zealand, the National Library of New Zealand and Nga Taonga Sound and Vision)? What is the most urgent challenge? ) (1) Status and Autonomy - strengthening the positions of the Chief Archivist and the National Librarian, and raising their profile so that these roles have better access to Government and are on an equal footing. There is a perception that these roles, having been subsumed into the Department of Internal Affairs, have been demoted. Archives New Zealand in particular has a unique role regarding regulation and support for information and records management that needs to be strengthened if New Zealand is to have material for archival collections (especially digital collections) in the future.

(2) Strategic Investment and Planning - the last decade has seen a decrease in funding and resource. There is a strong feeling that we are going over old ground here. Creating a long term strategy for national and library institutions would avoid the perception that we are 'going around in circles' whenever the Government changes. There is a need to diversify the current business model to address the long term sustainability of archival and library institutions, to ensure appropriate financial support and resource is supplied to build digital collections for the future, and to ensure equity of access to information and special collections.

(2. Does the position of Chief Archivist have the independence and authority necessary to be an effective regulator of records and information management within its broad regulatory mandate? Does the position of National Librarian have the independence and authority necessary to carry out the responsibilities of that position? Why/why not?) (1) Chief Archivist - this question has been partially answered in question (1) above. The short answer is no, the Chief Archivist's role does not currently have the independence and authority necessary to be an effective regulator of information and records management. To build capability as a regulator and to create lasting certainty for both the Government and the New Zealand public, the Chief Archivist needs to be an Officer of Parliament.

(2) National Librarian - this role is required by law to provide system leadership across the country. As noted in the answer to question (1) above, there is a strong perception that this role no longer has the influence to effectively lead, and that the national voice is diminishing.
(3. What changes, if any, would you suggest to the role or structure of Archives New Zealand or the National Library?) (1) The role and structure of Archives NZ - the two different roles of Archives NZ need to be recognised. There is a current perception that its identity is confused, and, amongst information and records management professionals, that there is not an equal focus nor adequate in-house capability to support advice, monitoring and regulation for information and records management in public offices.

(2) Both - it is clear that practitioners and institutions are looking for broader sector leadership and strategy from Archives NZ and the National Library. There is opportunity to create a shared strategy or vision; there is opportunity to develop shared services; and there is opportunity for increased collaboration. This is particularly important for the utilisation and access to New Zealand's collections in a changing landscape that strongly favours a digital format.

Questions that the Ministerial Group could consider:

* Is there benefit in creating one uber documentary heritage body?
* Could the institutions work together to create a single point of access for the public?
* How could the institutions work together to digitise collections?

(4. What opportunities exist for the national archival and library institutions to work more effectively together in collecting, preserving and providing access to New Zealand’s documentary heritage? In particular, what opportunities exist in relation to digital preservation and access? ) Strong sector leadership will be required as the basis for future collaboration opportunities. There is opportunity for these institutions to:

(1) Aspire to becoming Centres of Excellence

(2) Develop a national collecting framework for documentary heritage collections - a 'national standards approach' that would more effectively utilise resources and stop the current duplication that exists in digitising some collections

(3) Look at ways in which IT can play a role in enabling collaboration through the use of standardised software and systems across the organisations.
(5. What does the public need in the next 30 years from the national archival and library institutions?)

(1) More Equitable Access to Content - there will be (and this is already growing faster than institutions can keep up with) strong expectations around accessibility and more equitable access to content. This means that the public's access will not be limited by geography or region, by race or culture.

(2) A Stronger Focus on Maori - particularly on the equality of provision and a stronger acknowledgement and representation of Maori values.

(3) A Strengthened Digital Infrastructure - investment in a digital infrastructure that supports access anywhere, anytime to digital content; that supports digitisation for preservation (not just digitisation for access); and that supports a shared service partnership between archival and library institutions.

(4) Confidence - that they have access to trusted information and that the information sources are reliable. Confidence too in the agility of these institutions to respond to a rapidly changing social and technological environment.

(5) Better Promotion and Outreach - What do you hold? What content can the public access? How can the public access content? Is there a cost? Why is this content important?

(6) Exemplary Service Delivery - that is customer-focused, equitable, and free of charge.

(6. Any other comments?)

(Click here to submit by email to nalifeedback@dia.govt.nz)

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Thank you for providing feedback to the National Archival and Library Institutions Ministerial Group.) Click here to submit by email to nalifeedback@dia.govt.nz

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Thank you for providing feedback to the National Archival and Library Institutions Ministerial Group.
Our School Archives Network is most concerned that school records and archives, which make up a significant portion of the historical records of New Zealand, have not been given due recognition by the school sector. Although there have been concerted efforts made by the Ministry of Education and Archives New Zealand in the publication and revision of the 'School Records and Retention Disposal Information Pack', there is little help available to schools to action the advice therein, nor any audit function to ensure its implementation. We think it is an urgent challenge for Archives New Zealand to address this, to which end we would like to see the Chief Archivist given greater authority, to be accountable directly to Parliament and mandated by Parliament to achieve this, albeit with co-operation from other relevant government departments, as below. When schools were first advised of their need to maintain their records to archival standards following the Public Records Act (2005), they were told there would be a five year 'grace period' before they were audited on their record keeping standards. However, in 2010 Archives New Zealand was absorbed into DIA. The auditing has never happened and the first flurry of activity has long since lapsed into inertia. The challenge will be to arrange auditors who understand the education system, how schools operate, and what the standards are that should be adhered to. There will have to be cross-government co-operation between the Ministry of Education, Archives New Zealand, and possibly National Library, who do have a few Services to Schools library advisers interacting with schools across New Zealand. DIA has proven that they are not a compatible partner in this 'ecosystem'.

We do not believe the Chief Archivist currently has the independence and authority necessary to be an effective regulator of records and information management. 'A public records office is a part of the system of keeping the Executive accountable to the people'. If there are too many layers of executive function in government (e.g. Archives New Zealand subsumed by the IT branch of DIA), accountability to Parliament is diluted. Currently, the Chief Archivist has to filter their professional advice and requests for resourcing through executive layers that lack the necessary knowledge or understanding to be able to effectively act on that advice and whose priorities may not be aligned with, and may sometimes be in direct conflict with archival objectives. The same is true for the National Librarian. This filtering not only affects archives, their subsequent management and resourcing, but also dilutes the regulatory mandate. Both funding and regulation of school archives have been woefully addressed since Archives New Zealand and National Library came under the stewardship of the DIA. National Library's services have been similarly affected since 2010, particularly Services to Schools. Our group believes that currently, both Archives New Zealand and National Library are understaffed and under-resourced.

Our group agrees with the Brian Easton article*, which suggests that both Archives New Zealand and National Library should be Autonomous Crown Entities, and that the Chief Archivist should become an Officer of Parliament. Both should report directly to Parliament. *Source URL: https://www.pundit.co.nz/content/whither-archives-new-zealand-and-the-national-library
Because school archives are part of the historic record of New Zealand, and because they are mostly governed by Ministry of Education requirements, there would need to be continuing co-operation between the MoE and Archives New Zealand. This is the case now, but there is no audit mechanism to ensure compliance with the standards. See accompanying notes. It should be noted that in many areas of New Zealand (particularly rural areas) the school is the hub of the local community. Currently Legal Deposit collects all school publications, most notably school reunion booklets and schools' annual magazines. The information in these is often the only record there might be about the district and its people, so may be quite unique in adding to New Zealand's heritage. Digital preservation allows access to records and archives to national and international audiences. There are 'fish-hooks' though, especially with materials which are private records or have restricted access. These sorts of issues mean that it shouldn't be supposed that digital preservation needs fewer staff to archive material though; often it is the opposite, particularly when training incoming staff. At least one company has developed a digital archives and records management program which records, classifies and allows access to school records according to the sections of the School Records Retention and Disposal Schedule. See Konica Minolta's Digital Records and Archives Manangement YouTube clip at: https://www.youtube.com/watch?v=sI_2i4tJQYE Interesting!

Professional archivists and librarians, independent from multiple layers of government, responsible to Parliament and not stymied by constant re-organisation taking them away from their key function - recording and caring for the historical and cultural heritage of New Zealand. Consistency for schools in the advice they are given about looking after their part of New Zealand's archives, and help, including appropriate staffing and funding, to do so. Improved access to materials which are available digitally, bearing privacy protocols in mind.

The School Archives Network, Waikato Bay of Plenty, supports the Government in its plan to separate the role of the Chief Archivist from the DIA, and give him/her the mandate to instruct and compel schools to keep their records and archives to appropriate standards. It would be tragic if the documentary and digital heritage held by schools would be lost to future generations of New Zealanders. The Chief Archivist should be required to account and report to Parliament directly about Archives New Zealand work in bringing all New Zealand schools up to standard in the care of their records and archives. NB: Brainstorm pages included separately.
One Key Challenges
1. Archives NZ exercising the leadership and authority to support
realising their key objectives in an environment that has numerous information and data-
related initiatives competing for attention. How does Archives NZ fit into the wider data
and inforrnatory system, and how is that perceived by customers? 2. Keeping up with and
best utilising changing technology to support both government and consumer expectations.
3. Forward planning and funding. Physical storage needs are still growing, there is an
existing enormous amount of both legacy and current paper records to manage. (Note that
this is currently impacting the Ministry of Justice as it cannot transfer physical records to
Archives NZ in Wellington, including those subject to mandatory
transfer).

Two Independence
The regulatory functions undertaken are not dissimilar to the Privacy
Commissioner and Ombudsman, yet the Chief Archivist is not a Tier 1 position, and the
agencies do not have the independence nor agility that being in a more independent agency
or being an Officer of Parliament may provide. The functions are broad and require strong
leadership. Note the NZ Law Commission 2012 review, "The Public's Right to Know",
which highlighted the similarity in functional role of the Chief Archivist role and the
Ombudsman. It would seem appropriate if they were at the same level to support close
collaboration and a system wide view of information. "The proper functioning of the OIA
thus depends on proper compliance with the PRA" (p.360). The National Librarian is not
as similar to the Privacy Commissioner and Ombudsman, yet some of the argument may
also apply.

Three Changes
Largely covered by point 2 above - that agencies perform a regulatory
function that enables them to both support and call agencies on their practices. This must
include a governance role, and interface in some way with the StatsNZ functional lead role
for data, as inevitably how data is stored and against what standards effects long-term
preservation. It was anecdotally noted from a number of agencies that the PRA audits were
weak in terms of influencing the right behaviours. Treasury uses and Investment
Confidence Rating which supports public accountability and rewards 'good behaviour' -
providing an incentive mechanism to lift capability. What if Archives NZ was structured in
such a way that it could deliver something such as this?

Four Opportunities
Leverage off common ICT systems to provide a consistent experience for
the end consumers based on a good understanding of common requirements, also reducing
inefficiencies, duplication and minimising resource challenges (internal and external). A
challenge will be understanding both common and specific requirements for each. Note
however that there may be some impacts in relation to private donations and expectations
around preservation and use of material for sound and vision archives(s) given the
different relationship between government and charitable Trust environments. See also
response to question 5 below.

Five 30 Years
The public is likely to expect: * single point of access, and ability to connect
from anywhere from any device * assurance - material preserved, and readily accessed,
and ability to add metadata to keep relevant and accurate (e.g. where a person is newly
identified) * reusable - where permission exists (commons licensing) * understanding of
Maori data sovereignty (and over time specific communities may also wish to exercise
rights in relation to data and information) A basic premise from the public will be that the
records they want to use have been selected for permanent retention and maintained to facilitate their ongoing use. </Five_30_Years>

<Six_Comments>It would be useful to get clarification on what, if any, Archives role is in supporting a common view across government in relation to information assets.</Six_Comments>

</form1>
1. The roles and purpose for each of the three agencies needs to be clearly defined. E.g. the role of Archives New Zealand is to manage archives and be a regulator or does the role also include promoting and advising on best practice information and records management to support the accountability, authenticity and re-usability of information for public offices and local authorities? 2. Have each of the three agencies sufficient resources (both in number and relevant skills) to carry out their functions effectively? I think the reputation of each of these agencies is at stake due to lack of resources. E.g. The Local Authorities Digital Archives project. This project was established at the end of 2017. The project team includes representation from Local Authorities as well as members from Archives New Zealand. This is an important project as most Local Authorities have digital records which are required under legislation to be retained long term. Some of these records are being lost due to the rapid changes in technology so it is important that this project is completed with some urgency. This project has been put on hold due to the lack of resources, which is extremely disappointing. Another example is the Archives New Zealand Strategic Plan - has Archives New Zealand the resources to implement this plan? 3. The challenge of being able to influence government. None of these three agencies have a direct voice to a Minister of Parliament. If the three agencies were independent they should have greater influence and greater transparency. 4. The need to be more proactive than reactive. is this a resourcing issue?

Ngā Taonga Sound and Vision is not mentioned in this question - why not? The Chief Archivist does not appear to have the independence and authority necessary to be an effective regulator. Archives New Zealand as an institution lacks the resources (both in numbers and skills) to take a more proactive role. This directly impacts on its ability to deal with future challenges, in particular ensuring there’s a trustworthy digital record of public offices and local authorities. The Chief Archivist has a difficult role as a regulator due to the speed of change. There is advantages and disadvantages with Archives New Zealand being under the DIA umbrella, however one of the disadvantages is the voice of the Chief Archivist appears to have lesser authority. I cannot comment on the position of National Librarian.

Under the current structure (under the DIA umbrella) there appears to be a lack of clarity around the roles and purposes of these three agencies. Archives NZ has a duel role - a regulator and a manager of Archives. I think the possibility of separating out the regulator function from the management of Archives should be explored. Should all three agencies become three Crown entities? - this needs to be explored.

The three agencies do have some commonalities - these need to be explored with the opportunity to share specialised skills and resources (including software). Digital preservation and access should be centralised. Archives preservation of digital information should happen at the point of creation.

Information and records management audits for local authorities need to be carried out by Archives NZ. This would mean a change in the Public Records Act 2005 which I believe needs reviewing. There needs to be a more all-encompassing approach to public office and local authorities information and records management. The information
management issues and requirements are very similar between the public offices and local authorities i.e. the need for a trusted digital repository; the threat of loss, deletion, corruption; or non-capture of digital records, etc. All agencies need to work smarter and ensure they have the right skills to carry out all functions. The public need to: 1. Have trust in these agencies 2. Have an awareness of the importance of these roles 3. Know that these agencies have a strong leadership voice 4. Know that these agencies are well resourced 5. Know that these agencies are proactive 6. Have greater access and discoverability to information held by these agencies.

Thank you for the opportunity to attend a workshop. It was great being able to listen and exchange ideas on the future of these important agencies.
To the National Archival and Library Institutions Ministerial Group

Feedback from the Lesbian and Gay Archives of New Zealand: Te Pūranga Takatāpui o Aotearoa (LAGANZ)

Attached is the Lesbian and Gay Archives of New Zealand (LAGANZ) submission to the National Archival and Library Institutions’ enquiry.

LAGANZ thanks the National Archival and Library Institutions Ministerial Group for the opportunity to express our interests and concerns. We would welcome the opportunity to speak to this submission.

Kevin Haunui
Chair, LAGANZ Trust
To the National Archival and Library Institutions Ministerial Group

Feedback from the Lesbian and Gay Archives of New Zealand: Te Pūranga Takatāpui o Aotearoa (LAGANZ)

Background:

The Lesbian and Gay Archives of New Zealand (LAGANZ) was formed as a charitable trust in 1992. It is a community/volunteer based organisation and the Board of Trustees, on behalf of the LGBTQI communities, own and manage the growing number of collections which now make up the Archive.

The initial core of the collection goes back to an initiative of the National Gay Rights Coalition in 1977. It developed into a research library and archives known as the Lesbian and Gay Rights Resource Centre, which was placed in the care of a trust in 1984.

In 1988, following on from an arson attack on the archive, the trustees made an agreement with the Alexander Turnbull Library to house the collections at the Library. However, the collections remain under the ownership of the Trust but are open to researchers on the same basis as other research heritage collections at the Turnbull Library. The collections continue to grow in size and variety, helping to preserve the history and development of the LGBTQI communities in New Zealand.

Comment:

LAGANZ is deeply grateful for the support of the Alexander Turnbull Library over these last 30 years and highly values this relationship.

LAGANZ needs to be sure that our relationship with the Turnbull Library, and the services and facilities provided by the Turnbull Library, will in no way be jeopardised by any changes arising out of the current assessment of Archives New Zealand and the National Library.
Questions:

1. **What are the two or three key challenges for the national archival and library institutions (Archives New Zealand, the National Library of New Zealand and Ngā Tāonga Sound and Vision)? What is the most urgent challenge?**

   - Constraints on resources – financial, personnel with expertise, and repository space. Repository limitations have an adverse effect of current and future storage capacity for both physical and digital archives.
   - Insufficient staffing by expert personnel reduces the effectiveness of ATL's assistance to LAGANZ beyond repository storage and making material available to Reading Room users.

2. **Does the position of Chief Archivist have the independence and authority necessary to be an effective regulator of records and information management within its broad regulatory mandate? Does the position of National Librarian have the independence and authority necessary to carry out the responsibilities of that position? Why/why not?**

   - The placing of the position of the National Librarian and the Chief Archivist as tier three managers – appears to affect their ability to independently manage financial and staffing resources of their institutions. The building up of backlogs of collections waiting to be processed/described, the lack of space to store collections and slow pace of digitisation of collection items indicate resourcing these institutions has not kept up and in fact is slipping back.

3. **What changes, if any, would you suggest to the role or structure of Archives New Zealand or the National Library?**

   - Strengthen and resource the role of supporting and the safekeeping of private records (Public Records Act 2005: 3b). Providing more resources to Archives NZ for this function, should significantly improve services such as The Community Archive. The same can be said for the National Preservation Office within the Alexander Turnbull Library.

4. **What opportunities exist for the national archival and library institutions to work more effectively together in collecting, preserving and providing access to New Zealand's documentary heritage? In particular, what opportunities exist in relation to digital preservation and access?**

   - To identify and work with groups, communities and cohorts of enquiry (including Rainbow LGBTIQ+) who have historically been under represented in the nation’s cultural collections and historical narrative, thus enhancing the diversity of voices that contribute to our social, political and cultural heritage.

5. **What does the public need in the next 30 years from the national archival and library institutions?**

   - Sufficient and effective physical and digital storage capacity
   - Improved access to material held – either in person or online
   - Increased flexibility and responsiveness in relationships between Nat Lib and Archives NZ and community archives
   - Increased assistance given by Archives NZ and National Library to community based archives acting as kaitiaki for the heritage materials of local, regional, cultural, identity and other groups.
National Archival and Library Institutions Ministerial Group.

The National Archival and Library Institutions Ministerial Group is seeking your feedback on how to strengthen the contribution to New Zealand’s culture and democracy made by Archives New Zealand, the National Library of New Zealand and Ngā Taonga Sound & Vision.

For more information visit www.dia.govt.nz/National-Archival-and-Library-Institutions-Ministerial-Group

Submitting feedback

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☐ I wish to keep my details confidential

Once your feedback has been received this becomes a public document and may be made publicly available to anyone who requests it. You may request that your contact details be kept confidential, but your name, organisation and your feedback itself will become a public document.

The Department of Internal Affairs will manage any personal information you supply in your submission in accordance with the Privacy Act 1993. We will use your contact details for the purposes of processing the application that it relates to (or in exceptional situations for other reasons permitted under the Privacy Act 1993). Where your feedback is made publicly available, your contact details will be removed only if you have indicated this as your preference in the tick box above.

The Department of Internal Affairs may post your feedback at www.dia.govt.nz. We also may make your submission available in response to a request under the Official Information Act 1982.
Questions

1. What are the two or three key challenges for the national archival and library institutions (Archives New Zealand, the National Library of New Zealand and Ngā Taonga Sound and Vision)? What is the most urgent challenge?

Three of the most urgent challenges that have faced the NZ library and archival community over the past eight years arose when the National Library Act (2003) and the Public Records Act (2005) were amended in 2010 to allow the incorporation of the National Library and Archives New Zealand into the Department of Internal Affairs. National cultural institutions, which in most commonwealth countries report directly to Parliament have a unique purpose of maintaining and providing access to published and unpublished sources of knowledge, culture, and the public record, for the use of citizens without hindrance now and in the future. Their role is to preserve heritage collections and support access to knowledge in all its forms, fostering an open, knowledge-based society. This kaupapa differs from the policy, service commitments and information systems requirements of an agency such as DIA. National cultural institutions flourish best when accorded the status and independence to pursue their mission as standalone entities, reporting directly to Parliament with a minister of the crown dedicated to their mission and independence.

2. Archives New Zealand has a unique role as the repository of the public record, separate from the agencies whose former records it holds. Its independence is critical to maintaining the integrity of the public record and free access to such records. It cannot be part of any agency, but requires independent status and authority, with separate reporting lines through the Chief Archivist to the Parliament.

3. Information systems for government processes differ from library and archival systems. Data on citizens, regulations, data sharing, and big data for policy-making, systems that support the business of government and doing business with government can be shared across agencies and outsourced to large international companies. Public-facing systems (databases, catalogues) in the National Library and Archives NZ are very different; they have been poorly supported under the DIA, maintenance is a low priority, and users suffer as a consequence. To meet the technological challenges of the next two decades they need dedicated IT staff with appropriate expertise.

2. Does the position of Chief Archivist have the independence and authority necessary to be an effective regulator of records and information management within its broad regulatory mandate? Does the position of National Librarian have the independence and authority necessary to carry out the responsibilities of that position? Why/why not?

1. The Chief Archivist has a statutory role which includes the independent exercise of his or her own powers "not subject to direction from the minister or chief executive". (Public Records Act 2005, clause 12). The archives profession and the public must have confidence that this independence is being upheld, and that the functions in section 11 of the Act are being properly carried out; they can only do so if the Chief Archivist is independent of any other government agency and reports directly to Parliament as other Officers of Parliament do.

2. National Librarian. The National Library Act requires the National Librarian to advise the responsible minister on matters relating to library and information services in New Zealand. This requires independence from other agencies which have different purposes which may at times conflict with the role of the National Librarian and the National Library. This is true of both heritage collections, future formats of information, and types of knowledge that are not yet current. Most importantly, it protects the legal deposit scheme and the active collection of digital material from government agencies and public institutions from interference by future governments or neglect through lack of understanding. The right to give access to such materials must also be protected from interference.

Moreover, the independent status of the National Librarian enables the National Library to persistently work with future proofing technologies, a priority and cost that needs to be determined by the National National Library itself, (in collaboration with Archives NZ and Ngā Taonga), and not by a government department with conflicting priorities.

For these reasons in particular, as well as those noted above, we emphatically support the reinstatement of the independent status of both National Library and ArchivesNZ through the repeal of the National Library of New Zealand (Te Puna Mātauranga o Aotearoa) Amendment Act 2010, and the Public Records Amendment Act (No 2) 2010.
3. What changes, if any, would you suggest to the role or structure of Archives New Zealand or the National Library?

Their individual acts, as passed in 2003 and 2005 respectively, adequately set out the roles of the National Library and Archives New Zealand, and were drafted to allow for new formats and technologies. We do not seek any change except the repeal of the National Library of New Zealand (Te Puna Mātauranga o Aotearoa) Amendment Act 2010, and the Public Records Amendment Act (No 2) 2010.

The two institutions would then return to the independent status they enjoyed before 2010. Their statutory obligation to report to Parliament, and to a minister of the crown could be shared with Nga Taonga Sound & Vision, which may require its own act in order to ensure the preservation of its own heritage collections and taonga.

The specialist public access systems of National library and Archives NZ, which have national and indeed international significance and value, can then be adequately supported. Their catalogues and databases maintained as information systems critical to the work of independent standalone departments, would not then pose the risk to government that has hampered their development while the institutions have been part of the DIA, where these national assets have been managed conservatively, and with a stringent level of security.

The sharing of expertise and links between databases of all three institutions, would also enhance public access to the databases of Nga Taonga, a very rich but often overlooked resource.

4. What opportunities exist for the national archival and library institutions to work more effectively together in collecting, preserving and providing access to New Zealand’s documentary heritage? In particular, what opportunities exist in relation to digital preservation and access?

The institutions all hold similar artefacts - manuscript, print, born digital text, audio and visual materials in a variety of formats. There is clear benefit in greater cooperation and collaborations, especially in the sharing of expertise in the use of emerging technologies. This would more appropriately be fostered by a minister responsible for all three institutions. We see no need for legislative change to mandate collaboration which is better fostered by encouragement and support.

We do not believe that shifting the National Library and Archives NZ into the DIA fostered collaboration. It must come from within the institutions themselves, where they identify the value of such collaboration. They may also choose to collaborate informally with other stand alone government-funded institutions such as universities and the National Museum.

We are aware that some consideration is being given to some form of merger of two if not three of these institutions (NLNZ, Archives NZ and Nga Taonga) perhaps reporting to a Minister of Libraries, Culture and Heritage through an independent board. If this is to be considered, certain guarantees must be put in place by legislation, securing the independence of the roles of National Librarian and Chief Archivist, and ensuring that any reporting role or oversight of their activities is confined to staff management, and financial reporting. It must not impinge on their professional roles; their self-determination must be sacrosanct.
5. What does the public need in the next 30 years from the national archival and library institutions?

The next 30 years may well be times of considerable change, challenge to democratic process, and social turbulence. In such circumstances cultural institutions have a very significant role to play in upholding democratic principles, through providing access to the public record, and unfettered access to sources of knowledge. It is important that these significant cultural institutions can demonstrate their independence, integrity, and ongoing commitment to such principles.

Their commitment to the preservation of knowledge and the public record in all formats will depend on their ability to increase their expertise is dealing with old and new technologies. It is important that they are adequately funded to handle this task so that they can meet the demands of the public for access to all forms of knowledge.

6. Any other comments?

Theatre Archives NZ (TANZ) is a charitable trust dedicated to the archiving of New Zealand’s theatre history. Founded 20 years ago by a number of prominent theatre practitioners and academics, it provides advice to theatre organisations and personnel and advocates for the preservation of theatre records in New Zealand to preserve a significant segment of our cultural history.

The TANZ Board is very grateful for the opportunity to participate in this timely review and put forward suggestions about how to strengthen the contribution to New Zealand’s culture and democracy made by Archives New Zealand, the National Library of New Zealand and Ngā Taonga Sound & Vision.

In particular we seek to redress the damage caused by the legislative changes of 2010 that authorised the incorporation of these two key institutions into the Department of Internal Affairs. We have found our work hampered by the outsourcing of information systems by DIA to external providers unfamiliar with the specialised systems involved, and the consequent lack of attention to the information systems used by the National Library and Archives NZ to manage their collections and provide access to their user communities. The Community Archive is an important tool for researchers in identifying the archives of thousands of New Zealand community organisations. Ongoing problems with the software have prevented us from updating and contributing further records concerning New Zealand’s rich theatre history. This is one example, which may seem insignificant in the larger picture, but multiplied many times over, shows the impact of the lack of support National Library’s and Archives NZ’s public-facing information systems have suffered over the past eight years, because they are hosted by institutions which are subunits of the Department of Internal Affairs.