

## **Information Management: Retention and disposal of Police records**

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## Policy statement and principles

### What

Police operates in a hybrid (physical/digital) records environment and records disposal currently focuses on the disposal of physical records. So while [sentencing of Police records](#) in accordance with the relevant disposal authorities applies equally to digital and physical records, this chapter focuses on physical records. Increased attention will be given to the lifecycle management of digital records as Police moves away from shared drives and adopts a more cohesive information and records management system.

The requirements set out in this chapter are mandatory for the retention and disposal of all Police records.

### Why

Disposal of all Police records must be authorised and the authority for disposal - either Destruction or Transfer to Archives NZ - is the Police Disposal Authority (DA648) and General Disposal Authorities (GDAs), approved by the Chief Archivist.

### How

Responsibility for compliance rests with the station or group arranging disposal. All disposals must be authorised by the Officer-in-Charge of the relevant File Management Centre or the Manager of the relevant business group, and undertaken in accordance with the disposal procedures set out in this chapter.

## Disposal authorities

### What is disposal?

Disposal is the final action concerning the fate of records, for example, retention, destruction or transfer to archives. Under the [Public Records Act 2005](#) (the PRA), no-one may dispose of a public record without authorisation from the Chief Archivist, Archives New Zealand. There are several types of disposal that the Chief Archivist can authorise under section [20](#) of the PRA, the most common being:

- transferring control of the public record to the Chief Archivist; and
- destroying the public record.

All sentencing, disposal and transfer arrangements must be authorised by Police records staff.

The Chief Archivist's authorisation is provided by way of a disposal authority, which can be specific to an agency or common to many agencies. In the former case it is a formal document entered into between the agency and the Chief Archivist, comprising:

- an appraisal report (an evaluation deciding which records are to be retained permanently as public archives, and which records are to be destroyed once an agency's business and accountability requirements have been met);
- a retention and disposal schedule (a detailed list of the retention periods and disposal actions for all classes of records held by the agency, which operates as a continuing authority for implementing decisions on the value of those records);
- a disposal authority document signed by the Chief Archivist.

In the latter case the authority is issued by the Chief Archivist as a General Disposal Authority (GDA) covering records common to multiple public offices, e.g. personnel and financial records.

### Police Disposal Authority

An appraisal of NZ Police records was conducted in 2015/16. On 2 August 2016, the Chief Archivist approved the appraisal report and disposal schedule covering the core records of the New Zealand Police. The disposal authority is registered as DA648 and replaces the former disposal authority DA224.

The [NZ Police Retention and Disposal Schedule](#) documents the retention periods and disposal actions for all classes of records held by Police.

### General disposal authorities (GDAs)

GDAs issued by the Chief Archivist, and which are current are:

- [General Disposal Authority 6: Common Corporate Service Public Records](#)
- [General Disposal Authority 7: Facilitative, Transitory and Short-Term Value Records](#)

## Sentencing Police records

'Sentencing' refers to the process of identifying and classifying records according to a disposal authority and the act of applying a disposal action specified in that authority to the record.

The relevant authorities for Police are the Police Retention and Disposal Schedule and the GDAs.

### When to sentence records

It depends on whether the appropriate class is allocated to a current or a closed record. Archives New Zealand encourages the sentencing of records as close as possible to the point of creation, whether a public office is running an electronic, paper, or hybrid recordkeeping system (i.e. both paper and electronic).

At Police, the retention period and disposal action for current files in NIA are entered automatically at file creation. Disposal action for physical files is noted in NIA manually once the file is closed and has reached the end its retention period. Currently such noting for digital files is not available in NIA. Sentencing and disposal action for historical operational physical files not recorded in NIA is a manual process, as is sentencing and disposal of corporate files.

## Procedures for sentencing records

### Some general rules for sentencing records

- **Core records versus administrative records** - Use the GDAs for routine administrative records that are not used for Police core records reflecting Police's primary duties and responsibilities.
- **Find a disposal class** - If you cannot find a disposal class for the record, consult with colleagues or the business unit responsible for creating the record to clarify the most appropriate class.
- **Use the longest retention period** - If a record fits into more than one disposal class, always use the class with the longest retention period.
- **Never cull records from a file** - Aside from removing duplicates, culling records can destroy the integrity of a file. An individual record by itself may be of little value, but when viewed in the context of other records in the file it may assume greater significance.
- **Identify originals and copies** - Make sure you can identify the original file documenting a particular Police activity. Copies can be destroyed using class 1.3 of GDA7: Facilitative, transitory, and short-term records.

### Plan your sentencing project

To plan your sentencing project to ensure it runs smoothly, use the steps in this table as a guide.

Step	Action
1	Document the key project parameters including: <ul style="list-style-type: none"> <li>- the records coverage to be sentenced (e.g. Wellington Central Station offence and incident records filed from 2000 - 2009)</li> <li>- estimated volume of records to be sentenced</li> <li>- estimated staff resources and project timeframe.</li> </ul>
2	Obtain management approval for the project.
3	Ensure the Police Retention and Disposal Schedule, Archives New Zealand listing template and resources you are using are all up-to-date versions.
4	Ensure the project is led by someone with the necessary knowledge and experience around sentencing records. That person must supervise other staff involved in the project, and be able to resolve any issues arising as to the most appropriate disposal class for a record.
5	Refer to the sentencing checklist produced by Archives New Zealand for further information about planning a sentencing project.

### Sentencing records and actioning their retention and disposal

Having obtained management approval for your sentencing project, use the steps in this table as a guide to sentencing the records and actioning retention and disposal.

Step	Action
1	<p>For each record being sentenced:</p> <ul style="list-style-type: none"> <li>- determine the appropriate disposal authority (i.e. Police Retention and Disposal Schedule for Police core functions, GDAs for corporate functions)</li> <li>- identify the relevant records class within the retention and disposal schedule. This will provide the agency retention period and disposal action required for the records.</li> </ul> <p>Refer to the sentencing flowchart for further guidance on the sentencing decision making process.</p>
2	Put aside all records created prior to 1946. These records require an independent appraisal, which should be carried out by Police records staff in consultation with Archives New Zealand.
3	<p>Take the appropriate retention or disposal action <b>providing</b> the record has met the criteria for disposal.</p> <p><b>Note:</b> Disposal actions must be supervised by records staff trained in implementing retention and disposal schedules.</p>
4	The station or group actioning disposal must keep a record of all records destroyed. Do this by filing an electronic copy of the destruction register in the recordkeeping section of the shared drive for future reference. If the record is in NIA, then you also need to note the destruction using the Archive/Destruction tab on the DOCLOC Case page.

## Retention and disposal actions

If the record ...	then...
is marked for retention as a public archive	<p><b>Dispose</b></p> <ul style="list-style-type: none"> <li>- organise the transfer of the records for the station's next scheduled transfer to Archives New Zealand.</li> </ul> <p>For instructions on the transfer process see 'Transfer of physical records to Archives New Zealand'.</p>
is marked for destruction	<p><b>Dispose</b></p> <ul style="list-style-type: none"> <li>- list it on the disposing station's destruction register</li> <li>- destroy it in a secure and timely manner using approved methods of destruction.</li> </ul>
has not yet completed its retention period	<p><b>Retain</b></p> <ul style="list-style-type: none"> <li>- store in an organised manner in onsite or offsite records storage</li> <li>- document the retention period, disposal action and disposal criteria on the file cover sheet.</li> </ul> <p><b>Note:</b> Records sent to offsite records storage must be assigned a review date related to the retention period of the records.</p>
completed the retention period but still serves a business need in the organisation	<p><b>Retain</b></p> <ul style="list-style-type: none"> <li>- assign a review date reflecting the expected timeframe required for the record to fulfil its business need</li> <li>- document the review date on the file cover sheet.</li> </ul>

**Note:** The agency retention period begins when the record is **closed**. Disposal actions cannot be carried out on open or inactivated records unless they qualify for an artificial closed date, e.g. serious unsolved crimes where the case may never be closed, or where a crime has been solved and the case closed, but the record cannot be closed due to minor administrative or technical issue.

## Approved methods of destruction

The approved methods for destroying paper records are:

- shredding to below 5mm
- pulping, or
- dry maceration (reduces paper to fine particles).

Other media records must be destroyed by cutting, crushing, shredding or chemical recycling.

Police's offsite records storage provider, The Information Management Group (TiMG), provides secure destruction services for Police records. They supply bins for records appraised for destruction:

- Use **blue bins** for paper records only, **DO NOT** use them for physical digital media (DVDs, Video, Audio, external hard drives, memory sticks and so on).
- Use **red-lidded bins** for physical digital media (Video, DVDs, Audio, external hard drives, memory sticks etc.) - These bins are uplifted on request once full. They are not to be uplifted in the same regular and more frequent cycle used for the blue bins.



## **Disposal of video (DVD/VHS) interviews**

All video interviews must be treated as part of, and held with, the physical case file.

### **Offender/Suspect video (DVD/VHS) interviews**

It is the responsibility of the O/C case (and / or supervisors) to ensure that the master copy and all working copies of offender video (DVD/VHS) interviews are attached to the physical file prior to sending to records staff for filing.

Disposal must be undertaken in accordance with the [Police Retention and Disposal Schedule \(Part One: Offence and Incident Records\)](#).

### **Witness video (DVD/VHS) interviews**

It is the responsibility of the O/C case (and / or supervisors) to ensure that the master copy and all working copies of witness video (DVD/VHS) interviews are attached to the physical file prior to sending to records staff for filing.

Disposal is to be undertaken in accordance with the [Evidence Regulations 2007](#) (Subpart 4 - Retention and destruction of master copy, copies of master copy, working copy, copies of working copy, and lawyer's copy).

## **Transferring physical records to Archives New Zealand**

The process for transferring physical files to Archives New Zealand is set out on its website under 'Transfer of physical records to Archives New Zealand'.

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