



22 DEC 2020

Dear

On 9 November 2020, you contacted the Historic Claims team at the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information:

- *Has the Ministry, Archives New Zealand or Iron Mountain destroyed documents prior to 2017?*
- *Does the Ministry contract any storage facilities other than Archives NZ and Iron Mountain?*

On 7 December 2020, the Ministry emailed you advising of the need to extend your request. You were advised that a decision would be sent to you on or before 23 December 2020.

This response below explains how the Ministry approaches the disposal of records and how it protects valuable records such as those relating to the historic claims process.

### **Destruction of documents**

The Public Records Act 2005 (PRA) requires government agencies to create and maintain records of business activities.

Once created, these records must be retained until they can be disposed, most commonly by being transferred to Archives New Zealand to be kept as a public archive or by being destroyed. This disposal is authorised through disposal authorities, legal instruments which specify which information can be transferred or destroyed and the minimum period that information must be retained for prior to any disposal.

For the Ministry, these disposal authorities are currently general disposal authorities 6 and 7 and disposal authority 222 (which covers some records related to the payment of benefits). Prior to the establishment of Oranga Tamariki in 2017, the Ministry was also responsible for records covered by disposal authority 60. Please see the following links below for more information on these authorities and the disposal process:

- [www.archives.govt.nz/manage-information/resources-and-guides/disposal/general-disposal-authorities](http://www.archives.govt.nz/manage-information/resources-and-guides/disposal/general-disposal-authorities)
- [www.archway.archives.govt.nz/ViewEntity.do?code=DA222](http://www.archway.archives.govt.nz/ViewEntity.do?code=DA222)
- [www.archway.archives.govt.nz/ViewEntity.do?code=DA60](http://www.archway.archives.govt.nz/ViewEntity.do?code=DA60)
- <https://archives.govt.nz/manage-information/your-responsibilities/disposal-process>
- [www.archives.govt.nz/manage-information/your-responsibilities/appraisal-process](http://www.archives.govt.nz/manage-information/your-responsibilities/appraisal-process)

In line with these requirements, the Ministry regularly destroys selected records; where these records are held by Iron Mountain, they carry out this destruction on the

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Ministry's behalf. Records only become eligible for destruction once there is no business need to retain them. This routine destruction has occurred for as long as the Ministry has had appropriate authorisation, including years prior to 2017.

Please note that historically other legislation and authorities than those listed above will have applied. In particular, a temporary embargo on the destruction of any non-benefit records by the Department of Social Welfare and its successor agencies (including the Ministry) was put in place in 1991 to allow for reworking of the Department's disposal authorities. This embargo has since been lifted, but any records potentially relevant to historic claims are currently excluded from any authorised disposal to ensure the integrity of that process.

### **Contracted storage facilities**

The Ministry currently only has record storage contracts with Iron Mountain. Archives New Zealand do not currently provide a contracted storage service; any Ministry records held by Archives NZ will have been transferred into their control under a disposal authority as described above.

The principles and purposes of the Official Information Act 1982 under which you made your request are:

- to create greater openness and transparency about the plans, work and activities of the Government,
- to increase the ability of the public to participate in the making and administration of our laws and policies and
- to lead to greater accountability in the conduct of public affairs.

This Ministry fully supports those principles and purposes. The Ministry therefore intends to make the information contained in this letter available to the wider public. The Ministry will do this by publishing this letter on the Ministry of Social Development's website. Your personal details will be deleted, and the Ministry will not publish any information that would identify you as the person who requested the information.

If you wish to discuss this response with us, please feel free to contact [OIA\\_Requests@msd.govt.nz](mailto:OIA_Requests@msd.govt.nz).

If you are not satisfied with this response, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or 0800 802 602.

Yours sincerely



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**General Manager  
Information**