INFORMATION AND RECORDS MANAGEMENT POLICY

Version number 1.1 December 2023

1. MBIE guiding principles relevant to this policy

1.1 The Information and Records Management Policy aligns with the following MBIE guiding principles:

a. ensuring our core values and diverse and inclusive culture, including partnering with Māori, are at the heart of what we do

b. protecting organisational reputation

c. ensuring the best use of taxpayer funds

d. complying with legislation, regulations, and standards.

2 Purpose

2.1 The purpose of the Information and Records Management Policy is to*:*

a. establish how MBIE must manage information and records to meet the obligations of the Public Records Act 2005 (the Act) and all Archives New Zealand (ARNZ) standards, as well as other topic specific legislative requirements

b. provide a governance framework for record keeping accountabilities and responsibilities

c. ensure full, accurate and transparent records of business activities are created, captured, maintained, made accessible, stored, and legally disposed of in accordance with legislative requirements.

3 Scope

3.1 This policy applies to all staff, secondees and contractors employed or engaged on any basis by MBIE (our people), whether they are casual, fixed term or permanent, whether full time or part time and whether they are in New Zealand or in any other country.

3.2 This policy applies to all MBIE information and systems in all operating environments.

4 Help

4.1 For any queries relating to the policy, please contact the Information Management team or email infoquality@mbie.govt.nz.

5 Definition of terms

Term	Definition
Copyright	Copyright exists in original works of literary, dramatic, musical, or artistic works, sound recordings and films. Copyright is an automatic right, existing when the work is created, published, or performed. Copyright on agency generated works is held by the Crown.
Creation	Includes any physical or digital process that generates an item of information, whether it is new and unique or transforms an existing item. This also includes material that has been sourced from outside of MBIE and transformed into something else. e.g., data collated into a dataset.
Data	Reinterpretable representation of information in a formalised manner suitable for communication, interpretation, or processing.

Disposal	In the context of information and records, disposal means the decision-making processes for retaining, transferring or destroying information and records
Executive Sponsor	Person appointed by The Secretary, to oversee information and records management at MBIE who ensures compliance with the Public Records Act 2005, liaise with Archives New Zealand about monitoring and reporting on compliance, and cooperates and align best practice process with his/her peers in other organisations.
Information	For the purposes of this policy, information includes information, data, records, and meta-data. In this context, information is knowledge, facts or details that have been created and/or obtained and managed by MBIE.
Personal information	Information about an identifiable, living person.
Records	Any information, regardless of form and format, from documents through to data. A record includes its metadata, which is also managed as a record and the records of any task contracted to an independent contractor.
Records management	Is an integrated framework of governance arrangements, architectures, policies, processes, systems, tools, and techniques that enable organisations to create and maintain trustworthy evidence of business activity in the form of records.
Retention and disposal schedule	A records retention and disposal schedule outline show long items must be kept and provides disposal guidelines for how items should be discarded.

6 Policy statements

6.1 MBIE must have a records management framework (the Framework) as required under the Public Records Act 2005 and the Archives New Zealand Information and records management standard (the Standard) to manage and maintain full, authentic, accurate and accessible records over time. The Framework must include procedures, guidelines, training, and metadata creation.

6.2 Archives New Zealand must be advised of MBIE's Executive Sponsor appointment.

6.3 Executive Sponsor responsibility must be included in his/her performance plan.

6.4 Our people must comply with the Framework. To support compliance, MBIE will ensure our people are aware of their information and records management responsibilities by providing training and guidance as required.

6.5 MBIE's information and records storing systems must be configured to ensure appropriate classification and management of records, including records of any matters contracted out to independent parties.

6.6 Records must be stored for as long as they are required by legislation, and protected to prevent unauthorised and unlawful access, alteration, damage, loss, deletion, destruction, theft, vandalism, misuse, or inadvertent release, using appropriate content management systems.

6.7 MBIE must create, maintain, and execute a Retention and Disposal Schedule to enable records to be legally retained and disposed of. A register of all authorised disposals will be maintained.

6.8 Records under MBIE's control must be maintained in an accessible form to enable subsequent reference, until their disposal is authorised by or under the appropriate legislation.

7 Key accountabilities and responsibilities

Role	Responsibility
Governance and oversight	
Secretary for Business, Innovation and Employment and Chief Executive (The Secretary)	• Approves new or major amendment to a governance policy • Assigns the responsibilities of the Executive Sponsor to a designated senior role
Senior Leadership Team	• Ensures the policy is applied to MBIE's governance system – Mana Whakaruruhau
Assurance, Risk and Accountability Committee (ARA)	• Maintains overall oversight of the status of this policy • Endorses new and major amendments
Business group management: Identify and manage risks in day-to-day operations (1st Line)	
Deputy Secretaries (Dep Secs)	• Provide leadership to embed the policy within their business group • Provide assurance to the Secretary that their business group is compliant with the policy and that matters of non-compliance are dealt with appropriately
General Managers **(Tier 3)**	• Are responsible for embedding the policy into operational activities within their business area • Ensure our people complete records management online training • Ensure our people are made aware of and comply with the policy • Ensure our people complete Privacy online training • Ensure any information release is in line with MBIE policy
Our people	• Comply with all policies and procedures applicable to their role • Participate in relevant training as required • Create full and accurate records of activities, transactions, and decisions, consistent with prudent business practice • Save records so they can be discovered, used, and managed – including ensuring records are described and named well and saved in a compliant location (either physical or digital)

	• Ensure sensitive information is protected and information is only shared using MBIE's prescribed tools, methods and protocols • Ensure personal information is managed in accordance with MBIE's Privacy policy and standards • Ensure information protected by copyright is handled in accordance with the Copyright Act 1994
Specialist functions: Set MBIE-wide expectations, policies, and procedures (2nd Line)	
Chief Data Officer (Policy Owner) and Executive Sponsor	• Responsible for the strategic oversight of information and records management • Ensures the policy is supported and working effectively through regular monitoring and reporting on policy compliance to the Compliance Centre of Excellence • Assists business groups with any breach management / mitigation activities as required • Ensures the policy is reviewed and updated by the agreed review date • Responsible for cooperating and liaising with Archives New Zealand about monitoring and reporting on compliance. • Networks with Executive Sponsors in other organisations to cooperate and align best practice processes
Business systems owners	• Ensure all systems that create, and store records are, and remain, compliant with this policy • Ensure critical mandatory metadata is collected, records are protected from unauthorised or unlawful access, destruction, loss, deletion, or alteration to the extent it is possible • Ensure records remain useable and accessible for as long as the information is required to be retained, in accordance with this policy and its associated procedures • Ensure records are managed and disposed of in accordance with this policy and its associated procedures to avoid unnecessary storage costs • Ensure information is managed appropriately over its lifecycle
Cyber Security Team/Manager	• Ensures that enterprise systems are compliant with this policy

Information Management Team/Manager	• Supports the CDO and the MBIE Executive Sponsor with monitoring and compliance of this policy • Manage the disposal of all MBIE information and records, including the transfer of records to Archives NZ, completion of any Public Records Act Section 23 transfers • Maintain and manage the disposal register • Maintain and manage the register of all breaches of this policy
Protective Security Team/Manager	• Ensures that enterprise policy protects information and records in accordance with the all-of-government Protective Security Requirements.
Raraunga Matihiko Māori Team/Manager	• Ensures that the policy gives effect to the principles of te Tiriti o Waitangi / the Treaty of Waitangi
Technology and Architecture Team/Manager	• Ensures that enterprise systems are compliant with this policy

8 Procedures

a. DA558 General Disposal Authority 6: Common Corporate Services Public Records

b. DA576 General Disposal Authority 7: Facilitative, Transitory, and/or Short-Term Value Records

c. DA644 MBIE Records Retention and Disposal Schedule

d. Guidance and advice on the management of information and data

9 Related MBIE policies and documents

a. Enterprise Data Governance Policy

b. ICT Acceptable Use Policy

c. Information Gathering Policy

d. Official Information Act Requests Policy

e. Privacy Policy

f. Protective Security Policy

g. Social Media Channel Policy

10 Relevant legislation, regulations, and standards

a. Official Information Act 1982

b. Privacy Act 2020

c. Public Records Act 2005

d. Information and Records Management Standard

e. Further relevant legislation, regulations and standards listed in Appendix 1 of this policy

11 Measures of success and compliance management

11.1 The Chief Data Officer will assess the effectiveness of this policy based on the following measures of success:

a. At least 90 % of our people complete the relevant learning modules e.g., Records management 101, MAKO Workshop within 3 months of commencing work with MBIE.

b. All business groups have information and records management procedures and processes documented.

c. Information and records management requirements are documented or reflected in specifications for systems and metadata schemas.

d. The decommissioning of systems follows the requirements for disposing of information and records

e. Storage solutions are compliant with the requirements of this policy

11.2 The Chief Data Officer will monitor compliance with this policy as follows:

a. Maintain a central register to record breaches of the policy.

b. Maintain a register of all approved disposals.

11.3 Compliance information regarding the performance of this policy will be provided to the relevant business group and Compliance Centre of Excellence on a quarterly basis.

12 Non-compliance

12.1 Failure to comply with this policy may be considered a breach of the Code of Conduct, and may result in the loss of access to data and/or specific IT systems by individuals or teams.

12.2 Any action taken because of a breach of any of the obligations set out in this policy will be conducted in good faith, a fair process will be followed, and the person involved will have a full opportunity to respond to the concerns or allegations and have access to appropriate support, advice, or representation.

Appendix 1: Information and Records Management Policy – Further related Legislation, regulations and standards

a. **Contract and Commercial Law Act 2017** (CCLA) section 229(2) mandates the "Authority to retain public records in electronic (digital) form only."

b. **Companies Act 1993**, states company records must be kept years for 7 years.

c. **Copyright Act 1994** which protects original works, published or unpublished, in print or stored electronically, from copying without approval from the copyright owner, unless there is a statutory exception to such infringement.

d. **Crimes Act 1961** **and** **Summary Offences Act 1981** make it an offence to use or disclose information without authorisation and set out penalties for the unauthorised use or disclosure of that information.

e. **Employment Relations Act 2000** requires employers to maintain wage, time, holiday and leave records for their employees.

f. **Evidence Act 2006** governs the legal admissibility of documents and affects the form of the record retained.

g. **Financial Reporting Act 2013** defines the standards to be used in preparing financial reports and obligations in respect of the preparation and audit of financial statements.

h. **Health and Safety at Work Act 2015** requires employers to maintain a register of accidents and incidents where staff are seriously harmed.

i. **Holidays Act 2003** states holiday and leave records must be kept for not less than 6 years.

j. **Patents Act 2013 and the Patents Regulations 2014** sets out the requirements for filing and issuing patents.

k. **Public Finance Act 1989** sets requirements for Crown Agencies in terms of financial reporting and accountability.

l. **State Sector Act 1988** aims to promote efficiency in the State Services and other agencies; ensure responsible management; maintain appropriate standards of integrity and conduct among employees in the State Services and other agencies; ensure that every employer in the State Services is a good employer; promote equal employment opportunities (EEO); and provide for the negotiation of conditions of employment in the State Services and other agencies.

m. **Tax Administration Act 1994** requires taxpayers and employers to keep records for 7 years for tax purposes.

n. Public Service Code of Conduct, 2007

o. International Standards Organisation. Information and Documentation: Records Management (ISO 15489), 2001

p. Standards New Zealand, Information Security Risk Management Guidelines. New Zealand Standard HB 231:2004

q. Protective Security Requirements (maintained by Government Communications and Security Bureau, NZ Security Intelligence Service and Department of the Prime Minister and Cabinet)