

Submission Analysis – NLNZ Removal and Disposal Policy

Purpose

1. The purpose of this paper is to:
 - summarise the feedback received on the National Library's draft Removal and Disposal Policy (**Policy**) public engagement process; and
 - outline key themes and recommended changes for further consideration.

Summary of process and numbers

2. Public feedback on the Policy was received between 3 April 2023 and 12 May 2023. Feedback was received via an online form, verbally through meetings and discussions, and via email:
 - a. There were 12 group discussions:
 - i. 3 with invitations to research community – PHANZA, NZHA, NOHANZ, Stout Research Centre
 - ii. 1 with Library sector, via LIANZA webinar
 - iii. 1 with Book Guardians Aotearoa
 - iv. 2 with specific libraries who requested a detailed conversation
 - v. 1 with music community interest groups and individuals
 - vi. 1 with an engaged member of the public, on request
 - vii. 3 with Minister and NLNZ Advisory Groups
 - Library and Information Advisory Commission
 - Guardians Kaitiaki of the Alexander Turnbull Library
 - Kōmiti Māori.
 - b. There was written feedback from 14 individuals and 9 organisations or interest groups.
 - c. Verbal feedback was received from several discussions with stakeholders and individuals.

Main themes

Inconsistent understanding of National Library role and the purpose of different collections.

3. This was expressed in many ways – sometimes through confusion or genuine surprise, sometimes through anger or frustration, and sometimes much more articulately and with depth of understanding by library sector colleagues.

Concepts like *library of last resort* and *general reference library for New Zealand* came up repeatedly. Neither of these concepts have been a driving force in strategy, policy or decision making for over 20 years, however they are still prevalent in how a number of stakeholders saw the National Library's role and the purpose of collections. Sometimes those concepts have been expanded from their original purpose too. For example:

- the *library of last resort* was an Alexander Turnbull Library concept, prevalent through the 1970s –90s and applied to NZ and Pacific material only. However, there are some stakeholders who see that as the role of the “entire” National Library.

- A *general reference library for NZ* has also not been a concept held or acted on for decades, rather the general collections have been developed around priorities for the library system and not been developed to be comprehensive.

Response

4. Ongoing engagement with reinforced key messages: The purposes of the collections are articulated in the Policy; however, the responses received, and similar recent feedback and experiences over recent years, do point to the need for ongoing wider, regular engagement with stakeholders and the public on the National Library's collections and purposes.
5. Consideration should be given to limiting the scope of the Policy to general collections and copies only (see further below).
6. The definition of the purpose of the general collection could be looked at again to ensure it is clear and able to be better understood. .

Concern/questioning about the inclusion of Alexander Turnbull Library collections in scope

7. The National Library Act contains specific provisions relating to the Alexander Turnbull Library (ATL) collections (e.g. sections 9(3), 9(4)(b), and 11(2)), which don't easily fit with the scope of a removal/disposal policy that would cover the ATL collections as well as the general collections.

It was intended that this Policy could cover the very rare occasions where there could be an ATL removal (generally related to where something should not have been in the ATL collections in the first place or for some other legal requirement).

However, inclusion of the ATL collections within the draft Policy causes some confusion, and raises a potential issue the Policy could be seen as inconsistent with the Act.

Response

8. It is recommended that the ATL collections be removed from scope of the Policy. This will provide clarity to stakeholders and ensure there is no confusion about the status of the ATL collections.

This would mean that any proposal to remove or dispose of documents from the ATL collections would go through a separate process.

Strong interest in collection management decision making

9. There was significant interest in the analysis and processes that sit behind implementation of Principles 3:

Before a recommendation is made for removal, an assessment will be made about the impact on the ongoing information and cultural needs of New Zealander.

10. I thought this engagement was encouraging. All good professional collection management decision making considers a range of, often competing, variables. A transparent process (principles 13 and 14) for removal and disposal is an opportunity to highlight the considerations of librarians. Many sector leaders I spoke to also understood this opportunity.
11. However, tensions with principle 3 remain: some stakeholders understood that decision making sits within the framing of policy principles, collection purposes, and organisational purposes at an aggregated level – so that not all needs can always be accounted for. Others saw it as

mechanism to ensure very specific information needs were able met. Where these tensions exist, they will need to be clearly communicated as part of implementation of the Policy.

Response

12. Consider the final wording of this principle within the potential real examples that may exist for removal and disposal in the next 5 years. It will be one of the main principles that form the basis of interaction between librarians (who need to feel confident in making decisions within the frame) and researchers/stakeholders (who need to feel confident they have a real basis for genuine engagement).

Strong support for Policy overall, especially transparency and participatory intentions.

13. Principles 12-14 (process principles) outline the Library's intention to be transparent about its intention to remove/dispose of documents, and to ensure that there's an opportunity for participation in the process for relevant parties [this is paraphrased].
14. There was very strong support for these principles and the process/precedent that this will have.
15. I repeatedly asked the question: what does transparency look like for you? Discussion tended toward referring to the 'intention to remove/dispose' page on the website, which outlines areas of collections that are intended to be considered for removal and provides interested parties (through mailing lists or in some other form) with the opportunity to outline that they are an interested party [and what their interest position is].

Response

16. Consider the forward plan for intention to remove/dispose as part of the Policy implementation documentation.

Drawing on lessons/experiences of OPC removal decisions and process

17. Much discussion, and some feedback, centred around the experiences of the recent disposal project of items from the overseas published collections (OPC). Some discussion was used as an attempt to relitigate that decision of removal, which has already been made under appropriate process. Going forward, any decision on removal of any additional items from the general collections (including OPC items) items will follow this new Policy.
18. There was some discussion about size and scale of removal could impact the intentions behind the transparency (principle 12) and participation (principles 13 and 14) process principles in the Policy. For example, a significant engagement exercise on 1 or 2 items or a normal engagement on very complex or a large number of items.

Response

19. Consider whether there could be a principle that supports good engagement/participation that relates to size and scale being commensurate with the engagement required/wanted, or whether that sits within the process documentation of implementing the Policy.

Summary of feedback for specific sections of the Policy

| Policy section | Summary of substantive feedback | Specific example from feedback received | Response from Library |
|---|---|--|---|
| Scope | Questioning of the validity of Alexander Turnbull Library collections being in scope of this policy given the mandate outlined in the National Library Act 2003 which states their requirement to be maintained in perpetuity (s9(3)) and to be continued to be owned by the Crown (s11(2)) | <i>The notion that items may be removed from ATL collections under any circumstances was confusing to [our organisation] because it seems to be contrary to statements made in governmental legislation and other National Library documentation.</i> | Change: Remove Alexander Turnbull Library collections from scope of the Policy. The circumstances for potential removal from ATL collections are limited so it would be preferable not to include them in a policy intended for wider operational purposes. |
| Circumstances for Removal: Items no longer fulfil the purpose for which they were collected and have not taken on a subsequent purpose that aligns with the collections policy | Questioning of the reasoning for purpose for which they were collected and the relationship between collections policy and removal and disposal policy | <i>Concern at the perceived breadth of this explanation. How will NLNZ ensure their collection policies account for the changing information needs of different groups at different stages of life?</i> <i>Can NLNZ ensure that actions taken under this policy won't adversely impact on the ability of information needs of NZ'ers in the future to be understood and met?</i> | Comment: The removal of ATL from scope will assist with addressing this concern. The Policy will cover the general collections only, which are intended for current information need and support of library system. However it may be a duplicate of circumstance below so consider whether this one is needed. Change: the definition of the general collections to ensure the purpose of that collection is clear |
| Circumstances for Removal: Items in the general collections do not align with the National Library's collections policy | | <i>We question what the term 'current information needs' means in this context. We would hope that material that has any research value would be retained and could possibly be transferred to the ATL collection. Researchers often refer to what many would see as 'outdated' material to explore the views of people of the past.</i> | |
| Removal Principle 2 Removal of collection items must be consistent with New Zealand law | Strong support for this principle | <i>We welcome the acknowledgement of the role of New Zealand law and recommend that the removal and disposal of collection items must be consistent with a mutually agreed understanding of New Zealand copyright legislation.</i> | Comment: The Library notes the range of legislation that could be relevant; however, referring to some legislation in a non-exhaustive list can raise issues in itself. The preference is to keep this principle broad and general. No change to principle |
| Removal Principle 3: Before a recommendation is made for removal, an assessment will be made about the impact on the ongoing information and cultural needs of New Zealanders | Most debate related to this principle. Overall very strong support for it being there however a high number of questions about how this will be determined and communicated. | <i>Removal principle 3 (p7) is of critical importance for the research communities. The question is just how ongoing informational and cultural needs are determined by library staff.</i> <i>This is difficult for all custodial institutions, and especially for those such as the National Library with national responsibilities.</i> <i>Unlike public library 'weeding', which is a routine exercise, removal of stock from such collections should involve expert disciplinary advice and wide user consultation, with proper item by item consideration.</i> <i>In a library purporting to hold research collections it is inappropriate to place undue weight on the ages of items and the number of times they have recently been issued.</i> <i>How does the National Library identify and define "current information needs of New Zealanders" given the cosmopolitan and diverse population New Zealand has become</i> | Comment: The removal of the research collections of the Alexander Turnbull Library from scope should go some way to clarifying the intent of this principle. As a principles-based policy, the specific of the concepts like these are manifest in their implementation. Each removal and disposal must outline how it has addressed these concepts. No Change to principle |
| Removal Principle 4: Removal recommendations will take into consideration the relationship items have with other items in the collections | No specific comment, but general support through the discussions with interested parties. | N/A | No Change to principle |

| Policy section | Summary of substantive feedback | Specific example from feedback received | Response from Library |
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| Removal Principle 5: Removal recommendations will take into consideration the relationship items have with other items in the collections | No specific comment, but general support through the discussions with interested parties. | N/A | No change to principle |
| Removal Principle 6: The cost of maintaining and storing items is not the primary driver for removal decisions. | Little written feedback on this principle however there were lots of discussion in the engagement hui. While a small number thought cost shouldn't be considered at all, most wanted to understand the role of cost as not a primary driver, rather a secondary consideration. | <i>Cost implications should be re-worded. Cost of maintaining and storing items should not be a consideration for removal.</i> Paraphrased: <i>How does the Library ensure that storage cost does not become the primary driver?</i> | Comment: Cost is a consideration in all collection management decision making – acquisition, storage, packaging, environmental conditions, access, removal. The implementation templates are to ensure how cost has been considered with a removal decision. No change to principle |
| Disposal Principle 7: Disposal of items must be consistent with New Zealand law | Little feedback in this principle. One stakeholder requested more specific mention legislation. | <i>International law plays a significant role in copyright. We therefore recommend that point two and point seven should be extended to include adherence to relevant international copyright laws and treaties, including but not limited to the Berne Convention for the Protection of Literary and Artistic Works and Trade-Related Aspects of Intellectual Property Rights</i> | Comment: The Library notes the range of legislation that could be relevant; however, referring to some legislation in a non-exhaustive list can raise issues in itself. The preference is to keep this principle broad and general. No change to principle |
| Disposal Principle 8: The National Librarian can consider a wide range of potential disposal options, including transfer, sale, donation and destruction | Little specific feedback on this principle. There was general acknowledgement of the breadth of options available and the one chosen has the potential to impact the Library's reputation. | <i>Very careful consideration should be given to modes of disposal for material removed from collections. How this is handled is likely to have significant bearing on the National Library's standing and public reputation.</i> | Comment: Noted. No change to principle |
| Disposal Principle 9: Where a range of viable options are available, disposal actions that enable ongoing public access will be prioritised | General feedback that this was an important principle. | <i>Disposal principle 3 (p7) is of considerable importance, especially in the case of holdings which the National Library may wish to relinquish but are either rare or singular in New Zealand.</i> <i>Disposal Principle 9: this is important. Sending books overseas for digitization doesn't ensure ongoing public access - see Google Books. This is without even taking into account digital divide issues.</i> | Comment: Noted. No change to principle |
| Disposal Principle 10: The costs of potential disposal actions will be understood and considered and may influence disposal decisions | No substantive feedback on this principle. Most cost conversation took place in relation to removal, under principle 6. | N/A | No change to principle |
| Disposal Principle 11: If transfer to another party was agreed as part of the removal decision, no other disposal actions will be considered. | No substantive feedback on this principle | N/A | No change to principle |

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| Policy section | Summary of substantive feedback | Specific example from feedback received | Response from Library |
|---|---|---|---|
| <p>Process Principle 12: The process for making removal and disposal decisions, and the outcome of these decisions, is transparent</p> | <p>There was substantial discussion and feedback on this principle. Strong support for the principle itself with most discussion focussed on what transparency looks like from different perspectives and how that might be enacted.</p> | <p><i>Ensuring that removal and disposal proposals are much more transparent, and open for genuine consultation, would be a significant move forward.</i> <i>Much of the current public criticism of the National Library arises from a perception of unilateral decisions influenced not by users but by the Library's administering department.</i> [Paraphrased from several discussions]: <i>Recommend publicising a plan or intent document that outlines classes of collections to be considered for removal and disposal that enables interested parties to register their interest in participating/providing feedback.</i> <i>We believe that the policy's commitment to transparency in decision making will be welcomed by the creative industries we represent. However, we recommend that the policy elucidate in detail on the procedural precautions that will be taken to ensure transparency is achieved</i></p> | <p>Comment: Agree on the value of a transparent process, for ensuring good participation/feedback and to support with trust in Library collection management decision making. No change to principle, however Change to the implementation processes and templates to ensure there's appropriate indicators to plans for removal and disposal activities, where plans and intention exists.</p> |
| <p>Process Principle 13: The National Library builds or maintains relationships with people who have significant connections to collection items being considered for removal and disposal</p> <p>Process Principle 14: The National Library seeks advice from relevant groups and individuals to ensure decisions align with the Removal and Disposal Policy</p> | <p>Significant feedback and discussion on these two principles, primarily agreeing with their purpose but seeking clarification on detail and how the Library will:</p> <ul style="list-style-type: none"> - Build and maintain the necessary relationships - Respond or integrate feedback into decision making - Ensure balance of perspectives are considered where a variety of views exist. | <p><i>We particularly endorse points 13 and 14 that there is open dialogue with relevant institutions, community groups and individuals</i> <i>Such decisions, relating to public assets, should involve wider consultation than principally the library profession and members of the GLAM community.</i> <i>With respect to point fourteen, we recommend that the policy provides greater detail on the process for identifying relevant groups and individuals to ensure that decisions align with the policy, and that the policy should contain a commitment to inclusive treatment of authors and publishers.</i> <i>My concern is that although it specifically states the National Library seek advice from relevant groups and individuals, it doesn't empower the library to ignore advice from irrelevant groups and individuals</i></p> | <p>Comment: It is encouraging to see the overall support for these principles. Much of the feedback emphasised the need to get engagement right, to empower participation and for the Library to consider a range of views and make a decision. Most of the comment related to how the purpose of these principles would be implemented. Due to the range of circumstances around removal and disposal it is not good policy to code that process into policy. However the documentation must include how these principles have been considered for removal and disposal decisions. No change to principle</p> |
| <p>Principle 15: Appropriate tikanga will be followed when making and implementing removal and disposal decisions</p> | <p>No substantive feedback on this principle</p> | <p>N/A</p> | <p>No change to principle</p> |
| <p>Principle 16: A record of items considered for removal from collections, and any supporting disposal action taken, will be made and kept</p> | <p>No substantive feedback on this principle</p> | <p>N/A</p> | <p>No change to principle</p> |
| <p>Principle 17: A summary of engagement activities and outcomes will be provided to the person making final removal or disposal decisions.</p> | <p>No substantive feedback on this principle</p> | <p>N/A</p> | <p>No change to principle</p> |

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