



24 April 2015

Mr Andrew Bridgman  
Secretary for Justice and Chief Executive  
Ministry of Justice

Section 9(2)(a)

Dear Mr Bridgman

### **PUBLIC RECORDS ACT AUDIT OF THE MINISTRY OF JUSTICE**

The attached Audit Findings Report provides the findings of the recent audit of the recordkeeping practices of the Ministry of Justice undertaken in accordance with section 33 of the Public Records Act 2005.

The objectives of the Public Records Act audits are to:

- provide an independent review of your organisation's recordkeeping capability development;
- assess compliance with the requirements of the Public Records Act; and
- if necessary, identify the business risks to which your organisation may be exposed as a result of any poor recordkeeping practice.

#### **Circulation of Report**

To ensure that the maximum value is gained from the audit process, I encourage you to circulate the Audit Findings Report and this letter to your managers with accountability for information management, records management, legal compliance reporting, risk management and business performance improvement. As noted in our first letter on 20 June 2014 the Audit Findings Report and this letter have been copied to Tina Wakefield, who is your organisation's Senior Responsible Officer for this audit.

#### **Public Records Act requirements covered in your audit**

The Public Records Act requires public offices to:

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|------------|--|
| Section 17 | create and maintain full and accurate records of their affairs;                                      |
| Section 17 | maintain public records in an accessible form, so as to be able to be used for subsequent reference; |
| Section 18 | ensure that they have appropriate authority to dispose of public records;                            |
| Section 21 | transfer possession and control of public records that have been in existence for 25 years; and      |
| Section 27 | comply with standards issued by the Chief Archivist.   |

Under Section 27 of the Public Records Act, a new mandatory standard – *Records Management Standard for the New Zealand Public Sector* - was issued on 1 July 2014. It prescribes good recordkeeping practice for Public Offices (for further information, see <http://archives.govt.nz/advice/guidance-and-standards/recordkeeping-standards>).

### Recordkeeping Capability Development

The recordkeeping audits assess organisational maturity against eight recordkeeping capability activities. Each activity is assessed against the requirements met and a rating for mature, developing or low capability is given. The attached table represents the assessment of capability within the Ministry of Justice.

Activities	Capability Assessment
Planning	Mature
Resourcing	Mature
Training	Developing
Reporting	Mature
Creation and capture	Developing
Retrievability and Security	Developing
Maintenance and storage	Mature
Disposal and transfer	Mature

### Physical Storage Inspection

The audit included a physical storage inspection of paper records stored on **Section 9(2)(ba)(ii)**. A summary of the findings is:

- Records are controlled so that they are able to be identified and retrieved easily, and to prevent damage or loss.
- Section 9(2)(ba)(ii)**
- Section 9(2)(ba)(ii)**
- The Disaster management plan is established and available via JET (the intranet).
- The Manager Information Management Services has completed protection and salvage training.

### Compliance with Public Records Act

The audit found that the Ministry of Justice is making progress with developing its recordkeeping capability.

While there are areas of activity requiring attention, the overall awareness of requirements and responsibilities under the Public Records Act and mandatory standards is developing.

Some of the key findings are:

- The audit found that Ministry of Justice is aware of areas for recordkeeping focus, and good progress is being made.
- The Ministry of Justice is identifying areas for recordkeeping development and coordination using a risk based approach.
- Plans are in place to improve electronic records management based on an Enterprise Content Management System.
- The Information Management Services team appears to be very well aware of the resourcing implications of ensuring that both the day to day records management activities and the Enterprise Content Management System development are successful and meets the needs of the organisation.

The Ministry of Justice's stakeholders can therefore have a measure of assurance that its recordkeeping is developing in line with best practice, and contributing to broader organisational and governmental goals.

#### Recommendations for Capability Development

Accordingly, I recommend that the Ministry of Justice take steps to:

- include online training for records management within the Ministry's induction programme;
- further develop and implement plans to replace Jukebox with an Enterprise Content Management System;
- implement the Ministry's business classification structure on shared drives;
- incorporate elements of the Public Records Act 2005 and the associated mandatory standard within the Ministry's internal audit programme;
- develop Disposal processes and procedures for digital records; and
- to draft and implement a new Disposal Authority that accurately reflects the Ministry's business functions, activities and transactions for both digital and physical records.

I have asked Polly Martin, Manager Advice and Compliance (Section 9(2)(a)) and Lisa Austin, Acting Manager Disposal and Acquisition (Section 9(2)(a)) to contact your staff in order to provide advice and support around these recommendations.

If you have any questions regarding the audit and its findings, please do not hesitate to contact us.

Yours sincerely



Marilyn Little  
Chief Archivist and General Manager  
Archives New Zealand

CC: Tina Wakefield  
Attached: Audit Findings Report including Storage checklist