Purpose:
To provide a framework, establish accountabilities and maintain recordkeeping practices and principles thereby ensuring that full and accurate records of the business transactions, actions and decisions of Massey University are created and that these records are used, maintained, made accessible, stored and legally disposed of in a manner that meets all relevant legislative, regulatory and University requirements in accordance with prudent business practice.

Policy:
All staff of the University and its affiliated organisations will create and maintain full and accurate records of the University’s business activity, in accordance with its normal, prudent business practice, and capture them in a recordkeeping system. The following recordkeeping principles will apply to all records:

- Records must be accurately and securely captured when generated or received.
- These records should be full and accurate to the extent necessary to:
  - facilitate action by University employees, at any level, and by their successors;
  - make possible a proper investigation of the conduct of business by anyone authorised to undertake such scrutiny and
  - protect the financial, legal and other rights of the University and any others affected by its action and decisions.
- The record copy should be unique and original and should be held once only, by the originator or person who originally created or received it.
- Records must be stored in a manner that ensures that they are accessible to authorised staff but protected from theft, misuse, modification, damage and loss; and accessible over time.
- Access to records must be controlled to ensure compliance with legislation and the University Records Management procedures.
- Records must be classified according to an approved Business Classification Scheme.
Inactive records will be moved to appropriate offsite storage and managed there in accordance with the Offsite Storage procedures.

Vital records will be identified and managed in a secure and protected way.

The retention and disposal of records must be undertaken in accordance with the approved General Disposal Authority (GDA) for Universities and any variations of this that have been approved by Archives New Zealand for use by Massey University. In accordance with the provision of the GDA certain classes of record will automatically be appraised for historical or legacy value by the University Archivist at time of sentencing and the custody of these records will pass to the University Archives at this time.

All records must be:

- Compliant with the recordkeeping requirements arising from the regulatory and accountability environment in which Massey operates.
- Adequate for the purpose for which they are kept.
- Complete or include the structural and contextual information necessary to document and action.
- Meaningful – containing metadata, information and/or linkages that ensure the business context in which the record was created and used is apparent.
- Accurate – to correctly reflect the transactions that they document.
- Authentic – enabling proof that they are what they purport to be and that their purported authors did indeed create them through the use of appropriate metadata.
- Inviolate – securely maintained to prevent unauthorised access, alteration or removal.
- Retained for the time allocated in the retention and disposal schedule and only disposed of with approval from an authorised person.

Note: Some records are excluded from Government or external scrutiny but must still be managed within the Records Management framework as if they were. This adds consistency and value to all staff and stakeholders who access them.

Responsibilities:

The Vice-Chancellor has ultimate responsibility for ensuring that the University meets its statutory and accountability obligations in recordkeeping. The oversight of the administration of University records is vested with the AVC Operations and University Registrar through the execution of the University’s Records Management Programme of work, to support the University’s strategic goals and ensure compliance with the Public Records Act 2005 and best practices for recordkeeping.

Executive are responsible for:

- Ensuring that funds and resources are available for the provision of a records management programme.
Managers (HoDs or equivalent) are responsible for:

- Ensuring that staff are aware of Massey University’s recordkeeping policies and procedures.
- Ensuring that appropriate records are created and maintained in their area of responsibility.
- Assigning recordkeeping responsibilities and ensuring that staff know where to go for assistance.
- Ensuring that no records are destroyed, altered, sold or transferred without authorisation by using the GDA or as authorised by the Records Manager.
- Ensuring that there is a budget to meet Massey University’s recordkeeping responsibilities.
- Ensuring that Records Champions are identified for each area of the business under the Manager's control.

Records Champions are responsible for:

- Assisting staff to adhere to the policy and procedures related to records and recordkeeping.
- Assisting the Records Management team to communicate the objectives of the Records Management programme.
- Ensuring that new staff know where to find information on how records are managed and are trained in the procedures related to recordkeeping.

Records Manager is responsible for:

- Developing and implementing a comprehensive records management programme that supports the University Records Management policy.
- Developing and maintaining recordkeeping policies and procedures covering the access, retrieval, use, retention, disposal, conversion, and migration of records.
- Developing and maintaining the Business Classification Scheme for the University.
- Developing records management training programme and ensuring that all relevant staff receive appropriate recordkeeping training.
- Ensuring that the Records Champion network is established, mentored and trained.
- Coordinating with Massey’s IT specialists and relevant staff to adopt technological solutions which enable effective management of documents and records.
- Developing auditing processes and monitoring recordkeeping systems to ensure compliance and efficiency.
- Providing policy advice and strategic guidance with regard to all recordkeeping practices and systems.
- Ensuring that sentencing of records occurs in accordance with the GDA and the Records Management procedures.
- Authorising the disposal of records.
- Assigning access restrictions to records where necessary.
• Maintaining a recordkeeping intranet site and facilitate communication to the University community on recordkeeping matters.

Records Staff are responsible for:

• Providing records services and user support for the implementation and maintenance of the University Records Management system.
• Coordinating recordkeeping activities and liaise with staff and the Records Champions for the best service delivery and the promotion of good recordkeeping practices.
• Coordinating with relevant staff for the lodgement, storage, retrieval and archiving of records.
• Coordinating the disposal of records in accordance with the standard procedures.
• Providing advice, user training and guidance on recordkeeping as required.

University Archivist is responsible for:

• Appraising for historical and archival value, records identified under the GDA in accordance with the Records Management procedures.
• Appraisal of non record items for historical or archival value.
• Maintenance and storage of archival records to the appropriate standard and in accordance with the PRA requirements.
• Maintenance and storage of non record archives in an approved, compliant and controlled environment.
• Controlling access and use of archival records.
• Arrangement and describing of the archival records according to established principles of archival description.
• Maintaining appropriate metadata for archival records in accordance with the appropriate standards and the Records Management procedures.
• Transfer of archival records to Archives New Zealand or to an Archives New Zealand approved repository in accordance with the GDA and the Records Management procedures.

All Staff are responsible for:

• Complying with Massey University's Records Management policies and procedures.
• Creating full and accurate records of all business activity, including keeping records of work processes as identified in the procedures and documented workflow processes individual to the relevant department.
• Maintaining records using the approved format, naming conventions and storage units; and in accordance with the Records Management procedures.
• Ensuring that personal or duplicate non records are clearly separated from records.
• Appropriately storing records to ensure that they are securely stored and accessible over time.
• Retaining records according to the principles of the Massey University Retention and Disposal Schedule and not relinquishing control over, destroying, or removing records without authority.

• Following the established procedures for disposal of records.

• Preventing any unauthorised access to records and ensuring that personal or sensitive information is protected.

Definitions:

Archives means those records, identified for long term preservation for regulatory or historical reasons.

Affiliated organisations mean those organisations or entities where the University has an ownership stake of 50% or more.

Business activity is an umbrella term covering all the functions, processes, activities and transactions of the University and its employees that are related to the management and administrative functions of the University. It excludes activities related to personal research.

Business classification scheme is the systematic identification and arrangement of business activities and/or records into categories according to logically structured conventions, methods, and procedural rules represented in a classification system.

Classification includes determining document or file-naming conventions, user permissions and security restrictions on records. The structure of a business classification scheme is hierarchical, moving from the general to the specific.

Disposal is the final decision concerning the fate of records, i.e. destruction or transfer to archives. This also includes the programme of activities to support transfer such as surveys, scheduling, and records destruction. Digitisation is also considered a disposal action and needs to be identified, controlled and source records approved for disposal prior to such digitisation occurring.

Non records refer to materials that do not fall within the definition of an official record for the University. This includes copies of records that are kept for personal reference or convenience; or documents/ other items that are identified as being of permanent value and they will be preserved for archival purposes.

Public records means any record, in any form, in whole or in part, created or received by a public office (such as Massey University) in the course of its business. This excludes: special collections and records generated by the academic staff or students of the University that are not defined as University Records. The term Public Record does not necessarily imply public access or the placement of such records into the public arena.

Record is information recorded in any format that is created or received and maintained in the transaction of business activities and retained as evidence of such an activity. A record may be: a document, signature, seal, text, image, sound, speech or data. It can be compiled, recorded or stored in written form on any material, or on film, negative, tape or other medium which will make it reproducible, or by means of any recording device or process, computer, or other electronic device or process which will make it machine readable.

Recordkeeping means the creation and maintenance of complete, accurate and reliable evidence of business transactions in the form of recorded information. Recordkeeping includes the following:

• the creation of records in the course of business activity and the means to ensure the creation of adequate records;

• the design, establishment and operation of recordkeeping systems, including the definition of metadata; and

• the management of records used in business (traditionally regarded as the domain of records management) and as archives (traditionally regarded as the domain of archives administration).
Records management is the field of management responsible for the efficient and systematic control of the creation, receipt, maintenance, use and disposition of records, including processes for capturing and maintaining evidence of and information about business activities and transactions in the form of records.

Retention and disposal schedule and GDA refers to the document that prescribes the length of time that university records are to be retained and how these are to be disposed of when this time has been reached.

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 it to the record.

University record is any record or other material, in any form, which has been created, received, recorded or legally filed by the administrative and academic offices of the University that is related to the management and administrative functions of the University. This includes all processes relating to students, teaching and research management and the activities of affiliated organisations. This excludes: an individual's records or personal papers that have been created in a private capacity, copies of documents used for reference, working papers and published research that are not covered by the University's Intellectual Property Policy.

Vital records means those records that are essential for the ongoing business of the University and without which the University could not continue to function effectively.

**Audience:**

This policy applies to academic and administrative staff of the university and its affiliated organisations, including its business enterprises such as wholly owned subsidiary companies, joint venture companies, partnerships, trusts and research centres.

**Relevant legislation:**

- Financial Legislation
  - Financial Reporting Act 1993
  - Public Finance Act 1989
  - Goods and Services Tax Act 1985
  - Income Tax Act 1994
  - Tax Administration Act 1994

- Māori and Treaty of Waitangi Legislation
  - State Owned Enterprises Act 1986, sec. 9

- Privacy Legislation
  - Privacy Act 1993

- Employment Legislation
  - Employment Contracts Act 1991
  - Health and Safety in Employment Act 1992

- Commercial Legislation
  - Companies Act 1993

- Public Sector Legislation
• Public Records Act 2005
• Official Information Act 1982
• Ombudsmen Act 1975
• Public Finance Act 1989

Intellectual Property Legislation
• Copyright Act 1994
• Designs Act 1953
• Patents Act 1953
• Trade Marks Act 1953

Education Sector Legislation
• Education Act 1989 and amendments
• Massey University Act 1963

Health-related Legislation
• Health Act 1956
• Health (Retention of Health Information) Regulations 1996
• Health Information Privacy Code 1994
• Code of Health and Disability Services Consumers’ Rights

Other Legislation
• Electronic Transactions Act 2002
• Evidence Acts
• National Library of New Zealand Act 2003

Legal compliance:

Financial Legislation
• Financial Reporting Act 1993
  Defines the standards to be used in preparing financial reports and obligations in respect of the preparation and audit of financial statements.
  See also Public Finance Act 1989 for relevant sections

• Goods and Services Tax Act 1985
  Includes requirements for the keeping of records to support the administration of the Goods and Services Tax system (s 75) and their retention for a period of at least seven years after the end of the taxable period to which they relate.

• Income Tax Act 1994
  Includes requirements to furnish records to support specific rebates or deductions, such as those for demonstrating the business use of motor vehicles (s DH2 - 3).

• Tax Administration Act 1994
  Requires taxpayers and employers to keep records in relation to business matters for tax purposes. Such records are to be retained for at least seven years after the end of the income year to which they relate (s 22 (2)). Other recordkeeping provisions include the Inland Revenue Commissioner's powers to obtain information, the furnishing of tax returns, and the secrecy of information provided in relation to tax matters.
Māori and Treaty of Waitangi Legislation

- **State Owned Enterprises Act 1986, sec. 9**
  This Act states: “Nothing in this Act shall permit the Crown to act in a manner that is inconsistent with the principles of the Treaty of Waitangi”. This requires the Crown to act in good faith and make informed decisions. From this requirement the duty to consult has developed.

Privacy Legislation

- **Privacy Act 1993**
  Establishes a set of privacy principles to ensure the protection of personal privacy in respect of both public and private sector organisations. The Act is of prime importance and should be clearly understood by all information management professionals.

Employment Legislation

- **Employment Contracts Act 1991**
  Contains recordkeeping requirements for redundancy of employment records (s47). Wages and time records for any period in the preceding six years must be available for the employee. There is also a requirement to retain records of any strikes and lockouts (s142)

  - **Health and Safety in Employment Act 1992**
    Requires employers to maintain a register of accidents and serious harm. No retention period is given.

Commercial Legislation

- **Companies Act 1993**
  Includes provisions requiring the maintenance of a share register (s 87 - 94), company records (s 189 - 191), accounting records (s 194), and audit and reporting obligations. It allows the inspection of company records (s 178 - 179 and s 215 - 218). Other provisions include the registration of companies with the Registrar of Companies. The Act should not be confused with the Commerce Act 1986 in which no major provisions are found though a requirement to register applications is implied.

Public Sector Legislation

- **Public Records Act 2005**
  Provides for the selection of public records and archives for creation, maintenance and retention. Directs that public records and archives may only be destroyed or disposed of with the authority of the Chief Archivist. Provides for the deposit of public archives with the Archives of New Zealand and describes conditions for the management of material so deposited. Sets out the powers of the Chief Archivist in respect of current public records.

- **Official Information Act 1982**
  Provides for access to official information, except where specific reasons for withholding it exist, such as national security or the protection of personal privacy.

- **Ombudsmen Act 1975**
  Contains requirements for documenting complaints and the supply of written evidence to support complaints. Specifies access restrictions on a complaint or supplied evidence, and on publication of any summary report resulting from a complaint. Allows Ombudsman to review complaints, records and decision-making processes and procedures.
• **Public Finance Act 1989**  
Covers the reporting requirements of the Crown, Government Departments and Crown Entities, including requirements for Audit Office issuing of Audit Opinions.

### Intellectual Property Legislation

- **Copyright Act 1994**  
Contains references to the requirements for documenting copyright in original works, transferring copyright and licensing for use/copying. Includes documentation requirements for hearings of the Copyright Tribunal. Copyright Regulations also apply.

- **Designs Act 1953**  
Contains recordkeeping requirements for all documents associated with the creation and registration of a design with the Patents Office. Includes specific requirements regarding the creation and accessibility of the Register of Designs. Designs Regulations also apply.

- **Patents Act 1953**  
Contains recordkeeping requirements for all documents associated with the application for and certification of New Zealand patents. Includes specific requirements regarding the creation and accessibility of the Register of Patents. Patents Regulations also apply.

- **Trade Marks Act 1953**  
Covers recordkeeping requirements for all documents relating to the application for and certification of New Zealand registered trademarks. Includes specific requirements regarding the creation and accessibility of the Register of Trademarks. Trade Marks Regulations also apply.

### Education Sector Legislation

- **Education Act 1989 and amendments**  
Covers recordkeeping requirements for all documents relating to the creation of annual reports, minutes and other statutory council and board records.

- **Massey University Act 1963**  
This act covers the University as an entity and provides for recordkeeping requirements of specific regulatory documents.

### Health-related Legislation

- **Health Act 1956 and amendments**  
This act addresses the legal implications and requirements for the use and transfer of patient records.

- **Health (Retention of Health Information) Regulations 1996**  
This act addresses outlines the legal requirements for the retention of patient records by PHOs, private hospitals and doctors in private practice.

- **Health Information Privacy Code 1994**  
The Health Information Privacy Code 1994 outlines the requirements for storage of patient records and also provides for the non release of information to patients in certain circumstances.

- **Code of Health and Disability Services Consumers’ Rights**  
This act address the requirements for recordkeeping relating to the rights of patients cared for under the provisions of the Health and Disability acts.
• General Disposal Authority for District Health Boards
  This GDA provides best practice for the retention and disposal of patient records.

Other Legislation

• Electronic Transactions Act 2002
  This act addresses the legal implication and requirements for the use of electronic information and media.

• Evidence Acts
  The Evidence Act 1908 governs the admissibility of documents and records in Courts. This Act lacks a definition of documents, but the Evidence Amendment Act 1945 defines them as including “books, maps, plans, drawings and photographs”. Since both Acts were written before the development and widespread use of computers they do not address the issues of machine generated information. The Evidence Amendment Act (No. 2) 1980 governs the admissibility of business records as documentary hearsay evidence. In 1999, the Law Commission published a report (NZLCR55: Evidence Part Two: Evidence Code and Commentary. 1999) that contained significant proposed changes to legislation. The report addressed issues such as the evidential value of machine-generated information and the definition of documents. In addition amendments to the act were passed in 2006 further defining “a document”.

• National Library of New Zealand Act 2003
  This act provides for the deposit of published documents by Crown Entities and other State owned or funded enterprises. The act requires that identical copies of the published document be provided.

References:

Australian Standard AS 4390, Records Management, Homebush (NSW), 1996
Archives New Zealand, Continuum Resource Kit
Medical Council of New Zealand – Maintenance and Retention of patient records

Related procedures / documents:

Business Classification Scheme
Disposal Procedure
General Disposal Authority for New Zealand Universities
Hard Copy Records Guideline
Offsite Records Procedure

Document management control:

Prepared by: Records Manager
Owned by: Assistant Vice Chancellor Operations & University Registrar
Approved by: C13/112-October: 3.1.3
Date issued: 7 March 2007
Last review: September 2013
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