

**We've deposited our archives, now we
need access;**

**A Comparative Study of national archives
policy in Australia and New Zealand**

by

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Abstract

Preserving the memory of a nation for current and future generations is the core business of an archive. Archives must be deposited with an archive to bring about continuation of this memory. Fundamental to making this archival memory useful is provision of access to the deposited archives. Providing access to archives can also mean that at times the archives are required to be outgoing from an archive.

Government and State Legislation in Australia and in New Zealand provides for the continued growth of their respective nation's memory, by requiring government agencies to deposit their archives into the national archives. Archival policy, in turn, supports the ability of these agencies to borrow back their archives on a temporary loan basis. This temporary loan service in New Zealand is called the Government Loans Service (GLS), while in Australia this service is referred to generically as Accessing records and more specifically as Access to records in your agency and Access to other agencies' records.

While committed to the same goal of the preservation of their respective nation's memory, no two archival institutions are the same in how they carry this out or in their policies. This research will compare similarities and differences in of the temporary loan service policies of New Zealand's national archive, Archives New Zealand, and in Australia's national and state archive, National Archive of Australia.

Keywords: nation's memory, archives, government agencies, policy, GLS, accessing records

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VICTORIA UNIVERSITY OF WELLINGTON
School of Information Management

Master of Information Studies

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**'We've deposited our archives, now we
need access;
A Comparative Study of national archives
policy in Australia and New Zealand'**

(hereafter referred to as 'The MIS Research Project')

being undertaken by

Vivienne Pincott

in partial fulfilment of the requirements of the degree of
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Topic Commencement: July 2013

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1. The research proposal and purpose for the research

This qualitative research will examine the respective policies which provide for the temporary loaning back of archives to agencies in New Zealand and Australia. In New Zealand this service is provided by Archives New Zealand and is called the Government Loans service (GLS). The equivalent service in Australia is provided by the National and State Archives and is referred to as Accessing records, and more specifically as Access to records in your agency and Access to other agencies' records. My research objective is to focus on the Australian and New Zealand policies that support the service of the loaning back of archives to government agencies and in particular my research aims to answer the following questions:

1. What similarities are there in the policies of the Australian and New Zealand Government Loans Service?
2. What differences are there in the policies of the Australian and New Zealand Government Loans Service?

To date there has been little or no research completed on the loaning back of archives to government agencies in Australia and New Zealand. This comparative study will provide useful data for the body of knowledge in the area of archives. The comparative study will show the similarities and differences in the provision of the service that loans archives back to agencies who have deposited them with the National Archives of Australia or with the national archive of New Zealand, Archives New Zealand.

This research may help to identify current approaches to archival custodial roles that are in current practice. It may also help provide some insight into the motivators and barriers that government agencies might have in transferring their archives to the national archives of Australia and New Zealand. This information once identified could provide opportunities to strengthen information management practices and service delivery in the areas of the Australian national archives and the national archive of New Zealand which facilitate loaning back of archives to agencies. This could in turn encourage agencies to deposit their archives with these two national archives. This research will also make an initial contribution to research on the service provision of loaning of archives to agencies, and will make a valuable contribution to information management theory.

1.1 Introduction: Commonwealth, Government, States and Constitution

New Zealand and Australia are both Commonwealth countries and close neighbours. Both countries show passion and commitment to preserve their nations' memories through the preservation of archives for current and future generations. Through our archives we can have knowledge of our nation's history, of how we came to be who we are today and how this may lead us forward to the future. Archives New Zealand, is the repository for the New Zealand government's archives and is part of the The Department of Internal Affairs *Information and Knowledge Services Branch*. The Department of Internal Affairs is one of New Zealand's Central Government Agencies. New Zealand has a centralised government with city, district and regional councils.

New Zealand closest neighbour Australia is made up of six states, New South Wales (NSW), Queensland (Qld), South Australia (SA), Tasmania, (Tas), Victoria, (Vic) and Western Australia, (WA). Along with these states, are the territories of Australia Capital Territory, (ACT), the Northern Territory, (NT), and Norfolk Island which are often treated like States due to their population size (Territory government, 2013). Each of the six states plus NT have established local governments. In addition, each state has its own constitution which allows them to pass laws that are “not controlled by Commonwealth under Section 51, Australian Constitution' (State government, 2013). Canberra, Australia's national capital in the territory of ACT, is where the National Archive of Australia is situated along with the Parliament of Australia and 'most of the Australian Government public service' (Capital cities, 2013). The National Archives also “has a presence in every capital city” (National Archives of Australia, 2013, Locations and opening hours, para. 1) with offices in Adelaide, Brisbane, Canberra, Darwin, Hobart, Melbourne, Perth and Sydney. In examining the respective policies of the National Archives of Australia and of Archives New Zealand, my research focuses on establishing the similarities and differences in policy of these national archives as they provide for the temporary loaning back of archives to government agencies.

1.1.2 National Archives that provide for the temporary loaning back of archives to agencies and a brief outline of the service

The two neighbouring countries Australia and New Zealand and their respective national archives, the National Archives of Australia and Archives New Zealand, both have legislation that requires government agencies to deposit their records after a set time and when no longer in every day use. Both national archives allow for the borrowing back of these archival records and we take a comparative look at each of these national archives in turn to gain an understanding of the similarities and differences

in the policies that support the depositing and loaning back of archives.

Both national archives require their government agencies to register and become authorised borrowers in order to borrow back their archives. A request is made to the archive by the controlling public office or its successor stating the archive to be loaned to them and specifying what service, normal or urgent they require. If approved to borrow the archive the archive is dispatched to the client by courier, in some cases it may be necessary for the client to view the archival record at the national archive.

First, we examine the service on our own doorstep provided by New Zealand's national archive, Archives New Zealand.

1.2 Archives New Zealand

New Zealand's national memory is safeguarded through the preservation and safekeeping of its archives at Archives New Zealand. There are four branches of Archives New Zealand, and these are in Auckland, Wellington, Christchurch and Dunedin. All four branches operate a GLS to Government agencies and local authorities, who as Public Offices are in turn required under Section 21, Mandatory Transfer of Public Records, *Public Records Act 2005*, to deposit their public records with Archives New Zealand. These public records are created in the daily business of running the public office and are a record of decisions that are made. Once they are transferred to the archive they become archives and from that time “are under the control of the Chief Archivist” (Archives New Zealand, 2013, Terminology, para.1). The Chief Archivist and staff of the archive are charged with the care and management of the archive to ensure that it is available for present and future generations and part of the continuing memory of the nation.

1.2.1 Government Loans Service: Providing Access to Public Records

Providing appropriate access to the archives is one of the primary functions of an archival institution. The GLS allows public offices to have access to their archives once they are deposited. It allows for the temporary loaning back of the archives to the government agencies or their successors and Archives New Zealand has supporting policy and procedural documents in place for the operation of this Government Loans Service. The Government Loans Service National Policy (Archives New Zealand, 2013, Government Loans Service National Policy, paras.1,2.) provides guidance “to Archives New Zealand staff and to staff of public offices” to ensure the requirements under s 24 of the Public Records Act 2005 are met in the temporary return of archives to a government agency. This service operates within the legislative framework of s 24 of the Public Records Act 2005 as follows:

“24 Temporary return of public archives to controlling public office

- If the administrative head of a controlling public office satisfies the Chief Archivist that the public archive is required for administrative use, the Chief Archivist—
 - (a) must return the public archive to the possession of that public office for an agreed period of time; and
 - (b) may impose conditions to ensure the safe custody and preservation of the public archive during the time that it is in the possession of the public office.” (*Public Records Act 2005*, Section 24).

This section of the Public Records Act 2005 explains that the Chief Archivist carries out the responsibilities and tasks of the GLS service. It is actually the GLS archivists, who act on behalf of the Chief Archivist in the role of facilitating the temporary return of archives to the controlling public offices or their successors.

The Government Loans Service National Policy Principles state

“that public archives are:

- 3.1 Made accessible to public offices when required for administrative use
- 3.2 Protected and available to meet the needs of current and future users” (Archives New Zealand, (2013), Policy Principles, para.3).

The Policy Principles appear broad, in that the archives are to be made available when required for administrative use which could be thought to be administrative need minor or otherwise. The Policy Principles become more specific however in its criteria when it makes clear the responsibilities of the borrower of the archives, and what they are agreeing to. In this, the borrower must satisfy the GLS archivist that they require the archive for administrative use and Archives New Zealand gives specific examples of what this administrative use includes, as follows:

- “Current operational functions
- Litigation purposes
- Ministerial requests
- Official Information Act requests
- Review following a request to access a restricted item” (Archives New Zealand, 2013, Archives New Zealand will temporarily return a public archive to the controlling public office (or its successor) if:, para.5.1.1).

This list has now narrowed what constitutes administrative use. It now appears explicit that the records deposited cannot be borrowed from the archive for minor administrative needs, with the onus on the borrower to convince the GLS archivist of the merit of the administrative need.

The criteria for deposited records are that they are not in every day use, that the records are “of long-term value over 25 years of age ... [and] authorised by a current disposal authority” (Archives New Zealand, 2013, Transfer of Public Records/Public Archives to Archives New Zealand, para.1). The Disposal Authorities come under the Public Records Act 2005 as the responsibility of the Chief Archivist to make a decision on disposal of the record (Archives New Zealand, 2013, Disposal Authorities, para.1). When the term 'Disposal' is used, this refers to “transferring the records to Archives NZ, destroying records that don't have enduring value, or transferring them to another authorised organisation” (Archives New Zealand, 2013, Disposal Authorities, para.1). In addition to action required by the Disposal Authorities in the transfer of records, what must be fundamental to the records is that they are authentic, reliable, have integrity and are usable. Authentic records are the original and as such provide evidence of business transactions and the decisions made in carrying out the business of the agency.

The processing time from when the item comes in to the archive, becomes accessioned, appraised, arranged and described, may be considerable before it can be usable and loaned back to the government agency or its successor. Delays in access of the archive are not desirable and in carrying out the Policy Principles, the impetus is on the archive to process and make available the archives in a timely manner. There may be, however, an undetermined period of time when the archive is not available for loan after it is deposited with the archive while it awaits processing and is being processed. When the archives are transferred to Archives New Zealand in addition to appraisal, arrangement and description, preservation requirements are also attended to. Access conditions and restrictions are also decided on with preservation of the archive. Legal conditions and sensitivity of the documents all taken into account by the archives staff who are try to balance access, the ongoing preservation of the archives with the users demands and rights to access the information (Archives New Zealand, (2013), Providing Access to Local Authority Records and Archives, para.2). All these processes and decisions prepare the archives towards becoming accessible and by assigning relevant metadata, the item can become locatable for future access.

1.2.2 What level of access is available for government loans clients, what conditions and costs apply?

In order to borrow back their archives clients must be registered and provide the archive with a list of agency employees authorised to access the archives (Archives New Zealand, (2013), Archives New Zealand Government Loans Service National Policy, paras.5.3.1., 5.3.2.). Applications to borrow archives can also be requested by a third party who is not the controlling or successor agency, if they have permission of the public office that is the controlling agency (Archives New Zealand, (2013), Archives New Zealand Government Loans Service National Policy, paras.5.2., 5.2.1.). This is useful for any organisation, such as the police or the courts, who may need the archives for background or referencing information.

The way Archives New Zealand measures how well it is achieving its GLS Policy Objectives is to measure the service against its objectives and these include the processing time and quantity of archives loaned within an acceptable period, 24 hours to fill urgent requests, no overdue of beyond three months and that the archives gets all of their archives back (Archives New Zealand, (2013), Archives New Zealand Government Loans Service National Policy, paras.9., 9.1- 9.4.) The actual loan period of an archive is three months, this can be extended to six months or longer, but before any extension is granted the archives are inspected by Archives New Zealand to ensure they are being cared for appropriately (Archives New Zealand, (2013), Archives New Zealand Government Loans Service National Policy, paras.5.3.14, 5.3.15, 5.3.17, 5.3.18, 5.3.19). There is no charge for the regular service which allows for up to 10 items to be made available within a three day period but there is a \$25 fee for urgent requests which are made available within 24 hours (Archives New Zealand, (2013), Requesting, para.3). There is no mention of charging for courier service to government loans clients so it can be deduced this cost is absorbed by the GLS and Archives New Zealand.

Sanctions against the borrowing agency can be made when they are in breach of agreed loan time period, when the agency does not respond to requests by the Archives New Zealand staff to come and inspect the archives, and when damage to the archive occurs while it is on loan. (Archives New Zealand, (2013), Archives New Zealand Government Loans Service National Policy, paras.5.4, 5.4.1, 5.4.2). These sanctions to the Government Loans Client are in the form of fines and or having their “borrowing privileges reduced or [they] will be suspended from the Government Loans Service pending a meeting with the Client's Records Manager...” (Archives New Zealand, (2013), Archives New Zealand Government Loans Service National Policy, para.5.4.3). The fine for overdue borrowed archives is \$25 and the GLS archivist conducts regular checkups to find out where overdue are and what condition they are in (Archives New Zealand, (2013), Overdues, para.1). It is to be hoped that the

supporting instructions in the Archives New Zealand Government Loans Client Procedures, (see Appendix A) a document which is essentially a 'how to do it' manual, along with the training that Archives New Zealand staff provide, that any problems that could arise in the GLS can be forestalled.

1.3 National Archives of Australia

Next, we look at the National Archives of Australia and at what policy they might have that outlines the service of loaning back archives to government agencies. Unlike Archives New Zealand with its Government Loans Service National Policy, the National Archives of Australia does not have a stand alone national policy dedicated in its focus to the loaning back of government agencies archives to the agencies. Rather this equivalent service is referred to generically by the National Archives of Australia as Accessing records and more specifically as Access to records in your agency and Access to other agencies' records.

An outline of this service, described in a more procedural manner, can be found under “Retrieving records from the Archives” (National Archives of Australia, 2013, Access to records held by the National Archives, para.2) on their website. The National Archives of Australia prefers agencies to submit lending requests through any their branches' Lending Services by email or fax (National Archives of Australia, 2013, Submitting a lending request, para.4). The archive undertakes to fulfil normal requests by having them ready for courier delivery within a 24 hour period, and urgent requests ready for pick up in an hour (National Archives of Australia, 2013, Turnaround times, paras.1,2.) There is no mention of charging for the urgent service or for passing on the courier charge to the agency so it would seem these costs are absorbed by the National Archives of Australia budget.

This research has found that the aims, goals and outcomes that could be expected to be found in policy documents for the loan service administering the loaning back of archives to government agencies who have deposited them, is instead found embedded in a range of documents. These documents are the National Archives of Australia annual reports, strategic plans, and the conservation policy. The next section will take a look at these documents and at the context in which the aims, goals and outcomes are embedded that specifically deal with the service of loaning back of archives to government agencies.

1.3.1 Loaning back of archives to agencies; Annual Reports, Corporate Plans, and Policy

Annual Report 2011-11

The National Archives of Australia Annual Report 2011-11 states that the

archives is a government funded agency headed by the Director-General and is “within the Department of the Prime Minister and Cabinet portfolio” (National Archives of Australia, 2012, Annual Report 2010-11: Establishment and functions, para. 1). The report informs us that the archives has two agreed outcomes which state their intention to provide information and services to government agencies and to increase awareness and understanding of the past through provision of access to the archives (National Archives of Australia, 2012, Annual Report 2010-11: Establishment and functions, para. 2). These two agreed outcomes are translated into three deliverable programs which are detailed as follows:

- | | |
|--------------------|--|
| “Outcome 1 | Authentic, reliable and useable Commonwealth records through the provision of information management products and services to Australian Government agencies |
| Program 1.1 | Delivering information management products and services |
| Outcome 2 | Greater understanding of our heritage and democracy through preserving, describing and providing access to the national archival collection |
| Program 2.1 | Securing, describing and preserving records of national archival value |
| Program 2.2 | Providing an accessible, visible and interpreted national archival collection”. (National Archives of Australia, 2012, Annual Report 2010-11: Agency overview, Outcome and program structure, table. 1). |

These Outcomes and Programs have been designed so that the National Archives of Australia can ensure accountability for its areas of core business and for its service delivery, which include the loaning back of government agencies archives to the agencies.

National Archives of Australia Corporate Plan 2012-13 to 2016-17

The *National Archives of Australia Corporate Plan 2012-13 to 2016-17* makes clear that it is a key business responsibility of the Archive that government agencies can access their records after they have been deposited with the archive. Along with further business responsibilities that initiate the planning process to bring this about, there are planned strategies that facilitate these responsibilities into dynamic outcomes. These business responsibilities and strategies are shown in the following excerpts:

| “Responsibility | Strategy |
|---|---|
| Help Australian Government agencies to meet their information and records management responsibilities | Develop standards, policies and guidelines, and provide practical products and services to assist agencies to adopt good information and records management practices ... |
| Transfer archival value records from Australian Government agencies and ensure their safe storage | Plan and manage the transfer of records from agencies and ensure optimal use of the space in our storage facilities across Australia; ensure records are transferred, described, managed, preserved and controlled using contemporary, effective and efficient business systems ... |
| Enable agencies to access the records of their business that we hold in accordance with the Archives Act | Facilitate agency access to records on their premises or in the Archives' reading rooms, depending on the age and condition of the records |
| Provide access to the records that we hold in accordance with the Archives Act | Facilitate access to records in the open period through our online services, reading rooms, education programs, exhibitions and promotional events |
| Manage the increasing complexity of government and public expectations for improved service delivery channels | Provide greater access to records by securely exploiting available collaborative web and ICT infrastructure technologies to provide equitable access, irrespective of the location of a client ...” (National Archives of Australia Corporate Plan 2012-13 to 2016-17, 2013, <i>Table 1: Business responsibilities and strategies</i> , paras.1,5,7,8,9.) |

The corporate responsibilities and strategies reflected in the National Archives of Australia Corporate Plan 2012-13 to 2016-17 provide a sustainable vision for agencies to have access to their deposited archives. The plan provides for best practice in the care of agencies archives and from it agencies can expect that access to their own archives will be reasonable and open.

National Archives of Australia Operational Policy: Conservation

Policy which makes provision for Australian Government agencies and other interested parties to access archives at the National Archives of Australia, is found in the National Archives of Australia *Operational Policy: Conservation*. Seven core business responsibilities are listed under as follows:

- “identify records of enduring national significance as archival resources of the Commonwealth
- transfer archival-value records from Australian Government agencies
- enable agencies to continue to access the records of their business that we hold
- catalogue and index all the records that we hold
- identify and preserve records that we hold which are at the highest risk of deterioration
- provide access to the records that we hold in accordance with the *Archives Act 1983*
- promote understanding and appreciation of the archival resources of the nation.” (Archives’ Corporate Plan 2009–2012, as cited in National Archives of Australia, (2013), *Operational Policy: Conservation*, section 6.)

These core business responsibilities provide the direction for the conservation function and management of the archives and provide a direct commitment to government agencies that they will be able to access their archives once they are deposited with the National Archives of Australia. Broadly, the expected outcomes of these core business responsibilities are to promote “understanding of ... heritage and democracy through preserving, describing and providing access to the national archival collection” (Archives’ Corporate Plan 2009–2012, as cited in National Archives of Australia, (2013), *Operational Policy: Conservation*, section 6.). This commitment to government agencies and interested parties provides assurance that the records will be cared for to enable access which allows for connections to be made with the nation's memory.

The process of selection of archives for retention, arrangement and description and meeting requirements of any preservation needs the records have, are functions that the archivists attend to. The Australian Institute for the Conservation of Cultural Material (AICCM) has a Code of Ethics and Code of Practice which provides the AICCM Member with guidelines to adhere to for best professional practice in the preservation of cultural material. The AICCM provides members “both accredited and non-accredited” (AICCM: Code of Ethics and Code of Practice, para. 1) with promotion of standards, accountability and recognition of professional standing within the community for the members and their work. This ties in

with one of the National Archives of Australia four strategic priorities, which is to “[develop] a workforce that is professional, capable, flexible, innovative and engaged” (National Archives of Australia Corporate Plan 2012-13 to 2016-17, 2013, Introduction, para 1).

In addition to the professional attention an archivist brings in the preservation of a record designed to bring it to an accessible state, other supportive processes such as the assigning of metadata, cataloguing and indexing are all forerunners fundamental to enable retrieval of the archive. Each part of the support process is designed to bring the archive a step closer towards continued accessibility for not only the Australian Government agencies who have deposited the archive with the National Archives of Australia, but to fulfil a more broader purpose. That broader purpose is one of advocacy and outreach to a wider audience of interested people, where the archives through outreach programs provides training on how to care for historical records.

Encouraging a wider audience to interact with the archives gives the opportunity for those interested people to give additional value and meaning to the to the archives that make up the nation's memory. Each time an archive is sought out, it serves to give some insight into the how, why, where and what it is that has brought us to where we are today. Providing access to the archives gives empowerment for the user seeking what information and knowledge they might gain from the archival record. It also serves to make the archive useful and a part of a living, vibrant memory.

1.3.2 Transfer, Accessing records and its categories and exceptions

The National Archive of Australia in Canberra, also provides safe a haven for archival records determined as worth preserving for current and future generations. In Australia Section 27, Transfer of certain Commonwealth records to care of Archives, *Archives Act 1983*, directs government agencies to deposit their records to ensure this memory is ongoing. In Australia once these records are aged 15 years and over, and not in frequent use, they are to be deposited in the National Archive of Australia. These records are referred to as Commonwealth records.

Commonwealth records once transferred to the National Archive of Australia are able to be accessed under provisions in the *Archives Act 1983*. These provisions allow for the archives to be accessed when they are in the open access period. When this open access period starts, depends on the type of Commonwealth record it is and begins a fixed number of years from the time the record was created (National Archives of Australia, 2013, Access to records under the Archives Act – Fact sheet 10, table). Open access period for Commonwealth records begins after 20 years since the record was created, whereas the access period for Cabinet notebooks begins

after 30 years and for Census records there is a 99-year access rule (National Archives of Australia, 2013, Access to records under the Archives Act – Fact sheet 10, para.1).

We are provided with information which states there are some exceptions where the Act does not in fact apply, and some records do not have right of access in the open access period (National Archives of Australia, 2013, Does the Archives Act apply to all records in the open access period?, para. 1). Those exceptions are the records:

“of the Courts, some records of the Parliament some records of governors-general (eg correspondence with the monarch) and some records held by other national collecting institutions, such as the Australian War Memorial and the National Library of Australia. You have a right of access to all other records in the open access period, including those held by government agencies” (National Archives of Australia, 2013, Are all records available when they reach the open access period?, para.3).

The reasons for these exceptions to full access for records in the open access period are not obviously explained so one is left to reason that this is due to the sensitive nature of the documents or for security and privacy reasons. Clarification on this can be found in the Annual Report 2010-11 where it explains that there are “16 exemption categories defined in section 33 of the Archives Act. These categories include national security, defence, international relations and personal affairs.” (National Archives of Australia, 2012, Annual Report 2010-11: Program 2.2 summary of performance: Access examination, para 1). It is made clear however that government agency records can be accessed in the open access period.

1.3.3 Access for agencies to their own records and Access to other agencies' records

Government agencies who have deposited their archives with the National Archives of Australia can access their records, or records that their agency controls, before the open access period so long as the records are not in a fragile state (National Archives of Australia, 2013, Access to records held by the National Archives, para.1; National Archives of Australia, 2013, Which records will the National Archives issue?, para.1). Agencies can request through the Archive's Lending Service to view their records on their own premises up until the records enter the open access period, at which time they become available to the public for access and must stay on the Archive's premises (National Archives of Australia, 2013, Access to records held by the National Archives, para.2).

If the records have not yet reached the open access period and Archives have requested the agency come to the Archive to view the records “official access for each person who will look at the records” (National Archives of

Australia, 2013, Which records will the National Archives issue?, para.1) must be obtained. A copy of the records can also be made for the requesting agency (National Archives of Australia, 2013, Which records will the National Archives issue?, para.1). The public can formally make a request under the Freedom of Information Act 1982 to have access to documents held by the archive. The archive can refuse access to those documents that are exempt.

1.3.4 What happens in Australia when access goes awry?

Should access to the archives be denied by the National Archives of Australia, there is recourse for the applicant available. Applicants dissatisfied with the initial decision made by the Archives and with a subsequent decision review which would normally follow, can then make an application to the Administrative Appeals Tribunal (AAT). Several cases in recent years came before the Administrative Appeals Tribunal and the following describes the outcomes of these cases:

- “On 16 July 2010, the Tribunal set aside part of a previous decision of 29 February 2008. The applicant was not granted any further information as it was exempt under other provisions of the Archives Act.
- On 28 March 2011, the Tribunal ruled that 42 documents were exempt but some material contained in 25 of them could be released.

As at 30 June 2011, there was one case before the Administrative Appeals Tribunal” (National Archives of Australia, Annual Reports 10,11, 2011, Administrative Appeals Tribunal, para 12).

These outcomes show that results for the applicant to access the archives have gone for or against the applicant being able to access the denied archives, but that the outcome has been decided on archival legislation and interpretation of established policy rules. If the applicant is wanting to appeal the decision of the AAT they may appeal to the Federal Court of Australia on questions of law such as

- “whether the AAT denied procedural fairness to a party; or
- whether the AAT incorrectly interpreted a statute relevant to the proceeding” (Federal Court of Australia, Appealing from a decision of the AAT, 2012, para. 2).

Cases also can come before the Federal Court of Australia. While “There were no new cases before the Federal Court of Australia in 2010–11”, 2009

had two that were “adjourned indefinitely ... pending arrangements for the appellant to appear, [which] progressed no further during the reporting period” (National Archives of Australia, Annual Reports 10,11, 2011, Federal Court of Australia, para 13).

Commonwealth Ombudsman

During 2010–11, the Commonwealth Ombudsman investigated two new complaints about the Archives. Both complaints related to delays in responding to access applications.

One complaint was concluded with no adverse finding about the Archives. Another complaint was not resolved within the reporting period.

In July 2010, a complaint lodged in 2009–10 was resolved with no adverse finding about the Archives.

Parliamentary committees

The Archives appeared before the Senate Finance and Public Administration Legislation Committee on one occasion in 2010–11: Senate Budget Estimates on 24 May 2011. The Archives did not appear before any other parliamentary committee, nor were any reports received on issues of particular relevance to the Archives.

Privacy Commissioner

The Privacy Commissioner made no reports under section 30 of the *Privacy Act 1988* concerning actions taken or practices by the Archives during 2010–11.

Freedom of information

In 2010–11, the Archives received one valid request for access to documents under the *Freedom of Information Act 1982*. The National Archives of Australia holds two major different groups of documents, those of other government agencies and those “that the Archives itself creates as an Australian Government agency” (National Archives of Australia, 2011, Categories of documents, para. 1).

1.4 National Archives for the Future: Digital archives, access and loans

Both David Fricker, Director-General of National Archives of Australia and Greg Goulding, Chief Archivist and General Manager of Archives New Zealand, have both talked about archives of the future as being without boundaries and limitations. They have projected that digital archives will provide the means for people to access archives from wherever they are. Already the access channels to do so exist but this platform will be extended

for government information in the future and this will change the way Government agencies deposit and access their own archives and those of other agencies. Fricker outlines the expectation “that, by 2015, information that is 'born digital' ... created by using computers ... will be stored and managed digitally and subsequently transferred in digital formats to the National Archives.” (Fricker, 2012, as cited in Oliver, 2013, p.26). The movement from paper based to digital archives will have a profound effect on the speed at which individuals and agencies can access archives. It may lead to changing the rules of when a record can be deposited with the archive. This period of waiting for records to be no longer be in current administrative use before depositing them with the national archives, which takes 15 years in the case of the National Archive of Australia and 25 years for Archives New Zealand, takes time. Fricker (2012, as cited in Oliver, 2013, p.31) asks why wait, why not deposit the record with the archive at the start of the records life, there is no reason the record cannot continue to still be in use with the agency while there is one at the archive? The authentic, reliable version is with the archive preserved and useable while meantime the agency has a workable version or versions in as many places as required for ongoing use (Fricker 2012, as cited in Oliver, 2013, p.31). This way the archive becomes more efficient and effective in providing access and delivery of the archives digitally with inbuilt protections regarding access built into its systems.

The national archives as digital repositories and places for agencies to digitally retrieve archives represents a paradigm shift. While paper based archives will still exist and for some time will continue to come in to the archive, and of them will be digitised to facilitate access and protection for the items, increasingly however those deposited and retrieved will be digital born. This paradigm shift will lead to a change in how we think about archives and lead to a new way of how we behave towards archives. They will be available online 24 hours a day and can still have the same level of access protection determined, when transferred and appraised. What will be publicly available will be across all departments as Fricker (2012, as cited in Oliver, 2013, p.33) argues it “wont make sense for one part of the Government to withhold information under a 20 year rule, while another part of Government has already released the information into the public domain, either through ... publishing ... or by and FOI [Freedom of Information] request”.

This cohesive approach is in development in New Zealand with the aim of “information management systems shared across government rather than the current situation of each agency having its own unique system ... [and] unable to talk to each other, they lock information up in individual domains, duplicate costs and prevent knowledge flowing across the systems” (Goulding, 2012, as cited in Oliver, 2013, p.22). As a better return on all resources “than in only focusing on one agency at a time” (Goulding, 2012, as cited in Oliver, 2013, p.22) the interoperability of multi-agency systems across departments will be an opportunity for sound recordkeeping to be

inbuilt and implemented across the board. This would be a boon to excellent recordkeeping practices, the forerunner to having records with authenticity, integrity, reliability and usability which in turn make great archives.

1.5 Archives of New Zealand and National Archive of Australia: Key Policy Comparisons

Policy

One of the fundamental differences in supporting the ability of agencies to borrow back their archives on a temporary loan basis, between the national archives in New Zealand and Australia, is the name of this service and in its supporting documentation. This temporary loan service in New Zealand is called the Government Loans Service (GLS), while in Australia this service is referred to generically as Accessing records and more specifically as Access to records in your agency and Access to other agencies' records. Archives. New Zealand has a stand-alone policy called the Government Loans National Policy. The National Archives of Australia on the other hand has the outline of this service, described in a more procedural manner, "Retrieving records from the Archives" (National Archives of Australia, 2013, Access to records held by the National Archives, para.2), on their website.

The purpose, scope, policy principles and objectives are made clear within the Archives New Zealand Government Loans Service National Policy document. Whereas, for the National Archives of Australia the aims, goals and outcomes that could have been grouped within a Lending Services stand alone policy that dealt specifically with loaning back of archives to government agencies are instead found in a range of documents such as the annual reports, strategic plans, and the conservation policy.

Aims, Goals and Objectives

This research has found that the aims, goals and outcomes that are represented for GLS and the Australian equivalent Lending Service that allow for the loaning back of deposited archives by government agencies to the respective national archives are inherently of a similar nature. They are to do with the mandatory collection of archives through legislation to ensure continuation of the nation's memory through its archives, preservation of the archive so that its future is sustainable, and providing appropriate access to the archives. There is no obvious departure from these common themes between the two neighbouring countries' national archival institutions.

When are records required to be deposited?

The age records are when they are required to be deposited with the national archives differs between New Zealand and Australia by 10 years. In New

Zealand the requirement is for the government records to be transferred when they reach 25 years old and are not in frequent administrative use. In Australia, once the government records reach 15 years since they were created and are not in frequent use, they are to be deposited in the National Archive. The records deposited in Australia are referred to as Commonwealth records. Whereas in New Zealand the public records once deposited with the archive are referred to as public archives when they come under the Chief Archivist's control.

Access

For both national archives, providing appropriate access to the archives is an integral part of their business. Both national archives follow legislative requirements which provides for the depositing of archives and for the provision of access to the archives. A key function of Archives New Zealand Government Loans Service National Policy is to provide access to the archives under s 24 of the Public Records Act 2005, which facilitates the temporary return of archives to a government agencies and calls for the archives are well cared for in all stages of the loan process. In Australia legislation under Section 27, Transfer of certain Commonwealth records to care of Archives, *Archives Act 1983*, government agencies are required to deposit their records with the National Archives of Australia and these can be accessed by government agencies and viewed on their own premises before they are in the 'open period' and once they are in the 'open period' they can be accessed by the agencies in the reading rooms at the archives. When this open access period actually starts, depends on the type of Commonwealth record it is. The range of the 'open period' which necessitates agencies to view the Commonwealth records on site at the archives is from 20 years since the record was created. Open access to Cabinet notebooks begins after 30 years and for Census records there is a 99-year access rule to when the open access period begins (National Archives of Australia, 2013, Access to records under the Archives Act – Fact sheet 10, para.1).

Lending requests, fines/charges

The National Archives of Australia fulfils normal lending requests by having them ready for courier delivery within a 24 hour period, with urgent requests ready for pick up in an hour (National Archives of Australia, 2013, Turnaround times, paras.1,2.). There is no mention by the National Archives of Australia of charging for the urgent service, for passing on the courier charge to the agency nor is there mention of fines for borrowed archives returned later than the agreed loan period. In comparison, Archives New Zealand meets its normal lending request, in which agencies “can request up to 10 archives per three-working days without charge” (Archives New Zealand, 2010, Government Loans Service Client Procedures, p.4) with “additional requests ... charged at \$25 per item” (p.4) within a three day service. Urgent requests are met during a 24 hour period. Likewise, there is

no mention of passing on the courier charge to the agency, but the free service applies to a set number of archives, there is a fee for more than 10 archives and a fee for the urgent service 24 hour service. There is also a fine per archive for archives that are returned later than the agreed loan period. In addition to the fees and fines mentioned in the Archives New Zealand Government Loans Service National Policy, if the archives are returned late, damaged or lost, there are sanctions that can be imposed by the national archive that can lead to suspension of borrowing rights. No similar sanctions are mentioned by the National Archives of Australia.

2. Discussion

2.1 Importance of transfer, assessment and appraisal of public records

The transferring of records to Australia and New Zealand's national archives, the National Archives of Australia and Archives New Zealand is highly important for both nations to have a continued memory through their respective archives. Both countries have government legislation to ensure that this ongoing transfer of records to the archives happens. This enforceable legislation ensures that there is a continuing authentic and reliable memory of public records that provides evidence of the decisions and transactions made by the government agencies in carrying out their respective government's business. In accordance with the Section 21, *Public Records Act 2005*, government policy requires agencies and local authorities to deposit their archives referred to as public archives when the records are 25 years old and not in administrative use. In Australia legislation under Section 27, *Transfer of certain Commonwealth records to care of Archives, Archives Act 1983*, requires government agencies to deposit their records referred to as Commonwealth records with the National Archives of Australia when they are 15 years old and not in regular administrative use. Deposit and disposal of archives in both countries can only take place with permission from the Chief Archivists of both national archives.

Without the depositing of public archives in New Zealand and Commonwealth records in Australia, both nation's respective continued and collective memory of government would be compromised. Making a contribution to the "memory of government" (Archives New Zealand Appraisal Policy, 2008, p.4) is seen as much more than just documenting activity and transactions in the New Zealand government's memory. It is seen as instrumental to our understanding of who we are, our history as a nation and as a collection of communities, referred to as the "Memory objective" (Archives New Zealand Appraisal Policy, 2008, p.5). Without these records of the past, it would be difficult to know and understand the present and to plan for the future. It is important have an understanding of the past and one way is to have a continuous memory of government, its decisions made and the actions taken.

The transfer process of bringing in the archives to the archive enables decisions to be made between the government agency and the archive on which government records are deemed important to keep. Government agencies are required to appraise their public records for retention or disposal under the Public Records Act 2005 and Archives New Zealand (2013) Appraisal and Disposal Information (para.5) emphasises that disposing of public records must have authorisation from Archives New Zealand's Chief Archivist. Decisions on the preservation needs of these records can be assessed by professional archivists during the transfer process. Likewise, decisions on who can access the archives are made in consultation with the government agency during the transfer, assessment and appraisal processes.

Key entities requiring definition in this study are the agencies or public offices, and the GLS of Archives New Zealand. Public offices “are central government organisations covered by the Public Records Act 2005” Archives New Zealand, (2011), *Public offices and local authorities responsibilities: Public Offices*. Under Section 21 of the Public Records Act 2005, public offices are required to deposit public archives with Archives New Zealand who in turn are guardians of these records to ensure that they can be preserved for future access for future generations.

The umbrella term 'agencies' will be used in this research to include both central and local government bodies covered by the Public Records Act 2005. The GLS provides a service where these agencies and their authorised successors can borrow their records back for a defined loan period. These valuable records which are part of our nation's memory are kept track of through this key, but often overlooked, service of Archives New Zealand . It is vital that the both the Australian and New Zealand's national memory can continue to grow through their respective archives. It is important to have a record of the transactions and decisions that were made in order to have a continuous public memory of government and its representative agencies. If these archives are not deposited and then made accessible, the continuing memory of public records is in jeopardy.

2.2 Purpose of the research

To date there has been little or no research completed on the loaning back of archives to government agencies in Australia and New Zealand. This comparative study will provide useful data for the body of knowledge in the area of archives. The comparative study will allow for differences and similarities to be highlighted in the provision of this service of loaning archives back to agencies who have deposited them, and may help to identify current approaches to archival custodial roles that are in current practice. This information once identified could provide opportunities to strengthen information management practices and service delivery in the area which facilitates loaning back of archives to agencies in the National

Archives of Australia and in the GLS of Archives New Zealand. This could in turn encourage agencies to deposit their archives with these two national archives institutions. This research will also make an initial contribution to research on the service provision of loaning of archives to agencies and will make a valuable contribution to information management theory.

2.3 Review of the literature

The following literature will help guide the approach in this research on 'We've deposited our archives, now we need access; A Comparative Study of national archives policy in Australia and New Zealand'.

There has been no published research to date on a comparative study of national archives policy in Australia and New Zealand to do with the loaning back of deposited archives to government agencies. Of great importance to both the Australian National Archive and Archives New Zealand is the issue of access. It is an archivist's challenge to make access to public archives possible for authorised organisations and users and to meet the demand for that access to the archives. Of great influence is the Records Continuum theory and the way the archives are perceived, viewed and how they are managed in today's modern archive.

Records Continuum theory

Central to archival practice in New Zealand and internationally has been the modern archival paradigm shift to records continuum theory. The records continuum theory recognises a 21st century shift in thinking that the archive is dynamic and inter-connected. Upward (2005) has described this shift as recognition from the 20th century view where the archive was perceived in terms of its “daily activities ... and [in] the management of the places of archival custody for those objects”(p.197) to an increased understanding of what can be described as “activity theory”(p.197). This increased understanding and activity theory is a non-linear way of viewing archives through all their transactionality across spacetime and this is represented in Upward's 1996 multi-dimensional records continuum model. Modern technology has reduced greatly some of the physical barriers that created a distancing between users interested in viewing archives and the archives themselves. In what is described as a post-custodial era, archives are now able to be viewed through different systems by internet and within organisations by Intranet. This improved access is likely to attract “a defined 'organization'[s] or community of users”(Upward, 2005, p.200). It is an archivist's challenge to make access to public archives possible for authorised organisations and users and to meet the demand for that access. This links us to the archivist's role to organise the archives in such a way that they can be accessed, through the technology available and “with a growing emphasis upon portals to help negotiate a way through sites”(Upward, 2005, p.200) in a way that is meaningful and useful for both the

archive and the user.

Archives New Zealand has embraced the records continuum theory and has developed policy for access to the archives. Drawing on New Zealand and international literature, institutional practice and standards the Archives New Zealand. (2006) *Continuum create & maintain: Access standard* was developed. This Access Standard, first developed in 1991, took into account the subsequent Public Records Act 2005 and was revised in 2006. The standard operates as a 'discretionary standard' of best practice for access to public archives under the care of the Chief Archivist. The public archives are those transferred to Archives New Zealand from government agencies, which can later be accessed through the GLS. Throughout the Access Standard the principles of the continuum theory are addressed, those being providing access to archives on an ongoing basis to authorised users and balancing this with the preservation needs of the archives.

Issues of access

Additional parallel research contributing to the post-custodial debate emphasises the need for archivists to be mindful of access, Bastian, (2002). The research in this article not only emphasises the need for archivists to be mindful of access but it explores archival custody from “its historical background, its ... evolution into postcustodialism, and suggests that access be a primary role” for archivists (Bastian, 2002, p.76). Bastian draws on the research of expert archivists such as Terry Cook who asserted “that “postcustodial” did not mean “non-custodial”(Bastian, 2002, p.76). Access to any custodial system is seen as “integral to accountability” (Bastian, 2002, p.76). This issue of access relates back to Upward's summation “where the future of an archivist's activity theories can be found, pursuing the relationship between recordkeeping and accountability in any era and space.” (Upward, 2005, p.222). Whether the archives are centralised or decentralised in this world of changing technology, communities want to have access to their records.

The issues of access and accountability are key concepts to take into account when considering the Government Loans Service at Archives New Zealand and at the National Archives of Australia with their equivalent service that loans back government agency deposited archives back to the agencies. Agencies depositing records need assurance that they can borrow them back should the need arise, and that the archives are being well cared for at all times. Jacobs and colleagues (2000) have more to offer on concepts of access. They discuss how the shift in focus from custody and acquisition to access is more supportive of users' needs today. While based on libraries, Jacobs et al (2000) research can be equally applied to archival repositories. Of interest is that quotas of requests were tied in with “budgetary arrangements” (Jacobs et al, 2000, p.130). If more documents were borrowed, fees were stepped up. Through the GLS, authorised clients from agencies “can request up to 10 archives per three-working days without

charge” (Archives New Zealand, 2010, *Government Loans Service Client Procedures*, p.4) with “additional requests ... charged at \$25 per item” (p.4). This quota system may be related to budgetary constraints in providing the GLS at Archives New Zealand.

Fees, fines and cost recovery

Further research which adds breadth and depth to this proposed research, is the wealth of information on how fees and fines charged in libraries and other informational repositories may have an effect on users of that service. Percy (2001) identified major trends from his research on academic law libraries concerning user fees and criteria used in setting them that could apply to the GLS service. In particular, Percy (2001) recommends libraries “Assess whether the value of imposing the fee is greater than the expense of collecting the fee” (p.198). Time is money, and when the cost to collect the revenue from fines or fees exceeds the revenue itself it could be seen to defeat the purpose. Archives New Zealand now comes under the umbrella of the Department of Internal Affairs. Invoicing for any GLS fees and fines charged is generated by Internal Affairs and requests are made by Archives New Zealand GLS to Internal Affairs for these invoices. This process is added cost in time spent to issue invoices for fines for overdue archives and urgent service fees which are all set at \$25 respectively per item (Archives New Zealand, 2010, *Government Loans Service Client Procedures*). The impact of fees and fines that could be charged to agencies who borrow back their own archives, may have an effect on agencies willingness to deposit their archives with Archives New Zealand. As Archives New Zealand and agencies borrowing the archives are all government organisations, this could make for interesting findings. While cost transfer and recovery between government organisations is not uncommon, it will be worthwhile to research whether this leads to friction between agencies as borrowers and the GLS.

Training needs, and the pressures of fast and ever changing technology

Ever changing technological advances that organisations face, and the struggle to meet demands in the face of constant change, are challenges discussed by Yakel (2000). Yakel argues that in this post custodial time when archivists and organisations are dealing with evolving technologies, that “reference services should be seen as part of knowledge management, assisting organizations and individuals in the knowledge creation and organizational learning processes” (Yakel, 2000, p.141). As containment of archives has become more fluid with changing technologies Yakel (2000, pp.141-143) affirms archivists should play an active role in enabling clients to access the records that may no longer be defined by location or be held in the archival repository. Yakel emphasises archivists need to be proactive helping clients develop appropriate containers for their records in the digital environment that can maintain “authentic context and essential evidence for records of enduring value” (Yakel, 2000, p.141). Maintaining these

essential archival principles could be challenging for organisations faced with digital and evolving technology.

This selected literature provides a broad look at access issues that may impact on agencies transferring and borrowing back their archives from Archives New Zealand using the GLS and the equivalent service at the National Archives of Australia. As there has been no published research to date on the GLS and the National Archives of Australia's equivalent service, it was challenging to find parallel research and it was necessary to take a broad look at theory on access to apply to this research on national policy that provides for the loaning back of archives by the national archives in Australia and New Zealand.

2.4 Methodology for the research

For this research a comparative content analysis of the policies of Archives New Zealand and the National Archives of Australia was carried out. The comparative content analysis focussed on the policy document for the Government Loans Service at Archives New Zealand and documentation for the equivalent service at the National Archives of Australia. At the National Archives of Australia this service was referred to as Accessing records and more specifically as Access to records in your agency and Access to other agencies' records and embedded in multiple documents rather than one stand-alone policy document. The comparative content analysis was chosen as the most suitable research method as a means of comparing the documentation of these two respective institutions in two different countries, who are close neighbours with close associations. Bryman (2008) defines comparative design as a means of “contrasting findings uncovered through the comparison of two or more cases” (pp.58,692) and “to illuminate existing theory or to generate theoretical insights” (p.692) and this is a great way to find variations in their policy and equivalent documentation which allows for identification of similarities and differences in their respective policy and similar documentation.

2.5 Data analysis approach

In using a comparative content analysis of the policy type documents of both national archives we note these are official documents created with an express purpose in mind. That purpose being that the policy documents are representative of the organisations aims and provide a guiding framework for archivists to carry out the business outlined in the policy. Bryman (2008) states that content analysis is “often carried out [on] documents ... in qualitative research” pg. 515. Examining the policy and related documents for this research and taking into account their importance to the organisations of the national archives of Australia and New Zealand as being representative of policy, guiding principles, aims and goals for the GLS and the equivalent service at the National Archive of Australia these documents certainly meet the criteria referred to by Scott (1990, as cited in

Bryman, 2008, p.516) as having “Authenticity ... Credibility ... Representativeness ... [and] Meaning”. While it is clear that there is a difference in how the policy of the service that both national archives is communicated to government agencies they can both stand up to rigorous content analysis and leave no confusion as to what they are conveying in expressing what the policy, guiding principles, aims and goals are in providing this service of loaning archives deposited by government agencies back to those agencies.

2.6 Summary - Objectives/ Research questions

This qualitative research objective was to examine the policies that support the loaning back of archives to government agencies who deposited them with the National Archive of Australia and with Archives New Zealand. In doing so I undertook a comparative analysis that was E-based and examined the online policy and supporting documents of the Government Loans Service of Archives New Zealand plus the documents for the equivalent service provided by the National Archive of Australia.

My research aim was to answer the following research questions:

1. What similarities are there in the policies of the Australian and New Zealand Government Loans Service?
2. What differences are there in the policies of the Australian and New Zealand Government Loans Service?

My research findings showed that the similarities in policy between New Zealand's national archive and the Australian national archive were that both national archives were on the same page in what they were achieving through their aims, goals, and objectives in their provision of the New Zealand GLS and the Australian equivalent service. That was to provide the means of collecting in the archives that contribute to the ongoing layering of their respective nations' memory through their government records and archives. Providing access to the deposited archives was also a priority and key reason for having the loan service that allowed for government agencies to borrow back their archives once deposited.

In examining the differences in policy between the national archives, my findings showed that Archives New Zealand had a stand-alone policy that directly concerned with the service that loans back archives to government agencies. In contrast I found that the National Archives of Australia did not have a stand-alone policy instead they had documentation which seemed more procedural in nature and the aims, goals and guiding principles of loaning back archives to government agencies was in contrast to New Zealand's policy document in that they were embedded in various documents such as annual reports, corporate plans, and operational policy

for conservation.

In addition to this difference I found that Archives New Zealand had a greater emphasis on defining parameters for their GLS, one of which was to limit the number of archives considered for normal loan service before imposing a fee. Others were the charges for urgent service, late and damaged archives communicated through their national archive's policy on GLS. This emphasis on charges and fines was absent from the information the Australian national archive communicated through its documentation concerning the loaning back of Commonwealth records to government agencies. The considerable difference in turnaround times for service delivery was also a marked variation between the two national archives. The Australian national archive provided their normal service in a turnaround of 24 hours, with the urgent service within an hour. Whereas the New Zealand national archive's normal service was three days and the urgent service a 24 hour turnaround. That turnaround time difference must have an impact on some government agencies wanting to access their archives for administrative use in a timely manner and without incurring charges between government departments.

So while it seems that the fundamentals that both archives are achieving with their respective services of gathering in, caring for and providing access to their archives are similar to each other, it appears that the differences are found in approach and delivery of service rather than in its intention. It was a pleasure to undertake this research taking a comparative look at the similarities and differences in the temporary loan service policies of New Zealand's national archive, Archives New Zealand, and in Australia's national archive, National Archive of Australia. While both national archives are committed to the same goal of the preservation of their respective nation's memory, this research confirms that no two archival institutions are the same in how they carry this out, nor are they the same in their policy.

2.7 Implications for practice and/or theory

While the two national archives had similarities and differences in their policy and supporting documentation for the loaning back of archives to government agencies, both archives had the same overall objectives. These objectives were to provide for their nation's continuing memory through the preservation of their archives and to provide access to the archives in an appropriate ways. With the change ahead for both the Australian and New Zealand national archives that increasingly the archives deposited will be digitally born and provide a challenge to the GLS services to meet the changes of modern technology. Some of the physical barriers that created a distancing between users interested in viewing archives and the archives themselves will greatly reduced. In what is described as a post-custodial era, archives are now able to be viewed through different systems by internet and within organisations by Intranet. This improved access is likely

to attract “a defined 'organization'[s] or community of users”(Upward, 2005, p.200). It is an archivist's challenge to make access to public archives possible for authorised organisations and users and to meet the demand for that access and this will have implications on how agencies can access their archives perhaps without interacting with an archivist at all. This links us to the archivist's role to organise the archives in such a way that they can be accessed, through the technology available and “with a growing emphasis upon portals to help negotiate a way through sites” (Upward, 2005, p.200) in a way that is meaningful and useful for both the archive and the user and in ways that respect agreed access restrictions.

Both national archives work with the records continuum theory with their access standards have developed policy for access to the archives that reflects best practice for access to their Commonwealth records and public archives under the care of their respective Chief Archivists. Throughout the Access Standards the principles of the continuum theory are addressed, those being providing access to archives on an ongoing basis to authorised users and balancing this with the preservation needs of the archives. The post-custodial debate emphasises the need for archivists to be mindful of access, Bastian, (2002). The research in this article not only emphasises the need for archivists to be mindful of access but it explores archival custody from “its historical background, its ... evolution into postcustodialism, and suggests that access be a primary role” for archivists (Bastian, 2002, p.76). Bastian draws on the research of expert archivists such as Terry Cook who asserted “that “postcustodial” did not mean “non-custodial” (Bastian, 2002, p.76). Access to any custodial system is seen as “integral to accountability” (Bastian, 2002, p.76). This issue of access relates back to Upward's summation “where the future of an archivist's activity theories can be found, pursuing the relationship between recordkeeping and accountability in any era and space.” (Upward, 2005, p.222). Whether the archives are centralised or decentralised in this world of changing technology, communities want to have access to their records.

Issues of access turnaround times and fees are of interest and these may have an impact on how the service is viewed by clients borrowing back their archives from the national archives. The issue of quotas of requests being tied in with “budgetary arrangements” (Jacobs et al, 2000, p.130) is one that is thought provoking. If more archives were borrowed, fees were stepped up. User fees may have an effect on users of that service and even on those imposing the fee. Percy (2001) recommends libraries, and we can apply this to archival institutions, “Assess whether the value of imposing the fee is greater than the expense of collecting the fee” (p.198). Time is money, and when the cost to collect the revenue from fines or fees exceeds the revenue itself it could be seen to defeat the purpose. The impact of fees and fines that could be charged to agencies who borrow back their own archives, may have an effect on agencies willingness to deposit their archives. While cost transfer and recovery between government organisations is not necessarily uncommon, it could be worthwhile to research if this leads to friction

between agencies as borrowers and the GLS.

As there has been no published research to date on the GLS and the National Archives of Australia's equivalent service, it was challenging to find parallel research and necessary to take a broad look at theory on access to apply to this research on national policy that provides for the loaning back of archives by the national archives in Australia and New Zealand.

2.8 Further research possibilities

Further research possibilities which could help develop a broader understanding of the Government Loans Service in New Zealand and its Australian equivalent service would be to look at:

- The impact of digital archives on the Government Loan Service
 - in particular how this affects depositing and access of the digital archives
- What factors inhibit agencies depositing their archives with the national archives in both Australia and New Zealand?
- What impact charges and fines have on agencies who are considering depositing and borrowing back their archives and what implications there are for setting limits on the number of archives that can be borrowed back before charges are applicable?
- What impact does the turnaround time for service delivery for the GLS and the Australian equivalent service have on the government agencies borrowing back their archives?

3. References

AICCM: *Code of Ethics and Code of Practice*. Australian Institute for the Conservation of Cultural Material (n.d.) Retrieved September 22, 2013, from <http://aiccm.org.au/docs/AICCMBusinessDocs/CodePracticeEthics.pdf>

Archives Act 1983. Retrieved September 29, 2013, from <http://www.comlaw.gov.au/Details/C2013C00217>

Archives' Corporate Plan 2009–2012, as cited in National Archives of Australia. (2013). *Operational Policy: Conservation*. Retrieved September 28, 2012 from: <http://www.naa.gov.au/about-us/organisation/accountability/operations-and-preservation/conservation.aspx#section6>

Archives New Zealand. (2013). *Appraisal and Disposal Information*. Retrieved November 1, 2013 from: <http://archives.govt.nz/advice/appraisal-and-disposal-information>

Archives New Zealand Appraisal Policy. (2008). *Memory objective*. Retrieved October 1, 2013, from http://archives.govt.nz/sites/default/files/appraisal_policy_15.pdf

Archives New Zealand. (2013). Archway. *Disposal Authorities*. Retrieved October 6, 2013 from: <http://www.archway.archives.govt.nz/DisposalAuthorities.do>

Archives New Zealand. (2006). *Continuum create & maintain: Access standard* [Brochure]. Wellington: Author.

Archives New Zealand. (2010). *Government Loans Service Client Procedures*. Retrieved November 1, 2013 from:
http://archives.govt.nz/sites/default/files/Government_Loans_Procedures_for_Clients_0.pdf

Archives New Zealand. (2013). *Government Loans Service National Policy*. Retrieved August 27, 2013 from:
http://archives.govt.nz/sites/default/files/Government_Loans_Service_National_Policy_1.pdf

Archives New Zealand. 2013. *Government Loans Service National Policy. Archives New Zealand will temporarily return a public archive to the controlling public office (or its successor) if:* Retrieved September 29, 2013 from:
http://archives.govt.nz/sites/default/files/Government_Loans_Service_National_Policy_1.pdf

Archives New Zealand. (2013). *Government Loans Service National Policy. Policy Principles*. Retrieved September 29, 2013 from:
http://archives.govt.nz/sites/default/files/Government_Loans_Service_National_Policy_1.pdf

Archives New Zealand. (2013). *Government Loans Service. Overdues*. Retrieved October 6, 2013 from:
<http://archives.govt.nz/services-government-loans>

Archives New Zealand. (2010). *Public offices and local authorities responsibilities. Disposing of Public Records*. Retrieved November 14, 2011 from:
<http://archives.govt.nz/advice/public-records-act-2005/introduction->

[pra/public-offices-and-local-authorities-responsibilitie#Pub_Disposing_PR](#)

Archives New Zealand. (2013). Public offices and local authorities responsibilities. *Providing Access to Local Authority Records and Archives*. Retrieved September 30, 2013 from:
http://archives.govt.nz/advice/public-records-act-2005/introduction-pra/public-offices-and-local-authorities-responsibilitie#Pub_Transfer_PR

Archives New Zealand. (2013). Public offices and local authorities responsibilities. *Terminology*. Retrieved September 30, 2013 from:
http://archives.govt.nz/advice/public-records-act-2005/introduction-pra/public-offices-and-local-authorities-responsibilitie#Pub_Transfer_PR

Archives New Zealand. (2013). Public offices and local authorities responsibilities. *Transfer of Public Records/Public Archives to Archives New Zealand*. Retrieved September 30, 2013 from:
http://archives.govt.nz/advice/public-records-act-2005/introduction-pra/public-offices-and-local-authorities-responsibilitie#Pub_Transfer_PR

Archives New Zealand (2012) *Public Records Act 2005: 4. Interpretation, public office*. Retrieved February 14, 2012 from:
<http://www.legislation.govt.nz/act/public/2005/0040/latest/DLM345537.html>

Archives New Zealand. (2012). *Who's covered by the Public Records Act 2005*. Retrieved January 16, 2012 from:
<http://archives.govt.nz/advice/public-records-act-2005/organisations->

[covered](#)

Bastian, J. (2002). Taking Custody, Giving Access: A postcustodial role for a new century. *Archivaria*, 53, 76-93. Retrieved from <http://journals.sfu.ca/archivar/index.php/archivaria/issue/view/430/showToc>

Bryman, A. (2008). *Social Research Methods* (3rd ed). New York: Oxford University Press.

Capital cities. (2013). *Australian Government*. Retrieved August 11, 2013 from Australian Government: <http://australia.gov.au/>

Federal Court of Australia. (2012). *Appealing from a decision of the AAT*. Retrieved September 8, 2013, from <http://www.fedcourt.gov.au/case-management-services/appeals/from-other-bodies/aat>

Fricker, D. (2012). The National Archives of Australia's Business Model. In G. Oliver (Ed.) *Archifacts* (April, 2013, pp. 25-35). Dunedin: Uniprint.

Goulding, G. (2012). Archives New Zealand: Twenty-first Century Archives. In G. Oliver (Ed.) *Archifacts* (April, 2013, pp. 11-24). Dunedin: Uniprint.

Information and Knowledge Services branch, *The Department of Internal Affairs*. Retrieved August 11, 2013 from <http://www.dia.govt.nz/About-Internal-Affairs---Department-structure---Business-units>

Jacobs, N., Morris, A., Woodfield, J., & Davies, E. (2000). *Planning*

document access: Options and opportunities. London: Bowker-Saur.

National Archives of Australia. (2013). *Access to records held by the National Archives*. Retrieved September 14, 2013, from <http://www.naa.gov.au/records-management/agency/access/records-held-by-naa/index.aspx>

National Archives of Australia. (2013). Access to records under the Archives Act – Fact sheet 10. 2013. *Access to archival records*. Retrieved September 10, 2013, from <http://www.naa.gov.au/collection/fact-sheets/fs10.aspx>

National Archives of Australia. (2013). Access to records under the Archives Act – Fact sheet 10. 2013. *Are all records available when they reach the open access period?* Retrieved September 10, 2013, from <http://www.naa.gov.au/collection/fact-sheets/fs10.aspx>

National Archives of Australia. (2013). Access to records under the Archives Act – Fact sheet 10. 2013. *Does the Archives Act apply to all records in the open access period?* Retrieved September 10, 2013, from <http://www.naa.gov.au/collection/fact-sheets/fs10.aspx>

National Archives of Australia. (2011). Annual Reports 10,11. *Administrative Appeals Tribunal*. Retrieved September 8, 2013, from http://naa.gov.au/naaresources/publications/corporate_publications/ar2011/management-and-accountability.html#corporate-governance

National Archives of Australia. (2011). Annual Reports 10,11. *Categories of documents*. Retrieved October 16, 2013, from http://naa.gov.au/naaresources/publications/corporate_publications/ar2011/appendix-h.html

National Archives of Australia. (2011). Annual Reports 10,11. *Federal Court of Australia*. Retrieved September 8, 2013, from http://naa.gov.au/naaresources/publications/corporate_publications/ar2011/management-and-accountability.html#corporate-governance

National Archives of Australia, 2012, Annual Report 2001-11: *Agency overview: Establishment and functions*. Retrieved September 23, 2013, from <http://annualreport.naa.gov.au/2010-11/agency-overview.aspx>

National Archives of Australia, 2012, Annual Report 2010-11: *Agency overview: Outcome and program structure*. Retrieved September 23, 2013, from <http://annualreport.naa.gov.au/2010-11/agency-overview.aspx>

National Archives of Australia, 2012, Annual Report 2011-11: *Program 2.2 summary of performance: Access examination*. Retrieved September 23, 2013, from <http://annualreport.naa.gov.au/2010-11/performance.aspx>

National Archives of Australia. (2013). *Are all records available when they reach the open access period?* Retrieved September 10, 2013, from <http://www.naa.gov.au/collection/fact-sheets/fs10.aspx>

National Archives of Australia Corporate Plan 2012-13 to 2016-17. (2013). Retrieved September 25, 2013, from <http://www.naa.gov.au/about-us/organisation/accountability/corporate-plan/index.aspx>

National Archives of Australia Corporate Plan 2012-13 to 2016-17. (2013)

Table 1: Business responsibilities and strategies. Retrieved September 25, 2013, from

<http://www.naa.gov.au/about-us/organisation/accountability/corporate-plan/index.aspx>

National Archives of Australia. (2013). *Operational Policy: Conservation.*

Retrieved August 29, 2013 from

<http://www.naa.gov.au/about-us/organisation/accountability/operations-and-preservation/conservation.aspx#section6>

National Archives of Australia. 2013. *Submitting a lending request.*

Retrieved October 29, 2013 from

<http://www.naa.gov.au/records-management/agency/access/records-held-by-naa/lending/index.aspx>

National Archives of Australia. (2013). *Which records will the National Archives issue?* Retrieved September 14, 2013 from

<http://www.naa.gov.au/records-management/agency/access/records-held-by-naa/lending/index.aspx>

Percy, K. (2001). User fees in academic law libraries. In J. D. Edwards (Ed.) *Emerging solutions in Reference Services: Implications for libraries in the new millennium.* New York: The Haworth Publishing Press.

Public Records Act 2005. Section 24. Retrieved August 15, 2013 from New Zealand legislation: Acts:

http://legislation.govt.nz/act/public/2005/0040/latest/DLM345741.htm?search=ts_act_Public+Records+Act_resel&p=1

Section 21, Mandatory Transfer of Public Records. *Public Records Act*

2005. Retrieved August 11, 2013 from New Zealand legislation: Acts:

http://legislation.govt.nz/act/public/2005/0040/latest/DLM345737.htm?search=ts_act_Public+Records+Act_resel&p=1

Section 27, Transfer of certain Commonwealth records to care of Archives.

Archives Act 1983. Retrieved August 11, 2013 from Australian Government CommLaw:

<http://www.comlaw.gov.au/Details/C2013C00217>

Territory government. (2013). *Australian Government*. Retrieved August 11, 2013 from Australian Government:

<http://australia.gov.au/>

Capital cities. (2013). *Australian Government*. Retrieved August 11, 2013 from Australian Government:

<http://australia.gov.au/>

Upward, F. (2005). The records continuum. In Sue McKemmish, Michael Piggott, Barbara Reed & Frank Upward (Eds.), *Archives: Recordkeeping in Society* (pp.197-223). Wagga Wagga: Centre for Information Studies.

Yakel, E. (2000). Thinking inside and outside the boxes: Archival reference services at the turn of the century. *Archivaria*, 1(49). Retrieved from <http://journals.sfu.ca/archivar/index.php/archivaria/article/view/12742/13927>

4. Bibliography

Archives New Zealand. (2010). *ISO 15489: International Standard on Records Management*. Retrieved October 15, 2011 from:
<http://archives.govt.nz/advice/international-standards/iso-15489-international-standard-records-management>

Bearman, D. (1989). Chapter 111: Arrangement and Description. Archival Methods. *Archives and Museum Informatics Technical Report #9*. Retrieved October 1, 2010 from:
http://www.archimuse.com/publishing/archival_methods/

Business Classification Scheme. (2010). Retrieved October 20, 2010 from Archives of New Zealand:
<http://continuum.archives.govt.nz/3-overview-standard.html-0>

Create and maintain recordkeeping standard 2.1 Application. (2010). Retrieved October 20, 2010 from Archives of New Zealand:
<http://continuum.archives.govt.nz/2-mandate-and-responsibilities.html-0#application>

Duff, W., Dryden, J., Limkilde, C., Cherry, J., & Bogomazova, E.. (2008) Archivists' views of user-based evaluation: Benefits, barriers, and requirements. *The American Archivist*, 71(1):144-166. Available from
<http://www.metapress.com/helicon.vuw.ac.nz/content/y70837374478t146/>

General Disposal Authorities, (2010), Retrieved October 16, 2011 from Archives of New Zealand:
<http://archives.govt.nz/advice/public-offices/records-appraisal-and-disposal/general-disposal-authorities>

Hernon, P. & Altman, E. (1998). *Assessing service quality: Satisfying the expectations of Library Customers*. Chicago: American Library Association.

Looking after public records. (2010). Retrieved October 16, 2011 from Archives of New Zealand:
<http://www.archives.govt.nz/advice/public-records-act-2005/introduction-pra/public-offices-and-local-authorities-responsibilitie>

McCombs, G.M. (Ed.) (1991). *Access Services: The convergence of reference and technical services*. New York: The Haworth Press.

Organisations covered. Advice on Records & Archiving. Retrieved October 15, 2011 from Archives of New Zealand:
<http://www.archives.govt.nz/advice/public-records-act-2005/organisations-covered#education>

Reed, B. (2005) Records. In Sue McKemmish, Michael Piggott, Barbara Reed &

Frank Upward (Eds.), *Archives: Recordkeeping in Society* (pp.101-130. Wagga Wagga: Centre for Information Studies.

Sapp, G. (Ed.). (1992). *Access services in libraries: New solutions for collection management*.

Standards Programme Strategy, 2009-2012. (2009). Retrieved October 14, 2011 from Archives of New Zealand:
http://archives.govt.nz/sites/default/files/Standardsprogrammestategy09-12_1.pdf

5 Appendices

Appendix A. Government Loans Service Client Procedures



Archives New Zealand Government Loans Service Client Procedures

Archives New Zealand's Government Loans Service provides for the temporary return of public archives to controlling public offices (or their successors) when archives are required for administrative use, as per Section 24 of Public Records Act 2005.

These Procedures complement Archives New Zealand's Government Loans Service National Policy, the purpose of which is to ensure that Archives New Zealand staff and the staff of public offices are aware of their responsibilities under s 24 of the Public Records Act 2005.

The guiding principles of both Policy and Procedures are that public archives are:

- Made accessible to public offices when required for administrative use
- Protected and available to meet the needs of current and future users

The Government Loans Service operates within the following legislative framework:

S 24 of the Public Records Act 2005 states:

Temporary return of public archives to controlling public office

If the administrative head of a controlling public office satisfies the Chief Archivist that the public archive is required for administrative use, the Chief Archivist—

- (a) must return the public archive to the possession of that public office for an agreed period of time; and
- (b) may impose conditions to ensure the safe custody and preservation of the public archive during the time that it is in the possession of the public office.

S 4 of the Public Records Act 2005 defines the following terms:

Controlling public office

- (a) means...
 - (ii) in relation to a public archive, the public office that has the power to determine conditions of access to the public archive, and
- (b) includes any successor to that public office

Public archive means a public record that is under the control of the Chief Archivist

Administrative use is defined by Archives New Zealand as any use reasonably within the functions of the public office, or connected with the affairs of the public office.

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1. CONTACTS

Contact the appropriate Archives New Zealand Regional Office to request archives or for more information about the Government Loans Service.

National Office, Wellington

10 Mulgrave Street, Thorndon, Wellington 6011, New Zealand
PO Box 12-050, Wellington, New Zealand
Phone: (64-4) 894 6063
Fax: (64-4) 495 6210
Email: government.loans@archives.govt.nz

Auckland Regional Office

95 Richard Pearse Drive, Mangere, Manukau 2022
PO Box 201103, Auckland Airport, Manukau 2150
Ph: (64- 9) 270 1100
Fax: (64- 9) 276 4472
Email: auckland@archives.govt.nz

Christchurch Regional Office

90 Peterborough Street, Christchurch 8013, New Zealand
PO Box 642, Christchurch, New Zealand
Phone: (64-3) 377 0760
Fax: (64-3) 365 2662
E-mail: christchurch@archives.govt.nz

Dunedin Regional Office

556 George Street, Dunedin 9016, New Zealand
PO Box 6183, Dunedin North, Dunedin, New Zealand
Phone: (64-3) 477 0404
Fax: (64-3) 477 0422
E-mail: dunedin@archives.govt.nz

2. REGISTRATION

2.1 A public office must be registered as a Government Loans Client in order to request archives

2.2 All those organisations that Archives New Zealand has identified as public offices (as defined by the Public Records Act 2005) can register as Government Loans Clients, including:

- Government Departments
- Crown Entities
- Crown Research Institutes
- State-Owned Enterprises
- District Health Boards
- Tertiary Institutions
- State Schools

2.3 Archives New Zealand does not allow private companies (even when they are former public offices) to register as Government Loans Clients

Any private company wishing to view archives has the same research privileges in Archives New Zealand reading rooms as any researcher and must abide by the same rules

Access restrictions on archives apply to private companies even when they are former public offices

2.4 A Government Loans Client must provide Archives New Zealand with a list of staff authorised to request archives

2.5 Requesting staff must be authorised by the administrative head (or the staff member to whom this role has been delegated) of a public office

2.6 Application for registration must be made using the Government Loans Client Registration Form available from the Archives New Zealand website or on request from the appropriate Archives New Zealand Office

2.7 A Government Loan Client must notify Archives New Zealand of any changes to authorised staff

3. REQUESTING

3.1 Only authorised staff of a public office can request public archives

3.2 Requests must be made using the Government Loans Request Form available on the Archives New Zealand website or as agreed with Archives New Zealand staff

3.3 Requests from Government Loans Clients outside a lending Archives New Zealand office's region will be assessed on a case-by-case basis

3.4 A Government Loans Client can request up to 10 archives per three-working days without charge

3.5 Additional requests over the 10 per three-working days are charged at \$25 per item

3.6 Urgent Requests (supplied within 24-hours) are charged at \$25 per item

3.7 A request is each separate physical object being requested, such as a record part or volume

3.8 Requests for whole boxes will be assessed on a case-by-case basis

3.9 A Government Loans Client must supply sufficient detail to facilitate a request

3.10 The following details must be supplied:

- Government Office/Client Name
- Client Agency Code
- Client Number

- Authorised Contact Name
- Phone/Fax
- Physical Delivery Address
- Why the archive is required for administrative use
- How, if not the controlling public office for the archive, the requesting office is its successor
- A copy of the permission-to-access letter or email received from the controlling public office, if the requesting office is neither the controlling public office nor its successor
- Turnaround time required - Standard (within 3-working days) or Urgent (within 24-hours)

3.11 As many as possible of the following File References must be supplied, either from Archives New Zealand's online finding aid Archway www.archway.archives.nz or from transfer lists:

- Agency
- Series
- Accession
- Box/Item
- Record/Part
- Title/Years

3.12 Delays are likely if information provided is insufficient or incomplete

4. TRANSFER LISTS

4.1 Upon completion of a transfer, Archives New Zealand supplies the public office with a list of transferred records

4.2 If this original list is no longer available, a Government Loans Client can request a copy of the transfer list, in order to facilitate requests

4.3 Archives New Zealand reserves the right to charge for the supply of copies of transfer lists

5. RESEARCH

5.1 Archives New Zealand will undertake research for a fee of \$25 per 30 minutes, if a Government Loans Client is unable to supply sufficient details to identify a requested item

6. PHYSICAL CONDITION OF THE ARCHIVE

6.1 A Government Loan is dependent on the physical condition of the archive and this is assessed by Archives New Zealand staff on a case-by-case basis

6.2 If an archive cannot be loaned it may be copied or made available for viewing at an Archives New Zealand office

7. COLLECTION AND RETURN

7.1 A Government Loans Client is responsible for the secure collection and return of loans

7.2 Couriers or Clients must sign for loans collected

7.3 Loans must be returned in the secure packaging provided by Archives New Zealand

8. LOAN PERIODS

8.1 The initial loan period is three months, unless otherwise agreed between Archives New Zealand the Government Loans Client

8.2 Loans can be extended beyond the initial loan period, for an additional three months if requested before that period ends

8.3 Special arrangements may be made for long-term loans

9. INSPECTIONS OF LONG-TERM LOANS

9.1 The condition of archives on long-term loan will be inspected every six months by Archives New Zealand staff, before further extension is granted

9.2 Archives can be returned to any Archives New Zealand office for inspection and the Government Loans Client will meet all return and collection costs

9.3 If inspection is not done in the originating office, the Government Loans Client and the lending Archives New Zealand office must provide relevant details in advance to the inspecting office

9.4 The inspecting office will inform the lending office of the archive's condition and the lending office will extend the loan as required

9.5 Where a Government Loans Client is located in a city with an Archives New Zealand office, Archives' staff can visit to inspect archives. On-site inspection is charged at \$45 per hour, including travelling time

10. CENSUS

10.1 Archives New Zealand offices will conduct regular census in order to establish the whereabouts and condition of all archives on loan for more than three months without an extension

10.2 The census gives Archives New Zealand a way to monitor its responsibilities for "the safe custody and preservation of the public archive during the time that it is in the possession of the public office" (s 24(b) Public Records Act 2005)

10.3 Census frequency may vary between Archives New Zealand offices

10.4 A Government Loans Client is responsible for having systems and processes in place to ensure that a loan is returned to Archives New Zealand after the initial three-month period or arrangements are made for the loan to be extended

11. OVERDUES

11.1 A Government Loan will be deemed to be overdue if:

- The loan has not been returned at the end of the normal loan period
- An extension has not been arranged
- A request to inspect the condition of a loan has not been responded to

11.2 Overdues are charged at \$25 per item

12. CARE AND HANDLING

12.1 A Government Loans Client is responsible for "the safe custody and preservation of the public archive during the time that it is in the possession of the public office" (s 24(b) Public Records Act 2005)

12.2 A Government Loans Client must follow any directions given by Archives New Zealand Staff as to the care and handling of archives on loan, including:

- Having systems in place to record the whereabouts of an archive at all times while it is on loan
- Adding nothing to, taking nothing from and writing nothing on an archive
- Using acid-free paper to mark references, not adhesive markers
- Copying from bound volumes using a camera (without flash), not a photocopier
- Keeping an archive supplied in a protective folder, in that folder when not in use
- Ensuring the Archives New Zealand loan cover sheet remains with the archive at all times

- Returning the archive to Archives New Zealand in the container in which it was received
 - Securing the container in such a way that it cannot come apart
- 12.3 A Government Loans Client is liable for any costs involved in repairing and restoring an archive that has been damaged while on loan
- 12.4 A Government Loans Client that does not comply with these conditions may have its Client Rating reduced and/or access to the service suspended

13. LOANS TO A THIRD PARTY

- 13.1 A Third Party is defined as a public office that Government Loans an archive controlled by another public office having first obtained permission from that office
- 13.2 Archives New Zealand will Government Loan an archive to a Third Party only upon receipt of written permission (email or letter) from the controlling public office
- 13.3 A Government Loans Client must not Government Loan and then on-loan an archive to a Third Party unless it is required to do so to satisfy the process of legal discovery
- 13.4 When on-lending to a Third Party to satisfy legal discovery, the Government Loans Client on-lending must advise Archives New Zealand of the situation
- 13.5 The Third Party must agree to any conditions set for the loan by Archives New Zealand and accept responsibility for the archive while in its possession
- 13.6 A Government Loans Client that on-loans an archive to a Third Party is responsible for the safe return of that archive to Archives New Zealand
- 13.7 If the Third Party damages or loses an archive, the Government Loans Client responsible for on-lending is liable for any fees incurred
- 13.8 In normal circumstances, a Government Loans Client must return the archive it wishes to on-loan to a Third Party to Archives New Zealand and then grant permission for the Third Party to Government Loan

14. BREACHES OF LOAN CONDITIONS

- 14.1 A Government Loans Client that breaches loan conditions may have its Client Rating status reduced
- 14.2 Breaches of loan conditions include:
- Failure to return an archive
 - Serious damage to an archive
 - Non-compliance with requests for inspection
 - Unapproved loans to a Third Party

14.3 Archives New Zealand will notify a Government Loans Client that its Client Rating has been reduced and for what reason(s)

15. CLIENT RATING

15.1 A Government Loans Client is rated as follows:

- GLC A receives all Government Loans Services
- GLC B has loan access suspended pending a meeting with the Client's Record Manager (or staff member to whom this role has been delegated)

15.2 At this meeting conditions will be agreed with Archives New Zealand concerning future service and monitoring of loans

15.3 The Group Manager, Regional and Access Services will be informed of the situation

15.4 If there is serious concern over the safety of loaned archives, the Chief Archivist will be informed of the situation and any action will be based on his/her recommendations. The Government Loans Client will be informed of these recommendations at a meeting with the Client's Records Manager

15.5 Reading Room access is available while loan access is suspended

16. INFORMATION ABOUT THE SERVICE

16.1 Archives New Zealand is responsible for providing Government Loans Clients with information about the service and its processes, including:

- Initial training for authorised staff
- Tours
- Handouts
- Website information
- Archway training

Appendix B.

Government Loans Service National Policy



Archives New Zealand Government Loans Service National Policy

| | |
|---------------------|---|
| SMG Approval Date: | 13 July 2009 |
| Date last reviewed: | |
| Review by: | 13 January 2010 |
| Policy Owner: | Group Manager, Access and Regional Services |
| Sections of PRA: | s 24 |

1. Purpose

The purpose of this policy is to ensure that Archives New Zealand staff and the staff of public offices using the Government Loans Service are aware of their respective responsibilities under s 24 of Public Records Act 2005, relating to the temporary return of public archives to a controlling public office.

2. Scope

This policy applies to Archives New Zealand staff and to the staff of public offices requesting the temporary return of public archives through the Government Loans Service.

3. Policy Principles

The guiding principles of this policy are that public archives are:

- 3.1 Made accessible to public offices when required for administrative use
- 3.2 Protected and available to meet the needs of current and future users

4. Policy Objectives

The objectives of this policy are to make clear:

- 4.1 The circumstances in which the controlling public office (or a successor to the controlling public office) can request the temporary return of a public archive
- 4.2 The circumstances in which a third party (a public office which is not the controlling or a successor public office) can request the temporary return of a public archive

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4.3 The conditions imposed by Archives New Zealand to ensure the safe custody and preservation of a public archive during the time that it is in the possession of the public office

4.4 The sanctions applied if a public office breaches the conditions imposed by Archives New Zealand

4.5 Archives New Zealand's responsibilities in facilitating the Government Loans Service process

These objectives contribute to Archives New Zealand's Outcomes as listed in The Statement of Intent as follows:

Outcome Two: Archives are well managed

Outcome Three: Archives are well used and accessible

Careful management of the lending of public archives to public offices ensures archives are made accessible to public offices and are at the same time protected and available to meet the needs of both current and future users.

5. Policy Statements

The Government Loans Service operates within the following legislative framework.

S 24 of the Public Records Act 2005 states:

Temporary return of public archives to controlling public office

If the administrative head of a controlling public office satisfies the Chief Archivist that the public archive is required for administrative use, the Chief Archivist—

- (a) must return the public archive to the possession of that public office for an agreed period of time; and
- (b) may impose conditions to ensure the safe custody and preservation of the public archive during the time that it is in the possession of the public office.

S 4 of the Public Records Act defines the following terms:

Controlling public office

- (a) means...
 - (ii) in relation to a public archive, the public office that has power to determine conditions of access to the public archive; and
- (b) includes any successor to that public office

Public archive means a public record that is under the control of the Chief Archivist

Administrative use is defined by Archives New Zealand Legal Counsel as any use reasonably within the functions of the public office, or connected with the affairs of the public office.

The following policy statements are based on this legislative framework:

5.1 Archives New Zealand will temporarily return a public archive to the controlling public office (or its successor) if:

5.1.1 The administrative head (or the staff member to whom this role has been delegated) of the controlling public office (or its successor) satisfies the Chief Archivist (or the Archives New Zealand staff member to whom this role has been delegated) that the public archive is required for administrative use, as defined by Archives New Zealand

Examples of administrative use include:

- Current operational functions
- Litigation purposes
- Ministerial requests
- Official Information Act requests
- Review following a request to access a restricted item

5.1.2 The administrative head (or the staff member to whom this role has been delegated) of the successor public office specifies how that office is a successor to the controlling public office

5.2 Archives New Zealand will temporarily return a public archive to a third party (a public office which is not the controlling or a successor public office) if:

5.2.1 The third party has first obtained the written permission of the controlling public office

5.2.2 The third party also satisfies the Chief Archivist (or the Archives New Zealand staff member to whom this role has been delegated) that the public archive is required for administrative use, as defined by Archives New Zealand

Note: Archives cannot generally be loaned to non-public offices (for example, Private companies, including former public offices)

5.3 Archives New Zealand will impose the following conditions to ensure the safe custody and preservation of a public archive during the time that it is in the possession of the public office:

- 5.3.1 A public office must be registered as a Government Loans Client in order to request archives
- 5.3.2 A Government Loans Client must provide Archives New Zealand with a list of staff authorised to request archives
- 5.3.3 Requesting staff must be authorised by the administrative head (or the staff member to whom this role has been delegated) of a public office
- 5.3.4 Only authorised staff of a Government Loans Client can request public archives
- 5.3.5 A Government Loans Client must supply sufficient detail (as determined by Archives New Zealand) to facilitate a request
- 5.3.6 A Government Loan is dependent on the physical condition of the archive and this is assessed by Archives New Zealand staff on a case-by-case basis
- 5.3.7 If an archive cannot be loaned because of its physical condition, it may be copied by Archives New Zealand staff or viewed at an Archives New Zealand office
- 5.3.8 An archive may be sent between Archives New Zealand offices for viewing if it cannot be loaned because of physical condition
- 5.3.9 Requests from Government Loans Clients outside the lending Archive New Zealand office's region will be assessed on a case-by-case basis
- 5.3.10 Archives New Zealand staff will decide on a case-by-case basis if whole boxes can be loaned
- 5.3.11 A Government Loans Client is responsible for the security of the archives loaned from collection and to return
- 5.3.12 A Government Loans Client is responsible for ensuring the archives are returned in the same physical condition in which they were received
- 5.3.13 Archives will be packaged in a secure bag or box and must be returned in the packaging provided
- 5.3.14 The initial loan period is three months, unless otherwise agreed between Archives New Zealand and the Government Loans Client
- 5.3.15 Loans can be extended beyond the initial loan period for another three months, if agreement is made before the loan period ends
- 5.3.16 A Government Loans Client is responsible for having systems and processes in place to ensure that a loan is returned to Archives New Zealand

after the initial three-month period or arrangements are made for the loan to be extended

5.3.17 Where Archives New Zealand extends the loan period, it will carry out an inspection of the archives before allowing the extension

5.3.18 Special arrangements can be made for long-term loans

5.3.19 Items on long-term loan will be inspected by Archives New Zealand staff every six months

5.3.20 Archives New Zealand offices will conduct regular checks in order to establish the whereabouts and condition of all archives on loan for more than three months without an extension

5.3.21 A Government Loans Client must follow any directions given by Archives New Zealand staff as to the care and safe handling of archives on loan

5.3.22 A Government Loans Client that borrows an archive and then provides access to a third party remains responsible for the safe return of the archive and for any related overdue or inspection charges

5.3.23 Archives New Zealand may request the return of a loan at any time if required for access by another user

5.4 Archives New Zealand will apply the following sanctions if a public office breaches the conditions imposed to ensure the safe custody and preservation of the public archive:

5.4.1 Charges will apply for overdue loans

A Government Loan will be deemed overdue if:

- The loan has not been returned at the end of the agreed loan period
- An extension has not been arranged
- A request to inspect the condition of a loan has not been responded to

5.4.2 Charges will apply for damage that occurs while an archive is on loan

5.4.3 A Government Loans Client in breach of loan conditions will have its borrowing privileges reduced or will be suspended from the Government Loans Service pending a meeting with the Client's Records Manager (or staff member to whom this role has been delegated)

5.5 Archives New Zealand's responsibilities in facilitating the Government Loans Service process are:

5.5.1 Archives New Zealand staff will supply as required, lists of archives the public office has transferred, in order to facilitate requests

5.5.2 Archives New Zealand staff will provide public offices with information about the Government Loans Service

5.5.3 The Government Loans Service will process up to 10 archives per Government Loans Client authorised contact every three-working days without charge

5.5.4 Urgent requests will be fulfilled as time and staffing permits - charges will apply for urgent requests

5.5.5 Archives New Zealand will undertake research if a Government Loans Client cannot supply sufficient detail (as required by Archives New Zealand) to facilitate a request - charges will apply for research

6. Reference for Procedures

See Government Loans Service Client Procedures (A359499)

7. Related Policies

See Government Loans Service Information for Clients (A380188 or the website)

Government Loans charges (A380191)

8. Internal Responsibilities under this Policy

| | |
|--|------------------------------|
| Returning public archives to the possession of controlling (or successor) public offices when satisfied the archives are required for administrative use | Regional and Access Services |
| Imposing and monitoring conditions to ensure the safe custody and preservation of public archives during the time they are in the possession of public offices | Regional and Access Services |

9. Measures as to how the Policy Achieves the Objectives

- 9.1 Government Loans Client orders are processed at the rate of up to 10 archives every three-working days
- 9.2 Urgent requests are fulfilled within 24 hours
- 9.3 No overdues over 3 months
- 9.4 100% of loans are returned

10. Updating and Reviewing the Policy

This policy can be reviewed or updated at any time but in any case no later than six months after it has been in operation and every year thereafter.

11. Delegation

The Chief Archivist has delegated responsibilities under s 24 of the Public Records Act 2005 to the Group Manager, Regional and Access Services and the Regional Archivists.

(Refer to the Public Records Act 2005 delegations within Archives New Zealand's Delegations Document, Objective ref: 2003/4749)

12. Policy Signoff

| | |
|---|---------------|
| Name Manager, Business Unit | / /200 |
| Name Manager, Group | / /200 |
| Name Manager, Policy and Planning | / /200 |
| SMG Approval | / /200 |
| Date Entered into Policy and Planning Database | / /200 |

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