# **Template Context**

The New Zealand Security Classification System Policy states, ‘Agency heads must establish an organisational declassification policy and procedures in line with the Classification System’.

This does not mean that agencies must have a separate policy for declassification, only that policy exists that addresses declassification.

**Agencies can chose whether to have a stand-alone policy for declassification or to incorporate this content in to existing policies, e.g. their Information Management policy.**

Some agencies have asked for guidance on how to develop a declassification policy. The Declassification Policy Template is provided primarily as a starting point for agencies considering establishing their own declassification policy and need guidance.

The template is not prescriptive and agencies should apply their own judgement about whether the content is useful to them or whether declassification requirements are already addressed in other policies.

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# **Declassification Policy Template**

Words in black font are suggested policy content.

*Words in red italics highlight areas where agencies will need to contextualise the template with their own information.*

## Introduction

1. This policy outlines the statutory and business requirements and the framework for declassifying the records of <<ORGANISATION>>.

## Scope

1. This policy applies to all <<ORGANISATION>> employees, suppliers and contractors who are involved in managing or handling the records of <<ORGANISATION>>.
2. This policy refers specifically to classified historical records which are held by the organisation and are recognised as having public value.

## Purpose

1. This policy outlines <<ORGANISATION’s>> approach to declassification.
2. For the purposes of this policy, declassification is described as the process for assessing whether protected information can be released. This process is common across a range of activities, from responding to Privacy Act and Official Information Act requests to the proactive declassification of classified records.

## Definitions

1. **Declassification** is the process of reviewing the protective marking on information with the objective of removing or reducing classifications to facilitate the public release of information.
2. **Restriction** **period** is a specified period of time during which records will not be publicly released under the Records Declassification Policy.
3. **Systematic declassification** refers to proactive and prioritised declassification of groups of related records based on such criteria as their age, topic, or level of historical interest.

## Intent statement

1. <<ORGANISATION>> fully supports the importance of proactive declassification in providing citizens with access to publicly held information.
2. The <<ORGANISATION>> will with rare exceptions, declassify its archive over time with the intention of making as many records publicly accessible as possible while maintaining appropriate protection for specific classes of records. These are outlined in the declassification criteria below.

## Principles

1. The <<ORGANISATION>> will adhere to the following policy principles to support the systematic declassification of its records.

**Policy principle 1:** declassification aims to meet government and community expectations that the organization will be transparent and accountable for its previous activities while maintaining justifiable protections for specific classes of records (see declassification criteria below).

**Policy principle 2:** all records will undergo a declassification process prior to public release.

**Policy principle 3:** declassification decisions will be consistent with the requirements of the Public Records Act 2005, the Official Information Act 1982, the Privacy Act 2020 and with requirements contained in relevant international arrangements or agreements.

**Policy principle 4**: declassification should very rarely result in information being permanently restricted. Even within high-side agencies very little information is suitable for permanent access restrictions.

**Policy principle 5:** where classified material held by the organisation originates from other governments and agencies, their consent will be sought before declassification.

**Policy principle 6**: all processes and procedures relating to declassification of archive will maintain the completeness, integrity and authenticity of the original records.

## Responsibilities

1. The table below highlights the responsibilities for oversight and functional responsibilities for archive declassification.
2. *Agencies must contextualise these roles and functions within their own context, i.e. to decide for themselves how to execute these functions. For example, declassification requires the function of an records declassification panel. They are free to decide how best to deliver that function. For example, an existing group may be expanded to include this function or a separate panel established.*

|  |  |
| --- | --- |
| Assumed Role | Accountable Manager |
| Function | Senior manager in the organisation with ultimate accountability for declassification. |
| Responsibilities | * Delegating responsibilities for declassifying records * Approving recommendations for declassification of historical records in exceptional circumstances including where there is substantial disagreement about whether to publicly release records or where there is a significant political dimension resulting from declassification recommendations * Briefing external stakeholders prior to the public release of declassified historical records that may be controversial or subject to public debate, including taking a ‘no surprises’ approach to informing the Minister. |

|  |  |
| --- | --- |
| Assumed Role | Information Manager |
| Function | Managing the process of declassifying historical records. |
| Responsibilities | * Overseeing management of the archive declassification project including supervision of archive declassification officers * Reporting on records declassification progress * Setting monitoring performance and quality standards * Approving records declassification administrative processes * Identifying historical records for declassification (in consultation with the subject matter experts) |

|  |  |
| --- | --- |
| Assumed Role | Declassification subject matter expert[s] |
| Function | Providing advice to records declassification officers and endorsing decisions for management (records declassification panel) approval. |
| Responsibilities | * Reviewing and endorsing records declassification procedures and processes * Advising staff involved with declassifying historical records |

|  |  |
| --- | --- |
| Assumed Role | Records declassification officers |
| Function | Reviewing and declassifying records and identifying records for potential declassification. |
| Responsibilities | * Assessing historical records to determine whether the original classification should continue to apply * Identifying historical records for public release * Ensuring that new Zealand’s national security, foreign relations and personal privacy interests are not compromised by the inappropriate release of information * Seeking approval of declassification recommendations for information provided by other agencies and jurisdictions, i.e. consultation with relevant governments and agencies * Documenting declassification analysis and recommendations to standards set by the information management team |

## Restriction periods

1. The table below records what restriction periods the <<ORGANISATION>> applies to the types of information it normally holds.
2. *The table below provides a suggested format for recording declassification criteria. some examples are given to give an idea of how the template can be used. However actual criteria should refer to the specific legislation and operational context of the agency in question.*

|  |  |  |  |
| --- | --- | --- | --- |
| **No** | **Category** | **Description** | **Recommended restriction period** |
| 1 | Highly sensitive personal information about individuals | Include information where there is a risk to the safety of a living individual. | 70 years from the date of record closure |
| 2 | Information which includes details of criminal offenses | consistent with restrictions applied to Criminal Court records | 70 years from the date of record closure |
| 3 | … | … | … |

## Triggers for declassification

1. *This section should state how and when the organisation decides what to declassify, e.g. as a result of an annual review or other mechanism*

## Auditing and monitoring

1. *For PSR mandated agencies, requirements around declassification have been incorporated into the Capability Maturity Model. The policy should reference these where applicable.*
2. *The <<ORGANISATION>> will report on its declassification programme through its Annual Report.*

## Related policy/ guidance

1. Related policy and guidance documents include:
   1. Government Information Security Classification System Policy
   2. PSR Declassification Guidance document and Website content
2. *This paragraph should reference any related organisational policy and guidance, i.e. those that individuals involved in declassification need to be specifically aware of.*

## Approvals

1. *This section should include a dated signature block confirming approval and ownership of the policy, similar to the table below.*

|  |  |
| --- | --- |
| Approved by: | Chief Executive  *Signature* |
| Approval Date: |  |
| Policy Owner: |  |
| Contact Details: |  |
| Review Date: |  |