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| <b>Title</b> | <b>Demonstrate knowledge of information and privacy legislation in relation to the public sector</b> |                |          |
| <b>Level</b> | <b>3</b>   | <b>Credits</b> | <b>4</b> |

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| <b>Purpose</b> | <p>This unit standard is intended for people employed in support roles in the public sector.</p> <p>People credited with this unit standard are able to demonstrate knowledge of:</p> <ul style="list-style-type: none"> <li>– the official information legislation in relation to the public sector;</li> <li>– the Privacy Act 2020 in relation to the public sector; and</li> <li>– the Public Records Act 2005 in relation to the public sector.</li> </ul> |
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| <b>Classification</b> | Public Sector Services > Public Sector Core Skills |
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| <b>Available grade</b> | Achieved |
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## Guidance Information

### 1 References

Crown Entities Act 2004;  
 Employment Relations Act 2000;  
 Health and Safety at Work Act 2015;  
 Human Rights Act 1993;  
 Income Tax Act 2007;  
 Local Government Act 2002;  
 Local Government Official Information and Meetings Act 1987;  
 New Zealand Bill of Rights Act 1990;  
 Official Information Act 1982;  
 Privacy Act 2020;  
 Protected Disclosures Act 2000;  
 Public Finance Act 1989;  
 Public Records Act 2005;  
 State Sector Act 1988;  
 Te Tiriti o Waitangi 1840/Treaty of Waitangi 1840;  
 Te Ture mō Te Reo Māori 2016/Māori Language Act 2016;  
 and all subsequent amendments and replacements.

It is important to note that there is in most cases specific legislation relevant to the organisation in which the candidate is employed. This must be included.

- 2 Assessment against this unit standard must be based on evidence from a real or simulated public sector workplace situation, provided the simulation reflects public sector requirements and requires performance that replicates a real working environment.
- 3 Demonstration of knowledge and skills must be consistent with any applicable code or codes of conduct such as the New Zealand State Services Code of Conduct, *Standards of Integrity and Conduct* (available from <http://www.publicservice.govt.nz>) and/or any other public sector specific code or codes of conduct and/or ethics, and must reflect operating professionally and ethically in New Zealand's diverse, bi-, and multicultural environment.
- 4 The standards and policies set by Archives New Zealand are relevant to this unit standard. These will be reflected in the organisational policies and procedures relevant to the public sector organisation in which the candidate is employed.
- 5 Definition  
*Public sector* refers to organisations of the state sector (listed in Schedule 1 and 1A to the State Sector Act 1988, (available from <http://www.legislation.govt.nz>), plus organisations of local government.

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## Outcomes and performance criteria

### Outcome 1

Demonstrate knowledge of the official information legislation in relation to the public sector.

Range Official Information Act 1982 or Local Government Official Information and Meetings Act 1987.

### Performance criteria

1.1 Identify and outline the intent and main purposes of the Act.

Range may include but is not limited to – availability, participation, democracy and/or citizen's rights, openness, accountability, good government, respect for the law.

1.2 Identify and outline the principle of availability as set out in the Act.

1.3 Identify and outline organisational policies and procedures for a public sector organisation in relation to the Act.

### Outcome 2

Demonstrate knowledge of the Privacy Act 2020 in relation to the public sector.

### Performance criteria

2.1 Identify and outline the intent and main purposes of the Act.

- 2.2 Identify and outline the principles of the Act in relation to the collection, storage, security, accuracy, use, and disclosure of personal information, and the individual's right to access and correct personal information.
- 2.3 Identify and outline organisational policies and procedures for a public sector organisation in relation to the Act.

### Outcome 3

Demonstrate knowledge of the Public Records Act 2005 in relation to the public sector.

### Performance criteria

- 3.1 Identify and outline the main purposes of the Act.
- 3.2 Identify and outline the key recordkeeping requirements for public sector organisations as set out in the Act.
- 3.3 Identify and outline organisational policies and procedures for a public sector organisation in relation to the Act.

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| <b>Planned review date</b> | 31 December 2025 |
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### Status information and last date for assessment for superseded versions

| Process               | Version | Date             | Last Date for Assessment |
|-----------------------|---------|------------------|--------------------------|
| Registration          | 1       | 27 May 2003      | 31 December 2020         |
| Revision              | 2       | 12 November 2004 | 31 December 2020         |
| Review                | 3       | 25 June 2007     | 31 December 2020         |
| Review                | 4       | 17 October 2008  | 31 December 2022         |
| Revision              | 5       | 20 November 2009 | 31 December 2022         |
| Revision              | 6       | 16 July 2010     | 31 December 2022         |
| Review                | 7       | 24 January 2019  | N/A                      |
| Rollover and Revision | 8       | 25 May 2023      | N/A                      |

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| <b>Consent and Moderation Requirements (CMR) reference</b> | 0121 |
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This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.

### Comments on this unit standard

Please contact Ringa Hora Services Workforce Development Council [qualifications@ringahora.nz](mailto:qualifications@ringahora.nz) if you wish to suggest changes to the content of this unit standard.