

Learning Assessment Guide

Unit Standard 14942 – Version 3

Demonstrate knowledge and understanding of the nature and use of information in the State sector

Level 5 – 4 Credits

Assessment Summary			
Learner to complete			
Learner's name:			
Employer:			
NSN no. (ROL):		DOB:	
Signed:		Date:	
Assessor to complete			
<input type="checkbox"/> Meets requirements <input type="checkbox"/> More training required <input type="checkbox"/> More evidence required			
Assessor's name:		Assessor's No.	
Signed:		Date:	

Before you begin...

- As well as this Learning Assessment Guide, you may also want to refer to the unit standard from the NZQA website (<http://www.nzqa.govt.nz>).
- Read the Trainee Information Kit. The kit contains important information and guidelines for Learners and can be found on the Learning State website (<http://www.learningstate.govt.nz>) under Learners, then Learning Assessment Guides.
- Check the learning resources available for this unit standard on the Learning State website (<http://www.learningstate.govt.nz>) under Learners, then Learning Assessment Guides.

This Learning Assessment Guide is made up of:

- your assessment tasks
- a copy of the Assessment Guide summary

The assessment tasks are designed to show your assessor that you can:

- explain the significance of the Official Information Act 1982 and Privacy Act
- describe processes for handling requests for public information and reviews of information disclosure
- define the relationship between the Official Information Act and the Privacy Act
- outline the Ombudsman Act 1975
- explain obligations under the Archives Act 1957.

Definitions and notes

Please refer to the unit standard for useful definitions and notes.

The unit standard and the assessment are based on the State Services Commission's guidance series for senior public servants, Public Service Principles, Conventions, and Practice, notably the booklet, the Public Service and Official Information. This is available on the State Services Commission website: www.ssc.govt.nz

You may also find the following websites provide you with useful information:

Office of the Privacy Commissioner: www.knowledge-basket.co.nz/privacy

Office of the Ombudsmen: www.ombudsmen.govt.nz

Your responses to all questions in the assessment tasks should reflect an understanding that meets the requirement of a level 5 unit standard – this is a broad knowledge with substantial depth in some areas, and evidence of analytical interpretation.

Assessment Task One – Element 1

Instructions

Answer the following questions. You may refer to resource materials in preparing this assessment.

The task can be completed orally or in writing. If completed in writing, please attach separate sheets of paper. These must be clearly labeled with your name and the task referred to. Your assessor may ask supplementary questions.

Questions

The *Official Information Act 1982* and the *Privacy Act 1993* are companion statutes of significance to state sector employees.

1. List and explain the purpose(s) of the *Official Information Act 1982*.
2. List and explain the principles of information disclosure contained in this Act.
3. Outline and explain the purpose(s) of the *Privacy Act 1993*.
4. List and explain the principles of information disclosure and protection of information contained in this Act.

The *Official Information Act 1982* and the *Privacy Act 1993* are both concerned with information disclosure, but each contains provisions that prevent the release of information under certain circumstances.

5. From the following list, but not limited to it, identify three provisions in the *Official Information Act 1982* that prescribe grounds for withholding information and explain the intent or purpose of the provision. Give a real or hypothetical example to illustrate each circumstance.
 - national defence and security
 - maintenance of law (including constitutional conventions such as neutrality of officials and confidentiality of government advice)
 - maintenance of effective conduct of public affairs
 - privacy of the individual
 - other

Both the *Official Information Act 1982* and the *Privacy Act 1993* are concerned with promoting good government.

6. From the following list, but not limited to it, identify three examples and explain the significance of each to the conduct of good government.

- Openness
- Accountability
- Availability
- Access
- Private individual participation in making laws and policies

Assessment Task Two – Element 2

Instructions

Answer the following questions. You may refer to resource materials in preparing this assessment.

The task can be completed orally or in writing. If completed in writing, please attach separate sheets of paper. These must be clearly labeled with your name and the task referred to. Your assessor may ask supplementary questions.

Questions

Requests for official information, and reviews of information disclosure decisions, should be handled according to certain processes.

1. Explain the process(es) to follow before official information, which is **not** politically sensitive, is released. Include reference to the following:
 - determination that the request is genuine, not frivolous, vexatious or trivial
 - responsibility for managing the request
 - transfer to appropriate agencies where needed
 - timeliness
 - consultation with third parties
 - correct procedures
 - charges
2. Explain the process(es) to follow before official information, which **is** politically sensitive, is released. Include reference to the following:
 - requests during a general election or by-election
 - consultation with senior management and chief executive routinely and in cases of dispute
 - consultation with minister routinely and in cases of dispute
 - transparency of process
 - role of ombudsman and privacy commissioner in cases of dispute

Use of information for gain'; 'leaking'; and 'whistleblowing' are examples of the misuse of official information by public employees.

3. Provide a brief explanation of each term, and illustrate your answer with a case known to you, or reported in the news media. If you are unable to provide a case, use a hypothetical scenario.

Assessment Task Three – Element 3

Instructions

Answer the following questions. You may refer to resource materials in preparing this assessment.

The task can be completed orally or in writing. If completed in writing, please attach separate sheets of paper. These must be clearly labeled with your name and the task referred to. Your assessor may ask supplementary questions.

Questions

The *Official Information Act 1982* and the *Privacy Act 1993* are complementary statutes. That is, they go 'hand-in-hand' with each other, but there are some potential conflicts between them.

1. Identify and explain the complementary purposes of the two Acts.
2. Give two practical examples you are familiar with or hypothetical scenarios to illustrate possible tensions between the Acts and how and why they are complimentary. Your practical examples may be based on (but are not restricted to) the two following tensions:
 - Public interest versus private interest
 - Access versus confidentiality
4. Where can people go in cases of dispute?

Assessment Task Four – Element 4

Instructions

Answer the following questions. You may refer to resource materials in preparing this assessment.

The task can be completed orally or in writing. If completed in writing, please attach separate sheets of paper. These must be clearly labeled with your name and the task referred to. Your assessor may ask supplementary questions.

Questions

Public sector organizations have certain obligations under the *Archives Act 1957*.

1. Considering one particular public sector organization, identify and explain the main obligations of that organisation under the Act.
2. Describe a situation where the Act applies to information held by that particular public sector organisation.

Assessment Guide

The following guide will be used to assess your competence with unit 14942 version 3: Demonstrate knowledge and understanding of the nature and use of information in the State sector.

Task / Element	Evidence Required	Judgement	
<p><i>Task 1 / Element 1</i></p> <p>Learners are to answer the questions orally or in writing.</p>	<p>Completed questions.</p> <p>Supplementary questions clarify and where necessary expand on other material. These questions and the responses should be documented.</p>	<p>Responses generally conform to model answers.</p>	<p>Yes / No</p>
<p><i>Task 2 / Element 2</i></p> <p>Learners are to answer the questions orally or in writing.</p>	<p>Completed questions.</p> <p>Supplementary questions clarify and where necessary expand on other material. These questions and the responses should be documented.</p>	<p>Responses generally conform to model answers.</p>	<p>Yes / No</p>
<p><i>Task 3 / Element 3</i></p> <p>Learners are to answer the questions orally or in writing.</p>	<p>Completed questions.</p> <p>Supplementary questions clarify and where necessary expand on other material. These questions and the responses should be documented.</p>	<p>Responses generally conform to model answers.</p>	<p>Yes / No</p>
<p><i>Task 4 / Element 4</i></p> <p>Learners are to answer the questions orally or in writing.</p>	<p>Completed questions.</p> <p>Supplementary questions clarify and where necessary expand on other material. These questions and the responses should be documented.</p>	<p>Responses generally conform to model answers.</p>	<p>Yes / No</p>