



18 February 2025

Paul James  
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Department of Internal Affairs

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Tēna koe Paul

### **Inquiry into the protection of personal information**

In June 2024, following a direction from the Prime Minister and the Minister for the Public Service, Acting Public Service Commissioner Heather Baggott appointed Pania Gray and Michael Heron KC to conduct an Inquiry into allegations that personal information provided to government agencies as part of Census 2023, or for Covid-19 vaccination purposes, had been misused by third-party service providers during the 2023 General Election.

Under the [terms of reference](#), the inquiry was to establish the facts and provide an independent assessment of government agency activity in relation to the allegations.

You have received an embargoed copy of the final report. Please keep this matter strictly confidential until public release.

### **Findings of the inquiry and my expectations**

I would like to draw your attention to aspects of the report in relation to data sharing agreements. The inquiry found the Ministry of Health and Health New Zealand's data sharing agreements adequately and appropriately set out the expectations of the parties and included relevant protections and safeguards.

However, it was disappointing that the inquiry also found that there was a lack of auditing and assurance provisions in the agreements. This meant those agencies did not have a systematic means to make sure the relevant service providers were meeting the expectations set out in the agreement. In addition, conflicts of interest were not considered, with the agreement silent as to how conflicts of interest would be considered and managed.

Given the seriousness of these matters, I have asked agencies within the scope of the inquiry with adverse findings to immediately suspend all renewals and extensions of contracts – and entering new contracts – with the third-party service providers named in the report until I am satisfied with their assurance that the contracts are fit for purpose and adequately deal with information sharing and conflict of interest obligations.

## **Minimum standards for Public Service agencies sharing personal information with a third party**

It is concerning to me that Public Service agencies are entering into agreements to share personal information with non-Government third parties without mechanisms to undertake assurance and audit activity and appropriately consider conflicts of interest.

In your role as Government Chief Digital Officer and System Leader for Digital, I appreciate that you share my concern and will be issuing minimum standards for Public Service Agencies under section 57 of the Public Service Act 2020 in April 2025, for implementation in all new information sharing arrangements from 1 July 2025.

I want to thank you for the work that has already occurred to develop the draft standards and look forward to their full implementation.

The Public Service Commission will continue to work with your team to make sure the standards are fit for purpose and enable a consistent approach when Public Service agencies provide non-Government parties access to personal information.

Nāku noa, nā



Sir Brian Roche KNZM

Te Tumu Whakarae mō Te Kawa Mataaho

Public Service Commissioner | Head of Service