



18 February 2025

To: Third parties c/- legal representatives

By email

Tēnā koutou

Inquiry into how government agencies protected personal information provided for the 2023 Census and COVID 19 vaccination purposes

As you are aware I intend to release the inquiry report and findings at a media conference at 2pm on Tuesday 18 February 2025. You have all been provided embargoed copies of the report.

The inquiry found that there were serious failures by several Public Service agencies to protect personal information. I am sure you will agree with me that this is unacceptable.

As a result of these failings I have written to all agencies with adverse findings¹ and requested they take immediate action to remedy these issues. These actions may impact your clients so as a matter of courtesy I wanted to make you aware of my request prior to the media conference. For transparency, here is the relevant section.

I also request that you temporarily suspend, with immediate effect, entering into any new contracts, renewals and/or extensions of contracts with the relevant service providers,² until you provide me with assurance to my satisfaction that your contracts are fit for purpose and contain provisions for the adequate protection of personal information. I ask that you personally oversee how those matters are being addressed.

I want to be clear that I'm not asking you to pause or cancel existing contracts with these providers and there should be no disruption to service delivery in undertaking this assurance work. However, it's really important that you take immediate steps to learn from the findings of the Inquiry and make sure you have your contractual and implementation settings right going forward. If you have concerns about how to action this in accordance with any existing contractual obligations, I recommend you seek specific legal advice.

You will note that I have emphasised in the letters that there should be no disruption to service delivery in undertaking this assurance work.

In addition to actions outlined, a new data sharing agreement standard to strengthen the sharing of information between agencies and non-government third-party providers will be issued to all Public Service agencies in April. The standard will apply to all agreements with non-government third parties that involve the sharing of personal information. These changes are not unique to your clients.

¹ Statistics New Zealand, Health New Zealand, Ministry of Health, Te Puni Kōkiri

² As named in paragraph 30 of the Report (excluding any subsidiaries of the named service providers or related parties).

To the extent necessary I would appreciate you passing this information onto your clients.

Nāku noa, nā



Sir Brian Roche KNZM

Te Tumu Whakarae mō Te Kawa Mataaho

Public Service Commissioner | Head of Service

Copy to: Michael Heron michael@mhkc.co.nz,
Pania Aroha Gray pania@kororaconsulting.co.nz