

22 September 2021

Matthew Chipping
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Tēnā koe Matthew

Your Official Information Act request, reference: GOV-013355

Thank you for your request of 10 August 2021, asking for the following information under the Official Information Act 1982 (the Act):

1. *Has your agency contracted work to Research New Zealand in the last five years?*
2. *If so, did you provide private information or data on individuals to Research New Zealand?*
3. *If so, what agreements did you make with Research New Zealand regarding privacy and data retention?*
4. *Have you been notified of any data breaches, security issues, or privacy issues with Research New Zealand?*

On 3 September 2021, we wrote to you to advise that we were extending our timeframe to make a decision on your request until 28 September 2021. We have responded to each of your questions in turn below.

1. ***Has your agency contracted work to Research New Zealand in the last five years?***
2. ***If so, did you provide private information or data on individuals to Research New Zealand?***

Yes, ACC has contracted work to Research New Zealand in the last five years.

Research New Zealand has been contracted to undertake client surveys on behalf of ACC. To do this, ACC supplies Research New Zealand with names and contact details of ACC clients. The authorisation for the sharing of these details is included in the ACC45 claim lodgement form where it states clients give permission for the release of relevant information (e.g name and contact details) for the purpose of research into injury prevention and rehabilitation.

3. ***If so, what agreements did you make with Research New Zealand regarding privacy and data retention?***

Research New Zealand completed a data security check conducted by our Privacy and Information Security teams. In addition to this, Research New Zealand is expected to comply with the Health Information Privacy Code 2020 and the Privacy Act 2020, as well as any obligations they have to keep records under the Public Records Act 2005. Please refer to the excerpt, at the end of this letter, taken from the Service Agreement between ACC and Research New Zealand, for more information.

It should be noted that if legislation such as the Health Information Privacy Code, Privacy Act or Public Records Act are updated during a contract term, the expectation is that the latest legislation is complied with.

4. ***Have you been notified of any data breaches, security issues, or privacy issues with Research New Zealand?***

ACC has not been notified of any data breaches, security issues or privacy issues regarding Research New Zealand.

How to contact us

If you have any questions, you can email me at GovernmentServices@acc.co.nz.

Nāku iti noa, nā

A handwritten signature in black ink, appearing to read 'Sasha Wood', enclosed in a thin black rectangular border.

Sasha Wood

Manager Official Information Act Services
Government Engagement & Support

Excerpt from Service Agreement between ACC and Research New Zealand**Privacy requirements**

Pursuant to clause 5.1(b) of Part – Terms, the Provider will comply with the following Protection of Personal Information clause:

1. Protection of Personal Information

- 1.1 The Provider will comply with the Health Information Privacy Code 1994 (where the Provider is a health agency) and the Privacy Act 1993 including:
 - a) Ensuring that any personal or health information a Provider holds about a Participating Agency's client is protected by reasonable security safeguards against loss or unauthorised access, use modification or disclosure;
 - b) Appointing a privacy officer; and
 - c) Having a privacy policy that:
 - Includes what to do if there is a privacy breach (including procedures to promptly advise the Participating Agency); and
 - Complies with any reasonable Participating Agency's policy that the Participating Agency provides to the Provider.
- 1.2 The Provider agrees that the Participating Agency may assess the Provider's privacy policy and practices. The Provider will cooperate with any privacy assessment, including completing self-assessments on request.
- 1.3 The Provider shall escalate a privacy breach concerning information that relates to Services in this Contract to the Participating Agency under the following procedure:
 - Any breach will be notified to the Participating Agency's Contact Person by phone and email as soon the Provider is aware of the breach situation.
 - The Provider and the Participating Agency will then work together to manage consequences and implications of the breach.
 - The Provider will not comment publicly, including to the media, about the breach without written permission of the Participating Agency's Contact Person.