

Strategic objectives progress

Te kauneke ki ngā
whāinga rautaki



Our progress towards our objectives and privacy outcomes

Our strategic objectives have been set with the ambition of achieving them over the lifespan of our 2023–2027 Statement of Intent. The objectives will drive us toward being an effective modern privacy regulator who makes privacy a core focus for agencies.

The following sections outline the scope of each objective, what we have achieved so far and the challenges we face. We also include key performance information for the indicators that relate to privacy system outcomes and our objectives.

Measuring privacy outcomes is difficult due to the intangible nature of privacy and because we only see a tiny part of the personal information flows within New Zealand. This means that significant observable operational volumes, such as privacy complaints from individuals, cannot by themselves be used as an indicator of privacy outcomes. For example, an increase in privacy complaints by individuals could be viewed as either an increase in privacy harm or more people being aware of their privacy rights. With these complexities in mind, we have identified some good proxy indicators for privacy outcomes.



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Objective 1:

We will work in partnership with Māori to take a te ao Māori perspective on privacy

This is a cross-cutting objective that all our functions support.

Building our te ao Māori capabilities will enable us to provide more responsive and inclusive services and better connect with Māori and Māori institutions, ranging from hapū to Māori health providers to Māori data sovereignty experts. This will in turn put us in the position to achieve better privacy outcomes for Māori.

Our Office is increasingly expected to have a strong understanding and capabilities relating to the Treaty of Waitangi / Te Tiriti o Waitangi, tikanga Māori and te ao Maori. Section 21(c) of the Act requires the Privacy Commissioner to take account of these perspectives when exercising his functions. We recognise that to be an effective privacy regulator we need to be able to walk in a te ao Māori world and consider privacy through a te ao Māori lens.

Over the period of 2023–2027 the Statement of Intent outlined our ambition to:

- expand the capability and confidence of staff to engage effectively with Māori and in te ao Māori through training in te rēo Māori, tikanga, and kawa
- prioritise empowering Māori to use their privacy rights
- provide the public sector with greater clarity about the application of the Treaty of Waitangi to privacy issues and te ao Māori perspectives on privacy and support all agencies to better understand and accommodate cultural privacy perspectives
- develop strong partnerships with and across te ao Māori and have these partnerships shape our priorities and approach to our work.

The challenges ahead of us

There are significant challenges for us to take a te ao Māori approach to privacy. We have high expectations about our understanding and capabilities relating to Te Tiriti, tikanga Māori and te ao Māori. These expectations emphasise the importance of putting in the work to make our engagement worthwhile to Māori.

Our biggest challenge continues to be the development of our internal capabilities and during this year we took a new approach to te reo where an online service provider is used with support from internal groups to encourage uptake.

There is an opportunity for us to better gauge how well our functions are reaching Māori and we are exploring the collection of demographic information of individuals who have made privacy complaints to our Office. We consider that the Māori population is more likely to be vulnerable to serious privacy harm due to being disproportionately represented in a range of statistics such as chronic diseases, poverty, and crime. By identifying who we are serving we will be able to lift our engagement, with a focus on promoting understanding about privacy rights.

Our progress and achievements in 2024/25

We have had some significant achievements over the past 12 months and continued to embed and develop important initiatives that were commenced in the previous year:

- We continued to advance the work of Te Ranga Tautiaki, our Māori reference panel that will enable us to enrich our work with te ao Māori perspectives and make new connections when further Māori engagement is required. This panel meets quarterly and is providing advice on our work programme.
- We continued to upskill staff capability in te ao Māori to better understand a Māori perspective on privacy through our Māori Capability Plan.
- We reached the final stages of our Project Whatu research about the tikanga underpinning the protection of personal information from a Māori perspective. This research will guide the training of our staff and support agencies to take a Māori approach to privacy.



We consider that the Māori population is more likely to be vulnerable to serious privacy harm due to being disproportionately represented in a range of statistics such as chronic diseases, poverty, and crime.

Assessing our impact

Indicator	Māori awareness of right to access personal information under the Privacy Act
Baseline (year)	50% (2022) ⁴
Desired change	Increase
2024/25 result	51% (2025)⁵
2023/24 result	54% (2024) ⁶

This indicator is the closest that we have for measuring the privacy outcomes for Māori. The right to access personal information under the Act is important and awareness of that right is a useful proxy for general privacy understanding. Our ambition is to increase the level of awareness over time.

We measure this indicator through our privacy survey, which surveys over 300 Māori adults each time it is conducted. The results of the 2022 survey found that the level of Māori awareness of their right to access personal information was 50%. The April 2024 result was 54%, a small increase, while the March 2025 result was 51%. With these results to date our conclusion is that Māori awareness of their right to access personal information is being maintained but not increased.

Indicator	All externally reviewed policy files appropriately incorporate Treaty and te ao Māori analysis as necessary
Baseline (year)	New measure
Desired change	Maintain
2024/25 result	Achieved Refer to Function 4 section for details
2023/24 result	Achieved Refer to Function 4 section for details

Every year our policy work is independently audited as a quality assurance check using the government Policy Quality Framework. One aspect of this review is whether our policy work appropriately incorporates Treaty and te ao Māori analysis.

The external review for 2024/25 identified that, although there was limited consideration of te ao Māori perspectives, where it was covered, it was done well. We are satisfied with this result as it maintains what we achieved in 2023/24.

Indicator	Continued implementation of our Mahere Reo strategy and training to develop staff understanding of te ao Māori
Baseline (year)	New measure
Desired change	Increase
2024/25 result	Achieved
2023/24 result	Achieved

As the internal strategy for building te reo skills, our Mahere Reo/Māori Language Strategy is an important driver for our success with this objective. The achievements that we have made include making te reo visible in our office, giving all staff, including leadership, the opportunity to learn te reo online with Reo Ora, promoting te reo in our greetings and publications and measuring progress of learners with te reo. These initiatives also extend to waiata practice, learning about Māori culture through Reo Ora, engaging in staff activities for Māori Language Week and Matariki, participating in an annual wānanga for all staff and mihi whakatau for new employees.

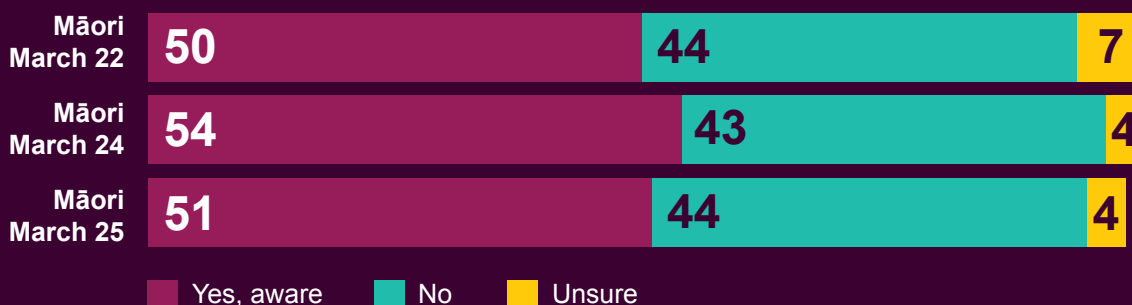
4. *Privacy concerns and sharing data, Omnibus research commissioned by the Privacy Commissioner.* AK Research & Consulting March 2022.

5. *Research on Privacy Concerns and Data Sharing,* AK Research & Consulting March 2025.

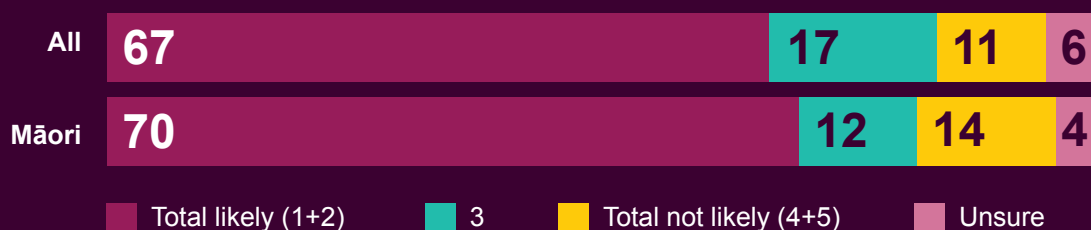
6. *Research on Privacy Concerns and Data Sharing,* AK Research & Consulting April 2024.

Māori experiences related to privacy

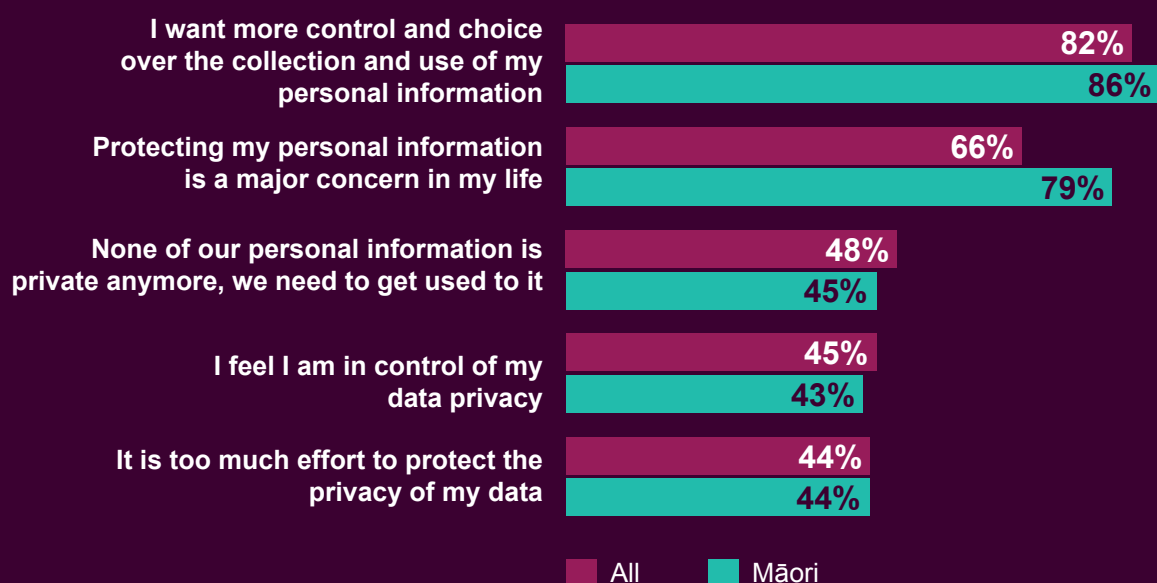
Are you aware that the Privacy Act gives you the right to a copy of any personal information an organisation holds about you? (%)



How likely would you be to consider changing service providers if you heard they had poor privacy and security practices? (%)



Thinking about the privacy of your personal information, to what extent do you agree or disagree with the following? (% total agree)



Source: [Research on Privacy Concerns and Data Sharing, March 2025](#). AK Research & Consulting, prepared for the Privacy Commissioner

CASE STUDY

Establishing Te Ranga Tautiaki, our Māori reference panel

Kotahi te aho ka whati, ki te kāpuia e kore e whati

One strand of flax is easy to break, but many strands together will stand strong.

In December 2024 we established the Māori Reference Panel to provide us with advice and provide insights to ensure more robust thinking and a better knowledge about working within the Treaty of Waitangi, Māori cultural perspectives and tikanga Māori. This includes providing te ao Māori perspectives and thoughts on programmes to enhance the strategic direction of our Office.

The panel also assists us with our engagement activities, by helping us connect with key Māori communities and guiding us in how to better engage with Māori and through making connections.

The Panel met three times in 2024/25, covering topics as broad as the development of the Biometrics Processing Privacy Code, the Inquiry into Foodstuffs North Island trial use of Facial Recognition Technology and our role as a privacy system influencer.

The members of our Māori Reference Panel are leaders who know the heartbeat of their people and communities, and privacy and data experts. The members of our rūpū are:

- Chris Cormack (Kāi Tahu, Kāti Māmoe, Waitaha)
- Tahu Kukutai (Ngāti Tīpā, Ngāti Mahanga, Ngāti Kinohaku, Te Aupōuri)
- Vanessa Clark (Waikato; Ngāti Tīpa, Ngāti Tahinga, Ngāti Āmaru)
- Kura Moeahu QSO (Te Kāhui Maunga, Ngā Ruahine, Te Āti Awa, Ngāti Mutunga, Taranaki-tuturu, Ngāti Tama, Ngāti Toa)
- Māhera Maihi (Ngāpuhi, Ngāti Whātua, Muriwhenua)
- Mercia-Dawn Yates (Te Arawa, Te Aitanga-a-Mahaki, Rongowhakaata, Ngāti Maniapoto).

The Panel is chaired by the Privacy Commissioner, Michael Webster.





Objective 2:

We will engage and empower people and communities who are more vulnerable to serious privacy harm

Our functions that directly support Objective 2: Communication and Education.

The Act provides New Zealanders with important rights they can use to increase their confidence that their privacy is being protected and to protect themselves from privacy harm. These rights include being informed about why an agency is wanting to collect their personal information and who will receive the information. After collection, the Act then provides New Zealanders with a right to access a copy of their information and to seek a correction should the personal information be incorrect.

Individuals have an important role in ensuring privacy is a core focus for agencies. Agencies will prioritise privacy if their customers and clients challenge them on why and how much personal information is being collected, seek corrections to their personal information or complain if their privacy has been interfered with. New Zealanders are also proactive about letting us know about areas of non-compliance or privacy concerns that they have.

Focusing on outreach and engagement aims to increase understanding of privacy rights and ensure that we provide the right information in an accessible way. Our aim is to target people and communities who are more vulnerable to serious privacy harm, as we believe this will deliver the best improvement in privacy outcomes. We do this through our public enquiries function and our media related activities.

Over the period of 2023–2027 the Statement of Intent outlined our ambition to:

- improve our digital service channels so that they provide people with what they need (including replacing our existing website)
- undertake outreach and engagement activities focused on understanding those parts of society that are more vulnerable to serious privacy harm and working with others to empower them to use their privacy rights.

The challenges ahead of us

New Zealanders are living in an increasingly complex environment, with new technologies and detailed terms of service documents they are expected to read, understand and accept. This environment emphasises the need for New Zealanders to be aware of their privacy rights but also leads us to notification fatigue and people clicking 'Accept' without engaging.

Our diverse country means there are people and communities who will be more vulnerable to serious privacy harm. This includes demographics such as children, elderly, the disabled community, the rainbow community, Māori and immigrant communities. It can also include people in vulnerable situations, such as children in the Oranga Tamariki system, beneficiaries, victims of crime, inmates, and patients in the health system.

As a small office it is difficult for us to reach all these communities. To maximise our impact, we will be seeking to:

- issue privacy guidance to the education sector, a key objective of which is to empower the privacy understanding of children and young people and their parents/caregivers
- develop and implement an engagement programme focused on educating an identified group of New Zealanders on their privacy rights
- in response to the increasing volumes, reviewing our systems and processes for responding to enquiries.

Our progress and achievements in 2024/25

Our focus with our digital service channels has been to refresh the presentation and content of the existing website. We have made excellent progress with this refresh this year, as outlined in the case study later in this section. The effect of the refresh is to make the information on our website more accessible and easier to read so that we can better inform New Zealanders of their privacy rights and agencies of their responsibilities.

Over the past 12 months we have also undertaken the following engagement activities. We:

- responded to a total of 6,247 enquiries, with 3,100 of these handled in-house
- applied our ‘fast resolve’ approach to 1,208 privacy complaints that we received, which empowers individuals to exercise their privacy rights and helps agencies understand their obligations under the Act
- received and responded to 164 media enquiries
- received 84 requests for speeches and presentations across the motu, which saw various staff speaking to schools, law firms, not for profit groups and others (in person and online) about doing privacy well
- had over 1,400,000 unique pageviews of our website, an increase of 8% over the prior year.

Assessing our impact

Indicator	Public awareness of the right to access personal information under the Privacy Act
Baseline (year)	47% (2022) ⁷
Desired change	Increase
2024/25 result	53% (2025)
2023/24 result	50%

The public’s awareness of their right to access personal information is an important indicator for the outcome that ‘individuals are more confident that their privacy is protected’. We use this indicator as a proxy for privacy understanding of individuals.

The right to access personal information is a long standing right and was in the Privacy Act 1993. Exercising your right to access personal information then allows you to exercise another of your privacy rights: your right to request that an agency correct your personal information.

We measure this indicator through our privacy survey. Our baseline result of 47% awareness of the access right was a mixed result as it left significant room for improvement. The 2023/2024 result was 50% and the 2024/25 result is 53%. This increase remains small but promising and we are mindful that the increase remains close to the statistical margins of errors for the survey.

7. Privacy concerns and sharing data, Omnibus research commissioned by the Privacy Commissioner. AK Research & Consulting March 2022.

Indicator	Significant improvements made to digital service channels
Baseline (year)	New measure
Desired change	Increase
2024/25 result	Achieved
2023/24 result	Achieved Refer to Function 2 for details

During 2024/25 our focus has been on condensing and improving the presentation and plain language on a range of pages on our website. We developed a new organisational ‘look and feel’ for our Office, created a new front page for our website and reviewed the website to make key information more easily accessible. More information on what we achieved is available in the case study later in this section.



THE TOP FIVE FREQUENTLY
ASKED QUESTIONS WERE
ACCESSED NEARLY

35,000

TIMES IN 2024/25

Indicator	Respond to all public enquiries within five working days
Baseline (year)	99% (2021/22) ⁸
Desired change	Maintain
2024/25 result	90%
2023/24 result	96%

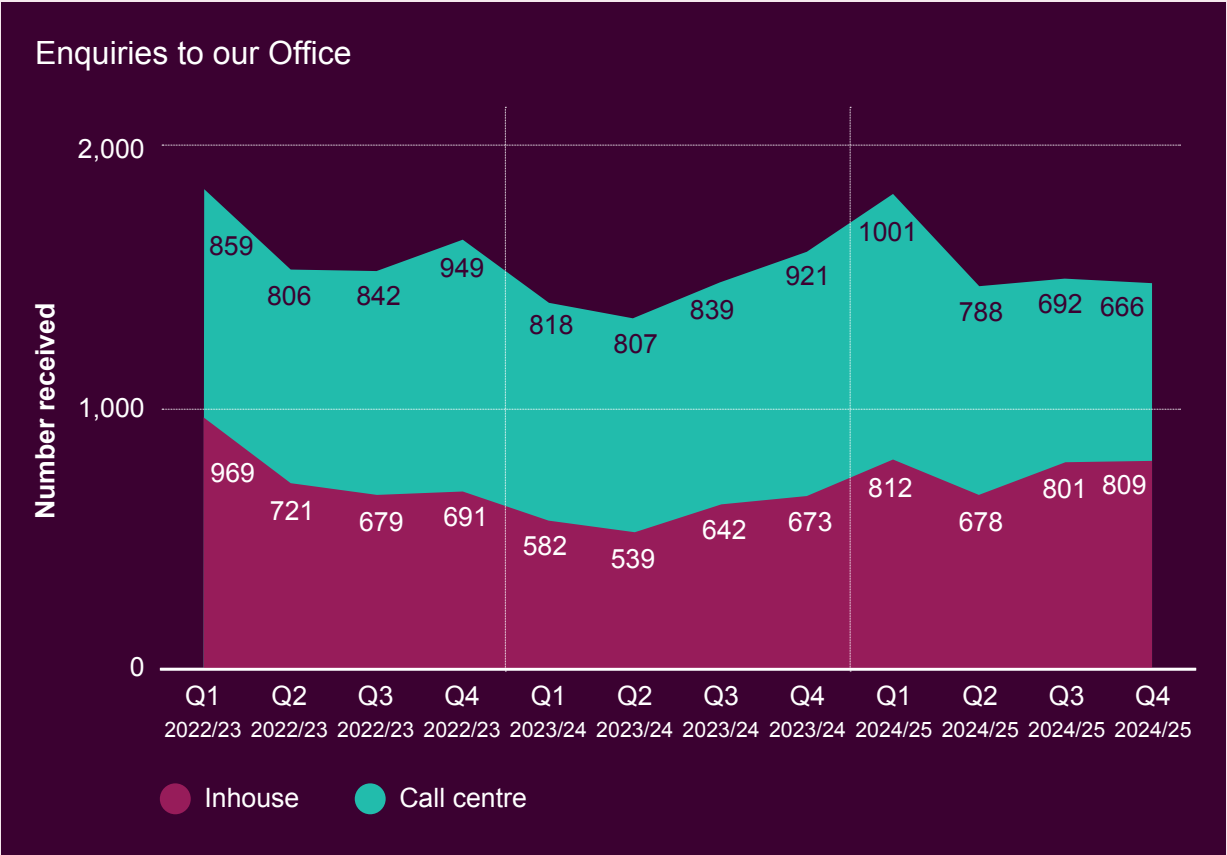
We seek to promptly respond to public enquiries because informed individuals can better exercise their privacy rights and protect themselves. Our baseline results for this indicator is excellent, with 99% public enquiries responded to within five working days in 2021/22 and 2022/23.

The timeliness of our responses to public enquiries has been decreasing as the volumes of enquiries, privacy complaints and breach notifications have increased significantly. Our result for this year is 90% of public enquiries responded within five working days.

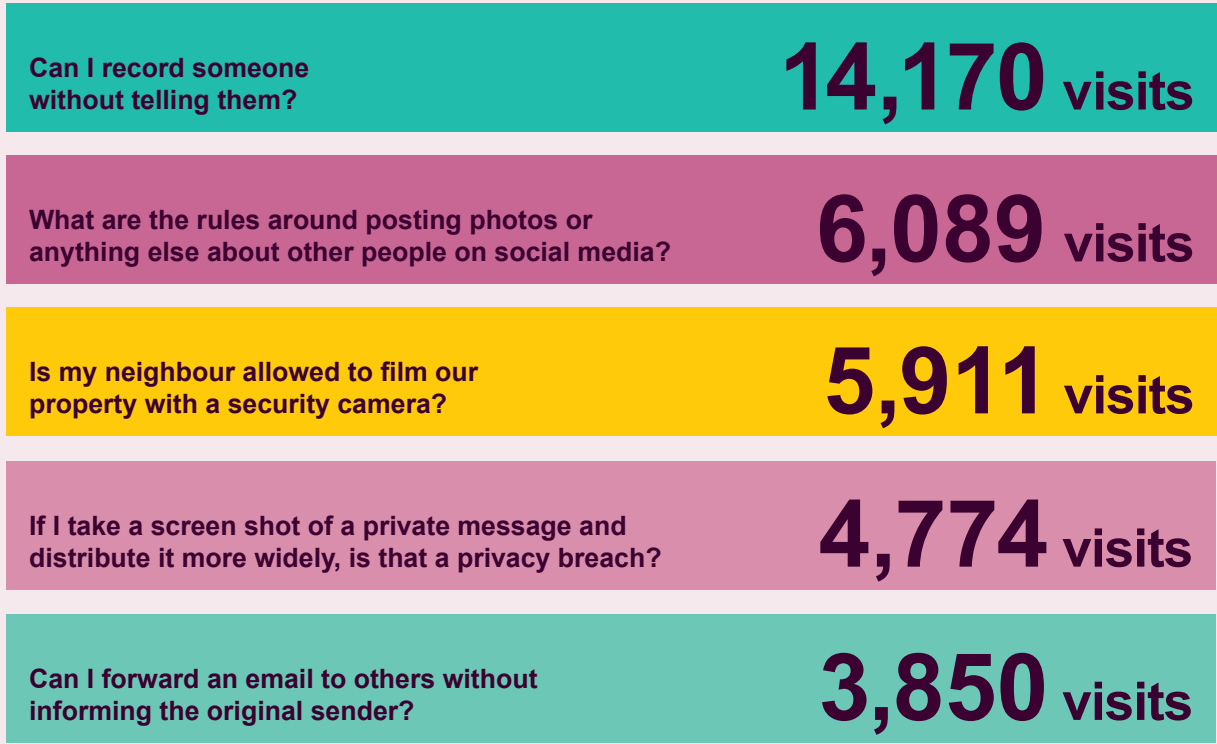
Our enquiry function draws upon and supplements the information on our website, including our AskUs database of common privacy questions and answers. AskUs has high usage by the public, with the top five frequently asked questions accessed nearly 35,000 times in 2024/25.

8. The figure reported in the 2022 Annual Report of 94% was against a measure of responding within 2 working days. The figure shown here has been calculated at 5 working days for comparative purposes.

Data relating to our enquiries and AskUs functions



The top five questions people want to know about our 'AskUs' page:



CASE STUDY

Improving privacy.org.nz

Our Office's website is the portal for notifying privacy breaches for agencies, and it is a key tool for how New Zealanders learn and complain about their privacy rights. The website also has an education role about privacy through case notes, decision notes, and our e-learning modules.

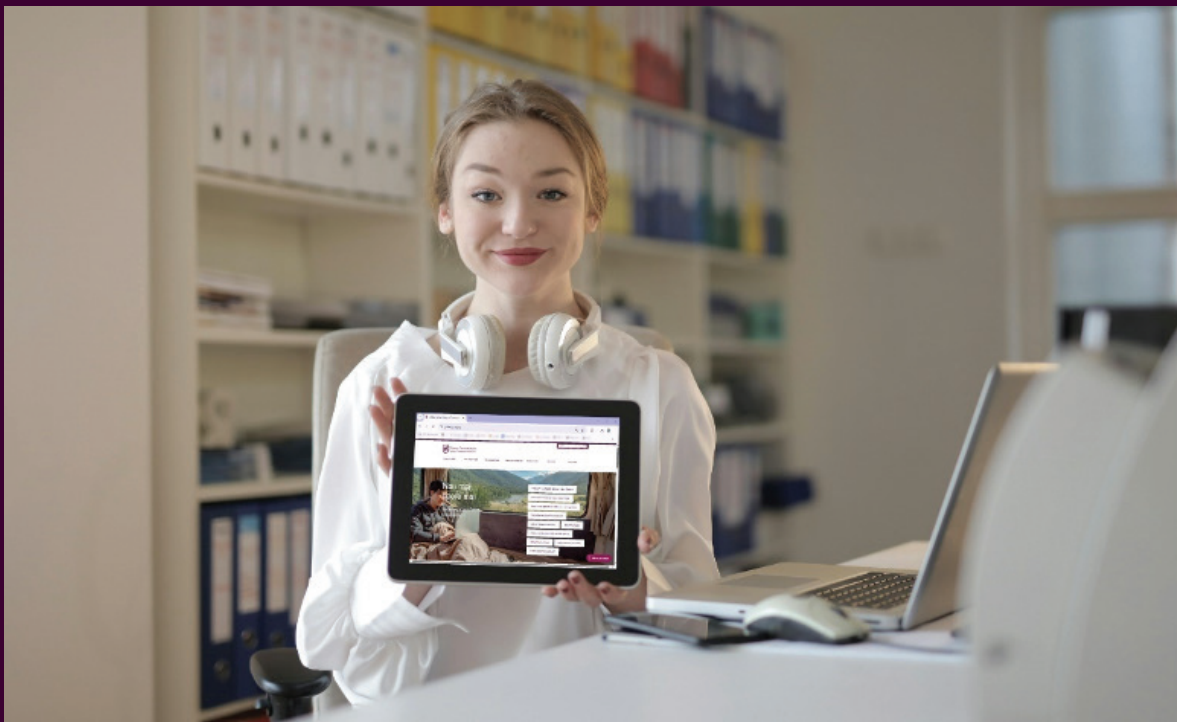
Privacy.org.nz is a website full of excellent content where publishing has been promoted for several years instead of active maintenance. The result was a website with a lot of historical content where contemporary information was hard to find.

Our website redevelopment project began this year and is ongoing. Changes include:

- a contemporary homepage that lets us more easily showcase short-term content through homepage banner tiles and story features

- the development of a new menu that groups content together, and logically so it's becoming easier to find
- moving the website into a plain language framework
- archiving out of date content
- using images to demonstrate that privacy is about people
- working towards becoming more accessible.

These changes have created a website where New Zealanders can increasingly find answers to their privacy questions, whether they're individuals or agencies. The work, which is being done in-house will continue until the 2026/7 financial year.





Objective 3:

We will set clear expectations to provide agencies with greater certainty about their responsibilities

Our functions that directly support Objective 3: Policy and Advocacy.

One way the Act improves privacy outcomes is through establishing for agencies obligations and safeguards for collecting, using and sharing personal information. Examples of these requirements include notifying individuals what personal information the agency is seeking to collect, a requirement to store the personal information securely and only using or disclosing the personal information for specific reasons.

As the regulator, we need to set clear expectations so that agencies can understand what the Act requirements are in order to meet them. We will accomplish this through issuing guidance on implementing the Act, maintaining up to date codes of practice and having useful tools for agencies to use (such as our e-learning modules).

Over the period of 2023–2027 the Statement of Intent outlined our ambition to:

- provide agencies with greater certainty through setting specific, strong, and clear expectations, focusing on areas where there are the most significant power imbalances between individuals and agencies and/or sensitive information is involved
- support agency understanding and capability by supporting the development of, and engaging with, the privacy profession (both in-house privacy professionals and privacy advisors)
- ensure that codes of practice issued under the Act and our guidance, advice and education material are fit for purpose
- expect Government and businesses to demonstrate that their privacy related activities are necessary and proportional.

The challenges ahead of us

Managing privacy well requires that agencies consider their circumstances; it is not a tick box exercise. In addition, our broad scope extends to nearly the entire public, private and not-for-profit sectors. These factors lead to a large demand for certainty from us as the regulator.

This desire for certainty is also driven through the development and adoption of new technologies. While the Act takes an adaptable principles-based approach to regulation and is best viewed as a 'how to' (rather than a 'do not do'), it further increases the demand for us to provide clear and timely guidance.

Looking forward, we will continue our focus on producing excellent privacy advice on the government's legislative programme and guidance for agencies. We will also be reviewing Codes of Practice to accommodate the new indirect notification principle being established in the Privacy Amendment Bill and amending the Telecommunications Information Privacy Code to support the provision of location information in emergencies.

Our progress and achievements in 2024/25

We have made excellent progress on this objective this year.

We committed a large amount of resource to setting clear expectations for biometrics technologies, such as facial recognition. There were two main projects in this space:

- The Inquiry into Foodstuffs North Island trial use of FRT, which was completed in May 2025 and found that the trial use of FRT complied with the Act. Our Inquiry findings received a high level of attention and have clearly communicated our expectations as regulator for how agencies can implement FRT systems in a privacy protective manner.
- The development of the Biometric Processing Privacy Code which was released in August 2025 will create more specific rules for agencies using biometric technologies. These rules will help make sure agencies implementing biometric technologies do it safely and in a way that is proportionate. To assist implementing the Code, a comprehensive suite of guidance was also developed and consulted on in 2024/25.

Throughout the year we provided advice to government agencies, Cabinet and Parliament on the privacy implications of the Government's legislative programme. A key aspect of our advice is to consider whether proposed legislative amendments are necessary and that the impacts on personal privacy are justified and proportionate. Over the year we provided privacy advice to dozens of agencies and made 12 submissions to Parliamentary Select Committees on the privacy implications of specific legislative bills.

Parliament has been progressing the Privacy Amendment Bill, which establishes in the Act a new indirect notification requirement for agencies. Currently due to come into force on 1 May 2026, we have developed guidance that will assist agencies in meeting this new Act requirement.

We provide a range of resources and tools to agencies to help them build their understanding and succeed at managing privacy well. This year we also issued a range of new guidance, including tenancy guidance for landlords and tenants, complaint handling guidance, and guidance on the use of third-party providers.

Every year in May we run 'Privacy Week' during which we host a variety of events and issue materials that promote good privacy practice. This year our Privacy Week theme was 'Privacy on Purpose', where we had 21 presentations watched by over 8,500 people – an increase of over 60% from 2023/24. The most popular topics included 'AI and privacy: The Foundation You Can't Ignore' and 'Back to the Future: What have we learned from two years of popular AI tools?'

Assessing our impact

Indicator	Awareness of Privacy Act requirements
Baseline (year)	New measure
Desired change	Increase
2024/25 result	See next subsection
2023/24 result	See Annual Report 2023/24

The broad scope of the privacy system makes it extremely difficult to gauge the level of awareness that agencies have of Act requirements. Many agencies have a low level of understanding of the Act and those that we do interact with are often not aware of their full obligations under the Act.

Last year, to estimate the awareness of requirements under the Act, we leveraged the results of surveys undertaken by other agencies. We took this approach as our limited resources mean that we cannot engage with a representative sample of agencies in New Zealand to build a comprehensive picture of privacy understanding across the economy.

During this year we sought to improve on last year's approach by including a few key privacy questions inserted into surveys that other agencies were commissioning. These questions would relate to agencies having a Privacy Officer (a statutory requirement), privacy training and policies and procedures in place for privacy breaches.

We had very limited success with this approach and are reviewing our approach for 2025/26. We contacted a variety of agencies who had conducted surveys of specific sectors in the past, but had very little uptake. The case study later in this section provides information from a small survey that we conducted through the Institute of Directors.

Indicator	Undertake two projects per year relevant to setting privacy standards, expectations, or guidance in the privacy system
Baseline (year)	New measure
Desired change	Maintain
2024/25 result	Achieved
2023/24 result	Achieved

This indicator is an important part of ensuring that we continue to set clear expectations for agencies in the privacy system. Significant projects related to setting privacy standards, expectations or guidance this year included:

- completing the Inquiry into Foodstuffs North Island trial use of Facial Recognition Technology
- completing the development of the Biometric Processing Privacy Code
- developing guidance to help implement the new indirect notification principle that will be introduced by the Privacy Amendment Bill.

Indicator	Percentage of externally reviewed policy files that are rated as 3.5 out of 5 or better for quality
Baseline (year)	95% (2022)
Desired change	Maintain
2024/25 result	93%
2023/24 result	100%

Ensuring that we undertake high quality work is an important aspect of ensuring that the work we are doing is of a high quality and so more likely to set clear expectations for agencies. This annual review is undertaken by an external consulting firm and assesses a random sample of the work undertaken by our Policy team. We are very pleased with the result of the review this year, which was 93%.

Data relating to agency privacy understanding – insights from Directors

The Institute of Directors conducts surveys of their members that help provide an insight into the privacy understanding (and practices) of agencies.

In 2024, the Institute of Directors surveyed 1,000 of their members and found that 57% of their respondents said they discussed privacy practices and risks (an increase of 2% compared to 2023) and that 55% received comprehensive data breach/risk reports (an increase of 1% compared to 2023).

In 2025, we worked with the Institute of Directors to run a survey to gauge the privacy practices of agencies they were directors of.

While small, with 53 respondents, the results of this survey were as follows:

- 66% of Directors said that either all or some of the agencies they were directors of had a Privacy Officer.
- 64% of Directors said that either all or some of the agencies they were directors of made privacy training available to staff.
- 92% of Directors said that either all or some of the agencies they were a director of had policies and procedure in place to help manage privacy breaches.

These results show there is a significant opportunity for us to promote privacy amongst directors as a part of their duties.

CASE STUDY

Inquiry into Foodstuffs North Island trial use of Facial Recognition Technology

Between February to September 2024, Foodstuffs North Island ran a trial of Facial Recognition Technology (FRT) in 25 of their New World and PAK'nSAVE branded supermarkets. During this trial, FRT systems scanned over 225 million faces (including multiple scans of the same person), with 99.999% of images deleted within one minute. The systems raised 1,742 alerts of which 1,208 were later confirmed as matches by staff.

We ran an Inquiry alongside this trial use of FRT and completed it in May 2025. Our Inquiry sought to understand the privacy impacts of the trial, compliance with the Act, and whether the use of FRT was effective in making a difference to the level of serious retail crime. The Commissioner's inquiry function was used to assess whether the live FRT trial infringed on the privacy of individuals. The potential privacy concerns included the unnecessary or unfair collection of people's personal information, risks of misidentification and bias.

The Inquiry found that the trial use of FRT complied with the Act, based on how the FRT model had been designed and deployed. We found that while the level of inherent privacy intrusion was high (as every visitor's face is collected), the privacy safeguards in the trial reduced the level of intrusion to an acceptable level. We found the trial was effective in addressing its purposes of reducing repeat serious harmful behaviour in the recent past, including physical and verbal assault and higher value theft.

Our report recommended several improvements to Foodstuffs North Island. We recommended that documented processes and system settings should be updated to reflect what happens in practice, an ongoing review of effectiveness should occur and monitoring and review to evaluate the impact of skin tone on identification accuracy and store response.

Our Inquiry sets clear expectations for all agencies considering FRT systems in the following areas:

1. Careful thought before deploying FRT
2. Setting up and maintaining the watchlist
3. Installing and maintaining the wider FRT operating system
4. Information for customers about FRT and access/correction of information
5. Alerts
6. Decisions about whether and how to intervene
7. Security of your FRT systems and information
8. Managing complaints and access or correction requests
9. Review and monitoring





Objective 4:

We will promptly use our full range of investigation and compliance powers to hold agencies accountable for serious privacy harm

Our functions that directly support Objective 4: Compliance and Enforcement, Investigations and Dispute Resolution.

Our approach to compliance is that we encourage and support agencies in meeting their privacy requirements and that we act to hold agencies to account where necessary to address non-compliance. Our Compliance and Regulatory Action Framework sets out our escalation approach to encourage agencies to meet their requirements.

We promote strong privacy outcomes by using our full range of investigation and compliance powers when it is warranted. We issue compliance letters setting out our expectations with agencies about their privacy practices, issue Compliance Notices requiring agencies to alter their practices and publicly name agencies we find to be in breach of the Act in line with our Naming Policy. The use of these tools ensures the sector understands how we will respond when needed.

Over the period of 2023–2027 the Statement of Intent outlined our ambition to:

- have our compliance activities prioritise systemic privacy issues relating to those parts of society that are more vulnerable to serious privacy harm, especially when those issues stop individuals from exercising their privacy rights
- promptly triage and investigate privacy complaints and breach notifications, while accounting for cultural needs and recommending redress where possible
- inform our work with insights from identified privacy system risks, international experiences and our own data.

The challenges ahead of us

The key challenge facing us is the increasing volumes and complexity of privacy breaches and complaints that we are receiving. These factors place increasing pressure on our staff and also the accomplishment of key performance indicators.

The demands on our functions means that we constantly prioritise the use of our investigation and compliance powers. This demand arises from the broad scope of the privacy system, where privacy breaches and complaints can occur anywhere and be very different in cause, impact, sector and size.

The lack of penalties within the Act provides agencies with few financial incentives to take privacy seriously. This situation means that many agencies have a low level of understanding of the Act.

Our progress and achievements in 2024/25

Continuing to strengthen our Compliance and Enforcement function is a key area of strategic focus for us. A key achievement for our compliance function includes triaging and reviewing 1,093 privacy breach notifications and then following up on privacy breaches that are likely to cause serious harm. Our activities in this area encourage agencies to swiftly address privacy breaches and to build their capability to help avoid future privacy breaches.

During this year we also publicly issued a Compliance Notice to Oranga Tamariki on their failure to comply with Act requirements relating to storage and security and disclosing personal information. This action was taken as Oranga Tamariki needed to take additional steps to improve their privacy practices after a series of privacy breaches that caused serious harm to whānau and tamariki. Particular areas of improvement related to staff skills and strengthening the information access settings, oversight of service providers and the reporting of privacy incidents.

During 2024/25 our Investigations and Dispute Resolution function experienced record high levels of privacy complaints with 1,598 privacy complaints received from individuals. We took a ‘fast resolve’ approach to 1,208 of these complaints, for example through encouraging the individual to first approach the relevant agency with their complaint. This approach promotes the best outcomes for complainants within a quick timeframe.

Where we investigate a privacy complaint, we have a strong dispute resolution mandate and negotiated financial settlements for 6.5% of the privacy complaints. Investigating and resolving privacy complaints is very important to complainants as it provides them with redress and helps restore their confidence that their privacy is protected.



Investigating and resolving privacy complaints is very important to complainants as it provides them with redress and helps restore their confidence that their privacy is protected.

Assessing our impact

Indicator	Percentage of serious privacy breaches notified to our Office within 72 hours
Baseline (year)	61% (2022/23)
Desired change	Increase
2024/25 result	71%
2023/24 result	60%

We assess our impact in this area through the promptness which serious privacy breaches are notified to our Office. It is a statutory requirement for agencies to notify the Privacy Commissioner as soon as practical of any privacy breach where it is reasonable to believe an individual could suffer serious harm. We have issued clear guidance that we expect these notifications to be provided to us within 72 hours.

In 2023/24 we had 60% of serious privacy breaches notified to our Office within 72 hours and we are aiming to improve this percentage. This year the percentage of serious privacy breaches notified to us within 72 hours increased to 71%. The increase in this measure this year was in part due to a series of similar breaches being notified promptly by one particular sector.

Indicator	Notified privacy breaches that are likely to cause serious harm, are followed up with the notifying agency within 10 working days of receipt
Baseline (year)	New measure
Desired change	Maintain
2024/25 result	95%
2023/24 result	85%

We follow up with agencies who have notified us of serious privacy breaches to help ensure that agencies are responding well and mitigating the harm to affected individuals. Our target for this measure in 2023/24 was a 100% follow up rate, however this has proven unrealistically high and resource intensive. We are very happy with our result of 95% for 2024/25. We will be seeking to maintain this percentage going forward.

Indicator	The percentage of complaints closed during the year that were less than six months old at closure
Baseline (year)	84% (2022/23)
Desired change	Maintain
2024/25 result	88%
2023/24 result	75% ⁹

We are seeking to maintain timeliness in resolving privacy complaints so that agencies consider that we act promptly when serious privacy harms occur. For this measure we also include our ‘fast resolve’ complaints.

Note that during this year, some discrepancies were identified in the way data for ‘fast resolve’ complaints were being captured. These have been rectified, appropriate system amendments made and, as a result, the comparatives have been updated

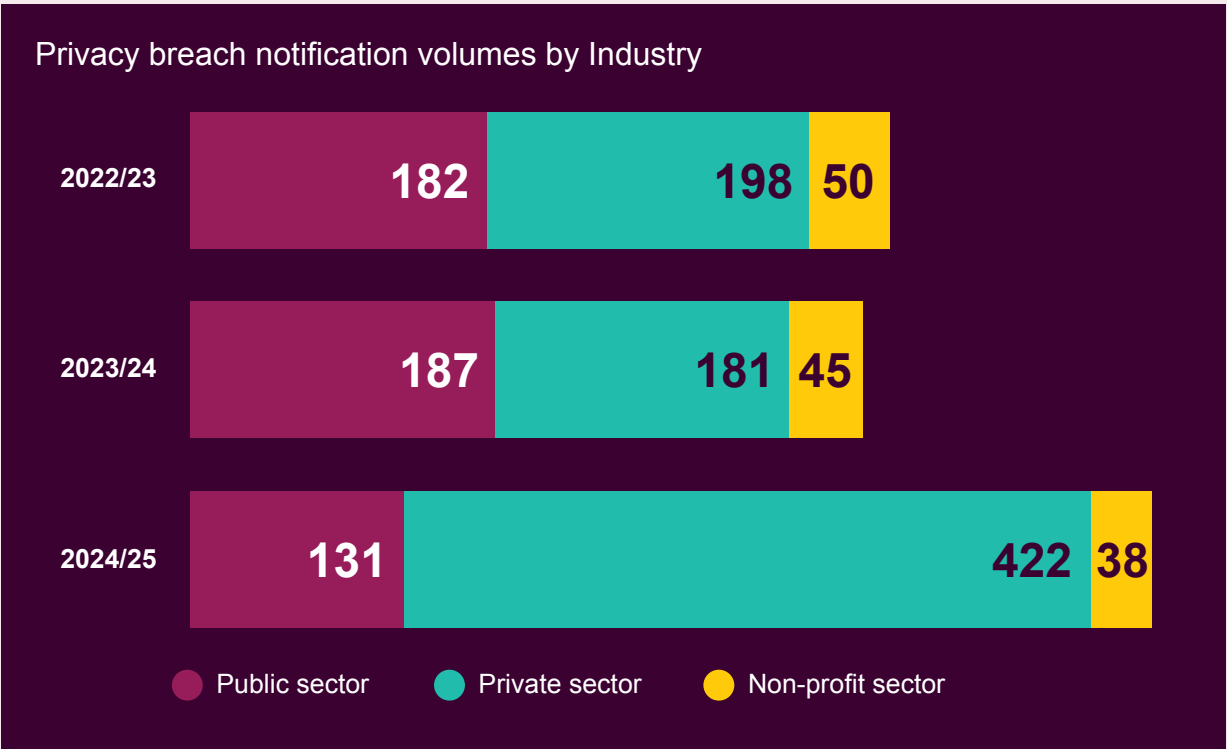
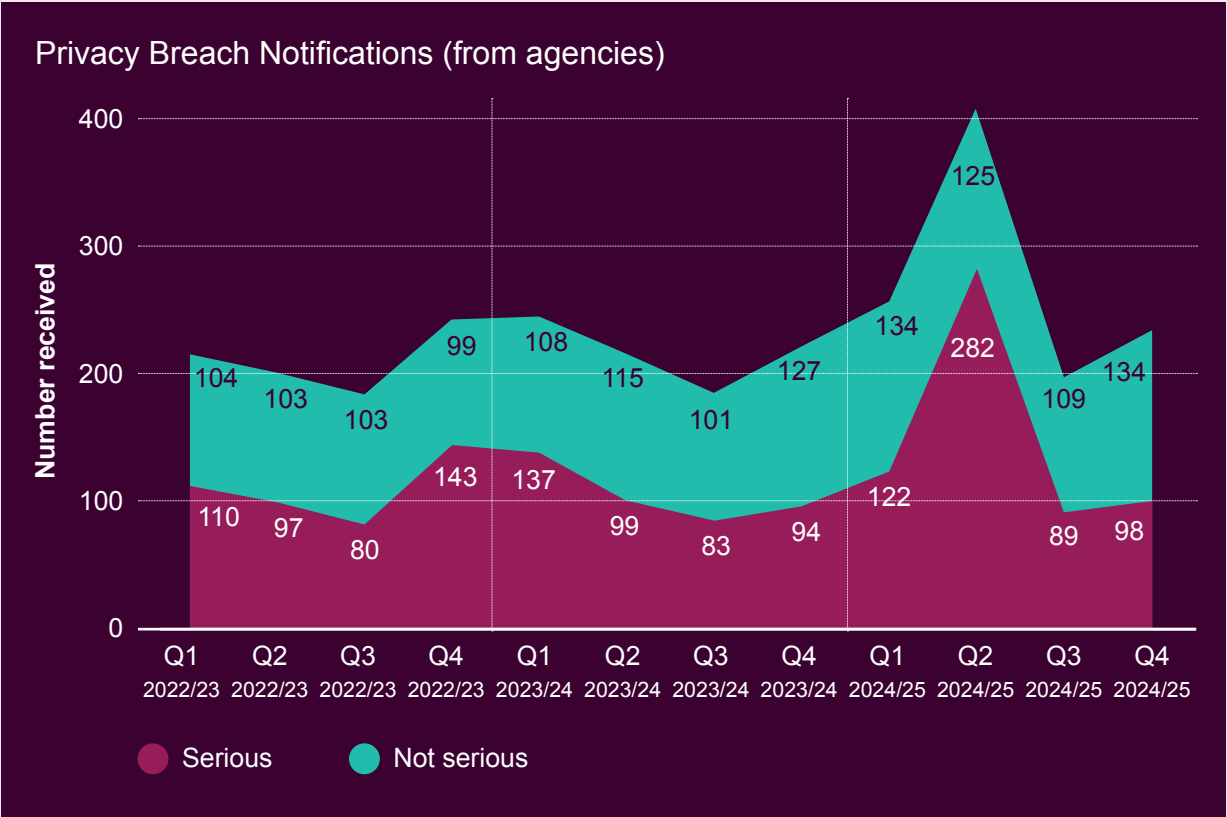
The 2024/25 result of 88% reflects a good result during a period of high and increasing volumes. However, we are mindful that if a privacy complaint requires a complicated or comprehensive investigation the high volumes and limited resourcing we have means that the wait time for an investigator can be up to six months.

Indicator	The percentage of externally reviewed compliance investigations that are rated as 3.5 out of 5 or better for quality
Baseline (year)	New measure
Desired change	Maintain
2024/25 result	100%
2023/24 result	100%

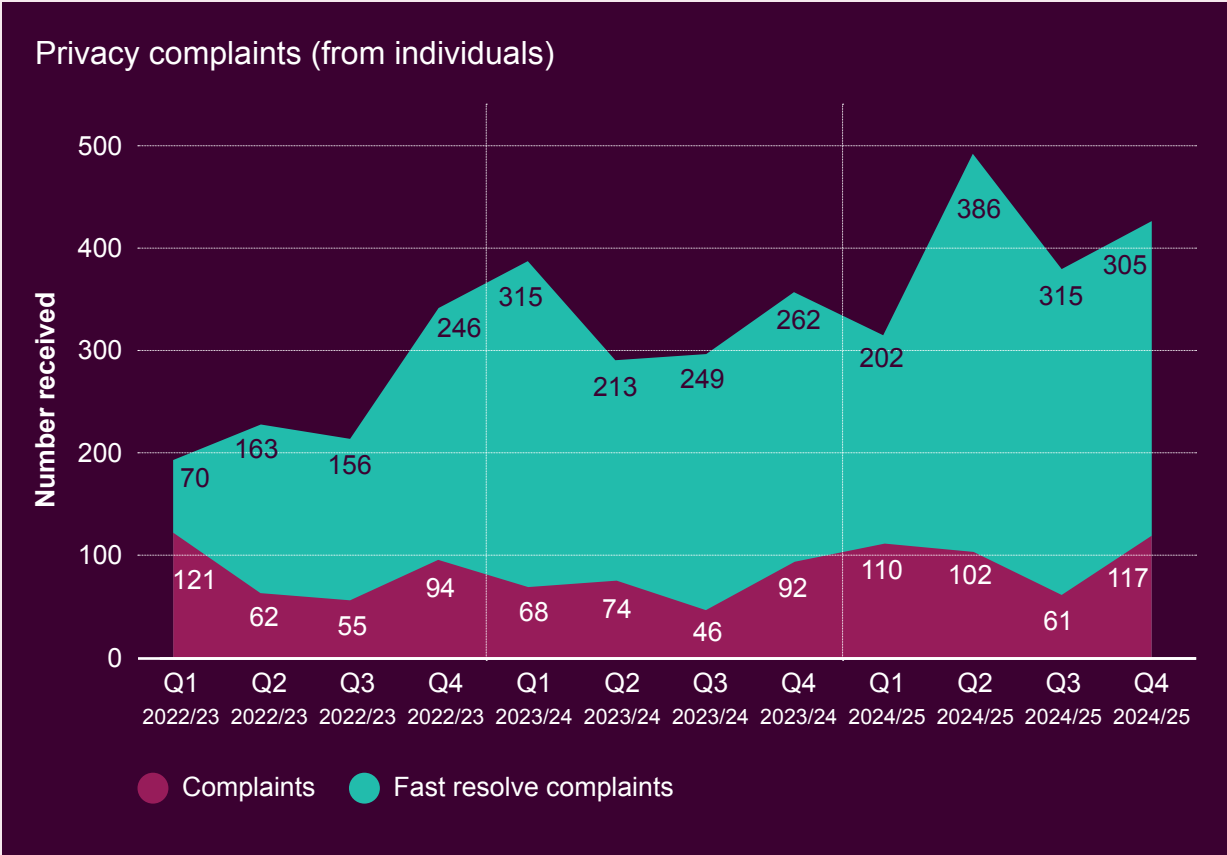
We want our Compliance and Enforcement investigations to be of high quality to ensure that our interventions are correct and effective. The result of our external quality review of our compliance investigations and compliance notices continues to be extremely pleasing and we will be seeking to maintain this quality going forward.

9. The 2023/24 result has been restated to reflect changes in the data captured. In the prior year’s annual report, the result for this indicator was reported as 69%

Data relating to our compliance activities



Data relating to our compliance activities



CASE STUDY

Restoring the mana of teachers through complaint investigation and conciliation

We received privacy complaints from three teachers relating to their school accessing private social media messages they had sent to each other.

The complaints arose after one of the teachers returned her work laptop to school when they stopped working at the school. When a school administrator checked the laptop for later use, they found the laptop was still logged into the teacher's personal Google and Facebook accounts. Facebook Messenger messages between the three teachers were accessed and screenshots provided to the Principal, who raised the issue with the teachers who were still employed by the school.

The teachers complained to the school but were told that the information had been accessed in accordance with its duty as an employer and that no apology was necessary.

The three teachers then made privacy complaints to our Office. We notified the school that we were commencing an investigation into a possible privacy breach relating to the collection of personal information. The school's initial response was that as the collection of personal information was unsolicited, they were not required to comply with the collection principles of the Act.

After investigating this situation and discussing it with both sides, we set out our preliminary view that the school had breached the collection principles of the Act and interfered with all three teachers' privacy. Our view was that it was not necessary for the school to collect the information (as the teacher had left the school) and they had intruded unreasonably into the personal affairs of the teachers (as unrelated personal messages were also accessed).

The school accepted our view and agreed to an in-person conciliation that we facilitated. The conciliation was very positive, with the school wanting a process that restored the teachers' mana. Each of the teachers was able to fully explain the impacts of the breaches on them. We assisted the parties to reach a suitable resolution which was tailored to each of the complainants.

