

## Who We Are - Ko wai mātou

The Privacy Commissioner is an independent Crown entity established under the Privacy Act 2020 as New Zealand's privacy regulator with an economy-wide focus.

Our purpose is to ensure privacy is a core focus for agencies in order to protect the privacy of individuals, enable agencies to achieve their own objectives, and safeguard a free and democratic society.

We advocate and advise on matters relating to privacy, examine new legislation and initiatives for impacts on privacy, undertake independent inquiries into privacy issues, investigate and conciliate complaints about alleged breaches of privacy, and have a compliance and enforcement function. The Commissioner also has due regard for the protection of important human rights and social interests that compete with privacy, and of international obligations accepted by New Zealand.

## Our values

### Courageous

- We focus on doing the right thing/what's right and acting with integrity
- We speak up and take action to protect New Zealanders' privacy rights
- We are prepared to take informed risks in pursuit of strategic opportunities

### Nimble

- We are savvy, agile and adaptable
- We are responsive, able to pivot quickly when needed to meet demands
- We are confident navigating complexity and ambiguity

### Impactful

- We look to work which will have the highest impact in line with our strategy
- We are results orientated
- We set ourselves ambitious goals

### Professional

- We take pride in our role as New Zealand's independent privacy regulator
- We go about our work in a collaborative and transparent manner
- We are committed to taking actions which are fair, ethical and impartial

### Curious

- We are forward looking
- We relentlessly seek out better ways to achieve our purpose
- We welcome different perspectives and stay open to new ways of thinking

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| <b>Position Title:</b>       | Investigator, Investigations and Dispute Resolution   |
| <b>Reports to:</b>           | Manager, Investigations and Dispute Resolution (MIDR) |
| <b>Location:</b>             | Wellington/Auckland                                   |
| <b>Date Issued/Reviewed:</b> | May 2026                                              |

## Role Purpose - Ko te aronga o te tūranga

The purpose of this position is to assist the Privacy Commissioner to achieve the objectives of the Commissioner's Office, with particular reference to Part 5 of the Privacy Act 2020, which deals with the investigation and resolution of complaints.

The Investigator, Investigations and Dispute Resolution (Investigator) is part of a team of assistant investigators, investigators, senior and principal investigators based in the Commissioner's Auckland and Wellington offices, led by the Manager, Investigations and Dispute Resolution (MIDR), who in turn reports to the Deputy Privacy Commissioner (DPC).

The Investigator will assess and investigate complaints from members of the public about their privacy rights and alleged breaches of those rights. The objective, wherever possible, is to assist and equip individuals, agencies and organisations to resolve any privacy issues quickly and pragmatically.

The Investigator is required to respond to complaints in a manner that is well-informed and factually accurate, as well as independent and neutral. This requires a sound working knowledge of the Privacy Act 2020 and an awareness of other human rights legislation and related law. Sound judgement is required, as are excellent communications and relationship management skills to provide a user friendly yet professional service, and be able to deal effectively with abusive, threatening or distressed individuals. The high volume and wide-ranging nature of complaints also mean that the Investigator has to strike an effective balance between quality and productivity.

## Principal Accountabilities - Takohanga matua

| Key Function                       | Accountabilities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| <b>Investigation of complaints</b> | <ul style="list-style-type: none"> <li>• To investigate alleged breaches of the Privacy Act 2020 and related codes of practice.</li> <li>• To undertake careful, well-judged and sensitive inquiries to clarify the issues and establish the relevant facts of any case.</li> <li>• To effectively analyse and apply the law to the facts of individual complaints.</li> <li>• To facilitate the settlement of complaints by the use of alternative dispute mechanisms wherever they would be more effective (e.g. by the use of early resolution techniques or conciliation) as agreed with the MIDR.</li> <li>• To draft objective, well-reasoned legal opinions.</li> <li>• To keep the MIDR well informed of the status of complaints.</li> <li>• To prepare reports and recommendations on complaints and investigations, as required.</li> </ul> |

| Key Function                                   | Accountabilities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| <b>Early and Fast Resolution of Complaints</b> | <ul style="list-style-type: none"> <li>• To respond to complaints from members of the public about their privacy rights, in accordance with the processes and procedures of the Commissioner's Office and as directed by the MIDR.</li> <li>• To apply a pragmatic and results-oriented approach to handling complaints that encourages, facilitates and equips complainants and agencies towards self-resolution, wherever practicable.</li> <li>• To respond to complaints in a manner that is well-informed and factually accurate, independent and neutral.</li> <li>• To provide a user friendly yet professional service that strikes an effective balance between the competing demands of quality and timeliness.</li> <li>• To identify and undertake the early resolution of complaints, with an emphasis on the use of alternative dispute mechanisms, where early resolution is feasible.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Triage of Complaints</b>                    | <ul style="list-style-type: none"> <li>• To assess complaints from members of the public about alleged breaches of their privacy, in accordance with the complaints assessment framework.</li> <li>• To evaluate whether the Privacy Commissioner should investigate or decline to investigate a complaint</li> <li>• To transfer or refer complaints to other regulatory or dispute resolution bodies where appropriate.</li> <li>• To undertake careful, well-judged and sensitive enquiries to clarify the issues and establish the relevant facts of any case as required.</li> <li>• To effectively analyse and apply the law to the facts of individual complaints.</li> <li>• To draft objective, well-reasoned opinions to support assessment and triaging decisions.</li> <li>• To keep the MIDR well informed of the status of complaints.</li> <li>• To ensure complaints are dealt with professionally, fairly and in a timely manner.</li> </ul>                                                                                                                                                                                                                                                                                                                                                 |
| <b>Supplementary tasks</b>                     | <ul style="list-style-type: none"> <li>• To undertake or assist with specific research or policy advice work, as may be required from time to time, for example: <ul style="list-style-type: none"> <li>– advice about the privacy implications of draft or existing legislation, proposed or current government policy, non-government proposals, and business or other developments which might have an impact on the privacy of the individual</li> <li>– preparation of reports, papers or submissions to support policy positions taken by the Commissioner</li> <li>– research into, or the monitoring of, privacy and related developments in New Zealand and overseas.</li> </ul> </li> <li>• To help undertake investigations and inquiries initiated by the Privacy Commissioner into any matter, including any enactment or law, or any practice, or procedure, whether governmental or non-governmental, or any technical development, if it appears to the Commissioner that the privacy of the individual is being, or may be, infringed.</li> <li>• To assist the General Counsel (GC) with litigation in the Human Rights Review Tribunal (or courts), including preparation of documents and submissions, and appearing before the Human Rights Review Tribunal as led by the GC.</li> </ul> |

| Key Function                        | Accountabilities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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|                                     | <ul style="list-style-type: none"> <li>• To undertake or assist with ad hoc or one-off special projects undertaken by the Commissioner, typically on a cross-functional basis, into any privacy related issue or to improve any aspect of the Commissioner's operations.</li> <li>• To undertake consultations with the Office of the Ombudsman as required.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Outreach and Communications</b>  | <ul style="list-style-type: none"> <li>• To deliver education seminars/workshops, as may be required from time to time.</li> <li>• To assist with the development of education and public information material such as case notes and guidance for the Commissioner's website.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>General</b>                      | <ul style="list-style-type: none"> <li>• To undertake or assist with such other functions of the Commissioner as may be requested from time to time.</li> <li>• To comply with any code of conduct, policy, practice or procedure as may be adopted by the Commissioner's Office.</li> <li>• To undertake the accountabilities of the position to the standards of quality and timeliness as prescribed by the MIDR, Deputy Commissioner, and Commissioner.</li> <li>• To alert the MIDR or Deputy Commissioner in a timely manner to any significant issue that might adversely impact the progress of any investigation or other work or may be of wider significance or concern to the Commissioner's Office.</li> <li>• To seek the prior approval of the MIDR or GC before applying any new interpretation of the law or departing from approved policy or practice.</li> <li>• To create and maintain accurate and up-to-date records of all investigations and other work.</li> <li>• To develop a thorough knowledge of the Privacy Act 2020 and other acts, regulations, codes, policies and procedures affecting the functions and work of the Commissioner.</li> <li>• To manage relationships with complainants, respondents and their representatives, and other external stakeholders in a manner that reflects a responsive, timely and professional service by the Commissioner's Office.</li> <li>• To maintain productive working relationships with all the Commissioner's staff, including the senior leadership team, and to contribute as a team member to the wider objectives of the Commissioner's Office.</li> </ul> |
| <b>Health, Safety and Wellbeing</b> | <ul style="list-style-type: none"> <li>• Comply with all reasonable instructions regarding wellbeing, health and safety policies and processes and the Health and Safety at Work Act 2015.</li> <li>• Take reasonable care to ensure that in the performance of their employment they do not undermine their own wellbeing, health and safety or that of any other person.</li> <li>• Work in a safe and responsible manner, ensuring incidents, accidents, hazards or near misses are promptly reported.</li> <li>• Seek assistance without delay from your manager, HR or EAP if wellbeing at work is compromised to a level of personal concern.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

## Working Relationships

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| <b>Internal</b> | <ul style="list-style-type: none"> <li>• Manager, Investigations and Dispute Resolution</li> <li>• Deputy Commissioner/ Assistant Commissioner, Compliance, Capability and Resolution</li> <li>• General Counsel</li> <li>• Team of Principal Investigators, Senior Investigators, Investigators, and Assistant Investigators</li> <li>• Other members of the Compliance, Capability and Resolution group</li> <li>• Legal, Communications, International &amp; strategy, and Corporate Services teams</li> <li>• Privacy Commissioner, members of the senior leadership team and other staff, as required</li> </ul> |
| <b>External</b> | <ul style="list-style-type: none"> <li>• Respondents and complainants across a wide range of both public and private sector agencies</li> <li>• Members of the public</li> <li>• Privacy Officers in other agencies and organisations</li> </ul>                                                                                                                                                                                                                                                                                                                                                                      |

## Delegations

|                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| <b>Human Resources</b>     | Nil                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Financial</b>           | Nil                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Limits on Authority</b> | <ul style="list-style-type: none"> <li>• No statement is to be issued to the news media or any information released to the general public without the prior approval of the Privacy Commissioner.</li> <li>• Any significant departure from approved or accepted work practice or procedure is first to be discussed and agreed with the General Manager or Privacy Commissioner.</li> <li>• There is no authority to enter into any ongoing contract that may in any way be binding on the Privacy Commissioner, without the prior approval of the Commissioner or the General Manager. The booking of venues, travel or accommodation must be in accordance with the policies, practices and procedures of the Commissioner's Office.</li> </ul> |

## Experience, Skills and Competencies - Wheako, Pūkenga me ngā Āheitanga

### Qualifications and Experience

The Investigator will require a tertiary qualification in law or significant relevant experience in a legal or related role. This may include experience in a similar regulatory position or one involving the interpretation and application of legislation and legal principles. An inquiring mind is essential, as is an understanding of government and business systems and processes, and experience with, or a keen interest in, privacy law.

Experience in undertaking comprehensive research or investigative work, negotiation and problem-solving, mediating disputes, the use of alternative dispute mechanisms and/or in drafting complex legal opinions, would be an advantage.

The position also requires the maturity, resilience, confidence and inter-personal skills to deal with sometimes abusive, threatening or distressed people.

## Key Competencies

| Competency                                   | Description of skilled behaviours                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| <b>Alternative Dispute Resolution Skills</b> | <ul style="list-style-type: none"> <li>• Uses appropriate dispute resolution mechanisms to help resolve conflict and settle disputes e.g. mediation, conciliation, negotiation and compulsory conferences and</li> <li>• Helps facilitate settlement between opposing parties in a manner that is respectful of the rights of all parties.</li> </ul>                                                                                                                                                                                                                                                                                                                              |
| <b>Analytical Skills</b>                     | <ul style="list-style-type: none"> <li>• Applies intellectual rigour to researching and analysing complex issues systematically and comprehensively and</li> <li>• Provides robust, well thought out conclusions supported by relevant data.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Professionalism</b>                       | <ul style="list-style-type: none"> <li>• Displays highest standards of personal integrity, honesty and conduct</li> <li>• Exercises discretion at all times, particularly in dealing with sensitive or confidential material</li> <li>• Develops and maintains constructive working relationships with internal and external stakeholders and</li> <li>• Uses language and has a demeanour and personal presentation that reflects a professional outlook.</li> </ul>                                                                                                                                                                                                              |
| <b>Communication Skills</b>                  | <ul style="list-style-type: none"> <li>• excellent communication skills, both oral and in writing, and the ability to relate effectively to a wide cross-section of the general public.</li> <li>• Communicates clearly, concisely and in plain English, both orally and in writing, and is an active listener</li> <li>• Delivers presentations effectively and can use a range of presentation methods and media and</li> <li>• Negotiates effectively and can achieve co-operation and agreement where there are conflicting objectives.</li> </ul>                                                                                                                             |
| <b>Technology Skills</b>                     | <ul style="list-style-type: none"> <li>• Competently uses equipment and software to produce own work, and is proficient with the Microsoft Office suite of applications and such other software or information technology tools as are required for the role and</li> <li>• Adopts and adapts to new technologies readily.</li> </ul>                                                                                                                                                                                                                                                                                                                                              |
| <b>Self-management</b>                       | <ul style="list-style-type: none"> <li>• Works independently and is largely self-managing</li> <li>• Self-motivated and self-driven, understands and accepts responsibility for own performance requirements</li> <li>• Plans, organises and prioritises work effectively, is motivated to find solutions to problems, and is results-driven</li> <li>• Maintains and enhances knowledge by actively keeping up-to-date with developments</li> <li>• Participates actively in training and development opportunities</li> <li>• Completes work in a timely manner and follows through with commitments and</li> <li>• Sets and maintains high standards of performance.</li> </ul> |
| <b>Teamwork</b>                              | <ul style="list-style-type: none"> <li>• A strong team player</li> <li>• Works as a team member and demonstrates collegiality through knowledge sharing and excellent work relationships</li> <li>• Relates to a wide variety of people, both within the Office and externally, in a positive and helpful manner and</li> <li>• Supports group decisions and puts group goals ahead of own goals.</li> </ul>                                                                                                                                                                                                                                                                       |

| Competency                         | Description of skilled behaviours                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| <b>Innovation and Adaptability</b> | <ul style="list-style-type: none"> <li>• Displays a positive attitude to change, adapts readily, and initiates changes as required</li> <li>• Effectively manages competing priorities</li> <li>• Generates ideas for improvement, takes advantage of opportunities and suggests innovations and</li> <li>• As with all other staff, undertakes such other duties and responsibilities as the Commissioner may reasonably request from time to time.</li> </ul> |