

Education New Zealand
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6 September 2021

[REDACTED]
[REDACTED]

Dear [REDACTED],

Official Information Act 1982 request – ENZ interactions with Research New Zealand

I refer to your Official Information Act request (OIA), received by Education New Zealand (ENZ) on 9 August 2021, which asks the following questions:

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?

Our responses to your questions are as follows:

1. Yes. ENZ contracted Research New Zealand on 5 May 2017 to undertake research work in relation to the value of international education to New Zealand.
2. ENZ provided personal information or data on individuals to Research New Zealand in accordance with the contract between ENZ and Research New Zealand.
3. The contract between ENZ and Research New Zealand is in accordance with the Government Procurement Rules, and in alignment with the terms of the Privacy Act's 1993 Information Privacy Principles. The terms for the treatment of privacy and data retention are further outlined under the 'Information Management' and 'Privacy' clauses of the agreement between ENZ and Research New Zealand. These clauses specify the following terms:
 - a. Under the 'Information Management' clauses, Research New Zealand is obliged to keep and maintain Records in accordance with prudent business practice and all applicable laws. This includes the responsibility to make sure that the Records provided by, or created for ENZ, are securely managed and destroyed on their disposal.
 - b. The 'Privacy' clause of the contract outlines the terms of the protection of personal information where Research New Zealand has access to personal Information under or in connection within the agreement between ENZ and Research New Zealand. This includes terms for the treatment of

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- accessing, storing, processing or transmitting that Personal information, to ensure that the Personal information is protected against loss, access, use, modification or disclosure that is not authorised by ENZ. The terms of the contract outline that Research New Zealand is to comply with the Privacy Act.
- c. Under the 'Privacy Breaches' clause, in case of a Privacy Breach, Research New Zealand is obliged to notify New Zealand as soon as possible, take all reasonable steps, such as undertaking its own investigation, take action to stop or mitigate the impact mitigation of any Privacy Breach and prevent its reoccurrence.

4. We have not been notified of any data breaches, security issues, or privacy issues with Research New Zealand.

In preparing this information release ENZ has considered the public interest considerations in section 9(1) of the Official Information Act. You have the right to seek an investigation and review by the Ombudsman of this decision.

Information about how to make a complaint is available at <https://www.ombudsman.parliament.nz/> or freephone 0800 802 602.

If you wish to discuss this decision with us, please feel free to contact Erika Szabo, Senior Advisor, Governance on +64 4 886 3768 or Erika.szabo@enz.govt.nz.

Please note that it is our policy to proactively release our responses to official information requests where possible. Our response to your request will be published shortly at <https://enz.govt.nz/about-enz/information-releases/>, with your personal information removed.

Yours sincerely

Grant McPherson
Chief Executive
Education New Zealand