



9 January 2024

Scott

fyi-request-25122-e13bc3ec@requests.fyi.org.nz

Kia ora Scott

Your Official Information Act request, reference: GOV-029486

Thank you for your email of 10 December 2023, asking for the following information under the Official Information Act 1982 (the Act):

I am requesting information related to the delegated authority to make a decision that ACC breached the Privacy Act 2020.

Whom within ACC hold the authority to admit ACC failed to comply with s.44(1) of the Privacy Act 2020 in breach of Principal 6 the Right to Access. (to clarify, i only seek the particular units and roles these people hold, I have no interest in the private person holding those positions)

Decisions on whether a privacy breach occurred

There is no one team or role within ACC that holds the sole authority to make a decision on whether a privacy breach has occurred. Rather, any ACC staff member can technically identify and acknowledge when there has been a breach.

However, when a privacy-related incident occurs, it is ACC's policy that staff notify the ACC Privacy Team of the incident and seek advice. This advice can include confirming whether the incident is a privacy breach or not, the categorisation of the incident, its severity, any potential harm, how it ought to be addressed, and the next steps to take.

Within the Privacy Team, Privacy Officers are also responsible for ensuring that ACC complies with the Privacy Act 2020, dealing with requests for access to, or correction of, personal information, and working with the Office of the Privacy Commissioner during the investigation of complaints and breaches. For further information about the Privacy Commissioner's legal authority and responsibilities, please refer to: <https://privacy.org.nz/about-us/what-we-do/>.

As this information may be of interest to other members of the public

ACC may decide to proactively release a copy of this response on ACC's website. All requester data, including your name and contact details, will be removed prior to release. The released response will be made available www.acc.co.nz/resources/#/category/12.

If you have any questions about this response, please get in touch

You can email me at GovernmentServices@acc.co.nz.

Ngā mihi

Sara Freitag

Manager Official Information Act Services
Government Engagement