

Audit, Finance & Risk Committee

8 July 2025

Report for Agenda Item | Rīpoata moto e Rāraki take [7]

Department: Corporate Services

Title | Taitara: Privacy Annual Update

Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is to provide the Audit, Finance & Risk Committee (the Committee) with an end-of-year update on matters relating to the Privacy Act 2020 and Queenstown Lakes District Council's (QLDC) Privacy Policy and practice.

Recommendation | Kā Tūtohuka

That the Audit, Finance & Risk Committee:

1. **Note** the contents of this report.

Prepared by:

Katie Church

Name: Katie Church
Title: Director People & Capability /Privacy Officer
16 June 2025

Ryan Clements

Name: Ryan Clements
Title: Chief Information Officer/Privacy Officer
16 June 2025

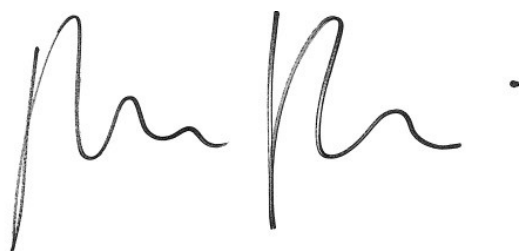
Naell Crosby-Roe

Name: Naell Crosby-Roe
Title: Stakeholder & Democracy Services Manager/Privacy Officer
16 June 2025

Brendan Peet

Name: Brendan Peet
Title: General Counsel/Privacy Officer
16 June 2025

Reviewed and Authorised by:



Name: Meaghan Miller

Title: General Manager Corporate Services

16 June 2025

Context | Horopaki

1. Under the Privacy Act 2020¹ (the Act), Queenstown Lakes District Council (QLDC) must follow a set of rules when handling personal information. The Act governs how organisations can collect, store, use and share personal information. The Act also defines a privacy breach that either has caused or is likely to cause serious harm and the processes for managing those situations.
2. The Council has four delegated² positions that act as privacy officers under the Act: Legal Counsel, Chief Information Officer, Director People & Capability and Governance & Stakeholder Services Manager. These delegated officers are tasked with increasing awareness of organisational requirements and responsibilities under the Act and responding to reported actual or potential breaches.
3. The Council is committed to an ongoing programme of organisational development relating to privacy and how potential privacy issues are managed.
4. This report is recommended practice from the Office of the Privacy Commissioner Te Mana Mātāpono Matatapu and is to provide an end of year update to the Audit, Finance & Risk Committee regarding actions taken to improve organisational capability and compliance, responses to requests made under the Act, and a summary of potential / actual breaches and notifiable events. The period covered by this report is 1 July 2024 to 30 June 2025.

Analysis and Advice | Tatāritaka me kā Tohutohu

Organisational capability and compliance

5. The onboarding programme for new team members ensures that all new starters are aware of the Privacy Act 2020 and Council's own Privacy Policy. As part of this programme team members are directed to complete the Privacy ABC modules provided by the Office of the Privacy Commissioner.
6. QLDC promoted Privacy Week to all employees, the theme this year was 'Privacy on Purpose.' In May 2025, the team continued to advocate for employees to complete the online learning modules and refreshers (the Privacy ABC). The team also hosted an internal lunch and learn 'privacy on purpose' webinar, which was attended by 96 employees. These activities are for employees to familiarise themselves with the 13 Information Privacy Principles (IPPs) of the Privacy Act 2020 and to provide advice on how to respond to a potential or actual breach.
7. A compliance reminder email was sent to all contractors from the QLDC privacy officers, in January 2025. The communication included a reminder, regarding the Privacy Act 2020 mandates, that organisations like QLDC ensures compliance with the Act (for both QLDC and any

¹ Privacy Act 2020 <https://www.legislation.govt.nz/act/public/2020/0031/latest/LMS23223.html>

² Delegations are documented in the QLDC Delegations Register which can be downloaded from here: <https://www.qldc.govt.nz/your-council/meetings-committees/>

organisations undertaking activities on its behalf where personal information is being captured, accessed or retained) and provide guidance on relevant best practices, policies, and procedures.

8. The communication emphasised that QLDC is here to support, if contractors have (or suspect may have) any privacy incidents or breaches concerning QLDC related work. This equips QLDC with all the necessary information to effectively and promptly respond to any privacy incident.
9. As the contracting agency, QLDC remains primarily responsible for notifying any privacy incidents or breaches should they occur, which is why it is important that QLDC and contractors that are engaged work together in a timely and fully open manner, if any such incidents are suspected or discovered.
10. QLDC's Privacy Policy was reviewed and revised, in February 2025. The policy updates reflect the latest understanding in practice and an update provides a further opportunity to draw the attention of employees to the policy, the updates, and their privacy obligations. Please refer to Attachment A.
11. Digital Public Service (part of DIA) recommends that organisations develop and maintain a privacy incident response plan as best practice to manage a privacy incident or breach. An incident response plan needs to provide the organisation with all the information required to respond to a privacy incident effectively and in a timely manner. This has been implemented at QLDC and was also promoted through privacy week.
12. The privacy incident response plan sets out procedures and clear lines of authority for employees in the event that QLDC experiences a privacy incident (or suspects that a breach or incident has occurred). For good privacy practice purposes, the response plan covers any instances of unauthorised use, modification, interference with or loss of personal information held by QLDC. The response plan aims to provide clarity about roles and responsibilities, and the procedures to follow in the event of an actual or suspected breach or incident. Please refer to attachment B.
13. Rating information database privacy – QLDC carried out an assessment in September-October 2024 of its rating information database and its compliance with the provisions relating to public access and privacy in the Local Government (Rating) Act (LGRA). As a result, QLDC adjusted the publicly available information on QLDC's system to exclude personal information from public access, implemented a procedure for physical inspection of the database at QLDC offices (as per LGRA requirements).

Focus for 2026

14. With robust training and supporting processes and guidance in place for responding to privacy incidents and breaches, the privacy team's focus in the financial year 2025-2026 will be on privacy impact assessments (PIA). A PIA is a way for an organisation to assess and address privacy risks when collecting, using, or sharing personal information. Completing PIAs helps ensure compliance with the Act and local policies and identify and minimise future privacy risks such as

data breaches. We will develop and include as part of QLDC's compliance training with the e-learning modules.

Requests made under the Privacy Act

15. During the financial year 2024-2025 for this reporting period, there have been zero requests for information made under the Act.

Investigations under the Privacy Act

16. Privacy officers have been required to consider eight matters in this reporting period.

- a) PI24/0001 - Information shared in error of ratepayers in arrears with elected members through email communication. Action was to confirm all recipients have deleted the email and not disclosed the information.
- b) PI24/0002 - Customer logged a request for service with QLDC via out of hours (provided by Palmerston North City Council) and they mistakenly created a call with Hutt City Council providing them with the caller's details. Action was PNCC completed appropriate training and put in place amendments to system and processes to ensure the same error does not happen again.
- c) PI25/0001 - A response to a request for information was sent to the incorrect requestor. The response letter included name and email of the original requestor. Action was the requestor advised and no wish to take further action. Incorrect recipient advised and requested to delete.
- d) PI25/0002 - A member of the public raised a snap send solve request regarding a damaged post on a trail. This was incorrectly referred by a team member to Department of Conservation (DoC) and included the requestor's personal contact details. Action was that DoC were requested to delete the requestor's personal contact details.
- e) PI25/0003 - The Risk Register is built using TechOne App builder. The functions within the Risk Register dashboard are available to the risk team only (three members of employees). While the team members within the risk team do not normally have access to this information. This select information was available via the Risk Register. Action was to update the Risk Register application so that the 'risk owner' employee details are no longer linked.
- f) PI25/0005 - A regulatory support team member inadvertently attached an unrelated parking infringement including personal details (offender's name, postal address, vehicle registration, date of birth and offence details). Action was an apology and notification of the offenders' rights to complain to the privacy commissioner.

- g) PI25/0006 – A library newsletter was emailed to a patron. The letter contained the name and email address of a person known to the patron. Investigation found the patron has a legacy C/O email address attached to their account. Action was to improve systems and processes to ensure this cannot happen again.
- h) PI25/0007 - Undertaking a scoping process for procurement there was an admin oversight and pricing details were not redacted on a document, exposing this information to a competitor. The suppliers have been notified by the Property & Infrastructure (P&I) team. Recommendation when progressing with the procurement process was to remove the weighting criteria for pricing in the procurement evaluation.

17. Advice Options have not been presented relating to the contents of this report as it is for noting only.

Consultation Process | Hātepe Matapaki

Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

18. This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy 2024. The issues discussed relate to specific individuals and all matters have been satisfactorily investigated and appropriately addressed.
19. The persons who are affected by or interested in this matter are Council employees, residents/ratepayers of the Queenstown Lakes district community and other stakeholder who share personnel information with QLDC.
20. The Council is not required to consult on this matter.

Māori Consultation | Iwi Rūnaka

21. The Council is not required to consult with Iwi Māori on this matter.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

22. This matter relates to the Regulatory/Legal/Compliance risk category. It is associated with RISK10029 Ineffective compliance management practices within the QLDC Risk Register. This risk has been assessed as having a high residual risk rating.
23. No options are represented for approval and noting this item will allow Council to retain the risk at its current level.

Financial Implications | Kā Riteka ā-Pūtea

24. There are no financial implications associated with this matter.

Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera

25. The following Council policies, strategies and bylaws were considered:

- QLDC Privacy Policy
- QLDC Significance and Engagement Policy 2024

26. The recommended option is consistent with the principles set out in the named.

27. This matter is not included in the Long Term Plan/Annual Plan and does not relate to these plans.

Legal Considerations and Statutory Responsibilities | Ka Ture Whaiwhakaaro me kā Takohaka Waeture

28. The matters in this report relate to QLDC's need to comply with the Privacy Act 2020.

Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kiaka

29. Section 10 of the Local Government Act 2002 states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. This report reflects the Council's obligations under the Privacy Act 2020 and its commitment to cultivating trust and data security. As such, the recommendation in this report is appropriate and within the ambit of Section 10 of the Act.

30. The recommended option is consistent with the Council's plans and policies.

Attachments | Kā Tāpirihaka

A	Privacy Policy
B	Response Action Plan