

Vanessa Blackwood

From: Vanessa Blackwood
Sent: Thursday, 10 May 2018 9:55 AM
To: 'Robert Chiu'; 'Aimee Whitcroft'
Cc: Michael Harrison
Subject: RE: Advice on a venture

Hi Robert,

That does sound like a sensible approach – running the PIA past your Stats privacy officers will also be a good step before bringing it to us.

In terms of timeframes, we're particularly busy here at the Office at the present moment so our feedback will likely take around 3-4 weeks depending on our workload, so I would recommend just factoring that in to any project plan for timings.

Warm regards,
Vanessa

From: Robert Chiu [mailto:robert.chiu@stats.govt.nz]
Sent: Thursday, 10 May 2018 9:11 a.m.
To: Aimee Whitcroft; Vanessa Blackwood
Cc: Michael Harrison
Subject: RE: Advice on a venture

Thanks Aimee for the intro.

Vanessa, thank you for offering your expertise and feedback. I've spoken to our privacy officers here at Stats NZ and there is a Stats NZ version of a PIA. I'm going to attempt to complete it over the next week and will look to get your feedback on content and other considerations that I may have missed.

Does this sound like a sensible approach to you?

Robert Chiu
Venture Manager

9(2)(a)

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From: Aimee Whitcroft
Sent: Tuesday, 8 May 2018 5:26 PM
To: Vanessa Blackwood <Vanessa.Blackwood@privacy.org.nz>
Cc: Robert Chiu <robert.chiu@stats.govt.nz>; Michael Harrison <Michael.Harrison@privacy.org.nz>
Subject: Re: Advice on a venture

Amazing, Vanessa, thanks! And no worries on the delay - I totally understand y'all are super busy :)

Rob, over to you :)

x
a.

aimee whitcroft
CX Manager

9(2)(a)

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On 8 May 2018, at 4:44 pm, Vanessa Blackwood <Vanessa.Blackwood@privacy.org.nz> wrote:

Kia ora Aimee,

Thanks so much for your email, and my apologies on the delay for response – we've been fairly snowed under here in the office with the Bill.

We certainly look forward to consultation on the venture, and would be more than happy to provide feedback on a draft Privacy Impact Assessment. Stats' expertise in secure data environments will no doubt prove very helpful in ensuring a privacy-focused approach.

Warm regards,
Vanessa

From: Aimee Whitcroft [<mailto:Aimee.Whitcroft@stats.govt.nz>]

Sent: Monday, 30 April 2018 12:59 p.m.

To: Policy

Cc: Robert Chiu

Subject: Advice on a venture

Hi Vanessa et al

I hope you're well, and have managed to stay dry today :)

Thanks again for meeting with Drew and I to chat about Data Ventures, and to offer your help.

I'd like to introduce Robert Chiu, CCd in, who's one of our venture managers. We've chosen one of the first ventures we're looking at building a proof of concept for, and it's around location/travel pattern data.

You can read more about it at <https://medium.com/data-ventures/venture-11-travel-pattern-data-brokerage-5e13caf727d4>. We've not yet announced the decision publicly (we will very soon), so please do keep this between y'all and us for now.

We know that there are potential privacy issues here, and want to make sure that we front foot them, and remain very much on the light side of the force. We do not want this sort of thing: <https://www.smh.com.au/politics/federal/telstra-gave-abs-mobile-data-to-track-canberrans-locations-20180424-p4zbf8.html> (this is partly why we're being so transparent).

Any advice or thoughts you could offer would be very welcome!

Warm regards,
aimee

aimee whitcroft
CX Manager

9(2)(a)

Holly He

From: Drew Broadley
Sent: Monday, 16 July 2018 6:51 PM
To: John.Edwards@privacy.org.nz
Subject: Update

Hi John,

Hope all is well.

Looking forward to attending the event on Wednesday around transparency of algorithms.

I would really like to catch up again since the time has passed and I have more detail on our ventures that we're focusing on at Data Ventures.

Can you let me know some times that work w/c 23rd.

Drew Broadley
Director

9(2)(a)

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Holly He

From: Drew Broadley
Sent: Tuesday, 23 October 2018 10:04 AM
To: John Edwards
Subject: Re: Accepted: Coffee: Aimee Whitcroft & Drew Broadley / John Edwards

Hi John,

How did the long weekend go?

It's been a while since you and I caught up about Data Ventures (the commercial arm for Stats NZ).

There's been some progression we really want to work with your input on. Can we please catch up this week/next week.

The validation around a data brokerage model for us (where we are the trusted intermediary) has been enormous. Mainly for the fact we are not a legislative/regulatory body, and truly independent.

What this offers up is commercial/private companies wanting to work with us.

Now we want to make sure we get the privacy side right, and we've taken heed from many articles such as:

- https://medium.com/@Asher_Wolf/the-australian-bureau-of-statistics-tracked-people-by-their-mobile-device-data-and-didnt-tell-them-16df094de31
- <https://www.smh.com.au/politics/federal/telstra-gave-abs-mobile-data-to-track-canberrans-locations-20180424-p4zbf8.html>
- <https://www.thestar.com/news/investigations/2018/10/12/sidewalk-labs-use-of-cellphone-data-in-proposed-us-deal-raises-concern-in-toronto.html>
- <https://www.bnnbloomberg.ca/video/ann-cavoukian-on-why-she-resigned-from-sidewalk-labs~1520428>

So as mentioned, we have a draft PIA and we have correlated questions that have been raised in articles

On 4/04/2018, at 11:31 AM, Drew Broadley <Drew.Broadley@stats.govt.nz> wrote:

<Mail Attachment.ics>

Kia ora/Cheers

Drew Broadley
Director

9(2)(a)

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Holly He

From: Robert Chiu
Sent: Thursday, 4 July 2019 1:56 PM
To: Holly He
Subject: OIA/OPC

From: Drew Broadley
Sent: Wednesday, 31 October 2018 3:36 PM
To: Vanessa Blackwood
Cc: Jon Duffy; Michael Harrison; Robert Chiu
Subject: Re: Review from OPC

Perfect, Rob and I will see you then.

On 31/10/2018, at 3:21 PM, Vanessa Blackwood <Vanessa.Blackwood@privacy.org.nz> wrote:

Hi Drew,

We can make 10am tomorrow if you would be able to come to us at 109 Featherston St.

Look forward to seeing you then,
Vanessa

From: Drew Broadley <Drew.Broadley@stats.govt.nz>
Sent: Wednesday, 31 October 2018 1:06 PM
To: Vanessa Blackwood <Vanessa.Blackwood@privacy.org.nz>
Cc: Jon Duffy <Jon.Duffy@privacy.org.nz>; Michael Harrison <Michael.Harrison@privacy.org.nz>; Robert Chiu <robert.chiu@stats.govt.nz>
Subject: Re: Review from OPC

Thanks Vanessa,

That's correct on the PIA, however I'd like to meet first so we can talk over the Q&A I sent. This is part of our product design/research before we define the details of our offering in our PIA (privacy by design). We might end up going over both.

Hope that makes sense?

Can you meet tomorrow (1st Nov) 10am? If that's too soon, (1st Nov) 3pm? If it needs to be next week, 6th of Nov@ 11am?

We are also chatting with John Sullivan who has previously seconded to the OPC, and I worked closely with at ACC when leading their first digital product for clients. Trying to get as much feedback from as many people as we can!

On 30/10/2018, at 10:52 AM, Vanessa Blackwood
<Vanessa.Blackwood@privacy.org.nz> wrote:

Hi Drew,

It'd be great to meet with you to discuss the Population Density project and hear your approach. I note that you also have a PIA underway which you intend to have reviewed by the Office.

Jon Duffy (cc'd in) is our new Assistant Commissioner, and it would be great to have him meet with you and get an overview of Data Ventures.

Jon and I are more than happy to meet and also to review the PIA – would you like to provide the PIA before or after we meet? Our policy team (me or others) would usually be the ones to review a PIA, and our timeframes for review are around 2-4 weeks depending on its length and complexity. We can either send feedback/comment by email or in person.

Warm regards,
Vanessa

From: Drew Broadley <Drew.Broadley@stats.govt.nz>
Sent: Friday, 26 October 2018 3:56 PM
To: Policy <Policy@privacy.org.nz>
Subject: Review from OPC

Hi there,

I'm the executive director of Data Ventures (a commercial arm of Stats NZ). I met with John Edwards a few months back about what we were up too, it would be good to get 30min-1hour with John in the next few weeks.

It's now at a point where we have a focus, a business model, and we want to make sure OPC has eyes over it before we go ahead on how we're doing this. It has been known to be a risky subject if not approached properly, so appreciate some time with John as a heads up/advisor.

See attached a draft to mitigate the concerns and risks we are addressing up front. We have spent time sourcing concerns and questions from various sources to create this.

Kia ora/Cheers

Drew Broadley
Director

9(2)(a)

<image005.png>

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Kia ora/Cheers

Drew Broadley
Director

Population Density Q&A

DATA VENTURES 

Version 1.0 [Draft] - 26 Oct 2018

Purpose of this document

To highlight and address any concerns and risks raised from the public point of view. The concerns/questions in this document are sourced from news articles and public comments either referred to us, or discovered by us.

If you have any questions or concerns about anything in this document, please contact Data Ventures (dataventures@stats.govt.nz)

What is Population Density?

Population density is a measurement of population per unit area or unit volume. It is a way to see the amount of people in a country, region, city/town and suburb. Usually this is annually, and typically in New Zealand it is represented via the 5 yearly census.

Why are you doing it?

Right now, there is no way beyond a 5 yearly census to accurately depict the population of Aotearoa New Zealand in a more frequent manner. We have identified an opportunity to be able to monitor and report on this at even an hourly interval.

A number of government agencies, crown entities, local authorities and council operated organisations have told us that there are problems they are trying to solve where the data just isn't available to help them answer questions to solve problems effectively.

What are some examples of these questions?

- What is the impact to a region from a Rugby test match?
- Is the infrastructure sufficient for peak demands and how can we distribute the load?
- Where do we put services after a emergency event?
- Is this suburb growing or shrinking?
- Where are the summer and winter hotspots and the impact on our national parks?
- How far could this strand of virus spread through the country?

How can we help them answer these questions?

By providing an indicator of the population counts across New Zealand at different geographic areas and time periods calculated by:

- Aggregated mobile location estimates data as the base dataset
- Modelled to population with other supplementary datasets and Stats NZ expertise
- Complemented by Stats NZ data assurance indicator

What does the mobile location estimates data contain?

An estimate of the total number of mobile devices within an hourly range within a geographic area. The data itself has a lot of gaps, so it is only an estimate.

What are these gaps?

- Devices that are indoors behind a number of walls, will impact the estimated location as the data approximates the location of devices based on signal strength.
- Devices that are in areas with limited cell tower coverage, the accuracy drops as it relies on triangulation for improved accuracy.
- Devices are not constantly monitored, there are often periods of no activity if the device is on sleeping, standby, or turned off.
- People now carry multiple devices, so total mobile counts do not accurately translate to population counts.

Will this reveal information about you?

No, the data at the most granular level estimates the total number of people in a suburb over a period of time. There is no other demographic information provided.

There are many processes in place to protect identifying individual data. For example, here is a list of some of the processes and factors:

- Data is received already aggregated, Data Ventures doesn't have access to the raw individual data
- Data is processed using anonymisation techniques such as aggregating time ranges and large geographic areas
- We are using larger geographies that provides greater confidentiality to the data than the industry standard (Area units vs meshblocks)

The method of aggregation and anonymisation of the data?

The data supplied to Data Ventures is aggregated to Area Units levels by the data providers. The data contains the total count of mobile devices in an area unit within an hourly time range. Data Ventures then combines this data from multiple data providers to create an aggregate total view. This is then benchmarked against various other datasets relating to population counts, to create a model to indicate a population count.

9(2)(b)(ii), 9(2)(i)

9(2)(b)(ii), 9(2)(i)

Has a Privacy Impact Assessment been undertaken?

Underway, and will be reviewed by OPC (Office of the Privacy Commission)

Was informed consent sought from telco customers?

Confirming, we have been advised they are part of the standard terms and conditions of the service provided by the telco to the customer.

Is the project ongoing?

Yes

Which attributes are currently included?

Hourly time range, the area unit (suburb), and the count. If circumstances change in the future, then we would take the same process to ensure the privacy of the data remains intact.

Is any micro-data being on-sold by Data Ventures?

Data Ventures does not receive any micro-data (individual level data). All data is anonymised and aggregated by the telco before Data Venture receives it. This reduces any risks by removing any external access to the source data.

Will this information be made available on the Data Ventures website?

Data Venture is separate business unit to Stats NZ, the proposed idea was on the Data Ventures' blog when the original idea was published to seek feedback. We will continue to refer to open business models (such as lean canvases) published on our website[1], blog[2] and Github repository[3]

[1] <https://dataventures.nz/>

[2] <https://medium.com/data-ventures>

[3] <https://github.com/dataventuresnz/>

Holly He

From: Robert Chiu
Sent: Thursday, 4 July 2019 1:59 PM
To: Holly He
Subject: OIA/OPC
Attachments: Privacy Impact Assessment - Population Density Project.pdf

From: Robert Chiu
Sent: Monday, 17 December 2018 4:06 PM
To: Drew Broadley
Subject: PIA Statement of Work,

Robert Chiu
Venture Manager - Kaiwhakahaere Mahinga

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From: Paul Holmes <paul@infobydesign.co.nz>
Sent: Monday, 10 December 2018 5:56 PM
To: Robert Chiu <robert.chiu@stats.govt.nz>
Subject: RE: Data Ventures scoping meeting

Hi Robert,

Apologies for getting this to you slightly later than originally indicated. As discussed, here is our proposal for completing the Privacy Impact Assessment for the Population Density project.

Let me know how you would like to proceed once you have had a chance to review.

Regards,
Paul

Paul Holmes
Managing Director
INFO by Design
9(2)(a)
paul@infobydesign.co.nz
www.infobydesign.co.nz



INFO by Design

It's about them - putting your customers at the centre
of how you manage their information

From: Robert Chiu <robert.chiu@stats.govt.nz>
Sent: Friday, November 30, 2018 10:12 AM
To: Paul Holmes <paul@infobydesign.co.nz>
Subject: Data Ventures scoping meeting

Hi Paul,

Thanks for the quick chat over the phone. As discussed, Data Ventures is the commercial arm of Stats NZ and we are working on a data product to the market.

We have met with the Office of the Privacy Commission to discuss our project and they are pretty happy with our initial summary (attached, which will give you a pretty good overview of our project). They have recommended that we perform a full PIA assessment as the next step. We are looking for some help in completing a full PIA assessment.

I'm free Monday next week between 9-10, 11-12, Tuesday 11-12 and 2:30-4.
I'm based in Lambton Quay, so happy to meet somewhere close by.

Let me know what suits your availability.

Robert Chiu
Venture Manager - Kaiwhakahaere Mahinga

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Holly He

From: Robert Chiu
Sent: Thursday, 4 July 2019 2:00 PM
To: Holly He
Subject: OIA/OPC

From: Paul Holmes <paul@infobydesign.co.nz>
Sent: Friday, 1 February 2019 10:12 AM
To: Robert Chiu
Subject: RE: PIA for Data Ventures' Population Density project

Hi Robert,

There is a formal application process.

Here are the details on what is involved.

<https://privacy.org.nz/privacy-for-agencies/applying-for-a-privacy-trust-mark/>

Cheers,
Paul

From: Robert Chiu <robert.chiu@stats.govt.nz>
Sent: Friday, February 1, 2019 10:00 AM
To: Paul Holmes <paul@infobydesign.co.nz>
Subject: RE: PIA for Data Ventures' Population Density project

Great thanks.

On a related note, would you know if there are additional steps required to get the privacy mark?

Robert Chiu
Venture Manager - Kaiwhakahaere Mahinga

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From: Paul Holmes <paul@infobydesign.co.nz>
Sent: Thursday, 31 January 2019 2:21 PM
To: Robert Chiu <robert.chiu@stats.govt.nz>
Subject: RE: PIA for Data Ventures' Population Density project

Hi Robert,

Yes there should be plenty of room within the budget for the necessary updates. I will let you know as soon as I hear back from OPC.

Regards,

Paul

From: Robert Chiu <robert.chiu@stats.govt.nz>
Sent: Thursday, January 31, 2019 2:20 PM
To: Paul Holmes <paul@infobydesign.co.nz>
Subject: RE: PIA for Data Ventures' Population Density project

Thanks Paul,

It will be good to get an ETA from OPC for our planning purposes.
We talked about another update to the PIA when we release the product to fit under the 9(2)(b)(ii),
9(2))
Could you confirm that this is the case.

Thanks,

Robert Chiu
Venture Manager - Kaiwhakahaere Mahinga

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From: Paul Holmes <paul@infobydesign.co.nz>
Sent: Thursday, 31 January 2019 1:29 PM
To: Robert Chiu <robert.chiu@stats.govt.nz>
Subject: RE: PIA for Data Ventures' Population Density project

Hi Robert,

I've sent you an invoice for the hours spent to date on the PIA.

I haven't heard back from OPC but know they are under significant resource pressure at the moment. I will follow up with them again next week if there is still no response and copy you in.

Regards,
Paul

From: Robert Chiu <robert.chiu@stats.govt.nz>
Sent: Thursday, January 17, 2019 12:58 PM
To: Paul Holmes <paul@infobydesign.co.nz>; Leon Colman <leon@infobydesign.co.nz>
Cc: Drew Broadley <Drew.Broadley@stats.govt.nz>
Subject: RE: PIA for Data Ventures' Population Density project

Hi Paul,

The team is good with the updates. Happy for this to be sent to OPC for review.

Thanks,

Robert Chiu
Venture Manager - Kaiwhakahaere Mahinga

9(2)(a)

From: Paul Holmes <paul@infobydesign.co.nz>
Sent: Thursday, 17 January 2019 9:30 AM
To: Robert Chiu <robert.chiu@stats.govt.nz>; Leon Colman <leon@infobydesign.co.nz>
Cc: Drew Broadley <Drew.Broadley@stats.govt.nz>
Subject: RE: PIA for Data Ventures' Population Density project

Thanks Robert,

I'll wait to hear from you.

Regards,
Paul

From: Robert Chiu <robert.chiu@stats.govt.nz>
Sent: Thursday, January 17, 2019 9:28 AM
To: Paul Holmes <paul@infobydesign.co.nz>; Leon Colman <leon@infobydesign.co.nz>
Cc: Drew Broadley <Drew.Broadley@stats.govt.nz>
Subject: RE: PIA for Data Ventures' Population Density project

Morning Paul and Leon,

Thanks for sending the updated PIA through. I've reviewed it and I'm happy with the changes. The team is doing a quick review now and once they are happy with it then please proceed to get it reviewed by OPC.

In regards to the people we've talked to already, it was Michael, Jon, and Vanessa.
I'll be in touch soon once the team is finished reviewing.

Robert Chiu
Venture Manager - Kaiwhakahaere Mahinga

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From: Paul Holmes <paul@infobydesign.co.nz>
Sent: Thursday, 17 January 2019 9:10 AM
To: Leon Colman <leon@infobydesign.co.nz>; Robert Chiu <robert.chiu@stats.govt.nz>
Cc: Drew Broadley <Drew.Broadley@stats.govt.nz>
Subject: RE: PIA for Data Ventures' Population Density project

Hi Robert,

I will forward the PIA to OPC today if you are comfortable with me doing so. Typically I would forward this to Michael Harrison who is the Policy Manager. However I am mindful you have already had discussion with OPC so would prefer to use existing contacts where possible.

Can you advise whether Michael is one of the people you have engaged with to date? If not, can you please provide me the names of the people in the Office you have engaged with?

Thanks,
Paul

From: Leon Colman <leon@infobydesign.co.nz>
Sent: Wednesday, January 16, 2019 3:19 PM
To: Robert Chiu <robert.chiu@stats.govt.nz>
Cc: Paul Holmes <paul@infobydesign.co.nz>; Drew Broadley <Drew.Broadley@stats.govt.nz>
Subject: Re: PIA for Data Ventures' Population Density project

Hi Robert,

Further to this morning's conversation, I've gone through the document and accepted the changes that had been made.

I've taken out the references to 9(2)(b)(ii), 9(2)(i) and 9(2)(b)(ii), 9(2)(i) and inserted some generic comments based on our discussion (refer paras 23 & 24). I've also added some sentences to tie the system security and retention information into the overall narrative.

Finally, we'll refer the PIA to the OPC for them to review it.

If you have any questions or comments, please contact me.

Regards

Leon Colman
Consultant – INFO by Design
9(2)(a)
leon@infobydesign.co.nz
www.infobydesign.co.nz

From: Leon Colman
Sent: Tuesday, 15 January 2019 11:56:23 AM
To: Robert Chiu
Cc: Paul Holmes; Drew Broadley
Subject: Re: PIA for Data Ventures' Population Density project

Hi Robert,

Thanks for the comments. Happy to discuss these further and I'll go through and look at the changes broadening the language, no problem with that.

I am available tomorrow morning, feel free to give me a call at your convenience between 9am and 12pm.

Regards
Leon Colman
Consultant – INFO by Design
9(2)(a)
leon@infobydesign.co.nz
www.infobydesign.co.nz

From: Robert Chiu <robert.chiu@stats.govt.nz>
Sent: Monday, 14 January 2019 10:22:37 AM
To: Leon Colman
Cc: Paul Holmes; Drew Broadley
Subject: RE: PIA for Data Ventures' Population Density project

Hi Leon,

The team has done a review and attached are our comments.

For some context about the comments, we wanted to use some broader language at this stage because the scope of some of the details has expanded. **9(2)(b)(ii), 9(2)(j)**
9(2)(b)(ii), 9(2)(j). On the data side of things, we are sourcing data from not just the telecommunication companies; it will go through the same data management process, but again we wanted to keep things broad for now.

I'm up in Auckland tomorrow, but will be available for a chat on Wednesday.

Robert Chiu

Venture Manager - Kaiwhakahaere Mahinga

9(2)(a)

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From: Leon Colman <leon@infobydesign.co.nz>

Sent: Tuesday, 8 January 2019 1:17 PM

To: Robert Chiu <robert.chiu@stats.govt.nz>

Cc: Paul Holmes <paul@infobydesign.co.nz>

Subject: PIA for Data Ventures' Population Density project

Hi Robert,

Hope you had a relaxing break over Christmas and New Year.

Please find attached the draft PIA for this project for your review and circulation as required.

There are a couple of queries in relation to the 'Storage, security and retention' section, where a couple of bits of additional information may round out the document.

I've also been looking through telco terms and conditions to match up with the consent question of the Q&A doc. At this stage I've included corroborating info from **9(2)(b)(ii)** and **9(2)(b)(ii)**, but couldn't find similar wording from **9(2)(b)**. They have a lot more T&C documents and i couldn't see an overall Privacy Policy, only for **9(2)(b)(i), 9(2)(ii), 9(2)(i), 9(2)(ii)** website users.

I will be travelling to and attending a family event from tomorrow (9 January) until next Monday. I will be contactable via email but may not respond until the evenings. I will be fully available from next Tuesday (15 January).

Regards

Leon Colman

Consultant – INFO by Design

9(2)(a)

leon@infobydesign.co.nz

www.infobydesign.co.nz

Holly He

From: Robert Chiu
Sent: Thursday, 4 July 2019 2:01 PM
To: Holly He
Subject: OIA/OPC

From: Paul Holmes <paul@infobydesign.co.nz>
Sent: Wednesday, 13 March 2019 3:25 PM
To: Robert Chiu
Subject: Re: Privacy Impact Assessment for review

Hi Robert.

I thought you would get an acknowledgement but I know they are quite swamped at the moment so they may not have got to it yet. I got your application email so it definitely went through.

Cheers
Paul

Paul Holmes
Managing Director - INFO by Design
9(2)(a)
paul@infobydesign.co.nz
www.infobydesign.co.nz

From: Robert Chiu <robert.chiu@stats.govt.nz>
Sent: Wednesday, March 13, 2019 2:57 PM
To: Paul Holmes
Subject: RE: Privacy Impact Assessment for review

Hi Paul,

I haven't heard anything from OPC with regards to the Trust Mark application. Do you know if they typically acknowledge receiving the application, or provide any details on what the next steps would be?

Robert Chiu
Venture Manager - Kaiwhakahaere Mahinga

9(2)(a)

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From: Paul Holmes <paul@infobydesign.co.nz>
Sent: Wednesday, 6 March 2019 1:37 PM
To: Robert Chiu <robert.chiu@stats.govt.nz>
Subject: RE: Privacy Impact Assessment for review

Sophie.Richardson@privacy.org.nz

From: Robert Chiu <robert.chiu@stats.govt.nz>
Sent: Wednesday, March 6, 2019 1:36 PM
To: Paul Holmes <paul@infobydesign.co.nz>
Subject: RE: Privacy Impact Assessment for review

Would you have Sophie's email address by any chance?

Robert Chiu

Venture Manager - Kaiwhakahaere Mahinga

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From: Paul Holmes <paul@infobydesign.co.nz>
Sent: Wednesday, 6 March 2019 1:34 PM
To: Robert Chiu <robert.chiu@stats.govt.nz>
Subject: RE: Privacy Impact Assessment for review

Hi Robert,

Send it to trustmark@privacy.org.nz and copy in Sophie.

Regards,
Paul

From: Robert Chiu <robert.chiu@stats.govt.nz>
Sent: Wednesday, March 6, 2019 9:24 AM
To: Paul Holmes <paul@infobydesign.co.nz>
Subject: RE: Privacy Impact Assessment for review

Thanks Paul,

Should this been sent to Sophie directly or just through the general OPC inbox?

Robert Chiu

Venture Manager - Kaiwhakahaere Mahinga

9(2)(a)

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From: Paul Holmes <paul@infobydesign.co.nz>
Sent: Tuesday, 5 March 2019 4:43 PM
To: Robert Chiu <robert.chiu@stats.govt.nz>
Subject: RE: Privacy Impact Assessment for review

Hi Robert,

It looks great – I've made a couple of minor edits per the attached version. It looks ready to submit to me.

I suggest offering to meet to discuss the application in your email to OPC. If they do want to meet, I am happy to come along to support if that would be of help.

Regards,
Paul

From: Robert Chiu <robert.chiu@stats.govt.nz>
Sent: Tuesday, March 5, 2019 2:36 PM
To: Paul Holmes <paul@infobydesign.co.nz>
Subject: RE: Privacy Impact Assessment for review

Hi Paul,

I've added some more details on the points you have raised.
Unfortunately the OPC template has a word limit so I've updated the content in the attached word doc.

Keen to hear your thoughts.

Robert Chiu
Venture Manager - Kaiwhakahaere Mahinga

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From: Paul Holmes <paul@infobydesign.co.nz>
Sent: Thursday, 28 February 2019 11:49 AM
To: Robert Chiu <robert.chiu@stats.govt.nz>
Subject: RE: Privacy Impact Assessment for review

Hi Robert,

I think it looks good but there are a few things I recommend adding:

- In the product overview add a few sentences describing how you see the product being used and the organisations / industries that would benefit from it – an example use case or two could be useful
- Details on the approach to testing and launch; including pilot phase and planned public launch date. I would also talk to why you would like to have the Trust Mark in place at launch and that you are able to demonstrate the product to them if they want to see it as part of their review.
- Details on security controls put in place
- Expand on the transparency section – more detail about the blog and also that you have GitHub etc will look good on the application

Also, I suggest adding some additional words in the “why it should be awarded” section expanding on how the population density product being awarded a Trust Mark would further promote the fact that these types of products can be developed in a privacy positive way and that it is possible to achieve objectives like this without having to obtain and use raw data about individuals.

Give me a call if you want to discuss.

Regards,
Paul

From: Robert Chiu <robert.chiu@stats.govt.nz>
Sent: Thursday, February 28, 2019 11:14 AM

To: Paul Holmes <paul@infobydesign.co.nz>
Subject: RE: Privacy Impact Assessment for review

Morning Paul,

I've had a go at a first draft of the TrustMark application.
Could you have a look and provide some feedback on what improvements can be made to the initial draft?

Thanks,

Robert Chiu
Venture Manager - Kaiwhakahaere Mahinga

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From: Paul Holmes <paul@infobydesign.co.nz>
Sent: Monday, 18 February 2019 5:06 PM
To: Robert Chiu <robert.chiu@stats.govt.nz>
Subject: RE: Privacy Impact Assessment for review

Not specifically, I think so long as the application is well articulated, and follows the line of the blog post it should be OK. I would include reference to your blog etc along with the application as additional information about how you have been transparent.

Also, in terms of security testing, development etc, be specific about what has and hasn't been done and provide copies or details of how / when this is planned to occur.

I'm happy to review the application iteratively to help make sure it lands correctly as well.

Cheers,
Paul

From: Robert Chiu <robert.chiu@stats.govt.nz>
Sent: Monday, February 18, 2019 4:11 PM
To: Paul Holmes <paul@infobydesign.co.nz>
Subject: RE: Privacy Impact Assessment for review

Thanks Paul,

I'll make a start on the application form.
Was there any feedback from Sophie on the PIA and if there was anything additional she thinks would be worth adding to improve the likelihood of success?

Thanks,

Robert Chiu
Venture Manager - Kaiwhakahaere Mahinga

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From: Paul Holmes <paul@infobydesign.co.nz>
Sent: Monday, 18 February 2019 3:51 PM
To: Robert Chiu <robert.chiu@stats.govt.nz>
Subject: RE: Privacy Impact Assessment for review

Hi Robert,

I just spoke to Sophie at OPC. She advised that the key things required for them to assess a Trust Mark application are the completed application form, the PIA report and copies / links to any other information you think is relevant.

Helpfully she also published a blog post on the OPC website last week about how to make a successful Trust Mark application:

<https://privacy.org.nz/blog/what-a-winning-privacy-trust-mark-application-looks-like/>

Feel free to give me a call if you want to discuss.

Regards,
Paul

From: Robert Chiu <robert.chiu@stats.govt.nz>
Sent: Wednesday, February 13, 2019 2:22 PM
To: Paul Holmes <paul@infobydesign.co.nz>
Subject: RE: Privacy Impact Assessment for review

Thanks Paul,

We intend to publish the PIA on our website soon, Was there anything additional we have to do before this? Is there anything that OPC provides to indicate that it's been independently reviewed? Also, let me know when we have some guidance around the next steps for the TrustMark.

Thanks,

Robert Chiu
Venture Manager - Kaiwhakahaere Mahinga

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From: Paul Holmes <paul@infobydesign.co.nz>
Sent: Tuesday, 12 February 2019 5:57 PM
To: Robert Chiu <robert.chiu@stats.govt.nz>
Subject: Fwd: Privacy Impact Assessment for review

Hi Robert,

Confirmation from Vanessa below.

Regards
Paul

Paul Holmes
Managing Director - INFO by Design

9(2)(a)

paul@infobydesign.co.nz
www.infobydesign.co.nz

From: Vanessa Blackwood <vanessa.blackwood@privacy.org.nz>
Sent: Tuesday, February 12, 2019 1:37 PM
To: Paul Holmes
Subject: RE: Privacy Impact Assessment for review

Thanks very much – no change to my feedback as DV will still never receive raw unaggregated data and so will not be collecting identifiable information about individuals.

From: Paul Holmes <paul@infobydesign.co.nz>
Sent: Tuesday, 12 February 2019 1:36 PM
To: Vanessa Blackwood <Vanessa.Blackwood@privacy.org.nz>
Subject: FW: Privacy Impact Assessment for review

Hi Vanessa,

Robert from Data Ventures has provided the following technical clarification that they will be obtaining *the aggregate count of device interactions* rather than *aggregated area unit population counts*.

Can you confirm that your analysis and feedback is unchanged based on this clarification?

Regards,
Paul

From: Robert Chiu <robert.chiu@stats.govt.nz>
Sent: Tuesday, February 12, 2019 11:47 AM
To: Paul Holmes <paul@infobydesign.co.nz>
Cc: Leon Colman <leon@infobydesign.co.nz>
Subject: RE: Privacy Impact Assessment for review

Hi Paul,

Thanks for the update.

There is one part of the feedback that I think OPC will need clarity on.

The data from the mobile providers is the aggregated count of device interactions with the network and not aggregated area unit population count.

Data Ventures models the population counts back on the device interaction counts.

It doesn't change the underlying architecture where there is complete separation so DV won't ever get raw data, but I think clarity that the data is aggregated device interactions is necessary to avoid confusion.

Would you be able to update OPC with this and let us know if this changes anything?

Thank,

Robert Chiu
Venture Manager - Kaiwhakahaere Mahinga

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From: Paul Holmes <paul@infobydesign.co.nz>
Sent: Tuesday, 12 February 2019 11:39 AM
To: Robert Chiu <robert.chiu@stats.govt.nz>
Cc: Leon Colman <leon@infobydesign.co.nz>
Subject: FW: Privacy Impact Assessment for review

Hi Robert,

FYI here is the feedback received from OPC on the PIA which is very positive – a reflection on the positive and privacy focused approach taken by you and the wider team.

In terms of the Trust Mark I have asked Sophie for a discussion when she is available and will confirm.

Give me a call if you want to discuss.

Regards,
Paul

Paul Holmes
Managing Director
INFO by Design
9(2)(a)
paul@infobydesign.co.nz
www.infobydesign.co.nz



From: Vanessa Blackwood <Vanessa.Blackwood@privacy.org.nz>
Sent: Tuesday, February 12, 2019 11:29 AM
To: Paul Holmes <paul@infobydesign.co.nz>
Cc: Sophie Richardson <Sophie.Richardson@privacy.org.nz>
Subject: RE: Privacy Impact Assessment for review

Kia ora Paul,

I have now reviewed this PIA for the Data Ventures Population Density project.

I understand from the PIA that the project will source aggregate area unit population count within an hourly time range from mobile providers. This data will have been processed by the provider using anonymisation techniques, and DV will never have access to the raw data.

DV will then further process that data to create a Population Density product, to provide snapshots of population density. This product will be sold to organisations such as central and local government.

I agree with the assessment that there are no privacy risks in this project as it does not collect or use personal information. I also concur that DV is following best practice information management and applying the OPC data and analytics principles. The PIA is a comprehensive assessment of the DV project to ensure that it not only complies with Privacy Act requirements but goes above and beyond to ensure that the project is in line with best practice for aggregate data use.

I agree with the final recommendation at 51 that DV should incorporate the elements of 'retaining human oversight' when providing the end product to its customers. Making customers aware of the limitations of data quality and suggesting that analysis and conclusions should be transparent, will ensure that the customers are also applying best practice to the use of a data product.

Thank you again for providing the PIA.

On the topic of the Privacy Trust Mark, I have cc'd Sophie into this email as she's the lead for the Trust Mark application process. She may have further advice for you.

Nga mihi,
Vee

From: Paul Holmes <paul@infobydesign.co.nz>
Sent: Monday, 4 February 2019 2:03 PM
To: Vanessa Blackwood <Vanessa.Blackwood@privacy.org.nz>
Subject: RE: Privacy Impact Assessment for review

Thanks Vanessa and yes that timeframe works.

Note also that Data Ventures would like to apply for the Privacy Trust Mark for this initiative. I have provided them the links to the application information on the website. Accordingly if there is anything specific you think we need to expand on for this purpose please include this in your feedback (if possible).

Regards,
Paul

From: Vanessa Blackwood <Vanessa.Blackwood@privacy.org.nz>
Sent: Monday, February 4, 2019 12:57 PM
To: Paul Holmes <paul@infobydesign.co.nz>
Subject: FW: Privacy Impact Assessment for review

Hi Paul,

My apologies – if you see below, it turns out that I had accidentally sent my reply back to Michael, instead of to you.

Does the date as below work for you?

Cheers,
Vee

From: Vanessa Blackwood
Sent: Monday, 28 January 2019 11:03 AM
To: Michael Harrison <Michael.Harrison@privacy.org.nz>
Subject: RE: Privacy Impact Assessment for review

Hi Paul,

I'm happy to review this PIA – did you have any urgent timeframes? Otherwise I will aim to get back to you by 15 Feb.

Cheers,
Vee

From: Paul Holmes <paul@infobydesign.co.nz>
Sent: Thursday, 17 January 2019 1:53 PM
To: Michael Harrison <Michael.Harrison@privacy.org.nz>
Cc: robert.chiu@stats.govt.nz; Leon Colman <leon@infobydesign.co.nz>
Subject: Privacy Impact Assessment for review

Hi Michael,

Happy new year! I hope this email finds you well and you had the chance to enjoy a bit of a break.

We have been working with Data Ventures on a Privacy Impact Assessment of their Population Density project. I understand they have had some discussion on this with you to date.

Please find attached our completed PIA on the project. Data Ventures plan to publish this PIA externally to support public understanding of the initiative and how privacy has been considered as a part of the development process. Accordingly, we would value your input on the PIA and whether you feel appropriate privacy controls are in place to minimise risks to individuals under this initiative.

Feel free to give me a call if you wish to discuss.

Regards,
Paul

Paul Holmes
Managing Director
INFO by Design
9(2)(a)
paul@infobydesign.co.nz
www.infobydesign.co.nz



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Holly He

From: Robert Chiu
Sent: Thursday, 4 July 2019 2:01 PM
To: Holly He
Subject: OIA/OPC

From: Paul Holmes <paul@infobydesign.co.nz>
Sent: Friday, 31 May 2019 8:14 AM
To: Robert Chiu
Subject: RE: Trust Mark application

Hi Robert,

Thursday at 1 works well for me. Send through an invite and I'll see you then.

Cheers,
Paul

From: Robert Chiu <robert.chiu@stats.govt.nz>
Sent: Thursday, May 30, 2019 11:04 AM
To: Paul Holmes <paul@infobydesign.co.nz>
Subject: RE: Trust Mark application

Hi Paul,

There hasn't been many changes, although there is always benefits to reviewing to make sure everything is up to date.
Are you available next Thursday between 11-12, or 1-3? We have meeting spaces here at Stats with Whiteboards, happy to host if that works.
I'm going to invite our product manager so we can show the end to end from a data to product to you.

Thanks,

Robert Chiu
Head of Data

9(2)(a)

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From: Paul Holmes <paul@infobydesign.co.nz>
Sent: Wednesday, 29 May 2019 11:19 PM
To: Robert Chiu <robert.chiu@stats.govt.nz>
Subject: RE: Trust Mark application

Hi Robert,

Apologies for the delay in getting back to you – it has been a busy couple of weeks.

I think the best way forward would be for us to meet with you to discuss any updates / changes to the product since the PIA was completed. Perhaps an hour in front of a whiteboard with access to relevant supporting documentation. We can then take the outputs of this and update the PIA. Assuming the documentation / details of changes are readily accessible and the product has not fundamentally changed, we should be able to provide an updated final PIA within a matter of days.

Let me know when would suit to meet.

Regards,
Paul

From: Robert Chiu <robert.chiu@stats.govt.nz>
Sent: Monday, May 27, 2019 9:48 AM
To: Paul Holmes <paul@infobydesign.co.nz>
Subject: RE: Trust Mark application

Morning Paul,

Checking in to see if you have an update on the next steps. There hasn't been much in terms of changes to the data flow side of things, the main change is around the customer account management. Keen to schedule some time to get this signed off.

Robert Chiu
Head of Data

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From: Robert Chiu
Sent: Friday, 17 May 2019 10:49 AM
To: 'Paul Holmes' <paul@infobydesign.co.nz>
Subject: RE: Trust Mark application

Hi Paul,

Thought I'd follow up on this to understand what you had in mind for the pre-go live validation so I can look at how we would schedule that in.

Thanks,

Robert Chiu
Venture Manager - Kaiwhakahaere Mahinga

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From: Robert Chiu
Sent: Thursday, 9 May 2019 11:50 AM
To: Paul Holmes <paul@infobydesign.co.nz>
Subject: RE: Trust Mark application

Morning Paul,

Good to hear from you.

The TrustMark didn't go as planned. Apparently we have been given some conflicting advice from OPC and that what we were doing didn't quite fit into their criteria for the TrustMark.

On the product side we are getting close to the getting some customers to use the data.

I'll be in touch soon in regards to getting the review pre-go live, we are just currently prioritising the data processing and infrastructure and modelling at the moment.

Speak soon,

Robert Chiu

Venture Manager - Kaiwhakahaere Mahinga

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From: Paul Holmes <paul@infobydesign.co.nz>

Sent: Wednesday, 8 May 2019 10:07 PM

To: Robert Chiu <robert.chiu@stats.govt.nz>

Subject: RE: Trust Mark application

Hi Robert,

Just checking in re this. Did you receive any correspondence back from OPC?

Also, how are you progressing in terms of us validating the end product pre-go live?

Regards,
Paul

From: Robert Chiu <robert.chiu@stats.govt.nz>

Sent: Wednesday, March 6, 2019 1:47 PM

To: trustmark@privacy.org.nz

Cc: Paul Holmes <paul@infobydesign.co.nz>; ophie.Richardson@privacy.org.nz

Subject: Trust Mark application

Hi,

Data Ventures would like to submit an application for the Trust Mark.

Please find attached the completed application form, an expanded question response, and our data infrastructure and access management diagram.

Our PIA (attached) and has been reviewed by Vanessa already.

We are happy to come in and discuss the application in more detail.
Looking forward to hearing your feedback.

Thanks,

Robert Chiu

Venture Manager - Kaiwhakahaere Mahinga

9(2)(a)

Holly He

From: Robert Chiu
Sent: Thursday, 4 July 2019 2:01 PM
To: Holly He
Subject: OIA/OPC
Attachments: 2019-04-11 Letter to Data Venture re Privacy Trust Mark.pdf

From: Robert Chiu
Sent: Tuesday, 21 May 2019 9:00 AM
To: Jamie Marshall
Subject: FW: Privacy Trust Mark Application: Data Venture – Population Density (Our ref: TM/0010)

Robert Chiu
Venture Manager - Kaiwhakahaere Mahinga

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From: Kateya Mbita <Kateya.Mbita@privacy.org.nz>
Sent: Friday, 12 April 2019 1:48 PM
To: Robert Chiu <robert.chiu@stats.govt.nz>
Subject: Privacy Trust Mark Application: Data Venture – Population Density (Our ref: TM/0010)

Dear Robert,

Please find attached the latest correspondence from our Office regarding Data Venture's Privacy Trust Mark application.



Kind regards,

Kateya Mbita
Assistant Investigator

Office of the Privacy Commissioner Te Mana Mātāpono Matatapu
PO Box 10094, The Terrace, Wellington 6143
Level 8, 109 Featherston Street, Wellington, New Zealand

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E kateya.mbita@privacy.org.nz
privacy.org.nz

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11 April 2019

Robert Chiu
Venture Manager
Data Venture

By email only to: robert.chiu@stats.govt.nz

Tēnā koe Mr Chiu

Privacy Trust Mark Application: Data Venture – Population Density (Our ref: TM/0010)

Thank you for your Privacy Trust Mark application for Population Density, a product which will provide a snapshot of the population count of suburbs in New Zealand on an hourly basis.

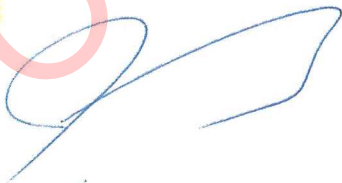
I regret to inform you that your application has not been successful.

The features of Population Density appear to meet Data Venture's obligations under the Privacy Act 1993, however the Privacy Trust Mark was established to reward products and services that demonstrate privacy *excellence*.

While Population Density is taking an internationally novel approach by collecting aggregated information which cannot be reidentified, this approach does not reach the Trust Mark standard of 'privacy excellence'. Principle 1 of the Privacy Act requires that agencies only collect information where it is connected with a lawful purpose and the information is necessary for that purpose. You have advised my staff that it is not necessary for Data Venture to collect individuals' information in order to fulfil its purpose of understanding the population count of suburbs in New Zealand. Population Density therefore is complying with its obligations under the Privacy Act by not collecting personal information where it is unnecessary.

I would like to thank you for taking the time and effort to submit an application and I wish you the best in your future endeavours.

Ngā mihi nui,



John Edwards
Privacy Commssioner

Holly He

From: Robert Chiu
Sent: Wednesday, 12 June 2019 10:18 AM
To: Drew Broadley; Holly He
Subject: FW: PIA update
Attachments: 050 Data Ventures PIA Final.docx

Follow Up Flag: Follow up
Flag Status: Completed

Hi team,

Here is the 'almost final' PIA.

If you have any feedback, please let me know. There is 3 new paragraphs (21, 42, 43) from the previous one. I've ask them to update from Area Units to Statistical Areas, and also updated paragraph 21 about the PIA and cultural impact assessment is only required for risky use cases.

Robert Chiu
Head of Data

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From: Paul Holmes <paul@infobydesign.co.nz>
Sent: Tuesday, 11 June 2019 7:40 PM
To: Robert Chiu <robert.chiu@stats.govt.nz>
Cc: Jamie Marshall <jamie.marshall@stats.govt.nz>
Subject: RE: PIA update

Hi Robert,

I have updated the PIA as discussed. Specifically, I have modified paragraphs 21, 42 and 43 and removed the recommendation relating to data oversight.

From my perspective this is now final and able to be published unless there are any other changes you require from your end.

Regards,
Paul

Paul Holmes
Managing Director
INFO by Design
9(2)(a)
paul@infobydesign.co.nz
www.infobydesign.co.nz



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From: Robert Chiu <robert.chiu@stats.govt.nz>
Sent: Friday, June 7, 2019 10:34 AM
To: Paul Holmes <paul@infobydesign.co.nz>
Cc: Jamie Marshall <jamie.marshall@stats.govt.nz>
Subject: PIA update

Hi Paul,

Thanks for meeting Jamie and I yesterday for the PIA review.
Here are the details of the processes we discussed to add into the PIA.

Regarding the Human oversight

Data Ventures requires the customer to supply the use cases that the data will be used for.
Data Ventures will review these as a condition for access.
For use cases that are identify by Data Ventures as risks, Data Ventures will require the customer to perform a Privacy Impact Assessment and Cultural Impact Assessment as conditions for access.

Regarding quality of the data

Data Ventures will perform a regular review of the methodology that is used to derive population from mobile location estimates data.
Customers will be provided a high level description of this methodology as well as the strengths and weaknesses of the data.

If there is any additional detail that you would like, please let me know.

Thanks,

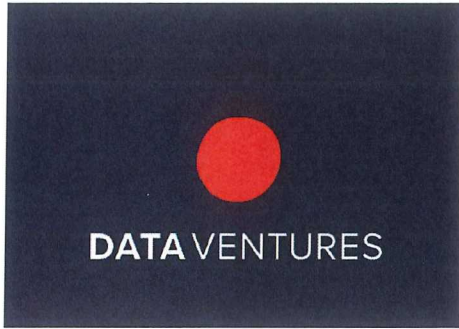
Robert Chiu
Head of Data

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POPULATION DENSITY
Privacy Impact Assessment

11 June 2019



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Official Information Act



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Introduction and Purpose

1. This Privacy Impact Assessment (PIA) examines the privacy impacts of Data Ventures' proposed Population Density product built using data acquired from businesses and organisations such as mobile phone telecommunications companies (data providers).
2. Data Ventures is the commercial arm of Statistics New Zealand (Stats NZ). Stats NZ typically focuses on creating official government statistics to support critical decisions. Data Ventures' focus is on creating ventures with other parties, such as businesses and government, with commercial or social enterprise focuses. The Data Ventures partner model negotiates each parties' contributions, investment level and share of returned value.
3. Data Ventures does not sell Stats NZ data. Instead, it acquires data sets from businesses and organisations, which are then run through processes to make products to help customers make fully informed, data-driven decisions. This process is modelled in Data Ventures' first product, Population Density.
4. Population density is a measurement of population per unit area or unit volume to see the amount of people in a country, with granularity down to the suburb level. Data Ventures has been informed by government agencies, Crown Entities, local authorities and council operated organisations that the data isn't available to help them answer questions to solve problems effectively.
5. The Population Density product is intended to provide more frequent data collections for population counts than those currently available via census data, potentially down to hourly intervals. This will be achieved using data sets containing mobile location estimate data, sourced from data providers. Data Ventures will then apply Stats NZ's processes for data quality, assurance and modelling on population density.
6. The data sets will be anonymised and aggregated to provide snapshots of population density at given places in New Zealand. This information will be sold to organisations such as central government, local government, Crown Entities, local authorities, council operated organisations and Iwi, to allow for more accurate assessments of requirements in areas of the country at certain times of the day, month, season and year. These could be used for emergency response management through to tourism peaks and troughs.

Product Scope

7. In scope of this PIA is Data Ventures' use of population density data sets provided by third parties.
8. Out of scope of this PIA is an assessment of the privacy implications of third party compilation of data acquired by Data Ventures.
9. Also out of scope is any assessment on other products which may derive from, be related to, or are extensions of, the Population Density product, such as:
 - a. The future offering of the Population Density product including segmentation of and demographic data included in the 'Lean Canvas' document.
 - b. The Travel Patterns product outlined on the Data Ventures website.
10. We recommend that separate PIAs be produced if any such changes to the collection and use of data occur for other products.

Assessment of Information Type

11. This section considers how the information for the Population Density product compares to the definition of 'personal information' in the Privacy Act 1993 (Privacy Act).
12. Data Ventures will make the Population Density product with data sets relating to location estimates acquired from data providers.
13. There will be many processes in place to protect against Data Ventures being able to identify an individual via its data. For example:
 - a. Data it receives will already be aggregated. The data supplied to Data Ventures contains a total count in an area unit within an hourly time range.
 - b. Data Ventures doesn't have access to the raw, individual data.
 - c. Data received has been processed using anonymisation techniques such as aggregating time ranges and large geographic areas.
 - d. Data Ventures is using larger geographies that provide greater confidentiality to the data than the industry standard (area units vs meshblocks).
 - e. Data Ventures will combine the data from multiple data providers to create an aggregate total view.
14. Section 2 of the Privacy Act states that personal information means information about an identifiable individual.
15. The information Data Ventures acquires is anonymised by the data providers providing it and consists of a count in an area within an hourly range. It does not contain any information which will allow for the identification of an individual by Data Ventures. Therefore, the information received by Data Ventures is not personal information within the meaning of the Privacy Act and it does not apply in relation to the Population Density product.

Assessment of Privacy Impacts

16. Although the Population Density product does not collect personal information, this section will consider the proposed approach to implementing it against the information privacy principles of the Privacy Act to ascertain whether the approach is in the spirit of the privacy principles and will operate using best practice for information management. Consideration is also given to the Office of the Privacy Commissioner's (OPC) 'Principles for the safe and effective use of data and analytics' (data and analytics principles), which can be found at the following link:

<https://privacy.org.nz/assets/Uploads/Principles-for-the-safe-and-effective-use-of-data-and-analytics-guidance.pdf>

Collecting or obtaining information

17. Principle 1 of the Privacy Act states that personal information should not be collected by any agency unless the information is collected for a lawful purpose connected with a function of the agency, and the collection is necessary for that purpose.
18. Data Ventures has been created to produce products for organisations using non-Stats NZ data sets to help them make data-informed decisions. The Population Density product will fulfil this role by providing an indicator of the population counts across New Zealand at different geographic areas and time periods using aggregated location estimates data as the base data set.

This will be modelled to populations with other supplementary data sets and Stats NZ expertise and complemented by Stats NZ's data assurance indicator.

19. The location estimates data to be used in the Population Density product is an estimate of the total number of population within an hourly range within a geographic area. The data attributes used for this purpose will be the:
- hourly time range
 - area unit (suburb), and
 - count.
20. The information Data Ventures is collecting is aligned with its function and necessary for it to fulfil the purpose of creating the Population Density product. It also could provide clear public benefits, in line with the OPC's data and analytics principles, by allowing for better planning by intended customers.
21. Additionally, Data Ventures has established processes where customers will be required to specify the purpose(s) for which they intend to use the information as part of the purchasing process. Data Ventures will review all proposed use cases and customers will be required to complete both a Privacy Impact Assessment and a Cultural Impact Assessment prior to being given access to the product.
22. Principle 2 of the Privacy Act requires that agencies shall collect personal information directly from the individual concerned, unless (among other things) the collection from a third party is authorised by the person concerned or is not reasonably practicable in the circumstances of the particular case.
23. Data Ventures will acquire data sets of location estimates from data providers. The data sets will be anonymised and aggregated by the data providers prior to Data Ventures receiving them and will not contain any data allowing identification of an individual. It is not reasonably practical for Data Ventures to acquire this data directly from the individual party.
24. Additionally, Data Ventures has been advised that the possibility for the provision of data from a data provider to a third party is part of the standard terms and conditions of the service agreed by the data providers' customer, such as informing them that aggregated user statistics that do not identify the customer may be shared with third parties.
25. Data Ventures will conduct a robust process with the Privacy and Legal teams of all potential data providers to ensure that the provision of data by them to Data Ventures is in line with their own standard terms and conditions and the OPC's data and analytics principles.
26. Therefore, there appears to be both authorisation for the collection of information from the data provider, as well as it not being reasonably practical to acquire the data any other way. Data Ventures has also been guided by the OPC's data and analytics principle of focusing on people by considering the methods to be used for the Population Density product and protecting the privacy of individuals by collecting information without any identifiers of individuals.
27. Principle 3 of the Privacy Act requires that where an agency collects personal information directly from the individual concerned, the agency shall take reasonable steps to ensure that the individual concerned is aware of the fact that the information is being collected, the purpose of collection, who will receive it, and whether the collection is required by law. Agencies can forego this communication if (among other reasons) they believe that the individual authorises collection, or that communication is not reasonably practicable in the circumstances.

28. Data Ventures is not collecting data for the Population Density product directly from individuals. However, it is noted Data Ventures is transparent about its collection, the purpose for it, and that it will be used by a range of potential customers. This information is contained on Data Ventures' website, including links to a 'lean canvas' for the product and a blog discussing Data Ventures' activities generally. This is in line with the OPC's data and analytics principle of maintaining transparency.
29. Principle 4 requires that information is not collected by means that are unlawful, unfair, or unreasonably intrusive.
30. As set out above, the information is being collected from data providers in alignment with the terms and conditions they have with their customers, which the customer can view and agree to prior to using the service, so is being collected in a lawful and fair manner.
31. The data sets being provided to Data Ventures will be anonymised and aggregated and therefore will not be unreasonably intrusive.

Storage, security and retention

32. Principle 5 of the Privacy Act requires that an agency that holds personal information shall ensure that the information is protected by security safeguards as are reasonable to protect against loss or unauthorised access, use, modification or disclosure. These security safeguards are required when information is given to a third party.
33. Data Ventures is not collecting data about identifiable individuals and therefore is not collecting personal information. Nevertheless, Data Ventures has significant security safeguards as set out below.
34. The data sourced from the data providers will be stored in a secure cloud hosted environment. Access to this environment will be password protected with credentials only being supplied to each data provider for their own storage area. After the data from the providers is aggregated by Data Ventures it is stored in a separate, protected storage area accessible only by Data Ventures and Stats NZ for validation and methodology improvement. The derived population count is stored separately and will only be available to authenticated and authorised customers. The security of the storage will be tested by an independent third-party security company.
35. Principle 9 of the Privacy Act states that an agency that holds personal information shall not keep that information for longer than is required for the purposes for which it may lawfully be used.
36. The data sourced from data providers, and the aggregated data from the providers, will be kept in long term archive storage for the express purposes of using the historic data to improve the methodology and audit any customer queries around the accuracy or validity of the data. As methodology is improved over time, access to the archived data will be required to improve the accuracy of the population estimates.
37. The open-ended, long term storage of data for the Population Density product is not of concern because it does not include personal information and it is being retained for the purpose of improving the product over time.

Access and correction

38. People have a right, under Principle 6 of the Privacy Act, to ask if an agency holds their personal information and to have access to that information. Principle 7 gives people the right to request correction of that information.

39. Data Ventures is not collecting personal information, the data provided by the data providers will not contain any information able to identify an individual, and therefore Data Ventures will not hold personal information capable of being accessed or corrected.

Accuracy

40. Principle 8 of the Privacy Act states that agencies should ensure that personal information is accurate, up to date and relevant before it is used.

41. Data Ventures is not collecting data about identifiable individuals and therefore is not collecting personal information.

42. However, it is noted Data Ventures will perform regular assessments of the methodology and intend to be transparent about its data use. It will have a Questions and Answers (Q&A) document on its website which sets out the data it is using is an estimate of the count of population, with gaps in its data.

43. Customers will be provided with a high-level description of the methodology, along with the strengths and weaknesses of the data to help them inform themselves prior to using the data.

44. Given these limitations, the data being used will be as accurate, up to date and relevant as possible considering its use for overall population density counts.

45. Data Ventures has followed the OPC's data and analytics principles to understand the limitations of the data, as set out at 39 above, and to ensure the data is fit for purpose by applying Stats NZ processes to it to ensure the data is compiled in a way that meaningful information can be derived from it.

Use and disclosure

46. Principle 10 of the Privacy Act requires that information be used for the same purpose for which it was collected unless an exception applies. Principle 11 of the Privacy Act states that an agency shall not disclose personal information to another agency unless it is believed on reasonable grounds that the disclosure is for one of the purposes connected with the purpose the information was obtained.

47. Data Ventures is acquiring information external to Stats NZ for specific products (in this case the Population Density product), applying Stats NZ processes to it and then providing it to other organisations.

48. As long as the data sets collected for the Population Density product are only used for that product, the use will be for the same purpose for which it was collected.

49. Data Ventures has indicated on its website there may be the possibility for the creation of related products concerning demographics and travel patterns. Such products may require additional data attributes to those collected for the Population Density product and, if they go ahead, would need further PIAs to assess potential privacy risks.

Unique identifiers

50. Under Principle 12, agencies shall not assign unique identifiers to individuals unless it is necessary for that agency to carry out its functions. Agencies shall not require individuals to disclose any unique identifier unless that disclosure is related to the purpose it was assigned.

51. Data Ventures will not receive any data allowing identification of individuals, all data received for the Population Density product will have been anonymised and aggregated by the data provider

that provided it. Therefore, it will not be possible for Data Ventures to assign unique identifiers to individuals.

Conclusion and Recommendations

52. There are no identified privacy risks to the proposed Population Density product. Data Ventures is not collecting or using personal information as it is defined in the Privacy Act and this analysis of Data Ventures' proposed processes show that it is following best practice information management and the OPC's data and analytics principles.

53. It is recommended that separate PIAs be completed for any of the other products mentioned which may derive from the processes used for the Population Density product and which may require the collection and use of additional information which may meet the definition of personal information in the Privacy Act.

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Official Information Act