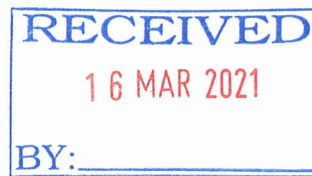


Hon Kris Faafoi

Minister of Justice
Minister for Broadcasting and Media
Minister of Immigration



03 MAR 2021

ENTERED

John Edwards
Privacy Commissioner
Office of the Privacy Commissioner
PO Box 10094
WELLINGTON 6143

By email: John.Edwards@privacy.org.nz

Dear John

LETTER OF EXPECTATIONS 2021/22

This letter sets out my expectations for the Office of the Privacy Commissioner (Office) in 2021/22. Its purpose is to assist you to develop your strategic direction as reflected in the Statement of Intent, Statement of Performance Expectations 2021/22, and other strategic planning documents. This letter should be considered within the context of the Enduring Letter of Expectations along with the Crown Entities Act 2004 and other relevant legislation and guidance.

I would like to congratulate and commend the Office for its hard work and preparation leading up to the implementation of the Privacy Act 2020 on 1 December 2020. I particularly welcome the Office's new approach and focus on making it easier for agencies to comply with the Privacy Act.

Government priorities

Our Government is focused on three overarching objectives:

- to keep New Zealanders safe from COVID-19
- to accelerate our economic recovery
- to lay the foundations for a better future.

Our Government's intention is to focus on wellbeing and set a high bar for public investment. COVID-19 has been, and continues to be, a challenge for us all. Trust and confidence in the public system is vital in our nation's response.

Entity direction

I understand that a focus for the Office this year is to continue to embed the Privacy Act 2020, and in particular, to make use of its new powers under the Act to strengthen its compliance and enforcement capabilities.

My specific expectations for the Office in 2021/22 are that you will:

- provide guidance to agencies to assist them to comply with the new Act and the promotion of privacy
- utilise your Office's compliance and enforcement capabilities to ensure better accountability by organisations and greater protection of personal privacy
- continue to be attentive to the COVID-19 related work of public and private sector agencies to ensure that the privacy rights of New Zealanders continue to be respected and protected
- develop an approach to realise your Office's commitment to work in partnership with Māori to ensure better understanding of te ao Māori perspectives on and experiences with privacy and the potential impacts of this for the Office's work
- continue to develop a proactive approach to manage privacy breaches to enable better protection of personal information in New Zealand
- continue to be active and remain a reputable presence in international forums to ensure that New Zealand is recognised as having privacy protections suitable for acceptance by the international community.

Governance

I expect that you will continue to oversee the performance and long-term strategic direction of your Office consistent with best-practice governance. As well as executing the fundamentals of good governance, I have an expectation that you will focus on:

- continuous improvement, including providing me with a report outlining recent governance improvements and providing a self-assessment of the maturity of your governance practice by 30 September 2021, copied to the Ministry
- ensuring you have robust risk management and communication processes in place, particularly around the "no surprises" principle
- taking a long-term view towards understanding the constituency and communities you serve and defining services according to their changing needs
- ensuring quality information is available to support informed decision making
- continuing to develop and contribute to the Māori-Crown relationship.

The justice sector, including privacy protections, plays a crucial role in ensuring the protection of individual rights, maintaining trust and supporting democracy. Following from what I heard from the justice sector Crown entities at your networking event in December 2020, I am looking forward to seeing the entities working collaboratively together to share resources, knowledge, good practice, and build relationships. This will enable us to better serve New Zealand.

I expect you to continue to provide the Ministry, as my agent, with information on performance and timely information on risks and opportunities. I have asked the Ministry to focus on the quality, timeliness and impact of reporting information.

I look forward to receiving your draft Statement of Intent and 2021/22 Statement of Performance Expectations by 30 April 2021 for my comment. I look forward to meeting with you on a regular basis.

Finally, I would like to acknowledge the work of the Office and look forward to a successful year ahead.

Yours sincerely



Hon Kris Faafoi
Minister of Justice

cc: Gary Bulog, General Manager, Office of the Privacy Commissioner
Andrew Kibblewhite, Secretary of Justice/Chief Executive, Ministry of Justice