

Fragment from the email from the Ministry of Education

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Two privacy assurance documents that the Ministry uses to assess third parties before engaging are attached. My colleagues thought it would be good for you to read over. We expect third party vendors to comply with our internal privacy and procurement policies including risk and assurance frameworks. We expect vendors to comply with the Privacy Act 2020, Health Information Privacy Code 2020 and other relevant codes relating to the handling of personal information. One of our senior privacy officers wanted to highlight that these contracts for third-party service are [contracts of adhesion](#). I know with your legal background we are probably just telling you things you are well aware of! Nevertheless, Google/Microsoft are still bound by the provisions of the Privacy Act 2020 and other applicable New Zealand statutes, as they are doing business within New Zealand and have contracted with us under New Zealand law.

Two Google contracts as requested. It's looking unlikely that I will be able to release the Microsoft documents, the redacting tool is failing on this document. Essentially the Microsoft document is very similar to the copies already released except Microsoft is providing additional products. There are no changes to other clauses.

Our leadership team here in ICT wanted to highlight a cross country initiative we have signed up to. The Ministry of Education joined the [Safer Technologies for Schools](#) (ST4S) initiative in late 2021. ST4S provides assessments of digital products and services used in schools against an agreed security and privacy controls framework, and is managed by Education Services Australia (ESA) on behalf of participating education jurisdictions. The Ministry is working with the other ST4S members to extend the framework and assessment process to meet New Zealand requirements, and we anticipate an initial trans-Tasman version this year. We will be working to make ST4S assessment reports available to schools and kura with appropriate guidance on their use to inform technology selection and ongoing risk management.

One of my colleagues, a Security Specialist, wanted to highlight a few points. Google & Microsoft both hold ISO certifications for Privacy, [ISO27018](#). We place reliance upon these independently audited certifications. Consistent with both organisations being signatories to the US [Student Privacy Pledge](#), the T's&C's applicable to the Ministry negotiated contracts are Privacy respecting, articulate that neither vendor will use Learner information for their own purposes, that IP/ownership remains with the school/Individual Learner. If you want to dig deeper into the Google reports, they have provided a [SOC2T2](#) report with a Privacy addendum online.

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