



Statement from the Privacy Foundation New Zealand

29 October 2021

### **ACC Privacy Breach – Call for Accountability**

The Privacy Foundation welcomes the announcement that ACC is commissioning an independent review into the management of ACC data and client information, including sensitive claims.

“The Foundation was surprised and disappointed to learn of call centre workers sharing the details of people’s injuries amongst themselves and disseminating them via the social media platform: Snapchat.”, says Gehan Gunasekara, Privacy Foundation Chairperson. “It follows a number of recent disclosures outlining inappropriate access to sensitive claims information.”

Mr Gunasekara adds, “This is a significant privacy breach and should not occur in any organisation if there is a proper culture of privacy. It is deeply concerning that it has taken a whistle-blower to get some action”.

“What is also disappointing is that the recommendations of the independent review of ACC’s Privacy and Security of Information commissioned jointly by the Office of the Privacy Commissioner and the ACC Board in 2012 appear not to have been sustained.

The Foundation is aware significant improvements were made, so what has gone wrong”, asks Mr Gunasekara. “There are clearly still systemic issues including employees inappropriately accessing sensitive information.”

“It is important that this new review is thorough and gets to the bottom of what has gone wrong at ACC. The findings and recommendations of the review must be published with a timetabled programme to implement the recommendations” says Mr Gunasekara.

The Independent Review report into the 2012 Privacy breach recommended that a Privacy audit be undertaken every two years to consider ACC’s adherence to its Privacy Strategy, including compliance and best practice elements. The Foundation is aware of this taking place in 2014 but is unaware if further audits occurred. The Foundation calls on ACC to disclose all subsequent audits.

“All ACC claimants, and especially those making sensitive claims, must have confidence that ACC will protect their personal and health information. ACC has work to do restore trust in its organisation and processes.”

The New Zealand Privacy Foundation advocates for the protection of the privacy rights of New Zealanders by providing independent, expert and fair public comment on privacy.

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