Public Service Commission
Te Kawa Mataaho

21 October 2026

9(2)(a) privacy

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Official Information Request
Our Ref: OIA 2026-0303

I refer to your Official Information Act 1982 (OIA) request received by the Department of Internal Affairs which was transferred to the Public Service Commission (the Commission) on 23 September 2026 under section 14 of the OIA, as the information sought is connected to the functions of the Government Digital Delivery Agency (the GDDA) .

For ease of reference, I have outlined each part of your request with our response directly underneath.

Information publicly available – part one

I request official information held by the Department of Internal Affairs in its capacity as Government Chief Digital Officer. Date range: 1 January 2025 to the date you receive this request. Please provide:

> *1. The most recent stocktake, survey result, or list of generative AI tools and use cases across the public service, including any update to the 2025 GCDO survey.*

The following information is covered by part one of your request and will be publicly available soon on the digital.govt.nz, Archives NZ, and Ombudsman websites at the links provided for in the table below.

Item	Document Description	Website Address
1	2026 cross-agency AI survey	Publicly available soon www.digital.govt.nz

Accordingly, I have refused your request for the documents listed in the above table under section 18(d) of the OIA on the grounds the information requested is or will soon be publicly available.

Information does not exist - parts two (a, b, d and e)

> *2. For all-of-government or multi-agency GenAI tools (including Microsoft Copilot, NotebookLM, or any successor common tool): (a) the approval paper or equivalent decision document (b) the privacy impact assessment (c) the security or risk assessment (d) the name and position of the senior official accountable for the tool (e)*

contract or service-schedule text, or a summary if the full contract is commercially sensitive, on retention, location, and access to prompts, outputs, and logs.

I am refusing the following parts of your request under section 18(e) of the OIA on the grounds the information requested does not exist.

Part two (a) - The GDDA does not hold the approval paper or equivalent decision document for all-of-government (AoG) or multi-agency GenAI tools. Each agency is responsible for seeking the appropriate internal approval for the AI tools they use.

Part two (b) - The GDDA does not hold the privacy impact assessments for AoG or multi-agency GenAI tools. Each agency is responsible for completing privacy impact assessments for the AI tools they use.

Part two (d) - The GDDA does not hold the name and position of each senior official accountable for AoG or multi-agency GenAI tools. Each agency is responsible for tracking those accountable for the AI tools they use.

Part two (e) - There are currently no specific AoG contract documents or licence agreements for AI products and services. As part of the Public Service AI Work Programme, the GDDA is developing an AI Marketplace Ecosystem to increase safe and responsible government AI procurement through new AI Categories in Marketplace.

As with other Marketplace offerings, suppliers who wish to register their AI services will be required to agree to the Collaborate Marketplace Agreement (CMA) part one terms and the relevant CMA part two terms for the AI channel: www.marketplace.govt.nz/suppliers/register-as-supplier/collaborative-marketplace-agreement.

The GDDA manages the AoG master agreements (CMA part one and two), however, it does not hold contracts for each agency that has signed up to an AoG contract or has undertaken secondary procurement with suppliers. Agencies hold their own agreements with providers, which may include terms negotiated in addition to the standard AoG terms.

You will need to seek information directly from the individual agencies you are wanting this information for. Contact details for all government agencies can be found here: Government A-Z | New Zealand Government.

Information not released – part two (c)

There is one document covered by part two (c) of your request that I have decided to withhold in full under the following sections of the OIA, as applicable:

- section 6(a) - as making the information available would be likely to prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand; and
- section 9(2)(b)(ii) – to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information

The GDDA, in its role as Lead Agency for ICT Common Capabilities, undertakes security risk assessments to support the certification of Cloud and digital services, including AI services and tools, used by government agencies.

Risk assessments undertaken for ICT Common Capability services by the Lead Agency are focused on establishing a baseline level of assurance for services made available to agencies. These assessments are conducted at a service level and do not account for specific agency implementations. Individual agencies are responsible for conducting their own risk assessments and Certification & Accreditation (C&A) activities for the AI services and tools they consume. Agency-level assessments consider the specific use case, configuration, and data being processed, including any heightened sensitivity.

You will need to seek information directly from the individual agencies you are wanting this information for. Contact details for all government agencies can be found here: Government A-Z | New Zealand Government

In making my decision, I have considered the public interest considerations in section 9(1) of the OIA.

Information does not exist – part three

> *3. Current policy or guidance on whether prompts, model outputs, tool logs, and any session memory or handoff records are official information or public records under the Public Records Act 2005.*

The Commission has not issued any policy or guidance on whether prompts, model outputs, tool logs, and any session memory or handoff records are official information or public records under the Public Records Act 2005. Therefore, I am refusing part three of your request under section 18(e) of the OIA on the grounds the information does not exist.

However, you may be interested in publicly available information on the Ombudsman and Archives NZ websites, covered by part three of your request, which can be found at the links in the table below.

Item	Date	Document Description	Website Address
2	December 2023	Artificial intelligence and public and local authority records	www.archives.govt.nz/manage-information/how-to-manage-your-information/implementation/artificial-intelligence-and-public-records
3	July 2025	Records management for AI	www.digital.govt.nz/standards-and-guidance/technology-and-architecture/artificial-intelligence/public-service-ai-toolkit/records-managements-for-ai

4	October 2026	Advice for agencies on information requests and AI	www.ombudsman.parliament.nz/sites/default/files/2026-10/Advice%20for%20agencies%20on%20information%20requests%20and%20AI.pdf

Information does not exist – part four

> *4. Advice to the GCDO or to Ministers, if held, on residual risk where an agency cannot reconstruct how a generative AI tool contributed to a recommendation or decision.*

The GDDA does not hold information on residual risk where an agency cannot reconstruct how a generative AI tool contributed to a recommendation or decision. I am therefore refusing this part of your request under section 18(e) of the OIA on the grounds the information does not exist.

More generally, the GDDA has published guidance to support the New Zealand public service explore generative artificial intelligence systems in ways that are safe, transparent and responsible: www.digital.govt.nz/standards-and-guidance/technology-and-architecture/artificial-intelligence/responsible-ai-guidance-for-the-public-service-genaic.

Information being released – part five

> *5. Terms of reference for the AI Expert Advisory Panel, and any panel advice that addresses accountability, human oversight, or records of AI-assisted decisions.*
>
> *If any part would require substantial collation, please contact me so I can narrow it. I want the information electronically.*

Please find enclosed the following documents:

Item	Date	Document Description	Decision
5	June 2025	Terms of reference: Expert advisory panel for public service use of artificial intelligence	Released in full

If you wish to discuss this decision with us, please feel free to contact Enquiries@publicservice.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that we intend to publish this response (with your personal details removed) on the Commission's website.

Yours sincerely



Nicky Dirks
Manager – Ministerial and Executive Services
Te Kawa Mataaho Public Service Commission