

Privacy Policy

<p>VERSION 2: August 2022 – This Version replaces the Privacy Policy approved by the trustees of The Talking Matters Charitable Trust on 21st March 2022</p>
<p>DATE OF ADOPTION: 19th September 2022</p>
<p>RELATED DOCUMENTS:</p> <ul style="list-style-type: none"> • Privacy Act 2020 • Human Rights Act 1993 • The Children’s Act 2014 • Oranga Tamariki Act 1989 • IT Acceptable Usage Policy • Information and Data Security Policy • Child Protection Policy • Health and Safety Policy
<p>Review date: June 2024</p>

Talking Matters is a non-profit organisation based in Aotearoa New Zealand. We work with whānau and their supporters, and educators and their supporters, to help build language-rich environments for babies and children.

To do this, we collect Personal Information from our Talking Matters personnel (employees and contractors), partner organisations and their personnel (including teachers, community workers, social workers, health workers and volunteers) and people they work with (including children and their parents and/or legal guardians). All of these people have rights under the Privacy Act 2020. This Privacy Policy outlines what we do to protect Personal Information and comply with the Privacy Act 2020.

What is Personal Information?

Any information that identifies a person or makes it possible to identify a person (eg. name, address, phone number, email address).

What information do we collect?

We only collect Personal Information that we need for our purposes (see “What do we use this information for?” below). We only collect Personal Information after we have obtained the appropriate consents.

From our staff, we collect some or all of:

- Their names, contact details, emergency contacts’ contact details, ethnicities, iwi and hapū affiliations, languages spoken and qualifications

- Information relating to their terms and conditions of work, salary or wages, taxation, banking, superannuation, performance, conduct, training and leave
- Information about engagements with services, including but not limited to education, health and social services
- Information tracking and evaluating participation in our work.

From partner organisations (eg. community organisations, early childhood education (ECE) centres) and from personnel of our partner organisations, we collect some or all of:

- Their names, contact details, ethnicities, iwi and hapū affiliations, languages spoken and qualifications
- Information about engagements with services, including but not limited to education, health and social services
- Information that tracks and evaluates their participation in our work.

When a child participates in Talking Matters activities, we collect some or all of:

- That child's name, address, age, gender, ethnicities, iwi and hapū affiliations and clothing size
- The names, ages, genders and ethnicities of other children living in the same household
- The names, ages, genders, ethnicities, contact details, languages spoken and dates of birth of parent(s)/legal guardian(s) and other caregivers
- Feedback, assessments and observations from parent(s)/legal guardian(s) and other caregivers participating in Talking Matters activities
- Practitioners' (eg. ECE teachers, health or social workers, community workers) names, contact details, ethnicities and languages spoken
- Practitioners' feedback, assessments and observations
- Photos and videos of the child interacting with their parents, whānau, caregivers and/or other adults in their environment
- If a child participates in LENA, we also collect LENA Data (see "LENA" below).

We don't collect all of this information from everyone. We only collect information that we need for the activities that a whānau has chosen to engage in. And we only collect it with the consent of the child's parent or legal guardian.

LENA

LENA is a programme that uses a small, wearable device to give feedback on how much adults are talking with babies and children. Talking Matters offers LENA in some of the activities that it does with whānau and early childhood education (ECE) services. When Talking Matters includes LENA in a project, we ask parent(s)/legal guardian(s) to consent to their child's participation. If that consent is given:

- The child wears a special vest over their normal clothes for a day.
- In the pocket of the vest is a small recording device.
- The device records the talk and electronic sounds the child experiences while wearing the vest.
- The device counts the words and conversations in the recording, then deletes the recording.
- The recording cannot be listened to. No-one ever knows what was said.
- The device only saves the number of words and conversations.
- That data is then uploaded from the device to the LENA platform.
- The LENA Research Foundation ("LENA") (which is based in the USA) analyses that data and presents it in a dashboard.
- LENA shares the dashboard with Talking Matters.

- Talking Matters generates reports from the LENA dashboard and shares them with the child's parents, caregivers and/or practitioners (depending on the project)
- Each dashboard tells Talking Matters, its partners and the child's caregivers how much talk and electronic sound the child experienced while wearing the LENA vest.
- Talking Matters and LENA can access and use data that has been uploaded to the LENA platform and anonymised.

We call the data that we collect through the LENA device "LENA Data".

When and how do we collect information?

We collect Personal Information:

- when people communicate with us through our website and apps, by email and in phone calls, texts and other messages
- when people fill in our enrolment and consent forms
- when people fill in our feedback, assessment and observation forms
- through the LENA recording device, when people participate in a LENA programme with us (see "LENA" above)

We only collect Personal Information directly from that person, unless that person is a child, in which case we will collect it from that child's parent/legal guardian, or from other caregivers with that child's parent's/legal guardian's consent.

All of the people we work with can choose to not give some or any information to Talking Matters. However, if they choose not to, this may limit the services and benefits that Talking Matters can provide to them.

What do we use this information for?

We use the Personal Information we collect to:

- contact our personnel (employees and contractors), partner organisations and their personnel (including teachers, community workers, social workers, health workers and volunteers) and people they work with (including children and their whānau and/or legal guardians)
- tell them what we're doing
- develop and deliver activities and services
- create reports and dashboards and tell stories, including on our website and in publications and presentations
- evaluate the services that we're providing
- see if we're having positive impact
- give whānau, caregivers and/or practitioners coaching and feedback
- show whānau, caregivers and/or practitioners what progress they and the child in their care are making
- show our funders what progress we are making together
- comply with legal requirements

Talking Matters will only collect, use and share an adult's Personal Information with that adult's consent. Talking Matters will only collect, use and share a child's Personal Information with the consent of that child's parent or legal guardian.

If you receive electronic marketing communications from Talking Matters, you may opt out of receiving further marketing communications by following the opt-out instructions provided in the

communication. Alternatively, you can let us know using the contact details set out at the bottom of this Privacy Policy.

Security of Personal Information

We take all reasonable steps to keep Personal Information relevant, complete, current and safe. To protect Personal Information from misuse and loss:

- All of our staff are trained in how to keep Personal Information safe and secure.
- Personal Information relating to our staff's employment, performance, terms and conditions, engagement, training, discipline or resignation of an employee is kept in the HR files which are only accessible by the authorised persons, i.e. our Chief Executive and Operations Director. Hard copy files are kept in locked filing drawers; electronic files are kept in a separate HR folder that cannot be accessed by anyone other than the authorised persons listed above.
- Our staff's contact information, including emergency contact details and next of kin, information on bank accounts, IRD numbers, salaries and hours of work is kept in a secure payroll system, accessible only by authorised persons, i.e. our Chief Executive, Operations Director and Finance Manager.
- We store all other Personal Information, including information about participants in our activities, in secure electronic systems and locked filing cabinets which are only accessible by the authorised persons, ie. the Talking Matters leadership team, data analysts and Community Activator(s) who are responsible for the relevant activity.
- We use trusted service providers (including cloud storage providers) who have Privacy Policies that we have seen and approved.

However, there are inherent risks in transmitting information across the internet, including the risk that information sent to or from a website may be intercepted, corrupted or modified by third parties. If any user of our website or person who has provided Personal Information to us has security concerns, they can contact us using the contact details set out at the bottom of this Privacy Policy.

How long do we keep this information?

Talking Matters will only retain Personal Information for as long as we need it for the purpose for which it was collected. Once we don't need Personal Information any more, we will destroy or de-identify it. However, we may retain information if necessary to comply with our legal obligations, resolve disputes, or enforce our agreements.

Who do we share this information with?

Talking Matters shares Personal Information with partners who help us to collect, store, manage and analyse information to turn it into reports, dashboards and stories and to perform other services for us. Some of these partners are based in Aotearoa New Zealand and some are based overseas. When we share Personal Information with these partners, we only disclose information that is relevant and necessary and we require them to comply with relevant data protection law. We may also share Personal Information with third parties to keep children safe, when appropriate and in accordance with applicable New Zealand legislation.

Sometimes Talking Matters shares reports, dashboards and stories with other people (eg. in reports to our funders or on our website or social media). These mostly include aggregated, anonymised data – that is, summaries, analyses and representations (eg. graphs) of data from lots of people - in which individuals are not identified or identifiable. If we want to identify people (eg. by using their names) or include any Personal Information (eg. photos) in any reports, dashboards or stories that we share with other people, we will only do so if we have obtained specific permission from that person or, if that person is a child, from that child's parent or legal guardian.

Rights to access and correct Personal Information

Under the Privacy Act 2020 a person has the right to:

- ask to see a copy of Personal Information that we hold about them
- ask us to update or correct that Personal Information.

Sometimes it may not be possible for us to provide an individual with a copy of their Personal Information, for example, if it was provided anonymously, if it contains details about other people, if the request for access is frivolous or vexatious, if giving access would be unlawful, if we have reason to suspect unlawful activity of serious misconduct in relation to our work and giving access would be likely to prejudice appropriate action being taken, if giving access would reveal evaluative information generated within Talking Matters in connection with a commercially sensitive decision-making process, or if it would be unsafe to provide the information (for instance, if it may lead to harm being done to another person).

If we refuse to provide access to a record of someone's Personal Information or to update a record in the way that person requests, we will provide that person with written reasons and they may request that we make a note on their record that they are of the opinion that the information is inaccurate, incomplete, out of date, irrelevant or misleading, as the case may be.

Links

The Talking Matters site may have links to other websites not controlled or owned by us. We are not responsible for these sites or any consequence of a person's use of those sites. In particular, we are not responsible for the privacy policies or practices of the operators of other websites. We recommend that users review the privacy policies of those external websites before using them.

Breach of privacy

Any individual who suspects a breach of the Privacy Act 2020 must report the matter immediately. The principles of action for a reported breach are:

Notify	Notify the CE and the Privacy Officer
Report	Complete an Incident Report
Contain	Find out what has happened and take steps to stop the breach getting worse.
Assess	Make an assessment of the seriousness of the breach using the Privacy Commissioner's tool www.privacy.org.nz/notify-us .
Prevent	Review our Privacy Policy and procedures and make changes if necessary.

Employees or other relevant parties that contravene or do not comply with Talking Matters' privacy requirements may be subject to disciplinary action, including dismissal in serious cases.

How can a person make a complaint about Personal Information?

If a person has a complaint or concern regarding Talking Matters' handling of their Personal Information or thinks that their privacy has been affected, they should contact us as detailed below so we can consider their complaint or concern. People also have the right to complain to a data protection authority. For New Zealand residents, that's the Privacy Commissioner Te Mana Mātāpono Matatapu at: <https://www.privacy.org.nz/>

Contact us

Email: info@talkingmatters.org.nz

Phone: +64 9 307 2098

Physical address: Level 5, 55 Anzac Avenue, Auckland 1010, Aotearoa New Zealand

Postal address: as above

Chief Executive: Jilly Tyler

Privacy Officer: Anabel Fernandez

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