

The Ofﬁce of the Privacy Commissioner has launched a children and young person’s privacy project. This will ultimately consider whether the current regulatory framework protecting children’s privacy rights are ﬁt-for-purpose for the challenges of today and the future.

Privacy doesn’t have an age limit. All young people and children can expect that their information (things like their name, address, age, and whakapapa/lineage) is respected and looked after.

Everyone in Aotearoa New Zealand has a right to privacy under the Privacy Act 2020 regardless of age. Privacy rights are important for children and young people as they provide the space that allows them to form an identity, the space for them to ﬁgure out who they are and what is important to them.

There are some unique challenges and opportunities that relate to the privacy of children and young people as they interact with health and education services and the online world.

We want to know whether our privacy rules create enough of a safety net around how children and young people’s personal information is collected and used.

# We would love to hear from you

The Ofﬁce will be engaging with children, young people, and their whānau (family) to understand their experiences and concerns around the protection and use of their personal information. Running alongside our community engagement, we are also wanting to hear from people who work with children and young people (in health, education, social services).

We are particularly interested in the experience/concerns around:

* The level to which children and young people are concerned about their privacy.
* Whether or not they feel the mana/tapu (importance/sacredness) of their information is not respected.
* The way their personal details are collected, particularly online.
* The role (and age) of consent to share personal information.
* Understanding if there are any concerns about how personal details might be used after it is collected.
* Understanding the impact of misusing their personal information of children.
* Any other issues relating to the collection, use or disclosure of children and young people’s personal information.

# What will this information be used for?

By sharing your experiences as an adult that is helping a child look after their personal information, or an adult who collects personal information as part of their role working with children and young people, you’ll be helping us work out whether we need to grow the rules and guidelines that look after privacy for children and young people.

# How can you join the kōrero/conversation?

We would love to hear from you.

You can answer survey questions directly by using the survey link here on Survey Monkey - [www.surveymonkey.com/r/ChildrensPrivacy](https://www.surveymonkey.com/r/ChildrensPrivacy)
(and <https://tinyurl.com/7kn6fj9b>)

Or you can use the survey questions set out below to guide your thoughts and send us a written submission.

You can also use the survey questions to run a hui (workshop) with the children in your lives, with your colleagues or with your friends – you can find the tools you need to help you run a hui on our website <https://privacy.org.nz/news/consultations/children-and-young-peoples-privacy-project-page/>
(and <https://tinyurl.com/aspkzctc>)

You can send your submission, thoughts, or hui notes to us:

* Through an email – children@privacy.org.nz
* By letter and post to:

Office of the Privacy Commissioner
Children’s Privacy Project
PO Box 10094
The Terrace
Wellington 6143

* Call us and arrange a time to talk to us on 0800 803 909 during office hours (10am-3pm Monday-Friday).

You can use NZ Relay when calling this number. NZ Relay is a service for people who are Deaf, hard of hearing, deafblind or speech-impaired. The NZ Relay service helps you to make phone calls to other people over the phone and internet within New Zealand. The service involves a Relay Assistant serving as the "ears and/or voice" on phone calls. More information can be found at this website <https://www.nzrelay.co.nz> Our office hours are 10am-3pm Monday to Friday.

## Deadline

Please get your comments to us or your survey filled out by **30 November 2023**.

## Privacy statement

You can find the privacy statement for the Children and Young People’s Privacy Project on our website, <https://privacy.org.nz/news/consultations/children-and-young-peoples-privacy-project-page/children-and-young-peoples-project-privacy-statements/>
(and <https://tinyurl.com/mvpxcpjy>)

## Background questions

Who are you? (tick any that apply to you).

* Parent/guardian/carer/whānau member.
* Health professional (working in the health sector).
* Education professional (working in the education sector).
* Social service professional.
* Other (please specify).

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### Why are we asking these background questions?

We think that the concerns that parents and professionals have about privacy might be different between the two groups. Answering the questions will help us understand if there are trends or themes around privacy concerns. This information will help us consider what protections or guidance we could develop to help children and young people across Aotearoa’s diverse communities.

The information you give will be conﬁdential. Your name will not be used, and it will not be passed on to anyone else. Once our survey and engagement has closed, we will create a report that will explain all the themes we heard during our engagement – all examples in that report will be anonymous.

## Privacy In New Zealand

Do you know where to see what the rules/laws are and how they apply to children?

* If yes, where would you ﬁnd these? (please specify)

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* If no, where would you go to ﬁnd out? Tick any that apply to you.
	+ Netsafe.
	+ Ofﬁce of the Privacy Commissioner.
	+ Your professional body (like NZSTA, union etc).
	+ Regulator/government contact point (like Ministry of Education, Te Whatu Ora/Health NZ, Ministry of Health, etc).
	+ Friends/parents/colleagues.
	+ Google it.
	+ I wouldn’t be interested in ﬁnding out.

**If you work** **with children or young people, do you feel that you have access to clear information about the privacy rules that apply your profession? (please specify).**

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For those providing services for children (health, education, etc) do you feel well supported in helping the child understand their privacy rights and your privacy policies? (please specify).

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**What do you think should be done to better support children’s privacy in the area you work in? (please specify)**

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**What do you think should be done to better support parents and whānau to protect children’s information? (please specify)**

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If you wanted to complain that a child’s personal information had been taken without their or your consent, what would you do? Tick any that apply to you**.**

* Speak to other parents/whānau/guardians.
* Speak to your professional body.
* Speak to the business involved.
* Go to the Ofﬁce of the Privacy Commissioner website.
* Google it.
* I wouldn’t complain.
* I’m not sure how to go about it.
* I’ve never thought about this before.

### Why are we asking these questions?

This will help us understand whether information about how to protect your personal data is easy to ﬁnd and understand, and whether you use it, or whether we need to change anything.

## Your worries

Are you ever worried about how a child’s personal information is being used when they are; (tick any that apply to you):

* Online using social media.
* Online using EdTech (any apps/programmes you are using for school work).
* Online using government services.
* Online using gaming platforms.
* Using social/health/education services.
* I’m never worried.
* I’ve never thought about this before.
* Any other situation? (please specify).

**If you’re worried about how their personal information is used, what worries you about this? Tick any of the following that apply to you or specify below to add any that don’t appear in the list.**

* That the mana/tapu of their information is not respected.
* The way their personal details are collected.
* That it has been collected without their consent.
* That you don’t know how their personal details might be used after it is collected.
* That you don’t know who sees their data.
* That the information being collected may not be correct.
* That you or the child/young person can’t correct any information that is wrong.
* That you can’t have photos or information about the child/young person deleted on social media.
* That the app/service has geolocation on, so the service knows where the child is.
* That the data may be used by companies to directly advertise to children/young people.
* I’m not worried about any of these things I’ve never thought about this before.
* Anything else?

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## Protecting a child’s information

**What would be most important to you to better protect a child’s personal information? (tick any that apply or specify below to add any that don’t appear on the list**)

* I want the mana/tapu of the child/young person’s information protected.
* I want the child/young person’s information to be made available to their iwi/hapū (tribe/subtribe) or wider family group.
* I want digital platforms to be more transparent around how they collect and use the information of people under 18.
* I want to make sure their information isn’t used for things without their clear consent.
* I want to know that the platform the children are using doesn’t have geolocation turned on (unless it is necessary to the service e.g., a map app).
* I want the terms and conditions of the app/platform my child is using to be easy to read and understand, and written for children and young people.
* I want the right to ask for children’s personal information (including photos) to be deleted if they or their parents/whānau ask, including on social media.
* I want to know what information is held about them, and I want an easy and clear way to ask for this information.
* I don’t want their information to be used for direct advertising or marketing (ads that are sent to them).
* I don’t have any ideas or needs – I’m happy with how it is.
* Anything else?

**Do you have any ideas about how organisations, websites and businesses can be more transparent/clear about how they collect and use your information? (please specify)**

### Why are we asking these questions?

Answers to these questions will help us work out whether we need some new rules or guidance to help businesses/government play their part in protecting children’s personal information.

## The role of parents and families

These are questions about your thoughts on the role of your family/whānau/hapū in helping children and young people protect their personal information.

Do you think parents/guardians/whānau should be able to ask to receive a copy of a child or young person’s personal data?

* If no, why not?

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* If yes describe the situations you think parents/guardians/whānau/hapū/iwi should get a copy of a child’s personal data?

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**Do you think iwi/hapū should be able to ask to receive a copy of a child or young person’s personal data?**

* If no, why not?

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* If yes, describe the situations you think parents/guardians/whānau/hapū/iwi should get a copy of a child’s personal data?

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**What age do you think parents/guardians/whānau/hapū/iwi should stop being able to ask to see a child or young person’s personal data? (please specify)**

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**What might be some reasons where both the child/young person and their parents/guardians/whānau/hapū/iwi should have to jointly ask to see their personal information? (please specify)**

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**Do you think there should be rules about how old a person should be before they can use a social media platform without needing parental consent (if yes, what age would this be? Please specify)**

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**Do you have any other comments or concerns?**

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**End of information |** Children and Young Person’s Privacy Project

This Large Print document is adapted by Blind Citizens NZ from the standard document provided by the Privacy Commission.

The Privacy Commission’s logo sits at the top of the first page. This is a digitally rendered graphic image of a person standing in a shield with their arms out spread with the words Privacy Commissioner printed to the right of the shield and its te reo Māori translation below. – Te Mana Mātāpono Matatapu