

SMATA APP PRIVACY POLICY

Last updated: 19 May 2020



1. Interpretation

In this Privacy Policy the term *including* means *including (without limitation)*.

App Usage Data means information about use of the Smata App collected automatically by Smata when Users use the Smata App as further described in the App Usage Data section below.

Classroom Work means a student's work in the classroom, captured and uploaded into the Smata app by way of photos, videos, and audio files.

Enquiry Information means information any person submits to us when seeking support or making an enquiry to Smata. Most commonly, this is information submitted by parents seeking access to Student Data.

Observational Data means a Teacher's notes and reflections on a student's Classroom Work and general learning, including learning area links and judgements made on the richness scale, input by the Teacher into the Smata App.

Service Providers means third parties who Smata has contracted to provide services to it related to the Smata App and/or Smata's business. A list of Smata's Service Providers is at the end of this policy.

Smata means Smata Limited (NZBN: 9429047228498).

Smata App means the software provided by Smata for use by Users.

Student Data means a student's name (first name and initial of surname), class, year level, gender, and Classroom Work.

Teacher means a User using the Smata App in the course of classroom teaching including uploading Student Data.

Tracking Technologies means cookies, browser-based web storage, and application data caches, and other similar technologies.

User means any individual using the Smata App including Teachers and School Leaders and **User Information** means the information those Users provide to Smata in order to register to use the Smata App, together with any App Usage Data and information collected using Tracking Technologies which are associated with that User.

2. Important note about collecting Student Data in the Smata App

- 2.1. Teachers must have the consent of a student and (where that student is under 13 years old) the student's parent or guardian to collect Student Data from a student and provide it to Smata. Consent of parents or guardians may be obtained by schools.

3. Purpose of collection

- 3.1. Smata collects personal information in order to operate its business generally, including providing the Smata App. If you do not provide us with the personal information we ask for we will be unable to provide the Smata App to you.

4. What information does Smata collect and generate and how is it stored and secured?

User Information

- 4.1. Smata collects User Information consisting of:

- 4.1.1. Name.
- 4.1.2. Email address.
- 4.1.3. School and class(es).
- 4.1.4. Such other information as we may from time to time request from Users.

Student Data and Observational Data

- 4.2. Teachers use the Smata App to collect and input Student Data and Observational Data.

App Usage Data

- 4.3. App Usage Data is collected by Smata when a User uses the Smata App. Some App Usage Data is collected using Tracking Technologies, and is collected by the Google Play and Apple App stores and stored on Google and Apple's servers.
- 4.4. Tracking Technologies identify a browser or device used to access the Smata App and track and record the use of the Smata App by that browser or device.
- 4.5. App Usage Data consists of:
 - 4.5.1. *Information about the device including:* device type and identifiers, operating system, software types and versions, and network type and strength.
 - 4.5.2. *Server logs:* which capture detailed information each time a User (or if a User is not logged in, a device or browser) accesses the Smata App. The information captured by our server logs consist of: IP address, frequency and duration of use of each part of the Smata App, which parts of the Smata App you click on, location information (when it is provided by your device), error logs and crash analytics.

5. Storage and security

- 5.1. The Smata App and all the information used by it is stored on Amazon Web Services, Sydney, and encrypted using 32-bit hash code.

6. Disclosure: who has access to information held by Smata?

- 6.1. Only Teachers, Smata, and Smata's Service Providers have access to Student Data and Observational Data.
- 6.2. Only Smata and its Service Providers have access to App Usage Data.
- 6.3. Smata may disclose de-identified App Usage Data to any third party.
- 6.4. Smata may disclose any information it deems necessary to validate a request for access to Student Data.
- 6.5. Smata may disclose all of the information held by it to any third party if it, or its business, is acquired (in whole or part) or proposed to be acquired (in the course of that third party's legitimate due diligence) by that third party.
- 6.6. We may disclose any of the information held as required by law or in response to a bona fide request from a Government authority relating to an investigation (for example, including: the Police, Ministry of Education, or Teaching Council).

7. What do we use your information for?

- 7.1. Smata uses information held by it to:

- 7.1.1. Provide and improve the Smata App.
- 7.1.2. Develop new products and services.
- 7.1.3. Promote and market the Smata App and Smata's other products and services.

8. Expiry and deletion of certain information

- 8.1. Smata sets its data retention policies from time to time and may update them by amending this section of the Privacy Policy. Currently, Smata's data retention practices are as follows:
 - 8.1.1. Student Data: deleted at the end of the first school term in the year following collection.
 - 8.1.2. Observational Data: deleted at the end of the first school term in the year following collection.
 - 8.1.3. User Information supplied by the User, but excluding App Usage Data and information collected by Tracking Technologies that does not identify the User: deleted six months after deactivation of User account.

9. Your rights.

- 9.1. You have a right of access to, and correction of, any personal information about you held by Smata.
- 9.2. If you are a Teacher you can request a complete set of Student Data and Observational Data uploaded by you by emailing admin@smata.co.nz.
- 9.3. If you are a student, or parent of a student, whose Teacher or school is using the Smata App we encourage you in the first instance to request your Student Data directly from your Teacher. However, you can also contact us here, admin@smata.co.nz, to request your Student Data directly from Smata. To ensure Student Data is only disclosed to authorised people we may seek further information or confirmation from your Teacher and/or school and/or any other third party we deem relevant and in doing so may disclose certain of your Enquiry Information to those third parties.
- 9.4. If you have any privacy query relating to Smata (including the Smata App) you can contact us at admin@smata.co.nz.

10. Smata may change this privacy policy from time to time. Smata will give reasonable email notice prior to making any change to this privacy policy.

11. Smata's Service Providers

- 11.1. Point Zero Ltd
- 11.2. Amazon Web Services, Sydney
- 11.3. Google Play Store
- 11.4. Apple App Store