



## Transparency and Choice checklist



It's common to provide service users with written explanations about data and information collection and use. This checklist will help make sure those explanations are helpful and can be used as a conversation prompt.

### Aim for no surprises

The most important test is whether service users would be surprised about what is collected and recorded about them, or who is using it and what they are using it for.

### Consider context

Think about the context of your agency, the work you do, the kind of data and information you are collecting or using and the service users' circumstances.

There might be things service users need to be told about in relation to their data or information under another law or policy. For example, you may need to:


- think about specific things in relation to the Education Act 2020
- explain a few extra service users' rights under the Health and Disability Code
- explain why their information may be shared under the Oranga Tamariki Act 1989.

### Completing the checklist

Use this checklist at any stage of your process or work that makes sense and is helpful for you. Language is key — avoid jargon and vague or confusing statements.

You can answer 'Yes', 'No' or 'N/A' to the checklist questions:

- **Ticked 'Yes'?** Great! If you have not already tested the wording with other people, then do so. What you may think is clear and easy to understand might not be clear and easy for someone else to understand.
- **Ticked 'N/A'?** Some of these steps may not apply. For example, there might never be a situation where information is shared with other agencies. But make sure you have covered off what must be explained (either under the Privacy Act 2020 or other legal requirements for your organisation).
- **Ticked 'No'?** A 'no' means some more thinking needs to happen. Is it 'no' because the explanation is there but is not clear? Or because an explanation is missing? Ask for some advice, consult with others or go back to your purpose statement or reason for the collection.

 [digital.govt.nz/dpup/toolkit](https://digital.govt.nz/dpup/toolkit) has more about Transparency and Choice, Privacy Act 2020 requirements and purpose statements.

<b>Collection</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
Does the form:			
<ul style="list-style-type: none"> <li>show what data or information will be collected in a way that does or could identify them (is personal)</li> </ul>			
<ul style="list-style-type: none"> <li>show what data or information will be collected in a way that will not or cannot identify them and whether the information is non-personal or de-identified</li> </ul>			
<ul style="list-style-type: none"> <li>show or explain what information must be provided and what is voluntary</li> </ul>			
<ul style="list-style-type: none"> <li>outline what laws allow or require the collection to happen.</li> </ul>			
<b>Use</b>			
Does the form explain:			
<ul style="list-style-type: none"> <li>what data or information will be used in a way that will or could identify them</li> </ul>			
<ul style="list-style-type: none"> <li>what data or information will be used in a way that will not or cannot identify them</li> </ul>			
<ul style="list-style-type: none"> <li>who will see some or all their information and data and who won't</li> </ul>			
<ul style="list-style-type: none"> <li>what the data or information will be used for, and how this use will benefit them or people in similar situations to them (the purpose and outcomes)</li> </ul>			
<ul style="list-style-type: none"> <li>what the intended purposes and uses are</li> </ul>			
<ul style="list-style-type: none"> <li>what the data or information will not be used for</li> </ul>			
<ul style="list-style-type: none"> <li>when information might be shared with other agencies: <ul style="list-style-type: none"> <li>» who you would share it with</li> <li>» what you would share and if it will or could identify them</li> <li>» what the other agency / professional would do with it, and why they need it.</li> </ul> </li> </ul>			
Does the form:			
<ul style="list-style-type: none"> <li>outline what laws allow or require the use or sharing to happen</li> </ul>			
<ul style="list-style-type: none"> <li>state if this information will be linked or matched with any other data or information about them</li> </ul>			
<ul style="list-style-type: none"> <li>outline how their information will be kept secure.</li> </ul>			
<b>Access and corrections</b>			
Does the form:			
<ul style="list-style-type: none"> <li>explain that people have a right to access data or information that can identify them</li> </ul>			
<ul style="list-style-type: none"> <li>give them the chance to say what they would like to access and how (for example, would they like to have copies of their notes)</li> </ul>			
<ul style="list-style-type: none"> <li>explain that they can ask for corrections to their information and how to do so</li> </ul>			
<ul style="list-style-type: none"> <li>explain what will happen if the information will not be changed in response to their request.</li> </ul>			
<b>Choices</b>			
Does the form:			
<ul style="list-style-type: none"> <li>clearly show the different choices so people can easily indicate yes or no separately rather than putting everything together and asking for one 'I agree'</li> </ul>	•	•	•
<ul style="list-style-type: none"> <li>explain what happens if they do not agree to providing the data or information</li> </ul>	•	•	•
<ul style="list-style-type: none"> <li>explain if they do not have a choice, why that is so.</li> </ul>	•	•	•