Wellbeing Solutions Privacy Policy

Website (www.wellbeingsolutions.co), AI-4U AI wellbeing chat, SMS check-ins and assessments, EAP services, Anonymous Notification

Effective date: 18 October 2026 | Version 1.1 | Applies in New Zealand and Australia

Our privacy promise in short

• We collect only what we need to provide our services, and we tell you why.

• AI-4U is not a clinical or crisis service. In an emergency call 111. For support call or text 1737.

• AI-4U conversations are not kept. They are processed in real time by ElevenLabs (US) and not retained after the session (ElevenLabs may keep limited technical and safety logs for a short time), except contact details if you tell us you may harm yourself or someone else (section 4).

• Your EAP sessions are confidential and kept separate from your employer. Employers only see grouped, non-identifying reports.

• Taking part in check-ins and assessments is voluntary. Your employer sees only grouped reports, never your individual answers.

• Every SMS names Wellbeing Solutions as the sender. Every marketing SMS, including AI-4U reminders, explains how to opt out. Marketing emails have an unsubscribe link.

• We do not sell your information. We do not bundle consents. Using our services does not mean you agree to everything; where we need your permission, we ask for it separately.

• You can see and correct your information, and complain to us, the Privacy Commissioner or (in Australia) the OAIC.

1. Who we are and how to contact us

This policy is from WISMS Limited (company number 9382125, NZBN 9429053225405), trading as Wellbeing Solutions (“we”, “us”). Our address is 25/2 Bishop Dunn Place, East Tāmaki, Auckland 2013.

Our privacy officer is Kevin McAfee, Director. Contact him at hello@wellbeingsolutions.co, or by post at the address above.

Because we provide EAP support services, we handle health information under the Health Information Privacy Code 2020 as well as the Privacy Act 2020.

2. Important: what AI-4U is and is not

AI-4U is an AI. It is not counselling, therapy, a psychologist, a clinical service or an emergency service.

It can listen and help you find the right support. It cannot diagnose, treat or send help to you.

• In danger now? Call 111 (New Zealand) or 000 (Australia).

• Need to talk to a trained person? Call or text 1737 (free, 24/7, New Zealand). Lifeline: 0800 543 354 or text 4357 (NZ); 13 11 14 (Australia).

• Young people: Youthline 0800 376 633 or text 234 (NZ); Kids Helpline 1800 55 1800 (Australia).

3. What we collect

3.1 Website, forms and newsletter

• Contact, demo and free-trial forms: name, email, phone, organisation and your message.

• Newsletter: your email address and your consent record.

• Technical data such as IP address, browser and pages visited. Our website is hosted by Amazon Web Services (AWS), and website forms are processed by Formspree. You can block or delete cookies in your browser settings.

Cost calculator

If you ask us to email you an estimate, we use your email address to send it. If you tick the box, we may also email you once about our free pilot. You can unsubscribe at any time. We don't sell your email address or share it for anyone else's marketing. Formspree processes form submissions for us in the United States.

Analytics and advertising cookies

With your consent, we use Google Analytics, Google Ads, LinkedIn and Meta tools to understand how our website is used and to measure our advertising. These providers may process information about your device and visit (such as pages viewed and the calculator being completed) in the United States and other countries. We don't send them your name, email or check-in information. You can decline or withdraw consent at any time through the cookie settings on our website.

3.2 AI-4U

• What you say or type in the conversation. This is processed in real time to provide the service and is not retained after the session (section 4).

• Technical data such as time, length of the conversation, device and IP address.

• For paid plans: your account and contact details and payment records.

• Anything else you choose to share. Please do not share more than you need to.

3.3 SMS check-ins and wellbeing assessments (for employers and organisations)

• Your name, mobile number and organisation (usually supplied by your employer or organisation).

• Your answers to check-ins and assessments. Your date of birth if an assessment needs it.

• Any support request you make, and the support you are referred to.

3.4 EAP services

• Your contact details, the reason you made contact, session notes, assessments and referrals made by your support professional.

3.5 Anonymous Notification (“You Have a Voice”)

• What you report. You do not need to give your name. Details in a report may still identify you or other people, so please only include what is needed.

4. AI-4U: providers, processing and retention

• Provider. AI-4U runs on ElevenLabs' conversational AI platform. When you press "Accept & start AI-4U" you go to a page hosted by ElevenLabs (elevenlabs.io). ElevenLabs converts voice to text and text to voice and runs the conversation agent. The replies are written by an AI language model provided through ElevenLabs' platform. Your conversation is processed by ElevenLabs and its service providers, including the provider of that language model.

• Overseas. ElevenLabs is based in the United States, and our AI-4U service uses its United States data location. Some processing may happen in other countries, for example for support or content safety.

• Processing, not keeping. Your conversation is processed in real time by ElevenLabs in the United States to provide the service. We have set the service so conversations are not retained after the session. ElevenLabs may keep limited technical and safety logs for a short period, as set out in its terms. Your employer, school or club, and our WISMS Access+ service, never see your AI-4U conversations.

• If you may be at risk. If you tell AI-4U you may harm yourself or someone else, it will ask for your name and contact details. We keep these and use them only to get you help, relying on the serious-threat exception (Privacy Act 2020 IPP 11(f) and HIPC rule 11). We keep them for 12 months after our last contact with you about it. If they become part of an EAP or support record, they are kept with that record (section 12).

• Training. ElevenLabs does not use AI-4U conversations to train its AI models. We do not allow any provider to use AI-4U conversations to train or improve its services without our written permission.

• Safety and the law. We do not share your conversation with anyone without your permission, except where the law allows or requires it, for example to prevent or lessen a serious threat to someone's life or health, or where we are legally required to help Police. Do not rely on AI-4U to get help to you.

• "Accept & start AI-4U" confirms you understand AI-4U's limits. It is not consent to anything else.

• Young people. AI-4U is for people aged 13 and over. If you are under 13, please talk to someone you trust, or contact Youthline or Kids Helpline (section 2).

• From WISMS Access+. If you open AI-4U from a WISMS check-in link or SMS, nothing about your use of AI-4U is shared with the Access+ service or the site host.

5. EAP services: kept separate from your employer

• Your EAP records are confidential health information. They are held by Wellbeing Solutions, not your employer. They are stored on the Wellbeing Solutions platform, hosted by Amazon Web Services in Sydney, Australia.

• Your employer does not see your name, your session notes or what you talked about. Employers only get grouped reports (for example number of sessions or common themes), and only for groups of at least 10 people, so that no one can be identified.

• We only share your EAP information with your written permission, or where the law allows it, such as a serious threat to your or someone else's life or health (HIPC rule 11).

• Your employer cannot use EAP information to make decisions about your job.

EAP support is provided by professional support providers approved by your organisation. You also have rights under the Code of Health and Disability Services Consumers' Rights.

6. SMS check-ins and assessments for employers and organisations

• Taking part is voluntary. You can skip a question or stop at any time.

• Who the information is for. We hold your organisation's staff list (names, mobile numbers and team) on your organisation's behalf. We hold your check-in answers, assessments and any support records ourselves, and your organisation cannot access them except as grouped reports.

• What your employer can see. Your employer cannot see your individual answers. It sees grouped reports only, for groups of at least 10 people.

• Support flags. Some reply keywords are set up to show that you may need support. If you give one of those replies, it is automatically passed to the professional support provider approved by your organisation (see section 7). Only the professional support provider approved by your organisation can see flagged replies and your history in the system.

• Not for employment decisions. Your employer does not receive your individual answers, so they cannot be used to make decisions about your hiring, discipline, performance, rostering or site access.

• Sharing with a professional. We only share your assessment with a professional third party when you approve it, unless the law allows it (for example a serious threat to life or health).

7. SMS and email messages

We send:

• SMS check-ins for your employer or organisation. Your organisation chooses the check-in questions and the answers you can give, and you reply using the reply keywords shown in the message. Answering is voluntary. If your reply suggests you may need support, it is sent by email to the professional support provider approved by your organisation. They see your name, contact details, the question asked and your reply.

• AI-4U reminder SMS. A short reminder that AI-4U support is available. Because it promotes a service, we treat it as a marketing (commercial) message and only send it with consent.

• Newsletters and marketing emails, only if you have opted in.

Every message will:

• say who it is from (every SMS names Wellbeing Solutions as the sender in the message text) and how to contact us;

• if it is a marketing message, tell you how to stop receiving it: every marketing SMS, including AI-4U reminders, explains how to opt out, and marketing emails have an unsubscribe link. You can also opt out by emailing hello@wellbeingsolutions.co;

• stop within 5 working days of your opt-out.

Employers and organisations must confirm they have your consent, or another lawful basis, before giving us your number. Opting out of marketing does not stop messages needed to provide a service you use. This follows the Unsolicited Electronic Messages Act 2007 (and the Spam Act 2003 in Australia).

8. How we use information

• to provide AI-4U, check-ins, assessments, EAP and Anonymous Notification;

• to help you find support you ask for;

• to give organisations grouped, non-identifying reports;

• to answer enquiries, run accounts and take payments;

• to send marketing, only if you opted in;

• to keep our systems safe and meet legal obligations;

• to improve our services, using de-identified data where we can.

De-identified statistics. We may use data that has had names and other identifying details removed to produce statistics about workplace wellbeing. We will not publish anything that could reasonably identify you. We do not give these statistics to anyone else.

We do not sell personal information. We do not use it for a new purpose that does not fit the reason it was collected, unless the law allows it (IPP10 and HIPC rule 10).

9. Who we share information with

• Our service providers in section 10, who must protect it and use it only to provide services to us.

• Your employer or organisation: grouped reports only (section 6).

• A professional or support service, when you approve it, and the support provider approved by your organisation when a check-in reply suggests you may need support (section 7).

• Emergency services, Police or others where the law allows or requires it, for example to prevent or lessen a serious threat to someone's life or health.

• Anyone else you authorise.

10. Overseas providers and storage (IPP12)

Provider	What it does	Where
ElevenLabs	Runs the AI-4U voice and text agent in real time, including the AI language model that writes the replies (through ElevenLabs' service providers); conversations not retained after the session	United States (some processing by ElevenLabs' service providers may happen in other countries)
Amazon Web Services (AWS)	Hosts the Wellbeing Solutions platform	Australia (AWS Asia Pacific (Sydney) region)
Microsoft (Power BI)	Produces the grouped reports for organisations	Australasia
Amazon Web Services (AWS) and Formspree	AWS hosts this website; Formspree processes website form submissions	Australia (AWS) and United States (Formspree)
Your organisation's SMS provider	Sends SMS	New Zealand or Australia
Our bank (AI-4U paid plans are paid by bank transfer against our invoice; we do not use a card payment provider)	Receives payments for AI-4U paid plans	New Zealand

Microsoft 365 and our other business service providers	Email, newsletters, the EAP free-phone line, invoicing and backups	New Zealand & Australia

Where a provider holds information only to provide a service to us, we stay responsible for it. Where we disclose information overseas, we only do so where the Privacy Act allows, usually because the recipient is bound by contract to protect it in a way comparable to New Zealand law. We do not ask you for a blanket consent to overseas transfers. If we ever needed to rely on your permission, we would ask you separately and first tell you that the information may not be protected in the same way as in New Zealand.

11. Information from other people (IPP3A and HIPC rule 3A)

Sometimes we get information about you from someone else, for example your employer gives us your name and number for check-ins, someone refers you to EAP, or an Anonymous Notification names you. Since 1 May 2026, we must take reasonable steps to tell you about this, unless an exception applies. We do this through this policy and the first message we send you, and we ask organisations to tell their people before giving us their details. If an Anonymous Notification names you, we will decide case by case whether and when to tell you, considering everyone's safety.

12. How long we keep information

Record	How long
AI-4U conversations	Not retained after the session. ElevenLabs may keep limited technical and safety logs for a short period, as set out in its terms.
AI-4U safety contact details (serious-threat cases only)	12 months after the last contact, unless the details become part of an EAP or support record, in which case they are kept with that record
EAP records	At least 10 years from the last service, as the Health (Retention of Health Information) Regulations 1996 require
SMS check-in answers and assessments	While your organisation's contract is active, unless your organisation deletes them sooner. Deleted within 30 days after the contract ends
Anonymous Notification reports	6 years after the matter is closed, then deleted. We remove identifying details earlier where we can
Website enquiries and accounts	Enquiries that do not lead to an account: 2 years after our last contact. Customer account and billing records: 7 years, as tax law requires
Marketing consent and opt-out records	While you are subscribed, and 3 years after you opt out. We keep a minimal "do not contact" record (just your email address or mobile number) so we never message you again
Backups	Backups are kept on a 35-day rolling cycle and then overwritten

After that we delete or anonymise the information.

13. Security

We take reasonable steps to protect information from loss, misuse and unauthorised access, change or disclosure, including role-based access and requiring providers to protect it. EAP records can only be seen by the professionals who need them. No system is completely secure. Nothing in this policy limits our legal responsibility if something goes wrong.

14. Privacy breaches

• New Zealand: if a breach has caused or is likely to cause serious harm, we will notify the Privacy Commissioner and affected people as soon as practicable (Privacy Act 2020, Part 6).

• Australia: we will notify the OAIC and affected people of an eligible data breach under the Notifiable Data Breaches scheme.

• We will tell affected employers or organisations where their people are involved, without giving them anyone's health details.

15. Your rights: access and correction

• See your information (IPP6 and HIPC rule 6). This is free in most cases.

• Correct it (IPP7 and HIPC rule 7). If we do not agree, you can ask us to attach your statement of the correction you want.

• Send requests to hello@wellbeingsolutions.co. We may need to check who you are. We will reply as soon as we can and within 20 working days. A representative, such as a parent of a young child, may ask on your behalf in some cases.

• If we refuse, we will tell you why and what you can do next.

• Please tell us if your details change so we can keep them up to date.

16. Complaints

Please contact our privacy officer first at hello@wellbeingsolutions.co so we can try to fix it. If you are not satisfied:

• Privacy (New Zealand): Office of the Privacy Commissioner, www.privacy.org.nz, 0800 803 909.

• Your care from an EAP provider (New Zealand): Health and Disability Commissioner, www.hdc.org.nz, 0800 11 22 33.

• Australia: Office of the Australian Information Commissioner (OAIC), www.oaic.gov.au, 1300 363 992.

17. Australia

Where the Australian Privacy Act 1988 and the Australian Privacy Principles (APPs) apply:

• Health information is "sensitive information". We collect it only with your consent or where the law allows, and only when needed.

• Health service providers are covered whatever their size.

• We take reasonable steps under APP 8 before sending information overseas (section 10).

• You can ask for access or correction (APPs 12 and 13) and complain to the OAIC.

18. Young people

Where young people use check-ins or AI-4U, we take extra care about what we collect and who sees it. AI-4U is for people aged 13 and over.

19. Links to other websites

Other websites have their own privacy policies. AI-4U opens on an ElevenLabs page, which is covered in section 4.

20. Changes to this policy

We will update this policy when our practices change and show the new date at the top. We will give notice on our website before a significant change takes effect. Changes do not reduce your rights under the law.

Annex: how this policy meets the Privacy Act IPPs and HIPC rules

IPP / HIPC rule	Where covered
1 Purpose	Sections 3, 8
2 Source	Sections 3, 11
3 What we tell you	Sections 1-4, 7
3A Indirect collection	Section 11
4 Fair, not intrusive	Sections 2, 4, 6
5 Security	Sections 13, 14
6 Access	Section 15
7 Correction	Section 15
8 Accuracy	Section 15
9 Retention	Section 12
10 Use limits	Section 8
11 Disclosure limits	Sections 4, 5, 9
12 Overseas disclosure	Section 10
13 Unique identifiers	We do not assign our own identifier that copies a government identifier. We do not assign National Health Index (NHI) numbers.