

# PRIVACY POLICY

We are committed to protecting the privacy of our users while they interact with the content and services on this Website. Because we gather certain types of information about our users, we want you to understand what information we collect about you, how we collect it, how that information is used, and how you can control our disclosure of it.

Please read this Privacy Policy carefully. You agree that by using the Website or engaging with us on social media, you are deemed to have accepted and agreed to this Privacy Policy. If you do not agree with this Privacy Policy, please do not use the Website or engage with us on our social media accounts.

Capitalized terms used in this Privacy Policy that are not defined have the meanings assigned to them in our Terms of Use [[link to Terms page](#)].

## 1. Definition of Personal Information

Personal information is defined as information that can identify an individual and information about an identifiable individual, which means a person can be identified by the information either directly or in combination with other information.

## 2. Basis for Collecting Personal Information

We collect and process your personal information only when we have a lawful basis to do so. Lawful bases include your consent, the fulfillment of our contractual rights or obligations, the legitimate business interests of us or third parties (provided that processing your data for a legitimate business interest does not outweigh your rights and freedoms), and complying with applicable law.

- (a) **Consent:** We may use your personal information, or permit selected third parties to use your personal information, based on your consent to our use and sharing of that information. You may withdraw your consent at any time, but doing so may affect your ability to use the Website.
- (b) **Contractual obligations:** We may use and process your information to enter into a contract with you and to perform our contractual obligations to you.
- (c) **Legitimate business interests:** We may use and process your personal information for our legitimate business interests, which include, among other things, communicating with you, improving our services, improving our Website, and providing you with the information or services that you have requested.
- (d) **Compliance with applicable law:** We may use or process your data as required for us to comply with legal obligations.

## 3. Information we Collect

We collect personal information when you choose to access or use the Website, purchase services, consent to receive email or text messages, comment on blog posts, or engage with us on social media.

Personal information that we may collect may include:

- (a) personal identifying information such as your name, address(es), telephone number(s), email address(es);

- (b) derivative data such as IP address(es), browser type, mobile device name and type, dates and times you access our Website, the specific pages you view, and other interactions with our Website;
- (c) location data and demographic data such as your gender and age;
- (d) financial and billing information (such as credit card numbers) in connection with purchases made on the Website;
- (e) personal information connected with your social media accounts such as your username, profile picture, and any other information you make available to the public on your social media accounts;
- (f) any content that you generate, or that is connected to you, as a result of creating an Account or purchasing services;
- (g) other content that you submit or post on the Website;
- (h) any other information you provide us through a web form, by updating or adding information to your Account, through your participation in community discussions, chats, dispute resolution, or when you otherwise correspond with us; and
- (i) additional information we are required or authorized by applicable laws to collect and process in order to authenticate or identify you or to verify the information we have collected.

Some of the personal information set out above may be collected by third-party service providers, such as advertising and analytics providers, and may include cookies, log data, or web beacons. By accessing and using the Website, you understand that your personal information will be transferred to such third parties and will also be subject to the privacy policy and practices of such third parties.

#### **4. How we Use your Personal Information**

We use your personal information to provide you with an enjoyable and convenient online experience; offer you services, including the use of our Website; fulfill our contractual obligations to you; correspond with you; process payments or refunds; contact you about new offerings we think you might be interested in; interact with you via social media; send you a newsletter or other updates about the Website; request feedback from you; notify you of updates to our service offerings; resolve disputes and troubleshoot any problems; customize your interaction with our Website; compile anonymous statistical data for our own use or for a third party's use; assist law enforcement as necessary; prevent fraudulent activity on our Website; and analyze trends to improve our offerings and our Website.

We store your data and transmit it to a third party for processing, but we do so to the extent necessary to serve our legitimate business interests (such as providing you with the opportunity to purchase our services and interact with our Website). We use non-identifying and aggregate information to better design our Website and for legitimate business and administrative purposes.

We are not liable or responsible for the personal or other information you choose to submit in forums such as a comment board or any other publicly accessible area of the Website or our social media channels.

#### **5. Disclosure of Personal Information**

There are certain circumstances in which we may share your personal information with certain third parties. The following are specific reasons why we may share your information:

- (a) **Legitimate business interests:** We may share your information with third-party processors as needed to serve our legitimate business interests, which include administration of our Website, administration of your Account, entering into contracts with you, communicating with you, taking orders services, delivering our services, identifying trends, protecting the security of our company, and communicating with you about additional services. The legal basis for our disclosure of your information consists of your consent to this Privacy Policy and our right to protect and promote our legitimate business interests.
- (b) **Third-party service providers:** We engage third parties to perform various tasks and provide services to us, including, without limitation, hosting and maintenance services, payment processing, email delivery, client relationship management, database storage and management, background checks, identification verification, and direct marketing campaigns. We may not always disclose these third-party processors if not required by law. We will share your personal information with these third parties, but only to the extent necessary to perform these functions and provide us with such services, and only pursuant to binding contractual obligations requiring such third parties to maintain the privacy and security of your data.
- (c) **Law enforcement:** We cooperate with government and law enforcement officials or private parties to enforce and comply with applicable laws. We may disclose any information about you to government or law enforcement officials or private parties as we, in our sole discretion, believe necessary or appropriate to respond to claims, legal process (including subpoenas), to protect our property or rights or the property or rights of a third party, the safety of the public or any person, to prevent or stop any illegal, unethical, or legally actionable activity, or to otherwise comply with applicable laws.
- (d) **To protect our company:** We may use your information to protect our company, including to investigate and remedy any violations of our rights, policies, or Terms of Use. We may also disclose your information as reasonably necessary to acquire and maintain insurance coverage, manage risks, obtain financial or legal advice, or to exercise or defend against legal claims.
- (e) **Business transfers:** We may sell, transfer, or otherwise share some or all of our assets, including your personal information, in connection with a merger, acquisition, reorganization, or sale of assets, or in the event of bankruptcy. You acknowledge that such business transfers may occur and that your personal information can continue to be stored, used, or processed as otherwise set forth in this Privacy Policy.
- (f) **Online postings:** When you post online, your posts may be viewed by others, and we may distribute your comments outside the Website.
- (g) **Other purposes:** We may disclose your personal information as necessary to comply with any legal obligation or to protect your interests, or the vital interests of others or our company.

## 6. Processing your Information

In most instances, it will be necessary for us to transmit your information to a third-party processor, as we do not have the capability to perform certain functions. However, we may, from time to time, process your data internally. The legal bases for this processing are your consent to the processing, our need to conduct our legitimate business interests, and to comply with legal obligations. Our purposes in processing this information, if we do, is to administer, maintain, and improve our offerings and our Website, to enter into contracts with you, to fulfill the terms of those contracts, to keep records of our transactions and interactions, to be able to provide you with services, to comply with our legal obligations, to obtain professional advice, and to protect the rights and interests of our company, our clients (including you), and any third parties.

We may process the following data: data associated with your Account, such as your name, address, email address, and payment information; data about your usage of our Website, such as your IP address, geographical information, and how long you accessed our website and what you viewed; data related to your personal profile, such as your name, address, profile picture, interests and hobbies, or employment details; data that you provide us in the course of using our services; data that you post on our website, such as comments or responses to blogs; data that you submit to us when you make an inquiry regarding our offerings or our Website; data related to your transactions with us, including your purchase of our services, which information may include contact details and payment information; data that you provide to us when you subscribe to our emails or newsletters, including your email address and contact information; data that you submit to us via correspondence, such as when you email us with questions; and any other data identified in this Privacy Policy, for the purpose of complying with our legal obligations, or to protect the vital interests of you or any other person.

## **7. Data Retention**

We retain your personal information as long as it is needed to conduct our legitimate business purposes and in compliance with our professional obligations. In addition, we may retain your personal information, to comply with applicable laws, comply with our legal and professional obligations, prevent fraud, collect any fees owed, resolve disputes, troubleshoot problems, assist with any investigation, enforce our Terms, or take other actions permitted or required by applicable laws. After it is no longer necessary for us to retain your personal information, as determined by us in our sole discretion in accordance with applicable laws, we dispose of it in a secure manner according to our data retention and deletion policies.

Notwithstanding the above, we do not store your financial or billing information. When you submit your credit card information to us in connection with a purchase of services on our Website, it is transmitted through the in-app payment processor on JaneApp powered by Stripe Payments Canada, Ltd., which is a PCI DSS compliant Level 1 Service Provider. You should review the Privacy Policy of JaneApp and Stripe to determine how they use, disclose, and protect your financial data.

We will honor your request to delete your data, as described more fully below, unless we are required by law or our professional obligations to retain access to the data. However, note that we cannot control the retention policies of third parties. If you wish to have any third parties, including those to whom We've transmitted your data, delete that data, you will need to contact those third parties directly.

We may retain usage data (that is, data that is gathered by our company or third-party analytics companies for the purpose of analyzing the use of our Website) as needed for internal analysis purposes. This type of data is usually retained for a shorter period of time than personal data, unless the data is necessary to improve the security or functionality of our offerings or our Website, or we are legally obligated to retain the data for a longer period of time.

## **8. Security of your Information**

In recognition of our legal obligation to protect your personal information, we have made arrangements to protect against unauthorized access, collection, use, disclosure, copying, modification, disposal, or destruction of personal information. To prevent unauthorized access, maintain data accuracy, and ensure the correct use of information, we take physical and electronic security measures to safeguard and secure the information and data stored on our system to a level appropriate to the type of data involved.

## **9. Location of Data**

We may create, maintain, store, process, and archive information on servers that are not located on our immediate premises and may be located in Canada, the USA, or another country, where the laws may not be as strict as those in other countries and may be deemed by other countries to have inadequate data protection. Please be advised that a foreign government may be able to access data relating to your use of the Website, including your personal information, for lawful access purposes. If you continue to use the

Website, you consent and continue to consent to us creating, maintaining, storing, processing, and archiving information on servers located on a third party's premises within Canada, the USA, or another country.

Data that is provided to us is stored on secure servers and we have agreements in place with our affiliates and contractors that include standard contractual clauses to protect your rights with respect to your information. Payment information and other sensitive data will be encrypted to ensure its safety.

Notwithstanding the above, all personal information obtained in the course of providing services to clients are processed and stored through JaneApp in accordance with the requirements for allied health businesses under the *Personal Information Protection and Electronic Documents Act* (PIPEDA) and the British Columbia *Personal Information Protection Act* (PIPA). You should review the Privacy Policy of JaneApp to determine how they use, disclose, and protect your personal information.

## **10. Consent for Collection, Use, and Disclosure**

By accessing and using our Website or interacting with us on social media, we consider you to have given us consent to the collection, use, and disclosure of your personal information in accordance with this Privacy Policy. Once this consent has been given, we will continue to collect, use, and disclose your personal information for purposes set out in this Privacy Policy without obtaining further written or verbal consent to do so. We may also collect, use, or disclose personal information about an individual without that individual's consent as permitted under applicable laws.

## **11. Tracking Technologies**

We use tracking technologies to passively collect demographic information, personalize your experience on our Website, and monitor advertisements and other activities.

We make use of log files, which log visitors to Website. This is generally a standard procedure for hosting companies and a part of hosting services' analytics. The information inside the log files may include without limitation internet protocol (IP) addresses, browser type, Internet Service Provider (ISP), date/time stamp, referring/exit pages, and the number of clicks. This information is used to analyze trends, administer our Website, track user's movement around the site, and gather demographic information. IP addresses and other such information are not linked to any information that is personally identifiable.

We also use cookies, which are small files sent to us by your computer, and web beacons to store certain information. We may use cookies to authenticate your identity, to determine if you are logged onto the Website, for personalization, for security, for targeted advertising, or for analysis of the performance of our Website. For example, cookies may allow us to recommend blog posts to you based on what you have read on Website in the past. We use cookies that are not specific to your account but unique enough to allow us to analyze general trends and use, and to customize your interaction with our Website. This information helps us to understand the use of our Website and to improve our Website. We may link cookie information to personal information.

Most browsers are automatically set to accept cookies whenever you visit a website. If you wish to disable cookies, you may do so through your individual browser options. However, this may affect your ability to use or make purchases from our Website and may result in some areas of our Website not functioning properly. More detailed information about cookie management with specific web browsers can be found at the website for your particular browser. By continuing to use our Website and not disabling cookies on your browser, you are consenting to our use of cookies in accordance with the terms of this Privacy Policy.

## **12. Website Analytics**

We may partner with third-party analytic companies, including without limitation Google Analytics and Wix Analytics Reports. The analytic companies may also use cookies (described above) or other tracking

technologies to analyze visitors' use of our Website to determine the popularity of the content, and better understand online activity. We do not transfer personal information to these third-party vendors. However, in order to access our Website, you must consent to the collection and use of your information by these third-party analytic companies. You should review their Privacy Policy and contact them directly if you have questions. If you do not want any information to be collected and used by tracking technologies, visit the Network Advertising Initiative Opt-Out Tool or Digital Advertising Alliance Opt-Out Tool.

### **13. Third Party Websites**

Our Website may include links to other websites. These links are provided for your convenience only. We do not control or endorse such third-party websites and we are not responsible for the privacy practices and policies of such third-party websites. Please read the privacy policies of any other company or website you may link to from our Website prior to providing your personal information in connection with such third-party website, products, or services. This Privacy Policy applies only to our Website and the personal information collected by us directly through this Website. We are not responsible for any damage or consequences you suffer by accessing third-party websites using links provided on our Website.

### **14. Promotional and Marketing Communications**

We only send promotional and marketing communications with your consent. We offer the opportunity for you to volunteer certain information to us that is used for email and marketing purposes. This information includes, but is not limited to, your name and email. If you no longer wish to receive these or other communications from us, please send us an email at the email address provided below. You can also stop receiving newsletter email communications from us by clicking on the "unsubscribe" link provided in such communications.

Notwithstanding the above, we reserve the right to maintain a database of past email subscribers. We reserve the right to use this information as reasonably necessary in our business and as provided by law. Your information will be shared with reasonably necessary parties for the ordinary course of conducting our business, such as through Facebook ads or Google Pay Per Click marketing campaigns.

### **15. Sensitive Data**

For registered users of our services, we use a secure platform, through JaneApp, to collect sensitive data. We request that you do not submit any sensitive data to us via public postings, email correspondence with us, or any other method, including social insurance number, health data, genetic data, or information related to your ethnic origin, religious beliefs, or criminal history. If you do send us this information, then by doing so you are consenting to our use, storage, and processing of this information in accordance with this Privacy Policy.

### **16. Withdraw Consent**

You can choose not to provide any personal information to us or to withdraw your consent for the collection, use, or disclosure of your personal information for purposes set out in this Privacy Policy. If you choose to do so, you may not have access to certain features of the Website and we may not be able to provide you with certain products or services, or customer support offered to our visitors and users under this Privacy Policy and our Terms of Use.

We only send promotional and marketing communications with your consent. If you no longer wish to receive these or other communications from us, please send us an email at the email address provided below. You can also stop receiving newsletter email communications from us by clicking on the "unsubscribe" link provided in such communications.

### **17. Requests to Access, Correct, or Delete**

We take steps to ensure that the personal information we collect is accurate and up to date, and that you have the ability to access and make corrections to it. Upon your request, we will remove your personal information from view as soon as reasonably possible, in accordance with applicable laws.

### **18. Improper Collection and Misuse of Personal Information**

Please report any improper collection or misuse of personal information provided on the Website to us at the email address provided below. Depending on the law where you live, you may also have the right to file a complaint with your local data protection authority.

### **19. Security Disclaimer**

By consenting to the Terms of Use of the Website and this Privacy Policy, you acknowledge that no security measure is foolproof and that no method of data transmission over the Internet can be completely secure. Accordingly, we cannot guarantee nor warrant the security of any information you provide to us. Further, we cannot prevent the interception, use, or misuse of your data by other parties.

Your transmission of data to us is at your own risk. Where data that you have transmitted to us is password protected, you are responsible for keeping the password confidential. You are exclusively responsible for any breaches of your data that results from your own disclosure of or failure to protect your password.

We will notify you promptly of any known breach of our security systems or your data which might expose you to serious risk.

### **20. Notification of Changes**

We reserve the right to change this Privacy Policy from time to time at our sole discretion. Your continued use of the Website indicates your assent to the Privacy Policy as posted.

### **21. Contact**

If you have any questions or concerns about our Privacy Policy, or how we have handled your personal information, please contact us at: [lauren@phronesiscounseling.com]