

## PRIVACY POLICY

Last updated: February 1, 2024

This privacy notice discloses the privacy practices of [www.kimberleysmithihp.com](http://www.kimberleysmithihp.com) and [www.kimberleysmithihp.ca](http://www.kimberleysmithihp.ca) (the “**Website**”), owned and operated by 1900239 Ontario Inc. operating as Kimberley Smith, IHP, an incorporated company in the Province of Ontario (the “**Company**”). This Privacy Policy (herein: the “**Policy**”) will help the User understand how we collect and use personal information from users of our Website. This Policy applies solely to information collected by this Website, through email marketing campaigns and any affiliated social media accounts including, but not limited to: Instagram, Facebook, Tik Tok, LinkedIn, X (formally known as Twitter), and Pinterest.

The Policy will notify the User of the following:

1. What personally identifiable information is collected from you throughout the Website, why it is collected, how it is used and with whom it may be shared;
2. What choices are available to the User regarding the use of your data;
3. The security procedures in place to protect the misuse of the User’s information;
4. How the User can correct any inaccuracies in the information.

The Company and the Website reserve the right to make changes to this Policy at any given time. If the User wants to make sure that they are up to date, we advise the User to frequently visit this page. If we decide to utilize any personally identifiable information in any other manner than prescribed when initially collected, the User will be notified by email.

By using this Website and affiliated social media accounts, the User is consenting to the data collection procedures expressed in this Policy.

### **1. INFORMATION THE WEBSITE COLLECTS, USES AND SHARES**

1.1 This Website provides several opportunities for the User, to voluntarily provide us with personal information in exchange for a free resource, to be added to our email or subscriber list, or to contact us. If the User elects to “opt-in” and provides us with personal information for any of these purposes, we will collect the information provided, which may include the User’s name, email address, phone number, and the text of any messages sent to us. We will also process personal information in the form of comments, images, or videos that the User makes or shares on our blogs, social media pages, or any other online forum currently available now, or made available in the future. The User understands that their decision to provide any information to the Website and/or the Company in this manner is voluntary and constitutes their clear consent to allow the Website and/or the Company to collect, process, and retain such information.

1.2 *If the User elects to fill out the “contact us” portion of our Website, or provide us with any other communication data, including but not limited to that provided via email, social media messaging or posts, or text messages, the Website may collect personal information including their name, email address, phone number, the information the User shared with that social media platform, as well as the text of any message sent electronically. This data will be processed based on the Website’s legitimate interest in*

communicating with the User, answering any questions or concerns raised. We may also retain the aforementioned data to keep a record of any such communication.

1.3 *If the User becomes a customer*, we will collect additional information in order to carry out and complete the purchase and sale of the goods or services as requested, including but not limited to User name, email address, billing address, credit card or payment information, and any other information necessary in order to complete the purchase of the product or service the User has elected to buy. The Website will collect and process this data in order to fulfill the contractual obligation to complete the order and will not retain the information any longer than necessary. The Website uses third-party data processors to facilitate user payments, and will not retain nor have access to the User's payment information.

1.4 *If the User is on the Website and or Company's email list due to their consent to be added*, or due to the Website or Company's legitimate interest in engaging in direct marketing, the Website or Company may also use User data to send targeted social media advertisements or upload User information into our social media account to create look-a-like audiences. To ensure compliance with the CAN-SPAM act, all emails from the Website or Company will clearly state the sender of the email, as well as provide instructions on how to unsubscribe from such a list or contact the Website or Company with any questions or concerns.

1.5 This Website may also collect information through Automatic Data Collection Technology. The Website may use or send standard "cookies" to identify the User's browser from time to time. The Website does not include any personally identifiable information in cookies and will not employ any other mechanisms (other than those discussed above) to capture data on our Website. The Website may use both session cookies (which expire once the User closes their browser) and persistent cookies (which stay on the User's computer until deleted). The User can accept or decline cookies using web browser settings. If the User chooses to disable cookies, some areas of the Website may not work properly or at all. The Website does not respond to Do Not Track signals sent by the User's browser.

1.6 This Website may also collect data about how the User uses the Website, browsing actions or patterns, computer equipment, IP address, internet connection, and other similar choices the User makes, including via Google Analytics and Facebook Pixels, in order to obtain statistical data, improve our Website and offerings, and ensure the User receives information relevant to them. If the Website utilizes this technology, the Website will use them in compliance with all policies of these third-party companies. This Website may receive personal data from third-parties including Google, social media platforms, search engines, PayPal, Stripe, and other third-party payment processing companies.

## **2. HOW AND WHY IT IS COLLECTED**

2.1 This Website collects the User's personal information when you voluntarily and/or directly provide it to the Company to receive a free or paid resource, product, or service, or when the User fills out a form or sends an email to contact the Company, and does so in order to provide the User with the resource the User indicated they would like to receive. The Website may also track the User's future interactions with content, and use personal information to keep the User informed about the products and services they have elected to receive, as well as any linked or similar products or services the Company thinks the User

may be interested in. The information will be collected by the Website following the User's choice to manually enter it in and click to be added to the Company list. No such information will be collected without the User taking action to be added to the list, or in exchange for a free resource.

2.2 This Website may also receive data from third-parties like Google Analytics, Facebook and other advertising platforms, providers of technical or payment services as needed, and other similar third-parties. The Website will do our best to only utilize third-parties who have been deemed GDPR-compliant, and whom the Company has either completed a data processing agreement with or have reviewed and confirmed their policies regarding data processing to ensure compliance.

### **3. HOW WE USE YOUR INFORMATION**

3.1 The User has the right to know and understand how their information is used. The Website will use the personally identifiable information that the User has voluntarily given us in order to carry out the service or product requested, including free resources, trainings, newsletters, periodic promotional emails, and to notify the User about any changes to our policies or services. This Website may also use the User's personal information to form "look-a-like" audiences in the Company's digital marketing campaigns, which includes uploading User information into our social media advertising campaign.

3.2 If the User purchases something from the Website, we will use the User's billing address and credit card information to complete your desired purchase or purchases only and will not store or share any such information. By providing this information to the Company, the User understands and agrees that the Company and/or Website may use and store such information to send emails; bill credit cards in exchange for programs or products purchased or utilize comments for marketing purposes.

3.3 If the User makes a purchase from our Website, we may also use your personal information to send necessary updates to our products or services you have purchased, or to keep the User informed of any necessary information relating to the Company's products or services.

3.4 *Non-Personally Identifiable Information:* Additional non-identifying information that is collected may be used to provide an overview of how people are accessing and using the Website; it is not used for any additional purposes, and the Website does not use any such data to make automated decisions. The Company and Website may also record some or all information to help create a better User experience. The Website may use information such as the User's IP address to help diagnose technical problems with Company servers or our Website, and to determine which portions of our Website receive the most traffic, to understand which content is the most useful to our visitors. The User's IP address will not personally identify them and may be used for such limited purposes as outlined above, in order to improve user experience.

### **4. HOW INFORMATION IS STORED AND SHARED**

4.1 The User has the right to know what information is stored (and not stored) and how it is processed. User information is stored through a data management system, and it is important to this Website and Company to take appropriate measures to ensure your information is kept confidential. The User understands that there are limited purposes where this Website and Company will share the User's confidential information, including with those who are providing technical support for our Website, or

those who are members of our team, including legal and accounting. Any parties who will have access to the User's information will keep such information confidential and will never share it with any unrelated parties to the best of the Company's abilities. Information provided by the User will never be shared, sold, or given to any other company or person without prior consent, other than what is required to complete a purchase or request made by the User, unless required to do so by law, or any governmental requirements. This Website and Company requires all such third-parties to treat the User's personal information in accordance with the law, and only allows them to process personal data for specific, necessary purposes.

4.2 Please be aware this Website may disclose information provided if required to do so by law, or if there is an honest, good-faith belief that such disclosure is necessary to protect the rights of our Website or of the Company that any portion of our policies are being violated, to prevent or mitigate a belief that a crime may be committed, or to protect the safety or rights of other users. This information may also be shared as a result of the sale of the Company or any branch of the Company, as well as with any joint venture partners or affiliate marketers, should the Company deem it necessary to share such information. This Website will always take all reasonable measures to protect and safeguard the User's information.

4.3 This Website, and the servers and parties which made this Website available on a global scale, are located within, and operate within, Canada. The internet laws of Canada govern any and all matters relating to this Website. Any information the User chooses to provide through this Website, including subscribing to a newsletter, opting-in to receive a free gift, or purchasing something will be transferred to Canada for processing. That information may then be transferred within Canada or back out of Canada to other countries outside of the User's country of residence, depending on the type of information, and how it is stored by us. If transferred to another country, it may not have data protection laws that are as comprehensive or protective as those in the User's country of residence; however, our collection, storage, and use of the User's Personal Information will at all times be governed by this Privacy Policy. By visiting our Website, the User acknowledges this information, and by submitting any personal information onto our Website, hereby authorizes this transfer and processing of information.

4.4 By collecting and using the User's personal data, this Website is acting as a data controller, meaning we determine what information is collected, how long it is stored, and what the personal information will be used for. This Website utilizes a third-party company to act as a data processor, which stores information such as names and email addresses that make up our email list. To the best of our ability, we have researched and concluded that all third-party data processors we use have advised us they are compliant with the General Data Protection Regulations as well.

## **5. YOUR ACCESS TO, AND CONTROL OVER INFORMATION**

5.1 The User has the right to update, edit, or delete their information from our database. It is also within the User's right to opt-out of any future communications from us at any time by clicking the "unsubscribe" button at the bottom of any email we send the User from our list. Should the User wish to request access to information that the Company has about them, correct or edit any information, or unsubscribe from the Company's email list, and/or remove or delete their information from our database, the User also have the option to do so at any time, free of charge, by reaching out via the following email address to: [info@kimberleymithihp.com](mailto:info@kimberleymithihp.com)

- See what data this Company holds about the User, if any.

- Change/correct any data this Company holds about the User.
- Have us delete any data this Company holds about the User.
- Express any concern you have about this Company's use of the User's data.

## **6. UNSUBSCRIBE OR OPT-OUT**

6.1 All users and visitors to our Website have the option to discontinue receiving communications from us by way of email or newsletters. To discontinue or unsubscribe from our Website please send an email that you wish to unsubscribe to [info@kimberleymithihp.com](mailto:info@kimberleymithihp.com). We will continue to adhere to this Policy with respect to any personal information previously collected.

## **7. INFORMATION PROTECTION AND DISCLOSURE**

7.1 This Website and our Company take precautions to protect the User's information against unauthorized access, unlawful processing, accidental loss, destruction, and damage. Any information submitted to the Company via the Website is protected both online and offline. However, no method of transmission over the Internet or method of electronic storage is 100% guaranteed, therefore we can only guarantee a reasonable level of absolute security of the User's personally identifiable information.

7.2 Wherever this Website collects sensitive information (such as credit card data), that information is encrypted and transmitted to the Company in a secure way. The User can verify this by looking for a lock icon in the address bar and/or looking for "https" at the beginning of the address of the Web page.

7.3 While this Website uses encryption to protect sensitive information transmitted online, we also protect User information offline. Only employees who need the information to perform a specific job are granted access to personally identifiable information. The computers/servers in which we store personally identifiable information are kept in a secure environment.

7.4 Our Company has determined it is not required to appoint a Data Protection Officer, as our core activities do not consist of processing operations that require regular and systematic monitoring of data subjects nor do we process sensitive categories of data on a large scale.

## **8. HOW LONG WE KEEP YOUR INFORMATION**

8.1 The data this Website collects from the User will be stored no longer than necessary, based on how long User information remains relevant, the length of time it is reasonable to keep records to demonstrate that we have fulfilled our duties and obligations, any limitation periods prescribed by law within which claims might be made, the type of contract we have with the User, the existence of consent and our legitimate interest in keeping such information as stated in this Policy. In any event, only for as long as the Data Protection Legislation allows.

## **9. CALOPPA COMPLIANCE**

9.1 If the User is a California resident, they have the right to request information from the Company regarding the manner in which we use and/or store the User's personally identifiable information and share their information with third-parties. the User may contact us at the following email address: [info@kimberleymithihp.com](mailto:info@kimberleymithihp.com).

9.2 For more information about California Do Not Track and User rights as a California resident with respect to User Personal Information, please visit: [www.allaboutdnt.com](http://www.allaboutdnt.com).

## **10. GDPR COMPLIANCE:**

10.1 In order to ensure compliance with the European Union's General Data Protection Regulation ("GDPR") this Website and Company confirms we have lawful grounds for processing the information we collect from the User. If the User provides personal information via the Website "contact us" page or sends us any other form of electronic communication, we will process the User's data based upon our legitimate interest to respond to user or customer inquiries. If the User elects to receive communication from our Company by "opting in" and provides us with their name and email address in exchange for a free resource or training, or if the User makes a purchase from us, we will process User data for the purpose it was collected based on affirmative consent to do so, and may periodically send additional email marketing based upon our legitimate interest in marketing to those that have shown an interest in our products or services. The Company may also give the User the option to be added to our email list, in order to receive our newsletter, information about our products and services, and other information we believe may be of interest to the User based upon their decision to opt-in to one or more of our free resources, and will obtain User consent to do so. The User may withdraw consent at any time by contacting us and requesting your information be edited, updated, or deleted. We do not collect any sensitive data, nor any information regarding criminal offences or convictions.

10.2 The data controller responsible for the User's personal information for the purposes of GDPR compliance is: Kimberley Smith], [info@kimberleymithihp.com](mailto:info@kimberleymithihp.com).

For more information regarding the User's rights to their Personal Information in the European Union, please visit: [https://ec.europa.eu/info/law/law-topic/data-protection/reform/rights-citizens\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/reform/rights-citizens_en).

## **11. PIPEDA COMPLIANCE**

11.1 If the User is a resident of Canada and a user of this Website, they may request certain information regarding the disclosure of their Personal Information and shall be given access to that information. Individuals may also challenge the accuracy and completeness of the information the Company holds and have it amended as appropriate, if necessary.

11.2 For more information regarding the User's rights under Canada's Personal Information Protection and Electronic Documents Act, please visit: <https://www.priv.gc.ca/en/privacy-topics/privacy-laws-in-canada/the-personal-information-protection-and-electronic-documents-act-pipeda/>

## **12. GOVERNING LAW**

12.1 Any claim relating to the Company Website shall be governed by the laws of the Province of Ontario without regard to its conflict of law provisions.

## **13. HOW TO CONTACT US**

13.1 If the User has any questions or concerns regarding the Policy related to our Website, please feel free to contact us at the following email address: [info@kimberleymithip.com](mailto:info@kimberleymithip.com). If the User feels that we are not abiding by this Privacy Policy, they should contact us immediately.