

# ellement re:design

a division of ellement enterprises inc.

## Terms + Privacy Policy

*We know this is the boring part ... however these matters must be addressed!*

### Terms

You are restricted against ...

- Using any content, images or layout, in any way without written consent.
- Using our website to copy, send, use, publish or distribute any material which consists of (or is linked to) any computer virus, spyware, Trojan horse or other malicious computer software.
- Conducting any systematic or automated data collection activities (including without limitation scraping, data mining, data extraction and data harvesting) on or in relation to our website without our express written consent.
- Using our Website in any way or take action that causes damage to the Website or impairment of the availability or accessibility of the Website.
- Using our Website in any way that is unlawful, illegal, fraudulent or harmful.

### Privacy Policy

At ellement re:design, we are committed to providing our clients and students with exceptional service. As providing this service involves the collection, use and disclosure of some personal information about our clients and students, protecting their personal information is one of our highest priorities.

While we have always respected our clients and students privacy and safeguarded their personal information, we have strengthened our commitment to protecting personal information as a result of British Columbia's Personal Information Protection Act (PIPA). PIPA, which came into effect on January 1, 2004, sets out the ground rules for how B.C. businesses and not-for-profit organizations may collect, use and disclose personal information.

We will inform our clients and students of why and how we collect, use and disclose their personal information, obtain their consent where required, and only handle their personal information in a manner that a reasonable person would consider appropriate in the circumstances.

This Personal Information Protection Policy, in compliance with PIPA, outlines the principles and practices we will follow in protecting clients' and students' personal information. Our privacy commitment includes ensuring the accuracy, confidentiality, and security of our clients' and students' personal information and allowing our clients and students to request access to, and correction of, their personal information.

### **Scope of this Policy**

This policy also applies to any service providers collecting, using or disclosing personal information on behalf of ellement re:design.

### **Definitions**

**Personal Information** – means information about an identifiable individual [including name, home address and phone number]. Personal information does not include contact information (described below).

**Contact information** – means information that would enable an individual to be

contacted at a place of business and includes name, position name or title, business telephone number, business address, business email or business fax number. Contact information is not covered by this policy or PIPA.

**Privacy Officer** – means the individual designated responsibility for ensuring that ellement re:design complies with this policy and PIPA.

## **Policy 1 – Collecting Personal Information**

- 1.1 Unless the purposes for collecting personal information are obvious and the client and student voluntarily provides his or her personal information for those purposes, we will communicate the purposes for which personal information is being collected, either orally or in writing, before or at the time of collection.
- 1.2 We will only collect client and student information that is necessary to fulfill the following purposes:
  - To verify identity;
  - To identify client and student preferences;
  - To deliver requested products and services;
  - To enroll the student in a program;
  - To ensure a high standard of service to our clients and students.

## **Policy 2 – Consent**

- 2.1 We will obtain client and student consent to collect, use or disclose personal information (except where, as noted below, we are authorized to do so without consent).
- 2.2 Consent can be provided orally, in writing and/or electronically, through an authorized representative or it can be implied where the purpose for collecting using or disclosing the personal information would be considered obvious and the client and student voluntarily provides personal information for that purpose.
- 2.3 Consent may also be implied where a client and student is given notice and a reasonable opportunity to opt-out of his or her personal

information being used for mail-outs, the marketing of services or products and the client and student does not opt-out.

2.4 Subject to certain exceptions (e.g., the personal information is necessary to provide the service or product, or the withdrawal of consent would frustrate the performance of a legal obligation), client and student can withhold or withdraw their consent for element re:design to use their personal information in certain ways. A client's and student's decision to withhold or withdraw their consent to certain uses of personal information may restrict our ability to provide a particular service or product. If so, we will explain the situation to assist the client and student in making the decision.

2.5 We may collect, use or disclose personal information without the client's and student's knowledge or consent in the following limited circumstances:

- When the collection, use or disclosure of personal information is permitted or required by law;
- In an emergency that threatens an individual's life, health, or personal security;
- When the personal information is available from a public source (e.g., a telephone directory);
- When we require legal advice from a lawyer;
- For the purposes of collecting a debt;
- To protect ourselves from fraud;
- To investigate an anticipated breach of an agreement or a contravention of law.

### **Policy 3 – Using and Disclosing Personal Information**

3.1 We will only use or disclose client and student personal information where necessary to fulfill the purposes identified at the time of collection or for a purpose reasonably related to those purposes such as:

- To conduct client and student surveys in order to enhance the provision of our services;
- To contact our clients or Students directly about products and

services that may be of interest.

- 3.2 We will not use or disclose client and student personal information for any additional purpose unless we obtain consent to do so.
- 3.3 We will not sell client and student lists or personal information to other parties unless we have consent to do so.

#### **Policy 4 – Retaining Personal Information**

- 4.1 If we use client and student personal information to make a decision that directly affects the client and student we will retain that personal information for at least one year so that the client and student has a reasonable opportunity to request access to it.
- 4.2 Subject to policy 4.1, we will retain client and student personal information only as long as necessary to fulfill the identified purposes or a legal or business purpose.

#### **Policy 5 – Ensuring Accuracy of Personal Information**

- 5.1 We will make reasonable efforts to ensure that client and student personal information is accurate and complete where it may be used to make a decision about the client and student or disclosed to another organization.
- 5.2 Clients or Students may request correction to their personal information in order to ensure its accuracy and completeness. A request to correct personal information must be made in writing and provide sufficient detail to identify the personal information and the correction being sought.
- 5.3 If the personal information is demonstrated to be inaccurate or incomplete, we will correct the information as required and send the corrected information to any organization to which we disclosed the personal information in the previous year. If the correction is not made, we will note the clients' and students' correction request in the file.

#### **Policy 6 – Securing Personal Information**

- 6.1 We are committed to ensuring the security of client and student personal information in order to protect it from unauthorized access, collection, use, disclosure, copying, modification or disposal or similar risks.

- 6.2 The following security measures will be followed to ensure that client and student personal information is appropriately protected:  
encryption, firewalls.
- 6.3 We will use appropriate security measures when destroying client's and student's personal information such as shredding documents, deleting electronically stored information.
- 6.4 We will continually review and update our security policies and controls as technology changes to ensure ongoing personal information security.

### **Policy 7 – Providing Clients and Students Access to Personal Information**

- 7.1 Clients and Students have a right to access their personal information, subject to limited exceptions.
- 7.2 A request to access personal information must be made in writing and provide sufficient detail to identify the personal information being sought.
- 7.3 Upon request, we will also tell clients and students how we use their personal information and to whom it has been disclosed if applicable.
- 7.4 We will make the requested information available within 30 business days, or provide written notice of an extension where additional time is required to fulfill the request.
- 7.5 A minimal fee may be charged for providing access to personal information. Where a fee may apply, we will inform the client and student of the cost and request further direction from the client and student on whether or not we should proceed with the request.
- 7.6 If a request is refused in full or in part, we will notify the client and student in writing, providing the reasons for refusal and the recourse available to the client and student.

### **Policy 8 – Questions and Complaints: The Role of the Privacy Officer or designated individual**

- 8.1 Privacy Officer or designated individual is responsible for ensuring element re:design compliance with this policy and the Personal Information Protection Act.
- 8.2 Clients and Students should direct any complaints, concerns or questions regarding element re:designs' compliance in writing to the

Privacy Officer. If the Privacy Officer is unable to resolve the concern, the client and student may also write to the Information and Privacy Commissioner of British Columbia.

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