

## **PINNACLE MEDIATION PRIVACY POLICY**

### **Preamble**

At Pinnacle Mediation privacy of personal information is a priority. Accordingly, this Privacy Policy sets out how Pinnacle Mediation and its Affiliates (collectively “us”, “our”, or “we”) collect and use the personal information of our clients and other individuals (collectively “you”) who use our Services. By using our Services, you understand that we will collect and use your information as described in this Privacy Policy. We are committed to the responsible collection, use, and disclosure of personal information only in so far as it enables us to perform our Services or comply with the law or court order(s).

### **Personal Information Defined**

Personal information is information about an identifiable individual, which under the *Personal Information Protection and Electronic Documents Act* (PIPEDA) includes:

- name, race, ethnic origin, religion, marital status, educational level
- e-mail address and messages, IP (Internet protocol) address
- age, height, weight, medical records, blood type, DNA code, fingerprints, voiceprint
- income, purchases, spending habits, banking information, credit/debit card data, loan or credit reports, tax returns
- Social Insurance Number (SIN) or other identification numbers.

### **Pinnacle Mediation**

Pinnacle Mediation provides Mediation and other related services to clients and individuals seeking to resolve their issues. We are made up of a Mediator and contract independent part-time/full-time professionals and associate(s). We use consultants and agencies that may in the course of their duties, have limited access to personal information we hold. These may include but are not limited to computer technicians, accountants, legal services, and temporary workers.

### **Relevant Legislation**

This policy is made under the Personal Information Protection and Electronic Documents Act (“PIPEDA”). PIPEDA is a complex act which provides some additional exceptions to the privacy principles. Please be aware that there are some rare exceptions to the commitments set out in this Privacy Policy, and you should take the time to review PIPEDA to ensure you understand these exceptions and your rights under that Act.

### **Third Party Organizations**

In some cases, we may process your personal information pursuant to an agreement with a third-party organization. In those cases, the terms of that agreement may govern how we process your personal information. If you believe a third-party organization has asked us to process your personal information on their behalf, please consult with them in the first instance as they will be

responsible for how we process your information. This Privacy Policy does not apply to any third-party websites and apps that you may use, including any linked to in our Services. You should review the terms and policies for third-party websites and apps before clicking on any links.

### **Primary Purpose of Collecting Information**

Like all mediators and professionals, we collect and use personal information in order to serve our clients and to do the work we have been contracted for. Failing to collect such personal information, as noted in this Privacy Policy, would limit the efficiency and effectiveness of the services we provide to our clients. Information may also be collected for secondary reasons, such as to make a referral on your behalf, to invoice for services provided, collect on unpaid accounts, to provide information to a referral source, and for invoicing and paying Goods and Services Tax (GST).

### **Personal Information Sharing**

If Pinnacle Mediation was to be sold or its assets were sold, the purchaser would want to conduct a “due diligence” review of the organization’s records to ensure that it is a viable business that has been honestly portrayed to the purchaser. This may include some review of the accounting and service files. The purchaser would not be able to remove or record personal information. Before being given access to the files, the purchaser would be asked to sign consent requiring the purchaser to keep any information confidential. Only reputable purchasers who are genuinely interested in buying would be given access in order to complete their “due diligence” search prior to closing the purchase.

### **Disclosure of Information**

From time to time it may be necessary to share your personal information with other professionals, agencies, or individuals for a specific purpose related to our work with you. It would be rare to disclose such information without your written consent. However, in an emergency situation where we thought you might be a danger to yourself or anyone else, or in the event that we learn a child is in danger, consent need not be sought. If your file contains information about others, this information could not be shared without the consent of that individual, unless that person is part of or subject to the concerns mentioned above. Also, we may not obtain consent on occasions where we believe the client would consent if asked and it is impractical to obtain consent (e.g., a family member passing a message on from you, or for you, and we have no reason to believe that the message is not genuine).

### **How We Protect Your Personal Information**

We understand the importance of protecting personal information. For this reason, Pinnacle Mediation does the following:

- » Paper information is either under supervision or secured in a restricted area.
- » Electronic hardware is under supervision.
- » In addition, passwords are used on computers.
- » Paper information is transmitted through email only.
- » Staff are trained to collect, use and disclose personal information only as necessary to fulfill their duties and in accordance with our privacy policy.

- » Only reputable mail carriers or couriers are used.

### **Retention of Personal Information**

We need to retain personal information for some time to ensure that we can answer any questions you may have about the Services provided, for our own accountability to external regulating bodies such as Revenue Canada, and due to the nature of the work we do in relation to family law. We keep our court related child client files for up to ten years after the child turns 18. We keep our other client files for no less than ten years. We destroy paper files by shredding. We destroy electronic files by deleting them, and when the hardware is discarded, we ensure that the hard drive is physically destroyed.

### **Accessing Your File**

With some exceptions (e.g., information from other professionals or collateral resources, or if the information contained in the file is considered detrimental to your mental, physical or emotional health) you have the right to see what personal information is in your file. The regular hourly fee applies for the time it takes to review the file prior to disclosing it to you or copying it. Your request for information must be put in writing via email, addressed to Sherri Koven at [sherri@pinnaclemediate.com](mailto:sherri@pinnaclemediate.com), and will be responded to within 30 days of receipt of your request provided Sherri Koven is not absent on vacation, ill, or attending to another matter. Otherwise, it may take longer. If you believe there is a problem with the information such as a factual mistake, you can ask that it be corrected. This applies to factual information only and not to the perceptions or opinions of the professionals involved. We may ask you to provide documentation showing that our files are wrong. If there is a disagreement about the fact, or whether a mistake was made, a brief statement (email) from you will be included in the file disputing the information. If erroneous information has been sent to any third parties, such information will be corrected.

### **Minor's Privacy**

Our Services are not designed for and are not marketed to people under the age of 16 ("minors").

### **Changes to this Policy**

We may amend this Privacy Policy to reflect changes in the law, our Company, our Services, our data collection use and practices, or advances in technology. Our use of the personal information we collect is subject to the Privacy Policy in effect at the time such personal information is used. Depending on the type of change, we may notify you of the change by adding a notice on [pinnaclemediate.com](http://pinnaclemediate.com) or by email.

### **How to Contact Us**

For questions or complaints regarding our use of your personal information or Privacy Policy, please contact us at [sherri@pinnaclemediate.com](mailto:sherri@pinnaclemediate.com), Attention: Privacy. Upon receipt of your concern or question we will acknowledge it and investigate it. In most circumstances a response will be made by email. For further information or to learn more about PIPEDA, please direct your inquiries to the Office of the Privacy Commissioner of Canada at 30, Victoria Street Gatineau, Quebec, K1A 1H3, Toll-free: 1-800-282-1376 or Phone: (819) 994-5444, or go to <https://www.priv.gc.ca/en/contact-the-opc/>.