



*You belong.*

# KINDRED SPIRITS ORCHESTRA

## PRIVACY POLICY

*This Privacy Policy is effective as of November 11, 2019.*

Kindred Spirits Orchestra (“KSO”, “we”, “our”, “us”) recognizes the importance of your right to privacy and wants you to be familiar with how we collect, use and disclose any personal information that individually identifies you and our commitment to endeavour to meet our obligations under applicable Canadian privacy laws.

This Privacy Policy explains how we collect, use, disclose and protect your personal information when you use our website/mobile site (collectively, the “Site”) and our services, including our concerts and events (collectively, the “Services”). We will only collect, use and disclose your personal information in accordance with this Privacy Policy.

By using our Site and Services and supplying your personal information, you acknowledge that you have read and understood this Privacy Policy, and you agree and consent to the collection, use, disclosure and other processing of your personal information as outlined in this Privacy Policy. If you do not agree to the terms of this Privacy Policy, please do not use our Site or Services or supply your personal information to us.

### **1. What personal information do we collect?**

Personal information means any information about an identifiable individual. Anonymous data means data that is not associated with or linked to any individual’s personal information or will not easily permit the identification of individuals. KSO does not consider personal information to include Anonymous Data. The types of personal information that we may collect include, but is not limited to:

- your name;
- your physical address;
- your volunteer involvement;
- your email address;
- your telephone number;
- payment information
- your IP address; and
- personal information you give us that we did not request (such as personal information you voluntarily put into an email to us).

### **2. Purposes for collecting your personal information**

We collect, use and disclose your personal information in order to provide you with our Services. We also collect, use and disclose your personal information to comply with legal and regulatory requirements and as otherwise may be permitted or required by applicable laws. We will only use the personal information that we collect for the purposes for which it was collected. We collect your personal information for the following purposes and in accordance with applicable laws:

- to provide you with our Services;
- to contact you for fundraising purposes;
- to facilitate and process your registration for certain events and services;
- to manage our business operations;
- to respond to questions that you send by email or through our Site;
- to contact you about the Services, including notifying you about updates and events;
- subject to applicable law, to notify you about other services and events provided by KSO which may be of interest to you;
- subject to applicable law, to provide you with newsletters and articles;
- to customise the appearance of the Site and Services displayed to you;
- to obtain your feedback regarding our Services, including our surveys;
- to track behavioural information on the Site to serve similar content upon future visits;
- to improve the Site and Services and help us develop new services, apps and Site features;
- to support our business functions such as internal business processes, marketing and advertising; and
- to meet any legal or regulatory requirements.

### **3. When do we collect personal information?**

We may collect your personal information when you voluntarily provide it to us by using our Site and Services or from third party sources. For example, we may ask you to provide personal information if you:

- use our Site and our Services;
- send us a question or comment by email or phone;
- post comments or other content on our Site and our Services;
- register to receive newsletters, articles and updates about our Services; and
- otherwise participate in features of our Site and our Services that ask for personal information.

Any personal information posted, used or disclosed on a Facebook page, Instagram page, Flickr page, LinkedIn page, Twitter page, Telegram page or other social networking page or site is subject to that website's privacy policy, and is not subject to this Privacy Policy.

### **4. Limiting collection of personal Information**

We limit the collection of personal information to that which is necessary to fulfill the purposes identified in this Privacy Policy and we collect, use and disclose your personal information only in accordance with this Privacy Policy.

### **5. Use, disclosure and retention of personal Information**

Your personal information will not be used without your consent for purposes other than those for which it was collected or in accordance with applicable laws. From time to time, we may wish to use personal information for new or additional purposes, in which case we will amend the Privacy Policy to include these new or additional purposes and will obtain your consent through your continued use of our Site and Services. We will also let you know when this Privacy Policy is updated.

We may generate Anonymous Data from personal information collected through the Site and Services by removing information that makes the data personally identifiable to an individual. Such Anonymous Data

includes, but is not limited to, information we collect from your use of our Site and Services. We may use this Anonymous Data and aggregated data for any reasonable purpose subject to applicable laws and disclose such data to third parties in our sole discretion.

We retain your personal information only for as long as we need it to fulfill the purposes for which it was collected, to meet and comply with our legal obligations.

We may also use and disclose your personal information to service providers, data processors and other third parties ("**Third Parties**") under the following limited circumstances:

- to Third Parties that help with our operations and Site and Services including, without limitation, for customer services, our business operations, including monitoring and analyzing Site activity, and operating and maintaining the Site. Such Third Parties may only use your personal information for the purposes described in this Privacy Policy;
- when necessary to protect our safety, property or other rights, our representatives, customers and users of the Site, including to detect and prevent fraud;
- if we sell or transfer all or a portion of our business or assets to a related company or a third party. Your personal information will remain subject to our pre-existing Privacy Policy unless you agree to the privacy policy of the company or third party that acquires your personal information;
- with your consent; or
- when otherwise required or permitted by law.

## **6. Data processors in other countries**

As discussed above, we may engage Third Parties to perform certain services on our behalf and to otherwise provide the Services. These Third Parties may store, process and transfer personal information on servers located outside of Canada in jurisdictions whose data protection laws may differ from those of Canada, such as the United States of America. As a result, personal information may be subject to access requests from governments, courts, or law enforcement in those jurisdictions according to the laws in those jurisdictions. For example, information may be shared in response to valid demands or requests from government authorities, courts and law enforcement officials in those countries. Subject to applicable laws in such other jurisdictions, we will use reasonable efforts to ensure that appropriate protections are in place to require our Third Parties to maintain protections on personal information that are equivalent to those that apply in Canada.

## **7. Providing payment information**

We use Third Parties to process transactions through our Site and Services. At present, when you click "Buy Tickets" on our Site to purchase a single ticket to our Services, you will be redirected to a page operated by Flato Markham Theatre ("**FMT**"), Richmond Hill Centre ("**RHC**") or TicketPro. If you click "Subscribe" on our Site to purchase a series of tickets to our Services you will be redirected to a page operated by Squarespace Ireland Limited ("**Squarespace**", with FMT and Squarespace collectively referred to as the "**Third Party Processors**"). Your access and use of the Third Party Processors will be subject to the Terms of Service and Privacy Policy of such Third Party Processors. We have used commercially reasonable efforts to select appropriate Third Party Processors who will maintain the confidentiality and security of your payment information. The Third Party Processors will collect payment information from you, such as your credit card numbers and expiration dates, and any other personal information necessary to process your payment.

KSO and the Third Party Processors will send emails to you regarding the processing of your online payment. Your use of the Third Party Processors is governed by the agreement between you and those third party providers.

If you have any questions or concerns about your payment information or your agreement with FMT, please contact FMT at 1 905-305-7469. If you have any questions or concerns about your payment information or your agreement with RHC, please contact RHC at 1 905-787-8811. If you have any questions or concerns about your payment information or your agreement with TicketPro, please contact TicketPro at ticketpro.ca. If you have any questions or concerns about your payment information or your agreement with Squarespace, please contact Squarespace at squarespace.com.

If you have any questions or concerns about your payment information or your agreement with Ticketpro Canada, please contact Ticketpro at 1- 888 655-9090.

## **8. Links to other sites**

Our Site may contain links to other sites that are independently owned and operated by third parties. These other sites may have their own privacy policies and are not governed by this Privacy Policy. We are not responsible for the privacy practices or the content of any sites owned and operated by any third parties. Other sites may collect and treat information collected differently, so we encourage you to carefully read and review the privacy policy of each site you visit.

## **9. Cookies, web beacons and other similar technology**

As you interact with this Site and Services, we may use automatic data collection technology and services that record and collect information that identifies your computer, tracks your use of this Site and Services and collects certain other information about you and your surfing habits. This data collection technology may include cookies, web beacons and other similar devices on this Site and Services to enhance functionality and navigation for our visitors.

A cookie is a small data file that is placed on the hard drive of your computer so that your computer will “remember” information when you visit a site. Web beacons and tags are small strings of code that are used in conjunction with a cookie and allow us to record activity on our Site. Internet tags, graphic tags and similar web beacon type functions allow us to count the number of users who have visited a particular web page or to access certain cookies. We may use web beacons on this Site to count users and to recognize users by accessing our cookies. Being able to access our cookies allows us to personalize this Site and improve your experience at our Site. We may also include web beacons in HTML-formatted e-mail messages that we send to determine which e-mail messages were opened. Information tracked through these mechanisms includes, but is not limited to: (i) your IP address; (ii) the type of web browser and operating system being used; (iii) the pages of the Site a user visits; and (iv) other sites a user visited before visiting our Site.

We may also employ cookies and action tags (also known as single pixel gifs or web beacons) to collect information about your use of, and activities on our Site for our use but also for use by third parties that serve advertisements about KSO on other sites you may visit. For instance, we may use Third Party programs/services, such as AdWords run by Google Inc. (“Google”) to serve advertisements on our behalf across the Internet. These Third Party program/services may collect information about your visits to our Site, and your interactions with

our Services. In addition to the information about your visits to our Site, Third Parties may also use information about your visits to other sites to target advertisements for services available from KSO.

You can set your internet browser up so that you are notified when cookies are stored, you can decide in each individual case whether you want to accept cookies, or you can refuse to accept any cookies. However, if you do not accept cookies, you may be restricted in how you are able to use our Site. You can delete cookies that are already stored on your hard disk at any time. You will find more details on how to do this in the operating guide for your Internet browser program.

As described above, you may be able to set your browser to refuse cookies. If you refuse cookies you may still receive online advertising, but it may be less personalized.

## **10. Third party analytics**

Our Site uses third party analytics services such as Google Analytics, a web analytics service of Google. Google Analytics uses cookies to analyze how you use our Site. The information generated by the cookie about your use of our Site (including your IP address) is sent to a Google server in the U.S. and stored there. Google will use this information to evaluate your use of our Site, compile reports on Site activity for our Site operators and to provide other site activity related internet services. Additionally, Google may transfer this information to a third party when required by law or in the case of a third party processing information on Google's behalf. In no case will Google use your IP address in connection with any other information held by Google. You can set your internet browser to prohibit the installation of cookies, although we must point out that some features and functions of our Site will then be unusable. By using our Site, you consent to the processing of data about you collected by Google in the manner described and for the above-mentioned purpose. The consent for collection and storage of data can be withdrawn at any time in the future by clicking on the following link: <https://tools.google.com/dlpage/gaoptout?hl=en>. Given the debate concerning the use of analytical tools using full IP addresses, we wish to point out that our Site uses the "Anonymize IP" function of Google Analytics that works with a shortened form of IP addresses to avoid direct personal identification.

We also use cookies to carry out frequency assessments, page usage assessments and marketing assessments. For these assessments, we use this cookie information without a link to your personal information, so it is completely anonymous.

## **11. Security**

We maintain reasonable technical, physical and administrative security safeguards to protect your personal information against loss, theft, and unauthorized access. Any personal information that you provide to us is exchanged on a secured server. Unfortunately, no data transmission over the Internet can be guaranteed to be 100% secure. As a result, while we are committed to protecting your personal information, we cannot ensure or warrant the security of any information you provide to us.

We take reasonable steps to verify your identity before granting you access to your account on our Site, however, you are solely responsible for maintaining the secrecy of your username, password and any other account information. We also take reasonable steps to ensure that our employees are aware of the importance of maintaining the confidentiality of personal information and that unauthorized persons do not gain access to personal information that we have disposed of or destroyed.

## **12. Individual access and accuracy of personal information**

You may request access to your personal information which we may hold by contacting us at the contact information set forth below, and we will respond within the time periods provided for under applicable laws. We will need to verify your identity before providing you with the personal information we hold about you. There is no cost for such access request unless you require copies of records. We may not be able to provide you with access to your personal information if the information cannot be separated from the personal information of others, cannot be disclosed for reasons of security or commercial confidentiality, or is protected by legal privilege. If we cannot provide you with access to your personal information, we will advise you of the reasons access is being denied, unless we are prohibited by law from doing so.

You may request to update and change your personal information at the contact information set forth below. We will endeavor to correct or complete any personal information which you advise us is inaccurate or incomplete. Where appropriate, the amended information will be transmitted to third parties having access to such information.

## **13. Children's privacy**

We are committed to protecting the privacy of children and we do not knowingly solicit personal information from children under the age of 13. If a child has already provided us with personal information, his or her parent or guardian may contact us for the purpose of deleting this information.

## **14. Electronic communications**

As part of signing up to receive the Services, you may have also opted in to receive email communications from us. If you opted-in to receive such communications, we may use the information to: communicate with you regarding our products, Services and promotions; provide you with other information that you request; and/or improve our product and service offerings.

You will always have the opportunity to "unsubscribe" from receiving any of our e-mail or other communications at any time and we will ensure that our e-mails include instructions on how to unsubscribe if you no longer wish to receive future e-mails from us. We provide an on-going opportunity to unsubscribe or opt-out of contact by us by accessing our Site or by e-mail to [GM@ksorchestra.ca](mailto:GM@ksorchestra.ca) or at the following telephone number: 905.604.8339.

If you decide to unsubscribe, we will only contact you (i) for the purposes allowed under applicable law; (ii) to send you notices of changes to our Privacy Policy; or (iii) to receive Service related messages.

## **15. Changes to this Privacy Policy**

We reserve the right to change or replace this Privacy Policy at our sole discretion at any time. Please check back from time to time to ensure that you are aware of any updates or changes in this Privacy Policy. We will post the most current version on our Site and we will indicate at the top of this page the date this Privacy Policy was last revised. Your continued access or use of this Site after any such changes constitutes your acceptance of the Privacy Policy as revised.

## **16. Your consent to the terms of this Privacy Policy**

By using our Services and providing us with your personal information, you agree that KSO may collect your personal information and you voluntarily consent to the collection, use, disclosure and transfer of your personal information in accordance with this Privacy Policy. If you do not agree with any terms of this Privacy Policy, please do not use our Site or our Services or provide us with any personal information. If you do not understand the nature, purpose and consequences of us collecting, using and disclosing your personal information, please do not use our Site or our Services or provide us with any personal information, and contact us at the contact information set forth below so that we can address your questions or concerns.

Subject to legal and contractual requirements, you may refuse or withdraw your consent to certain of the purposes identified in this Privacy Policy at any time by contacting us at the contact information set forth below. If you refuse or withdraw your consent, you acknowledge that we may not be able to provide you or continue to provide you with certain services or information that may be of value to you.

## **17. How to contact us**

We welcome your feedback. If you have questions, comments or concerns about this Privacy Policy, or would like to do any of the following:

- see your personal information that you have already sent us so that you can correct, update or delete it from our files;
- if your child under 13 has used this Site and sent us personal information, delete that personal information from our files;
- ask that we not send you electronic communications or otherwise contact you; or
- report any violation of this Privacy Policy,

Please contact us at [GM@ksorchestra.ca.com](mailto:GM@ksorchestra.ca.com) or at the following telephone number: 905.604.8339 and we will endeavour to get back to you promptly.