

Last updated on: September \_\_\_\_\_, 2023

## Privacy Policy – B.C.H. Consultants

### Overview

#### Means

##### **Personal information is collected:**

- Automatically from visitors (hereinafter, “**Visitors**”) to the website [www.consultantsbch.com](http://www.consultantsbch.com) (hereinafter, the “**Site**”);
- From Visitors making appointments;
- From Visitors making an online payment;
- Through cookies;
- From Visitors applying for a job; and
- From Visitors wishing to apply for a position as an affiliated professional (hereinafter “**Affiliate**”).

#### Purpose

##### **Personal information is collected and used for the following purposes:**

- Put you in contact with a service provider;
- Process your transactions made at the Site;
- Promote BCH’s services;
- Promote the Site;
- Answer your questions (if applicable);
- Assess any application submitted to one of our job postings, to a position as an Affiliate, or by any person wishing to make an unsolicited application for a job or position as an Affiliate;
- Contact you if, for example, we wish to offer you a job or position as an Affiliate or obtain more information about your application for employment or collaboration;
- Establish collaboration with a candidate for an Affiliate position and our organization;
- Meet applicable legal and regulatory privacy requirements;
- Protect your rights (such as to ensure that unauthorized third parties do not access your personal information);
- Protect the property or security of BCH and the Site (for instance, we may use your personal information in a dispute between you and BCH or identify and prevent access to our Site using “bots”;
- Facilitate the use of our Site and improve its performance;
- Maintain our databases and administrative systems;
- Ensure the functionality of the Site;
- Count the number of visits to the Site in order to measure its performance;

- Identify the most popular pages on the Site in order to measure their performance, interest in them and the interest of our potential clients in our services;
- Identify the technology (e.g., operating system and browser) used by Visitors to ensure compatibility of the Site and its content;
- Identify the relevant websites with links to our Site in order to assess their capacity to provide us with visits to our Site;
- Identify the country of origin of Visitors to the Site in order to determine whether they can use our services and identify the applicable legal system;
- Assess the effectiveness of the Site in acquiring and retaining Visitors;
- Obtain or create statistics that enable us to assess Site performance;
- Communicate information on BCH's Services and activities;
- Ensure compliance with our Terms of Use accessible via the following hyperlink: [Insert Hyperlink here];
- Disclose your information for the purposes and to the entities listed in **TABLE: List of cookies provided or used by third parties**.

#### Communication

##### **Personal information is disclosed to the following entities:**

- Service providers affiliated with BCH;
- Our web and cloud service providers;
- Our telephone call management service providers (call centres);
- Our payment solution providers ("**Secure Payment Platform Provider**"); and
- To all persons listed in **TABLE: List of cookies provided or used by third parties** for the purposes indicated therein.

#### Important information

Some personal information is disclosed **outside Quebec**;

Some personal information is used and disclosed for purposes of **profiling and identification**. The collection and use of Personal Information for purposes of **profiling** and **identification** are disabled by default. You can activate these functions by authorizing the collection of personal information for profiling purposes by approving the selection in the pop-up window displayed when you access our Site. You can also authorize this function in our privacy settings.

#### Your rights

By law, you have the right of [access](#), [correct](#) and [withdraw consent](#) to your personal Information. For more information on your rights, please refer to sections **8** to **11** of this Policy.

You may also submit a **complaint** by following the instructions indicated in section **12** of this Policy.

### Implied consent

Any person using the Site or communicating with BCH consents to the collection, use and disclosure of their personal information for the purposes mentioned above and to the entities listed in **TABLE: List of cookies provided or used by third parties** and in section 3.

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## PRIVACY POLICY – BCH

### 1. Aim of the Policy

**Legislative framework.** In accordance with the *Act Respecting the Protection of Personal Information in the Private Sector (CQLR, c. P-39.1)*, as amended by *An Act to Modernize Legislative Provisions as Regards the Protection of Personal Information*, 9052-5320 Québec inc. (collectively, “**BCH Consultants**”, “**we**,” “**us**” or “**our**”) has set up measures to protect your personal information.

**Aim of the Policy.** This Privacy Policy (hereinafter, the “**Policy**”) governs BCH Consultants’ privacy practices with respect to Personal Information that you voluntarily share with us when you visit BCH Consultants’ website, namely [www.consultantsbch.com](http://www.consultantsbch.com) (hereinafter, the “**Site**”), by contacting us via social media or when you contact us through the means of your choice (e.g., telephone, email). The main purpose of this Policy is to inform you about:

- The personal information we collect from you and for what purposes;
- How we use your personal information;
- To whom we may disclose your personal information;
- Your choices regarding the collection and use of personal information;
- The types of security procedures in place to protect your personal information;
- Your rights with respect to this personal information (right to access, correct and withdraw consent);
- Retention and destruction of your personal information; and
- How to contact us if you have any questions, comments or would like to submit a complaint.

### 2. What personal information do we collect and for what purposes?

#### 2.1. Personal information that is collected

**Collection.** When you access the Site, contact us by phone or email or fill out a form, we may collect the following personal information that relates to you:

- First and last names;
- Phone number;
- Email address;
- Date of birth;
- Employment status and years of experience;

- Your employer’s name;
- Name and size of your business;
- Your function at your company;
- Your relationship with the EAP holder;
- Certain details relating to your lifestyle;
- Details about your leave, if applicable;
- Your work schedule;
- Your psychological history (including any suicide attempts and suicidal ideation);
- Reasons that led you to see a Service Provider affiliated with BCH Consultants;
- Progress notes and interview notes following your consultations;
- Your payment information, including credit card number; and
- Any other personal information that you decide, of your own accord, to disclose to us relating to the provision of our services or those of an affiliated Service Provider.

**Collection via cookies.** Personal information may also be collected through cookies. A cookie is a small data file stored on the device of the visitor to the Site (hereinafter, a “**Visitor**”) by a Site server.

## **2.2. Personal information collected from candidates**

**Application form.** A Visitor may apply to become an Affiliate of BCH Consultants at the Site at <https://www.consultantsbch.com/en/our-professionals/>

**Personal information collected from candidates.** The following personal information is collected from candidates:

- First and last names;
- Email address;
- Phone number;
- Profession;
- Education;
- Tax numbers;
- Hourly rate;

- The personal information contained in the curriculum vitae you provide; and
- Any other personal information that you decide, of your own accord, to disclose to us that is related to the collaboration application.

**Means of collection.** When you apply to become an Associate, you will provide us with the above-mentioned personal information via a web form or by email.

### **2.3. Personal information collected by third-party cookies**

**Third parties collecting personal information via cookies.** Our Site has cookies from:

- **Google;** and
- **Tawkto.**

**Communication outside Quebec.** Some of these cookies will disclose Personal Information outside Quebec.

**List of cookies provided or used by third parties.** For more information on the purposes and use of personal information by such third parties, see our ***TABLE: List of cookies provided or used by third parties.***

**TABLE: List of cookies provided or used by third parties**

Third parties / sources of cookies	Names of cookies used	Declared purposes assigned to the cookies	Links to relevant documentation provided by third parties.
<p><b>Google</b> (Google Analytics)</p>	<p>_ga _gid gcl_au</p>	<p>Assign a <b>unique ID</b> to visitors to the Site for <b>statistical purposes</b>.</p> <p>Count the number of visitors on each page.</p> <p><b>Assess the effectiveness of ads</b> across multiple websites.</p> <p><b>Display ads</b> on websites not owned by Google.</p> <p>Counter <b>fraud, spam</b> or other forms of <b>abuse</b> by preventing malicious sites from acting on behalf of a Visitor without their consent.</p>	<p><b>Google privacy policy:</b> <a href="https://policies.google.com/privacy?hl=en">https://policies.google.com/privacy?hl=en</a></p> <p><b>How Google uses cookies:</b> <a href="https://policies.google.com/technologies/cookies?hl=en">https://policies.google.com/technologies/cookies?hl=en</a></p>
<p><b>Tawkto</b></p>	<p>twk_idm_key TawkConnectionTime twk_uuid_5f73a9914704467e89f357fb</p>	<p>Enable the <b>live chat</b> function at the Site, ensure continuity of conversations between the different pages, and store <b>Visitors' preferences</b> related to the Tawk.to chat widget.</p>	<p><b>Tawkto privacy policy:</b> <a href="https://www.tawk.to/privacy-policy/">https://www.tawk.to/privacy-policy/</a></p> <p><b>Tawkto data protection policy:</b> <a href="https://www.tawk.to/data-protection/">https://www.tawk.to/data-protection/</a></p>

**3. For what purposes do we collect this personal information and to whom do we disclose your personal information?**

**3.1. What is the personal information used for?**

**Purpose of personal information.** We also collect the information for the following purposes:

- Put you in contact with a service provider;
- Process your transactions made at the Site;
- Promote the services offered by BCH Consultants;



- Promote the Site;
- Answer your questions (if applicable);
- Assess any application submitted to one of our job postings, to a position as an Affiliate, or by any person wishing to make an unsolicited application for a job or position as an Affiliate;
- Contact you if, for example, we wish to offer you a job or position as an Affiliate or obtain more information about your application for employment or collaboration;
- Establish collaboration with a candidate for an Affiliate position and our organization;
- Meet applicable legal and regulatory privacy requirements;
- Protect your rights (such as to ensure that unauthorized third parties do not access your personal information);
- Protect the property or security of BCH and the Site (for instance, we may use your personal information in a dispute between you and BCH or identify and prevent access to our Site using "bots");
- Facilitate the use of our Site and improve its performance;
- Maintain our databases and administrative systems;
- Ensure the functionality of the Site;
- Count the number of visits to the Site in order to measure its performance;
- Identify the most popular pages on the Site in order to measure their performance, interest in them and the interest of our potential clients in our services;
- Identify the technology (e.g., operating system and browser) used by Visitors to ensure compatibility of the Site and its content;
- Identify the relevant websites with links to our Site in order to assess their capacity to provide us with visits to our Site;
- Identify the country of origin of Visitors to the Site in order to determine whether they can use our services and identify the applicable legal system;
- Assess the effectiveness of the Site in acquiring and retaining Visitors;
- Obtain or create statistics that enable us to assess Site performance;
- Communicate information on BCH Consultants' Services and activities;
- Ensure compliance with our Terms of Use accessible via the following hyperlink:  
<https://www.consultantsbch.com/en/terms-of-use/>;

- Disclose your information for the purposes and to the entities listed in the above-mentioned table entitled **TABLE: List of cookies provided or used by third parties**.

**New purposes (if applicable).** We will notify you and make sure to obtain any necessary consent for the collection, use or disclosure for any purposes other than those listed above, if applicable.

### **3.2. Collection and use of personal information for profiling purposes**

**Consent to collect personal information for profiling purposes.** As a result of the use of the aforementioned cookies, we use our Visitors' Personal Information for **profiling** and **identification** purposes. The collection and use of Personal Information for purposes of **profiling** and **identification** are disabled by default. You can activate these functions by consenting to the collection of personal information for **profiling** and **identification** purposes by approving the selection in the pop-up window displayed when you access our Site. You can also authorize this function in our privacy settings.

**Minors under 14.** We do not collect personal information from minors under the age of 14 without obtaining the parent or guardian's prior consent. We have a specific consent form when we offer our services to minors under the age of 14 to ensure that we obtain valid consent from the parent or guardian.

### **3.3. To whom is the personal information disclosed?**

Personal information is disclosed to the following entities:

- Service providers affiliated with BCH Consultants;
- Our web and cloud service providers;
- Our telephone call management service providers (call centres);
- Our payment solution providers ("**Secure Payment Platform Provider**"); and
- To all persons listed in TABLE: List of cookies provided or used by third parties for the purposes indicated therein.

In addition, when a payment is made by the Secure Payment Platform Provider's secure transaction system, which is a separate database outside the Site, you must provide your card number, expiry date (if applicable), name of the registered holder and any other information necessary to complete a payment. You will have the option, at your discretion, to agree to have the payment information stored in your account with the Secure Payment Platform Provider. You acknowledge and agree that any data and personal information associated with a payment that may be entered and stored in your account on the Secure Payment Platform Provider's secure transaction system will then be held by the Secure Payment Platform Provider and not by BCH Consultants.

**Communication outside Quebec.** BCH Consultants may disclose your personal information to third parties in the categories listed above who operate outside Quebec. To that end, BCH Consultants conducts a Privacy Impact Assessment with each of these third parties and ensures at all times that when your information is disclosed outside Quebec, it is properly protected, particularly with regard to generally accepted privacy principles. Accordingly, your personal information will sometimes be disclosed outside Quebec.

**Disclosures without consent permitted under the law.** We may also disclose your personal information without your consent in circumstances where it is permitted or required by applicable law.

#### **4. Consent**

**Implied consent.** Any person using the Site or communicating with BCH Consultants consents to the collection, use and disclosure of their personal information for the purposes mentioned above and to the entities mentioned above (see sections 2 and 3).

#### **5. How long do we keep your personal information?**

**Destruction of personal information on completion of purposes except where a retention period is required by law.** In accordance with our procedures for the secure retention and destruction of personal information, we only retain personal information for as long as necessary for the purpose for which it was intended and to comply with our legal obligations. After this time, personal information will be securely and confidentially destroyed. If you would like to know the retention periods for your personal information, you can contact our Privacy Officer by email at [confidentialite@consultantsbch.com](mailto:confidentialite@consultantsbch.com).

#### **6. How do we protect your personal information?**

**Safeguards.** We use physical, technological and administrative safeguards to protect your personal information and reduce the risk of unauthorized and/or illegal access, use, disclosure and destruction. Without limiting the generality of the preceding:

- **Minimization:** we consciously limit the personal information we collect. We only collect personal information as needed for the purposes identified in section 3 - *For what purposes do we collect this personal information and to whom do we disclose your personal information?*
- **Backups:** We do cloud backups of our critical data three times a day. We use professional backup solutions to ensure the availability and integrity of your data in the event of a security incident or data loss. This backup also allows long-term data archiving with unlimited retention time.
- **Encryption:** we secure the retention of your personal information using encryption methods;
- **Proactive maintenance:** we regularly update our operating systems;

- **Firewall:** we monitor and filter traffic and close any unused ports;
- **Isolation:** we use virtualization methods for isolation;
- **DDoS protection:** we implement risk detection and mitigation measures for DDoS attacks;
- **Confidentiality commitments:** we require each employee, service provider, professional and representative with access to your personal information to sign a confidentiality agreement;
- **Training:** We ensure that all our employees and representatives with access to your Personal Information are properly trained and vigilant with respect to privacy and the protection of personal information, and provide them with several annual training sessions to ensure that this level of vigilance is maintained;
- **Limiting access:** we limit access to your personal information to employees and Affiliates who require such access in order to pursue any of the purposes listed in section 3 - *For what purposes do we collect this personal information and to whom do we disclose your personal information?*;
- **Retention schedule:** we maintain a retention schedule that allows us to ensure that your personal information will be promptly destroyed upon completion of its purpose or expiration of any applicable legal retention period;
- **Destruction:** The destruction of documents and electronic data storage devices are handled by our service provider on a monthly basis. To ensure the complete destruction of electronic data storage devices, they are melted in a foundry; and
- **Privacy incident log:** we maintain a privacy incident log in accordance with applicable legislation. In the event of a privacy incident that poses a risk of serious harm to you, we will take the necessary steps to notify you, in accordance with applicable legislation.

**Visitor protection measures.** When some of our Services are provided to you virtually, in particular by videoconference, we recommend that the meeting be held in a private and safe location where you will be able to converse freely and confidentially. Our Affiliates use various measures to guarantee the confidentiality of the sessions, notably by using a secure Internet connection and an encrypted videoconference platform. Although measures are taken to guarantee the confidentiality of videoconference sessions, there may be breaches of confidentiality outside the control of BCH Consultants and the Affiliate. As such, it is your responsibility to take the necessary measures to ensure the confidentiality of your information with regard to your Internet connection, the software on your computer, and your management of computer data.

**No guarantee.** However, no method of Internet transmission or electronic storage is 100% secure. Therefore, we are unable to ensure or guarantee the security of the information you provide to us. There will always be risks to any disclosure of personal information. Nor can we guarantee that such information will not be viewed, obtained, disclosed, altered or destroyed as a result of a

breach of our physical, technical or administrative safeguards. If you have reason to believe that personal information has been compromised, please contact us at the contact information provided in the section of this Policy.

## **7. Visitor's choice**

**Changes to cookie settings on your web browser.** You can manage how your personal information is handled by cookies by changing your browser settings. For more information on how to change your browser settings, refer to the information provided. For example, click [here](#) for Google Chrome, [here](#) for Mozilla Firefox or [here](#) for Microsoft Edge. However, not allowing cookies may hinder or limit your access to certain features of our Site.

## **8. Withdrawing your consent to disclosure or use**

**Your right to withdraw your consent to disclosure or use.** Subject to applicable laws and your contractual obligations, you may withdraw or modify your consent to the use or disclosure of your personal information. To do so, please contact our Privacy Officer (see section **11 - Procedure for submitting a request to access, correct or withdraw consent**). However, if you withdraw your consent to certain uses or certain disclosures of your personal information, we may no longer be able to provide you with certain services or the quality of our services may be affected. We will inform you of the consequences of your choice before accepting your request to withdraw consent.

## **9. Accessing your Personal Information**

**Content of right to access.** You have the right to access your personal information. As such, you can ask us to:

- Inform you of the existence of personal information about you;
- Have your personal information disclosed to you;
- Access the personal information we keep about you by allowing you to review the information on site during regular working hours or remotely and obtain a copy of it; and
- As of September 22, 2024 only, ask us to share any information collected from you (excluding personal information created or inferred from personal information about you) in a structured and commonly used technology format. You may also ask us, starting on September 22, 2024, to disclose your personal information in this manner to any person or body authorized by law to collect the personal information.

**Reasonable fees.** Reasonable fees may be charged for the transcription, reproduction or transmission of your personal information. We will notify you of these fees prior to the transcription, reproduction or transcription of personal information.

**Applicable procedure.** Requests for access must be submitted to our Privacy Officer as per the procedure set out in **11 - Procedure for submitting a request to access, correct or withdraw consent**. Please note that the law may prevent us from accepting an access request for a number of reasons.

## **10. How to correct your personal information**

**Content of right to correct.** You may also submit a request to correct your personal information. You may submit a request to correct your personal information to us under the following circumstances:

- Your personal information is incorrect;
- Your personal information is incomplete;
- Your personal information is ambiguous;
- The collection, disclosure or retention of your personal information was not authorized by law.

**Destruction of personal information.** You may also ask us, in a correction request, to destroy any personal information collected or retained if the collection, disclosure or retention of your personal information was not authorized by law.

**Delivery of a copy or certificate.** If we grant you your correction request, you may ask us to provide you with a copy of any personal information that has been amended or added, or, as the case may be, a certificate attesting to the withdrawal of personal information.

**Applicable procedure.** Correction requests must be submitted to our Privacy Officer as per the procedure set out in 11 - Procedure for submitting a request to access, correct or withdraw consent. Please note that the law may prevent us from accepting an correction request for a number of reasons.

## **11. Procedure for submitting a request to access, correct or withdraw consent**

**Procedure.** To be considered, all requests under sections **8** to **10** must be submitted in writing to our Privacy Officer at [confidentialite@consultantsBCH.com](mailto:confidentialite@consultantsBCH.com).

**Obligation to prove your identity.** You will need to prove your identity before we can approve your request.

**Response times.** We have a legal obligation to respond (positively or negatively) to any request for access or correction within thirty (30) days of receipt of such a request and confirmation of your identity. We may deny a request in accordance with applicable privacy laws.

## **12. Complaint procedure**

**Complaint procedure.** You may submit a complaint about our personal information governance or privacy practices to our Privacy Officer by email to [confidentialite@consultantsbch.com](mailto:confidentialite@consultantsbch.com).

**Duty to assist or question.** You may also contact our Privacy Officer if you have any questions about your right to access, correct or withdraw consent. You may also request the Privacy Officer's assistance with the submission of your requests for access, correction or withdrawal of consent, or, where applicable, to better understand the reasons for any of these requests being denied.

**Complaints to the Commission d'accès à l'information.** If you are not satisfied with our response to your complaint or any of your requests for access, correction or withdrawal of consent, you may submit a complaint in writing to the *Commission d'accès à l'information du Québec*. To do so, you may refer to the complaint form of the *Commission d'accès à l'information du Québec* available at <https://www.cai.gouv.qc.ca/english/>.

## **13. Updates to this Policy**

**Possible changes.** We may make changes to this Policy from time to time in accordance with applicable laws. We will notify you of any changes to this Policy by indicating the date of the last changes at the beginning of this Policy. If we have your email address, we will also provide you with a notification listing any changes to this Policy.

**Implied consent to changes.** Your continued use of the Site or the fact that you provide us with personal information following the posting of changes to this Policy means that you implicitly agree to the changes made to this Policy, subject to the provisions of applicable laws.

## **14. Beware of third-party websites**

**No liability.** BCH Consultants is not responsible for any information that may be collected, used or disclosed by any third party website that you visit, and BCH Consultants expressly disclaims any liability for such collection, use, disclosure or retention by that third party.

## **15. Privacy Officer's contact information**

**Questions or comments.** If you have any questions or comments about this Policy or our practices with respect to your Personal Information, you may contact Joannie Gauthier, President and Executive Director and Privacy Officer (the "**Privacy Officer**") by email at [confidentialite@consultantsbch.com](mailto:confidentialite@consultantsbch.com) or mail at:

B.C.H. Consultants  
Attention: Joannie Gauthier  
Privacy Officer  
200-94 Avenue du Lac  
Rouyn-Noranda (Québec), J9X 4N4