

PRIVACY POLICY

This Privacy Policy (this “**Policy**”) describes the practices of Whimble Care Inc. (“**we**”, “**us**”, “**our**”, “**Whimble**”) with respect to our collection, use, storage, and disclosure of personal information (“**Personal Information**”) provided to us from clients of (a) the website at www.whimble.ca (the “**Website**”), and (b) the services we provide through the Software (collectively, the “**Service**”). It also describes the choices available to you regarding our use of our Personal Information and how you can access and update this information.

This Privacy Policy forms part of our Terms of Service at <https://www.whimble.ca/terms-and-conditions>, which we encourage you to review.

1. Definitions

- a. “**Applicable Privacy Laws**” means laws applicable to the collection, use and disclosure of your personal information by us, including PHIPA and the Personal Information Protection and Electronic Documents Act.
- b. “**Independent Contractor**” or “**Independent Contractors**” means the entity we have contracted with to provide you the Service, including personal support worker, social worker, caregiver, home care aide, rehab support worker, nurse, developmental support worker, driver, or similar professional.
- c. “**Non-Personal Information**” information that would enable an individual to be contacted at a place of business, for example an employee’s name, position or title, business telephone number, or business address.
- d. “**Personal Information**” means information about an identifiable individual, including, for example, an individual’s name, age, home address, telephone number email address, religious considerations, living situation, type of assistance required, photo of government issued identification. Personal Information does not include Non-Personal Information.
- e. “**Personnel**” means our employees and Independent Contractors.
- f. “**PHIPA**” means the *Personal Health Information Protection Act, 2004 S.O. 2004, c. 3, Sched. A*.
- g. “**Sub-Processors**” means the third-party software providers we have contracted with to assist us in conducting our business and providing you with the Services. For example, Google Workspace, AWS and Shopify are some of our Sub-Processors.

2. Introduction and General Concepts

- a. **Personal Information**
 - i. We will only collect, use or disclose Personal Information in accordance with this Policy, or in accordance with Applicable Privacy Laws.
- b. **Information about Minors**
 - i. The Service is not intended for minors and no person under the age of majority may register for an Account. We do not knowingly collect Personal Information about any person under the age of majority including any person under the age of 13, and no such person, nor any parent or guardian as it related to such person, should submit their Personal Information to us for any reason. Please do not submit Personal Information about minors to us.

3. How we Collect your Personal Information

We collect your Personal Information, for legitimate business purposes or with your consent by submitting the Personal Information directly to us via an online form. This information may be used to provide the Service and authenticate your identity.

We also collect Personal Information from you when you contact us, either through an online form, by email, or phone. This information is used to communicate with you in understanding your needs.

We use Sub-Processors only as required to provide the Service. We may also collect publicly available information, such as reviews of our Service posted on a third-party website.

Cookies

We collect Personal Information using cookies on our Websites. Cookies are small files placed on your digital devices to track how you use the Website. This helps us improve your user experience and save your preferences. You may block cookies, but doing so can affect the way our Website works on your digital device.

Third-Party Links

Our website may contain links to other websites that collect your Personal Information. We strongly encourage you to review their privacy policies before providing them with Personal Information. This Privacy Policy only applies to your use of Whimble's Website, and not to any websites belonging to third parties.

4. What Personal Information Do We Collect?

The types of Personal Information we collect about you or have access to include:

- Name;
- IP Address;
- Home Address;
- Type of Home;
- Telephone Number;
- Email Address;
- Religious Considerations you have provided to us related to the Service you have requested;
- A copy of your ID; and
- Any other information you provide to us, so that we can provide you with the Service.

5. Why We Collect, Use and Disclose Personal Information

We collect, use, and disclose Personal Information to provide Service to you. Our reasons for collection include:

- Provision of Service – We may have to collect, use and/or disclose your Personal Information to provide the Service to you. For example, we share your Personal Information with our Independent

Contractors, who need your Personal Information in order to provide you with the Service. Information such as your name, home address, and type of Service requested may be shared with our Independent Contractors.

- To Conduct Internal Business Processes – We use Sub-Processors, such as Google Workspace to assist with and automate our internal processes. We may share your Personal Information with these Sub-Processors so that we may maintain our operations and ensure the best quality of service to you.
- To Improve our Website – We continually strive to improve our Website based on the information and feedback you send to us, such as your name and contact details.
- To Improve Customer Service – We require your Personal Information to respond to any customer service requests and support needs.
- To Send Periodic Emails – The email address you provide may be used to send you information and updates pertaining to the Service, as well as occasional company news, updates or service information. You can unsubscribe from receiving future emails at any time. We include detailed unsubscribe instructions at the bottom of each email.

Your Personal Information and Sub-Processors

We use Sub-Processors to facilitate payment, host our website and for internal business management. We ensure that these Sub-Processors maintain substantially equivalent privacy protections and practices. Where Sub-Processors are used, their terms of service and privacy policies apply. For example, since Shopify is our payment processor, their terms of service and privacy policy apply to your payments.

Some of our Sub-Processors include:

- Amazon Web Services,
- Google Workspace and G-Suite, and
- Shopify

6. Your Consent

We will collect, use, or disclose your Personal Information only with your knowledge and consent, except where required or permitted by Applicable Privacy Laws. When you choose to provide us with your Personal Information you consent to the use of your Personal Information as identified in this Policy and as may be further identified at the time of collection.

Express Consent

Sometimes you will be asked to give your express consent to our collection, use or disclosure of Personal Information – for example, by being asked to check a box to indicate your consent to receive marketing communications in compliance with Canada's anti-spam laws.

Implied Consent

Other times, you may provide your implied consent to our collection, use or disclosure of Personal Information when we can reasonably conclude that you have given consent by some action you have taken or an action you have decided not to take. Generally, this occurs where the purpose for the use of your Personal Information would be reasonably apparent to you – for example, when you provide us with your address on your Account, you provide us with implied consent to use that address to facilitate your provision of Services.

Withdrawing Your Consent

You may notify us at any time that you wish to withdraw or change your consent to our use and disclosure or your Personal Information. We will accommodate your request subject to legal and contractual restrictions. To withdraw your consent, you may contact us at hello@whimble.ca. You may also choose not to provide us with your Personal Information. However, if you make this choice, we may not be able to provide you with the Service that you have requested. For example, we require your home address to provide you with the Service that you Request.

7. Removal of Your Personal Information

We keep your Personal Information only as long as we need it for legitimate business purposes and to meet any legal requirements. To request to have your Personal Information deleted, please contact our Privacy Officer and we will do so within 30 days.

8. Who Has Access to Personal Information?

Our employees have access to your Personal Information only as required to perform their duties. We take steps to ensure security and limit access to Personal Information, including contractual restrictions and training on confidentiality and privacy obligations.

Our Independent Contractors have access to Personal Information, including Personal Health Information, as required to provide the Service. Where PHIPA applies, the Independent Contractor is at all times the Health Information Custodian, and Whimble is the Electronic Service Provider and/or Agent, as applicable. Whimble is not responsible for the processing of Personal Information, including Personal Health Information by our Independent Contractors, and disclaims all liability and responsibility regarding any such processing. Whimble only processes any Personal Health Information on behalf of the Independent Contractor, in order to provide the Services, in accordance with Applicable Privacy Laws.

9. Security

We protect Personal Information in our control from loss, misuse, unauthorized access and alteration by using technical, physical and administrative safeguards. We ensure that all employees complete training related to the security of Personal Information. We take appropriate steps to ensure our Sub-Processors, have appropriate privacy practices in place when they may have access to Personal Information.

However, you acknowledge that no one security system is impenetrable. By sharing your Personal Information with us, your Personal Information may be at risk should an external party breach our systems. As required by law, we will inform you of any breaches which create a reasonable risk of harm to you.

10. Quebec Residents

If you are a resident of Quebec, you may have additional rights under Quebec's Bill 64, *An Act to Modernize Legislative Provisions as Regards the Protection of Personal Information*, which come into force on a rolling basis between September 2022 and September 2024. As this law comes into force, we will continue to revise our Privacy Policy to keep you updated on how you can exercise your rights.

11. Data Incidents

A Data Incident involves an unauthorized access, use or disclosure of Personal Information, loss of Personal Information, or other breach in the protection of your Personal Information. In the event of a Data Incident, we will investigate to assess whether the incident poses a risk of serious injury to you. In these circumstances, you will be notified within 48 hours of the incident, and we will take reasonable steps to mitigate such risks and to prevent them from occurring again in the future.

12. Contact Us

If you would like to review or correct your Personal Information we have on file, or have any other concerns regarding your privacy rights, please send a written request to our Privacy Officer at:

emma@whimble.ca

13. Challenging Compliance

If you feel we have not met our legal obligations under this policy or applicable laws, please contact our Privacy Officer.

If you are unsatisfied with the resolution, you may make a formal complaint to:

- The Office of the Privacy Commissioner of Canada: <https://www.priv.gc.ca/>; or
- Commission d'accès à l'information du Québec: <https://www.cai.gouv.qc.ca>.

14. Updates or Changes to Privacy Policy

We review and revise this Privacy Policy regularly and may change our Privacy Policy at any time by posting a new Privacy Policy on our Website. We will provide notice of any changes to our policy via email and our Website.

This Privacy Policy was last updated on August 10, 2022.