

FREDERICTON PLAYHOUSE INC. PRIVACY POLICY

Commitment to Respecting Privacy of Information

The Fredericton Playhouse Inc. ("The Playhouse") is committed to providing transparency with respect to its practices in handling personal information and to protecting the privacy of information about individuals which it collects, uses or discloses in the course of providing services to the public and to other organizations within the community. To that end, this Privacy Policy is intended to establish responsible and transparent practices for the collection, use, and disclosure of personal information in compliance with the *Personal Information Protection and Electronic Documents Act* (PIPEDA), as well as other applicable provincial privacy laws and standards.

Application and Scope

This Privacy Policy generally applies to any "**personal information**" collected or generated by the Playhouse from or about its Clients, Donors, Patrons and other individuals with whom it deals. "Personal Information", as used in this Privacy Policy, has the meaning stated below in the section entitled **Definitions**.

This Privacy Policy covers all interactions with the Playhouse. At any time that you do business with the Playhouse, including in-person, telephone and Internet interactions, whether direct or indirect, you are protected by the rights and safeguards contained in this Privacy Policy and, by choosing to submit Personal Information to the Playhouse, you express your consent to the terms of this Privacy Policy. If you do not consent to the terms of this Privacy Policy, please do not submit Personal Information to the Playhouse.

This Privacy Policy also governs Personal Information collected about visitors to the Playhouse's website and explains how we use and disclose Personal Information that we collect from people who visit our website and otherwise interact with us through <https://theplayhouse.ca>.

Definition

In this Privacy Policy, the following terms shall be used:

"Box Office Services" means the sale and issue of tickets through the box office operated by The Playhouse, whether through its box office located at The Playhouse facility, or via telephone or on-line ticket sales;

"Client" means an organization, including a performing arts organization such as Theatre New Brunswick, and community organizations, such as Leo Hayes' High School, which use the Box Office Services provided by the Playhouse for selling or issuing tickets to events or performances presented by such organizations;

“Donor” means an individual person who makes a charitable contribution to The Playhouse or one of its Clients;

“Patron” means an individual person who has procured a ticket using the Playhouse Box Office Services;

“Personal Information” means any information about an identifiable individual; and,

“Service Provider”, which means an organization which The Playhouse contracts with to provide services to support the operations of The Playhouse, such as those related to Box Office Services , like on-line ticket sales, and marketing services, like telephone marketing.

The Playhouse collects Personal Information that is reasonably necessary for the purposes described below in the section entitled **Purposes for Information Collection**. The Personal Information collected typically includes information relating to your services with us, such as your name, title, home address, email address, telephone number, age and the services you use and subscribe. We may also collect financial, credit, and banking information, billing records, special medical information (if voluntarily provided by a Patron), and any complaints documented in a file. Personal Information collected may also include other types of more technical information, such as subscribers/users' IP addresses, user IDs, and meta-data, but only when this information can identify you as an individual. Information that is aggregated and cannot be associated with an identifiable individual is not considered to be Personal Information.

Purposes for Information Collection

The Playhouse generally collects, uses, and discloses Personal Information from or about its Clients, Donors, Patrons and other individuals with whom it deals, for purposes authorized or required by law, as well as for the following purposes:

- to establish, develop and preserve its business relationship respectively with its Clients, Donors, Patrons and other individuals with whom it deals;
- to create, establish and administer Clients, Donors, Patrons' accounts and to respond to Clients, Donors, Patrons' inquiries;
- to provide the performances and services that it offers, or receive services that it requests, and ensure that all related transactions are supported and implemented;
- to authenticate the identity and preserve the privacy of Clients, Donors and Patrons contacting the Playhouse by telephone, electronic means or otherwise;
- to conduct market analysis, as well as for internal training and quality assurance purposes;

- to manage its business and ensure the efficiency, reliability and security of its systems and networks;
- to meet legal and regulatory requirements and to allow the Playhouse to meet contractual requirements relating to services provided to Clients and Patrons;
- to ensure its records are accurate and to protect Clients, Donors, Patrons and the Playhouse from error and fraud;
- to understand and assess the interests, wants and changing needs of Clients, Donors and Patrons with a view to improving its performances and services and developing new ones;
- to provide personalized services as well as performance and service recommendations to Clients, Donors and Patrons; and
- subject to our Patrons Right to Withdraw Consent, to conduct surveys on the quality of performances and services or to provide our Patrons with offers for upcoming performances and services that we feel may be of interest to our Patrons.

If you have applied for employment with the Playhouse, the Personal Information submitted with your job application will be used for recruitment and other customary human resources purposes. For example, we may send you information about new job opportunities within the Playhouse.

Unless required or authorized by law, the Playhouse will not collect or use Personal Information for any other or new purpose without obtaining further consent.

Collection of Personal Information

The Playhouse collects most of our information about you directly from you. The manner in which we obtain your consent to collect, use or disclose your Personal Information will vary depending upon the nature of the information in question and legal requirements. Your consent may be implied or implicit by virtue of your conduct when reasonable and consistent with legal requirements.

Your Consent

The Playhouse obtains consent from the individuals concerned for the collection, use or disclosure of Personal Information through various means: verbally or through written documents, including agreements and forms. The form of consent sought by the Playhouse will vary according to the sensitivity of the Personal Information, the reasonable expectations of the individuals and any requirements or standards established by law.

In general, by purchasing tickets to attend a performance at the Playhouse, subscribing to the Playhouse services and/or submitting information to us in connection with purchasing tickets, you are providing your consent to the collection, use and disclosure of Personal Information as set out in this Privacy Policy.

Moreover, by visiting, interacting with and/or using our website, you agree to benefit from and be bound by the terms and conditions of this Privacy Policy.

In certain circumstances, Personal Information may be **collected** without your knowledge or consent, for example:

- when the collection is clearly in your interest and consent cannot be obtained in a timely manner;
- when it is reasonable to expect that the collection with your knowledge or consent would compromise the availability or the accuracy of the information and the collection is reasonable for purposes related to investigating a breach of an agreement or a contravention of the laws of Canada or a province;
- when the information is publicly available and is specified by the regulations; and
- when the collection is made for the purposes of making a disclosure that is required by law.

In certain circumstances, Personal Information may be **used** without your knowledge or consent, for example:

- if, in the course of our business activities, we become aware of information for which we have reasonable grounds to believe could be useful in the investigation of a contravention of the laws of Canada, a province, or a foreign jurisdiction that has been, is being or is about to be committed and the information is used for the purpose of investigating that contravention;
- when it is used for the purpose of acting in respect of an emergency that threatens the life, health or security of an individual; and
- if it was collected for one of the circumstances listed above.

For more information on how the Playhouse may share your Personal Information, please refer to the section of this Privacy Policy entitled **Sharing your Personal Information**.

Right to Withdraw Consent

Consent may be withdrawn at any time, subject to legal or contractual restrictions and reasonable notice; however, without such consent, the Playhouse may be limited in the services it is able to provide Patrons, Donors and Clients. You may also withdraw your consent as follows:

- **Mail marketing, Email Marketing, Telephone marketing, and Quality control communications.** You may decide that you prefer the Playhouse not to use your Personal Information to promote new and/or additional performances and services which may be of interest to you and refuse further contact by mail, email or telephone for marketing purposes. If this is the case, you may

advise us by contacting us using the information detailed in the **How to Contact Us** section below.

- **Commercial Electronic Communications.** You can always limit the communications that the Playhouse sends to you. To opt out of commercial emails, simply click the link labeled 'unsubscribe' or 'opt out' at the bottom of any commercial electronic communication we send you. Please note that even if you opt out of promotional communications, we may still need to contact you with important information about your account or for other purposes as may be permitted or required under applicable laws. If you have any questions about your choices or if you need any assistance with opting out, please contact us using the contact information detailed in the **How to Contact Us** section below.

Sharing of Personal Information

Your information may be made available by the Playhouse to Clients, Service Providers or third-parties to fulfill the purposes for which it has been collected or as set forth in this Privacy Policy. The Playhouse will NOT sell, rent or trade your Personal Information to any third party. However, we may share your Personal Information when authorized by law or as follows:

- **Clients:** The Playhouse is contractually obligated to provide Personal Information it collects about Patrons and Donors to its Clients, but only to the extent that such Personal Information relates to a Patron or Donor who has procured tickets for a performance presented by a Client or made a donation to the Client. The Clients are not permitted to disclose this information to others. For the sake of clarity, The Playhouse will not disclose the Personal Information of Patrons of one Client to another Client.
- **Service Providers:** The Playhouse uses Service Providers to support its Box Office Services as well as other internal operations of The Playhouse. In these circumstances, Personal Information is collected by the Service Provider directly from the Patrons and Donors. The Service Provider, in turn, provides the Playhouse with the Personal Information which is collected. The Service Providers are not permitted to disclose this information to others.
- **As permitted or required by law.** From time to time, the Playhouse may be compelled to disclose Personal Information in response to a law, regulation, court order, subpoena, valid demand, search warrant, government investigation or other legally valid request or inquiry. We may also disclose information to our accountants, auditors, agents and lawyers in connection with the enforcement or protection of our legal rights. We also reserve the right to report to law enforcement agencies any activities that we, in good faith, believe to be unlawful or to law enforcement and emergency services providers, in an emergency or where required or permitted by law. We may release certain Personal Information when we have reasonable grounds to

believe that such release is reasonably necessary to protect the rights, property and safety of others and ourselves, in accordance with or as authorized by law.

- **Business transaction.** We may disclose Personal Information to a third party in connection with a sale or transfer of business or assets, an amalgamation, re-organization or financing of parts of our business. However, in the event the transaction is completed, we will require that the receiving party agree that they will be similarly bound by the provisions of this Privacy Policy and that they will only use and disclose your Personal Information as we are similarly entitled under this Privacy Policy. In the event the transaction is not completed, we will require the other party not to use or disclose your Personal Information in any manner whatsoever and to completely delete such information.

- **Prospective Business Transactions.** Organizations that are parties to a prospective business transaction may use and disclose Personal Information without the knowledge or consent of the individual if both of the following apply:

1) the organizations have entered into an agreement that requires the organization that receives the Personal Information:

- to use and disclose that information solely for purposes related to the transaction;
- to protect the information by security safeguards; and
- to give effect to any withdrawal of consent.

2) the Personal Information is necessary:

- to determine whether to proceed with the transaction; and
- if the determination is made to proceed with the transaction, to complete it.

- **Completed Business Transactions.** Organizations that are parties to a business transaction may use and disclose Personal Information without the knowledge or consent of the individual if all three apply:

1) the organizations have entered into an agreement that requires each of them:

- to use and disclose the information under its control solely for the purposes of which the information was collected;
- to protect the information by security safeguards; and
- to give effect to any withdrawal of consent.

2) the Personal Information is necessary for carrying on the business transaction; and

3) one of the parties notifies the individual, within a reasonable time after the transaction is completed, that the transaction has been completed and that their Personal Information has been disclosed.

Only those employees of the Playhouse or trusted third-party contractors, who need access for business reasons, or whose duties reasonably so require, will be granted access to Personal Information about Clients, Donors and Patrons.

Website Privacy

The Playhouse generally collects and uses Personal Information from or about its website visitors and users as follows:

- **Information you provide.** In many cases, we collect Personal Information directly from you when you visit or use our website. For instance, we may collect the following types of information:
 1. **Inquiries.** We may collect your name, contact information, email address and any information you provide us when you make an inquiry or contact us through our website. We will only use this information to provide you with the information requested or to contact you in order to answer your questions and/or requests or otherwise in accordance with this Privacy Policy.
 2. **Requests for Service.** We may collect your name, contact information, email address and any other information provided to us when you sign up to receive our newsletter or when you submit a request or purchase a ticket to a performance. We will only use this information to process and answer your request or to manage our everyday business needs in connection with such request or otherwise in accordance with this Privacy Policy.
 3. **Survey.** If you attend a performance at the Playhouse, you may, from time to time, be invited to participate in a survey. In such case and if you decide to participate in our survey, we may collect your postal code, email address and other information deemed important to complete such survey. We will only use your information for quality assurance purposes or otherwise in accordance with this Privacy Policy.
- **Technical information.** When you visit our website, we may use electronic means such as cookies to collect technical information. This information may

include information about your visit to our website, including the IP address of your computer and which browser you used to view our website, your operating system, resolution of screen, location, language settings in browsers, the site you came from, keywords searched (if arriving from a search engine), the number of page views, information you entered, advertisements you have seen, etc. This data is used to measure and improve the effectiveness of our website or enhance the experience for our Clients, Donors and Patrons. We treat this information as Personal Information when it is associated with your account or contact information. We also collect and use the following information when you visit and/or interact with us on our website:

1. **Google Analytics:** We use Google Analytics which allows us to see information on user website activities including, but not limited to, page views, source and time spent on our website. This information is depersonalized and is displayed as numbers, meaning that it cannot be tracked back to individuals. You may opt out of our use of Google Analytics by visiting the Google Analytics opt out page.
 2. **Google AdWords:** We use Google AdWords Remarketing to advertise the Playhouse across the Internet and to advertise on third party websites (including Google) to previous visitors to our website. AdWords remarketing will display ads to you based on what parts of the Playhouse website you have viewed by placing a cookie on your web browser. It could mean that we advertise to previous visitors who haven't completed a task on our site or this could be in the form of an advertisement on the Google search results page, or a site in the Google Display Network. This cookie does not in any way identify you or give access to your computer or mobile device. The cookie is only used to indicate to other websites that you have visited a particular page on our website, so that they may show you ads relating to that page. If you do not wish to participate in our Google AdWords Remarketing, you can opt out by visiting Google's Ads Preferences Manager.
 3. **Behavioural Advertising.** The Playhouse does not allow third-party cookies on its website for purposes of delivering third parties' advertising based on preferences or interests known or inferred from the data collected for advertising purposes (often referred to as Online Behavioural Advertising or OBA).
- **Your Choice with Cookies.** You can block the use of cookies by activating the settings in your browser. The Help feature on most browsers will tell you how to prevent your browser from accepting new cookies, how to have the browser notify you when you receive a new cookie, or how to disable cookies

altogether. If you choose to withhold consent, or subsequently block cookies, you may not be able to access all or part of the content of our website. Additionally, you can disable or delete similar data used by browser add-ons, by changing the add-on's settings or visiting the website of its manufacturer. You can also generally opt out of receiving personalized ads from third-party advertisers and ad networks who are members of the Digital Advertising Alliance of Canada. Please visit the DAAC opt out page for more information.

- **Privacy Policies of Third Parties.** This Privacy Policy only addresses the use and disclosure of information by the Playhouse. Clients, Donors and Service Providers have their own privacy policies and data collection, use and disclosure practices. We encourage you to familiarize yourself with the privacy statements provided by all third parties prior to providing them with information or taking advantage of an offer or promotion.

Security of Personal Information

We will use reasonable security measures to protect your Personal Information against unauthorized access. The Playhouse has implemented security measures that contain administrative, technical and physical controls that are designed to safeguard your Personal Information.

Unless prohibited by law, the Playhouse shall notify you of any breach of security safeguards involving your Personal Information under our control if it is reasonable to believe the breach creates a real risk of significant harm to you. Significant harm includes bodily harm, humiliation, damage to reputation or relationships, loss of employment, business or professional opportunities, financial loss, identity theft, negative effects on a credit record and damage to or loss of property.

Due to the nature of technology, users are advised that there is always a small risk your Personal Information could be collected, used or disclosed, without your consent or knowledge and without fault on the part of the Playhouse. While you will be notified of any breaches to our security safeguards creating a real risk of significant harm, the Playhouse does not take responsibility in the event that a technological error leads to the disclosure of information.

Retention

Personal Information will be retained only as long as reasonably necessary for the fulfilment of the purposes for which it was collected and for which consent was received, unless otherwise required or permitted by law. Personal Information that is no longer required to fulfil the identified purposes or for a purpose required or permitted by law, will be destroyed, erased or made anonymous. The Playhouse has developed and implemented retention procedures, and will ensure destruction of Personal Information in a method that prevents improper access.

Access

The Playhouse respects your right to access your Personal Information that we have collected, used and disclosed. A request to access your Personal Information needs to be in writing. Upon your request, we shall inform you of the existence, use and disclosure of your Personal Information and be given access to that information. You may be required to provide sufficient information to permit the Playhouse to provide an account of the existence, use and disclosure of Personal Information; however, any newly provided information would be limited to this purpose. Please see the **How to Contact Us** section for more information on accessing your Personal Information.

Accuracy and Correction

The Playhouse respects your right to correct your Personal Information. All Personal Information collected by the Playhouse shall be accurate, complete and up-to-date as is necessary for our purposes. We agree to NOT routinely update your Personal Information unless the process is necessary for the purposes in which it was collected. If you need assistance updating your Personal Information, please contact us using the contact information detailed in the **How to Contact Us** section below.

Age of Consent

By using our website and its services, you are representing that you have reached the age of majority in your state or province of residence. If you have not yet reached the age of majority, you will require the consent of a parent or guardian. The Playhouse does not wish to collect, use or disclose information pertaining to an individual under the age of majority and shall not be held liable for information unknowingly provided by a minor.

Liability and Indemnity

The Playhouse disclaim any warranty, whether express or implied, regarding any matter whatsoever resulting from the use of this website as well as the information and services contained within.

The Playhouse shall (a) not be subject to any liability for any act or omission, and (b) not be held liable for any direct, indirect, consequential, special or compensatory damages, expenses or losses arising out of or in any way connected with the use of this website as well as the information and services contained within. This includes liability arising from breach of contract, negligence, misrepresentation, strict liability, or otherwise. Use of the Playhouse's website and its related services is done at the risk of the user.

By using the Playhouse's website and any of our services, you have agreed to indemnify the Playhouse, its subsidiaries and their respective directors, officers, employees, and agents against any and all liabilities, expenses and damages arising from claims stemming from your use of this website, except those that arose as a result of gross negligence, willful misconduct or bad faith.

How to Contact Us

If you have questions or concerns regarding this Privacy Policy or the Personal Information that the Playhouse has about you, or if you wish to address a challenge concerning compliance with the above principles, you may do so by contacting the Playhouse's Chief Privacy Officer, the designated individual accountable for compliance with this Privacy Policy at:

By Mail: 686 Queen St., Fredericton, NB, E3B 1C2

By Phone during normal business hours: 506-458-8345

By Email: privacyofficer@theplayhouse.ca

Change of Privacy Policy

The Playhouse will review and update its policies and procedures as required to keep current with rules and regulations, new technologies, standards and patron concerns. Our Privacy Policy may therefore, change from time to time. We will post any changes to our Privacy Policy on our website and, if the changes are significant, we will provide a more prominent notice.

This Privacy Policy was last updated on March 22, 2022.