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## Privacy Policy (US)

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| Policy Name:       | Privacy Policy (US)          |
| Effective Date:    | April 5 <sup>th</sup> , 2017 |
| Last Revised Date: | April 5 <sup>th</sup> , 2017 |
| Document Status:   | Policy                       |

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### I. INTRODUCTION

Questica Ltd. ("Questica") provides Budgeting Solutions to the Public sector in the form of software and professional services.

Questica is committed to maintaining the privacy, confidentiality, security and accuracy of customer and employee personal information.

Questica will continue to review the Privacy Policy at least annually to make sure it is relevant and remains current with changing technologies and laws and the evolving needs of Questica, our customers and employees.

### II. SUMMARY OF PRINCIPLES

#### **Principle 1 - Accountability**

Questica is responsible for personal information under their control and shall designate one or more persons who are accountable for compliance with the following principles.

#### **Principle 2 - Identifying Purposes for Collection of Personal Information**

Questica shall identify the purposes for which personal information is collected at or before the time the information is collected.

#### **Principle 3 - Obtaining Consent for Collection, Use or Disclosure of Personal Information**

The knowledge and consent of a customer or employee is required for the collection, use or disclosure of personal information, except where inappropriate.

**Principle 4 - Limiting Collection of Personal Information**

Questica shall limit the collection of personal information to that which is necessary for the purposes identified. Questica shall collect personal information by fair and lawful means.

**Principle 5 - Limiting Use, Disclosure and Retention of Personal Information**

Questica shall not use or disclose personal information for purposes other than those for which it was collected, except with the consent of the individual or as required by law. Questica shall retain personal information only as long as necessary for the fulfillment of those purposes.

**Principle 6 - Accuracy of Personal Information**

Personal information shall be as accurate, complete and up-to-date as is necessary for the purposes for which it is to be used.

**Principle 7 - Security Safeguards**

Questica shall protect personal information by security safeguards appropriate to the sensitivity of the information.

**Principle 8 - Openness Concerning Policies and Practices**

Questica shall make readily available to customers and employees specific information about their policies and practices relating to the management of personal information.

**Principle 9 - Customer and Employee Access to Personal Information**

Questica shall inform a customer or employee of the existence, use and disclosure of his or her personal information upon request and shall give the individual access to that information. A customer or employee shall be able to challenge the accuracy and completeness of the information and to have it amended as appropriate.

**Principle 10 - Challenging Compliance**

A customer or employee shall be able to address a challenge concerning compliance with the above principles to the designated person or persons accountable for Questica's compliance with the Privacy Policy.

### III. SCOPE AND APPLICATION

The ten principles that form the basis of the Privacy Policy are interrelated and Questica shall adhere to

the ten principles as a whole. Each principle must be read in conjunction with the accompanying commentary.

The scope and application of the Privacy Policy are as follows:

- The Privacy Policy applies to personal information about customers and employees of Questica that is collected, used or disclosed by Questica.
- The Privacy Policy applies to the management of personal information in any form whether oral, electronic or written.
- The Privacy Policy does not impose any limits on the collection, use or disclosure of the following information by Questica:
  - (i) information that is publicly available; or
  - (ii) the name, title, business address or telephone number of an employee of an organization.

The application of the Privacy Policy is subject to the requirements or provisions of any applicable legislation, regulations, tariffs or agreements, or the order or determination of any court or other lawful authority.

## IV. DEFINITIONS

**Collection** - the act of gathering, acquiring, recording or obtaining personal information from any source, including third parties, by any means.

**Consent** - voluntary agreement with the collection, use and disclosure of personal information for defined purposes. Consent can be either express or implied and can be provided directly by the individual or by an authorized representative. Express consent can be given orally, electronically or in writing but is always unequivocal and does not require any inference on the part of Questica. Implied consent is consent that can reasonably be inferred from an individual's action or inaction.

**Customer** - an individual or organization who uses, or applies to use, Questica's products or services or otherwise provides personal information to Questica in the course of Questica's commercial activities.

**Disclosure** - making personal information available to a third party.

**Employee** - a Questica employee.

**Personal information** - information about an identifiable individual, but not aggregated information that cannot be associated with a specific individual. For a customer, such information includes a customer's credit information, billing records, professional services records, and any recorded

complaints. For an employee, such information includes information found in personal employment files, performance appraisals and medical and benefits information.

Third party - an individual other than the customer or his agent or an organization other than Questica.

Use - the treatment, handling, and management of personal information by Questica.

## V. THE QUESTICA PRIVACY POLICY IN DETAIL

### Principle 1 - Accountability

Questica is responsible for personal information under its control and shall designate one or more persons who are accountable for compliance with the following principles.

1.1 Responsibility for ensuring compliance with the provisions of the Privacy Policy rests with the senior management of Questica, which shall designate one or more persons to be accountable for compliance with the Privacy Policy. Other individuals within Questica Companies may be delegated to act on behalf of the designated person(s) or to take responsibility for the day-to-day collection and processing of personal information.

1.2 Questica shall make known, upon request, the title of the person or persons designated to oversee Questica' compliance with the Privacy Policy.

Questica has designated a Privacy Ombudsman to oversee compliance with the Privacy Policy. The Privacy Ombudsman can be contacted at:

Privacy Ombudsman  
Questica, Inc.  
Email: [privacy@questica.com](mailto:privacy@questica.com)

1.3 Questica is responsible for personal information in its possession or control, including information that has been transferred to a third party for processing. Questica shall use appropriate means to provide a comparable level of protection while information is being processed by a third party (see Principle 7).

1.4 Questica have implemented policies and procedures to give effect to the Privacy Policy, including:

- a. implementing procedures to protect personal information and to oversee Questica compliance with the Privacy Policy;
- b. establishing procedures to receive and respond to inquiries or complaints; and

- c. training and communicating to staff about Questica' policies and practices.

## **Principle 2 - Identifying Purposes for Collection of Personal Information**

Questica shall identify the purposes for which personal information is collected at or before the time the information is collected.

2.1 Questica collects personal information only for the following purposes:

- a. To establish and maintain responsible commercial relations with customers and to provide ongoing service;
- b. To understand customer needs;
- c. To develop, enhance, market or provide products and services;
- d. To manage and develop its business and operations, including personnel and employment matters; and
- e. To meet legal and regulatory requirements.

Further references to "identified purposes" mean the purposes identified in this Principle 2.1.

2.2 Questica shall specify orally, electronically or in writing the identified purposes to the customer or employee at or before the time personal information is collected. Upon request, persons collecting personal information shall explain these identified purposes or refer the individual to a designated person within Questica who shall explain the purposes.

2.3 Unless required by law, Questica shall not use or disclose, for any new purpose, personal information that has been collected without first identifying and documenting the new purpose and obtaining the consent of the customer or employee.

## **Principle 3 - Obtaining Consent for Collection, Use or Disclosure of Personal Information**

The knowledge and consent of a customer or employee is required for the collection, use or disclosure of personal information, except where inappropriate.

3.1 In certain circumstances personal information can be collected, used or disclosed without the knowledge and consent of the individual. For example, Questica may collect or use personal information without knowledge or consent if it is clearly in the interests of the individual and consent cannot be obtained in a timely way, such as when the individual is seriously ill or mentally incapacitated.

Questica may also collect, use or disclose personal information without knowledge or consent if seeking the consent of the individual might defeat the purpose of collecting the information such as in the investigation of a breach of an agreement or a contravention of a federal or state law.

Questica may also use or disclose personal information without knowledge or consent in the case of an emergency where the life, health or security of an individual is threatened.

Questica may disclose personal information without knowledge or consent to a lawyer representing Questica, to collect a debt, to comply with a subpoena, warrant or other court order, or as may be otherwise required by law.

3.2 In obtaining consent, Questica shall use reasonable efforts to ensure that a customer or employee is advised of the identified purposes for which personal information will be used or disclosed. Purposes shall be stated in a manner that can be reasonably understood by the customer or employee.

3.3 Generally, Questica shall seek consent to use and disclose personal information at the same time they collect the information. However, Questica may seek consent to use and disclose personal information after it has been collected but before it is used or disclosed for a new purpose.

3.4 Questica will require customers to consent to the collection, use or disclosure of personal information as a condition of the supply of a product or service only if such collection, use or disclosure is required to fulfill the identified purposes.

3.5 In determining the appropriate form of consent, Questica shall take into account the sensitivity of the personal information and the reasonable expectations of their customers and employees.

3.6 In general, the use of products and services by a customer, or the acceptance of employment or benefits by an employee, constitutes implied consent for Questica to collect, use and disclose personal information for all identified purposes.

3.7 A customer or employee may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice. Customers and employees may contact Questica for more information regarding the implications of withdrawing consent.

#### **Principle 4 - Limiting Collection of Personal Information**

Questica shall limit the collection of personal information to that which is necessary for the purposes identified. Questica shall collect personal information by fair and lawful means.

4.1 Questica collects personal information primarily from their customers or employees.

4.2 Questica may also collect personal information from other sources including credit bureaus, employers or personal references, or other third parties that represent that they have the right to disclose the information.

#### **Principle 5 - Limiting Use, Disclosure and Retention of Personal Information**

Questica shall not use or disclose personal information for purposes other than those for which it was collected, except with the consent of the individual or as required by law. Questica shall retain personal information only as long as necessary for the fulfillment of those purposes.

5.1 In certain circumstances personal information can be collected, used or disclosed without the knowledge and consent of the individual. (See Principle 3.1)

5.2 In addition, Questica may disclose a customer's personal information to:

- a. another telecommunications services provider for the efficient and effective provision of telecommunications services;
- b. an entity involved in supplying the customer with communications or communications directory related services;
- c. another entity for the development, enhancement, marketing or provision of any of the products or services of Questica;
- d. an agent retained by Questica in connection with the collection of the customer's account;
- e. credit grantors and reporting agencies;
- f. a person who, in the reasonable judgment of Questica, is seeking the information as an agent of the customer; and
- g. a third party or parties, where the customer consents to such disclosure or disclosure is required by law.

5.3 Questica may disclose personal information about its employees:

- a. for normal personnel and benefits administration;
- b. in the context of providing references regarding current or former employees in response to requests from prospective employers, to the extent that such references are granted at all; or
- c. where disclosure is required by law.

5.4 Only those employees of Questica who require access for business reasons, or whose duties reasonably so require, are granted access to personal information about customers and employees.

5.5 Questica shall keep personal information only as long as it remains necessary or relevant for the identified purposes or as required by law. Depending on the circumstances, where personal information has been used to make a decision about a customer or employee, Questica shall retain, for a period of time that is reasonably sufficient to allow for access by the customer or employee, either the actual information or the rationale for making the decision.

5.6 Questica shall maintain reasonable and systematic controls, schedules and practices for information and records retention and destruction which apply to personal information that is no longer necessary or relevant for the identified purposes or required by law to be retained. Such information shall be destroyed, erased or made anonymous.

## **Principle 6 - Accuracy of Personal Information**

Personal information shall be as accurate, complete and up-to-date as is necessary for the purposes for which it is to be used.

6.1 Personal information used by Questica shall be sufficiently accurate, complete and up-to-date to minimize the possibility that inappropriate information may be used to make a decision about a customer or employee.

6.2 Questica shall update personal information about customers and employees as and when necessary to fulfill the identified purposes or upon notification by the individual.

## **Principle 7 - Security Safeguards**

Questica shall protect personal information by security safeguards appropriate to the sensitivity of the information.

7.1 Questica shall protect personal information against such risks as loss or theft, unauthorized access, disclosure, copying, use, modification or destruction, through appropriate security measures. Questica shall protect the information regardless of the format in which it is held.

7.2 Questica shall protect personal information disclosed to third parties by contractual agreements stipulating the confidentiality of the information and the purposes for which it is to be used.

7.3 All employees of Questica with access to personal information shall be required as a condition of employment to respect the confidentiality of personal information.

## **Principle 8 - Openness Concerning Policies and Practices**

Questica shall make readily available to customers and employees specific information about their policies and practices relating to the management of personal information.

8.1 Questica shall make information about their policies and practices easy to understand, including:

- a. The title and address of the person or persons accountable for Questica' compliance with the Privacy Policy and to whom inquiries or complaints can be forwarded;
- b. The means of gaining access to personal information held by Questica; and
- c. A description of the type of personal information held by Questica, including a general account of its use.



8.2 Questica shall make available information to help customers and employees exercise choices regarding the use of their personal information and the privacy-enhancing services available from Questica.

### **Principle 9 - Customer and Employee Access to Personal Information**

Questica shall inform a customer or employee of the existence, use and disclosure of his or her personal information upon request and shall give the individual access to that information. A customer or employee shall be able to challenge the accuracy and completeness of the information and to have it amended as appropriate.

9.1 Upon request, Questica shall give a customer or an employee a reasonable opportunity to review the personal information in the individual's file. Personal information shall be provided in understandable form within a reasonable time and at minimal or no cost to the individual.

9.2 In certain situations, Questica may not be able to provide access to all of the personal information that they hold about a customer or employee. For example, Questica may not provide access to information if doing so would likely reveal personal information about a third party or could reasonably be expected to threaten the life or security of another individual. Also, Questica may not provide access to information if disclosure would reveal confidential commercial information, if the information is protected by solicitor-client privilege, if the information was generated in the course of a formal dispute resolution process, or if the information was collected in relation to the investigation of a breach of an agreement or a contravention of a federal or state law. If access to personal information cannot be provided, Questica shall provide the reasons for denying access upon request.

9.3 Upon request, Questica shall provide an account of the use and disclosure of personal information and, where reasonably possible, shall state the source of the information. In providing an account of disclosure, Questica shall provide a list of organizations to which it may have disclosed personal information about the individual when it is not possible to provide an actual list.

9.4 In order to safeguard personal information, a customer or employee may be required to provide sufficient identification information to permit Questica to account for the existence, use and disclosure of personal information and to authorize access to the individual's file. Any such information shall be used only for this purpose.

9.5 Questica shall promptly correct or complete any personal information found to be inaccurate or incomplete. Any unresolved differences as to accuracy or completeness shall be noted in the individual's file. Where appropriate, Questica shall transmit to third parties having access to the personal information in question any amended information or the existence of any unresolved differences.

9.6 A customer can obtain information or seek access to his or her individual file by contacting a designated representative at 1.877.707.7755, or by sending an email containing such a request to [privacy@questica.com](mailto:privacy@questica.com).

9.7 An employee can obtain information or seek access to his or her individual file by contacting his or her immediate supervisor within the applicable Questica Company.

### **Principle 10 - Challenging Compliance**

A customer or employee shall be able to address a challenge concerning compliance with the above principles to the designated person or persons accountable for Questica's compliance with the Privacy Policy.

10.1 Questica shall maintain procedures for addressing and responding to all inquiries or complaints from their customers and employees about Questica's handling of personal information.

10.2 Questica shall inform their customers and employees about the existence of these procedures as well as the availability of complaint procedures.

10.3 The person or persons accountable for compliance with the Privacy Policy may seek external advice where appropriate before providing a final response to individual complaints.

10.4 Questica shall investigate all complaints concerning compliance with the Privacy Policy. If a complaint is found to be justified, Questica shall take appropriate measures to resolve the complaint including, if necessary, amending its policies and procedures. A customer or employee shall be informed of the outcome of the investigation regarding his or her complaint.

For inquiries, complaints or more information contact:

Privacy Ombudsman  
Questica, Inc.  
Email: [privacy@Questica.com](mailto:privacy@Questica.com)

## VI. THE PRIVACY POLICY IN PRACTICE – QUESTIONS AND ANSWERS

**Q. Why does Questica have a Privacy Policy?**

A. Our Privacy Policy ensures that our commitment to your privacy is upheld. The Privacy Policy reflects our most recent policies setting out your rights and our obligations respecting the treatment of your personal information by Questica.

**Q. How does Questica ensure that their employees and agents adhere to the Privacy Policy when handling personal information?**

A. Employees and agents acting on our behalf are required to adhere to the Privacy Policy. All of our employees who have access to personal information are trained in the handling of such information, and new employees receive training on privacy as a fundamental part of their initial company training. All of our employees must review and commit to the Privacy Policy annually.

**Q. What is personal information?**

A. Personal information is information about an identifiable individual. This includes information about your product, cloud subscription, and product usage.

**Q. Why does Questica collect information?**

A. Collecting information helps us serve you better. Questica collects personal information only for the following purposes:

- to establish and maintain responsible commercial relations with you and provide you with ongoing service;
- to understand your needs and eligibility for products & services;
- to recommend particular products & services to meet your needs;
- to develop, enhance, market or provide products and services;
- to manage and develop the business and operations of Questica, including personnel and employment matters; and
- to meet legal and regulatory requirements.

Your personal information will not be used for any other purpose without your consent.

**Q. Where does Questica store personal information that it has collected?**

A. Our general policy is to store personal information for US customers within the US, however we do have some US customers who have agreed to store their data either permanently or for a defined period within Canada.

Contractually, we require all parties to whom we transfer personal information to provide an equivalent level of protection to that which we would require in the US. However, they – both abroad,

and also in the US – are subject to the laws of the countries in which they are located or headquartered. This means that your information may be subject to disclosure obligations.

Please contact Questica if you have any questions regarding where your data is stored.

**Q. How does Questica safeguard personal information?**

A. We take all of the necessary precautions to ensure the safeguarding of your information, whether it is stored electronically or in paper format. In all cases, information is retained in secure facilities, protected from unauthorized access and kept only as long as is reasonably required. For example, our electronic files are backed up for redundancy, password protected and accessible only by authorized employees, on a need-to-know basis.

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END OF POLICY