

# Harkness Consulting Solutions, LLC Privacy Policy

*Last Updated: September 30, 2020*

Harkness Consulting Solutions, LLC ("we," "us," or "our") respects your privacy and knows that you care about protecting your personal information. This privacy policy identifies what information we collect from you when you use [www.harknessconsultingsolutions.com](http://www.harknessconsultingsolutions.com) (the "Site," including all subdomains) and the services made available on it (the "Services") and explains how we may use or share that information. We will only use and share your information as described in this privacy policy.

This Site primarily operates as a(n) for-profit business website. This privacy policy applies to information we collect from you on the Site; through the Services; in email, text, and other electronic correspondence; and through any mobile or desktop application through which we may communicate. This privacy policy does not apply to information we collect offline or that any third party collects from you after you follow links on the Site, including any advertising and affiliate links.

PLEASE READ THIS PRIVACY POLICY AND OUR TERMS OF USE CAREFULLY. THE TERMS STATED IN THIS PRIVACY POLICY CONSTITUTE A BINDING LEGAL AGREEMENT BETWEEN YOU AND HARKNESS CONSULTING SOLUTIONS, LLC. BY USING THIS SITE AND THE RELATED SERVICES, YOU UNCONDITIONALLY AGREE TO BE BOUND BY THE TERMS STATED IN THIS PRIVACY POLICY AND OUR TERMS OF USE, INCLUDING ALL EXCLUSIONS AND LIMITATIONS OF LIABILITY, AND WARRANT THAT YOU HAVE FULL AUTHORITY AND CAPACITY, LEGAL AND OTHERWISE, TO USE THE SERVICES. YOU MAY NOT ACCESS OR USE THIS SITE OR THE SERVICES IF YOU DO NOT AGREE TO ANY PART OF THESE TERMS. WE RESERVE THE RIGHT TO PERIODICALLY MAKE UPDATES TO THIS PRIVACY POLICY AS OUR PRACTICES CHANGE. YOUR CONTINUED USE OF THE SITE AFTER SUCH CHANGES CONSTITUTES YOUR ACCEPTANCE OF THE CHANGES, SO PLEASE CHECK BACK PERIODICALLY FOR UPDATES.

## **1. Information We Collect**

We may collect and use the following types of information from those who use the Site and the Services:

- Information by which you may be personally identified, such as your name, address, email address, phone number, billing and credit card information, and other information that may not be publicly available ("**personal information**").

- Information about you that does not identify you personally, including, but not limited to, your personal interests, online interactions, viewing data, requests for Services, communications with us and third parties, advertisement interactions, survey and polling information, product reviews, and any other activities when using the Site or the Services.
- First Name, Last Name, Email, Phone Number, and Employer.
- Information you provide when you register with the Site and the Services, when adding or updating account preferences, and when subscribing for any Services.
- Information about your transactions using the Site and the Services, including, but not limited to, your purchases and order history.

We may combine information you provide us with other information about you that we obtain from your past use of the Site and Services, from our business partners, and from other companies. We may access other information about you collected from third parties, such as social media and marketing companies. We will treat any non-personal information that is combined with personal information as if it were all personal information.

#### *a. Automatic Data Collection*

We collect the following types of information from you as you use the Site through automatic data collection technologies:

- Log file information commonly collected by host servers when you visit websites, including internet protocol (IP) addresses, browser type, Internet Service Provider (ISP), date and time stamps, referring/exit pages, domain names, landing pages, pages viewed, click counts, and similar information. This information is not connected to personal information and is used for purposes of administering the Site, analyzing trends, tracking visitor activity, and collecting demographic data.
- Other details regarding your activities on the Site and Services, including your equipment, operating system, software, traffic information, and location data.

Our automatic data collection includes the use of the following technologies:

- **Cookies.** A "cookie" is a small piece of data that is stored on a visitor's hard drive in order to store information about visitor preferences and activities on the Site. We use this information to optimize the experiences of our visitors. For instance, a cookie can help us identify you when you return to the Site in order to save you time. In the event that our business partners, affiliates, or advertisers on the Site use cookies, we will not have access or control over such cookies. However, any use of cookies will not relate to any personally identifiable information about you. You may also choose to refuse to accept cookies by configuring the appropriate setting on your browser. However, doing so may prevent you

from being able to access parts of the Site or Services and may prevent the Site from functioning properly.

- **Google Analytics.** We may use Google Analytics or similar services to collect non-personal information from you regarding your use of the Site. Google Analytics is a web analytics service offered by Google, Inc. that mainly uses cookies to report on your interactions on the Site and analyzes how you use the Site. For more information on Google Analytics, including how to set up privacy controls on how Google Analytics collects your information, please see the help article, [Safeguarding your data](#).

#### *b. How We Respond to Do Not Track Signals*

We do not track visitors' activities over time or across third-party websites and therefore do not respond to Do Not Track (DNT) signals. However, many third-party websites track your browsing activities in order to tailor advertisements and other content to your interests. If you do not wish to be tracked in this manner, then you should configure your browser settings appropriately.

## **2. How We Use Your Information**

We are the sole owners of information collected from visitors on this Site. We will not sell or rent your information to third parties. We use information collected from you or about you, including personal information, for the following purposes:

- To administer the Site and enforce our rules and policies.
- To provide access to Site content and Services to you.
- To customize Site content and Services according to your preferences.
- To improve the Site and Services.
- To research and analyze the usage data, preferences, and trends of our visitors.
- To diagnose technical or Service-related problems.
- To maintain security over your information, the Site, and its contents.
- To fulfill any requests for information, products, or Services.
- To facilitate transactions you make on the Site or Services, which may include sending payment statements or receipts, or assisting with payment collection.
- To provide targeted advertising.
- To send you marketing communications, such as information about new products, Services, or specials.
- To contact you regarding Services we provide you.

- To contact you regarding your account or profile.
- To contact you regarding changes to this privacy policy.
- To carry out our responsibilities and enforce any contracts between you and us, including billing and collection rights.
- For any other use as we may indicate at the time you provide the information.
- To fulfill any other purpose with your consent.

All information collected from visitors of the Site belongs to us, whether or not such information is personal information, information you volunteer, or information passively collected about you. As such, such information may be subject to transfer to a new owner in the event of our bankruptcy, sale, or liquidation.

### **3. How We Share Your Information**

We may share personal information and other information that we collect as follows:

- With our affiliates, including any subsidiaries we now own or later acquire.
- With our trusted employees, contractors, business partners, service providers, suppliers, vendors, and other third parties that support us, which may include sending you emails on our behalf; analyzing your activities and interactions on the Site in order to make improvements to the Site, Services, and experiences of our visitors; and providing support to the Site, the Services, our operations, or fulfilling your requests. These third parties may only use personal information in order to provide such support and are contractually required to maintain the confidentiality of your information. For example, we may share personal information with credit card processing companies in order to bill visitors for goods or services.
- With a buyer, successor, or other third party due to a merger, restructuring, reorganization, or other transfer or disposition of Harkness Consulting Solutions, LLC or our operations, including, but not limited to, in the event of a sale, bankruptcy, dissolution, or similar proceeding. In such event, we will provide you with prior notification if your information will become subject to a different privacy policy.
- In response to court orders, subpoenas, or legal processes, such as requests from government regulatory or law enforcement agencies; to defend, pursue, or participate in legal actions or proceedings or exercise a legal right; to take precautions against actual or potential liabilities; to investigate or respond to potential or suspected illegal activities, fraud, or threats to the Site, its visitors, or the property or physical safety of any person; to enforce or investigate violations of our rules or terms of use; or as otherwise permitted or required by law.

- With those that we so indicate at the time you provide the information.
- To third parties when we have your consent or when we have parental consent if the visitor is a minor.

We may store personal information in locations outside of our direct control; for instance, on servers or databases where the hosting provider is located. Additionally, we may share or sell aggregate information about our visitors that does not personally identify individuals with our partners, affiliates, advertisers, and other third parties without restriction. This information may include personal information that we have changed so that individuals are no longer personally identifiable. We may also share this information with third parties in order to analyze visitor data, activities, and usage of the Site or Services in order to make improvements to the Site, Services, and experiences of our visitors.

If you choose to participate in any promotions or similar events through the Site or Services, the rules or terms and conditions for such events may change the way we share your information with third parties. Please review the applicable rules or terms and conditions for all such events in which you participate.

#### **4. Links to Other Websites**

This Site may contain links to or from other websites. This privacy policy only applies to information collected on this Site, and we are not responsible for other website's privacy practices. Please be aware of when you exit our Site using such links. We encourage you to review the privacy practices of all other websites you reach through links on our Site.

#### **5. Opt-Out Procedures**

As your privacy is important to us, we provide you with the following procedure(s) for opting out of future communications from us:

- **Email.** Send an email to [mharkness@harknessconsultingsolutions.com](mailto:mharkness@harknessconsultingsolutions.com) explaining the specific communications or privacy practices you want to opt out of. You may also opt out by clicking "unsubscribe," or a similar button, at the bottom of any emails we may send you and then following the online instructions. However, please note that it may not be possible to opt out of certain emails (for example, confirmation emails related to services you have requested).
- **Phone.** Call (518) 818-1030 to receive help from our customer support team to opt out.

**Cookies.** In order to opt out of cookies and other tracking technologies, you can configure or disable cookies in your browser settings. However, please note that doing so may cause parts of the Site to function improperly.

**Third-Party Accounts.** In the event that you have chosen to connect your account to another account you have on a third-party website, YOU ACKNOWLEDGE AND AGREE THAT PERSONAL INFORMATION MAY BE PROVIDED TO THE RELEVANT THIRD-PARTY WEBSITES HOSTING UNTIL SUCH TIME AS YOU DISCONNECT YOUR TWO ACCOUNTS. You acknowledge that such third-party websites are not subject to this privacy policy. Do not connect your accounts if you do not want personal information shared in this manner. You may disconnect your accounts by either 1) signing in, visiting your account page, and configuring the relevant settings, if available, or 2) emailing us at mharkness@harknessconsultingsolutions.com with your request.

## **6. How to Access and Change Your Information**

You are responsible for keeping any personal information you provide on the Site current. Please email us at mharkness@harknessconsultingsolutions.com to request access to view, correct, or delete information you have provided to us. We will make reasonable efforts to comply with your requests, if possible. If you provided personal information in connection with a specific Service we provide, you may have to update or delete that information by returning to that Service page. Any requests to delete your information are subject to our internal reporting and retention policies as well as any legal obligations that we may have. You can also update or delete some or all of your personal information in your account by signing in, visiting your account page, and configuring the relevant settings.

## **7. Notice of California Privacy Rights**

Pursuant to California Civil Code Section 1798.83, California residents who use our Site may request certain information regarding any disclosure of personal information to third parties for their direct marketing purposes. To make this request, please email us at mharkness@harknessconsultingsolutions.com or use the contact information provided below at the end of this policy. Should you choose to email us, please include in the subject line or body of your email the phrase "California Customer Choice Privacy Notice" and specify the personal information you do not wish to be shared with third parties for their direct marketing purposes. Please allow up to thirty (30) days for a response.

## **8. Security**

We take the security of your information seriously and have electronic, physical, and administrative safeguards in place that comply with federal regulations for your protection. These security measures seek to protect your information both online and offline from disclosure, alteration, or unauthorized use. However, please keep in mind that no transmission of data over the internet is guaranteed to be completely secure. Third parties may be able to access private communications illegally; for instance, through the use of hacking and viruses. As such, all information you transmit on the Site or Services is at your own risk. We are not responsible for

instances where third parties circumvent our security measures without authorization, illegally or otherwise.

The information you submit to us is encrypted using Secure Sockets Layer (SSL) data encryption technology and is transmitted securely. You may verify this by locating "https" at the beginning of the address of the webpage or an icon of a closed lock in your browser. The computers and servers we use are also kept in a secure environment behind firewalls. We limit access to your information to those people that need to view it to perform necessary support tasks, including fulfilling your requests. We also require you to create a unique password to help secure your account. It is your responsibility to maintain the secrecy of your password and other login information. We will promptly notify you in the event that personal information becomes compromised according to our notification procedures outlined below or as otherwise required by applicable law.

## **9. Children's Privacy**

This Site does not knowingly collect personal information from children under 13 years of age. If you are under 13 years of age, do not use this Site or provide any personal information to us. We will delete all information that we discover is provided by children under 13 years of age without verification of parental consent. Please email us at [mharkness@harknessconsultingsolutions.com](mailto:mharkness@harknessconsultingsolutions.com) if you believe we have received personal information from a child aged under 13 and we will use our best efforts to remove such information.

## **10. Changes to This Privacy Policy**

We may update this privacy policy at any time. We will post any changes in our privacy practices on this page with the date of the most recent revision indicated next to "Last updated" near the top of the page. If we make significant changes to the way we manage our visitors' personal information, we will notify you by email or by posting prominent notice on our Site. It is your responsibility to ensure we have your current email address and to periodically check this page for any updates.

## **11. Notification Procedures**

We reserve the right to determine the most appropriate means of providing you with any notice required or advisable, in our sole discretion, under the terms of this privacy policy or as required by law. We may choose to provide notification by email, physical written notice, posting prominently on the Site, or through other conspicuous means.

## **12. Cross-Border Data Transfers**

Your personal information may be processed and transferred to countries other than your own, including, but not limited to, any country in which we operate. Some of these countries may have

different laws and practices regarding data protection than your country. By using the Site, you agree to such cross-border transfers of your personal information.

### **13. Contact Information**

Your feedback is important to us. To send us your questions, suggestions, or complaints, please contact us as follows:

Harkness Consulting Solutions, LLC  
238 Elm St  
Albany, New York 12202  
Telephone: (518) 818-1030  
Email: [mharkness@harknessconsultingsolutions.com](mailto:mharkness@harknessconsultingsolutions.com)

## **Instructions for Your Website Privacy Policy**

Every website needs to post a website privacy policy so that visitors understand how the site collects and uses their information. The following information explains the main sections and key considerations of a website privacy policy.

*Note that this privacy policy may not be appropriate or may need to be supplemented for websites operating within regulated industries (e.g. financial products and services or the healthcare industry).*

### **Introduction**

The "last updated" date is normally located at the top of the privacy policy. The best practice is to update this date whenever you modify the policy. Any changes you make will only apply to information collected after the revision date.

The introductory language clarifies that the policy only applies to information collected during online activities on the website and electronic correspondence, not information collected offline. By using the site, visitors agree to the terms of the privacy policy.

### **Information We Collect**

This section lists the types of information you collect, including whether or not you collect "personal information." Personal information is any *personally identifiable information* that can be linked to specific individuals, such as names, addresses, dates or places of birth, and social security numbers.

Possible categories include

- Billing and credit card information
- Demographic information
- Forum or discussion board activities
- Product reviews
- Search queries
- Site feedback or suggestions
- Social security numbers
- Surveys or polls

- Sweepstakes or contest information

You may also add your own miscellaneous categories. You should be thorough in including all categories of information collected. Note that this document already permits you to collect certain standard categories of information, such as names, addresses, email addresses, phone numbers, personal interests, server logs, advertising interactions, online interactions, and activities on the website. It may be beneficial to preview this language in the document before adding your own categories.

This section also notifies visitors if you allow and collect account or profile information, transaction information, and user contributions, such as public posts to forums or discussion boards.

#### *Automatic Data Collection*

Any automatic data collection technologies employed by your site are detailed here. These may include cookies, web beacons, flash cookies, DoubleClick DART cookies, and Google Analytics.

#### *How We Respond to Do Not Track Signals*

Here, you explain whether you track visitors' activities over time or across third-party websites and if you respond to Do Not Track (DNT) signals. DNT signals are sent by browsers to notify websites when visitors do not wish to be tracked. This section also explains whether you allow third parties (anyone else) to track visitors.

### **How We Use Your Information**

This section lists the various ways in which you use the visitor information you collect. For instance, it notifies visitors if you sell or rent their information to others. Common uses of visitor information include to administer the site, to enforce site rules, to provide access to the site and its services, to research and analyze visitor usage data and target demographics, to maintain security, and to fulfill visitor requests. You may also use visitor information in other ways so long as you indicate the uses at the time the user submits the information or if you first receive authorization.

This section also explains that all information collected from visitors of the site belongs to you, whether or not such information is personal information, information visitors volunteer, or information passively collected (for instance, through automatic collection technologies).

### **How We Share Your Information**

Here, you clarify the other parties that you may share visitor information with. These parties include any affiliates or subsidiaries; employees, contractors, business partners, and other third parties that provide support to the site; any new owner that receives your site's assets through a

sale, liquidation, merger, or similar proceeding; and courts and government law enforcement agencies. You may also add others to this list or notify visitors of other parties that will receive specific information at the time visitors provide it.

You can optionally include third-party advertisers and ad servers or allow your site broad license to share with any third party it desires. However, to ensure that your policy stands up in court, you should tailor your privacy policy to your actual or reasonably expected privacy practices. Therefore, you should refrain from adding any parties that you will not actually share information with, limiting your list as much as possible.

### **Links to Other Websites**

The privacy policy only applies to your website. Visitors should be aware of this when they exit your site and review the privacy policies of all sites they reach through links on your site.

### **Third-Party Tracking on Our Site**

This section is present if you indicated that your site allows third parties to place advertisements or other content on your site that uses tracking technologies to collect information from visitors. It then goes into more detail regarding targeted ads and whether or not they collect personal information.

### **Opt-Out Procedures**

Visitors are told how to opt out of receiving certain communications from your site. If your site uses them, visitors may also opt out of sharing with third-party advertisers and targeted ads. Lastly, they are directed to review the relevant third-party privacy policies for any tracking technologies used on your site.

### **How to Access and Change Your Information**

It is important that visitors are able to review, correct, and delete any personal information you collect on the site. This section provides the email address for doing so and if your site provides accounts, explains how to update account information.

### **Notice of California Privacy Rights**

This section is important to comply with the California "[Shine the Light](#)" law (California Civil Code Section 1798.83). California residents who use the site may request certain information regarding any disclosure of personal information to third parties for their direct marketing purposes by emailing you at the address indicated.

### **Security**

Here, visitors are notified of your site's data security technologies and the measures you take to safeguard against unauthorized use or disclosure. For example, it explains whether you encrypt data using Secure Sockets Layer (SSL) data encryption or other technologies. Since no data transmissions can be guaranteed against loss or theft, it is important that this provision does not overstate your ability to protect data (for instance, against hacking or viruses).

### **Children's Privacy**

Visitors must be notified about whether you collect personal information from children under 13 years of age. If so, you must state your reason for collecting such information, explain your uses of it, and notify parents or legal guardians of their related rights to review, update, and delete such information.

### **Changes to This Privacy Policy**

You may post changes to the privacy policy at any time. However, note that any changes you make will only apply to information collected after a revision is posted. If you make any significant changes to how you collect, use, or share visitor information, then instead of just posting your changes on the privacy policy page, it is recommended that you email account holders directly and post notice in a prominent location on the site. This will make sure that your updates are legally valid should they ever be questioned in court.

### **Notification Procedures**

You may make any notifications necessary regarding the privacy policy in whatever manner you deem appropriate (in accordance with applicable laws).

### **Cross-Border Data Transfers**

Here, visitors agree that you may transfer visitor information to countries other than their own.

### **Contact Information**

Lastly, visitors are told how to contact you should they have any questions, suggestions, or complaints. It is recommended that you include an address, phone number, and email address.