



THEHELLERGROUP

LEGAL AND EXECUTIVE SEARCH

THE HELLER GROUP PRIVACY POLICY

Introduction

The Heller Group Legal and Executive Search Inc. (“The Heller Group” or “we”) is committed to protecting the privacy of your personal information and has developed policies and procedures consistent with the *Personal Information Protection and Electronic Documents Act* and other provincial privacy laws.

The Heller Group is responsible for your personal information under our possession and control. Pursuant to applicable privacy legislation, we have designated a Privacy Officer to ensure our compliance with this policy and privacy legislation; to receive and respond to your questions and complaints, if any; and to deal with your requests for access and any changes to your personal information (see paragraph 9, below).

1. Personal Information

Personal information means information about an identifiable individual and includes any information provided to us by a candidate and notes and assessments made about the candidate by our consultants, but does not include the name, title or business address or telephone number of an employee of an organization.

2. Consent

We respect your privacy and, unless otherwise required by law, we will not collect, use or disclose your personal information without your prior consent. Your consent may be expressed or implied. You may expressly give your consent in writing, verbally or through any electronic means. In certain circumstances, your consent may be implied by your actions. For example, by responding to a job posting and/or sending us your resume, we will assume that you have consented to the collection, use and disclosure of your personal information for the purposes described in this privacy policy. Your consent may also be implied in the event that you continue to use our services after you have been notified of a change.

3. Collection

The information we collect depends upon the nature of the service provided to you. We typically collect the following types of personal information about you in the course of providing our services:

- name and contact information (including your home address, telephone number and e-mail address)
- work and employment history, including information relating to:
 - past, present and expected salary, benefits and bonuses;
 - previous employers and employment/personal references;
 - client/transaction lists;
 - job performance reviews.
- educational background, including:
 - academic transcripts;
 - schools attended and degrees received;
 - professional affiliation and memberships

We will collect your personal information directly from you whenever possible. However, periodically, we may collect personal information about you from third parties, including from the references you provide to us. Prior to collecting your personal information from a third party, we will notify you and obtain your consent. You should be aware that if you decide to withhold any information or the information you provide to us is incomplete, we may not be able to effectively serve you. If we determine that we are unable to deliver the services you requested based on the information you have provided, we may request additional information in order to identify other ways to be of assistance.

From time to time, we may collect and/or amalgamate information, which may include your personal information, for the purposes of conducting market research and forecasting legal trends which may impact our business activities. Rest assured that any information collected in such circumstances will not be sold or disclosed to a third party without your prior consent.

4. Purpose and Use

The Heller Group, uses and maintains your personal information for the purposes of providing the services for which you have engaged us, responding to your specific service needs, continuing your service eligibility, complying with our regulatory obligations and for any other reasonable purposes for which you may have provided your express consent or in which your consent may be reasonably implied in the circumstances.

5. Disclosure

(A). Delivery of Services

If you are a potential job candidate, we may share your personal information with potential employers. However, we will not disclose any personal information about a candidate to a potential employer without first obtaining the candidate's prior consent. Your personal information may also be shared with our third party service providers who assist in the delivery of our services, such as specialized data processing. These organizations may have access to your personal information when performing services on our behalf. All of our service suppliers are bound by strict contractual obligations to protect and maintain the confidentiality of your information in a manner that is consistent with this privacy policy. By requesting services from The Heller Group you consent to our disclosure of your information to these third party service suppliers.

(B). As Permitted By Law

Your personal information may be disclosed to third parties as permitted or required by law.

(C). Sale of Business/Financing/Reorganization

Your personal information will not be sold. However, you consent to the disclosure of your personal information to:

- successor corporations of The Heller Group;
- the lenders of The Heller Group; or
- a proposed acquiror of the business or a division of the business of The Heller Group and their agents and representatives.

Any entity that obtains your personal information in any of the circumstances listed above will be bound by obligations and protections comparable to or equivalent with those in this privacy policy.

6. Using our Website

Our website uses certain technologies that are designed to monitor the performance of the website and to enhance the usability of our website for each user. Each time you visit our site, we may collect information specifically related to that session. For example, we may collect information such as your IP address, the length of time you visited the site, the type of browser used to access our site as well as to track the number of visitors to the site. This information will only be used by us to monitor and enhance the website. Any personal information that you submit through our website (i.e. applying for a posted job or sending us your resume) will be subject to this privacy policy.

7. Your Privacy Choice

We are committed to protecting your personal information regardless of your privacy choices. You may choose at any time to withdraw your consent for us to collect, use or disclose your personal information in whole or in part by completing and returning the PRIVACY CHOICES FORM which may be obtained from www.hellergroup.ca. Unless otherwise required by law, we will destroy your personal information at your request. However, you acknowledge that The Heller Group may be unable to provide you with services or the quality of our service to you may be negatively affected should you withdraw your consent.

8. Safeguards

We protect your personal information by maintaining physical, electronic and procedural safeguards that meet or exceed applicable law and by means of ongoing staff training. Our safeguards protect your personal information from unauthorized access, disclosure, use or alteration.

9. Accessing Your File

We will establish and maintain a file of each candidate's personal information. We will attempt to keep the file complete, up to date and accurate. Except where prohibited by law, you have the right to access your file and update personal information in the file that may be obsolete, incomplete or incorrect. To access your file you may complete and return the PRIVACY CHOICES FORM or contact The Heller Group's Chief Privacy Officer (see paragraph 10 below). If you believe that your personal information is incorrect, you should advise us in writing and we will promptly review your request, correct errors or, if we disagree, advise you and keep your statement for your file. Except when authorized by law, we will respond to access requests within 30 days.

10. Inquiries and Information

You may access information regarding our privacy commitment at www.hellergroup.ca. Additional copies of this privacy policy may be obtained by calling The Heller Group, by e-mail info@hellergroup.ca or by visiting our offices. If you have questions about our privacy policies or if you wish to make a privacy complaint, you may contact The Heller Group's Chief Privacy Officer at the following address:

36 Toronto Street, Suite 850
Toronto, ON M5C 2C5
Attention: Chief Privacy Officer

11. General

The Heller Group reserves the right to modify and amend this privacy policy from time to time in its sole discretion without prior notice. Any such amendment(s) shall be posted on The Heller Group website and shall be effective as of the date of posting provided that if the amendments materially affects any obligations under applicable privacy legislation or otherwise requires your consent, The Heller Group shall obtain your consent (express or implied) prior to effecting such amendment(s).



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PRIVACY CONSENT FORM

I, _____, hereby consent to the collection, use and disclosure of my “personal information” (as such term is defined pursuant to applicable privacy legislation) by The Heller Group Legal and Executive Search Inc., its consultants and authorized agents (collectively, “The Heller Group”) for the purposes described in The Heller Group’s privacy policy, as amended from time to time.

I have been provided the opportunity to read The Heller Group’s privacy policy as posted on its website at www.hellergroup.ca and I understand that I may withdraw my consent provided herein or access my personal information in the possession and control of The Heller Group by completing and returning the PRIVACY CHOICES FORM, which may be obtained on The Heller Group website or by e-mailing info@hellergroup.ca.

I further understand that should I have any questions regarding (i) The Heller Group’s privacy policy, (ii) the collection, use or disclosure of my personal information by The Heller Group, or (iii) any complaints with respect to any of the foregoing, I may contact The Heller Group’s Chief Privacy Officer.

Signature _____

Date _____



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PRIVACY CHOICES FORM

Pursuant to applicable privacy legislation, you have the right to access your personal information in our possession or control and to withdraw your consent in respect of the personal information collected, use or disclosed by the Heller Group about you. If you wish to access your personal information or withdraw your consent to the collection, use and disclosure of your personal information as described in the Heller Group's privacy policy, please complete and return this form either in person or by mail to 36 Toronto Street, Suite 850, Toronto, ON M5C 2C5 with attention to the Chief Privacy Officer. Our records will be revised to reflect your preferences as indicated below:

- I withdraw my consent to the collection, use and disclosure of my personal information.

Provide access to the following information (describe in detail the information you wish to access): _____

If you are requesting access to your information, please tell us how you wish to receive the information:

- mail (provide mailing address): _____

- e-mail (provide e-mail address): _____
- fax (provide fax number): _____
- other (specify): _____

Please allow approximately 30 days from our receipt of this form for your instructions to become effective.

Signature _____ Date _____

**Our ability to effectively provide you with services may be negatively affected by your privacy choices. Should you have any questions, please contact your consultant.*