

Running Head: ██████████ PRIVACY POLICY

██████████ Privacy Policy: Provisions and The Reasoning
Behind Them

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Abstract

There are eight provisions that must be in place in order to provide a thorough privacy policy to online visitors and consumers. The policy must include what personal information is being collected from site visitors, how it is used, and how to opt-out of such data collection practices. It is also essential to explain what cookies are and how they pertain to a positive online experience. Any affiliation with third parties must be outlined and whether or not they have access to personal visitor information. Changes in this policy, site security, and the company's stance on collecting information from children are all important issues to be discussed within a privacy policy.

Introduction

The following eight provisions are essential aspects that should be covered in the privacy policy for [REDACTED].

[REDACTED] is a company that has been in existence for nearly 100 years. They are known for selling old-fashioned chocolates and candies in their many retail stores throughout the Western United States. Since they are such an established company, they have not always relied on the Internet for their revenue. Having an up-to-date privacy policy in place ensures that consumers feel comfortable doing business with the company online.

Provision #1

What personal information we collect

When you create [REDACTED] account, purchase a product, or participate in an online survey, we may collect a variety of information, including your name, mailing address, phone number, email address, contact preferences, and credit card information. When you share your content with family and friends to send gift certificates and products, or invite others to join you on [REDACTED] may collect the information you provide about those people such as name, mailing address, email address, and phone number. (Apple, 2010).

Relevance

It is extremely important to outline specific information that will be collected by site visitors and online consumers. People are not completely comfortable sharing their personal information online. By listing what will be collected and how it will be used, there is a sense of trust built up in the mind of the consumer. They feel confident that we will not use their information for any purposes that are not explicitly mentioned within the privacy policy.

Provision #2

How we use your personal information

The personal information we collect allows us to keep you posted on [REDACTED] latest product announcements and upcoming events. It also helps us to improve our services, content, and advertising. If you don't want to be on our mailing list, you can opt out anytime by updating your preferences. We also use personal information to help us develop, deliver, and improve our products, services, content, and advertising. From time to time, we may use your personal information to send important notices, such as communications about purchases and changes to our terms, conditions, and policies. Because this information is important to your interaction with [REDACTED] you may not opt out of receiving these communications. We may also use personal

information for internal purposes such as auditing, data analysis, and research to improve ██████████ products, services, and customer communications. If you enter into a sweepstake, contest, or similar promotion we may use the information you provide to administer those programs. (Apple, 2010).

Relevance

The brief outline seen in provision #1 can be seen as vague. It simply covers what information will be stored and what will be done with it. This provision goes more in depth and explains the reasoning behind the data collection. It provides a sense of transparency. ██████████ explains that as a consumer, your information makes you privy to “product announcements and upcoming events.” However, they also explain that your information helps them with their marketing and advertising tactics.

The most important aspect of this provision is that it lets the reader know that they are able to opt out of the company mailing list, but not out of important messages pertaining to purchases made by the consumer or any changes in policies. Online consumers don't always want to receive promotional emails from companies with which they have done business. It shows respect for the consumer that the provision provides instructions on how to opt-out of promotional communications.

Provision #3

What About Cookies?

Cookies are alphanumeric identifiers that we transfer to your computer's hard drive through your Web browser to enable our systems to recognize your browser and to provide features such as 1-Click purchasing, Recommended for You, and storage of items in your Shopping Cart between visits. The Help portion of the toolbar 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. Additionally, you can disable or delete similar data used by browser add-ons, such as Flash cookies, by changing the add-on's settings or visiting the Web site of its manufacturer. However, because cookies allow you to take advantage of some of [REDACTED] essential features, we recommend that you leave them turned on. For instance, if you block or otherwise reject our cookies, you will not be able to add items to your Shopping Cart, proceed to Checkout, or use any [REDACTED] products and services that require you to Sign in. (Amazon, 2008).

Relevance

It is important to explain what cookies are. Many Internet users are aware of the term, "cookies," but don't fully understand them. This provision explains what they are, why they are useful, and how to delete them if necessary. Many people don't want their information stored for their own sense of security or perhaps they use a shared computer. This provision gives specific examples of different website features that rely on cookies to function. Quick purchasing, product recommendations, and shopping cart storage are all very important and useful aspects to any e-commerce site. For [REDACTED] [REDACTED] they are relied upon to complete the online sales process.

Provision #4

Disclosure to Third Parties

At times [See's] may make certain personal information available to strategic partners that work with [See's] to provide products and services, or that help [See's] market to customers.

Personal information will only be shared by [See's] to provide or improve our products, services and advertising; it will not be shared with third parties for their marketing purposes.

a. Service Providers

[See's] shares personal information with companies who provide services such as information processing, extending credit,

fulfilling customer orders, delivering products to you, managing and enhancing customer data, providing customer service, assessing your interest in our products and services, and conducting customer research or satisfaction surveys. These companies are obligated to protect your information and may be located wherever [See's] operates.

b. Others

It may be necessary - by law, legal process, litigation, and/or requests from public and governmental authorities within or outside your country of residence - for [See's] to disclose your personal information. We may also disclose information about you if we determine that for purposes of national security, law enforcement, or other issues of public importance, disclosure is necessary or appropriate. We may also disclose information about you if we determine that disclosure is reasonably necessary to enforce our terms and conditions or protect our operations or users. Additionally, in the event of a reorganization, merger, or sale we may transfer any and all personal information we collect to the relevant third party. (Apple, 2010).

Relevance

In the minds of consumers, the only thing worse than receiving constant mailings and updates from companies they do

business with, is receiving them from companies in which they have no interest. For this reason, it is important to include this provision assuring the reader that their information will not be shared with third parties for marketing purposes. It does state that personal information will be made available to outside companies, but only for the purpose of helping See's enhance the customer experience within [REDACTED].

Furthermore, those outside companies are still legally bound to protect personal information and will not share it or use it maliciously. Also important, is the recognition of being forced legally to disclose customer information. This is important to include because sometimes companies get involved in lawsuits and consumers should be aware that their information might be shared.

Provision #5

Site Security

For site security purposes and to ensure that this service remains available to all users, [REDACTED] employs commercial software programs to monitor network traffic to identify unauthorized attempts to upload or change information, or otherwise cause damage. Except for authorized law enforcement investigations, no other attempts are made to identify individual users or their usage habits. Raw data logs are used for no other purposes and are scheduled for regular

destruction in accordance with National Archives and Records Administration guidelines. Unauthorized attempts to upload information or change information on this service are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and the National Information Infrastructure Protection Act. (U.S. Department of Homeland Security, 2009).

Relevance

With all the reports regarding cyber crimes these days, perhaps the most important provision to include is that of site security. This provision is instrumental in making people feel safe online and making sure that they trust the See's Candies website. It explains that all traffic is monitored for the sole purpose of identifying "unauthorized attempts to upload or change information, or otherwise cause damage," and that this data is regularly destroyed to protect site visitors. This explanation reassures readers that they are not being monitored in a "big brother" way but in a way to ensure their safety while on the See's website.

Provision #6

Children

The safety of children online is very important to us. We do not knowingly collect Personal Information from children under the

age of 13. If we become aware that we have inadvertently received Personal Information from a user under the age of 13, we will attempt to delete the information as soon as possible. Because we do not knowingly collect Personal Information from children under the age of 13, we also do not knowingly distribute such information to third parties. ██████████ 2010).

Relevance

Including a child safety provision is important for not only proving that this is a legitimate company that complies with privacy laws, but also that they care about protecting children which is a selling point for parents. ██████████ has a target audience that does include families with children. This provision helps assure parents that we will not collect information from their children and on the off chance that it happens, we will promptly discard of it.

Provision #7

What Choices Do I Have?

You can always choose not to provide information, even though it might be needed to make a purchase or to take advantage of such ██████████ features as Your Profile, Wish Lists, and Customer Reviews. You can add or update certain information on specific

pages. When you update information, we usually keep a copy of the prior version for our records. If you do not want to receive e-mail or other mail from us, please adjust your Customer Communication Preferences. (If you do not want to receive Conditions of Use and other legal notices from us, such as this Privacy Notice, those notices will still govern your use of [REDACTED] and it is your responsibility to review them for changes). 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. Additionally, you can disable or delete similar data used by browser add-ons, such as Flash cookies, by changing the add-on's settings or visiting the Web site of its manufacturer. However, because cookies allow you to take advantage of some of [REDACTED] essential features, we recommend that you leave them turned on. For instance, if you block or otherwise reject our cookies, you will not be able to add items to your Shopping Cart, proceed to Checkout, or use any [Sees.com] products and services that require you to Sign in. (Amazon, 2008).

Relevance

It is essential to give visitors and consumers a way to opt-out or otherwise avoid being marketed to from [REDACTED]

and this provision does just that. It does advise against doing so since certain information is critical to completing different goals on the company website. However, it gives specific instructions on how to change your preferences and how to keep your Internet browser from accepting cookies. It also makes sure that the reader is aware that even though they might not receive a notification of updated policies due to an opt-out, the policies still apply to them. This is a good point to highlight. Many consumers think that if the company does not send them the new rules, they don't apply to them. However, if the update is not received purposely, then they still must educate themselves on the current policies of the organization.

Provision #8

Privacy Policy Changes

We reserve the right, at our discretion, to change this Privacy Policy at any time. Please check this page [and the link to this page from our homepage] periodically for changes. Those changes will go into effect on the Effective Date disclosed in the changed Privacy Policy. The new Privacy Policy will apply to all current and past users of our website and will replace any prior Privacy Policies that are inconsistent. ([REDACTED])

Relevance

The Internet is changing at all times. Therefore, privacy on the Internet must do the same. Including a provision that states that [REDACTED] policies may change at any time not only protects the company in the event of a lawsuit, but should also alert the reader that they should be sure to stay updated on the policies of different companies with which they do business.

Conclusion

Overall, the inclusion of a privacy policy is an integral part of a web site's success. It helps the reader or consumer understand what information is being collected, how it is being collected, what it is used for, and most importantly, how to opt-out of such collection practices. These provisions help provide a sense of transparency that consumers appreciate and help legitimize the company within the minds of consumers.

References

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