



Sperosens

Protection of Personal Information (POPI) Policy

Privacy Policy in terms of the Protection of Personal Information Act, No. 4 2013 (South Africa)
August 2020

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ORGANISATION	Sperosens
SCOPE OF POLICY	This policy applies to the business of Sperosens wherever it is conducted, but based at the registered office. It applies to paid employees.
POLICY OPERATIONAL DATE	28/07/2020
POLICY PREPARED BY	Marihette Hattingh, Marketing and Customer Care
DATE APPROVED BY INFORMATION OFFICER	XX/08/2020
APPROVED BY	[Name & Signature]
NEXT POLICY REVIEW DATE	July 2021

1 INTRODUCTION

1.1 The purpose of this policy:

- Comply with the law in respect of the data it holds about individuals.
- Follow good practice.
- Protect Sperosens' employees and other individuals.
- Protect the organisation from the consequences of a breach of its responsibilities.

1.2 Personal information

This policy applies to information relating to identifiable individuals, in terms of the Protection of Personal Information Act, 2013 (*hereinafter POPI Act*).

1.3 Policy statement

Sperosens will:

- Comply with both the law and good practice.
- Respect individuals' rights.
- Be open and honest with individuals whose data is held.
- Provide training and support for staff who handle personal data, so that they can act confidentially and consistently.

Sperosens recognises that its first priority under the POPI Act is to avoid causing harm to individuals. In the main this means:

- Keeping information securely in the right hands.
- Retention of good quality information.

The Act aims to ensure the legitimate concerns of individuals about the ways in which their data may be used are taken into account. In addition to being open and transparent, Sperosens will seek to give individuals as much choice as is possible and reasonable over what data is held and how it is used.

We collect and process Personal Information mainly to provide customers with access to our services and products, to help us improve our offerings to customers. The type of information we collect will depend on the purpose for which it is collected and used. We will only collect information that we need for that purpose.

We collect information directly from customers who provide us with personal details, for example when you purchase a product or services from us or when you submit enquiries to us or contact us.

Where possible, customers will be informed what information are required to provide to us and what information is optional.

1.4 Key risks

Sperosens has identified the following potential key risks, which this policy is designed to address:

- Breach of confidentiality (information being given out inappropriately)
- Insufficient clarity about the range of uses to which data will be put — leading to Data Subjects being insufficiently informed
- Failure to offer choice about data use when appropriate
- Breach of security by allowing unauthorised access
- Harm to individuals if personal data is not up to date
- Data Operator contracts

2 POPI SCOPE

2.1 Terminology

The POPI Act covers personal information, which means any information that relates to a specific person. The law notes that this isn't limited to a "**natural person**" (that is, a human being) but also a "**juristic person**" which means an independent legal entity such as a company.

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3 POPI REQUIREMENTS

3.1 Accountability

The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 1, and Chapter 5, Part B.

The appointment of the Sperosens Information Officer will be authorised by the Designated Head.

Information Officer Responsibilities:

- Developing, publishing and maintaining a POPI Policy which addresses all relevant provisions of the POPI Act
- Reviewing the POPI Act and periodic updates as published
- Ensuring that POPI Act induction training takes place for all staff
- Ensuring that periodic communication awareness on POPI Act responsibilities takes place
- Ensuring that Privacy Notices for internal and external purposes are developed and published
- Handling data subject access requests
- Approving unusual or controversial disclosures of personal data
- Approving contracts with Data Operators

- Ensuring that appropriate policies and controls are in place for ensuring the Information Quality of personal information
- Ensuring that appropriate Security Safeguards in line with the POPI Act for personal information are in place
- Handling all aspects of relationship with the Regulator as foreseen in the POPI Act
- Provide direction to any Deputy Information Officer if and when appointed
- Reviewing the Sperosens POPI policy annually

Consideration will be given on an annual basis of the re-appointment or replacement of the Information Officer or the need for any Deputy to assist the Information Officer.

3.2 Processing Limitation

The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 2.

Sperosens undertakes to comply with the POPI Act, Conditions 2 in terms of processing limitation, sections 13 and 14, subject to the following stipulation (Retention periods).

- Personal information can only be collected directly from the data subject or from public records. The key exceptions (avoiding prejudicing criminal investigations) don't usually apply to businesses.
- Sperosens undertakes to comply with the POPI Act, Conditions 2 in terms of processing limitation, sections 9 to 12, subject to the following stipulation (Forms of Consent).
- Sperosens undertakes to gain written consent where appropriate.
- Only processing personal information that is relevant and only to the point needed for the stated purpose.
- The data subject can withdraw consent at any time.

All relevant privacy clauses are filled with the POPI Act policy.

3.3 Purpose specification

The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 3.

Sperosens undertakes to comply with the POPI Act, Conditions 2 in terms of processing limitation, sections 13 and 14, subject to the following stipulation (Retention periods).

Sperosens will establish retention periods for at least the following categories of data:

- Directors
- Staff
- Customers
- Suppliers

3.4 Further processing limitation

The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 4.

Sperosens undertakes to comply with the POPI Act, Conditions 2 in terms of processing limitation, section 15.

After collecting the personal information, Sperosens will only process it in a way that's necessary for, and relevant to, the original stated purpose.

3.5 Information Quality

The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 5.

Sperosens will comply with all of the aspects of Condition 5, section 16.

Sperosens will ensure make sure the personal information is "*complete, accurate, not misleading and updated where necessary.*"

Sperosens will regularly review its procedures for ensuring that its records remain accurate and consistent and, in particular:

- ICT systems will be designed, where possible, to encourage and facilitate the entry of accurate data.
- Data on any individual will be held in as few places as necessary, and all staff will be discouraged from establishing unnecessary additional data sets.
- Effective procedures will be in place so that all relevant systems are updated when information about any individual changes.
- Staff who keep more detailed information about individuals will be given additional guidance on accuracy in record keeping.

Accuracy:

Sperosens will review all personal information on an annual basis.

Archiving:

Archived electronic records of Sperosens are stored securely off site at an independent third-party service provider.

Paper record archiving takes place through the use of an independent third-party service provider. A certificate of destruction will be obtained for each batch of archived documents destroyed.

3.6 Openness

The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 6.

In line with Conditions 6 and 8 of the Act, Sperosens is committed to ensuring that in principle Data Subjects are aware that their data is being processed and

- for what purpose it is being processed;
- what types of disclosure are likely; and
- how to exercise their rights in relation to the data.

Data Subjects will generally be informed in the following ways:

- Staff: through this policy

- Customers and other interested parties: through the clauses contained in all Sperosens communications and documentation

Whenever data is collected, the number of mandatory fields will be kept to a minimum and Data Subjects will be informed which fields are mandatory and why.

3.7 Security Safeguards

The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 7, section 19 to 22.

This section of the policy only addresses security issues relating to personal information. It does not cover security of the building, business continuity or any other aspect of security.

Sperosens has identified the following risks:

- Staff with access to personal information could misuse it.
- Access to information on the R: drive.

Sperosens will ensure that all necessary controls are in place in terms of access to personal information.

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3.8 Data Subject Participation

The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 8, sections 23 to 25.

Any subject access requests will be handled by the POPI Act Information Officer in terms of Condition 8.

Subject access requests must be in writing. All staff are required to pass on anything which might be a subject access request to the POPI Act Information Officer without delay.

Where the individual making a subject access request is not personally known to the POPI Act Information Officer their identity will be verified before handing over any information.

4 PROCESSING OF SPECIAL PERSONAL INFORMATION

The scope of this aspect of the policy is defined by the provisions of the POPI Act, Part B, sections 26 to 33.

Sperosens has the policy of adhering to the process of Special Personal Information which relates to the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a data subject.

Special personal information includes criminal behaviour relating to alleged offences or proceedings dealing with alleged offences.

Unless a general authorisation, alternatively a specific authorisation relating to the different types of special personal information applies, a responsible party is prohibited from processing special personal information.

5 DIRECT MARKETING, DIRECTORIES AND AUTOMATED DECISION MAKING

The scope of this aspect of the policy is defined by the provisions of the POPI Act, Chapter 8.

Sperosens undertakes to comply with the POPI Act Chapter 8, sections 69 to 71.

5.1 Collection of Personal Information

Whenever data is first collected which might be used for any marketing purpose, this purpose will be made clear, and the Data Subject will be given a clear opportunity to opt in by means of i.e. subscription, accepted invitation or completing of an attendance register.

Sperosens has the policy against sharing lists (or carrying out joint or reciprocal mailings). Mailings only takes place on an occasional and tightly-controlled basis. Details will only be used for any of these purposes where the Data Subject has been informed of this possibility, along with an option to opt out/un-subscribe, and has not exercised this option.

Sperosens undertakes to obtain external lists only where it can be guaranteed that the list is up to date and those on the list have been given an opportunity to opt out.

Whenever e-mail addresses are collected, any future use for marketing will be identified, and the provision of the address made optional.

We collect and process your Personal Information mainly to provide you with access to our services and products, to help us improve our offerings to you and for certain other purposes explained below. The type of information we collect will depend on the purpose for which it is collected and used. We will only collect information that we need for that purpose.

We collect information directly from you where you provide us with your personal details, for example when you purchase a product or services from us or when you submit enquiries to us or contact us. Where possible, we will inform you what information you are required to provide to us and what information is optional.

5.2 Collection of Non-Personal Information

We may automatically collect non-Personal Information about you such as the type of internet browsers you use or the website from which you linked to our website. We may also aggregate details which you have submitted to the site (for example, the products or services you are interested in).

You cannot be identified from this information and it is only used to assist us in providing an effective service on our web site.

5.3 Cookies policy

We use cookies on our website. Some of them are essential for the operation of the site, while others help us to improve the site and the user experience (tracking cookies). You can decide for yourself whether you want to allow cookies or not. Please note you have the option to block the use of cookies on our landing page. If you reject them you may not be able to use all the functionalities on the site.

Cookies are small data files that your browser places on your computer or device. Cookies help your browser navigate a website and the cookies themselves cannot collect any information stored on your computer or your files. When a server uses a web browser to read cookies they can help a website deliver a more user-friendly service. To protect your privacy, your browser only gives a website access to the cookies it has already sent to you.

6 STAFF TRAINING & ACCEPTANCE OF RESPONSIBILITIES

The scope of this aspect of the policy is written in support of the provisions of the POPI Act, Chapter 5, Part B.

The Sperosens Information Officer will ensure that all staff who have access to any kind of personal information will have their responsibilities outlined during their induction procedures.

Sperosens will provide opportunities for staff to explore POPI Act issues through training, team meetings, and supervisions.

Sperosens will ensure that all staff sign acceptance of this policy once they have had a chance to understand the policy and their responsibilities in terms of the policy and the POPI Act.