



PRIVACY STATEMENT AND POLICY ON THE PROTECTION OF PERSONAL INFORMATION.

1. Scope

This Policy is applicable to all business units within the SA Board for People Practices (SABPP), including all our stakeholders, namely, our members; service providers; statutory and other bodies.

2. Policy Statement

The SABPP is unequivocally committed to processing personal information within the prescripts of the Personal Information Act 4 of 2013 (POPIA) and the Promotion of Access to Information Act 2 of 2000 (PAIA) in the scope of carrying its responsibilities as defined in its Vision, Mission and People Factor Strategy # 202030.

This Policy seeks to set out our various processes aimed at handling personal information of our stakeholders as prescribed by the POPIA.

3. Purpose

The purpose of this policy is to provide guidelines in the implementation of the POPIA, so that:

- 3.1 Our stakeholders can understand the data processing activities that the SABPP engages in.
- 3.2 The SABPP staff can carry out their activities within the prescripts of the POPIA.
- 3.4 The security measures of the SABPP can be continuously evaluated by stakeholders against the POPIA guidelines.
- 3.6 The SABPP can regularly review its internal processes and ensure continued compliance with POPIA.
- 3.7 Enquiries by our stakeholders can be addressed effectively and efficiently in relation to their personal information.

4. Reference

The following SABPP documents are fundamental in the implementation and maintenance of this Policy:

- 4.1** Company records containing personal information in various business units of the SABPP:
 - 4.1.1 The Chief Executive Officer and Governance Office
 - 4.1.2 Research and Institutional Assurance
 - 4.1.3 Product Solutions & Business
 - 4.1.4 Operations
- 4.2 People Factor Strategy #202030
- 4.3 Board and Sub-Committees' Terms of Reference.

5. Legislative Framework

This includes:

- 5.1 The Protection of Personal Information Act 4 of 2013 (POPIA).
- 5.2 The Promotion of Access to Information Act 2 of 2000 (PAIA)
- 5.3 The Labour Relations Act 66 of 1995 (LRA)
- 5.4 The Basic Conditions of Employment Act 75 of 1997 (BCEA).
- 5.5 The Skills Development Act 97 of 1998 (SDA)
- 5.6 The Employment Equity Act 55 of 1998 (EEA).
- 5.7 The Consumer Protection Act 68 of 2008 (CPA)
- 5.8 The Financial Intelligence Centre Act 38 of 2001 (FICA)
- 5.9 The Financial Services Board Act 97 of 1990 (FSBA).

6. Responsibility

The following are the various responsibilities of the SABPP regarding this Policy.

6.1 The SABPP Board

The Board is responsible for providing direction through the development of the POPI Policy.

6.2 SABPP Management

To oversee the implementation of the Policy.

6.3 SABPP Employees

To operate within the confines of the POPI Policy.

6.4 SABPP Stakeholders

To exercise their rights in terms of the POPIA

7. Policy

7.1 Lawful Processing of Personal Information

The SABPP is committed to processing personal information in line with its responsibilities under the applicable data protection laws of South Africa. The following conditions of lawful processing of personal information are the principles which will guide the SABPP in processing the collected personal information:

- 7.1.1 Accountability:** As the responsible party, the SABPP will through its employees make sure that personal information is processed in a lawful and responsible manner.
- 7.1.2 Processing limitation:** Personal information shall always be collected lawfully for a defined purpose and where applicable, with the consent of our stakeholders.
- 7.1.3 Purpose specification:** Personal information will be used only for purposes that our stakeholders and employees expect us to use it for.
- 7.1.4 Further processing limitation:** Where a processing activity is regarded as further processing, meaning a new purpose for processing personal information and this new purpose is not consistent with the original purpose or original reason the information was collected, the SABPP will ensure that its processing procedures meet the requirements of the applicable data protection laws.
- 7.1.5 Information quality:** Reasonable steps will be taken to ensure that the personal information of our stakeholders is accurate, complete, and regularly updated to ensure that it is always relevant.
- 7.1.6 Openness:** The SABPP will always be open, clear, and honest with our stakeholders' on how and why we use their personal information and how we protect such information.
- 7.1.7 Security safeguards:** We will apply and follow appropriate and reasonable measures to ensure that the confidentiality, integrity, and availability of personal information are secured. We will apply these measures to protect personal information against loss, damage, unauthorised obliteration, or unlawful access.
- 7.1.8 Data subject participation:** Processes are in place for our stakeholders to access, correct and delete personal information and exercise their rights in terms of applicable data protection laws.

7.2 Collection of Personal Information

The SABPP collects and processes various categories of personal information and this includes:

- 7.2.1 Personal details such as name, age, passport information, biometric information, information about personal interests, etc.
- 7.2.3 Contact details such as email address and mobile number.
- 7.2.4 Details related to SABPP stakeholders including business contact details of an agent or representative, relationship with the client or related parties.
- 7.2.5 Day to day information required, such as information about SABPP products, services, requests, queries, or complaints.

7.3 Ways of collecting personal information.

The SABPP will collect personal information in various ways including directly from a specific stakeholder; or from third parties and public sources such as government agencies.

7.4 Use of Personal Information

Once express consent is granted to the SABPP, personal information will be used to:

- 7.4.1 Meet SABPP responsibilities towards its stakeholders.
- 7.4.2 Process personal information for the SABPP's normal business activities such as application for membership; upgrading of membership; course, seminar, and webinar bookings, etc.
- 7.4.3 Perform various analytical exercises to identify for example, potential labour markets and trends; evaluate and improve our business offerings. Where such exercise is anonymous, consent will not be obtained.
- 7.4.4 Inform our stakeholders about similar products and services available within the SABPP, where our stakeholders will have an option, if they so wish, to unsubscribe from any information they receive from the SABPP.
- 7.4.5 Comply with applicable laws and regulations.

The SABPP will not deliberately or knowingly collect personal information directly from anyone under the age of 18. Such personal information will be collected through their legal guardian or parent, only where services and products are obtained for the minors.

Our stakeholders' information will only be used and shared where it is necessary for the SABPP to carry out its lawful business activities. Below are the different lawful grounds for ensuring that our stakeholders comprehensively understand the way in which the SABPP processes personal information:

- (a) **Consent:** We may process your personal information for a specific and explicitly defined purpose where you, or a competent person in the case of personal information regarding a minor, provide the SABPP with express consent for such processing or where the law requires.
- (b) **Contractual need:** Personal information may be processed where it is necessary to enter a contract with the owner of such personal information in order for the SABPP to provide its products or services or to perform obligations under such a contract. In this regard, it should be noted that if such information is not provided, it may not be possible for the SABPP to continue to provide our services and products to you.
- (c) **Compliance with legal obligation:** When applying for a product or service, the SABPP is required by law to collect and process certain personal information about the owner of such personal information. Refusal to provide such information may make it impossible for the SABPP to continue to provide services to the stakeholder in question.
- (d) **Legitimate interests of the SABPP:** The SABPP may process personal information where it is in its legal interests to do so as an organisation and without harming the interests or fundamental rights and freedoms of its stakeholders.

7.5 Processing or Sharing of Personal Information

The SABPP will process personal information where consent is given willingly or according to the grounds of lawful processing as per the POPIA. Where consent is required, the owner of the personal information will be notified through our established authorised medium.

The SABPP will only share personal information if:

- 7.5.1 It is required by the law.
- 7.5.2 There is a public duty to share such personal information.
- 7.5.3 Legitimate interests require the sharing of the personal information.
- 7.5.4 It is necessary to conclude or perform an obligation towards an agreement between the SABPP and the data subject.
- 7.5.5 There is an existing agreement that such personal information may be shared.

7.6 Personal Information Sharing and Data Transfers

The SABPP will not share personal information to external parties that are not our service providers, unless required by business operations to process such personal information to other countries, either to carry out processing based on your instructions or for normal business purposes. As specified above, we may share personal information with any of the parties stated below:

- 7.6.1 Professional advisers like auditors, third-party vendors, or independent contractors who process personal information on behalf of the SABPP to support our business.
- 7.6.2 Our business partners who provide their products and services to our stakeholders.

7.6.3 Any individual who needs personal information due to foreign or local law or regulation.

7.6.4 Any court of justice, regulatory body, taxation authority (including any authority investigating an offence) or their agents.

A third party who is located outside of South Africa and receives the personal information, will need to comply to either a law, or binding corporate rules or a binding agreement which states that they will provide an adequate level of protection to your personal information. This means that they must agree to lawfully process your personal information and protect such in the same manner as we do.

The transfer of your personal information will be based one of the following conditions:

- (a) Where you provide your consent to the transfer.
- (b) Such transfer is necessary for the conclusion or performance of a contract to which you are a party.
- (c) The transfer is for your benefit, and it is not reasonably practical to obtain your consent to that transfer; and if it were reasonably practicable to obtain such consent, you would likely give it.

7.7 Storing Personal Information

The SABPP will store and keep personal information according to the holding periods prescribed by law for reasonable business purposes and will take reasonably practicable steps to ensure that it is kept up to date and deleted and archived according to the SABPP's defined holding schedules.

7.8 The SA Board for People Practices' Security Practices

The SABPP will always strive to implement suitable and reasonable measures to prevent unauthorised destruction, loss, damage, or access to personal information by unauthorised third parties. The security of personal information is critical to us.

A proviso to the above is that no unauthorised channels may be used to send us personal information as this pose's risks of interception and unauthorised access. Personal information should always be shared using the SABPP's authorised channels.

7.9 Marketing Offerings by Electronic Means

From time to time, the SABPP shares information about its products, services and special offers through text messages, email, social media platforms or notification on mobile applications. Subject to the express consent of our stakeholders, as well as the option to opt-out or unsubscribe at any time, the SABPP may also share information about similar products, services, and special offers of our service providers.

Where you have opted-in to receive such marketing communications, you may at any time opt-out at a later stage using the "unsubscribe" link option included in every marketing communication we send. Our stakeholders have the right at any time to stop the SABPP from contacting them for marketing purposes or giving their data to our other associates.

8 Social Media

The SABPP communicates to its stakeholders through various social media sites, including Twitter and Facebook to keep its stakeholders informed, as well as engage with them. Comments made on these sites are monitored to improve our offerings. The public may access, read, share, and comment on any information posted on these sites. The SABPP is not responsible for any information posted on these sites, except the information posted by our officials designated for this. We do not endorse the social media sites, nor any information posted on them by third parties or other users.

When engaging with the SABPP through social media and your personal information is processed by the site owner, such a process is outside our control and may be in a country outside South Africa that may have different privacy arrangements. For more information about the privacy practices of a social media site, refer to and read the terms and conditions of that site.

The SABPP can never use social media sites to discuss personal information of our stakeholders. We may ask the data subject to message us in private through one of our official accounts, profiles, or pages on a social media site. Our social media presence is regularly monitored, and feedback and ideas are welcome and may be sent to us through these channels. Whenever possible, we try to join the discussions but cannot guarantee that we will read or reply to all messages sent to official SABPP social media accounts. Constructive suggestions will be considered but the SABPP cannot guarantee that any suggestions will be acted on.

9. Your Rights as Owner of Personal Information

The following are your rights regarding your personal information processed by the SABPP:

- 9.1 Right to access:** In terms of this right, you have a right to get access to your personal information held by the SABPP. A record or description of the personal information you require can be requested through our Information Officer at executiveoffice@sabpp.co.za.
- 9.2 Right to rectify/correct/ update:** Inaccurate personal information may be corrected and or updated by requesting this through our Information Officer at the above-mentioned email address.
- 9.3 Right to be notified:** You have the right to be notified that your personal information is being collected by the SABPP or has been accessed or acquired by an unauthorised person.
- 9.4 Right to object:** You may object to the SABPP processing your personal information where we have relied on one of the above-mentioned lawful grounds or where the SABPP performs a legal duty. It should however be noted that if there is a restriction to limit processing personal information, the SABPP may have to stop or suspend the operation of your membership or the services and products we offer you.

Where it is a legal requirement to do so, the SABPP will have a legal obligation to do so. Such a request can be directed to the SABPP Information Officer at executiveoffice@sabpp.co.za.

- 9.5 Right to deletion:** A request may be made to the SABPP to delete personal information by requesting the Information Officer.
- 9.6 Right to object to the processing of personal information for purposes of direct marketing:** You have the right to object at any time to the processing of your personal information for direct marketing purposes, including profiling you for the purposes of direct marketing. In this regard, a request may be made to our Information Officer.
- 9.7 Right not to be subject to automated-decision-making processes under certain circumstances:** You have rights regarding automated decision-making, including a right to appeal if your application is refused. This right may be exercised through a request to our Information Officer.
- 9.8 Right to lodge a complaint with the Information Regulator:** If you so wish, you may raise a complaint on how the SABPP has handled your personal information by contacting our Information Officer who will investigate the matter to address any concerns relating thereto. Alternatively, you may lodge the complaint with the Information Regulator.



Mr. Xolani L. Mawande
CEO: SA Board for People Practices