



PRIVACY POLICY:

PROTECTION OF PERSONAL INFORMATION IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 (POPIA)

1. INTRODUCTION

This Policy is aimed at ensuring that **iZinga Assist NPC (iA)** gives effect to the constitutional right to privacy of its beneficiaries, employees, volunteers and other third parties, by safeguarding their personal information when processed by **iA**. In doing so, **iA** shall, pursuant to the Protection of Information Act (POPIA), endeavour to:

- a. Balance the right to privacy against other rights, particularly the right of access to information, and
- b. Protect important interests, including the free flow of information within South Africa and across international borders.

iA will record and process personal information in accordance with the provisions of POPIA, and the General Data Protection Regulations (GDPR) when processing data in the United Kingdom or other European Country, and other applicable legislation. The Policy captures the key principles and practices to be adhered to by **iA**. This Policy applies to the processing of all personal information by **iA**.

Personal information is defined under POPIA as information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including but not limited to information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person; information relating to the education or the medical, financial, criminal or employment history of the person; and any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person.

2. POLICY STATEMENT

iA is committed to handling personal information in strict accordance with the provisions of POPIA). Our processing of personal information is primarily aligned with our objectives and activities, adhering to all relevant legislation and contractual obligations. We will only process personal information from the data subjects, who include our Beneficiary Organisations, Donors and stakeholders.

As mandated by POPIA, iA will ensure that data subjects are fully informed about the purposes of processing, disclosure, and disposal of their personal information. Transparency and awareness are paramount in our approach to safeguarding the privacy and confidentiality of the personal data entrusted to us.

iA is, amongst other, aimed at:

1. Providing funds and assets to public benefit organisations approved under section 18A of the Income Tax Act;
2. Facilitating and providing financial and other donor support to eligible non-profit organisations and associations operating in South Africa; and
3. Promoting good governance, optimal accountability, and financial sustainability through the provision of support services to approved public benefit organisations, including support to enable non-profit organisations to become approved public benefit organisations

iA is committed to protecting its beneficiaries and stakeholders' privacy and ensuring that their personal information is used appropriately, transparently, securely and in accordance with applicable laws. This Policy sets out how iA deals with its beneficiaries and stakeholders' personal information and stipulates the purpose for which said personal information is used.

1.1 Collection of Personal Information

Section 9 of POPIA states that "*Personal Information may only be processed if, given the purpose for which it is processed, it is adequate, relevant and not excessive.*" Processing is defined in POPIA as any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including:

- a. the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- b. dissemination by means of transmission, distribution or making available in any other form; or
- c. merging, linking, as well as restriction, degradation, erasure or destruction of information.

iA collects and processes various forms of personal information. The type of Information depends on the purpose for which it is processed. Where required under POPIA, **iA** will inform the beneficiaries and stakeholders of the necessary personal information required and the information deemed optional. Examples of personal information we collect include, but is not limited to:

- a) Directors, which personal information would include their identity numbers, names, surnames, and contact information that may include: residential and business addresses, postal codes, email and cellphone number
- b) Employees and volunteers, which personal information would include their identity numbers, names, surnames, and contact information that may include: residential addresses, postal codes, email and cellphone number – together with details of their next-of-kin;
- c) Consultants, service-providers which personal information would include their identity numbers, names, surnames, and contact information that may include: residential addresses, postal codes, email and cellphone number;
- d) Donors which personal information would include their identity numbers, names, surnames, and contact information that may include: residential addresses, postal codes, email and cellphone number, financial Information, e.g. banking details, etc.;
- e) Beneficiary Organisations whose personal information would include: Establishment and Incorporation Documents, NPO registration certificates, PBO approval letters, Personal details of Board Members, including: identity numbers, names, surnames, financial and contact information that may include: residential addresses, postal codes, email and cellphone numbers; Organisational Policies; Individual Beneficiary Information of Beneficiary Organisations; Banking Information
- f) Any other information required by the **iA** to facilitate the delivery of services requested by clients.

iA collects and processes the beneficiaries, clients, and stakeholders' personal Information (where applicable) for public benefit and marketing purposes to ensure that our products and services remain relevant to our beneficiaries, clients, stakeholders, and potential clients and to validate the integrity of the information provided when added to **iA**'s online platform.

iA has and, where applicable, will have agreements in place with all suppliers, insurers and third-party service providers to ensure a mutual understanding concerning the protection of the Beneficiaries' personal Information.

1.2 Respecting the Rights of Persons

iA is required in terms of POPIA to respect the rights of persons whose personal information are collected and processed by it. Their rights include to:

- a) Be notified of the collection of their personal information,
- b) Be notified their personal information has been accessed in an unauthorised way,
- c) Establish if iA holds personal information about them,
- d) Request access to their personal information,
- e) Request the correction, destruction or deletion of their personal information,
- f) Object to the processing of their personal information, and
- g) Object against the processing of their personal information for purposes of direct marketing (including solicitation of funding) through unsolicited electronic communication.

1.3 The Usage of Personal Information

The personal Information of beneficiaries, clients and stakeholders will be used for the purpose for which it was collected and as agreed or as permitted under iA for lawful purposes.

This may include:

- a) The provision of products or public benefit services to beneficiaries and stakeholders and to carry out iA's objectives, services or products requested;
- b) The facilitation of funding for the benefit of eligible Beneficiary Organisations;
- c) Confirming, verifying and updating beneficiaries and stakeholders' details;
- d) For the detection and prevention of fraud, crime, money laundering or other malpractices;
- e) For audit and record-keeping purposes;
- f) In pursuit and/or support of legal proceedings;
- g) To conduct market or client satisfaction research;
- h) Providing communication on regulatory matters that may affect beneficiaries and stakeholders; and
- i) In connection with and to comply with legal and regulatory requirements or otherwise prescribed by law.

1.4 Information processing criteria

According to section 10 of POPIA, personal Information may only be processed if certain conditions, amongst other listed below, are met along with supporting Information for **iA** to process Personal Information:

- a) The data subject consents to the processing: - consent is obtained from Beneficiary Organisations and stakeholders during the introductory, appointment and services required and needs analysis at the initial stage of the relationship;
- b) To fulfil contractual undertakings to which the data subject forms part;
- c) Necessity of processing: to capture accurate information of the Beneficiary Organisations and stakeholders needs for services, products and information etc.;
- d) Processing for compliance with an obligation imposed by law on **iA**;
- e) Processing protects the legitimate interest of the Beneficiary Organisations and stakeholders;
- f) Processing is necessary for pursuing the legitimate interests of **iA** — to provide the Beneficiary Organisations and stakeholders with products and or services that may require certain personal Information from the beneficiaries, clients and stakeholders.

1.5 Disclosure of Personal Information

iA has policies in place to ensure that compliance with confidentiality and privacy conditions.

1.6 Safeguarding Beneficiaries, Clients and Stakeholders Information

POPIA requires **iA** to protect personal Information adequately and it will accordingly continuously review its security controls and processes to ensure that personal Information is secure. The following procedures are in place to protect personal Information:

- a) **iA**'s Information Officer is **Mr Godwin Perils** whose details are available below. He is responsible for the compliance with the conditions of the lawful processing of Personal Information and other provisions of POPIA.
- b) All employees and volunteers are required to agree to **iA**'s confidentially undertakings containing relevant consent clauses for the use and storage of employee information, or any other action so needed, in terms of POPIA;
- c) **iA**'s third-party service providers, where these may exist, must sign a SERVICE LEVEL AGREEMENT OR OTHER EQUIVALENT FORM OF WRITTEN UNDERTAKING guaranteeing their commitment to the protection of Personal Information and this will be regularly reviewed.

- d) All electronic files or data are securely BACKED UP by iA's Cloud services provider which incorporates a secure system that protects third party access and cyber and malware threats.

1.7 Access and Correction of Personal Information

Beneficiary Organisations and stakeholders have the right to access their Personal Information held by the iA. In addition, they have the right to request iA to update, correct or delete their personal Information on reasonable grounds. Once Beneficiary Organisations and stakeholders object to the processing of their Personal Information, iA may no longer process said personal Information or delete the Information, unless still permitted pursuant to applicable legislation.

1.8 The details of iA 's Information Officer and Office contact details:

Information Officer Details

Name: Ms. ADÉL BURGER

Email Address: adel@izassist.org

WEBSITE: <https://izassist.org/>

3. RESPECTING AND RETAINING PERSONAL INFORMATION

- 3.1 Directors, employees and volunteers must, when dealing with personal information:
- 3.1.1 Ensure that organisational policies and measures are understood, embraced and complied with,
 - 3.1.2 Ensure that ongoing training is conducted to promote compliance with POPIA,
 - 3.1.3 Clarify roles and responsibilities in relation POPIA-compliance,
 - 3.1.4 Ensure that contracts with employees, volunteers and third parties capture relevant POPIA responsibilities, and
 - 3.1.5 Regularly monitor and review the effectiveness of policies and systems.
- 3.2 iA will not keep personal information for longer than necessary for achieving the purpose for which it was collected or processed, unless:
- 3.2.1 The law requires such retention period,
 - 3.2.2 iA requires such record for lawful purposes, including historical, research and/or statistical purposes,
 - 3.2.3 Retention is based upon a contract between the parties,
 - 3.2.4 The data subject has consented to such retention, or
 - 3.2.5 A competent person on behalf a minor has consented to such retention.

4. USE OF PERSONAL INFORMATION

iA will not collect personal information for one purpose and then process it for another. The further processing of personal information is, pursuant to POPIA, permissible in certain instances, including, where:

- 4.1 The data subject has provided consent or is pursuant to the law;
- 4.2 The personal information is available on a public record; or
- 4.3 The data subject has deliberately made public such personal information.

5. PROTECTION OF PERSONAL INFORMATION

iA implements suitable measures to safeguard personal information in its possession. **iA** must secure the integrity and confidentiality of personal information in its possession or under its control by taking appropriate, reasonably technical and organisational measures to prevent:

- 5.1 Loss of, damage to or unauthorised destruction of personal information, and
- 5.2 Unlawful access to or processing of personal information.
- 5.3 **iA's** Risk Management systems will be applied to ensure the protection of personal information.