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SWEETVALLEY PRIMARY SCHOOL

PROTECTION OF PERSONAL INFORMATION POLICY

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1. SCOPE

This policy forms part of the policy owner's internal education processes and procedures.

Any reference to the "school" shall be interpreted to include the "policy owner".

The SGB, its employees, volunteers, contractors, suppliers and any other persons acting on behalf of the school are required to familiarise themselves with the policy's requirements and undertake to comply with the stated processes and procedures.

Risk owners and control owners are responsible for overseeing and maintaining control procedures and activities.

2. INTRODUCTION

The right to privacy is an integral human right recognised and protected in the South African Constitution and in the Protection of Personal Information Act 4 of 2013 ("POPIA").

POPIA aims to promote the protection of privacy through providing guiding principles that are intended to be applied to the processing of personal information in a context-sensitive manner.

Through the provision of education, the Sweet Valley Primary School (hereafter known as 'the school') is necessarily involved in the collection, use and disclosure of certain aspects of the personal information of learners, clients, employees and other stakeholders.

A person's right to privacy entails having control over his or her personal information and being able to conduct his or her affairs relatively free from unwanted intrusions.

Given the importance of privacy, the school is committed to effectively managing personal information in accordance with POPIA's provisions.

3. DEFINITIONS

3.1 Personal Information

Personal information is any information that can be used to reveal a person's identity. Personal information relates to an identifiable, living, natural person, and where applicable, an identifiable, existing juristic person (such as a company), including,

but not limited to information concerning:

- race, gender, sex, pregnancy, marital status, national or ethnic origin, colour, sexual orientation, age, physical or mental health, disability, religion, conscience, belief, culture, language and birth of a person;
- information relating to the education or the medical, financial, criminal or employment history of the person;
- any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- the biometric information of the person;
- the personal opinions, views or preferences of the person;
- correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- the views or opinions of another individual about the person;
- the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

3.2 Data Subject

This refers to the natural or juristic person to whom personal information relates, such as an individual learner, customer, employee, or a company that supplies the school with products or other goods.

3.3 Responsible Party

The responsible party is the entity that needs the personal information for a particular reason and determines the purpose of and means for processing the personal information. In this case, the school is the responsible party.

3.4 Operator

An operator means a person who processes personal information for a responsible party in terms of a contract or mandate, without coming under the direct authority of that party. For example, a third-party service provider that has contracted with the school to shred documents containing personal information. When dealing with an operator, it is considered good practice for a responsible party to include an indemnity clause.

3.5 Information Officer

The Information Officer is responsible for ensuring the school's compliance with POPIA.

Where no Information Officer is appointed, the head of the school will be responsible for performing the Information Officer's duties. Once appointed, the Information Officer must be registered with the South African Information Regulator established under POPIA prior to performing his or her duties. Deputy Information Officers can also be appointed to assist the Information Officer.

3.6 Processing

The act of processing information includes any activity or any set of operations, whether or not by automatic means, concerning personal information and includes:

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

3.7 Record

Means any recorded information, regardless of form or medium, including:

- Writing on any material;
- Information produced, recorded or stored by means of any tape-recorder, computer equipment, whether hardware or software or both, or other device, and any material subsequently derived from information so produced, recorded or stored;
- Label, marking or other writing that identifies or describes anything of which it forms part, or to which it is attached by any means;
- Book, map, plan, graph or drawing;
- Photograph, film, negative, tape or other device in which one or more visual images are embodied so as to be capable, with or without the aid of some other equipment, of being reproduced.

3.8 Filing System

Means any structured set of personal information, whether centralised, decentralised or dispersed on a functional or geographical basis, which is accessible according to specific criteria.

3.9 Unique Identifier

Means any identifier that is assigned to a data subject and is used by a responsible party for the purposes of the operations of that responsible party and that uniquely identifies that data subject in relation to that responsible party.

3.10 De-Identify

This means to delete any information that identifies a data subject or which can be used by a reasonably foreseeable method to identify, or when linked to other information, that identifies the data subject.

3.11 Re-Identify

In relation to personal information of a data subject, means to resurrect any information that has been de-identified that identifies the data subject, or can be used or manipulated by a reasonably foreseeable method to identify the data subject.

3.12 Consent

Means any voluntary, specific and informed expression of will in terms of which permission is given for the processing of personal information.

3.13 Direct Marketing

Means to approach a data subject, either in person or by mail or electronic communication, for the direct or indirect purpose of:

- Promoting or offering to supply, in the ordinary course of business, any goods or services to the data subject; or
- Requesting the data subject to make a donation of any kind for any reason.

3.14 Biometrics

Means a technique of personal identification that is based on physical, physiological or behavioural characterisation including blood typing, fingerprinting, DNA analysis, retinal scanning and voice recognition.

3.15 Child

Means a natural person under the age of 18 years who is not legally competent, without the assistance of a competent person, to take any action or decision in respect of any matter concerning him- or herself.

4. POLICY PURPOSE

This purpose of this policy is to protect the school from the compliance risks associated with the protection of personal information which includes:

- Breaches of confidentiality. For instance, the school could suffer loss in revenue where it is found that the personal information of data subjects has been shared or disclosed inappropriately.
- Failing to offer choice. For instance, all data subjects should be free to choose how and for what purpose the school uses information relating to them.
- Reputational damage. For instance, the school could suffer a decline in shareholder value following an adverse event such as a computer hacker deleting the personal information held by the school.

This policy demonstrates the school's commitment to protecting the privacy rights of data subjects in the following manner:

- Through stating desired behaviour and directing compliance with the provisions of POPIA and best practice.
- By cultivating a culture that recognises privacy as a valuable human right.
- By developing and implementing internal controls for the purpose of managing the compliance risk associated with the protection of personal information.

- By creating business practices that will provide reasonable assurance that the rights of data subjects are protected and balanced with the legitimate business needs of the school.
- By assigning specific duties and responsibilities to control owners, including the appointment of an Information Officer and where necessary, Deputy Information Officers in order to protect the interests of the school and data subjects.
- By raising awareness through training and providing guidance to individuals who process personal information so that they can act confidently and consistently.

5. POLICY APPLICATION

This policy and its guiding principles apply to:

- The SGB
- All branches, business units, academic departments and divisions of the school
- All employees and volunteers
- All contractors, suppliers and other persons acting on behalf of the school

The policy's guiding principles find application in all situations and must be read in conjunction with POPIA.

The legal duty to comply with POPIA's provisions is activated in any situation where there is:

A processing of personal information entered into a record by or for a responsible person who is domiciled in South Africa.

POPIA does not apply in situations where the processing of personal information:

- is concluded in the course of purely personal or household activities, or
- where the personal information has been de-identified.

5.1 Policy Compliance

5.1.1 The Head of School

The Head of School is automatically deemed to be the Information Officer in accordance with the provisions of POPIA but may delegate their duties to a Deputy Information Officer(s). Duties of the Information Officer are as follows:

- i. the encouragement of compliance by the school with the conditions for the lawful processing of personal information;
- ii. dealing with requests made to the school pursuant to POPIA;
- iii. working with the Information Regulator in relation to investigations conducted pursuant to Chapter 6 of POPIA (Prior Authorisation) in relation to the School;
- iv. ensuring that a compliance framework is developed, implemented, monitored and maintained;
- v. monitoring and implementing Codes of Conduct issued by the Information Regulator; and
- vi. otherwise ensuring compliance by the school with the provisions of POPIA.
- vii. All employees, both permanent and temporary staff, staff working on a contract basis for the School, coaches, volunteers and others who are authorised to access personal data held by the School.
- viii. All contractors, suppliers and other persons acting on behalf of the organisation.

5.1.2 Information Officers

The Information Officer, Deputy Information Officer(s), and staff are responsible for adhering to this Policy, including:

- i. the development and upkeep of this policy;
- ii. ensuring this policy is supported by appropriate documentation, such as procedural instructions.

- iii. ensuring that documentation is relevant and kept up to date;
- iv. ensuring this policy and subsequent updates are communicated to the Board of Governors, staff and parents where applicable;
- v. ensuring that the school's Board of Governors, the School's employees, volunteers, contractors, suppliers and any other persons acting on behalf of the School have familiarised themselves with this Policy's requirements and undertake shall comply with the stated processes and procedures; and
- vi. reporting any security breaches or incidents to the Information Officer.

6 RIGHTS OF DATA SUBJECTS

Where appropriate, the school will ensure that its clients and customers are made aware of the rights conferred upon them as data subjects.

Personal information of children may be processed by the School only if:

- i. the parent or guardian consents to the processing of the child's personal information;
- ii. processing is necessary for compliance with an obligation imposed by law;
- iii. processing is necessary to comply with an obligation imposed in terms of international public law;
- iv. processing is for historical, statistical, or research purposes; or
- v. personal information was deliberately made public by the child with the consent of the child's parent(s) or guardian(s).

The school will ensure that it gives effect to the following rights:

6.1 The Right to Access Personal Information

The school recognises that a data subject has the right to establish whether the school holds personal information related to him, her or it including the right to request access to that personal information.

An example of a "Personal Information Request Form" can be found under Annexure A.

6.2 The Right to have Personal Information Corrected or Deleted

The data subject has the right to request, where necessary, that his, her or its personal information must be corrected or deleted where the school is no longer authorised to retain the personal information.

6.3 The Right to Object to the Processing of Personal Information

The data subject has the right, on reasonable grounds, to object to the processing of his, her or its personal information.

In such circumstances, the school will give due consideration to the request and the requirements of POPIA. The school may cease to use or disclose the data subject's personal information and may, subject to any statutory and contractual record keeping requirements, also approve the destruction of the personal information.

6.4 The Right to Object to Direct Marketing

The data subject has the right to object to the processing of his, her or its personal information for purposes of direct marketing by means of unsolicited electronic communications.

6.5 The Right to Complain to the Information Regulator

The data subject has the right to submit a complaint to the Information Regulator regarding an alleged infringement of any of the rights protected under POPIA and to institute civil proceedings regarding the alleged non-compliance with the protection of his, her or its personal information.

An example of a "POPI Complaint Form" can be found under Annexure B.

6.6 The Right to be Informed

The data subject has the right to be notified that his, her or its personal information is being collected by the school.

The data subject also has the right to be notified in any situation where the school has reasonable grounds to believe that the personal information of the data subject has been accessed or acquired by an unauthorised person.

7 GENERAL GUIDING PRINCIPLES

All employees and persons acting on behalf of the school will at all times be subject to, and act in accordance with, the following guiding principles:

7.1 Accountability

Failing to comply with POPIA could potentially damage the school's reputation or expose the school to a civil claim for damages. The protection of personal information is therefore everybody's responsibility.

The school will ensure that the provisions of POPIA and the guiding principles outlined in this policy are complied with through the encouragement of desired behaviour. However, the school will take appropriate sanctions, which may include disciplinary action, against those individuals who through their intentional or negligent actions and/or omissions fail to comply with the principles and responsibilities outlined in this policy.

7.2 Processing Limitation

The school will ensure that personal information under its control is processed:

- in a fair, lawful and non-excessive manner, and
- only with the informed consent of the data subject, and
- only for a specifically defined purpose.

The school will inform the data subject of the reasons for collecting his, her or its personal information and obtain written consent prior to processing personal information.

Alternatively, where services or transactions are concluded over the telephone or electronic video feed, the school will maintain a voice recording of the stated purpose for collecting the personal information followed by the data subject's subsequent consent.

The school will under no circumstances distribute or share personal information between separate legal entities, or with any individuals that are not directly involved with facilitating the purpose for which the information was originally collected.

Where applicable, the data subject must be informed of the possibility that their personal information will be shared with other aspects of the school's business and be provided with the reasons for doing so.

An example of a "POPI Notice and Consent Form" can be found under Annexure C.

7.3 Purpose Specification

All of the school's business units and operations must be informed by the principle of transparency.

The school will process personal information only for specific, explicitly defined and legitimate reasons. The school will inform data subjects of these reasons prior to collecting or recording the data subject's personal information.

7.4 Further Processing Limitation

Personal information will not be processed for a secondary purpose unless that processing is compatible with the original purpose.

Therefore, where the school seeks to process personal information it holds for a purpose other than the original purpose for which it was originally collected, and where this secondary purpose is not compatible with the original purpose, the school will first obtain additional consent from the data subject.

7.5 Information Quality

The school will take reasonable steps to ensure that all personal information collected is complete, accurate and not misleading.

The more important it is that the personal information be accurate (for example, the beneficiary details of a life insurance policy are of the utmost importance), the greater the effort the school will put into ensuring its accuracy.

Where personal information is collected or received from third parties, the school will take reasonable steps to confirm that the information is correct by verifying the accuracy of the information directly with the data subject or by way of independent sources.

7.6 Open Communication

The school will take reasonable steps to ensure that data subjects are notified (are at all times aware) that their personal information is being collected including the purpose for which it is being collected and processed.

The school will ensure that it establishes and maintains a “contact us” facility, for instance via its website or through an electronic helpdesk, for data subjects who want to:

- Enquire whether the school holds related personal information, or
- Request access to related personal information, or
- Request the school to update or correct related personal information, or
- Make a complaint concerning the processing of personal information.

7.7 Security Safeguards

The school will manage the security of its filing system to ensure that personal information is adequately protected. To this end, security controls will be implemented in order to minimise the risk of loss, unauthorised access, disclosure, interference, modification or destruction.

Security measures also need to be applied in a context-sensitive manner. For example, the more sensitive the personal information, such as medical information or credit card details, the greater the security required.

The school will continuously review its security controls which will include regular testing of protocols and measures put in place to combat cyber-attacks on the school’s IT network.

The school will ensure that all paper and electronic records comprising personal information are securely stored and made accessible only to authorised individuals.

All new employees will be required to sign employment contracts containing contractual terms for the use and storage of employee information. Confidentiality clauses will also be included to reduce the risk of unauthorised disclosures of personal information for which the school is responsible.

All existing employees will, after the required consultation process has been followed, be required to sign an addendum to their employment containing the relevant consent and confidentiality clauses.

The school’s operators and third-party service providers will be required to enter into service level agreements with the school where both parties pledge their mutual commitment to POPIA and the lawful processing of any personal information pursuant to the agreement.

An example of “Employee Consent and Confidentiality Clause” for inclusion in the school’s employment contracts can be found under Annexure D.

An example of an “SLA Confidentiality Clause” for inclusion in the school’s service level agreements can be found under Annexure E.

7.8 Data Subject Participation

A data subject may request the correction or deletion of his, her or its personal information held by the school.

The school will ensure that it provides a facility for data subjects who want to request the correction or deletion of their personal information.

Where applicable, the school will include a link to unsubscribe from any of its electronic newsletters or related marketing activities.

8 INFORMATION OFFICERS

The school will appoint an Information Officer and where necessary, a Deputy Information Officer to assist the Information Officer.

The school’s Information Officer is responsible for ensuring compliance with POPIA.

There are no legal requirements under POPIA for a school to appoint an Information Officer. Appointing an Information Officer is however, considered to be a good business practice, particularly within larger organisations.

Where no Information Officer is appointed, the head of the school will assume the role of the Information Officer.

Consideration will be given on an annual basis to the re-appointment or replacement of the Information Officer and the reappointment or replacement of any Deputy Information Officers.

Once appointed, the school will register the Information Officer with the South African Information Regulator established under POPIA prior to performing his or her duties.

An example of an “Information Officer Appointment Letter” can be found under Annexure F.

9 SPECIFIC DUTIES AND RESPONSIBILITIES

9.1 School Governing Body (SGB)

The SGB cannot delegate its accountability and is ultimately answerable for ensuring that the school meets its legal obligations in terms of POPIA.

The SGB may however delegate some of its responsibilities in terms of POPIA to management or other capable individuals.

The SGB is responsible for ensuring that:

- The school appoints an Information Officer, and where necessary, a Deputy Information Officer.
- All persons responsible for the processing of personal information on behalf of the school:
 - are appropriately trained and supervised to do so,
 - understand that they are contractually obligated to protect the personal information they come into contact with, and
 - are aware that a wilful or negligent breach of this policy’s processes and procedures may lead to disciplinary action being taken against them.
- Data subjects who want to make enquires about their personal information are made aware of the procedure that needs to be followed should they wish to do so.
- The scheduling of a periodic POPI Audit in order to accurately assess and review the ways in which the school collects, holds, uses, shares, discloses, destroys and processes personal information.

9.2 Information Officer

The school's Information Officer is responsible for:

- Taking steps to ensure the school's reasonable compliance with the provision of POPIA.
- Keeping the governing body updated about the school's information protection responsibilities under POPIA. For instance, in the case of a security breach, the Information Officer must inform and advise the governing body of their obligations pursuant to POPIA.
- Continually analysing privacy regulations and aligning them with the school's personal information processing procedures. This will include reviewing the school's information protection procedures and related policies.
- Ensuring that POPI Audits are scheduled and conducted on a regular basis.
- Ensuring that the school makes it convenient for data subjects who want to update their personal information or submit POPI related complaints to the school. For instance, maintaining a "contact us" facility on the school's website.
- Approving any contracts entered into with operators, employees and other third parties which may have an impact on the personal information held by the school. This will include overseeing the amendment of the school's employment contracts and other service level agreements.
- Encouraging compliance with the conditions required for the lawful processing of personal information.
- Ensuring that employees and other persons acting on behalf of the school are fully aware of the risks associated with the processing of personal information and that they remain informed about the school's security controls.
- Organising and overseeing the awareness training of employees and other individuals involved in the processing of personal information on behalf of the school.
- Addressing employees' POPIA related questions.
- Addressing all POPIA related requests and complaints made by the school's data subjects.
- Working with the Information Regulator in relation to any ongoing investigations. The Information Officers will therefore act as the contact point for the Information Regulator authority on issues relating to the processing of personal information and will consult with the Information Regulator where appropriate, with regard to any other matter.

The Deputy Information Officer will assist the Information Officer in performing his or her duties.

9.3 IT Manager

The school's IT Manager is responsible for:

Ensuring that the school's IT infrastructure, filing systems and any other devices used for processing personal information meet acceptable security standards.

Ensuring that all electronically held personal information is kept only on designated drives and servers and uploaded only to approved cloud computing services.

Ensuring that servers containing personal information are sited in a secure location, away from the general office space.

Ensuring that all electronically stored personal information is backed-up and tested on a regular basis.

Ensuring that all back-ups containing personal information are protected from unauthorised access, accidental deletion and malicious hacking attempts.

Ensuring that personal information being transferred electronically is encrypted.

Ensuring that all servers and computers containing personal information are protected by a firewall and the latest security software.

Performing regular IT audits to ensure that the security of the school's hardware and software systems are functioning properly.

Performing regular IT audits to verify whether electronically stored personal information has been accessed or acquired by any unauthorised persons.

Performing a proper due diligence review prior to contracting with operators or any other third-party service providers to process personal information on the school's behalf. For instance, cloud computing services.

9.4 Marketing & Communication Manager

The school's Marketing & Communication Manager is responsible for:

- Approving and maintaining the protection of personal information statements and disclaimers that are displayed on the school's website, including those attached to communications such as emails and electronic newsletters.
- Addressing any personal information protection queries from journalists or media outlets such as newspapers.
- Where necessary, working with persons acting on behalf of the school to ensure that any outsourced marketing initiatives comply with POPIA.

9.5 Employees and other Persons acting on behalf of the School

Employees and other persons acting on behalf of the school will, during the course of the performance of their services, gain access to and become acquainted with the personal information of certain clients, suppliers and other employees.

Employees and other persons acting on behalf of the school are required to treat personal information as a confidential business asset and to respect the privacy of data subjects.

Employees and other persons acting on behalf of the school may not directly or indirectly, utilise, disclose or make public in any manner to any person or third party, either within the school or externally, any personal information, unless such information is already publicly known or the disclosure is necessary in order for the employee or person to perform his or her duties.

Employees and other persons acting on behalf of the school must request assistance from their line manager or the Information Officer if they are unsure about any aspect related to the protection of a data subject's personal information.

Employees and other persons acting on behalf of the school will only process personal information where:

- The data subject, or a competent person where the data subject is a child, consents to the processing; or
- The processing is necessary to carry out actions for the conclusion or performance of a contract to which the data subject is a party; or
- The processing complies with an obligation imposed by law on the responsible party; or
- The processing protects a legitimate interest of the data subject; or
- The processing is necessary for pursuing the legitimate interests of the school or of a third party to whom the information is supplied.

Furthermore, personal information will only be processed where the data subject:

- Clearly understands why and for what purpose his, her or its personal information is being collected; and
- Has granted the school with explicit written or verbally recorded consent to process his, her or its personal information.

Employees and other persons acting on behalf of the school will consequently, prior to processing any personal information, obtain a specific and informed expression of will from the data subject, in terms of which permission is given for the processing of personal information.

Informed consent is therefore when the data subject clearly understands for what purpose his, her or its personal information is needed and who it will be shared with.

Consent can be obtained in written form which includes any appropriate electronic medium that is accurately and readily reducible to printed form. Alternatively, the school will keep a voice recording of the data subject's consent in instances where transactions are concluded telephonically or via electronic video feed.

Consent to process a data subject's personal information will be obtained directly from the data subject, except where:

- the personal information has been made public, or
- where valid consent has been given to a third party, or
- the information is necessary for effective law enforcement.

Employees and other persons acting on behalf of the school will under no circumstances:

- Process or have access to personal information where such processing or access is not a requirement to perform their respective work-related tasks or duties.
- Save copies of personal information directly to their own private computers, laptops or other mobile devices like tablets or smart phones. All personal information must be accessed and updated from the school's central database or a dedicated server.
- Share personal information informally. In particular, personal information should never be sent by email, as this form of communication is not secure. Where access to personal information is required, this may be requested from the relevant line manager or the Information Officer.
- Transfer personal information outside of South Africa without the express permission from the Information Officer.

Employees and other persons acting on behalf of the school are responsible for:

- Keeping all personal information that they come into contact with secure, by taking sensible precautions and following the guidelines outlined within this policy.
- Ensuring that personal information is held in as few places as is necessary. No unnecessary additional records, filing systems and data sets should therefore be created.
- Ensuring that personal information is encrypted prior to sending or sharing the information electronically. The IT Manager will assist employees and where required, other persons acting on behalf of the school, with the sending or sharing of personal information to or with authorised external persons.
- Ensuring that all computers, laptops and devices such as tablets, flash drives and smartphones that store personal information are password protected and never left unattended. Passwords must be changed regularly and may not be shared with unauthorised persons.
- Ensuring that their computer screens and other devices are switched off or locked when not in use or when away from their desks.
- Ensuring that where personal information is stored on removable storage medias such as external drives, CDs or DVDs that these are kept locked away securely when not being used.
- Ensuring that where personal information is stored on paper, that such hard copy records are kept in a secure place where unauthorised people cannot access it. For instance, in a locked drawer of a filing cabinet.
- Ensuring that where personal information has been printed out, that the paper printouts are not left unattended where unauthorised individuals could see or copy them. For instance, close to the printer.
- Taking reasonable steps to ensure that personal information is kept accurate and up to date. For instance, confirming a data subject's contact details when the client or customer phones or communicates via email. Where a data subject's information is found to be out of date, authorisation must first be obtained from the relevant line manager or the Information Officer to update the information accordingly.

- Taking reasonable steps to ensure that personal information is stored only for as long as it is needed or required in terms of the purpose for which it was originally collected. Where personal information is no longer required, authorisation must first be obtained from the relevant line manager or the Information Officer to delete or dispose of the personal information in the appropriate manner.
- Undergoing POPI Awareness training from time to time.

Where an employee, or a person acting on behalf of the school, becomes aware or suspicious of any security breach such as the unauthorised access, interference, modification, destruction or the unsanctioned disclosure of personal information, he or she must immediately report this event or suspicion to the Information Officer or the Deputy Information Officer.

10 POPIA AUDIT

The school's Information Officer will schedule periodic POPI Audits.

The purpose of a POPI audit is to:

- Identify the processes used to collect, record, store, disseminate and destroy personal information.
- Determine the flow of personal information throughout the school.
- Redefine the purpose for gathering and processing personal information.
- Ensure that the processing parameters are still adequately limited.
- Ensure that new data subjects are made aware of the processing of their personal information.
- Re-establish the rationale for any further processing where information is received via a third party.
- Verify the quality and security of personal information.
- Monitor the extend of compliance with POPIA and this policy.
- Monitor the effectiveness of internal controls established to manage the school's POPI related compliance risk.

In performing the POPI Audit, Information Officers will liaise with line managers in order to identify areas within in the school's operation that are most vulnerable or susceptible to the unlawful processing of personal information.

Information Officers will be permitted direct access to and have demonstrable support from line managers and the SGB in performing their duties.

11 REQUEST TO ACCESS PERSONAL INFORMATION

Data subjects have the right to:

- Request what personal information the school holds about them and why.
- Request access to their personal information.
- Be informed how to keep their personal information up to date.

Access to information requests can be made by email, addressed to the Information Officer. The Information Officer will provide the data subject with a "Personal Information Request Form".

Once the completed form has been received, the Information Officer will verify the identity of the data subject prior to handing over any personal information.

The Information Officer will process all requests within a reasonable time.

12 POPIA COMPLAINT PROCEDURE

Data subjects have the right to complain in instances where any of their rights under POPIA have been infringed upon. The school takes all complaints very seriously and will address all POPI related complaints in accordance with the following procedure:

- POPI complaints must be submitted to the school in writing. Where so required, the Information Officer will provide the data subject with a “POPI Complaint Form”.
- Where the complaint has been received by any person other than the Information Officer, that person will ensure that the full details of the complaint reach the Information Officer within 1 working day.
- The Information Officer will provide the complainant with a written acknowledgement of receipt of the complaint within 2 working days.
- The Information Officer will carefully consider the complaint and address the complainant’s concerns in an amicable manner. In considering the complaint, the Information Officer will endeavour to resolve the complaint in a fair manner and in accordance with the principles outlined in POPIA.
- The Information Officer must also determine whether the complaint relates to an error or breach of confidentiality that has occurred and which may have a wider impact on the school’s data subjects.
- Where the Information Officer has reason to believe that the personal information of data subjects has been accessed or acquired by an unauthorised person, the Information Officer will consult with the SGB where after the affected data subjects and the Information Regulator will be informed of this breach.
- The Information Officer will revert to the complainant with a proposed solution with the option of escalating the complaint to the SGB within 7 working days of receipt of the complaint. In all instances, the school will provide reasons for any decisions taken and communicate any anticipated deviation from the specified timelines.
- The Information Officer’s response to the data subject may comprise any of the following:
 - A suggested remedy for the complaint,
 - A dismissal of the complaint and the reasons as to why it was dismissed,
 - An apology (if applicable) and any disciplinary action that has been taken against any employees involved.
- Where the data subject is not satisfied with the Information Officer’s suggested remedies, the data subject has the right to complain to the Information Regulator.
- The Information Officer will review the complaints process to assess the effectiveness of the procedure on a periodic basis and to improve the procedure where it is found wanting. The reason for any complaints will also be reviewed to ensure the avoidance of occurrences giving rise to POPI related complaints.

13 DISCIPLINARY ACTION

Where a POPI complaint or a POPI infringement investigation has been finalised, the school may recommend any appropriate administrative, legal and/or disciplinary action to be taken against any employee reasonably suspected of being implicated in any non-compliant activity outlined within this policy.

In the case of ignorance or minor negligence, the school will undertake to provide further awareness training to the employee.

Any gross negligence or the wilful mismanagement of personal information, will be considered a serious form of misconduct for which the school may summarily dismiss the employee. Disciplinary procedures will commence where there is sufficient evidence to support an employee’s gross negligence.

Examples of immediate actions that may be taken subsequent to an investigation include:

- A recommendation to commence with disciplinary action.
- A referral to appropriate law enforcement agencies for criminal investigation.
- Recovery of funds and assets in order to limit any prejudice or damages caused.

ANNEXURE A: PERSONAL INFORMATION REQUEST FORM

PROTECTION OF PERSONAL INFORMATION POLICY

ANNEXURE A: PERSONAL INFORMATION

Please submit the completed form to the Information Officer below:

Name	
Email address	

Please be aware that we may require you to provide proof of identification prior to processing your request. There may also be a reasonable charge for providing copies of the information requested.

Particulars of Data Subject	
Name and Surname	
Identity Number	
Mobile number	
Email address	
Years associated with Sweet Valley Primary School	

Request	
I request Sweet Valley Primary School to:	
<input type="checkbox"/>	Inform me where the school holds any of my personal information
<input type="checkbox"/>	Provide me with a record or description of my personal information
<input type="checkbox"/>	Correct or update my personal information
<input type="checkbox"/>	Destroy or delete a record of my personal information

Other notes:

Signature	Date
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ANNEXURE B: POPIA COMPLAINT FORM

PROTECTION OF PERSONAL INFORMATION POLICY

ANNEXURE B: POPIA COMPLAINT FORM	
We are committed to safeguarding your privacy and the confidentiality of your personal information and are bound by the Protection of Personal Information Act. <i>Please submit the completed form to the Information Officer below:</i>	
Name	
Email address	

Where we are unable to resolve your complaint to your satisfaction you have the right to complain to the Information Regulator who can be contacted at <http://www.justice.gov.za/infocreg/index.html>

Particulars of Complainant	
Name and Surname	
Identity Number	
Mobile number	
Email address	
Years associated with SCHOOL NAME	

Details of complaint.

Desired outcome

Signature	Date
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ANNEXURE C: POPIA NOTICE AND CONSENT FORM

FORM

ANNEXURE C: PARENTAL CONSENT

PROTECTION OF PERSONAL INFORMATION

By signing this form, and unless you at any time instruct the School expressly and in writing to the contrary, your consent is given for the School to:

- collect, store and process credit information;
- collect, store and process names, contact details and information relating to yourself and your Child, and to such information being made available to staff or responsible persons engaged or authorised by the School for School-related purposes to the extent required for the purpose of managing relationships between the School, parents/guardians, and current learners as well as providing references and communicating with the body of former learners;
- include photographs, with or without name, of your Child in School publications, on the School's website or in press releases to celebrate the School's or your Child's activities, achievements or successes;
- supply information and a reference in respect of your Child to any educational institution which you propose your Child may attend. We will take care to ensure that all information that is supplied relating to your Child is accurate and any opinion given on his ability, aptitude and character is fair.
- The School cannot be liable for any loss you or your Child is alleged to have suffered resulting from opinions reasonably given, or correct statements of fact contained, in any reference or report given by us including informing any other school or educational institution to which you propose to send your Child of any outstanding fees.

The School may not distribute or otherwise publish any of your personal information in its possession, unless you give your consent, in writing, to the School that it may do so. Should this be the case, the School may only distribute or otherwise publish the information specified in your consent to the people and for the purpose stated in your written consent.

Name of Parent: _____

Signature: _____

Date: _____

ANNEXURE D: EMPLOYEE CONSENT AND CONFIDENTIALITY CLAUSE

“Personal Information” (PI) shall mean the race, gender, sex, pregnancy, marital status, national or ethnic origin, colour, sexual orientation, age, physical or mental health, disability, religion, conscience, belief, culture, language and birth of a person; information relating to the education or the medical, financial, criminal or employment history of the person; any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person; the biometric information of the person; the personal opinions, views or preferences of the person; correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence; the views or opinions of another individual about the person whether the information is recorded electronically or otherwise.

“POPIA” shall mean the Protection of Personal Information Act 4 of 2013 as amended from time to time.

Sweet Valley Primary School undertakes to process the personal information of the employee only in accordance with the conditions of lawful processing as set out in terms of POPIA and in terms of the employer’s POPIA Policy and only to the extent that it is necessary to discharge its obligations and to perform its functions as an employer and within the framework of the employment relationship and as required by South African law.

The employee acknowledges that the collection of his/her personal information is both necessary and requisite as a legal obligation, which falls within the scope of execution of the legal functions and obligations of the employer.

The employee therefore irrevocably and unconditionally agrees:

1. That they are notified of the purpose and reason for the collection and processing of his or her PI insofar as it relates to the employer’s discharge of its obligations and to perform its functions as an employer.
2. That they consent and authorise the employer to undertake the collection, processing and further processing of the employee’s PI by the employer for the purposes of securing and further facilitating the employee’s employment with the employer.
3. Without derogating from the generality of the aforestated, the employee consents to the employer’s collection and processing of PI pursuant to any of the employer’s Internet, Email and Interception policies in place insofar as PI of the employee is contained in relevant electronic communications.
4. To make available to the employer all necessary PI required by the employer for the purpose of securing and further facilitating the employee’s employment with the employer.
5. To absolve the employer from any liability in terms of POPIA for failing to obtain the employee’s consent or to notify the employee of the reason for the processing of any of the employee’s PI.
6. To the disclosure of his/her PI by the employer to any third party, where the employer has a legal or contractual duty to disclose such PI.
7. The employee further agrees to the disclosure of his/her PI for any reason enabling the employer to carry out or to comply with any business obligation the employer may have or to pursue a legitimate interest of the employer in order for the employer to perform its business on a day-to-day basis.
8. The employer undertakes not to transfer or disclose his/her PI unless it is required for its legitimate business requirements and shall comply strictly with legislative stipulations in this regard.

9. The employee acknowledges that during the course of the performance of his/her services, he/she may gain access to and become acquainted with the personal information of parents, pupils, other employees and suppliers. The employee will treat personal information as a confidential school asset and agrees to respect the privacy of parents, pupils, other employees and suppliers and other employees.
10. To the extent that he/she is exposed to or insofar as PI of other employees or third parties are disclosed to him/her, the employee hereby agree to be bound by appropriate and legally binding confidentiality and non-usage obligations in relation to the PI of third parties or employees.
11. Employees may not directly or indirectly, utilise, disclose or make public in any manner to any person or third party, either within the school community or externally, any personal information, unless such information is already publicly known or the disclosure is necessary in order for the employee or person to perform his or her duties on behalf of the employer.

Name of Employee: _____

Signature: _____

Date: _____

Name of Employer:

Head of School:

Signature: _____

Date: _____

ANNEXURE E: SERVICES LEGAL AGREEMENT CONFIDENTIALITY CLAUSE

Personal Information” (PI) shall mean the race, gender, sex, pregnancy, marital status, national or ethnic origin, colour, sexual orientation, age, physical or mental health, disability, religion, conscience, belief, culture, language and birth of a person; information relating to the education or the medical, financial, criminal or employment history of the person; any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person; the biometric information of the person; the personal opinions, views or preferences of the person; correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence; the views or opinions of another individual about the person whether the information is recorded electronically or otherwise.

“POPIA” shall mean the Protection of Personal Information Act 4 of 2013 as amended from time to time.

1. The parties acknowledge that for the purposes of this agreement that the service provider contracted to Sweet Valley Primary School may come into contact with, or have access to PI and other information that may be classified, or deemed as private or confidential and for which Sweet Valley Primary School is responsible.
2. Such PI may also be deemed or considered as private and confidential as it relates to any third party who may be directly or indirectly associated with this agreement. Further, it is acknowledged and agreed by the parties that they have the necessary consent to share or disclose the PI and that the information may have value.
3. The parties agree that they will at all times comply with POPIA’s Regulations and Codes of Conduct and that it shall only collect, use and process PI it comes into contact with pursuant to this agreement in a lawful manner, and only to the extent required to execute the services, or to provide the goods and to perform their respective obligations in terms of this agreement.
4. The parties agree that it shall put in place, and at all times maintain, appropriate physical, technological and contractual security measures to ensure the protection and confidentiality of PI that it, or its employees, its contractors or other authorised individuals comes into contact with pursuant to this agreement.
5. Unless so required by law, the parties agree that it shall not disclose any PI as defined in POPIA to any third party without the prior written consent of the other party, and notwithstanding anything to the contrary contained herein, shall any party in no manner whatsoever transfer any PI out of the Republic of South Africa.

Service Provider:	
Representative:	
Signature	
Date	
For and on behalf of Sweet Valley Primary School	
Headmaster	
Signature	
Date	

ANNEXURE F: INFORMATION OFFICER APPOINTMENT LETTER

INFORMATION OFFICER APPOINTMENT LETTER
<p>I herewith and with immediate effect appoint you as the Information Officer as required by the Protection of Personal Information Act (Act 4 of 2013). This appointment may at any time be withdrawn or amended in writing.</p> <p>You are entrusted with the following responsibilities:</p> <ul style="list-style-type: none"> ▪ Taking steps to ensure the organisation's reasonable compliance with the provision of POPIA. ▪ Keeping the governing body updated about the organisation's information protection responsibilities under POPIA. For instance, in the case of a security breach, the Information Officer must inform and advise the governing body of their obligations pursuant to POPIA. ▪ Continually analysing privacy regulations and aligning them with the organisation's personal information processing procedures. This will include reviewing the organisation's information protection procedures and related policies. ▪ Ensuring that POPI Audits are scheduled and conducted on a regular basis. ▪ Ensuring that the organisation makes it convenient for data subjects who want to update their personal information or submit POPI related complaints to the organisation, to do so. For instance, maintaining a "contact us" facility on the organisation's website. ▪ Approving any contracts entered into with operators, employees and other third parties which may have an impact on the personal information held by the organisation. This will include overseeing the amendment of the organisation's employment contracts and other service level agreements. ▪ Encouraging compliance with the conditions required for the lawful processing of personal information. ▪ Ensuring that employees and other persons acting on behalf of the organisation are fully aware of the risks associated with the processing of personal information and that they remain informed about the organisation's security controls. ▪ Organising and overseeing the awareness training of employees and other individuals involved in the processing of personal information on behalf of the organisation. ▪ Addressing employees' POPIA related questions. ▪ Addressing all POPIA related requests and complaints made by the organisation's data subjects. ▪ Working with the Information Regulator in relation to any ongoing investigations. The Information Officers will therefore act as the contact point for the Information Regulator authority on issues relating to the processing of personal information and will consult with the Information Regulator where appropriate, with regard to any other matter.

I hereby accept the appointment as Information Officer
Name & Surname
Signature
Date