Protection of Personal Information (POPI) Policy

Version 1

20 December 2024

www.connectfoundation.org.za
44 Roeland Square, Drury Lane, Gardens, Cape Town 8001 | NPC 2023/139566/08 | NPO 301-416 | PBO 930083427
Directors: OCM Caldow - S Specker - JP Suter - SA Suter

Table of Contents

Page No

APPROVAL FOR ISSUE

NAME	POSITION	SIGNATURE	DATE
Samantha Suter	Director		20/12/24

1. Introduction

1.1 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").

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

1.3 Through the provision of quality goods and services, the organisation is necessarily involved in the collection, use and disclosure of certain aspects of the personal information of clients, customers, employees and other stakeholders.

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

1.5 Given the importance of privacy, the organisation is committed to effectively managing personal information in accordance with the POPIA provisions.

2. Definitions

2.1 Personal information includes 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 relating to the race, gender, pregnancy, marital status, national, social or ethnic origin, colour, sexual orientation, age,

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Directors: OCM Caldow - S Specker - JP Suter - SA Suter

physical or mental health, well-being, 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.

2.2 Special Personal Information refers to personal information which includes (i) 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; or (ii) the criminal behaviour of a data subject to the extent that such information relates to: (a) the alleged commission of any offence by a data subject; or (b) any proceedings in relation to any offence allegedly committed by a data subject or the disposal of such proceedings;

2.3 Data Subject, which refers to the natural or juristic person to whom personal information relates, such as an individual client, customer, employee, or a company that supplies the organisation with products or other goods.

2.4 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 organisation is the responsible party.

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Directors: OCM Caldow - S Specker - JP Suter - SA Suter

2.5 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 organisation 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.

2.6 Organisation means The Connect Foundation, registration number NPC 2023/139566/08 a non-profit company duly registered in accordance with the laws of South Africa, as well as any of its employees, directors, members, contractors and/or agents involved in the processing of personal information and similar activities.

2.7 Information Officer is the person responsible for ensuring the organisation's compliance with POPIA. Where no Information Officer is appointed, the head of the organisation 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 their duties. Deputy Information Officers can also be appointed to assist the Information Officer. The organisation's Information Officer is Samantha Suter.

2.8 Information Regulator as established in terms of section 39 of POPIA, is a juristic person to be known as the Information Regulator, which has jurisdiction throughout the Republic; is independent and is subject only to the Constitution and to the law and must be impartial and perform and exercise its powers without fear, favour or prejudice; must exercise its powers and perform its functions in accordance with POPIA and PAIA; and is accountable to the National assembly.

2.9 Processing is 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.
- "process", "processed" and "processes" shall have corresponding meanings.
- 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.

2.10 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.

2.11 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.

2.12 De-Identify 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.

2.13 Re-Identify 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.

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Directors: OCM Caldow - S Specker - JP Suter - SA Suter

2.14 Consent means any voluntary, specific and informed written expression of will in terms of which permission is given by the data subject for the processing of personal information.

2.15 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.

2.16 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. Policy Purpose

3.1 The purpose of this policy is to protect the organisation from the compliance risks associated with the protection of personal information which includes:

4. Breaches of confidentiality. For instance, the organisation could suffer loss in revenue and public confidence, where it is found that the personal information or special personal information of data subjects has been shared or disclosed inappropriately.

5. Failing to offer choice. For instance, all data subjects should be free to choose how and for what purpose the organisation uses information relating to them.

6. Reputational damage. For instance, the organisation could suffer a decline in public confidence following an adverse event such as personal information or special personal information held by the organisation being stolen and used by a third party.

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

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Directors: OCM Caldow - S Specker - JP Suter - SA Suter

- Through stating desired behaviour and directing compliance with the provisions of POPIA and best practice.
- By cultivating an organisational 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 organisational practices that will provide reasonable assurance that the rights of data subjects are protected and balanced with the legitimate operational needs of the organisation.
- 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 organisation 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.

7. Policy Application

7.1 This policy and its guiding principles applies to:

- The organisation's governing body;
- All departments of the organisation;
- All employees and volunteers; and
- All contractors, suppliers and other persons acting on behalf of the organisation.

7.2 The policy's guiding principles find application in all situations and must be read in conjunction with POPIA as well as the organisation's PAIA Manual as required by the Promotion of Access to Information Act (Act No 2 of 2000).

7.3 The legal duty to comply with POPIA's provisions is activated in any situation where the following occurs:

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Directors: OCM Caldow - S Specker - JP Suter - SA Suter

- there is a processing of personal information;
- the personal information is entered into a record;
- by or for a responsible person making use of automated or non-automated means;
- who is domiciled in South Africa or who is not domiciled in South Africa, but makes use of automated or non-automated means in South Africa, unless those means are used only to forward personal information through South Africa.

7.4 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, to the extent it cannot be re-identified again.

8. Rights of Data Subjects

Where appropriate, the organisation will ensure that its employees, clients and customers are made aware of the rights conferred upon them as data subjects. Subject to applicable law, the organisation will ensure that it gives effect to the following rights:

8.1 The Right to Access Personal Information

The organisation recognises that a data subject has the right to establish whether the organisation holds personal information related to them including the right to request access to that personal information. Information regarding requesting personal information may be found in The Connect Foundation's Promotion of Access to Information Act (PAIA) Manual at Appendix A.

8.2 The Right to have Personal Information Corrected or Deleted

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

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Directors: OCM Caldow - S Specker - JP Suter - SA Suter

8.3 The Right to Object to the Processing of Personal Information

The data subject has the right, on reasonable grounds, to object to or request the restriction of the processing of their personal information. In such circumstances, the organisation will give due consideration to the request and the requirements of POPIA. The organisation 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.

8.4 The Right to Object to Direct Marketing

The data subject has the right to object to the processing of their personal information for purposes of direct marketing by means of unsolicited electronic communications.

8.5 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 their personal information.

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

8.6 The Right to be Informed

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

8.7 The Right to Institute Civil Proceedings

The data subject has the right to institute civil proceedings regarding the alleged interference with the protection of their personal information.

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Directors: OCM Caldow - S Specker - JP Suter - SA Suter

9. General Guiding Principles

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

9.1 Accountability

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

The organisation will ensure that the provisions of POPIA and the guiding principles outlined in this policy are complied with through the encouragement of desired behaviour as well as through training employees on the organisation's POPIA policies and any other data protection matters such as data subject's rights, consent, the conditions of lawful processing, and personal information breaches. The organisation will, where appropriate, 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.

All employees are required to assist the organisation with its efforts in ensuring compliance with the provisions of POPIA and the guiding principles outlined in this policy.

9.2 Processing Limitation

9.2.1 POPIA restricts the manner in which a person may process personal information. Processing must be adequate, relevant and not excessive given the purpose for which the personal information is processed. These restrictions are not intended to prevent processing, but to ensure that the organisation processes personal information lawfully and in a reasonable manner that does not infringe the privacy of the data subject.

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

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Directors: OCM Caldow - S Specker - JP Suter - SA Suter

- 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.

9.2.3 When processing special personal information, the organisation will ensure that it identifies the lawful basis for processing such information. For example, processing of special personal information can take place if:

- processing is carried out with the consent of a data subject;
- processing is necessary for the establishment, exercise or defence of a right or obligation in law;
- processing is necessary to comply with an obligation of international public law;
- processing is for historical, statistical or research purposes to the extent that:
- the purpose serves a public interest and the processing is necessary for the purpose concerned; or
- it appears to be impossible or would involve a disproportionate effort to ask for consent, and sufficient guarantees are provided for to ensure that the processing does not adversely affect the individual privacy of the data subject to a disproportionate extent;
- information has deliberately been made public by the data subject; or
- the specific authorisation requirements set out in POPIA are complied with if the information relates to a data subject's religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life, criminal behaviour, or biometric information.

9.2.4 It is the organisation's intention to keep the processing of special personal information to a minimum and for as short a period as is practical or required.

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44 Roeland Square, Drury Lane, Gardens, Cape Town 8001 | NPC 2023/139566/08 | NPO 301-416 | PBO 930083427
Directors: OCM Caldow - S Specker - JP Suter - SA Suter

9.2.5 The organisation will inform the data subject of the reasons for collecting their personal information or special personal information and obtain written consent prior to processing such information.

9.2.6 The organisation will under no circumstances distribute or share personal information or special personal information with separate legal entities, associated organisations or with any individuals that are not directly involved with facilitating the purpose for which the information was originally collected, without the written consent of the data subject, unless otherwise permitted in law. For example, passing on contact details to another entity for collaboration purposes.

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

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

9.3 Purpose Specification

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

9.3.2 The organisation will collect, store, update, destroy or otherwise process personal information only for specific, explicitly defined and legitimate reasons. The organisation will inform data subjects of these reasons prior to collecting or recording the data subject's personal information.

9.3.3 The organisation will not use personal information for new, different or incompatible purposes from those disclosed to the data subject when the personal information was first obtained unless the organisation has informed the data subject of the new purposes and they have consented, where necessary or as may otherwise be required by law.

9.3.4 Personal information must not be retained any longer than is necessary for achieving the specific purpose for which it was collected.

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Directors: OCM Caldow - S Specker - JP Suter - SA Suter

9.4 Further Processing Limitation

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

9.4.2 To establish whether further processing is compatible with the purpose of collection, consider:

- the nature of the information concerned;
- the manner in which the information has been collected;
- the relationship between the purpose of the intended further processing and the purpose for which the information was originally collected;
- the consequences of the intended further processing for the data subject; and
- any contractual rights and obligations between the data subject and the organisation.

9.4.3 Where the organisation 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 organisation will first obtain additional consent from the data subject, such consent will be recorded in writing and retained as proof and the basis for the further processing.

9.5 Information Quality

9.5.1 The organisation will take reasonable steps to ensure that all personal information collected is complete, accurate, justified and necessary. Information that is inaccurate will, without delay, be corrected or deleted.

9.5.2 Where personal information is collected or received from third parties, the organisation 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.

9.6 Open Communication

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Directors: OCM Caldow - S Specker - JP Suter - SA Suter

9.6.1 The organisation will take reasonable steps to ensure that data subjects are notified :

- that their personal information is being collected, and the source from which it is collected;
- of the purpose for which the personal information is being collected and processed;
- whether the supply of the personal information is voluntary or mandatory;
- of the consequences for failing to provide the personal information;
- whether any law requires the collection of the personal information;
- if the organisation intends to transfer the personal information to another country and the level of protection afforded to that personal information in that country;
- of the recipients of the personal information;
- the data subject's right to access, rectify, or object to the collection or processing of the personal information; and
- of their right to lodge a complaint with the Information Regulator.

9.6.2 The organisation will ensure that it establishes and maintains a “contact us” facility, for instance via its website, email or through a helpdesk (reception), for data subjects who want to:

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

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Directors: OCM Caldow - S Specker - JP Suter - SA Suter

9.6.3 The organisation will also ensure that it keeps and maintains accurate records reflecting the organisation's processing including records of data subjects' consents and procedures for obtaining consents.

9.7 Security Safeguards

9.7.1 Appropriate and reasonable technical and organisational measures must be taken to secure the integrity and confidentiality of personal information to prevent the loss of, damage to, unauthorised destruction of and unlawful access to, or processing of personal information.

9.7.2 The organisation will manage the security of its filing system to ensure that all 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.

9.7.3 The organisation will develop, implement and maintain safeguards (appropriate to its size, scope and objects) to ensure the security of its processing of personal information, such safeguards may include, but will not be limited to:

9.7.4 The organisation uses Google Drive and Dropbox as the primary e-filing storage systems. These platforms have security measures in place to ensure integrity of data storage. All personal information is processed, catalogued, managed and stored on Google Drive.

9.7.5 Any data collected via paper being processed and entered into the relevant platform for data management and the paper record being destroyed, unless required for legislative reasons (e.g. SARS).

9.7.6 Security measures being applied in a context-sensitive manner. For example, the more sensitive the personal information, the greater the security required. This is particularly important regarding information related to children and vulnerable people.

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

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44 Roeland Square, Drury Lane, Gardens, Cape Town 8001 | NPC 2023/139566/08 | NPO 301-416 | PBO 930083427
Directors: OCM Caldow - S Specker - JP Suter - SA Suter

9.7.8 The organisation ensuring that all paper and electronic records comprising personal information are securely stored and made accessible only to authorised individuals.

9.7.9 All new employees being 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 organisation is responsible.

9.7.10 All existing employees being required to sign an addendum to their employment containing the relevant consent and confidentiality clauses.

9.7.11 The organisation's operators and third-party service providers being required to enter into service level agreements and/or non-disclosure agreements with the organisation where both parties pledge their mutual commitment to POPIA and the lawful processing of any personal information pursuant to the agreement.

9.7.12 An example of "Employee Consent and Confidentiality Clause" for inclusion in the organisation's employment contracts can be found under Appendix D.

9.7.13 An example of an "SLA Confidentiality Clause" for inclusion in the organisation's service level agreements can be found under Appendix E.

9.8 Data Subject Participation

9.8.1 Data subjects have rights when it comes to how the organisation handles their personal information and a data subject may request the correction or deletion of their personal information held by the organisation. This may be done via forms on the PAIA Manual available at the office or on the organisation's website.

9.8.2 The organisation will verify the identity of an individual making a request under this clause 6.8 (we will not allow third parties to persuade us into disclosing personal information without proper authorisation).

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44 Roeland Square, Drury Lane, Gardens, Cape Town 8001 | NPC 2023/139566/08 | NPO 301-416 | PBO 930083427
Directors: OCM Caldow - S Specker - JP Suter - SA Suter

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

9.9 Information Officers

9.9.1 The organisation will appoint an Information Officer and where necessary, a Deputy Information Officer to assist the Information Officer. The Organisation's Information Officer is the Managing Director, Samantha Suter. The Organisation's Deputy Information Officer is the Production Manager, Jessica van Zyl.

9.9.2 The organisation's Information Officers are responsible for ensuring compliance with POPIA.

9.9.3 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.

9.9.4 Once appointed, the organisation will register the Information Officer with the South African Information Regulator established under POPIA prior to performing their duties.

9.9.5 Registration of the organisation's Information officers is completed online at https://www.justice.gov.za/inforeg/portal.html

10. Specific Duties and Responsibilities

10.1 Governing Body

10.1.1 The organisation's governing body cannot delegate its accountability and is ultimately answerable for ensuring that the organisation meets its legal obligations in terms of POPIA.

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

10.1.3 The governing body must appoint and review and reappoint the Information Officers.

www.connectfoundation.org.za
44 Roeland Square, Drury Lane, Gardens, Cape Town 8001 | NPC 2023/139566/08 | NPO 301-416 | PBO 930083427
Directors: OCM Caldow - S Specker - JP Suter - SA Suter

10.1.4 The governing body is responsible for ensuring that all persons responsible for the processing of personal information on behalf of the organisation:

- 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.

10.1.5 The governing body must ensure 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.

10.1.6 The governing body must ensure that the Information Officer carries out an annual periodic POPI Audit in order to accurately assess and review the ways in which the organisation collects, holds, uses, shares, discloses, destroys and processes personal information.

10.2 Information Officer

10.2.1 The organisation's Information Officer is responsible for:

- 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.

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44 Roeland Square, Drury Lane, Gardens, Cape Town 8001 | NPC 2023/139566/08 | NPO 301-416 | PBO 930083427
Directors: OCM Caldow - S Specker - JP Suter - SA Suter

- 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. For instance, maintaining a "contact us" facility on the organisation's website and publishing the PAIA Manual.
- 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.

10.2.2 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.

10.2.3 The Deputy Information Officer will assist the Information Officer in performing the abovementioned duties.

10.3 Information Technology Management

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10.3.1 The organisation's IT management is outsourced to a third party and is overseen by the Production Manager. With regards to IT, the Production Manager is thus responsible for:

- Ensuring that the organisation'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 transferred securely.
- Ensuring that all servers and computers containing personal information are protected by the latest security software.
- Performing regular IT audits to ensure that the security of the organisation'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 organisation's behalf. For instance, cloud computing services.

10.4 Communication Management

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Directors: OCM Caldow - S Specker - JP Suter - SA Suter

10.4.1 The organisation's Production Manager is also responsible for:

- Approving and maintaining the protection of personal information statements and disclaimers that are displayed on the organisation's website, including those attached to communications such as emails and electronic newsletters.
- Ensuring that public communication is compliant with the POPIA especially regarding the use of names and pictures of data subjects.
- Addressing any personal information protection queries from journalists or media outlets such as newspapers.
- Where necessary, working with persons acting on behalf of the organisation to ensure that any outsourced marketing initiatives comply with POPIA.

10.5 Employees and other Persons acting on behalf of the Organisation

10.5.1 Employees and other persons acting on behalf of the organisation 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.

10.5.2 Employees and other persons acting on behalf of the organisation are required to treat personal information as confidential and to respect the privacy of data subjects.

10.5.3 Employees and other persons acting on behalf of the organisation may not directly or indirectly, utilise, disclose or make public in any manner to any person or third party, either within the organisation 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 their duties.

10.5.4 Employees and other persons acting on behalf of the organisation 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.

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Directors: OCM Caldow - S Specker - JP Suter - SA Suter

10.5.5 Employees and other persons acting on behalf of the organisation 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 organisation.

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

- Clearly understands why and for what purpose their personal information is being collected; and
- Has granted the organisation with explicit written or verbally recorded consent to process their personal information.
- 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 the information is contained in or derived from a public record, or
- the data subject or a competent person where the data subject is a child has consented to the collection of the information from another source, or
- collection of the information from another source would not prejudice a legitimate interest of the data subject; or
- the information is necessary for effective law enforcement.

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Directors: OCM Caldow - S Specker - JP Suter - SA Suter

10.5.7 Employees and other persons acting on behalf of the organisation 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.
- 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.

10.5.8 Employees and other persons acting on behalf of the organisation 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 organisation, 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.

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Directors: OCM Caldow - S Specker - JP Suter - SA Suter

- 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. 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.

10.5.9 Where an employee, or a person acting on behalf of the organisation, 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.

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44 Roeland Square, Drury Lane, Gardens, Cape Town 8001 | NPC 2023/139566/08 | NPO 301-416 | PBO 930083427
Directors: OCM Caldow - S Specker - JP Suter - SA Suter

- Any incident must be recorded in the POPI Incident Register found in Appendix F.
- The Data Subject and the Information Regulator must be notified where there are reasonable grounds to believe that the personal information of a data subject has been accessed or acquired by any unauthorised person.
- This notification must be made as soon as reasonably possible after the discovery of the security breach taking into account the legitimate needs of law enforcement or any measures reasonably necessary to determine the scope of the security compromise and to restore the integrity of the organisation's information system.

10.6 The notification to a data subject must be in writing and communicated to the data subject in at least one of the following ways:

- mailed to the data subject's last known physical or postal address;
- sent by e-mail to the data subject's last known e-mail address;
- placed in a prominent position on the website of the responsible party;
- published in the news media; or
- as may be directed by the Information Regulator.

10.7 The notification to the data subject must provide sufficient information to allow the data subject to take protective measures against the potential consequences of the security breach, including:

- description of the possible consequences of the security compromise;
- description of the measures that the responsible party intends to take or has taken to address the security compromise;
- recommendation with regard to the measures to be taken by the data subject to mitigate the possible adverse effects of the security compromise; and

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Directors: OCM Caldow - S Specker - JP Suter - SA Suter

— if known to the responsible party, the identity of the unauthorised person who may have accessed or acquired the personal information.

11. POPI Audit

11.1 The organisation's Information Officer will schedule periodic POPI Audits.

11.2 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 organisation.

— 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.

— Monitor the effectiveness of internal controls established to manage the organisation's POPI related compliance risk.

— Verify the quality and security of personal information and the management of security breaches.

— Monitor the extent of compliance with POPIA and this policy.

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

11.4 Information Officers will be permitted direct access to and have demonstrable support from line managers and the organisation's governing body in performing their duties.

www.connectfoundation.org.za
44 Roeland Square, Drury Lane, Gardens, Cape Town 8001 | NPC 2023/139566/08 | NPO 301-416 | PBO 930083427
Directors: OCM Caldow - S Specker - JP Suter - SA Suter

12. Request to Access Personal Information Procedure

12.1 Data subjects have the right to:

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

12.2 Access to information requests can be made by email, addressed to the Information Officer at the following email address info@connectfoundation.org.za.

12.3 The Information Officer will provide the data subject with a "Personal Information Request Form" in the PAIA Manual.

12.4 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. All requests will be processed and considered against the organisation's PAIA as outlined in the PAIA manual.

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

13. POPI Complaints Procedure

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

13.2 POPI complaints must be submitted to the organisation in writing. Where so required, the Information Officer will provide the data subject with a "POPI Complaint Form", Appendix B.

13.3 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.

13.4 The Information Officer will provide the complainant with a written acknowledgement of receipt of the complaint within 2 working days.

www.connectfoundation.org.za
44 Roeland Square, Drury Lane, Gardens, Cape Town 8001 | NPC 2023/139566/08 | NPO 301-416 | PBO 930083427
Directors: OCM Caldow - S Specker - JP Suter - SA Suter

13.5 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.

13.6 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 organisation's data subjects.

13.7 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 organisation's governing body where after the affected data subjects and the Information Regulator will be informed of this breach.

13.8 The Information Officer will revert to the complainant with a proposed solution with the option of escalating the complaint to the organisation's governing body within 7 working days of receipt of the complaint. In all instances, the organisation will provide reasons for any decisions taken and communicate any anticipated deviation from the specified timelines.

13.9 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 address their complaint to the Information Regulator.

13.10 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.

www.connectfoundation.org.za
44 Roeland Square, Drury Lane, Gardens, Cape Town 8001 | NPC 2023/139566/08 | NPO 301-416 | PBO 930083427
Directors: OCM Caldow - S Specker - JP Suter - SA Suter

14. Disciplinary Action

14.1 Where a POPI complaint or a POPI infringement investigation has been finalised, the organisation 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.

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

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

14.4 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.

15. Data Retention Requirements and Destruction of Documents

15.1 There are statutory, regulatory and professional requirements for the organisation to retain certain records and personal information for a specified amount of time. However, the organisation does not need to retain all records and personal information indefinitely and doing so can expose the organisation to risk. Documents may be destroyed after the termination of the retention period mandated by law, or as determined by the organisation from time to time.

15.2 Each department is responsible for attending to the destruction of its documents and electronic records, which must be done on a regular basis. Files must be checked in order to make sure that they may be destroyed

www.connectfoundation.org.za
44 Roeland Square, Drury Lane, Gardens, Cape Town 8001 | NPC 2023/139566/08 | NPO 301-416 | PBO 930083427
Directors: OCM Caldow - S Specker - JP Suter - SA Suter

and also to ascertain if there are important original documents in the file. Original documents must be returned to the holder thereof, failing which, they should be retained by the Company pending such return.

15.3 Deletion of electronic records must be done in consultation with the Information Officers and IT contractor to ensure that deleted information is incapable of being reconstructed and/or recovered.

15.4 Statutory requirements regarding data retention can be found in Appendix G.

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44 Roeland Square, Drury Lane, Gardens, Cape Town 8001 | NPC 2023/139566/08 | NPO 301-416 | PBO 930083427
Directors: OCM Caldow - S Specker - JP Suter - SA Suter

APPENDIX A: PAIA Manual

PAIA Manual

PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 (PAIA)

Version 1

20 December 2024

www.connectfoundation.org.za
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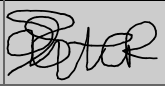
Directors: OCM Caldow - S Specker - JP Suter - SA Suter

Table of Contents

Page No

APPROVAL FOR ISSUE

NAME	POSITION	SIGNATURE	DATE
Samantha Suter	Director		20/12/24

1. Purpose of the Manual in terms of PAIA

1.1 The purpose of this Manual is to assist people wishing to access information in terms of the PAIA from The Connect Foundation.

2. Request for access to information

2.1 In the event that a person or entity requires access to information as contemplated in the Act, the requester must contact The Connect Foundation Production Manager.

2.2 Section 25(2) and (3) of the Act states that:

2.3 If the request for access is granted, the notice in terms of subsection (1)(b) must state:

3. The access fee (if any) to be paid upon access;

4. The form in which access will be given; and

4.1 That the requester may lodge an internal appeal or an application with a court, as the case may be, against the access fee to be paid or the form of access granted, and the procedure (including the period) for lodging the internal appeal or application, as the case may be.

4.2 If the request for access is refused, the notice in terms of subsection (1)(b) must:

- State adequate reasons for the refusal, including the provisions of this Act relied upon;
- Exclude, from such reasons, any reference to the content of the record; and
- State that the requester may lodge an internal appeal or an application with a court, as the case may be, against the refusal of

the request, and the procedure (including the period) for lodging the internal appeal or application, as the case may be.

5. Terms used in this document

Terms defined in this Manual shall have the meaning set out therein and reference to Sections shall be a reference to the sections in the Promotion of Access to Information Act, 2 of 2000.

6. Background of The Connect Foundation

6.1 The Connect Foundation is a non-profit company with a vision to highlight the deep connection between people and our beautiful planet, inspiring collective action for a sustainable future. We support non-profit organisations in their vital work, igniting real-world change through meaningful storytelling. We create impactful visual content for non-profit organisations addressing environmental and humanitarian issues, helping to raise awareness, inspire global engagement, and motivate action to create a lasting legacy.

6.2 The Connect Foundation produces film and photography content for non-profit organisations. These films are shared on The Connect Foundation's YouTube channel and with the grantee organisation (the NPO for whom the film was made).

6.3 In order to perform these tasks The Connect Foundation must collect various forms of information: These include:

- Partner organisation details: To best support and serve the organisations we work with, to promote collaboration between organisations, and to amplify the work of organisations and individuals as they serve their communities.
- NPO participants: To capture footage (film and photography) telling the story of the organisation.
- Social investor, donor and supporter details: To promote the work of The Connect Foundation and to raise funds to ensure the sustainability of The Connect Foundation.

6.4 All information is collected, processed, stored in compliance with the POPI Act 2013.

7. Organisation details

Trading Name: The Connect Foundation NPC

Postal Address:

44 Roeland Square
Drury Lane
Gardens
8001 Cape Town

Office Address:

44 Roeland Square
Drury Lane
Gardens
8001 Cape Town

Website: connectfoundation.org.za

Email: info@connectfoundation.org.za

8. Details of the Information Officer(s)

Information Officer: Samantha Suter
Deputy Information Officer: Jessica van Zyl

All information officers may be contacted through The Connect Foundation details listed above.

9. Categories of records

In terms of Section 51(1)(c), a private body may, on a voluntary and period basis, submit to the Minister a description of categories of records which are automatically available without a person having to request access in terms of the Act. This includes records which are available:

- For inspection;
- For purchase or copying from the private body; and
- From the private body free of charge.

10. Other applicable legislation

Certain legislation mandates The Connect Foundation to allow certain person(s) access to specified information, upon request. Legislation that may be consulted to establish the type of information or record and the person(s) having access thereto is as follows:

- Arbitration Act 42 of 1965
- Basic Conditions of Employment Act 75 of 1997
- Closed Corporation Act 69 of 1984
- Close Corporations Amendment Act 25 of 2005
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Competition Act 89 of 1998
- Consumer Protection Act 68 of 2008
- Copyright Act 61 of 1978
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Income Tax Act 58 of 1962
- Intellectual Property Laws Amendments Act 38 of 1997
- Interception and Monitoring Prohibition Act 127 of 1992
- Labour Relations Act 66 of 1995
- Non-profit Organisations Act 71 of 1997.
- Occupational Health and Safety Act 85 of 1993
- Prevention of Organised Crime Act 121 of 1998
- Protection of Businesses Act 99 of 1978
- Regional Services Councils Act 109 of 1985
- SA Schools Act 84 of 1996

- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- The Fund-Raising Act 107 of 1978
- Trade Marks Act 194 of 1993
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contributions Act 4 of 2002
- Value Added Tax Act 89 of 1991

11. General information

11.1 General information about The Connect Foundation can be accessed through the internet on connectfoundation.org.za, which is available to all persons who have access to the internet.

11.2 The subjects on which The Connect Foundation hold records and the categories on each subject in terms of Section 51(1)(e) are as listed below. Please note that a requestor is not automatically allowed access to these records and that access to them may be refused in accordance with Sections 62 to 69 of the Act.

11.3 The Connect Foundation holds the following categories of information, records and documentation:

- Accounting Records
- Information Technology Details
- Intellectual Property
- Human Resources Records
- Marketing Records
- Statutory Company Records
- Beneficiary Database and/or other Databases
- Organisational Records
- Internal Phone Lists

- Policies
- Procedures
- Minutes of Meetings
- Administrative Information
- Contracts and Service-Level Agreements
- Memorandums of Understanding
- Monitoring and Evaluation Records
- Social Investor, Donor and Supporter Information

12. Requesting Procedure

12.1 A person who wants access to the records must complete the necessary request form, and the completed form must be sent to the address or contact details set out in clause 5 of this Manual and marked for the attention of the Information Officer.

12.2 The requester must indicate which form of access is required and identify the right that is sought to be exercised or protected and provide an explanation of which the requested record is required for the exercise or protection of that right. Proof of the capacity in which the requester is requesting the information must also be provided.

13. Description of personal information processing in terms of the Protection of Personal Information Act 4 of 3013 (POPIA)

The Connect Foundation processes personal information[1] and special personal information[2] as follows:

Subject	Category
Purpose of processing[3]	• To establish and verify the identity and/or update data subjects' details;

[1] **"personal information"** means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to-

(a) 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;

(b) information relating to the education or the medical, financial, criminal or employment history of the person;

(c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;

(d) the biometric information of the person;

(e) the personal opinions, views or preferences of the person;

(f) 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;

(g) the views or opinions of another individual about the person; and

(h) 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;

[2] "**special personal information**" means personal information concerning-

(a) 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; or

(b) the criminal behaviour of a data subject to the extent that such information relates to-

(i) the alleged commission by a data subject of any offence; or

(ii) any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings.

[3] **"processing"** means 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

	• to administer and manage our service to clients / beneficiaries; • to measure impact, and improve our operations through monitoring, evaluation and reporting; • to notify you of news and /or developments that may be of interest to you; • to promote the work of The Connect Foundation; • to receive and process donations or grants; • to comply with any legal and regulatory requirements; and • for other activities and/or purposes which are lawful, reasonable and adequate, relevant and not excessive in relation to the provision of our services, or such other purpose for which it was collected.
Data subject categories and their personal information	• Employees: record of employee life cycle, name and job title, contact information, title, birth date, demographic information (post code, preferences, and interests), next of kin, identity number or passport number, SARS income tax number, marital status, dependents, financial and employment history • Volunteers, board members and the general public: name and job title, contact information, title, birth date, demographic information (post code, preferences, and interests), general enquiries and viewing the company website, identity number or passport number; SARS income tax number, financial and employment history • Supporters and benefactors of The Connect Foundation: name, address, contact information, record of donations

	• Service providers: name, registration number, financial information such as bank account details or VAT registration numbers • Beneficiaries of The Connect Foundation services/clients: name, age, contact information, title, birth date, demographic information (post code, preferences, and interests), identity number or passport number, national origin, physical or mental health, dependents, photographs
Recipients of personal information	• Data subjects • Operators (service providers, including consultants) • Statutory authorities • Beneficiaries of The Connect Foundation's services / clients • Employees of The Connect Foundation • Financial institutions • Industry bodies • Supporters and benefactors of The Connect Foundation
Expected transnational transfer of personal information	Any transnational transfer of personal information intended by the organisation will be in accordance with the provisions of POPIA
Security measures to protect personal information	• Any data collected via paper is processed and entered into the relevant platform for data management and the paper record is destroyed, unless required for legislative reasons. • The organisation regularly reviews its security controls which will include regular testing of protocols and measures put in place to combat cyber-attacks on the organisation's IT network. • The organisation ensures that all paper and electronic records comprising personal information are securely stored and made accessible only to authorised individuals.

	• IT infrastructure, filing systems and any other devices used for processing personal information meet acceptable security standards. • All electronically stored personal information is backed-up and tested on a regular basis. • All servers and computers containing personal information are protected by the latest security software. • All back-ups containing personal information are protected from unauthorised access, accidental deletion and malicious hacking attempts.

For more information on how we process personal information, please see our privacy notice available at connectfoundation.org.za/privacy_policy

14. Availability of the Manual

14.1 This Manual is available for inspection by the general public on connectfoundation.org.za or upon request during office hours at the office address of the organisation at the address as stated in clause 5 of this Manual. Copies of the Manual may be made available subject to the prescribed fees.

14.2 Copies may also be requested from the South African Human Rights Commission at the address indicated below.

15. Fees

15.1 A requester who seeks access to a record containing personal information about that requester is not required to pay the request fees. Any other requester who is not a personal requester must pay the required fee:

15.2 A fee will be required by the Information Officer before further processing of the request in terms of Section 54 of the Act;

15.3 A requester fee of R250.00 should be paid, this amount will be refunded should the request for access be refused;

15.4 A portion of the access fee (not more than one third) may be required before the request is considered;

15.5 The requester may lodge an application with a court against the payment of the request fee in terms of Section 54(3)(b) of the Act; and

15.6 The Information Officer may withhold a record until the requester has paid the applicable fees.

16. Details of the South African Human Rights Commission

Any queries regarding this Manual should be directed to:
The South African Human Rights Commission; PAIA Unit
Research and Documentation Department
Private Bag 2700
Houghton
2041

Phone: 011 484 8300
Fax: 011 484 0582
Email: PAIA@sahrc.org.za
Website: www.sahrc.org.za

Signed at Cape Town this 20th day of December 2024.

Samantha Suter
Managing Director

APPENDIX B: Popi Complaint Form

POPI 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.	
Please submit your complaint to the Information Officer:	
Name	Samantha Suter
Email Subject	For the Attention of the Information Officer
Email Address	info@connectfoundation.org.za

Where we are unable to resolve your complaint, to your satisfaction you have the right to refer your complaint to the Information Regulator.

The Information Regulator:
Physical Address: SALU Building, 316 Thabo Sehume Street, Pretoria
Email: inforreg@justice.gov.za
Website: http://www.justice.gov.za/inforeg/index.html

A. Particulars of Complainant	
Name & Surname	
Identity Number	
Postal Address	
Contact Number	
Email Address	
B. Details of Complaint	

C. Desired Outcome
D. Signature Page
Signature
Date

APPENDIX C.1: Popi Notice and Consent Form/ Long

The Connect Foundation ("we" or "us") understands that your personal information is important to you and that you may be apprehensive about disclosing it. Your privacy is just as important to us and we are committed to safeguarding and processing your information in a lawful manner that is in accordance with the Protection of Personal Information Act ("POPIA").

We also want to make sure that you understand how and for what purpose we process your information. If for any reason you think that your information is not processed in a correct manner, or that your information is being used for a purpose other than that for what it was originally intended, you can contact our Information Officer on info@connectfoundation.org.za

Purpose for Processing your Information

We collect, hold, use and disclose your personal information mainly to provide you with access to the services and support that we provide. Personal information refers to your private information which is used to identify you. This may include your name, email address, postal or other physical address, other contact information, marital status, date of birth, gender, race, religion, or your banking details. We will only process your personal information for a purpose you would reasonably expect, including:

- To establish and verify your identity and/or update your details
- To administer and manage our service to you
- To measure impact, and improve our operations through monitoring, evaluation and reporting
- To notify you of news and /or developments that may be of interest to you
- To promote the work of The Connect Foundation
- To receive and process donations or grants
- To comply with any legal and regulatory requirements

- For other activities and/or purposes which are lawful, reasonable and adequate, relevant and not excessive in relation to the provision of our services, or such other purpose for which it was collected.

The information we collect from you may also include special personal information (such as your race, ethnic origin, or health information) which, according to POPIA, may only be processed under certain conditions and with particular justifications. We will ensure that we only process your special personal information if it is in compliance with applicable law. We have, in addition, implemented appropriate policies and safeguards, which we are required by law to maintain, to process your special personal information.

Consent to Disclose and Share your Information

We may need to share your information with third parties in order to provide advice, reports, analyses, products or services.

Where we share your information with third parties, we will take all precautions to ensure that the third party will treat your information with the same level of protection as required by us. Your information may be hosted on servers managed by a third-party service provider, which may be located outside of South Africa.

Your Rights

Under the POPIA, you may request to access, confirm, request the correction, destruction, or deletion of, or request a description of, personal information held by us. Relevant details on how to access this information will be provided to you on request. Subject to applicable law, you also have the right to be notified of a personal information breach and the right to object to, or restrict, our processing of your personal information.

You may at any time withdraw you consent to The Connect Foundation's processing of your personal information or special personal information, and such withdrawal shall be promptly honoured and recorded by us, subject to applicable law. Relevant details on how to withdraw your consent will be provided to you on request.

I hereby authorise and consent to The Connect Foundation processing my personal information and special personal information in accordance with the purposes set out in this consent form and I further consent to the sharing of my personal information and special personal information with third parties.
Name & Surname
Signature
Date

APPENDIX C.2: Popi Notice And Consent Form/ Short

We understand that your personal information is important to you and that you may be apprehensive about disclosing it. Your privacy is just as important to us and we are committed to safeguarding and processing your information in a lawful manner.

For more information regarding your information you can see our privacy policy on connectfoundation.org.za/privacy_policy

The information collected in this form will only be used for the following purposes: (insert reason)

APPENDIX D: Employee Consent to Processing of Personal Information

Extract from Employee Contracts, in respect of Protection of Personal Information. Confidentiality and Intellectual Property Clauses in the contracts are currently under revision and Appendix D will be updated accordingly when they are finalised.

In terms of this clause, you give the Organisation permission to process any of your personal information as defined in the Protection of Personal Information Act 4 of 2013, as amended from time to time ("**POPIA**"):

- for any purposes connected with your employment, including but not limited to maintaining personal contact details, to comply with applicable legislation, payroll and remuneration, implementing health management systems, performance evaluation, training, development planning, occupational health and safety, security and access control, implementation of medical aid schemes and retirement funding, administration of benefits, to ensure employees proceed on sick leave and paternity leave when necessary, to protect your beliefs and culture, employment and credit references, succession and contingency planning;
- in order to comply with laws and other measures designed to protect or advance persons, or categories of persons, disadvantaged by unfair discrimination; and
- in order to protect the Organisation's legitimate interests in respect of criminal offences which have been, or can reasonably expected to be, counted against you or other employees in the Organisation's service.

For purposes of this clause, "*processing*" refers to processing as defined in POPIA and includes but is not limited to collecting, receiving, recording, organising, collating, storing, updating, retrieving, altering, using, disseminating, distributing, merging, linking, blocking, degrading, erasing or destroying of any personal information.
You similarly consent to the processing, analysing and assessment of your personal information by any other third party, whether based in South Africa or in other jurisdictions.

Any personal information will only be used by any such third parties in accordance with the instructions of the Organisation.

You warrant that any and all personal information provided by yourself to the Organisation shall at all times be true and correct and that the provision of inaccurate and/or misleading personal information shall constitute serious misconduct, subject to appropriate disciplinary action, including potential dismissal.

The processing of personal information by the Organisation shall further be subject to any applicable policy regulating this in place at the Organisation, and as amended from time to time in the sole discretion of the Organisation.

You undertake to ensure that you are at all times aware of the aforementioned policy and any amendments thereto.

APPENDIX E: SLA Confidentiality and POPI Clause

Extract from Service Level Agreement template, clause in respect of Confidentiality and Protection of Personal Information

1. **CONFIDENTIALITY AND PROTECTION OF PERSONAL INFORMATION (POPI)**
   - **1.1.** "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.
   - **1.2.** "POPIA" shall mean the Protection of Personal Information Act 4 of 2013 as amended from time to time.
   - **1.3.** The Service Provider acknowledges that for the purposes of the Agreement that they 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 the other party is responsible. Such PI may also be deemed or considered as private and confidential as it relates to POPIA.
   - **1.4.** During the period of this Agreement and after the termination thereof, the Service Provider agrees and undertakes not to, directly or indirectly, divulge or disclose any confidential information pertaining to any person or third party, save to those officials and / or persons who are entitled to such information.
   - **1.5.** The Service Provider agrees that they will at all times comply with POPIA's Regulations and Codes of Conduct as well as The Connect Foundation's POPI Policy, 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 obligations in terms of the Agreement.

1.6. The Service Provider agrees 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 in relation to the Agreement.

1.7. Unless so required by law, the Service Provider agrees that it shall not disclose any PI as defined in POPIA to any third party without the prior written consent of The Connect Foundation.

APPENDIX F: Popi Incident Register

POPI INCIDENT
To be completed by Information Officer or Deputy Information Officer

Type of Incident	
Date Incident Originated	
Date Incident Was Detected	
By Whom Was Incident Detected	
How Was Incident Detected	
Scope of Incident (who has been affected)	
Date Incident Corrected	
Corrective Action Types (Training, Technical, etc)	

Summary of Incident

Summary of Incident Impact to Organisation and Stakeholders

Summary of Corrective Actions

Summary of Mitigation Processes and Internal Communication

Communications Log (Attach drafts for written communications, synopsis for verbal communication)

Communication Date	Communication Type	Recipient(s)	Purpose

APPENDIX G: Statutory Requirements Regarding Data Retention

The purpose of this Annexe G is to:

- assist the organisation comply with legal and regulatory requirements to retain records; and
- provide guidance on the statutory requirements regarding the retention of certain document types and the appropriate period for handling and disposal of such records.

Legislation	Document Type	Period
Protection of Personal Information Act	In accordance with POPIA, the organisation will not retain records of personal information for longer than is necessary to achieve the purpose for which the information was collected, unless: - retention of the record is required or authorised by law; - the organisation reasonably requires the record for lawful purposes related to its functions or activities; - retention of the record is required by a contract between the parties thereto; or - the data subject or a competent person, where the data subject is a child, has consented to the retention of the record. Records may also be retained for longer periods where the information is for historical, statistical or research purposes, provided that the organisation ensures that it has established appropriate safeguards against the records being used for any other purposes. The organisation will ensure that it destroys, deletes or de-identifies a record of personal information as soon as reasonably practicable after it is no longer authorised to retain the record.	

Companies Act	Any documents, accounts, books, writing, records or other information that a company is required to keep in terms of the Act; Notice and minutes of all shareholders meeting, including resolutions adopted and documents made available to holders of securities; Copies of reports presented at the annual general meeting of the company; Copies of annual financial statements required by the Act; Copies of accounting records as required by the Act; Record of directors and past directors, after the director has retired from the company; Written communication to holders of securities and Minutes and resolutions of directors' meetings, audit committee and directors' committees.	7 Years
	Registration certificate; Memorandum of Incorporation and alterations and amendments; Rules; Securities register and uncertified securities register; Register of company secretary and auditors and Regulated Companies (companies to which chapter 5, part B, C and Takeover Regulations apply) – Register of disclosure of person who holds beneficial interest equal to or in excess of 5% of the securities of that class issued.	Indefinitely

Consumer Protection Act	Full names, physical address, postal address and contact details; ID number and registration number; Contact details of public officer in case of a juristic person; Service rendered; Cost to be recovered from the consumer; Frequency of accounting to the consumer; Amounts, sums, values, charges, fees, remuneration specified in monetary terms; Conducting a promotional competition refers to Section 36(11)(b) and Regulation 11 of Promotional Competitions;	3 years

Financial Intelligence Center Act	Whenever a reportable transaction is concluded with a customer, the institution must keep record of the identity of the customer; If the customer is acting on behalf of another person, the identity of the person on whose behalf the customer is acting and the customer's authority to act on behalf of that other person; If another person is acting on behalf of the customer, the identity of that person and that other person's authority to act on behalf of the customer; The manner in which the identity of the persons referred to above was established; The nature of that business relationship or transaction; In the case of a transaction, the amount involved and the parties to that transaction; All accounts that are involved in the transactions concluded by that accountable institution in the course of that business relationship and that single transaction; The name of the person who obtained the identity of the person transacting on behalf of the accountable institution; Any document or copy of a document obtained by the accountable institution	5 years

Compensation for Occupational Injuries and Diseases Act	Register, record or reproduction of the earnings, time worked, payment for piece work and overtime and other prescribed particulars of all the employees.	4 years
	Section 20(2) documents : -Health and safety committee recommendations made to an employer in terms of issues affecting the health of employees and of any report made to an inspector in terms of the recommendation; -Records of incidents reported at work.	3 years
	Asbestos Regulations, 2001, regulation 16(1): -Records of assessment and air monitoring, and the asbestos inventory; -Medical surveillance records; Hazardous Biological Agents Regulations, 2001, Regulations 9(1) and (2): -Records of risk assessments and air monitoring; -Medical surveillance records. Lead Regulations, 2001, Regulation 10: -Records of assessments and air monitoring; -Medical surveillance records Noise - induced Hearing Loss Regulations, 2003, Regulation 11: -All records of assessment and noise monitoring;	40 years

	-All medical surveillance records, including the baseline audiogram of every employee.	
	Hazardous Chemical Substance Regulations, 1995, Regulation 9: -Records of assessments and air monitoring; -Medical surveillance records	30 years

Basic Conditions of Employment Act	Section 29(4): -Written particulars of an employee after termination of employment; Section 31: -Employee's name and occupation; -Time worked by each employee; -Remuneration paid to each employee; -Date of birth of any employee under the age of 18 years.	3 years
Employment Equity Act	Records in respect of the company's workforce, employment equity plan and other records relevant to compliance with the Act; Section 21 report which is sent to the Director General	3 years

Labour Relations Act	Records to be retained by the employer are the collective agreements and arbitration awards.	3 years
	An employer must retain prescribed details of any strike, lock-out or protest action involving its employees; Records of each employee specifying the nature of any disciplinary transgressions, the actions taken by the employer and the reasons for the actions	Indefinite
Unemployment Insurance Act	Employers must retain personal records of each of their current employees in terms of their names, identification number, monthly remuneration and address where the employee is employed	5 years
Tax Administration Act	Section 29 documents which: -Enable a person to observe the requirements of the Act; -Are specifically required under a Tax Act by the Commissioner by the public notice; -Will enable SARS to be satisfied that the person has observed these requirements	5 years

Income Tax Act	Amount of remuneration paid or due by him to the employee; The amount of employees tax deducted or withheld from the remuneration paid or due; The income tax reference number of that employee; Any further prescribed information; Employer Reconciliation return.	5 years
Value Added Tax Act	Where a vendor's basis of accounting is changed the vendor shall prepare lists of debtors and creditors showing the amounts owing to the creditors at the end of the tax period immediately preceding the changeover period; Importation of goods, bill of entry, other documents prescribed by the Custom and Excise Act and proof that the VAT charge has been paid to SARS; Vendors are obliged to retain records of all goods and services, rate of tax applicable to the supply, list of suppliers or agents, invoices and tax invoices, credit and debit notes, bank statements, deposit slips, stock lists and paid cheques; Documentary proof substantiating the zero rating of supplies; Where a tax invoice, credit or debit note, has been issued in relation to a supply by an agent or a bill of entry as described in the Customs and Excise Act, the agent shall maintain sufficient records to enable the name, address and VAT registration number of the principal to be ascertained.	5 years