

# **WORLDWIDE POSITIONS (PTY) LTD**

## **PROTECTION OF PERSONAL INFORMATION & PROMOTION OF ACCESS TO INFORMATION POLICY**

### **Introduction**

The company is obliged to comply with the Protection of Personal Information Act (No. 4 of 2013) (“POPI”) as well as the Promotion of Access to Information Act (No. 2 of 2000) (“PAIA”), given that it processes the personal information of its employees, suppliers, clients and other data subjects from time to time as well as that there may be requesters of information relating to the company and its operations.

The company guarantees its commitment to protecting data subject privacy as well as ensuring that their personal information is used appropriately, transparently, securely and in accordance with applicable laws. This is in line with the Constitutional provisions.

POPI requires the company to inform its data subjects as to how their personal information is collected, processed, secured, disclosed and destroyed. This Policy sets out the manner in which the Company deals with such personal information as well as stipulates the general purpose for which such information is used. It also addresses the standards expected of employees of the company in respect of their conduct in this regard.

### **Collection of personal information**

The company collects stores and processes personal information pertaining to data subjects including its employees, suppliers, clients and other stakeholders. The type of information collected and processed will depend on the purpose for which it is collected and will be processed for that scope of application only. Whenever appropriate, the company will inform the data subject of the information required, the purpose thereof, the rights of participation and the other relevant provisions contained at law.

Examples of the personal information the company collects includes, but is not limited to information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person -

- 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.

## **Collection of personal information (candidate/job applicant data subjects)**

The company collects stores and processes personal information pertaining to data subjects (candidates/job applicants). The type of information collected and processed will depend on the purpose for which it is collected (employment) and will be processed for that scope of application only. Whenever appropriate, the company will inform the data subject of the information required, the purpose thereof, the rights of participation and the other relevant provisions contained at law. Examples of the personal information the company collects includes, but is not limited to information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person -

- a) information relating to the race, gender, sex, national, ethnic or social origin, age, physical or mental health, well-being, disability 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.

## **Collection of client and/ or supplier information**

For purposes of this Policy, clients include potential, past and existing clients.

The company collects and processes its clients' personal information, such as that mentioned hereunder. The type of information will depend on the need for which it is collected and will be processed for that purpose only. Further examples of personal information collected from clients include, but is not limited to:

- ✓ The client's name, surname, address, postal code
- ✓ The client's postal address
- ✓ Contact information
- ✓ Company registration number
- ✓ Full name of the legal entity
- ✓ Tax and/or VAT number
- ✓ Details of the person responsible for the client's account

## **Use of client and supplier information**

The client's personal information will only be used for the purpose for which it was collected and as agreed, if any such agreement is required at law. This may include, but not be limited to:

- ✓ Providing relevant job information to candidates as and when required for employment purposes only
- ✓ In connection with sending Invoices and communication in respect of services rendered

- ✓ Confirming, verifying and updating client details
- ✓ For audit and record keeping purposes
- ✓ In connection with legal proceedings
- ✓ In connection with and to comply with legal and regulatory requirements or when it is otherwise allowed by law.

The company acknowledges that personal information may only be processed if any of the conditions set out hereunder are met:

- ✓ Client consents to the processing
- ✓ The processing is necessary to attend to rights and obligations that are justifiable, including fulfilling contractual provisions
- ✓ The processing complies with an obligation imposed by law on the company
- ✓ Processing protects a legitimate interest of the party
- ✓ Processing is necessary for pursuing the legitimate interests of the company or of a third party to whom information is supplied.

## **Disclosure of personal information**

Subject to legislative provisions providing the contrary, the company may share data subject's personal information with third parties as well as obtain information from such third parties for reasons set out above.

The Company may also disclose data subject's information where there is a duty or a right to disclose in terms of applicable legislation, a contractual obligation, the law or where it may be necessary to protect the company's rights.

## **Safeguarding personal information and consent**

It is a requirement of POPI to adequately protect the personal information the company holds and to avoid unauthorised access and use of personal information.

The company shall review its technical and operational security controls and processes on a regular basis to ensure that personal information is secure.

The Company shall appoint an Information Officer who is responsible for the encouragement of compliance with the conditions of the lawful processing of personal information and other provisions of POPI and PAIA.

## **Information Officer details:**

Name: Diane Wray

Telephone number: 082 453 8320

Fax number: (011) 784-3416

Postal address: P.O. Box 1794, Rivonia, 2128

Physical address: 18 Meadowbrook Close, Morningside, Sandton, 2196

Email address: [wwp@visualnet.co.za](mailto:wwp@visualnet.co.za)

Consent to process client information is obtained from data subjects (or a person who has been given authorisation from the client to provide the client's personal information) during the introductory, appointment and needs analysis stage of the relationship.

## **Security breaches**

Should the company detect a security breach on any of its systems that contain personal information, the company shall take the required steps to assess the nature and extent of the breach in order to ascertain if any information has been compromised.

The company shall activate its Incident Response Plan which includes the notification of the affected parties and the Information Regulator should it have reason to believe that personal information has been compromised. Such notification shall only be made where the company can identify the data subject to which the information relates. Where it is not possible it may be necessary to consider website publication and whatever else the Information Regulator prescribes.

Notification will be provided in writing by means of either:

- ✓ email
- ✓ registered mail
- ✓ place on our website.

The notification shall provide the following information where possible:

- ✓ description of possible consequences of the breach
- ✓ measures taken to address the breach
- ✓ recommendations to be taken by the data subject to mitigate adverse effects
- ✓ the identity of the party responsible for the breach.

In addition to the above, the company shall notify the Regulator of any breach and/or compromise to personal information in its possession and work closely with and comply with any recommendations issued by the Regulator.

The following provisions will apply in this regard –

- The Information Officer will be responsible for overseeing the investigation;
- The Information Officer will be responsible for reporting to the Information Regulator within 2 working days of a breach/ compromise to personal information;
- The Information Officer will be responsible for reporting to the Data Subject(s) within 2 working days of a breach/ compromise to personal information;
- The timeframes above are guidelines and depending on the merits of the situation may require earlier or later reporting.

## **Access and correction of personal information**

Data subjects have the right to request access to any personal information that the company holds about them.

Data subjects have the right to request the Company to update, correct or delete their personal information on reasonable grounds. Such requests must be made to the company's Information Officer (see details above) or to the Company's head office (see details below) or submitted via the website "Information Officer Portal".

Where a Data subject objects to the processing of their personal information, the Company may no longer process said personal information. The consequences of the failure to give consent to process the personal information must be set out before the employee or client confirms his/her objection. The data subject must provide reasons for the objection to the processing of his/her personal information.

### **Head Office details:**

Name: Diane Wray

Telephone number: 082 453 8320

Fax number: (011) 784-3416

Postal address: P.O. Box 1794, Rivonia, 2128

Physical address: 18 Meadowbrook Close, Morningside, Sandton, 2196

Email address: [wwp@visualnet.co.za](mailto:wwp@visualnet.co.za)

### **Retention of records**

The company shall ensure the safeguarding and protection of all personal information or data. The company is obligated to retain certain information as prescribed by law. This includes but is not limited to the following:

With regards to the Companies Act, No 71 of 2008 and the Companies Amendment Act No 3 of 2011, hard copies of the documents mentioned below must be retained for 7 years:

- Any documents, accounts, books, writing, records or other information that a company is required to keep in terms of the Act
- The Employment Equity Act, No 55 of 1998, generally 5 years
- The Basic Conditions of Employment No 75 of 1997, as amended requires the Company to retain records relating to staff for a period of no less than 3 years for labour relations/employment PI and 7 years for non-labour relations/employment PI
- Copies of Annual Financial Statement required by the Act and copies of Accounting Records as required by the Act

### **Amendments to this policy**

Amendments to this Policy will take place from time to time subject to the discretion of the Company and pursuant to any changes in the law. Such changes will be brought to the attention of Data subjects where it affects them.