

POLICY: PROTECTION OF PERSONAL INFORMATION

1. PURPOSE

The purpose of this policy is to explain the manner in which Mabebe Wellness deals with personal information of Data subjects, and in addition, the purpose for which this information is used.

This policy also serves to protect the Company from compliance risks associated with the protection of personal information which includes:

- Breaches of confidentiality
- Failing to offer choice to Data subjects to choose how and for what purpose their information is used Reputational damage.

The policy also demonstrates the Company's commitment to protecting the privacy rights of Data subjects.

2. SCOPE

This document applies to the Company's management, all employees, contractors, suppliers, clients, persons acting on behalf of the company and all potential and existing Data subjects.

3. INTRODUCTION

The Protection of Personal Information Act, 4 of 2013 ('POPIA') requires the Company to inform Data subjects as to how their personal information is used, disclosed and destroyed.

The Company is committed to compliance with POPIA and other applicable legislation, protecting the privacy of Data subjects and ensuring that their personal information is used appropriately, transparently and securely.

This policy is made available on the Company's website www.mabebewellness.co.za and should be read in conjunction with the Company's Website Privacy Notice.

4. DEFINITIONS

4.1. Personal Information

Personal information means information relating to an identifiable, living, natural person, and where it is applicable, an existing, identifiable juristic person and may include but is not limited to:

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- information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
- information relating to the education or the medical, financial, criminal or employment history of the person;
- any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to 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; information regarded as confidential business information; the views or opinions of another individual about the person; and 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.

4.2. Data subject

This refers to the natural or juristic person to whom personal information relates, such as employees, clients, delegates, sub-contractors or a company that supplies the Company with goods or services.

4.3. Processing

The act or processing information includes any activity or set of operations concerning personal information and includes:

- the collection, receipt, capturing, collation, storage, updating, retrieval, alteration or use;
- dissemination by means of transmission, distribution or making available in any other form; or merging, linking, erasure or destruction of information.

5. RIGHTS OF DATA SUBJECTS

The Company will ensure that it makes Data subjects aware of their rights as appropriate and specifically with regards to the following:

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5.1. The right to access personal information

Data subjects have the right to establish whether the Company holds personal information related to them, including the right to request access to that personal information.

5.2. The right to have personal information corrected or deleted

Data subjects also have the right to ask the Company to update, correct or delete their personal information on reasonable grounds.

5.3. The right to object to the processing of personal information

Data subjects have the right on reasonable grounds, to object to the processing of their personal information.

The Company will consider such requests and the requirements of POPIA and may cease to process such personal information and may, subject to statutory and contractual record keeping requirements, also destroy the personal information.

5.4. The right to object to direct marketing

Data subjects have the right to object to their personal information being used for the purposes of direct marketing by means of unsolicited electronic communications.

5.5. The right to complain to the Information Regulator

Data subjects have the right to submit a complaint to the Information Regulator regarding infringements of any of their rights protected under POPI and to institute civil proceedings against alleged non-compliance with the protection of their personal information.

5.6. The right to be informed

Data subjects have the right to be informed that their personal information is being collected by the Company and should also be notified in any situation where the Company reasonably believe that the personal information of data subjects has been accessed by unauthorised person/s.

6. GENERAL GUIDING PRINCIPLES

All employees and persons acting on behalf of Mabebe Wellness will be subject to the following guiding principles:

6.1. Accountability

Compliance failure could damage the reputation of the company. The Company could also be exposed to a civil claim for damages. The protection of personal information is therefore everybody's responsibility.

The Company will take appropriate steps including disciplinary action against individuals who through intentional or negligent actions and/or omissions fail to comply with this policy.

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6.2. Processing limitation

The Company collects personal information directly from Data subjects only as pertains to business requirements. The type of information will depend on the need for which it is collected and will be processed for that purpose only. We will inform Data subjects as to what information is mandatory or deemed optional, as far as possible. Personal information will only be used for the purpose for which it was collected, intended and as agreed.

This may include:

- Recordkeeping and payment of employees;
- Administration
- Recording and payment of therapists/cosultants;
- Confirming, verifying and updating client information;
- Contractual obligations;
- In connection with legal proceedings (if any)
- In connection with and to comply with legal and regulatory requirements or when allowed by law;
- For audit and reporting purposes; and

According to Section 10 of POPIA, personal information may only be processed if the purpose for which it is processed, is adequate, relevant and not excessive. Certain conditions must be met for the Company to process personal information as in Section 11 of POPIA.

These are listed below:

- Data subjects consent to the processing – consent is obtained during early stages of the relationship.
- Processing is necessary – personal information is required to facilitate the provision of services to the Data subject or for the conclusion of a contract to which the Data subject is a party.
- The Company is under obligation by law.
- The legitimate interest of the Data subject is protected – it is in their best interest to provide the personal information.
- Processing is in the best interest of the Company – in order to provide our services to the Data subject.

6.3. Further processing limitation

Personal information will not be processed for a secondary purpose unless that processing is compatible with the original purpose. Where the secondary purpose is not compatible with the original purpose, the Company will first obtain additional consent from the Data subject.

6.4. Information quality

The Company will take reasonable steps to ensure that all personal information is complete, accurate and not misleading. Where personal information is collected from third parties, the Company will take reasonable steps to ensure that the information is correct by verifying the accuracy of the information directly with the Data subject or by way of independent sources.

6.5. Security safeguards

Section 19 of POPIA requires the adequate protection of personal information that is held by the Company. The Company will continuously review security controls and processes to prevent unauthorised access and use of personal information.

The following procedures are in place to ensure that personal information are secure:

- The Company's Information Officer is the Operations Manager whose details are available below and who is responsible for compliance with the conditions and provisions of POPIA;
- This policy is available from the Company's website;
- Employees will be trained on this policy and POPIA;
- Each new employee will be required to sign an employment contract that contains relevant consent and confidentiality clauses for the use and storage of personal information, in terms of POPIA;
- Every employee currently employed within the Company will be required to sign an addendum to their employment contract, containing relevant consent and confidentiality clauses for the use and storage of personal information, in terms of POPIA;
- Redundant hardcopies of personal information are stored in document storage until it is securely destroyed by our service provider;
- Archived personal information are destroyed according to legislative retention periods;
- The Company's internal server hard drives are protected by firewalls; and
- The backup of electronic files and data are managed and regulated through a service level agreement entered into with a reputable service provider.

7. SPECIFIC DUTIES AND RESPONSIBILITIES

7.1. Managing Director

The Company's Managing Director in her capacity is ultimately accountable for ensuring that the Company meets its obligations under POPIA. The Board of Directors may however delegate some of its responsibilities to management or other capable individuals.

7.2. The Company's Information Officer is responsible for the following:

- Taking steps to ensure the Company's reasonable compliance to POPIA;
- Keeping the Board of Directors informed of the Company's information protection responsibilities, for instance in the case of a security breach;
- Reviewing the Company's information protection procedures and policies;
- Ensuring that the Company makes it convenient for Data subjects to communicate with the Company regarding their personal information;
- Approve any contracts entered into which may have an impact on personal information held by the Company;
- Oversee the amendment of employment contracts and other service level agreements;
- Encourage compliance with the lawful processing of personal information;
- Ensure that employees and persons acting on behalf of the Company are aware of the risks associated with the processing of personal information;
- Ensure that employees are trained in the processing of personal information;
- Address employees' POPIA related questions;
- Address POPIA related requests and complaints made by the Company's Data subjects; and
- Act as contact point for the Information Regulator on issues pertaining to the processing of personal information.

7.3. The Company's IT Manager in charge of Information Technology is responsible for:

- Ensuring that the Company's IT infrastructure and any other devices used for processing personal information meet acceptable security standards;
- Ensuring that servers containing personal information are sited in a secure location;
- Ensuring that all electronically stored information is backed-up and tested on a regular basis;
- Ensuring that all back-ups are protected from unauthorised access, accidental deletion and malicious hacking attempts;
- Ensuring that information being transferred electronically is encrypted;
- Ensuring that all servers and computers containing personal information are protected by a firewall and the latest security software;
- Performing regular IT audits to verify whether electronically stored personal information has been accessed or acquired by unauthorised persons; and
- Performing a proper due diligence review prior to contracting with third party providers to process personal information on the Company's behalf.

- 7.4. Employees and other persons acting on behalf of the Company are responsible for:
- Keeping all personal information that they come into contact with secure by taking precautions and complying with this policy;
 - Ensuring that personal information is kept in as few places as is necessary;
 - Ensuring that personal information is encrypted prior to sharing the information electronically; not left unattended where unauthorised individuals could see them;
 - Take reasonable steps to ensure that personal information is stored only for as long as it is needed or required;
 - Undergo POPIA awareness training from time to time.
- 7.5. Employees and other persons acting on behalf of the company will under no circumstances:
- Process personal information where it is not a requirement to perform their work related duties;
 - Save copies of personal information directly to their own private computers or mobile devices; and
 - Share personal information informally.
 - When an employee, or a person acting on behalf of the Company, becomes aware or suspicious of any security breach of personal information, he or she must immediately report this to the Information Officer.

8. DISCIPLINARY ACTION

The Company may recommend appropriate legal or disciplinary action to be taken against any employee found to be implicated in any non-compliant activity outlined within this policy. Any gross negligence or intentional mismanagement of personal information will be considered a serious form of misconduct under the Company's Disciplinary code and may lead to dismissal.

Details of our Information Officer are as follows:

Name Mr Martin Kgole

Telephone number: 0738039415

Email: admin@smartsmedia.co.za

Document data

Document number	POL_MABE_POPIA_002V1
Policy owner	Managing Director
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Signed By: Mabebe Mary Kgole

Signature

Designation: Managing Director



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