

## PROTECTION OF PERSONAL INFORMATION POLICY

### INTRODUCTION

The right to privacy is an integral human right recognised and protected in the South African Constitution and in the Protection of Personal Information Act 4 of 2013 (POPIA). POPIA requires Southern /ropes to inform data subjects as to how their personal information is used, disclosed, and destroyed. Southern Ropes 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.

### PURPOSE

The purpose of this policy is to protect Southern Ropes from compliance risks associated with the protection of personal information which include:

- 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 Southern Ropes' commitment to protecting the privacy rights of data subjects in the following manner:

- Through stating desired behaviour and directing compliance with the provisions of POPIA and best practice.
- By cultivating 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 business practices that will provide reasonable assurance that the rights of data subjects are protected and balanced with the legitimate business needs of Southern Ropes.
- By assigning specific duties and responsibilities to control owners, including the appointment of an Information Officer to protect the interests of Southern Ropes and data subjects.
- By raising the awareness through training and providing guidance to individuals who process personal information so that they can act confidentially and consistently.

### POLICY APPLICATION

The policy and its guiding principles apply to:

- Southern Ropes' governing body.
- All subsidiaries, divisions, and business units of Southern Ropes.
- All employees.
- All contractors, suppliers, and other persons acting on behalf of Southern Ropes.

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



The legal duty to comply with POPIA's provisions is activated in any situation where there is a processing of personal information entered into a record by or for a responsible person who is domiciled in South Africa.

## DEFINITIONS

### a) 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:

- 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 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.
- Information regarded as confidential business information.
- 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.

### b) 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 Southern Ropes with goods or services.

### c) Responsible Person

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

### d) Operator

An operator means a person who processes personal information for a responsible party in terms of a contract or mandate, without coming under the direct authority of that party. For example, a third-party service provider that has contracted with Southern Ropes 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.

### e) Information Officer

The Information Officer is responsible for ensuring Southern Ropes' compliance with POPIA. Where no Information Officer is appointed, the Chief Executive Officer will be responsible for performing the Information Officer's duties. Once appointed, the Information Officer must be registered with the South African Information Regulator established under POPIA prior to performing his or her duties. Deputy Information Officers can also be appointed to assist the Information Officer.

**f) Processing**

The act of 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.
- Merging, linking, erasure or destruction of information.

**g) 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 to be capable, with or without the aid of some other equipment, of being reproduced.

**h) Consent**

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

**i) 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.
- Requesting the data subject to donate any kind for any reason.

**j) 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.

## RIGHTS OF DATA SUBJECTS

Southern Ropes will ensure that it makes data subjects aware of their rights as appropriate and specifically with regards to the following:

**a) The right to access personal information.**

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

**b) The right to have personal information corrected or deleted.**

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

**c) 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. Southern Ropes 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.

**d) 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.

**e) 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.

**f) The right to be informed.**

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

## GENERAL GUIDING PRINCIPLES

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

❖ **Condition 1 – Accountability**

Compliance failure could damage the reputation of Southern Ropes or expose Southern Ropes to a civil claim for damages. The protection of personal information is therefore everybody's responsibility. Southern Ropes will ensure that the provisions of POPIA and the guiding principles outlined in this policy are complied with through the encouragement of desired behaviour. Southern Ropes will take appropriate steps including disciplinary action against individuals who through intentional or negligent actions and/or omissions fail to comply with this policy.

❖ **Condition 2 – Processing Limitation**

Southern Ropes will ensure that personal information under its control is processed:

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

Southern Ropes will under no circumstances distribute or share personal information between separate legal entities, associated organisations (such as subsidiary companies) or with any individuals that are not directly involved with facilitating the purpose for which the information was originally collected.

❖ **Condition 3 – Purpose Specification**

Personal Information must be collected for a specific, explicitly defined and lawful purpose related to a function or activity of the responsible party.

Records of personal information must not be retained any longer than is necessary.

A responsible party must destroy or delete a record of personal information or de-identify it as soon as reasonably practicable after the responsible party is no longer authorised to retain the record.

## ❖ Condition 4 – 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, Southern Ropes will first obtain additional consent from the data subject.

## ❖ Condition 5 – Information Quality

Southern ropes will take reasonable steps to ensure that all personal information is complete, accurate and not misleading. Where personal information is collected from third parties, Southern Ropes 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.

## ❖ Condition 6 – Openness

Employees must maintain the documentation of all processing operations under its responsibility as referred to under retention and restriction of records. Southern Ropes employees must take reasonable practical steps to ensure that the Data Subjects are aware of:

- i) The reason and the purpose for which information is being collected and where the information is not collected from the data subject, the source from which it is collected.
- ii) Whether or not the supply of the information by the data subject is voluntary or mandatory.
- iii) The consequences of failure to provide the information.
- iv) Southern Ropes has the obligation to inform the Data Subject that should they be unhappy in the way their personal information is being processed or stored that they have the right to lodge a complaint with the Information Regulator.

## ❖ Condition 7 – Security Safeguards

Section 19 of POPIA requires the adequate protection of personal information that is held by Southern Ropes. Southern Ropes will continuously review security controls and processes to prevent unauthorised access and use of Personal Information and will put in place the following procedures to ensure the adequate protection of personal information:

- Southern Ropes Information Officer whose details are available below is responsible for compliance with the conditions and provisions of POPIA.
- Employees will be trained on this policy and POPIA.
- Each new employee will be required to sign an employment contract that contains the relevant consent and confidentiality clauses for the use and storage of personal information, in terms of POPIA.
- Every employee currently employed with Southern Ropes 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 locked bins until it is securely destroyed by our service provider.
- Archived personal information is destroyed according to legislative retention periods.
- Southern Ropes internal server hard drives are protected by firewalls.
- The backup of electronic files and data is managed and regulated through a service level agreement entered with a reputable service provider.

## ❖ Condition 8 – Data Subject Participation

Data subjects have the right to request access to, amendment or deletion of their Personal Information. All such requests must be submitted in writing to the Information Officer, unless there are grounds for refusal as set out below, Southern Ropes shall disclose the requested Personal Information:

- On receipt of adequate proof of identity from the Data Subject or requestor.
- Within a reasonable time.
- In a reasonable format.

Personal Information shall not be disclosed to any party unless the identity of the requestor has been identified.

## INFORMATION OFFICERS

Southern Ropes will appoint an Information Officer and where necessary, a Deputy Information Officer(s), to assist the Information Officer. Southern Ropes' Information Officer is responsible for ensuring compliance with POPIA. Once appointed, Southern Ropes will register the Information Officer with the Southern African Information Regulator established under POPIA prior to performing his or her duties.

## SPECIFIC DUTIES AND RESPONSIBILITIES

### a) Board of Directors

Southern Ropes Board of Directors is ultimately accountable for ensuring that Southern Ropes meets its obligations under POPIA. The Board of Directors may, however, delegate some of its responsibilities to management or other capable individuals.

### b) Information Officer

Southern Ropes' Information Officer is responsible for:

- Encouraging Southern Ropes' compliance with the conditions for the lawful processing of personal information.
- Dealing with requests made to Southern Ropes pursuant to POPIA.
- Working with the Information Regulator in relation to investigations.
- Otherwise ensuring compliance by Southern Ropes with the provisions of POPIA.
- Ensuring a compliance framework is developed, implemented, monitored, and maintained.
- Conducting personal information impact assessments to ensure that adequate measures and standards exist to comply with the conditions for the lawful processing of Personal Information.
- Developing, monitoring, maintaining, and making available Southern Ropes' PAIA manual.
- Ensuring internal measures are developed together with adequate systems to process requests for information or access.
- Conducting internal POPIA awareness sessions.

### c) Group Information Technology Manager

Southern Ropes' Group Information Technology Manager is responsible for:

- Ensuring that the Southern Ropes' 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 upload 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 is electronically encrypted.
- Ensuring that all servers and computers containing personal information are protected by a firewall and the latest security software.
- Performing regular IT audits to ensure that the security of the Southern Ropes 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 Southern Ropes' behalf.

#### d) Marketing and Branding

Southern Ropes Marketing Manager is responsible for:

- Maintaining the protect of personal information statements and disclaimers that are displayed on Southern Ropes' website, including those attached to communications such as emails and electronic newsletters.
- Addressing any personal information protection queries from the Media.
- Working with persons acting on behalf of Southern /ropes to ensure that any outsourced marketing initiatives comply with POPIA.

#### e) Human Resources Manager

Southern Ropes' Human Resources Manager is responsible for:

- Ensuring that the human resource and payroll system is POPIA compliant.
- Providing assurance of good privacy practices applied in human resources.
- Authorising access rights to the human resource and payroll systems.

#### f) Divisional Managers

Divisional Managers are accountable for ensuring that their division(s) meets its obligations under POPIA and will annually sign a POPIA Assurance Letter to this effect.

#### g) Employees and Other Persons Acting on Behalf of Southern Ropes

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

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

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

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

Employees and other persons acting on behalf of Southern Ropes will only process personal information where:

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

Employees and other persons acting on behalf of Southern Ropes 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 all computers, laptops, and devices such as tablets, flash drives and smartphones that store personal information are password protected and never left unattended. Passwords must be changed regularly and may not be shared with unauthorised persons.
- Ensuring that their computer screens and other devices are switched off or locked when not in use or when away from their desks.
- Ensuring that where personal information is stored on removable storage media such as external drives 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.
- 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.
- Undergoing POPI Awareness training from time to time.

Where an employee, or a person acting on behalf of Southern ropes, 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.

## DISCIPLINARY ACTION

Where a POPIA complaint or a POPIA infringement investigation has been finalised, Southern Ropes may recommend any appropriate administrative, legal and / or disciplinary action to be taken against any employee reasonably suspected of being implicated in any non-compliant activity outlined within this policy. In the case of ignorance or minor negligence, Southern Ropes will undertake to provide further awareness training to the employee.

Any gross negligence or intentional mismanagement of personal information will be considered a serious form of misconduct under Southern Ropes' Disciplinary Code and may lead to dismissal.

Examples of actions that may be taken after an investigation include:

- A recommendation to commence with disciplinary action.
- A referral to law enforcement agencies for criminal investigation.