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### **Educational Psychologist**

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## **NATALIE PRETORIUS**

### **EDUCATIONAL PSYCHOLOGIST**

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## **PROTECTION OF PERSONAL INFORMATION ACT (POPIA) PRIVACY POLICY**

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VERSION 1/2021 (01/07/2021)

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## 1. INTRODUCTION

Natalie Pretorius' goal is to assist her clients with a step by step approach to empower her clients toward the best version of their true self. Through the provision of quality services, Natalie Pretorius is necessarily involved in the collection, use and disclosure of certain aspects of personal information of clients, customers, employees and other stakeholders. Natalie Pretorius is obliged to comply with the Protection of Personal Information Act, Act 4 of 2013 (hereinafter referred to as "POPIA"). POPIA aims to promote the protection of privacy through providing guiding principles that are intended to be applied in the processing of personal information in an adequate, relevant and non excessive manner. Natalie Pretorius is committed to effectively managing personal information in accordance with the POPIA principles.

As the client will enter into a contractual relationship with Natalie Pretorius for the following purposes:

- 1.1) Treating and managing the client in terms of a psychologist - client / patient relationship
- 1.2) Administration of the contractual relationship with the various medical disciplines
- 1.3) Referral to various medical health care practitioners
- 1.4) Communicating with Operators and Third Parties, Medical Aid Schemes, Administrators, employers, family members for collateral information, auditors and legal practitioners, Natalie Pretorius will require Personal, Special and Biometric Information from clients, including collateral Personal Information with prior written consent and will ensure through appropriate, reasonable technical and organisational measures, to prevent personal information from loss, damage, unauthorised access, unlawful processing, or destruction of the integrity and confidentiality of personal client / patient and staff information under control in compliance with POPIA.

## 2. DEFINITIONS

Definitions of words incorporated in this policy:

*"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;*

<u>“consent”</u>	<i>means any voluntary, specific and informed expression of will in terms of which permission is given for the processing of personal information;</i>
<u>“data subject”</u>	<i>means the person to whom personal information relates;</i>
<u>“de-identify”</u>	<i>in relation to personal information of a data subject, means to delete any information that—</i> <i>(a) identifies the data subject;</i> <i>(b) can be used or manipulated by a reasonably foreseeable method to identify the data subject; or</i> <i>(c) can be linked by a reasonably foreseeable method to other information that identifies the data subject,</i> <i>and “de-identified” has a corresponding meaning;</i>
<u>“direct marketing”</u>	<i>means to approach a data subject, either in person or by mail or electronic communication, for the direct or indirect purpose of –</i> <i>(a) promoting or offering to supply, in the ordinary course of business, any goods or services to the data subject; or</i> <i>(b) requesting the data subject to make a donation of any kind for any reason;</i>
<u>“electronic communication”</u>	<i>means any text, voice, sound or image message sent over an electronic communications network which is stored in the network or in the recipient’s terminal equipment until it is collected by the recipient;</i>
<u>“filing system”</u>	<i>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;</i>
<u>“information officer”</u>	<i>of, or in relation to, a—</i> <i>(a) public body means an information officer or deputy information officer as contemplated in terms of section 1 or 17; or</i> <i>(b) private body means the head of a private body as contemplated in section 1, of the Promotion of Access to Information Act;</i>
<u>“operator”</u>	<i>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;</i>
<u>“personal information”</u>	<i>means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—</i> <i>(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;</i> <i>(b) information relating to the education or the medical, financial, criminal or employment history of the person;</i> <i>(c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other</i>

	<p><i>particular assignment to the person;</i></p> <p><i>(d) the biometric information of the person;</i></p> <p><i>(e) the personal opinions, views or preferences of the person;</i></p> <p><i>(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;</i></p> <p><i>(g) the views or opinions of another individual about the person; and</i></p> <p><i>(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;</i></p>
<i>“<u>processing</u>”</i>	<p><i>means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—</i></p> <p><i>(a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;</i></p> <p><i>(b) dissemination by means of transmission, distribution or making available in any other form; or</i></p> <p><i>(c) merging, linking, as well as restriction, degradation, erasure or destruction of information;</i></p>
<i>“<u>public record</u>”</i>	<p><i>means a record that is accessible in the public domain and which is in the possession of or under the control of a public body, whether or not it was created by that public body;</i></p>
<i>“<u>record</u>”</i>	<p><i>means any recorded information—</i></p> <p><i>(a) regardless of form or medium, including any of the following:</i></p> <p><i>(i) Writing on any material;</i></p> <p><i>(ii) 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 an information so produced, recorded or stored;</i></p> <p><i>(iii) label, marking or other writing that identifies or describes any thing of which it forms part, or to which it is attached by any means;</i></p> <p><i>(iv) book, map, plan, graph or drawing;</i></p> <p><i>(v) 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;</i></p> <p><i>(b) in the possession or under the control of a responsible party;</i></p> <p><i>(c) whether or not it was created by a responsible party; and</i></p> <p><i>(d) regardless of when it came into existence;</i></p>
<i>“<u>Regulator</u>”</i>	<p><i>means the Information Regulator established in terms of section 39;</i></p>
<i>“<u>re-identify</u>”</i>	<p><i>in relation to personal information of a data subject, means to resurrect any information that has been de-identified, that—</i></p> <p><i>(a) identifies the data subject;</i></p> <p><i>(b) can be used or manipulated by a reasonably foreseeable method to identify the data subject; or</i></p> <p><i>(c) can be linked by a reasonably foreseeable method to other information that identifies the data subject, and “re-identified” has a corresponding meaning;</i></p>

*“responsible party”*

*means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information;*

*“unique identifier”*

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

### 3. PURPOSE OF THIS POLICY

The purpose of this policy is firstly to adhere to the provisions stipulated in POPIA and secondly to protect Natalie Pretorius from the compliance risk associated with the protection of personal information. Natalie Pretorius is involved in the collection, use and disclosure of certain aspects of personal information of clients, service providers, medical aid schemes, employees and other stakeholders during the commercial processes relative to the rendering of the service to her clients (Data Subjects). The information is dependant upon the need for which it is collected and will be processed for that purpose alone. Personal information Natalie Pretorius collects include but is not limited to Biometric Special Information, names, surnames, identity numbers, residential and business/work addresses, postal codes, telephone and mobile numbers, fax numbers, email addresses, marital statuses, income tax reference numbers, bankers and further personal information as may be required to conclude the mandate as received from the Data Subject.

This policy demonstrates Natalie Pretorius’s commitment to protecting the privacy rights of data subjects inclusive of potential, past and existing clients and employees whether individuals, close corporations, companies, bodies corporate, trusts and any person in a representative capacity such as directors, shareholders, directors, trustees and beneficiaries.

### 4. COLLECTION OF PERSONAL INFORMATION

Natalie Pretorius collects and processes personal information in principle to give effect to the business agreement entered into by and between the data subject and Natalie Pretorius. Collecting and processing personal information enables Natalie Pretorius to proceed with the services, obtaining information, exchange correspondence and or account statements with her clients, to support her relationship with the data subjects and for further purposes as explained hereunder.

The type of information Natalie Pretorius collects will depend on the purpose for which it is collected and used.

Natalie Pretorius collects personal information from the data subjects directly and when enquiries are addressed to Natalie Pretorius or contact is made with Natalie Pretorius. Natalie Pretorius will advise which information is a requirement and where possible, which is optional. Natalie Pretorius may collect and process the following personal information: name, address, email address, telephone

number / cellular number, identity number, banking details and further personal information as may be required to conclude the mandate as received from the Data Subject.

Natalie Pretorius will provide personal information to service providers subject to the necessary Data Protection Agreements signed with the Service Provider and the informed consent of the Data Subject.

## 5. ORGANISATIONAL SCOPE

This policy and its guiding principals apply to:

- i) Natalie Pretorius;
- ii) All employees and operators;
- iii) All Operators, contractors, suppliers and other persons acting on behalf of Natalie Pretorius.

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

In terms of Section 6 of POPIA, the Act does not apply to the processing of personal information in the course of a pure personal or household activity, personal information that has been de-identified and cannot be re-identified.

Personal information may only be collected and processed if, given the reason for such processing is adequate, relevant and not excessive. Natalie Pretorius will store personal information so collected and processed in hard copy and/or electronically to be stored either on a cloud, servers and/or on hard drives.

Natalie Pretorius will supply guidance to her employees, operators and service providers on the importance of data protection and safeguarding personal information with the necessary confidentiality agreements and Data Protection Agreements.

## 6. RIGHTS OF DATA SUBJECTS

Natalie Pretorius will ensure to give effect to the following rights of data subjects as stipulated in Section 5 of POPIA:

- (5) ***A data subject has the right to have his, her or its personal information processed in accordance with the conditions for the lawful processing of personal information as referred to in Chapter 3, including the right—***
  - (a) ***to be notified that—***
    - i) *personal information about him, her or it is **being collected** as provided for in terms of section 18; or*

- ii) *his, her or its personal information **has been accessed or acquired** by an unauthorised person as provided for in terms of section 22;*
- (b) *to **establish whether a responsible party holds personal information** of that data subject and to request access to his, her or its personal information as provided for in terms of section 23;*
- (c) *to **request**, where necessary, **the correction, destruction or deletion** of his, her or its personal information as provided for in terms of section 24;*
- (d) *to **object**, on reasonable grounds relating to his, her or its particular situation to the processing of his, her or its personal information as provided for in terms of section 11(3)(a);*
- (e) *to object to the processing of his, her or its personal information—*
  - i) *at any time for purposes of direct marketing in terms of section 11(3)(b); or*
  - ii) *in terms of section 69(3)(c);*
- (f) *not to have his, her or its personal information processed for purposes of direct marketing by means of unsolicited electronic communications except as referred to in section 69(1);*
- (g) *not to be subject, under certain circumstances, to a decision which is based solely on the basis of the automated processing of his, her or its personal information intended to provide a profile of such person as provided for in terms of section 71;*
- (h) *to submit a **complaint to the Regulator** regarding the alleged interference with the protection of the personal information of any data subject or to submit a complaint to the Regulator in respect of a determination of an adjudicator as provided for in terms of section 74; and*
- (i) *to **institute civil proceedings** regarding the alleged interference with the protection of his, her or its personal information as provided for in section 99.*

\* An example of a “Personal Information Request Form” can be found under **ANNEXURE “A”** hereto.

\* A data subject may object at any time to the processing of personal information on reasonable grounds however Natalie Pretorius will be required to re-assess her contractual relationship with the data subject in light of the objection.

\* An example of a POPIA Complaint Form can be found under **ANNEXURE “B”** hereto.

\*\* Natalie Pretorius does however require that the Data Subjects take the necessary steps to keep their Personal Information accurate and up to date by immediately informing Natalie Pretorius of any changes in order to amend her records. The Data Subject indemnifies Natalie Pretorius for any damages suffered as a result of inaccurate or historically incorrect Personal Information.



## 7. GENERAL GUIDING PRINCIPLES

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

**i.      CONDITION 1: ACCOUNTABILITY**

Natalie Pretorius is committed to protecting and promoting the privacy of the personal information of her Clients (Data Subjects) or any other individuals or organisation and to give effect to the constitutional right to privacy and to fulfil its obligations under the POPIA.

Natalie Pretorius will ensure that the provisions of POPIA and the guiding principals outlined in this policy are adhered to by all employees and parties acting on her behalf. Should these individuals however fail to comply through their negligent or intentional actions and/or omissions, Natalie Pretorius will take appropriate sanctions against the individuals.

Natalie Pretorius will ensure that this policy will be readily available. With reference to accountability, the protection of personal information is everybody's responsibility however Natalie Pretorius will by means of provided structures attempt to ensure that the provisions of POPIA and the guiding principles as outlined in this policy are complied with through the encouragement of desired behaviour. Natalie Pretorius will take appropriate action, including disciplinary action against those individuals who through their intentional or negligent actions and or omissions failed to comply with the principles outlined in this policy.

The duly appointed Information Officer, Natalie Pretorius herself, will also be tasked with performing an impact assessment to ensure Natalie Pretorius has adequate measures and protocols in place to comply with the conditions of lawful processing of personal information.

**ii.     CONDITION 2: PROCESSING LIMITATIONS**

Natalie Pretorius will ensure that:

- a) personal information will be processed lawfully and in a reasonable manner that does not infringe the privacy of the data subject;
- b) personal information may only be processed if, given the purpose for which it is processed, is adequate, relevant and not excessive.;
- c) personal information may only be processed if:

1. the data subject consents to the processing,
2. processing is necessary to carry out actions for the conclusion or performance of a contract to which the data subject is a party;
3. it complies with an obligation imposed by law on Natalie Pretorius ;
4. it protects a legitimate interest of the data subject;
5. it is necessary for pursuing the legitimate interests of the responsible party or of a third party whom the information is supplied.

Natalie Pretorius will inform the data subject of the reasons for collecting his, her or its personal information and obtain the written consent prior to processing personal information. Where services or transactions are concluded over the telephone or by way of virtual portals (for example Microsoft Teams), Natalie Pretorius will maintain a voice recording of the stated purpose for collecting the personal information followed by the data subject's subsequent consent.

In terms of Section 34 of POPIA personal information of children may not be processed unless (in terms of Section 35 of POPIA) the processing is carried out with the prior consent of a competent person or is necessary for the establishment, exercise or defence of a right or obligation in law. Natalie Pretorius will ensure that prior authorisation is obtained from the "competent person" who is defined in POPIA to be any person who is legally competent to consent to any action or decision being taken in respect of any matter concerning a child.

Processing of personal information of children will be strictly dealt with as prescribed in the Health Professions Council of South Africa guidelines which will be made available to the client / patient upon request.

**iii. CONDITION 3: PURPOSE SPECIFICATION**

Natalie Pretorius will only collect personal information for a specific, explicitly defined and lawful purpose related to a function or activity of Natalie Pretorius for example: Official communication through email / sms / whatsapp, to fulfil the mandate Natalie Pretorius received from the data subject, for audit and record keeping purposes, in connection with the parties business relationship, to carry out any obligations arising from any contracts entered between the parties, to confirm and verify the data subject's identity, to respond to the data subject's queries or comments and to comply with any legal and regulatory requirements or industry codes which applies to Natalie Pretorius or when it is otherwise allowed by law.

Natalie Pretorius commits to the principle of the retention of records in accordance with the statutory provisions prescribing retention periods.

**iv. CONDITION 4: FURTHER PROCESSING LIMITATION**

Personal information will not be processed for a secondary purpose unless that processing is compatible with the initial purpose. Should Natalie Pretorius wish to process personal information for any other purpose and where the secondary purpose is not compatible with the initial purpose, Natalie Pretorius will first obtain additional consent from the data subject.

**v. CONDITION 5: INFORMATION QUALITY**

Natalie Pretorius will take reasonable practicable steps to ensure that the personal information is complete, accurate, not misleading and updated where necessary.

Where information is collected or received from third parties, Natalie Pretorius will take reasonable steps to confirm that the information is correct by verifying the accuracy of the information directly with the data subject, as far as reasonably possible.

**vi. CONDITION 6: OPENNESS**

Natalie Pretorius will take reasonable steps to ensure that data subjects are informed that their personal information is / was collected including the purpose for which it is being collected and processed.

Natalie Pretorius will ensure to inform and assist data subjects of the following rights and the method of applying the said rights:

- The right to access the information at any reasonable time for purposes of rectification thereof;
- The right to object to the processing of the information;
- Lodge a complaint to the Information Regulator.

**vii. CONDITION 7: SECURITY SAFEGUARDS**

Natalie Pretorius will secure the integrity and confidentiality of the personal information in her possession or under her control. Natalie Pretorius will implement security controls in order to minimise the risk of loss, unauthorised access, disclosure, interference, modification or destruction and manage the security of its filing system to ensure personal information is adequately protected.

Natalie Pretorius will continuously review the measures put in place to combat cyber-attacks on the organisation's IT network. It will ensure that all paper and electronic records comprising personal information are securely stored and that only authorised individuals can gain access to the personal information.

All new employees will be required to sign employment contracts containing contractual terms for the use and storage of employee information. Confidentiality clauses will also be

included to reduce the risk of unauthorised disclosures of personal information for which the organisation is responsible.

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

Natalie Pretorius' operators and third party service providers will be required to enter into Data Protection Agreements with Natalie Pretorius where both parties pledge their mutual commitment to POPIA and the lawful processing of any personal information pursuant to the agreement.

Personal information must be accessible only to those who need to use it and should at all times be either stored in a lockable room with controlled access, and/or locked in a drawer or filing cabinet, and/or all electronic personal information to be stored on network servers and have security access controls in place.

Natalie Pretorius undertakes to take special care of portable computer equipment, memory sticks etc which should at all times be password protected to prevent unauthorised access. All passwords are to be strictly controlled by the Information Officer. Disposal of personal information stored on removable media such as DVD/CD must be disposed of in accordance with acceptable information / data disposal methods including the hard drives of printers and fax machines. Hard copies of personal information is to be shredded once the lawful time period for retention has lapsed and electronic versions to be deleted from the IT systems.

Extra care must be taken by all employees, accountants etc. who process personal information at home and therefore "off-site". This presents a greater risk of loss, theft and damage to the data subject. Any loss or breach of personal information must be immediately reported to the Information Officer.

Natalie Pretorius will retain all personal information in accordance with:

- i) The Guidelines for Good Practice in Health Care Professions, Guidelines on the Keeping of Patient Records, Booklet 9 issued by the Health Professions Council of South Africa, and specifically the guidelines on retention and disclosure of Personal Information of children.
- ii) The Guide on the Retention of Records issued by the South African Institute of Chartered Accountants.

**viii. CONDITION 8: DATA SUBJECT PARTICIPATION**

Natalie Pretorius acknowledges that a data subject has the right to request the correction or deletion of his, her or its personal information held by Natalie Pretorius. Natalie Pretorius will ensure she provides a facility for data subjects who require the correction or deletion of their personal information. Where applicable, the organisation will include a link to unsubscribe from any of its electronic newsletters or related marketing activities.

## 8. WEBSITE

### 8.1 Collection of Non-Personal Information:

Natalie Pretorius may automatically collect non-Personal Information about a data subject, such as the type of internet browsers used or the website from which the data subject linked to the website of Natalie Pretorius. Natalie Pretorius may also aggregate details which the data subject has submitted to the site (for example, the products or services the data subject is interested in). The Data Subject cannot be identified from this information and it is only used to assist Natalie Pretorius in providing an effective service on the website. Natalie Pretorius may from time to time supply third parties with this non-personal or aggregated data for uses in connection with the website.

### 8.2 "Cookie" Policy

Natalie Pretorius uses the term "cookies" to refer to cookies and other similar technologies covered by POPIA on privacy in electronic communication. Cookies are small data files that a data subject's browser places on his/her computer or device. Cookies helps the browser navigate a website and the cookies themselves cannot collect any information stored on the data subject's computer or files. When a server uses a web browser to read cookies, they can help a website deliver a more user-friendly service. To protect the data subject's privacy, the browser only gives a website access to the cookies it has already sent to the data subject. Natalie Pretorius uses cookies to learn more about the way the data subject interacts with the content and help Natalie Pretorius improve the data subject's experience when visiting the website. Cookies remember the type of browser the data subject uses and which additional browser software the data subject has installed. The Cookies also redirects the data subject's language and region which remains as the default settings when the data subject visits the website. Cookies allow the user to rate pages and fill in comment forms. Some of the cookies uses on her site are session cookies and only last until the data subject closes the browser, others are persistent cookies which are stored on the data subject's computer for longer. For some of the functions within the website of Natalie Pretorius, third party suppliers are used for example when a page is visited with a video embedded from or links to YouTube. These links may contain third party cookies and you may wish to consult the policies of these third-party websites for information regarding their use of cookies. Natalie Pretorius will not use cookies to collect personal information. However, the data subject can choose to reject or block the cookies set by the websites of any third party supplier by changing their browser settings. For further information, visit [www.allaboutcookies.org](http://www.allaboutcookies.org) for details on how to delete or reject cookies.

## 9. INFORMATION OFFICERS

Natalie Pretorius will proceed to appoint an Information Officer and Deputy Information Officers, if necessary, to assist the Information Officer. Due compliance with POPIA is the responsibility of the duly appointed Information Officer.

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

The Information Officer for Natalie Pretorius is responsible for:

- \* Determine the flow of personal information throughout Natalie Pretorius' associates, employees, service providers and contractors;
- \* Identify the processes used to collect, record, store, disseminate and destroy personal information.
- \* Redefine the purpose for gathering and processing personal information.
- \* Ensure that the processing parameters are still adequately limited.
- \* Ensure that new data subjects are made aware of the processing of their personal information.
- \* Re-establish the rationale for any further processing where information is received via a third party.
- \* Verify the quality and security of personal information.
- \* Monitor the extent of compliance with POPIA and this policy.
- \* Monitor the effectiveness of internal controls established to manage the organisation's POPIA related compliance risk.
- \* Making it as convenient as possible for data subjects who wish to update their personal information or submit POPIA related complaints to Natalie Pretorius and addressing any such requests or complaints;
- \* Ensuring all contracts entered into with third parties, employees and operators which may have an impact on the personal information held by Natalie Pretorius, are in line with the POPIA requirements and are amended where required.
- \* Ensuring the operators involved in the processing of personal information on behalf of Natalie Pretorius are adequately trained and informed of the POPIA requirements
- \* Ensuring personal information is destroyed when required;
- \* Ensuring the employees and operators involved in the processing of personal information on behalf of Natalie Pretorius are adequately trained and informed of the POPIA requirements.
- \* Act as the contact point with the Information Regulator in relation to all aspects of their relationship, assist the Information Regulator with any investigation and notify the data subject and Regulator immediately in the event of a breach.

Deputy Information Officers may be appointed as to assist the Information Officer in the performance of his or her prescribed duties and to fulfil the role of Information Officer when called upon to do so by the Information Officer for reasons rendering the Information Officer unable to perform prescribed duties.

## 10. POPIA AUDIT

The duly appointed Information Officer of Natalie Pretorius will be responsible to schedule periodic POPIA Audits in order to ensure compliance as contemplated.

The POPIA audit will be aimed at:

- i) Identify processes currently in use for purposes of collection, retention, dissemination and destruction of personal information.
- ii) To determine and evaluate the flow of personal information throughout Natalie Pretorius.
- iii) Continuously strive to improve, secure and streamline the process of gathering, processing and storing of personal information.
- iv) Ensure that data subjects are continuously made aware of the processing of their personal information.
- v) To verify the quality and security of personal information.
- vi) To continuously monitor the POPIA compliance status of Natalie Pretorius with appropriate corrective measures to be implemented.
- vii) To continuously monitor and evaluate the internal control measures for purposes of efficiency.

In the process, the Information Officer will liaise with the various managers / employees as to identify areas within the operation of Natalie Pretorius that are most vulnerable or susceptible to the unlawful processing of personal information.

## 11. DATA SUBJECTS' ACCESS TO AND CORRECTION OF PERSONAL INFORMATION

Natalie Pretorius acknowledges the right of Data Subjects to:

- Request what personal information the organisation holds about the data subject and why.
- Request access to their personal information.
- Be informed on how to keep their personal information up to date.
- Request the correction of the Data Subject's details.

Data Subjects can request access to their information by email addressed to the Information Officer who will then provide the data subject with a “Personal Information Request Form”. Upon receipt of the completed form, the information Officer will verify the identity of the data subject prior to handing over any personal information.

## 12. POPIA COMPLAINTS PROCEDURE

Natalie Pretorius acknowledges the right of Data Subjects to complain in instances where any of their rights under POPIA have allegedly been infringed upon. Natalie Pretorius takes all complaints very seriously and will address all POPIA related complaints in accordance with the following procedures:

- \* All POPIA complaints must be addressed to the organisation in writing. Where so required, the Information Officer will provide the data subject with a “POPIA Complaint Form”.
- \* Where the complaint has been received by any person other than the Information Officer, that person will ensure that the full details of the complaint reach the Information Officer within 1 working day.
- \* The Information Officer will provide the complainant with a written acknowledgement of receipt of the complaint within 2 working days.
- \* The Information Officer will consider the complaint and address the complainant’s concerns in an amicable manner. In considering the complaint, the Information Officer will endeavour to resolve the complaint in a fair manner and in accordance with the principles outlined in POPIA.
- \* The information Officer must also determine whether the complaint relates to an error or breach of confidentiality that has occurred and which may have a wider impact on the Natalie Pretorius’ data subjects.
- \* Where the Information Officer has reason to believe that the personal information of data subjects has been accessed or acquired by an unauthorised person, the Information Officer will inform the affected data subjects and the Information Regulator of this breach.
- \* 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.



- \* The Information Officer's response to the data subject may comprise any of the following:
  - i) A suggested remedy for the complaint,
  - ii) A dismissal of the complaint and the reasons as to why it was dismissed,
  - iii) An apology (if applicable) and any disciplinary action that has been taken against any employees involved.
- \* In the event that the data subject is not satisfied with the suggested remedies, the data subject has the right to complain to the Information Regulator.
- \* The Information Officer will review the complaints process to assess the effectiveness of the procedure on a periodic basis and to improve the procedure where it is found wanting. The reason for any complaints will also be reviewed to ensure the avoidance of occurrences giving rise to POPIA related complaints.

### **13. DISCIPLINARY ACTION**

Where a POPIA complaint or a POPIA infringement investigation has been finalised, Natalie Pretorius 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. Natalie Pretorius is committed to a culture of ongoing training and awareness for purposes of POPIA compliance.

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

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

### **14. REQUESTS FOR COMPLIANCE INFORMATION**

Requests for any compliance information, documentation or enquiries relating to this policy are to be submitted to the Information Officer:

NAME	Natalie Pretorius
CONTACT NUMBER	082 817 9356
EMAIL ADDRESS	<a href="mailto:natalie.pretorius@gmail.com">natalie.pretorius@gmail.com</a>
WEB SITE:	<a href="http://www.nataliepretorius.com">www.nataliepretorius.com</a>
PHYSICAL ADDRESS:	194 Theo Street, Wierda Park, Centurion, Gauteng
POSTAL ADDRESS:	194 Theo Street, Wierda Park, Centurion, Gauteng

#### 15. APPROVAL AND ACCEPTANCE OF POLICY

This policy is subject to the approval of the Natalie Pretorius.

#### 16. AMENDMENTS TO THIS POLICY

Natalie Pretorius will review and consider amending this policy periodically to the extent allowed by law and in the sole discretion of Natalie Pretorius. Data subjects are advised to check the website of Natalie Pretorius periodically to ascertain whether any changes have been made.



## ANNEXURE "B": COMPLAINT FORM

### POPIA COMPLAINT FORM

We are committed to safeguarding your privacy and the confidentiality of your personal information and are bound by the Protection of Personal Information Act, Act 4 of 2013

#### PLEASE SUBMIT YOUR COMPLAINT TO THE INFORMATION OFFICER

NAME	
CONTACT NUMBER	
EMAIL ADDRESS	

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: Advocate Pansy Tlakula

Email: [Complaints.IR@justice.gov.za](mailto:Complaints.IR@justice.gov.za)

Website: <http://www.justice.gov.za/infoereg/>

#### A. PARTICULARS OF COMPLAINANT

Name & Surname	
Identity Number	
Postal Address	
Contact Number	
Email Address	

#### B. DETAILS OF COMPLAINT


#### C. DESIRED OUTCOME


#### D. SIGNATURE PAGE

Date:

Signature: