Chrysalis™
ACADEMY
unleashing potential

2021/ 2022

POPIA POLICY STATE-MENT

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STATEMENT

Chrysalis Academy is a youth development academy and is required to comply with the Protection of Personal Information Act, 4 of 2013 ("POPIA").

For the purposes of this policy, "data subject" includes living natural persons ("individuals") and existing juristic persons.

In terms of POPIA, the Academy is required to inform data subjects as to the manner in which their personal information will be collected, used, disclosed and destroyed ("processed").

The Chrysalis Academy confirms its commitment to protecting data subjects' privacy and ensuring that their personal information will be used only for the reasons collected. Personal information will be secured in terms of the Academy's policies and procedures and in accordance with applicable legislation.

This policy sets out the manner in which the Chrysalis Academy deals with the personal information of data subjects as well as the purpose for which the information will be used.

The Policy is available on the Academy's Z-drive and on request from the Information Officer and the Deputy Information Officer dealing with information from staff/interns.

The purpose of this policy is to inform data subjects and enable the Chrysalis Academy to comply with:

- POPIA;
- Follow good practise;
- Protect the Chrysalis Academy's reputation;
- Protect the data subject against breach of their personal information; and
- Protect the Academy from the consequences of a breach of data subjects' personal information.

1. BACKGROUND:

The purpose of POPIA is to regulate the processing of a data subject's personal information by a responsible party (Chrysalis Academy).

2. DEFINITIONS:

2.1 **Data Subject** means living natural and existing juristic person to whom the personal information relates.

2.2 **POPIA** means the Protection of Personal Information Act, 4 of 2013.

2.3 **Processing** means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including:

2.3.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use.

2.3.2 dissemination by means of transmission, distribution or making available in any other form; or

2.3.3 merging, linking as well as restriction, degradation, erasure, or destruction of personal information.

2.4 **Record** means any recorded information –

2.4.1 regardless of form or medium, including any of the following:

2.4.1.1 writing of any material

2.4.1.2 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

2.4.1.3 label, marking or other writing that identifies or describes anything of which it forms part, or to which it is attached by any means

2.4.1.4 book, map, plan, graph, drawing

2.4.1.5 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.

2.4.2 in the possession or under the control of the responsible party;

2.4.3 whether or not it was created by the responsible party; and

2.4.4 regardless of when it came into existence.

2.5 **Responsible Party** means a public or private body or any other person which, alone or in conjunction with others, determined the purpose of and means for processing personal information.

2.6 **Personal Information** means information relating to an identifiable living natural person and existing juristic person, as defined in section 1 of POPIA.

3. PERSONAL INFORMATION COLLECTED

Section 9 of POPIA states that:

"Personal Information may only be processed if, given the purpose for which it is processed, it is adequate, relevant and not excessive."

The Chrysalis Academy collects and processes personal information for various reasons based on the Academy's requirements to access the personal information of individuals and juristic persons.

The personal information collected will be processed only for the reason it is collected. The Academy will inform the data subject what information is required.

Examples of personal information to be collected may include, but will not be limited to:

3.1 the data subject's identity number, name, surname, address, postal code, marital status, number of dependents, medical conditions;

3.2 the data subjects work history, residence, banking details, etc.; and

3.3 any other information required by the Academy, its suppliers, insurers and other service providers in order to provide an accurate analysis of the data subject in relation to the reason for which the information is required.

The Academy will ensure that suppliers and third parties, who may receive the personal information of the Academy's data subjects, have the same data protection measures in place to ensure the safety of the personal information. Such suppliers and third parties shall be subject to the same regulatory requirements pertaining to the protection of personal information.

4. THE USE OF PERSONAL INFORMATION:

The data subject's personal information will only be used for the purpose for which it was collected and as agreed.

This may include:

4.1 confirming, verifying and updating employee, student's; service providers' and other interested parties' details;

4.2 for making an offer to the data subject;

4.3 for insurance purposes;
4.4 for purposes of maintaining historical data and research;
4.5 for the detection and prevention of fraud, crime, money laundering or other malpractices;
4.6 conducting market or customer satisfaction research;
4.7 for audit and record keeping purposes;
4.8 in connection with legal proceedings;
4.9 providing services to passengers and service providers, to render the services requested;
4.10 providing communication in respect of the Academy and regulatory matters that may affect role players;
4.11 issues relating to matters of compliance and legal requirements;
4.12 for purposes of complying with contractual obligations; and
4.13 when the use, collection and processing is allowed by law.

In terms of POPIA, personal information may only be processed if certain conditions listed below, are met along with supporting information to process personal information:

- the data subject's consent to the processing – consent is obtained at the time that the personal information is collected from the data subject;
- the necessity to process the personal information – as consented to by the data subject;
- processing as a result of an obligation imposed by law; and
- processing required for pursuing the legitimate interest of the Academy or of a third party to whom information is supplied in the normal order of business.

5. DISCLOSURE OF PERSONAL INFORMATION

Personal information may be disclosed to any stakeholder for the purpose for which the information was collected and to which the data subject consented.

The Academy shall ensure confidentiality and privacy conditions are in place and complied with in instances where the personal information is disclosed.

Personal information may be disclosed where the Academy has a duty or a right to disclose in terms of legislation, the law or where it may be deemed necessary to protect the Academy's rights.

6. SAFEGUARDING PERSONAL INFORMATION

It is a requirement of POPIA to adequately protect personal information. The Academy will continuously review its security controls and processes to ensure that the information is protected.

6.1 The Information Officer is Dr Lucille Meyer whose details are available below and who is ultimately responsible for the compliance with the conditions processing of personal information and other provisions of POPIA;

6.2 POPIA training has commenced and will continue indefinitely as part of the compliance function;

6.3 Each employee will be required to sign the relevant consent clauses for the use, storage and processing of employee information;

6.4 Archived personal information is stored on site and is managed in terms of the Academy's document retention policy;

6.5 Suppliers, insurers and other third-party service providers will be required to sign service level agreements where necessary, guaranteeing their compliance to POPIA and the protection of personal information, which will be an ongoing process;

6.6 Electronic files and/or data is backed up by the Academy's outsourced IT Department which is responsible for the system security that prevents third party access and physical threats; and

6.7 The outsourced IT Department is responsible for electronic information security.

7. ACCESS AND CORRECTION OF PERSONAL INFORMATION

7.1 Data subjects have the right to access personal information the Academy holds about them and request the Academy to update, amend and/or delete the personal information.

7.2 The required forms for data subject access requests may be accessed in the Academy's PAIA Manual on the Academy's website.

7.3 A data subject may object to the Academy processing their personal information, in which case the Academy will refrain from process their personal information.

7.4 If the Academy searches for a record and it is believed that the record either does not exist or cannot be found, the data subject will be notified accordingly. This will include steps taken to attempt to find the record.

7.5 The prescribed forms and fees applicable are available in the Academy's PAIA Manual.

8. INFORMATION OFFICER

NAME:	Lucille Meyer
CONTACT NUMBER:	021 7121023
E-MAIL ADDRESS:	info@chrysalisacademy.org.za

9. ACADEMY'S DETAILS

NAME:	Chrysalis Academy
CONTACT NUMBER:	021 7121023
POSTAL ADDRESS:	Private Bag X1, TOKAI, 7966
PHYSICAL ADDRESS:	Porter Estate, Tokai Road, Tokai, 7945
E-MAIL ADDRESS:	info@chrysalisacademy.org.za
WEBSITE:	www.chrysalisacademy.org.za

10 AMENDMENTS TO THIS PROCEDURE

10.1 This policy will be reviewed on an annual basis.

10.2 This policy may be amended by Chrysalis Academy at any time.

11. APPROVAL

This policy will take effect on the date of signature of the CEO.

☑ **RECOMMENDED** ☐ **NOT RECOMMENDED**

Mr. W de Jongh
Head: Admin & Finance

9/7/2021
Date

☑ **APPROVED** ☐ **NOT APPROVED**

Dr. L Meyer
Chief Executive Officer

9/7/2021
Date