



STEYN CITY

PARKLAND RESIDENCE

STEYN CITY PREPARATORY AND COLLEGE PROPRIETARY LIMITED

POPIA POLICY

July 2022

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1 INTRODUCTION

This Policy provides an overview of how Steyn City Preparatory and College Proprietary Limited ("**SCPC**" / "**the school**") will make sure data subjects understand how their personal information is processed. This includes, amongst others, providing data subjects with information about the school, how SCPC may be contacted, what information SCPC holds about the data subject, how the information is collected, the purpose for which SCPC uses personal information and who SCPC shares it with.

2 PURPOSE

SCPC collects personal information for different purposes. Accordingly, this Policy is intended to ensure that personal information is dealt with properly and securely and in accordance with the Protection of Personal Information Act 4 of 2013 ("**POPIA**").

3 WHO ARE WE?

SCPC is a private school located at Riverside View. SCPC can be contacted at:

Tel: 010 597 1250

Email: info@steyncityschool.co.za

4 APPLICATION

- 4.1 This Policy will apply to personal information regardless of the way it is used, recorded, and stored and whether it is held in hardcopy files or electronically.
- 4.2 SCPC promotes having a good appreciation of the law as it pertains to data protection and how it may affect our decisions in making an informed judgement about how personal information is collected, used, and ultimately deleted. All personnel who handle personal information within SCPC must read, understand, and comply with this Policy.
- 4.3 This Policy is for guidance only and can be amended as necessary according to the processing carried out by the school. SCPC must exercise an independent choice about the personal information it processes and is ultimately responsible for compliance with its obligations under POPIA.

5 WHAT PERSONAL INFORMATION DO WE PROCESS?

5.1 We either collect personal information directly from you or receive it from third-parties such as –

5.1.1 Adam Edutech CC / SAGE X3

5.2 SCPC only receives your personal information from third parties where there is a sound legal basis and purpose for doing so such as –

5.2.1 to provide services to the public such admitting and registering learners into the school;

5.2.2 giving effect to learner development and support from a healthcare, social and wellness perspective where permissible;

5.2.3 conducting surveys and research for improving our educational offering;

5.2.4 enabling law enforcement activities to take place where our compliance is required; and

5.2.5 legislative and regulatory compliance.

5.3 When collecting and using your personal information, we undertake to comply with the data protection principles set out herein. Depending on the needs of the service we are providing and our purposes for processing, we may collect some or all of the following types of personal information –

NATURE OF INFORMATION	REQUIRED INFORMATION
CONTACT & IDENTIFICATION	Parents <ul style="list-style-type: none">Names, surname, ID number, gender, address, contact details (email/mobile). Learners <ul style="list-style-type: none">Names, surname, ID/birth certificate, school reports and general educational records,

NATURE OF INFORMATION	REQUIRED INFORMATION
	<p>disciplinary records, photo of their likeness, current school (if applicable), name and date of birth of any sibling already attending the school, registration/enrolment details.</p> <p>Educators/Staff/Service Providers</p> <ul style="list-style-type: none"> • Names, surname, ID number, educational background and qualifications, disabilities. • Registration details of professional nurses, psychologists, counsellors, therapists, social workers with their respective professional bodies (where applicable). <p>Bursary Applicants</p> <ul style="list-style-type: none"> • Names, surname, contact details, ID number, address, academic qualifications.
FINANCIAL	<p>Educators</p> <ul style="list-style-type: none"> • Financial records (bank account, payment card, salary, benefits, pensions) <p>Third Parties</p> <ul style="list-style-type: none"> • Tax clearance information.

6 SPECIAL PERSONAL INFORMATION

6.1 Special Personal information relates to personal information concerning –

6.1.1 your religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health, sexual orientation or biometric information; or

6.1.2 any criminal investigation or ongoing legal proceedings against you.

6.2 Under certain circumstances we may need to collect and process the following special personal information –

NATURE OF INFORMATION	REQUIRED INFORMATION
SPECIAL PERSONAL	<p>Parents</p> <ul style="list-style-type: none"> • Racial or ethnic origin; • Criminal behaviour / offences (including alleged offences); • Religious or other beliefs of a similar nature <p>Learners</p> <ul style="list-style-type: none"> • Medical (physical or mental health details); • Racial or ethnic origin; • Criminal behaviour / offences (including alleged offences) • Religious or other beliefs of a similar nature <p>Educators/Staff/Service Providers</p> <ul style="list-style-type: none"> • Racial or ethnic origin; • Criminal behaviour / offences (including alleged offences); • Religious or other beliefs of a similar nature • Trade union membership • Political affiliation • Political opinions

6.3 Where personal information is listed above but does not fall under special personal information, we have done so to indicate its sensitivity and our commitment to only use such information in narrow circumstances and for necessary purposes.

6.4 Accordingly, we undertake to process your special personal information in circumstances where we have –

6.4.1 your consent;

6.4.2 a lawful basis;

6.4.3 public interest grounds; or

6.4.4 publicly available sources from which we retrieve the information.

7 OUR WEBSITE

7.1 We collect certain information or data about you when you use <http://www.steyncityschools.co.za/> ("**our website**"), We collect:

7.1.1 questions, queries or feedback you leave, including your name and contact details;

7.1.2 details regarding which version of web browser you used and other information about your device; and

7.1.3 information on how you use the site, using cookies for example.

7.2 The data we collect on our website can be viewed by authorised people in the school as well as our suppliers, where permissible, to:

7.2.1 improve the website by monitoring how it is used;

7.2.2 gather feedback to improve our services;

7.2.3 respond to any feedback you send us if you have asked us to;

7.2.4 allow you to access any of our online services; and

7.2.5 provide you with information about our services where you request them.

7.3 Our web data is stored on secure servers. Sending information over the internet is not completely secure, and we cannot guarantee the security of your personal information while it is in transit. Any data you send is at your own risk. However, we have procedures and security features in place to keep your personal information secure once we receive it.

7.4 Our website may contain links to other websites. This Policy only applies to the abovementioned website and does not cover other services that we link to. Accordingly, if you are transferred to another website via a link on our website then

please read the privacy policy on that website to find out what it does with your information.

8 HOW AND WHY, WE USE YOUR PERSONAL INFORMATION

We may use your personal information in the following ways –

- 8.1 **To provide services to you and the general public** – such as delivering and managing the services and support we provide such as enabling education, offering learner development and support services, and legislative/regulatory reporting where required.
- 8.2 **Contacting you** – to respond to any enquiries or complaints you might have and provide you with information regarding the service you may be receiving from us.
- 8.3 **Training and staff management** – we use personal information for training our staff and upskilling personnel who may assist us in delivering services to you.
- 8.4 **Research and planning** – we use personal information to monitor the quality of our services, conduct research and plan new services.
- 8.5 **Processing admissions** – we support parents, caregivers/legal guardians and otherwise representatives of learners with our schools' admissions process.

9 INFORMATION SHARING

- 9.1 Your personal information may be shared internally within the school or externally with various third parties involved in delivering our services or performing our functions.
- 9.2 The following are examples of third parties who we may need to share your personal information with if appropriate:
 - 9.2.1 family, associates or representatives of the person whose personal information we are processing;

- 9.2.2 healthcare, social and welfare organisations;
 - 9.2.3 educators and examining bodies;
 - 9.2.4 financial organisations;
 - 9.2.5 local and provincial government;
 - 9.2.6 trade unions;
 - 9.2.7 survey and research organisations;
 - 9.2.8 students and pupils including their relatives, guardians, carers or representatives; and
 - 9.2.9 law enforcement authorities.
- 9.3 We do not share personal information to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

10 OUR LEGAL BASES FOR PROCESSING YOUR PERSONAL INFORMATION

For us to be able to process your personal information we need to demonstrate that we have a lawful basis for doing so. The different legal bases we rely on are –

- 10.1 **Consent - You** have told us you are happy for us to process your personal information for a specific purpose(s). For example, when a parent provides us with personal information relating to their child, they must provide us with the necessary permission to process that information.
- 10.2 **Legitimate interests** - The processing is necessary for us to fulfil our mandate and perform our functions, but not where our interests are reasonably overridden by your interests or rights. For example, we may require your identity, contact and financial information to manage payment of fees and charges to you regarding our services/delivery of education to a learner.

10.3 **Performance of a contract** - We must process your personal information in order to be able to provide you with one of our services or fulfil a contract which we have with you or to which you are a party.

Legal obligation - We are required to process your personal information by law.

11 DATA SECURITY

11.1 We have appropriate security measures in place to prevent personal information from being accidentally lost or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine need to know. Those processing your personal information will do so only in an authorised manner and are subject to a duty of confidentiality.

11.2 Emails that we send to you or you send to us may be retained as a record of contact and your email address stored for future use in accordance with our records retention practices in line with POPIA. If we need to email sensitive or confidential information to you, we will perform checks to verify the correct email address and may take additional security measures.

11.3 We will have procedures in place to deal with any suspected data security breach. We will notify you and the Information Regulator of a suspected data security breach where we are legally required to do so.

12 HOW LONG WILL WE KEEP YOUR PERSONAL INFORMATION FOR?

12.1 We will not retain your personal information longer than the period for which it was originally needed, unless we are required by law to do so, or you consent to us retaining such information for a longer period.

12.2 We may also retain your personal information to the extent and duration that we have a legitimate interest to process your personal information depending on, amongst others, the nature and lifespan of the services procured from us.

12.3 We will, upon your request, promptly return or destroy any and all of your personal information in our possession or control, save for that which we are legally obliged to retain.

13 USE OF OPERATORS TO PROCESS INFORMATION

13.1 When subcontractors or other third parties ("**operators**") are used to process personal information on behalf of SCPC, we will enter into agreements that will provide for the protection of your Personal Information in line with the law. At the very least, our agreements with operators will ensure that we address the following issues –

13.1.1 the **lawful purpose** for which personal information is being collected;

13.1.2 the **limit of processing** and prohibition of further processing;

13.1.3 the **extent of information** that is required to prevent any excessive information collection;

13.1.4 the **information retention periods** and requirements applicable together with destruction processes and procedures;

13.1.5 the **right of individuals to request** such information and query the use thereof; and

13.1.6 the **security measures** required to prevent the unauthorised or unlawful processing of personal information or access to personal information, including accidental loss, destruction or damage to personal information.

13.2 Some of the operators we may engage from time to time include –

13.2.1 training service providers; and

13.2.2 psychosocial service providers (i.e., learner wellness support).

14 DIRECT MARKETING

- 14.1 SCPC conducts direct marketing, but only in instances where the data subjects' contact details have been obtained in the context of providing a service to them (e.g., school education related services).
- 14.2 Further, data subjects are allowed to opt out of direct marketing by way of a link in any direct marketing communication sent to them by SCPC. Alternatively, the data subject can send an email to Steyn City's Information Officer requesting that they be removed from the marketing communications.

15 CROSS BORDER INFORMATION FLOWS

- 15.1 Although SCPC currently does not engage in cross border information flows (i.e., transferring personal information to third parties outside of South Africa), it recognises that there are restrictions on the cross-border transfer of personal information. Accordingly, SCPC remains cognisant of the applicable restrictions which depend on, *inter alia*, the laws of the country to which the personal information is transferred, the consent of the data subject and whether such transfer is necessary for the performance of a contract SCPC has concluded with the data subject.
- 15.2 Consequently, SCPC will ensure that where applicable, personal information is only transferred to foreign countries in limited instances such as where the -
- 15.2.1 third party recipient country has the same or better data privacy protections as South Africa;
- 15.2.2 data subject has given consent; or
- 15.2.3 transfer is required for the performance of a contract concluded with the data subject.

16 YOUR RIGHTS

- 16.1 You have a number of rights under POPIA which, in certain circumstances, you may be able to exercise in relation to the personal information we process about you.
- 16.2 These include –
- 16.2.1 request the school to confirm, free of charge, whether or not the school holds certain personal information about the data subject;
 - 16.2.2 access a copy or record of the personal information the school holds about you, including information about the identity of all third parties, or categories of third parties, who have, or have had, access to the information;
 - 16.2.3 correction of inaccurate personal information the school holds about you;
 - 16.2.4 restrict the school's use of your personal information;
 - 16.2.5 ask the school to destroy or delete the information it holds about you;
 - 16.2.6 object to the school's use of your personal information; and are subject to the school's reasons and legal bases for using your personal information.
- 16.3 Where we rely on consent as the legal basis on which we process your personal information, you may withdraw that consent at any time.
- 16.4 We will always seek to comply with your request; however, we may be required to hold or use your personal information to comply with legal duties. Please note, your request may delay or prevent us from delivering a service to you. Further, you may not have the right to object to us using your personal information for statistical purposes where it necessary for the performance of public task carried out in the public interest.
- 16.5 If you have any questions about this Policy, how we handle your personal information, or wish to exercise any of your rights in terms of POPIA then please contact us at –

Address: C/O Douw Steyn and Cedar Drive, Riverside View

Email: info@steyncityschool.co.za

Telephone number: 0105971250

- 16.6 Further, please refer to Steyn City's PAIA Manual for further information on exercising your rights.

17 CONSEQUENCES OF NON-COMPLIANCE

- 17.1 Any contravention(s) of this Policy may result in disciplinary action being instituted against an employee of Steyn City, which action may include dismissal or termination of employment and any other legal action that may be available to Steyn City.

- 17.2 Steyn City also reserves the right to exercise any appropriate form of legal action against any party which may cause us harm and/or damages by way of non-compliance with this Policy.

18 INFORMATION REGULATOR OF SOUTH AFRICA

The Regulator is an independent body empowered to monitor and enforce compliance with the provisions of POPIA by public and private bodies. The Regulator can be reached at –

- 18.1 JD House
27 Stiemens Street
Braamfontein
Johannesburg
2001

Website: <https://www.inforegulator.org.za/>

General Enquiries: enquiries@inforegulator.org.za

Complaints : PAIAComplaints@inforegulator.org.za
POPIAComplaints@inforegulator.org.za

19 **POLICY REVISION**

- 19.1 This Policy is subject to review and amendment without prior notice. Any review and update hereof will take account of new laws, regulations, and technological developments that may affect SCPC's processing of personal information.
- 19.2 SCPC undertakes to ensure that any amendments hereto are communicated on our publicly available platforms such as our website, for the benefit of the general public who we serve and any other persons who may be affected by this Policy.

20 **VERSION CONTROL**

Last updated **July 2022**.

ANNEXURE A – DEFINED TERMS

Term	Definition
Child	<p>A natural person under the age of 18 years who is not legally competent, without the assistance of a competent person, to take any action or decision in respect of any matter concerning him or herself.</p> <p>A "competent person" means any person who is legally competent to consent to any action or decision being taken in respect of any matter concerning a child (e.g., parent or legal guardian).</p>
Consent	<p>Any voluntary, specific and informed expression of will in terms of which permission is given for the processing of personal information.</p>
Data Subject	<p>The person to whom personal information relates. This includes both natural and juristic persons who can be identified, directly or indirectly, by reference to the personal information concerned.</p>
Personal Information	<p>Information about an identifiable living, natural person, and in so far as is applicable, an identifiable, existing juristic person (e.g., company), including –</p> <ul style="list-style-type: none"> • 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, email address, physical address, telephone number or other particular assigned to the person; • the biometric information of the person; • the personal opinions, views, or preferences of the person;

Term	Definition
	<ul style="list-style-type: none"> • 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; • the views or opinions of another individual about the person; and • the name of the person where it appears with other personal information relating to the person or where the disclosure of the name itself would reveal information about the person.
Processing	<p>Any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including –</p> <ul style="list-style-type: none"> • the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use; • dissemination by means of transmission, distribution, or making available in any other form; or • merging, linking, as well as restriction, degradation, erasure or destruction of information. <p>"Process" has a similar meaning.</p>
Record	<p>Any recorded information regardless of form or medium, including any of the following –</p> <ul style="list-style-type: none"> • 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 so as to be capable, with or without the aid of some other equipment, of being reproduced

Term	Definition
	in the possession or under the control of a responsible party whether or not it was created by a responsible party, and regardless of when it came into existence.
Regulator	The Information Regulator of South Africa established in terms of section 39 of POPIA.
Responsible Party	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.
Special Personal Information	<p>Information concerning –</p> <ul style="list-style-type: none"> • the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a data subject; or • the criminal behaviour of a data subject to the extent that such information relates to— <ul style="list-style-type: none"> the alleged commission by a data subject of any offence; or any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings.
Technical and Organisational Measures	Technical and organisational measures mean those security measures aimed at protecting personal information against accidental or unlawful destruction or accidental loss, alteration, authorised access to or disclosure of personal information, where the processing involves the transmission of personal information over a network, and against all other unlawful forms of processing.