INSTITUTE OF BUSINESS MANAGEMENT

PROTECTION OF PERSONAL INFORMATION POLICY

1. PREAMBLE

The Institute of Business Management is an educational institution that offers both vocational or occupational and higher education courses with a focus on employment. The Institute is obliged to comply with the Protection of Personal Information Act (Act 4 of 2013) or the (POPIA).

2. PURPOSE

This privacy policy ensures that the Institute:

2.1. Complies with the POPIA, 2013 (Act 4 of 2013);

2.2. Informs stakeholders (staff and students) on how their personal information is accessed, protected, used, disclosed and disposed of;

2.3. Protects the Institute and the data subjects' rights from the risks of a security breach.

3. DEFINITIONS

Consent: the voluntary, specific and informed expression of will in terms of which permission is given.

Data Subject: the natural or juristic person to whom the Personal Information relates.

Direct Marketing: approaching a Data Subject personally for the purpose of selling them a product or service, of requesting a donation

Information Officer: is responsible for ensuring the organisation's compliance with POPIA.

POPIA: the Protection of Personal Information Act, No. 4 of 2013

Personal Information: information relating to an unidentifiable, living, natural person, or an identifiable, existing juristic person, as defined in POPI.

Processing: an operation or activity, whether or not by automatic means, concerning Personal Information.

4. POLICY STATEMENT

4.1. The Institute is committed to protecting all stakeholders' privacy and ensuring that their Personal Information is used appropriately, transparently, securely and in accordance with applicable laws.

4.2. These principles apply regardless of whether the information is stored electronically, on paper or on other materials.

4.3. To comply with the POPIA the following important privacy principles apply. The personal information must:

4.3.1. be processed reasonably and lawfully;

4.3.2. be obtained for the specific, intended purpose;

4.3.3. be adequate, relevant and not excessive;

4.3.4. be accurate and kept up to date;

4.3.5. not be held for longer than necessary;

4.3.6. processed in accordance with the rights of data subjects;

4.3.7. be protected in appropriate ways; and

4.3.8. not be transferred outside South Africa unless that country or territory also ensures an adequate level of protection.

5. SCOPE

5.1. This policy applies to all staff, both permanent and temporary, contractors, contributors, and others who are authorized to access personal information held by the Institute.

5.2. The provisions of the policy are applicable to both on- and off-site processing of information.

5.3. It governs all business activities that involve the processing of personal information for or on behalf of the Institute.

6. REGULATORY FRAMEWORK

6.1. Protection of Personal Information (Act no 4 of 2013)

6.2. The Promotion of Access to Information Act (Act 2 of 2000)

6.3. The Promotion of Access to Information Amended Act (Act 54 of 2002)

7. PRINCIPLES

7.1. The Institute collects and processes stakeholders' personal information pertaining to all operational processes. The type of information will depend on the need for which it is collected and will be processed for that purpose only. Where possible, the Institute will inform stakeholders on which information is compulsory and which is optional. Examples of personal information that may be required from students include:

7.1.1. ID number, name, surname, address, postal code, employment details, contact number, email address;

7.1.2. Student's previous academic records;

7.1.3. Any information required by Professional Bodies and Regulators in order to provide stakeholders with appropriate information to facilitate professional development and assess needs for further development.

7.1.4. Salary, bank account or financial details;

7.1.5. Information on disabilities that may have an impact on the student's learning capacity.

7.2. Personal Information will only be used for the purposes for which it was collected and intended, including:

7.2.1. Providing products or services to stakeholders for the purpose of developing and facilitating Personal Development and their acquisition of knowledge and skills required;

7.2.2. Providing information to professional Bodies and Regulators

7.2.3. Providing information such as invoices, salaries to sponsors and/or payors;

7.2.4. Audit and record keeping purposes

7.2.5. Information in connection with legal proceedings;.

7.3. Personal Information will only be processed if certain conditions are met:

7.3.1. Consent is obtained from stakeholders during initial registration, induction, procurement or recruitment processes;

7.3.2. Personal Information is required and necessary to facilitate the provision of services to the stakeholder;

7.3.3. Processing complies with relevant legislation

7.3.4. It is in the stakeholder's best interest to have access to full and appropriate services;

7.3.5. Processing is necessary for the Institute to provide the stakeholder with services.

7.4. The institute will disclose information where we have a duty or right in terms of relevant legislation or where it may be necessary to protect the rights and interests of the Institute.

8. RECORD KEEPING AND SAFEGAURDING

The following is in place to protect stakeholders' Personal Information:

8.1. A designated POPIA Compliance Officer is appointed to be responsible for compliance with the POPIA;

8.2. This policy will be introduced throughout the Institute and training provided. This will be presented by the POPIA Compliance officer.

8.3. Employees are required to sign Confidentiality Agreements which are considered annexures to their Employment Contracts;

8.4. Archived candidate information is stored at third party providers who are also governed by POPI and with whom the IBM has Service Level Agreements;

8.5. Hard copy files are stored at secure premises and are destroyed after 5 years;

8.6. Internal server hard drives are protected by firewalls;

8.7. A Security Incident Management Register is kept to log any security incidents and to report and manage said incidents. This register will be maintained by the POPIA Compliance Officer.

8.8. A Procedures Manual will be drafted and implemented to ensure that all employees follow the IBM Procedures to ensure stakeholder information is processed accurately and securely.

8.9. Consent to process client information is obtained from stakeholders' (or a person who is authorised by the client to provide the stakeholders' Personal Information) during registration, induction, procurement or recruitment processes.

9. ACCESS AND CORRECTION OF PERSONAL INFORMATION

9.1. Stakeholders' have the right to request access to the Personal Information that the Institute hold about them.

9.2. Stakeholders' also have the right to ask the institution to update, correct or delete their Personal Information on reasonable grounds.

9.3. Once a stakeholder objects to the processing of their Personal Information, IBM may no longer process this Personal Information.

9.4. Management Information System Officer Details:

9.4.1 Name: Teresa-Ann Rüster
9.4.2 Telephone Number: 0720121615
9.4.3 Address: Karnberg Farm, R27, Langebaan, 7357
9.4.4 E-Mail Address: teresa@institutebm.org.za

10. AMENDMENTS TO THIS POLICY

10.1 Amendments to this Policy will take place as deemed necessary or at least once a year.

10.2 Stakeholders are advised to check our website periodically to inform themselves of any changes.

10.3 Where material changes take place stakeholders will be notified directly.

11. POPIA COMPLAINTS SOP

Data subjects have the right to lodge a written complaint with the IBM in instances where there is any reason to believe that their rights under POPIA have been infringed upon. All POPIA-related complaints will be addressed in accordance with the following procedure:

i. POPIA complaints must be submitted to the IBM in writing;

ii. where the complaint has been received by any person other than the POPIA Compliance Officer, that person will ensure that the full details of the complaint reach the POPIA Compliance Officer within 3 working days;

iii. the POPIA Compliance Officer will provide the complainant with a written acknowledgement of receipt of the complaint within 2 working days;

iv. the POPIA Compliance Officer will carefully consider the complaint and address the complainant's concerns;

v. in considering the complaint, the POPIA Compliance Officer will endeavour to resolve the complaint in a fair manner and in accordance with the principles outlined in POPIA;

vi. the POPIA Compliance 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 IBM's Data Subjects;

vii. where the POPIA Compliance Officer has reason to believe that the personal information of Data Subjects has been accessed or acquired by an unauthorised person, the affected data subjects and the Information Regulator will be informed of this breach; and

viii. the POPIA Compliance Officer will revert to the complainant with a proposed solution;

ix. in all instances, the IBM will provide reasons for any decisions taken and communicate any anticipated deviation from the specified timelines;

x. the POPIA Compliance Officer's response to the data subject may comprise any of the following:

- a suggested remedy for the complaint;
- a dismissal of the complaint and the reasons as to why it was dismissed; or
- an apology (if applicable) and any disciplinary action that has been taken against any employees involved; and

xi. the POPIA Compliance 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.

xii. Where the data subject is not satisfied with the POPIA Compliance Officer's suggested remedies, the Data Subject has the right to lodge a complaint with the Information Regulator.