



Hermanus Child & Family Services

PROTECTION OF PERSONAL INFORMATION PRIVACY POLICY

This Protection of Personal Information Privacy Policy (Policy) seeks to cover how Hermanus Child and Family Services (HCFS) will protect all Personal Information, and rights under the Protection of Personal Information Act 4 of 2013 (POPIA).

HCFS commits to maintaining the confidentiality of Personal Information and complying with POPIA when processing Personal Information.

1. Purpose and Objective of this Policy

The purpose of this Policy is to set out the manner in which we collect, use, share and process Personal Information, irrespective of how such Personal Information was collected.

We respect the privacy of your Personal Information, and for this reason, we will take all reasonable measures, in accordance with this Policy and POPIA, to protect your Personal Information and to keep it confidential.

2. Definitions

Personal Information refers to any information that identifies you or specifically relates to you. Personal Information includes, but is not limited to, the following information about you:

- Your marital status (like married, single, divorced); your national origin; your age; your language; birth date; education.
- Your financial information, which may include your financial history and information (like your income or your buying, investing, and banking behaviour based on, amongst others, account transactions).
- Your identifying number (like an account number, identity number or passport number).

- Your email address; location information; physical address (like residential address, work address or your physical location); and telephone number (including your cellular number, home land-line or office work number).
- Your online identifiers such as social media profiles.
- Your biometric information (like fingerprints, face recognition, signature, or voice).
- Your race and/or gender.
- Your physical health; mental health; well-being; disability; religion; belief; conscience; culture.
- Your medical history (like your HIV / Aids status and any medical history disclosed or obtained); criminal history; employment history.
- Your personal views, preferences, and opinions.
- Your confidential correspondence; and / or
- Another's views or opinions about you and your name also constitute your Personal Information.

Special Personal Information is Personal Information about the following:

- Your religious and your philosophical beliefs (for example where you enter a competition, and you are requested to express your philosophical view).
- Your race (like where you apply for a product or service where the statistical information must be recorded).
- Your ethnic origin.
- Your trade union membership.
- Your political beliefs.
- Your health (like where you apply for an insurance policy or medical/health related products);
- Your biometric information (like to verify your identity); and / or
- Your criminal behaviour and alleged commission of an offence (like to prevent money laundering as required by law or when you apply for employment or enter into a relationship with us).

3. Why do we need Personal Information?

Some of the reasons for us having to process your Personal Information are:

- To provide or manage any information, products and/or services requested by you.
- To determine your needs and preferences in terms of the products and/or services we provide.
- To give you supporters updates about our organisation and activities.

- To help us identify you when you contact us, thereby making sure that we do not share your Personal Information with someone other than yourself.
- For information maintenance and keeping our records updated.
- For general administration purposes.

4. How do we collect private information?

- Directly from you through interviews or other interactions
- Based on how you engage or interact with us, such as on social media, public sources and through emails, letters, telephone calls, and surveys.
- If the law requires us to do so, we will ask for your consent before collecting Personal Information about you.

5. What type of Personal Information do we collect?

- Personal Information collected by HCFS may include your name, contact details, birth date, identity number, gender, employment details, marital status, family history, location information, medical or health information.
- When Personal Information is collected, HCFS will, where it is practical to do so, indicate the purpose for the collection and whether the information required is compulsory or voluntary.

6. When will we process your Personal Information?

We will only process your Personal Information for lawful purposes relating to our business if the following circumstances apply:

- You have given us consent to do so.
- A person legally authorised by you, the law, or a court, has consented thereto.
- If you are a child, and a competent person (such as a parent or guardian) has consented thereto on your behalf.
- It is necessary to conclude or perform under a contract we have with you.
- The law requires or permits it; and/or
- It is required to protect or pursue your, our, or a third party's legitimate interest.

7. When will we process your special Personal Information?

We may process your special Personal Information in the following circumstances:

- If you have consented to the processing thereto.
- If the processing is needed to create, use, or protect a right or obligation in law.
- If the processing is for statistical or research purposes.

- If the special Personal Information was made public by you.
- If the processing is required by law.
- If racial information is processed and the processing is required to identify you; and/or
- to comply with relevant legislations or statutory obligations.

8. When will we process your Personal Information

We will process your Personal Information for:

- Courts of law
- To process contribution and donation instruments (such as a debit order or a stop order deduction).
- To create, manufacture and print payment instruments and payment devices.
- To effect, manage and maintain your contracts and agreements with us.
- To enable us to deliver services, documents, or notices to you.
- For security and identity verification, and to check the accuracy of your Personal Information.
- To communicate with you and carry out your instructions and requests.
- For any other purposes related to your support of our organisation.

9. Processing information of a child

Children under the age of 18 years must under normal circumstances obtain their parents'/guardians' consent before providing/submitting any Personal Information about themselves. In these situations we will not require children under this age to provide any Personal Information other than that which is reasonably necessary, and this information will be requested via the child's parent or legal guardian.

However, as a designated child protection organisation, which carries the mandate to protect the rights of children it may be necessary to process the information of children in need of care and protection without the consent child's parent or legal guardian as stipulated by the Children's Act 38 of 2005 (as amended by the Children's Amendment Act 41 of 2007) and the associated Regulations came into force on 1 April 2010.

The processing of Personal Information of children in these circumstances is regulated by the aforementioned Act and the regulations and norms and standards as published by the Department of Social Development.

10. Direct electronic communication

If permission is given, HCFS may use your personal or other information to tell you about organisational developments, needs, services and other offerings from the organisation.

We will do this in person, by post, telephone, or electronic channels such as SMS, email, Facebook, Instagram and WhatsApp.

11. Confidentiality and security

1. Routine Precautions

HCFS has physical, technological, and procedural security safeguards in place and will use their best endeavours to protect your Personal Information.

2. Securing Personal Information

HCFS will take all reasonable technical and organisational precautions to prevent the loss, misuse, or alteration of your Personal Information.

12. How can you review and correct your Personal Information?

You can request to review your Personal Information contained in HCFS's records at any time to correct or update the information. If the purpose for which your Personal Information was requested initially does not exist any longer, you may request information held by HCFS to be removed. However, HCFS can decline your request to delete the information from its records if other legislation requires the continued retention thereof or if it has been de-identified.

13. Cross-border sharing

We will only share your Personal Information to third parties in another country in the following circumstances:

- Where the sharing is necessary to enter into, or perform, under a contract with you or a contract with a third party that is in your interest.
- Where you have consented to the sharing.
- This sharing will happen within the requirements and safeguards of the law.

14. Changes to this policy

We reserve the right, in our sole discretion to amend (including without limitation, by the addition of new terms and conditions) this Policy from time to time. The amended version of the Policy shall supersede and replace all previous versions thereof.

Visit www.hcfs.org.za for the latest version.

15. Which laws apply?

This Policy will be governed by and construed and interpreted in accordance with the laws of South Africa. To the extent that a court has jurisdiction over any dispute which may arise out of or in connection with this Policy, we both submit to the jurisdiction of the South African courts.

16. Contact details

Contact details of the Information Officer:

Name of the Information Officer	David Duncan
Postal Address	P.O. BOX 31, Hermanus, 7200
Physical Address	32 Malva Street, Mount Pleasant, Hermanus
Email Address	info@hcfs.org.za

17. Complaints

Should you believe that HCFS has utilised your Personal Information contrary to Applicable Laws, you undertake to first attempt to resolve any concerns directly with HCFS management or office bearers.

If you are not satisfied with such process, you have the right to lodge a complaint with the POPIA Information Regulator, using the contact details listed below:

Tel: 012 406 4818

Fax: 086 500 3351

Email: infoereg@justice.gov.za