

Policy Title	Policy Number	Approved by	Revision	Implementation	Last revision	Review date
Protection of Personal Information Policy & Procedure	TC-P&P 042	P. Wessels	3	January 2015	January 2023	January 2025

# **Protection of Personal Information Policy and Procedure**

*Applicable legislation: Protection of Personal Information Act, 2013*

## **1. PUPROSE:**

To ensure that all clients' personal information is protected at all times

## **2. INTRODUCTION**

Top Compliance (Pty) Ltd is an auditing, training and retail company that is obliged to comply with The Protection of Personal Information Act ('POPI').

POPI requires Top Compliance (Pty) Ltd to inform their clients as to how their Personal Information is used, disclosed and destroyed.

Top Compliance (Pty) Ltd guarantees its commitment to protecting their client's privacy and ensuring their Personal Information is used appropriately, transparently, securely and in accordance with applicable laws.

This Policy sets out how Top Compliance (Pty) Ltd deals with their client's Personal Information and in addition for what purpose said information is used for. This Policy is made available on request.

POPI Act Section 9 states that "Personal Information may only be processed if given the purpose for which it is processed, it is adequate, relevant and not excessive."

## **3. THE PERSONAL INFORMATION COLLECTED**

Top Compliance (Pty) Ltd collects and processes clients Personal Information pertaining to clients purchasing, auditing or training requirements. The type of information will depend on the need for which it is collected and will be processed for that purpose only. Whenever possible, we will inform the client what information they are required to provide us with and what information is optional. Examples of the Personal Information we collect includes but is not limited to: Clients Identity number, name, surname, address, postal code, email address and contact details

Top Compliance (Pty) Ltd also collects and processes clients Personal Information for marketing purposes to ensure our products and services remain applicable to our clients and potential clients.

With clients consent, we may also supplement the information provided with information we receive from other providers in order to offer a more consistent and personalised experience in clients' interaction with us.

For purposes of this Policy, clients included Potential and existing clients.

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#### **4. HOW PERSONAL INFORMATION IS USED**

Client's Personal Information will only be used for the purpose for which it was collected and agreed. This may include:

1. Providing products or services to clients and to carry out the transactions requested;
2. For underwriting purposes;
3. Processing orders or booking;
4. Conducting market or customer satisfaction research;
5. For audit and record keeping purposes;
6. In connection with legal proceedings;
7. Providing our services to clients to carry out the services requested and to maintain and constantly improve the relationship;
8. Providing communications in respect of Top Compliance (Pty) Ltd and regulatory matters that may affect clients; and
9. In connection with and to comply with legal and regulatory requirements or when it is otherwise allowed by law.

According to POPI Act # 10, Personal Information may only be processed if certain conditions are met which are listed below along with supporting information for Top Compliance (Pty) Ltd processing of Personal Information:

1. Client consents to the processing – consent is obtained from clients during the introductory, appointment and needs analysis stage of our relationship;
2. Processing is necessary for pursuing the legitimate interests of Top Compliance (Pty) Ltd in order to provide our clients with products both ourselves need certain Personal Information from the clients to make an expert decision on the unique and specific product they require.

#### **5. DISCLOSURE OF PERSONAL INFORMATION**

We may also disclose clients' information where we have a duty or a right to disclose in terms of applicable legislation, the law or where it may be necessary to protect our rights.

#### **6. SAFEGUARDING CLIENTS INFORMATION**

It is a requirement of POPI Act to adequately protect the Personal Information we hold and to avoid unauthorised access and use of your Personal Information. We will continuously review our security controls and processes to ensure that your Personal Information is secure.

The following procedures are in place in order to protect your Personal Information:

Top Compliance (Pty) Ltd.'s Information Officer is the Director of the company whose details are available below and who is responsible for the encouragement of compliance with the conditions of the lawful processing of Personal Information and other provisions of POPI Act;

This policy has been put in place throughout Top Compliance (Pty) Ltd and information on this policy and the POPI Act will take place on 20<sup>th</sup> March 2017 and annually as changes are implemented;

Each employee is required to sign a CONFIDENTIALITY AGREEMENT which will be considered an annexure to their Employment Contract as of 20<sup>th</sup> March 2017;

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Our hard copy files are always locked away and only the Director has the key. An ongoing process is to achieve a paperless system at Top Compliance (Pty) Ltd;

Top Compliance (Pty) Ltd.'s hard drives are RAIDED and electronic files are BACKED UP monthly by the Director, responsible for system security which protects third party access and physical threats. A back-up disc is removed from site monthly;

All staff laptops are password protected and are to be locked when not in use at all times.

Top Compliance (Pty) Ltd Disciplinary code of conduct has been updated to include – A very serious misconduct - Failure to maintain client or staff Personal Information negligently or willfully.

An Incident Report will be completed and kept to log any security incidents and to report on and manage received incidents this register will be maintained by of Top Compliance (Pty) Ltd.

This policy and procedure will be implemented by 20<sup>th</sup> March 2017 to ensure all employees follow Top Compliance (Pty) Ltd.'s Professional Procedures to ensure Client information is processed accurately and securely; and

Consent to process client information is obtained from clients (or a person who has been given authorisation from the client to provide THE CLIENT'S Personal Information) during the Introductory, Appointment and Needs Analysis stage of the relationship.

## **7. ACCESS AND CORRECTION OF PERSONAL INFORMATION**

Clients have the right to access the Personal Information Top Compliance (Pty) Ltd holds about them. Clients also have the right to ask us to update, correct or delete their Personal Information on reasonable grounds. Once a client objects to the processing of their Personal Information, Top Compliance (Pty) Ltd may no longer process said Personal Information. We will take all reasonable steps to confirm our clients' identity before providing details of their Personal Information or making changes to their Personal Information.

## **8. AMENDMENTS TO THIS POLICY**

Amendments to this Policy will take place on an ad hoc basis or at least once every two years. Where material changes take place clients will be notified directly.