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BSI (PTY) LTD

PROTECTION OF PERSONAL INFORMATION ACT POLICY POL 01 VERSION 1

Checked and Approved by:

Responsible Pharmacist : Mr.Francois I. Ferreira

Signature :



Date :

26 March 2021

Checked and Approved by:


Managing Director : Mrs. Delene Ferreira

Signature :



Date :

26 March 2021

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1. Purpose of policy

The purpose of this policy is to enable BSI to:

- comply with the law in respect of the data it holds about individuals;
- follow good practice;
- protect BSI' staff and other individuals
- protect the organisation from the consequences of a breach of its responsibilities.

2. Personal information

This policy applies to information relating to identifiable individuals, in terms of the Protection of Personal Information Act, 2013 (hereinafter POPI Act).

3. Policy statement

BSI will:

- comply with both the law and good practice
 - respect individuals' rights
 - be open and honest with individuals whose data is held
 - provide training and support for staff who handle personal data, so that they can act confidently and consistently
- BSI recognizes that its first priority under the POPI Act is to avoid causing harm to individuals. In the main this means:
- keeping information securely in the right hands, and
 - retention of good quality information.

Secondly, the Act aims to ensure that the legitimate concerns of individuals about the ways in which their data may be used are taken into account. In addition to being open and transparent, BSI will seek to give individuals as much choice as is possible and reasonable over what data is held and how it is used.


4. Key risks

BSI has identified the following potential key risks, which this policy is designed to address:

- Breach of confidentiality (information being given out inappropriately)
- Insufficient clarity about the range of uses to which data will be put - leading to Data Subjects being insufficiently informed
- Failure to offer choice about data use when appropriate
- Breach of security by allowing unauthorised access
- Harm to individuals if personal data is not up to date
- Data Operator contracts

5. Information Officer Responsibilities

- 5.1. Scope: The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 1, and Chapter 5, Part B.
- Developing, publishing and maintaining a POPI Policy which addresses all relevant provisions of the POPI Act, including but not limited to the following:
 - Reviewing the POPI Act and periodic updates as published
 - Ensuring that POPI Act induction training takes place for all staff
 - Ensuring that periodic communication awareness on POPI Act responsibilities takes place ensuring that

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Privacy Notices for internal and external purposes are developed and published

- Handling data subject access requests
- Approving unusual or controversial disclosures of personal data
- Approving contracts with Data Operators
- Ensuring that appropriate policies and controls are in place for ensuring the Information Quality of personal information
- Ensuring that appropriate Security Safeguards in line with the POPI Act for personal information are in place
- Handling all aspects of relationship with the Regulator as foreseen in the POPI Act Provide direction to any Deputy Information Officer if and when appointed

5.2. Appointment

The appointment of the BSI Information Officer will be authorized by the MD. Consideration will be given an annual basis of the re-appointment or replacement of the Information Officer; the need for any Deputy to assist the Information Officer.

5.3. Processing Limitation

5.3.1. Scope: The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 2.

5.3.2. Processing Limitation: BSI undertakes to comply with the POPI Act, Conditions 2 in terms of processing limitation, sections 9 to 12, subject to the following stipulation (Forms of Consent).

5.3.3. Forms of consent: BSI undertakes to gain written consent where appropriate; alternatively a record must be kept of verbal consent.

6. Purpose specification

6.1. Scope: The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 3.

Purpose specification : BSI undertakes to comply with the POPI Act, Conditions 2 in terms of processing limitation, sections 13 and 14, subject to the following stipulation (Retention periods).

Retention periods: BSI will establish retention periods for at least the following categories of data:

- Directors
- Staff
- Customers
- Suppliers

All financial information is kept for a minimum of 7 years in line with the Companies Act.

HR information is kept for a minimum of 5 years.


Contracts with Customers relating to products and formulations will be retained in line with the technical agreements between BSI and the customer.

Destruction of information: Information is destroyed/deleted that is:

1. No longer necessary to retain or
2. A request from the Data Subject

Physical documents are shredded and electronic documents are permanently deleted from the server.

6.2. Further processing limitation

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Scope: The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 4.

Further processing limitation: BSI undertakes to comply with the POPI Act, Conditions 2 in terms of processing limitation, section 15.

7. Information quality

Scope: The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 5. BSI will comply with all of the aspects of Condition 5, section 16.

Accuracy: BSI will regularly review its procedures for ensuring its records remain accurate and consistent and, in particular:

- IT systems will be designed, where possible, to encourage and facilitate the entry of accurate data.
- Data on any individual will be held in as few places as necessary, and all staff will be discouraged from establishing unnecessary additional data sets. Effective procedures will be in place so that all relevant systems are updated when information about any individual changes.
- Staff who keep more detailed information about individuals will be given additional guidance on accuracy in record keeping.

Updating: BSI will review all personal information on an annual basis.

Archiving: Archived electronic records of BSI are stored securely on the respective virtual servers depending on the type of information e.g. SYSPRO data is stored on the SYSPRO server.

These servers cannot be accessed without the relevant credentials and are blocked by a firewall. Paper records are archived.

A certificate of destruction will be obtained for each batch of archived documents destroyed.

8. Openness

Scope: The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 6.

Openness : In line with Conditions 6 and 8 of the Act, BSI is committed to ensuring that in principle Data Subjects are aware that their data is being processed and

- for what purpose it is being processed;
- what types of disclosure are likely; and how to exercise their rights in relation to the data


Procedure : Data Subjects will generally be informed in the following ways:

- Staff: through this policy

9. Security Safeguards

Scope: The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 7, section 19 to 22.

This section of the policy only addresses security issues relating to personal information. It does not cover security of the building, business continuity or any other aspect of security.

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Specific risks: BSI has identified the following risks:

- Staff with access to personal information could misuse it.
- Staff may be tricked into giving away information, either about customers/suppliers or colleagues, especially over the phone, through “social engineering”.
- IT risks including unauthorized access to virtual servers.

Setting security levels: Access to information on the main BSI computer system will be controlled by function and levels of authority. Each department in BSI has specific information it needs to protect.

Security measures and Safeguards

Clean Desk Policy:

ALL departments in BSI must adhere to the “Clean Desk Policy” so there is no unauthorized access to any personal information.

IT Safeguards:

Servers

The servers are protected by the following:

- Physical Barriers/ Security and firewalls
 - Anti-virus software
 - Access controls i.e. each individual needs a unique username and password to access the servers.
- The Information Officer must inform the Information Regulation Officer of a potential breach.

Laptops

Laptops can only be accessed with the individual’s username and password.

In the event of a laptop being stolen, the information should be safe but it must be reported to the Information Officer so he can inform the Information Regulation Officer of a potential breach.

Payroll

BSI uses Pastel VIP to process payroll information.

Information is stored on the respective server.

Only the dedicated Payroll Clerk has access to the payroll on VIP, currently this is the function of the Managing Director. HR has access to the HR functionality of VIP.

Contracts with 3rd Parties

When dealing with a 3rd party (whether customer, supplier or service provider) an NDA should be completed prior to any information being shared.

Within the finance department (and any other department) with access to the following:

- Customer, Supplier or 3rd Party information

The information must only be used for its intended purpose and safeguarded by the person utilizing and/or processing said information.


Please refer to “Clean Desk Policy” and “IT controls policy” as safeguards.

Working from home

The “Clean Desk Policy” must apply to any staff members who take work home (both physical or electronic information).

Business continuity: Physical back-up drives of company data from each of the respective servers are taken offsite each day. These hardware back-ups are encrypted.

10. Data Subject participation

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Scope: The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 8, sections 23 to 25.

Responsibility: Any subject access requests will be handled by the POPI Act Information Officer in terms of Condition 8.

Procedure for making request: Subject access requests must be in writing. All staff are required to pass on anything which might be a subject access request to the POPI Act Information Officer, without delay. Requests for access to personal information will be handled in compliance with the POPI Act.

Provision for verifying identity: Where the individual making a subject access request is not personally known to the POPI Act Information Officer, their identity will be verified before handing over any information.

11. Processing of Special Personal Information

Scope: The scope of this aspect of the policy is defined by the provisions of the POPI Act, Part B, sections 26 to 33.

Processing of Special Personal Information: BSI processes Special Personal Information which relates to 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.

Special personal information includes criminal behavior relating to alleged offences or proceedings dealing with alleged offences.

Unless a general authorization, alternatively a specific authorization relating to the different types of special personal information applies, a responsible party is prohibited from processing special personal information.

12. Prior Authorisation

Scope: The scope of this aspect of the policy is defined by the provisions of the POPI Act, Chapter 6.

Prior Authorisation: BSI has the policy of adhering to the process of Prior Authorisation in terms of sections 57 to 59.

13. Direct Marketing, Directories and Automated Decision Making

Scope: The scope of this aspect of the policy is defined by the POPI Act, Chapter 8.


Direct Marketing, Directories and Automated Decision Making: BSI undertakes to comply with the POPI Act Chapter 8, sections 69 to 71.

Electronic contact: Whenever e-mail addresses are collected, any future use for marketing will be identified, and the provision of the address made optional.

14. Trans-border information flows

Scope: The scope of this aspect of the policy is defined by the provisions of the POPI Act, Chapter 9.

Trans border information flows: BSI will ensure that the POPI Act Chapter 9, section 72 is fully complied with.

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Compliance with section 72 will be achieved through the use of the necessary contractual commitments from the relevant third parties.

15. Staff training & acceptance of responsibilities

Scope: The scope of this aspect of the policy is written in support of the provisions of the POPI Act, Chapter 5, Part B.

Documentation: Information for staff is contained in this policy document and other materials made available by the Information Officer.

Induction: The BSI Information Officer will ensure that all staff who have access to any kind of personal information will have their responsibilities outlined during their induction process.

Continuing training: BSI will provide opportunities for staff to explore POPI Act issues through training and team meetings.


Procedure for staff signifying acceptance of policy: It is a condition of employment to follow all BSI policies implemented.

It will be added to the induction process for all new employees as of 1 July 2021.

16. Policy review

Responsibility: The BSI Information Officer is responsible for an annual review to be completed prior to the policy anniversary date.

Procedure: The BSI Information Officer will ensure relevant stakeholders are consulted as part of the annual review to be completed prior to the policy anniversary date.

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APPENDIX A: FOR OBTAINING CONSENT FROM CUSTOMERS/MEMBERS

BSI collects personal information from when you enter in a contract with us for business purposes. We will only use this information to carry out the processes for the purpose for which you registered with us. We will protect your personal information in accordance with our Customer Privacy Notice and the provisions of the Protection of Personal Information Act, 2013 (South Africa). If you agree, we will use your information to send marketing information to you.

BSI will not share your personal information with external companies.

Personal information will be protected in accordance with the conditions contained in Protection of Personal Information Act, No 4 2013 (South Africa).

For more information explaining how we use your personal information, please see our Customer Privacy Notice available at [www.BSI.co.za].

APPENDIX B: BSI POLICY FOR CONDITION FOR SPECIFIC PURPOSE

BSI will only collect personal information from you when the purpose for collection been explicitly defined and agreed. We undertake to ensure that as the data subject, you are aware of the purpose for collecting your personal information.

Where reasons for processing for further purposes arise, these will be explicitly defined and agreed.

For more information explaining how we use your personal information, please see our Privacy Policy on our website.

APPENDIX C: BSI POLICY FOR ENSURING INFORMATION QUALITY

BSI will take reasonable steps to ensure that information is complete, accurate, notis leading and, where necessary, updated.

BSI will ensure that appropriate information security measures are established to ensure that personal information is protected in line with industry practices and standards.

APPENDIX D: BSI CONSENT NOTICE NOTIFICATION TO DATA SUBJECT (POLICY)


BSI will ensure that you, as the data subject, are made aware of information being collected. If the data has not been collected directly from the data subject, the source of collection will be provided together with name and address of the party. The purpose of collection will be provided.

Information relating to the following will also be provided when relevant:

- Whether the supply of information by the data subject is voluntary or mandatory.
- The consequences of failing to provide information
- The legislation requires the collection of information
- If information is to be transferred to another country, information relating to the laws that willprotect the information will be obtained.

APPENDIX E: NON-DISCLOSURE AGREEMENT

When dealing with a 3rd party (whether customer, supplier, or service provider) an NDA should be completed prior to any information being shared.

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Within the finance department (and any other department) with access to the following:

- **Customer, Supplier, or 3rd Party information**

The information must only be used for its intended purpose and safeguarded by the person utilizing and/or processing said information.