

Protection of Personal Information Privacy Policy and Framework

POPI Privacy Policy and Framework

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1 STATEMENT

This is the Protection of Personal Information Privacy Policy and Framework for Telkom SA SOC Limited (hereinafter referred to as “the Organisation”) developed and implemented in terms of paragraph 4(1)(a) of the Regulations in terms of the Protection of Personal Information Act 4 of 2013 (hereafter referred to as POPIA).

POPIA promotes transparency regarding what information is collected and how it is to be processed. POPIA is South Africa’s first piece of comprehensive data protection legislation that seeks to regulate the processing of personal information during commercial activities. Data security and privacy are key aspects in business. POPIA seeks to empower the customer, insofar as rights are concerned and insofar as the protection of personal information and data security is concerned.

2 OUR COMMITMENT

Our Organisation is committed to ensuring the security and protection of the personal information that we process, and to provide a compliant and consistent approach to data protection. We have always had a robust and effective data protection programme in place which complies with existing law and abides by the data protection principles, including meeting the demands of POPIA.

Our Organisation is dedicated to safeguarding the personal information under our remit and in developing a data protection regime that is effective, fit for purpose and demonstrates an understanding of, and appreciation for POPIA. Our preparation and objectives for POPIA compliance have been summarised in this statement and include the implementation and maintenance of relevant data protection roles, policies, procedures, controls and measures to ensure maximum and ongoing compliance.

3 BACKGROUND

Processing of personal information means broadly anything done with personal information, including the:

- I. Collection (receipt, recording, organisation, collation or retrieval).
- II. Use (updating, alteration, modification, consultation, restriction, merging or linking).
- III. Storage (electronic and physical storage).
- IV. Distribution (transmission or the making available).
- V. Destruction (erasure).

According to POPIA, “Personal Information” means information relating to an identifiable natural person and juristic person. (Refer to Annexure A for the definition as per POPIA). Personal information includes, but is not limited to:

- I. Contact details: email, telephone, address.
- II. Demographic information: age, sex, race, birth date, ethnicity.
- III. History: employment, financial, educational, criminal, medical history.
- IV. Biometric information: blood type.

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- V. Opinions of and about the person.
- VI. Private correspondence.

4 OUR READINESS FOR POPIA

Our Organisation has always had a consistent level of data protection and security across our organisation and our ongoing POPIA readiness include:

- I. Information audits being carried out to identify and assess what personal information we hold, where it comes from, how and why it is processed and if and to whom it is disclosed.
- II. A documented personal information impact assessment developed to ensure that adequate measures and standards exist in order to comply with the conditions for the lawful processing of personal information.
- III. Our top management being fully committed to protecting data in the Organisation and being able to demonstrate that we are POPIA compliant.
- IV. Relevant policies and procedures on data protection implemented to ensure we meet the requirements and standards of POPIA.
- V. Review of processing activities to monitor the legal basis for processing and ensuring that each basis is appropriate for the activity it relates to.
- VI. Published privacy statement on our corporate website ensuring that all individuals whose personal information we process have been informed of why we need it, how it is used, what their rights are, who the information is disclosed to and what safeguarding measures are in place to protect their information.
- VII. As and when applicable, getting consent for obtaining personal information, ensuring that individuals understand what they are providing, why and how we use it and giving clear, defined ways to consent to us processing their information.
- VIII. Provide data subject with forms to exercise their rights on the corporate website. Data subjects may request information about:-
 - a. What personal information we hold about them.
 - b. The purposes of the processing.
 - c. The categories of personal information concerned.
 - d. The recipients to whom the personal information has/will be disclosed.
 - e. The period we intend to store their personal information for.
 - f. The right to have incomplete or inaccurate data about them corrected or completed and the process for requesting this.
 - g. The right to request erasure of personal information (where applicable) or to restrict processing in accordance with POPIA, as well as to object to any direct marketing from us and to be informed about any automated decision-making that we use.
 - h. The right to lodge a complaint or seek judicial remedy and who to contact in such instances.
- IX. Measures is in place ensuring that third parties with whom we share personal information to help provide our services demonstrate an ongoing commitment to POPIA compliance, including by performing security diligence and having appropriate contractual terms in place.

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- X. Internal measures are developed together with adequate systems to identify personal information security incidents and how to handle them.
- XI. Internal awareness sessions are conducted regarding the provisions of the Act, regulations made in terms of the Act and information obtained from the Regulator.

5 INFORMATION SECURITY MEASURES

Our Organisation takes the privacy and security of individuals and their personal information very seriously and take every reasonable measure and precaution to protect and secure the personal information that we process. We have robust information security policies and procedures in place to protect personal information from unauthorised access, alteration, disclosure or destruction.

The design, development, operation and management of all services or products follow privacy by design principles, to ensure that we design our technology offerings around the protection of data. Sensitive assets, such as personal information are protected by delivering effective and dependable services, which always consider the security and safety aspects. We will continue to invest in and improve our security practices.

6 PRIVACY BREACH MANAGEMENT

While our Organisation adopts a pro-active approach to the protection of information by identification and assessment of potential threats and risks and using mitigating controls therefore an effective and appropriate response procedure has been documented.

The procedure shall ensure that there are effective controls in place to identify, assess and respond to an incident, in order to mitigate and minimise the impact and loss or theft of information.

7 CONTACT DETAILS

Our Organisation has designated the undermentioned as our Information Officer with the responsibility to maintain our compliance with POPIA.

Privacy enquiries may be submitted to POPI@telkom.co.za or to the addresses below:

The Information Officer

Private Bag X881

Pretoria

0001

The Information Officer

61 Oak Avenue

Highveld Technopark

Centurion

0157

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8 INFORMATION REGULATOR

You have the right to lodge a complaint with the Information Regulator in writing as per their website <https://info regulator.org.za/> to:

E-mail

Complaints email: POPIAComplaints@info regulator.org.za

General enquiries email: enquiries@info regulator.org.za

Physical address

JD House

27 Stiemens Street

Braamfontein

Johannesburg

2001

Postal address

PO Box 31533

Braamfontein

Johannesburg

2107

Phone

010 023 5200

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9 ANNEXURE A: DEFINITIONS, ACRONYMS, LAWS & REGULATIONS

9.1 Definitions

Definitions	Description
Consent	Means a voluntary, specific and informed expression of will in terms of which a data subject agrees to the processing of personal information relating to him or her.
Customer	Refers to both retail and wholesale customers.
Data Subject	The person to whom personal information relates. In practical terms it refers to any person whose information is processed (such as employees, retail and/or wholesale customers and vendors).
Juristic Persons	Refers to companies.
Natural Persons	Refers to individuals.
Non-compliance	An act or omission whereby Telkom has not met its compliance requirements.
Personal Information	Information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to: <ul style="list-style-type: none">(a). 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;(b). information relating to the education or the medical, financial, criminal or employment history of the person;(c). any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;(d). the biometric information of the person;(e). the personal opinions, views or preferences of the person;(f). 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;(g). the views or opinions of another individual about the person; and the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

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Processing of Personal Information	Any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including: (a). the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use; (b). 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.
Responsible Party	Public/Private bodies who process information.
Third party	Otherwise known as a supplier.

9.2 Acronyms

Acronyms and Abbreviations	Description
POPIA	Protection of Personal Information Act 4 of 2013 and Regulations

9.3 Laws and Regulations

- I. Constitution of the Republic of South Africa, 1996.
- II. Promotion of Access to Information Act, 2 of 2000 and regulations.
- III. Public Protector Act, 23 of 1994.
- IV. Electronic Communications and Transactions Act, 25 of 2002.
- V. National Credit Act, 34 of 2005.