



## POLICY ON THE MANAGEMENT OF PERSONAL INFORMATION

<b>HEAD OFFICE</b>	<b>Date of implementation</b>		2017/08/15	
	<b>Action</b>	<b>Names</b>	<b>Job title</b>	<b>Date</b>
	Written by	DM Rheeders	Director	02 July 2021
	Authorized by	DM Rheeders I Naude	Directors	

<b>FIELD OF APPLICATION</b>	Information Management including PAIA Manual			
<b>REFERENCE DOCUMENTS:</b>	Relevant Legislation			
<b>DOCUMENTS REQUIRED FOR THE USE OF THIS DOCUMENT:</b>	N/A			
<b>APPROVAL</b>				
<b>Name</b>	<b>Designation</b>	<b>Signature</b>	<b>Date</b>	<b>Review Date</b>
I Naude	Director		2021/03/31	2023
DM Rheeders	Director	<i>Ria Rheeders</i>	2021/03/31	2023

### HISTORY OF CHANGES

Date of Change	No	Nature of Amendment	Reason Code	Reviewed by	Comments
2021/06/30	1	Reviewed in line with POPI regulations	D	DM Rheeders	

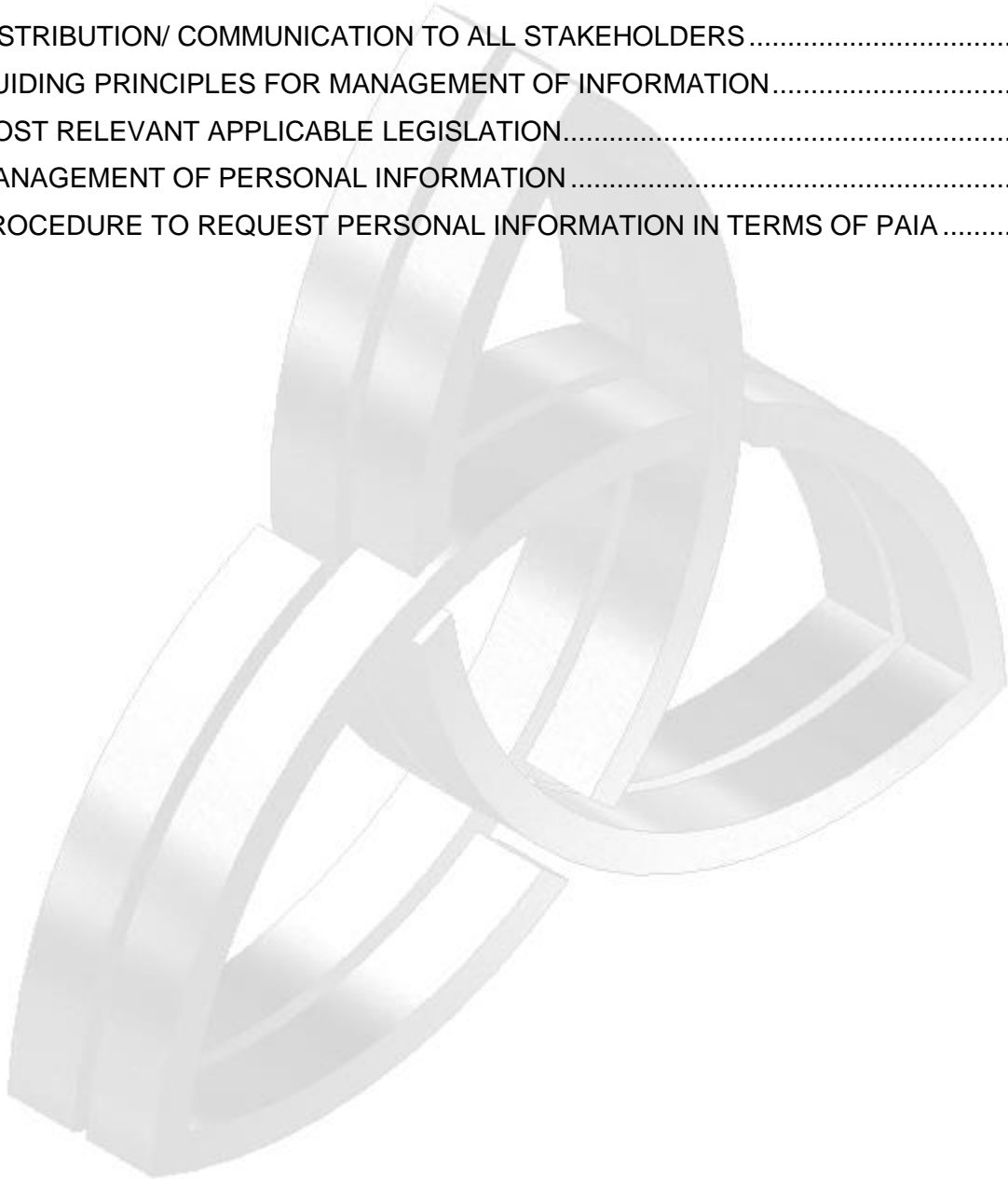
### Reason Codes:

<b>A</b>	As a result of an incident	<b>B</b>	As a result of audit findings
<b>C</b>	Changes in operating procedures	<b>D</b>	Changes in legislation
<b>E</b>	Changes in technology	<b>F</b>	Changes in machinery/equipment
<b>G</b>	Results of risk assessment	<b>H</b>	Changes in training requirements
<b>I</b>	New format	<b>J</b>	Changes due to typing or grammatical error
<b>K</b>	To integrate a special instruction into the document control system		

**Key Words:** Information Management, Legislation, Act

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## **1 POLICY STATEMENT**

Vertrauen Consulting is committed to quality and good governance. Vertrauen aims to comply with the relevant legislation that regulates personal information.

## **2 AIM**

These guidelines aim to ensure a controlled process for Vertrauen to handle personal information.

## **3 SCOPE OF APPLICATION**

This procedure applies to all employees who at any time collect or process any personal information. It may include, but not be limited to:

- Contact details: email, telephone, address etc.
- Demographic information: age, sex, race, birth date, ethnicity etc.
- History: employment, financial, educational, criminal, medical history
- Biometric information: blood type etc.
- Medical/Clinical information relating to the injured/diseased employee
- Private correspondence etc.
- Any information required to comply with the Compensation for Occupational Injuries and Diseases Act No 130 of 1993 (COIDA) E.g. monthly/weekly earnings.

## **4 RESPONSIBLE FOR REVIEW**

The Policy Committee is overall responsible for reviewing this document on a three yearly basis or more often should the need arise and ensure that the review of all policies and related documents are coordinated. Ria Rheeders is appointed as the Information officer.

## **5 RESPONSIBLE FOR IMPLEMENTATION**

Each executive committee member, supported by line managers is responsible for the formulation and implementation of the document types outlined in this procedure.

## **6 GUIDING PRINCIPLES**

The information that Vertrauen Consulting (Pty) Ltd trading as VCH (Referred to as VCH) obtains, include personal information that may be used by VCH to ensure all occupational injuries and diseases are managed in line with the relevant legislation. It may be used for general statistical analysis and reporting purposes. VCH will collect process and protect personal information in compliance with applicable laws on data protection.

We respect privacy and personal information and for this reason, we take all reasonable measures, in accordance with this Policy, to protect personal information and to keep it confidential. The process of managing personal information that includes disclosing personal information is dealt with in 6.3.

## 7 DEFINITIONS

The following terms are defined for the purpose of this and all related documents:

Table 1: Terms and Definitions

Term	Definition
Occupational	<i>Occupational</i> means relating to a person's job or profession.
Injury	Injury is damage to the body caused by external force. In the context of occupational injuries, it will relate to injuries relating to a person's job.
Disease	A disease is a particular abnormal condition that affects part or all of an organism and that consists of a disorder of a structure or function.
Personal Information	It is information that can be used on its own or with other information to identify, contact, or locate a single person, or to identify an individual in context.
Occupational health	The health of an employee that impacts the environment and safety of his/her workplace including co-workers.

## 8 DISTRIBUTION/ COMMUNICATION TO ALL STAKEHOLDERS

Hard copies of policies and related documents will be distributed as set out in Table 2.

Table 2: Distribution of Hard Copies of Documents

Hard Copy	Distributed to	Reference
1	Executive Committee	Vertrauen/Corporate Governance
2	Clients	Hard Copies
3	Public	Website

## 9 GUIDING PRINCIPLES FOR MANAGEMENT OF INFORMATION

In collecting accessing and storing information, VCH undertakes:

- to obtain the necessary permission necessary to collect, access and store personal information.
- only to collect information that we need for the purpose as agreed to with our client.
- process the data solely in the interest of and on behalf of our clients.
- to apply reasonable security measures to protect it in hard copy of electronic format.
- only to hold the information necessary for the period to honour the agreement between VCH and their client for the period necessary to store and retain the information.
- VCH will allow the subject of the information to see it upon request following necessary steps to ensure the information is provided to the true owner.
- At all times consider personal information as highly confidential.
- Follow legal procedures in the destruction of records.
- Not to sell or rent this information to anyone.

## 10 MOST RELEVANT APPLICABLE LEGISLATION

- *Protection of Personal Information Act, No 4 of 2013 (POPIA)* regulates the processing of personal information. Through the collection of personal information VCH may have access to personal information
- *Promotion of Access to Information Act, No. 2 of 2000 (PAIA)* protects the rights of South-Africans to access information held by another person necessary to protect or exercise any rights. The Act applies to all records held by public (i.e. State) or private bodies (or their contractors) but it does not apply to records that are being used in criminal or civil proceedings.
- *Compensation for Occupational Injuries and Diseases Act 130 of 1993 (COIDA)*
  - In the management of occupational injuries and diseases, COIDA applies. Vertrauen Consulting will take care to ensure all information that is obtained from a third party other than the employer, is obtained with the individual's consent where applicable.
  - As a service provider, Vertrauen accepts that the client has taken reasonable steps to ensure that the relevant information shared with Vertrauen is within relevant legislation and regulations.
- *Occupational Diseases In Mines And Works Act 78 of 1973 (ODMWA)*

This act provides for compensation of occupational lung diseases in mines and quarries and management of personal information will be applicable when an occupational claim is submitted in terms of this Act.
- *Occupational Health and Safety Act 85 of 1993 (OHSA)*

OHSA aims at ensuring a safe workplace for all employees. This includes monitoring and mitigating of risks which may include the health of their employees. Provision is made under this Act for medical monitoring of employees and their general health under certain circumstances. Although confidentiality remains priority, sharing of personal information and access to personal information, may be necessary in certain instances. Employees will be expected to sign informed consent to share certain information with employers and/or other medical professionals involved in the health of the employee.

## 11 MANAGEMENT OF PERSONAL INFORMATION

1. The information that Vertrauen Consulting (Pty) Ltd obtains, includes personal information that may be used by VCH to ensure all occupational injuries and diseases are managed in line with the relevant legislation. It may be used for general statistical analysis and reporting purposes. VCH

will collect, process and protect personal information in compliance with applicable laws on data protection.

2. We respect privacy and personal information and for this reason, we take all reasonable measures, in accordance with this Policy, to protect personal information and to keep it confidential.
3. We aim to maintain the principles of the Electronic Communications Act 2005 Act, No. 36 of 2005(ECTA) Protection of Personal Information Act, No 4 of 2013 (POPIA) and Promotion of Access to Information Act, No. 2 of 2000 (PAIA).

We briefly outline these principles below:

- a. We will only disclose, collate and process (“use”) personal information necessary to manage conditions related to a safe and healthy workplace and will only use such information for the lawful purpose for which it is required.
- b. In the event that it is required from VCH to disclose any personal information required to manage any occupational injury or disease, we will keep record of that personal information to whom it was disclosed and the specific purpose for which we disclosed it.
- c. We will not use your personal information for any other purpose, other than that which we disclosed to you, unless you give us your express written permission to do so, or unless we are permitted to do so by law. We will also keep a record of that personal information, the specific purpose for which it was disclosed and to whom.
- d. We may use personal information to compile profiles for statistical purposes and may freely trade with such profiles and statistical data, as long as the profiles or statistical data cannot be linked to a third party.
- e. By entering into a business relationship, clients agree to the above policy or in the event of an employee/patient signing consent.
- f. Clients and patients/employees are responsible for ensuring that information is accurate and up to date.
- g. Clients remain responsible for the storage of personal information depending on the relevant legislation.
- h. If the business agreement is terminated, VCH may retain and use only the statistical information obtained. Personal information will be stored for three years, unless otherwise required by law or regulation.
- i. Access to personal information will only be made if and to the extent necessary for the management of occupational injuries and diseases and for any other legal and regulatory purposes.
- j. Storage of data in electronic format are done through Microsoft and a request has been made to store the data in a country where GDPR applies.

VCH will take reasonable measures to ensure all data will be protected. VCH will protect your personal data at all times in a manner that is compliant with data protection laws and regulations, as applicable. Where required, your information may be disclosed to law enforcement, regulatory or other government agencies, or third parties where necessary to comply with legal or regulatory obligations or requests. Otherwise, your information may be shared with third parties only for purposes of managing occupational health and safety including occupational injuries and diseases or for providing anonymous statistical analysis and anonymous reporting.

## 12 PROCEDURE TO REQUEST PERSONAL INFORMATION IN TERMS OF PAIA

In accordance with PAIA the following procedure applies to Vertrauen Consulting (Pty) Ltd:

### **Availability of the Policy and Requests:**

The Information Officer has been delegated to be the Director: Operations and requests in terms of this Act must be addressed to:

Irene Naude

Irene@vertrauen.co.za

Physical Address: 10 Owlroad Greenhills Randfontein

### **Records available in terms of other legislation**

Certain legislation mandates Vertrauen to allow any person access to specified information. Upon request, Vertrauen will provide information in line with relevant legislation.

### **Procedure to request information and applicable fees**

- **Prescribed Access Form:** The form is available from VCH at [info@vch.co.za](mailto:info@vch.co.za)
- **Proof of Identity:** Proof of Identity is required to authenticate the request and the requestor. In the absence of signed permission by the person who the information belongs to, the requestor will be expected to provide proof of the capacity in which he/she is requesting information.
- **Prescribed Fee:** A fee of R500.00 is payable in advance before any information is released.