

POLICY ON PROTECTION OF PERSONAL INFORMATION, ACT 4 OF 2013

FSP NAME	Groups Are Us (Pty) Ltd
FSP NUMBER	45735
FSP ENTITY	Credit Life And Funeral Cover Insurance
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Policy Revision & Authorisation			
Name	Designation	Approval Date	Approval Signature
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1.0 Background

Groups Are Us (PTY) Ltd is a registered company and financial services provider rendering the following IT related services to clients:

- Processing personal information on behalf of clients (responsible parties)
- Provide online financial services via our web portal.
- Providing remote assistance to businesses and service providers
- Software assistance on selected programs
- Client transactional record keeping

Services are provided in terms of contractual agreements and/or on request. Groups Are Us (PTY) Ltd is based at (Suite 9A, Monpark building, 76 Skilpad Road Monument Park, Pretoria 0181) and is solely owned and managed by shareholders represented by three directors.

2.0 Purpose

The purpose of this Policy is to ensure compliance with the Protection of Personal Information Act (POPI Act) as required by section 19(1) of that Act. This Act enforces legal obligations on operators, such as Groups Are Us (PTY) Ltd, processing personal information on behalf of responsible parties (clients) The integrity and confidentiality of personal information processed on behalf of clients is a high priority for Groups Are Us (PTY) Ltd and will be secured and protected as documented in the paragraphs to follow.

3.0 Scope

This policy applies to all personal data processed and controlled by Groups Are Us (PTY) Ltd. The policy is available to all staff and clients.

A copy of this policy will also be made available on the Groups Are Us (PTY) Ltd website @ <https://www.groupsrus.co.za/co.za>

4.0 Compliance

Breaches of the POPI Act or regulation will be reported to the Information Regulator as required by Section 22.

5.0 Policy

The POPI Act and regulations demands higher transparency and accountability for the handling of personal data. Groups Are Us (PTY) Ltd needs to process specific information on behalf of its clients that could include sensitive personal information such as:

- Paying staff and keeping internal records
- Communicating information, it produces
- Tracking website visitors
- Complying with legal obligation

The POPI Act and regulations applies to both clients and processors. The clients determine the purposes and means of processing personal data. The data processor is responsible for processing personal data on behalf of a client.

To comply with the POPI Act, Groups Are Us (PTY) Ltd must ensure that the data it collects are processed fairly, collected for legitimate reasons, adequate for their purpose, accurate and up to date, deleted when no longer needed, and processed and stored securely. Groups Are Us (PTY) Ltd is committed to demonstrating how it is taking steps to comply with these principles.

5.1 What are Personal data?

The POPI Act defines personal data as any information that relates to an identifiable person who can be identified, directly or indirectly, from that information (the Data Subject).

Personal data can include:

- Names
- Dates of birth
- Location data
- Email addresses
- Addresses
- Identification numbers
- IP addresses
- Pseudonymous data
- Online identifiers

5.2 What is Personal Information?

The POPI Act defines personal information in Section 1.

This includes genetic data, and biometric data where processed to uniquely identify an individual.

Personal Information can include data about:

- Health
- Genetics
- Biometrics
- Sexual orientation
- Trade union membership
- Political opinions or beliefs
- Religious or philosophical beliefs
- Any identifying number, email, etc
- Private correspondence
- Education, financial, criminal or employment history

5.3 Principles

Section 9 of the POPI Act requires that personal information shall be: “a) processed lawfully; and (b) in a reasonable manner that does not infringe the privacy of the data subject.”

Section 10 requires that “Personal information may only be processed if, given the purpose for which it is processed is adequate, relevant and not excessive.”

Sections 11 to 12 deals with the Consent, justification and objection as well as the direct collection from the data subject whilst Section 13 requires that:

“Personal information must be collected for a specified, explicitly defined and lawful purpose related to a function or activity of the responsible party”

In summary, Sections 14 to 23 requires that Personal information should be:

- a) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;

- b) kept in a form which permits identification of Data Subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the POPI Act in order to safeguard the rights and freedoms of individuals; and
- c) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Groups Are Us (PTY) Ltd intends to comply with the above requirements including all the other conditions 1 to 8 in Chapter 3 of the POPI ACT.

5.4 Types of data Groups Are Us (PTY) Ltd may process

Groups Are Us (PTY) Ltd has defined that the following data categories may be collected, processed and used:

- Employee/Volunteer/Part Time Workers Name, Title, Address, Contact Details, Staff Numbers, Payroll Numbers
- Personal, professional, commercial or business addresses
- Date / Year / Birth Date
- Telecommunications data (e. g. connection, location, usage and traffic data)
- Telephone Numbers
- Email Address
- Stakeholder information
- Third Party Data for the purposes of communication and liaison between AC and third parties
- Contract data (contractual relationship, product and/or contractual interests)
- Payment data
- Personal data that are covered by the obligation to maintain professional secrecy
- IP addresses
- Planning and control data
- Cookies

5.5 Categories of Data Subjects

Groups Are Us (PTY) Ltd has defined the following data subject categories from whom the Personal Data as defined above may be collected, processed and used:

- Employees (Internal)
- Contact persons
- Employees of external companies Interested parties
- Tenants / landlords, lessees / lessors
- Suppliers

5.6 Lawful bases for Processing

What are the lawful bases for processing?

The lawful bases for processing are set out in Chapter 3 of the POPI Act. Groups Are Us (PTY) Ltd will identify the lawful bases for processing wherever the organisation processes data. The lawful bases for processing are as follows:

- (a) **Consent:** the individual or client has given clear consent for you to process their personal data or data on their behalf for a specific purpose.
- (b) **Contract:** the processing is necessary for a contract you have with the client, or because they have asked you to take specific steps before entering into a contract.
- (c) **Legal obligation:** the processing is necessary for you to comply with the law (not including contractual obligations).
- (d) **Vital interests:** the processing is necessary to protect someone's life.
- (e) **Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.
- (f) **Legitimate interests:** the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interest.

5.7 Consent

Where consent is relied upon as a legal basis for processing, Groups Are Us (PTY) Ltd will collect consent in a recorded and demonstrable manner. Consent will be gathered in a way that is freely given, specific, informed and unambiguous. Groups Are Us (PTY) Ltd will make it explicitly clear to clients what they are giving consent for and will process personal data on their behalf in a manner that is consistent with the consent the individual has given. Groups Are Us (PTY) Ltd will make it as easy for an individual to revoke consent as it was to grant consent.

Marketing emails sent by Groups Are Us (PTY) Ltd will include an unsubscribe link.

5.8 Data Processing

As a Data processor, Groups Are Us (PTY) Ltd will only work with clients who can provide sufficient guarantees to implement appropriate technical and organisational safeguards to meet the POPI Act requirements and protect the rights, freedoms and privacy of Data Subjects.

As a Data processor, Groups Are Us (PTY) Ltd will implement its own appropriate technical and organizational safeguards when data is processed on behalf of clients to ensure the rights, freedoms and privacy of Data Subjects. When processing sensitive personal data as per Sections 26 to 34 of the POPI Act, additional safeguards will be implemented.

Groups Are Us (PTY) Ltd will implement:

- pseudonymisation and/or encryption of personal data where required.
- measures to ensure the ongoing confidentiality, integrity, availability and resilience of systems and services processing personal data on behalf of clients.
- measures to ensure the ability to restore the availability and access to data in a timely manner in the event of a physical or technical incident.
- a process for regularly testing, assessing and evaluating the effectiveness of technical and organisational measures for ensuring the security of the processing.
- appropriate policies and governance frameworks to ensure continued compliance.

All client-processor relationships will be documented and managed with contracts that mandate

privacy obligations.

5.9 Responsibilities

Groups Are Us (PTY) Ltd will assign appropriate Data Protection responsibilities to its clients and will:

- inform and advise clients of their obligations to comply with the POPI Act and other applicable laws.
- monitor compliance with the POPI Act on an ongoing basis.
- offer appropriate training to employees of clients involved with data processing.
- conduct data impact assessments when required.
- work with the relevant supervisory authorities on issues relating to the processing of personal data.
- implement appropriate measures to be able to evidence compliance with the POPI Act.

All clients and their employees will be responsible for maintaining an awareness of the requirements of the POPI Act and for seeking appropriate assistance when processing personal data.

5.10 Technical and organizational measures

Groups Are Us (PTY) Ltd will implement appropriate technical and organizational measures to protect personal data against accidental loss, alteration, disclosure or access. These measures ensure a level of security appropriate to the risks presented by the processing and the nature of personal data being processed.

Groups Are Us (PTY) Ltd ensures that the processing of the personal data has been and will continue to be carried out in accordance with the relevant provisions of the applicable data protection law and does not violate the relevant provisions.

Groups Are Us (PTY) Ltd has implemented, but not limited to, the following measures to prevent the unauthorized access to data processing systems where personal data is processed:

- Alarm system
- Key management (Issuance of keys, etc.)
- Careful selection of security mechanisms
- CCTV at point of entry
- Security lock

a. Access Control (systems)

Groups Are Us (PTY) Ltd has implemented, but not limited to, the following measures, to prevent the use of data processing systems by unauthorized persons:

- Assignment of user rights
- Assignment of passwords
- Authentication with username / password
- Assignment of user profiles to IT systems
- Encryption and/or password protection ID for mobile storage media
- Use of Intrusion-Prevention-Systems
- Use of hardware firewalls
- Creation of user profiles
- Additional measures: web-application firewalls, regular vulnerability scans, regular penetration testing, patch management, minimum requirements for password complexity and forced password changes, use of virus scanners
- Encryption and/or password protection or touch-ID on laptops / notebooks

- Use of a software firewall (office clients)

b. Access control (data)

Groups Are Us (PTY) Ltd has implemented, but not limited to, the following measures, to ensure that authorized users of a data processing system may only access the data for which they are authorized, and to prevent personal data from being read while the data are in use, in motion, or at rest without authorization:

- Creation of an authorization concept
- Number of administrators reduced to “absolute necessary”
- Logging of application access, especially during the entry, modification and deletion of data
- Secure media sanitisation
- Use of shredders
- Disk encryption (backup tapes for off-site storage, laptops)
- Management of rights by system administrators
- Password policy including password length, password change management
- Secure storage of data carriers
- Logging of secure media destruction
- Compliant destruction of data media

c. Transfer control

Groups Are Us (PTY) Ltd has implemented, but not limited to, the following measures, to ensure that personal data cannot be read, copied or modified during electronic transmission or during transportation or storage to disk. Additionally, to control and determine to which bodies the transfer of personal data provided by data communication equipment is allowed:

- Documentation of recipients of data and the time periods for the provision of data including agreed deletion times
- Disclosure of data in anonymous or pseudonymous form
- Creation of an overview of regular request and delivery operations
- During physical transport, careful selection of transport personnel and vehicles
- Disk encryption

d. Input control

Groups Are Us (PTY) Ltd has implemented, but not limited to, the following measures, to ensure that it is possible to subsequently control, and determine if and by whom, personal data have been entered, changed or removed on data processing systems:

- Logging of input, modification and deletion of data
- Creation of an overview of which applications are permitted to input, modify or delete which data
- Traceability of input, modification and deletion of data by individual user names (not user groups)
- Granting of rights for the input, modification or the deletion of data based on an authorisation concept

e. Order control

Groups Are Us (PTY) Ltd has implemented, but not limited to, the following measures, to ensure that personal data which are processed on request of the data owner shall only be processed as instructed by the data owner:

- Contractor selection via history review (in particular regarding data security)
- Prior examination of the documentation and the security measures taken by the contractor
- Written instructions to the contractor (for example, by Data Processing Agreement)
- Obligation of the contractor's employees to maintain data confidentiality
- Ensure the secure destruction of data after termination of the contract
- Ensure contractors have appointed Data Protection Officers
- Continual review of contractors and their activities
- Effective control rights over data processors have been agreed

f. Availability control

Groups Are Us (PTY) Ltd has implemented, but not limited to, the following measures, to ensure that personal data are protected against accidental destruction or loss:

- Fire and smoke detection systems
- Protection power strips
- Alarm when unauthorised entry is detected
- Fire extinguishers
- Testing of data recovery
- Creation of a backup & recovery concept
- Secure off-site storage of data backups
- Preparation of an emergency response plan

5.11 Data Subject Rights

Individuals (Data Subjects) have certain rights in relation to their personal data processed by Groups Are Us (PTY) Ltd on behalf of clients. Those rights include;

- The right to be informed - Data Subjects have a legal right to confirm whether or not their personal data are being processed and to access those data along with certain additional information.
- The right of access – Data Subjects have a legal right to access a copy of the personal information held about them. This must be supplied in a commonly used format (e.g. PDF, Excel or Word document).
- The right to rectification – Data Subjects have the right to have any inaccurate personal data rectified and, taking into account the purposes of the processing, to have any incomplete personal data completed.
- The right to erasure – In some instances, Data Subjects have a right to request the erasure of their personal data without delay. These instances may include: processing is no longer necessary; consent has been withdrawn where the legal basis for processing is consent; the Data Subject objects to processing and there is a valid reason under Data Protection law; processing is for direct marketing purposes, and the data have been unlawfully processed. General exclusions from this clause may include where processing is necessary for a legal reason or for the exercise or defence of legal claims.
- The right to restrict processing – In some instances Data Subjects have a right to restrict the processing of their personal data. These instances include: the data are inaccurate; processing is unlawful but the subject opposes erasure; the subject has objected to certain forms of

processing but agrees to other forms, or the subject objects to processing but the organisation requires it for the exercise or defence of legal claims.

- The right to data portability – The right to data portability gives individuals the right to receive personal data they have provided in a structured, commonly used and machine-readable format. It also gives them the right to request that their data are transferred to another service provider.
- The right to object – Section 24 of the POPI Act gives individuals the right to object to the processing of their personal data. The right to object only applies in certain circumstances. Whether it applies depends on the purpose for processing and the lawful basis for processing. Individuals have an absolute right to object to data processing for direct marketing purposes.
- Rights in relation to automated decision making and profiling – Individuals have the right not to be subject to the results of automated decision making, including profiling, which produces legal effects on them or otherwise significantly affects them. This is defined as a process where there is no human involvement in the decision-making process.

Groups Are Us (PTY) Ltd intends to comply with the above rights of individuals and will not take part in automated decision-making and profiling activities.

Groups Are Us (PTY) Ltd will make all reasonable efforts to ensure that individuals who are the focus of the personal data (Data Subjects) are informed of the identity of the data controller, the purposes of the processing, any disclosures to third parties that are envisaged; given an indication of the period for which the data will be kept, and any other information which may be relevant.

Groups Are Us (PTY) Ltd will ensure that the reason for which it processed the data originally is the only reason for which it processes those data, unless the client or individual is informed of any additional processing before it takes place.

Groups Are Us (PTY) Ltd will not seek to process any personal data which are not strictly necessary for the purpose for which they were obtained. Forms for collecting data will always be drafted with this in mind. If any irrelevant data are given by individuals, they will be destroyed immediately.

Groups Are Us (PTY) Ltd will review and update all data on a regular basis. It is the responsibility of the clients or individuals giving their personal data to ensure that these are accurate, and each individual or client should notify Groups Are Us (PTY) Ltd if, for example, a change in circumstances means that the data need to be updated. It is the responsibility of Groups Are Us (PTY) Ltd to ensure that any notification regarding the change is noted and acted on.

Groups Are Us (PTY) Ltd undertakes not to retain personal data for longer than is necessary to ensure compliance with the legislation, and any other statutory requirements. This means Groups Are Us (PTY) Ltd will undertake a regular review of the information held and implement a weeding process.

Groups Are Us (PTY) Ltd will dispose of any personal data in a way that protects the rights and privacy of the individual concerned (e.g. secure electronic deletion, shredding and disposal of hard copy files as confidential waste). A log will be kept of the records destroyed.

Where consent is relied on as a lawful basis for processing at Groups Are Us (PTY) Ltd, clients or individuals have a right to withdraw consent at any time.

5.12 Data retention and deletion

Groups Are Us (PTY) Ltd will not retain or process Personal Data for longer than is necessary or for longer than any period agreed to by the client or Data Subject. As a general rule, data will be retained as long as a relationship exists between the client, and a maximum of 6 years.

Groups Are Us (PTY) Ltd agrees to return or destroy the clients or Data Subjects data on request. Following the deletion of Personal Data Groups Are Us (PTY) Ltd shall notify the client or Data Subject that the Personal Data in question have been deleted. Where applicable, Groups Are Us (PTY) Ltd shall also provide confirmation that the Personal Data have been destroyed in accordance with instructions issued by the client or Data Subject.

5.13 Location of processing

All data processed by Groups Are Us (PTY) Ltd will be processed within the South African boundaries.

5.14 Transfers outside South Africa

Groups Are Us (PTY) Ltd will not transfer personal data to territories outside South Africa without the explicit consent of the individual.

This also applies to publishing information on the Internet - because transfer of data can include placing data on a website that can be accessed from outside South Africa – Groups Are Us (PTY) Ltd will always seek the consent clients or individuals before placing any personal data (including photographs) on its website.

5.15 Record keeping

In addition to the above actions commits to keeping appropriate records for the purpose of demonstrating compliance with the POPI Act.

6.0 Subject Access Requests (Data Subject Access Requests/DSARs)

If individuals believe that AC is processing data about them, they may request a copy of their personal data. This will be provided in a commonly used format. Groups Are Us (PTY) Ltd reserves the right under Section 23 of the POPI Act to charge a reasonable fee to cover administration costs where Access Requests are manifestly unfounded or excessive. In this event, Groups Are Us (PTY) Ltd will delay the release of data until the fee is paid in full. Groups Are Us (PTY) Ltd will comply with Access Requests within 30 days of receipt.

Access requests should be directed in writing to:

Groups Are Us (PTY) Ltd
Suite 9A
Monpark building
76 Skilpad Road
Monument Park
Pretoria
0181
E- mail: compliance@groupsrus.co.za

7.0 Breach & notification

In the event of a breach involving personal data, Groups Are Us (PTY) Ltd) will notify the Information Regulator promptly and without undue delay. Where feasible, the Information Regulator will be notified no later than 72 hours after Groups Are Us (PTY) Ltd becomes aware of the breach. Where this timeframe cannot be met, AC will provide a reasoned justification for

the delay.

Notice is not required if the breach is unlikely to result in a risk to the rights and freedoms of individuals or clients.

If an individual or client believes that Groups Are Us (PTY) Ltd processing activities infringe data protection laws, the individual or client has a legal right to lodge a complaint with a relevant supervisory body. In South Africa the governing body is the Information Regulator.

For any complaints, please refer to step 1 and 2 below:

Step 1: Complaints Process

Groups Are Us
Suit 9A
76 Skilpad Road
Monument Park
Pretoria
0181

Mail: info@Groupsrus.co.za

Step 2: If complaint is not resolved

Information regulator or P.O Box 31533
JD House Braamfontein
27 Stiemens Street Johannesburg
Braamfontein 2017
Johannesburg
2001

Mail: complaints.IR@justice.gov.za

**For our privacy policy please refer or visit: www.groupsrus.co.za*

8.0 Document review

This policy will be reviewed at least annually.

9.0 Document Version

Doc version and change tracking:

- Must be completed by last author/reviewer of document.

Seq No:	Date of review	Version Reviewed	New Version	Short note of critical changes	Author/Reviewer Name
1	2021	Non existent	V 1.0	Base Policy to Ensure operational ability.	Andre van Tonder
2	2022	V 1.0	V 2.0	Optimisation of Version 1.0	Andre van Tonder
3	2023	V 2.0	V 3.0	Optimisation of Version 2.0 (Added version and Index Standards)	Andre van Tonder
4	2024	V 3.0	V 4.0	Optimisation of Version 3.0	Department Head/name
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