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PRIVACY AND COOKIES POLICY

Introduction

The operations of Impilo Child Protection & Adoption Services are governed by the provisions of the Children's Act, No 38 of 2005 as amended, and information is therefore protected in terms of this Act.

- Where we refer to “process”, it means how we collect, use, store, make available, destroy, update, disclose, or otherwise deal with personal information. As a general rule, we will only use your personal information if it is required to deliver or offer a service or carry out a transaction.
- We may combine this personal information and use the combined personal information for any of the purposes stated in this Privacy Policy.
- In this document, any reference to “we” or “us” or “our” includes our organisation and any of its affiliates.
- If you use our services and service channels, you agree that we may process this personal information as explained under this Privacy Policy. Sometimes you may provide us with consent to process this personal information.
- **Error! Reference source not found.** is an organisation that operates globally, and as such, this Privacy Policy will apply to the processing of personal information globally. If **Error! Reference source not found.** processes personal information for another party under a contract or a mandate, the other party's privacy policy will apply to the processing of such information.
- **Error! Reference source not found.** can change this Privacy Policy from time to time if the law or our operational practices require such change.
- The version of our Privacy Policy displayed on our website will apply to your interactions with us.

What is personal information?

Personal information refers to any information that identifies you or specifically relates to you. Personal information includes, but is not limited to, the following information:

- Marital status
- National origin
- Age
- Language;
- Birth place
- Education
- Relevant financial history
- Identifying number (an identity number or passport number)
- Email address; physical address (residential address, work address or your physical location); telephone number
- Race; gender; sex; pregnancy status; ethnic origin; social origin; colour; sexual orientation
- Physical health; mental health; wellbeing; disability; religion; belief; conscience; culture
- Medical history (including your HIV/AIDS status); criminal history; employment history
- Personal views, preferences and opinions
- Your confidential correspondence; and / or
- Another's views or opinions about you

When will we process your personal information?

We will only process this personal information for lawful purposes relating to our services if the following applies:

- If you have consented thereto
- If a person legally authorised by you, the law or a court, has consented thereto
- If it is necessary to conclude or perform under a contract we have with you
- If the law requires or permits it
- If it is required to protect or pursue your, our or a third party's legitimate interest

What is special personal information?

Special personal information is personal information about the following:

- Race (where a company submits reports to the Department of Labour where the statistical information must be recorded)
- Ethnic origin
- Trade union membership
- Health
- Criminal behaviour and alleged commission of an offense

When will we process your special personal information?

We may process your special personal information in the following circumstances:

- If you have consented to the processing
- If the information is being used for any Human Resource or payroll-related requirement
- If the processing is needed to create, use or protect a right or obligation in law
- If the processing is for statistical or research purposes and all legal conditions are met
- If the special personal information was made public by you
- If the processing is required by law

When and from where we obtain personal information about you

- We collect personal information from you directly.
- We may collect personal information from a public record or if you have deliberately made the information public.
- We collect personal information from 3rd parties that are directly integrated with our software platform
- We collect information about you based on your use of our services or service channels
- We collect information about you based on how you engage or interact with us such as via emails, letters, telephone calls and surveys

If the law requires us to do so, we will ask for your consent before collecting personal information.

The third parties from whom we may collect your personal information include, but are not limited to, the following:

- Partners of our organisation for any of the purposes identified in this Privacy Policy;
- Your spouse, dependents, partners, employer, and other similar sources;
- People you have authorised to share your personal information;
- Attorneys, tracing agents, debt collectors and other persons that assist with the enforcement of agreements;
- Payment processing services providers, merchants, banks and other persons that assist with the processing of your payment instructions, such as EFT transaction partners.
- Law enforcement and fraud-prevention agencies and other persons tasked with the prevention and prosecution of crime;
- Regulatory authorities, industry ombudsman, governmental departments, local and international tax authorities;
- Trustees, executors or curators appointed by a court of law;
- Our service providers, agents and sub-contractors, such as couriers and other persons we use to offer and provide products and services to you;
- Courts of law or tribunals.

Reasons for processing your personal information

We will process your personal information for the following reasons:

- to provide you with services;
- to market our services to you;
- to respond to your enquiries and complaints;
- to comply with legislative, regulatory, risk and compliance requirements (including directives, sanctions and rules), voluntary and involuntary codes of conduct and industry agreements or to fulfil reporting requirements and information requests;
- to conduct market and behavioural research, including scoring and analysis to determine if you qualify for services;
- for historical, statistical and research purposes;
- to process payment instruments;
- to enable us to deliver documents or notices to you;

- for security, identity verification and to check the accuracy of your personal information;
- to communicate with you and carry out your instructions and requests; and
- for any other related purposes.

How we use your personal information for marketing purposes

- We will use your personal information to market our services to you
- We will do this in person, by post, telephone, or electronic channels such as SMS and email
- If you are not our client, or in any other instances where the law requires, we will only market to you by electronic communications with your consent
- In all cases, you can request us to stop sending marketing communications to you at any time

When, how and with whom we share your personal information

In general, we will only share **your** personal information if any one or more of the following apply:

- If you have consented to this
- If it is necessary to conclude or perform under a contract we have with you
- If the law requires it; and / or
- If it's necessary to protect or pursue your, our or a third party's legitimate interests

Under what circumstances will we transfer your information to other countries?

We will only transfer your personal information to third parties in another country in any one or more of the following circumstances:

- Where your personal information will be adequately protected under the other country's laws or an agreement with the third party recipient
- Where the transfer is necessary to enter into or perform under a contract with you, or a contract with a third party that is in your interest
- Where you have consented to the transfer; and / or
- Where it is not reasonably practical to obtain your consent, the transfer is in your interest

This transfer will happen within the requirements and safeguards of the law. Where possible, the party processing your personal information in the other country will agree to apply the same level of protection as available by law in your country, or if the other country's laws provide better protection, the other country's laws would be agreed to and applied.

Your duties and rights about the personal information we have about you

- You must provide proof of identity when enforcing the rights below.
- You must inform us when your personal information changes.
- Please refer to our Promotion of Access to Information Act 2 of 2000 Manual ([PAIA Manual](#)) for further information on how you can give effect to the rights listed below.
- You have the right to request access to the personal information we have about you by contacting us. This includes requesting:
 - Confirmation that we hold **your** personal information
 - A copy or description of the record containing **your** personal information; and
 - The identity or categories of third parties who have had access to **your** personal information

We will attend to requests for access to personal information within a reasonable time. You may be required to pay a reasonable fee to receive copies or descriptions of records, or information about third parties. We will inform you of the fee before attending to your request.

Please note that the law may limit your right to access information.

You have the right to request us to correct or delete the personal information we have about you if it is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, obtained unlawfully or we are no longer authorised to keep it. You must inform us of your request in writing. Please refer to our PAIA Manual for further information in this regard, such as the process you should follow to give effect to this right. We may request documents from you to verify the change in personal information.

A specific agreement that you have entered into with us may determine how you must change your personal information provided at the time when you entered into the specific agreement. Please adhere to these requirements. If the law requires us to keep the personal information, it will not be deleted upon your request.

You may object on reasonable grounds to the processing of your personal information. We will not be able to give effect to your objection if the processing of your personal information was and is permitted by law; you have provided consent to the processing and our processing done according to your consent or the processing is necessary to conclude or perform under a contract with you.

You must inform us of any objection in writing. Please refer to our PAIA Manual for further information in this regard, such as the process you should follow to give effect to this right.

Where you have provided your consent for the processing of your personal information, you may withdraw your consent. If you withdraw your consent, we will explain the consequences to you. We may proceed to process your personal information even if you have withdrawn your consent if the law permits or requires it.

You have a right to file a complaint with us or any Regulator with jurisdiction about an alleged contravention of the protection of your personal information by us. We will address your complaint as far as possible.

How we secure your personal information

We will take appropriate and reasonable technical and organisational steps to protect your personal information according to industry best practices. Our security measures (including physical, technological and procedural safeguards) will be appropriate and reasonable. This includes the following:

- Keeping our systems secure (monitoring access and usage)
- Storing our records securely
- Controlling the access to our buildings, systems and/or records; and
- Safely destroying or deleting records
- Ensure compliance with international security standards

How long do we keep your personal information?

We will keep your personal information for as long as:

- The law requires us to keep it
- A contract between you and us requires us to keep it
- You have consented to us keeping it
- We are required to keep it to achieve the purposes listed in this Privacy Policy
- We require it for statistical or research purposes
- A code of conduct requires us to keep it; and / or
- We require it for our lawful operational purposes

Children's privacy

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Our cookie policy

A cookie is a small piece of data sent from our websites or applications to your computer or device hard drive or internet browser where it is saved. The cookie contains information to personalise your experience on our websites or applications and may improve your experience on the websites or applications. The cookie will also identify your device, such as the computer or smart phone.

By using our websites or applications, you agree that cookies may be forwarded from the relevant website or application to your computer or device. The cookie will enable us to know that you have visited the website or application before and will identify you. We may also use the cookie to prevent fraud and for analytics.