



**South African  
Weather Service**



## **Protection of Personal Information** South African Weather Service Policy

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## Protection of Personal Information (POPIA)



**South African  
Weather Service**

### Policy Version and Amendment Schedule:

Version	Version Date	Author	Description of Amendments
			Document Created
			Document review and amendments

### Policy Compliance Schedule:

Compliance Type Checked	Compliance Approved by:	Responsibility	Signature	Date of Compliance Approval
Documentation Compliance	Mandlesilo Mavimbela	SHEQ Manager		11/01/2021
Legal Compliance	Merriam Chueu	Senior Manager: Compliance		11/01/2021

### Policy Control Schedule:

Approved By	Designation	Responsibility	Signature	Date	Copy Status
Ms Merriam Chueu	Relevant General Manager	Policy Owner		11/01/2021	Master
Mr Mnikeli Ndabambi	Acting Chief Executive Officer	Recommendation to Board		18/01/2021	
Ms Thandi Zinde	Company Secretary	Verification of Board Approval		22/01/2021	Governance

### Policy Approval:

Approved by	Designation	Responsibility	Signature	Date of Approval
Ms. Nana Magomola	Board Chairperson	Approving Authority		28/01/2021

UNCONTROLLED COPY WHEN PRINTED OUTSIDE THE ELECTRONIC QUALITY MANAGEMENT SYSTEM:



<p><b>1. Purpose</b></p>		<p>1.1 This Policy sets out how the SAWS deals with Personal Information.</p> <p>1.2 This Policy forms part of the SAWS' commitment to the safeguarding of Personal Information processed by it and its staff and service providers.</p> <p>1.3 The objective and purpose of this Policy is to:</p> <p>1.3.1 set out the SAWS' policy on the processing of Personal Information;</p> <p>1.3.2 ensure that all SAWS board members, executives, employees, and where applicable SAWS service providers, operators and clients process Personal Information in accordance with POPIA and the POPIA conditions for the lawful processing of personal information;</p> <p>1.3.3 provide a guideline to SAWS board, executives, employees, and where applicable SAWS service providers, operators and clients, on how the SAWS will process Personal Information.</p> <p>1.4 This Policy will be made available on the SAWS website and on request from the SAWS Information Officer.</p>
<p><b>2. Scope</b></p>		<p>2.1 <b>This Policy applies to all Personal Information processed by or on behalf of the SAWS and to the following persons:</b></p> <p>2.1.1 all employees of the SAWS;</p> <p>2.1.2 all service providers, operators, contractors and agents acting for or on behalf of the SAWS, provided they have been made aware of this Policy.</p>



<p>3.</p>	<p><b>Definitions/ Abbreviations</b></p>	<p><b>biometrics</b>" means a technique of personal identification that is based on physical, physiological or behavioural characterisation including blood typing, fingerprinting, DNA analysis, retinal scanning and voice recognition;</p> <p><b>"child"</b> means a natural person under the age of 18 years who is not legally competent, without the assistance of a competent person, to take any action or decision in respect of any matter concerning him-or herself;</p> <p><b>"competent person"</b> means any person who is legally competent to consent to any action or decision being taken in respect of any matter concerning a child;</p> <p><b>"consent"</b> means any voluntary, specific and informed expression of will in terms of which permission is given for the processing of Personal Information;</p> <p><b>"data subject"</b> means the person to whom Personal Information relates;</p> <p><b>"employees"</b> means means and will include all members of staff including permanent, fixed term, and temporary staff, directors and executives, secondees, any third-party representatives, agency workers, volunteers, interns, agents and sponsors engaged with The Company in South Africa, or overseas;</p> <p><b>"operator"</b> means a person who processes Personal Information for a responsible party in terms of a contract or mandate, without coming under the direct authority of that party;</p> <p><b>"person"</b> means a natural person or a juristic person;</p> <p><b>"Personal Information"</b> means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—</p> <ul style="list-style-type: none"> <li>a) <b>information</b> 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;</li> <li>b) <b>information</b> relating to the education or the medical, financial,</li> </ul>
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		<p>criminal or employment history of the person;</p> <p>c) <b>any identifying number</b>, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;</p> <p>d) the biometric information of the person;</p> <p>e) the personal opinions, views or preferences of the person;</p> <p>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;</p> <p>g) the views or opinions of another individual about the person; and</p> <p>h) 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;</p> <p><b>Examples of Personal Information includes:</b></p> <p>i) A person’s name and address (postal and email)</p> <p>ii) Date of birth</p> <p>iii) Statement of fact</p> <p>iv) Any expression or opinion communicated about an individual</p> <p>v) Minutes of meetings, reports</p> <p>vi) Emails, file notes, handwritten notes, sticky notes</p> <p>vii) Photographs and CCTV footage if an individual can be identified by the footage</p> <p>viii) Employment and student applications</p> <p>ix) Spreadsheets and/or databases with any list of people set up by code or student/staff</p> <p>x) Employment number</p> <p>xi) Employment or education history</p>
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		<p><b>Examples of special Personal Information Includes:</b></p> <ul style="list-style-type: none"> <li>i) Any information relating to an individual's:</li> <li>ii) Ethnicity</li> <li>iii) Gender</li> <li>iv) Religious or other beliefs</li> <li>v) Political opinions</li> <li>vi) Membership of a trade union</li> <li>vii) Sexual orientation</li> <li>viii) Medical history</li> <li>ix) Offences committed or alleged to have been committed by that individual</li> <li>x) Biometric details</li> <li>xi) Children's details</li> </ul> <p><b>"processing"</b> means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including—</p> <ul style="list-style-type: none"> <li>a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;</li> <li>b) dissemination by means of transmission, distribution or making available in any other form; or</li> <li>c) merging, linking, as well as restriction, degradation, erasure or destruction of information;</li> </ul> <p><b>"public record"</b> means a record that is accessible in the public domain and which is in the possession of or under the control of a public body, whether or not it was created by that public body;</p>
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		<p><b>"record"</b> means any recorded information—</p> <ul style="list-style-type: none"> <li>a) regardless of form or medium, including any of the following: <ul style="list-style-type: none"> <li>(i) Writing on any material;</li> <li>(ii) <b>information produced</b>, recorded or stored by means of any tape-recorder, computer equipment, whether hardware or software or both, or other device, and any material subsequently derived from information so produced, recorded or stored;</li> <li>(iii) label, marking or other writing that identifies or describes any thing of which it forms part, or to which it is attached by any means;</li> <li>(iv) book, map, plan, graph or drawing;</li> <li>(v) photograph, film, negative, tape or other device in which one or more visual images are embodied so as to be capable, with or without the aid of some other equipment, of being reproduced;</li> </ul> </li> <li>b) in the possession or under the control of a responsible party;</li> <li>c) whether or not it was created by a responsible party; and</li> <li>d) regardless of when it came into existence;</li> </ul> <p><b>"responsible party"</b> means a public or private body or any other person who, alone or in conjunction with others, determines the purpose of and means for processing personal information;</p>
<p>4</p>	<p><b>Policy Guidelines/ Provisions.</b></p>	<p><b>4.1 PERSONAL INFORMATION COLLECTED</b></p> <p>4.1.1 The SAWS collects and processes Personal Information from a number of persons in order to carry out and pursue its business and related operational interests.</p> <p>4.1.2 The type of Personal Information, which the SAWS processes, will depend on the need for which it is collected and will be processed for that purpose only.</p> <p>4.1.3 Examples of Personal Information which the SAWS will from time to time collect includes but is not limited to:</p>



- i) the person's identity number, name, surname, address, postal code, marital status, and how many dependents they have;
- ii) the person's description of residence, business, assets; financial information, banking details;
- iii) the person's description of health, biometric details, expertise, qualification and skills;
- iv) any other information required by the SAWS or its service providers, and suppliers in order to provide an accurate analysis of that person's needs;
- v) Information on a person's requirements, needs and specifications which is or may be used for marketing purposes to ensure that the SAWS products, services and offerings remain relevant and applicable;
- vi) further processing, provided it is in line with the provisions of POPIA.

4.1.4 Any person, be it an employee or a person acting on behalf of the SAWS will provide each person from whom Personal Information is collected for the purpose of processing, a standard SAWS section 18 informed consent document, a copy of which is annexed hereto.

#### **4.2 HOW PERSONAL INFORMATION IS USED**

4.2.1 The SAWS will only use a person's Personal Information for the purpose for which it was collected and agreed. This may include:

- a) recruitment and employment purposes;
- b) conducting criminal reference checks;
- c) for risk assessments, insurance and underwriting purposes;





- d) assessing and processing queries, enquiries, complaints, and / or claims;
- e) conducting credit reference searches or verification;
- f) confirming, verifying and updating persons details;
- g) for purposes of personnel and other claims history;
- h) for the detection and prevention of fraud, crime, money laundering or other malpractice;
- i) conducting market or customer satisfaction surveys;
- j) Research;
- k) direct marketing purposes;
- l) audit and record keeping purposes;
- m) in connection with legal proceedings;
- n) Employee wellness support;
- o) providing services to clients to carry out the services requested and to maintain and constantly improve the relationship;
- p) providing communications in respect of the SAWS, its employees or other persons to governmental officials and regulatory agencies; and
- q) in connection with and to comply with legal and regulatory requirements or when it is otherwise required or allowed by law.

**4.3 INFORMED CONSENT**

4.3.1 In accordance with POPIA, the SAWS, its employees and or Operators, will use its best endeavours, (save where it is unable



		<p>to and this is due to it protecting the legitimate interests of the person whose Personal Information it is processing or the legitimate interests of the SAWS itself), only process Personal Information if the below mentioned conditions are met, which conditions are set out in the SAWS standard section 18 informed consent document, annexed hereto:</p> <p>4.3.1.1 the person is told why the processing is necessary, what information is required and what will be done with it;</p> <p>4.3.1.2 the person consents to the processing, which consent will be obtained at the time when that person’s Personal Information is processed;</p> <p>4.3.1.3 the processing is necessary i.e. in order to conduct an accurate analysis of that person’s needs for purposes of amongst other employment reasons, credit limits, insurance requirements;</p> <p>4.3.1.4 the processing is required as a result of or in order to comply with an obligation imposed by law on the SAWS;</p> <p>4.3.1.5 the processing protects a legitimate interest of the person and it is in the person’s best interest to have a full and proper needs analysis performed in order to provide them with an applicable and beneficial product or service;</p> <p>4.3.1.6 processing is necessary for pursuing the legitimate interests of the SAWS or of a third party to whom the Personal Information is supplied.</p> <p><b>4.4 DISCLOSURE AND SHARING OF PERSONAL INFORMATION</b></p> <p>The SAWS may from time to time have to disclose certain Personal Information, which it has obtained from persons to other parties, including its approved product or third party service providers, regulators and or governmental officials,</p>
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overseas service providers and related companies or agents, but such disclosure will always be subject to an agreement which will be concluded as between the SAWS and the party to who it is disclosing, which contractually obliges the recipient of the Personal Information to comply with strict confidentiality and data security conditions.

**4.5 SAFEGUARDING PERSONAL INFORMATION**

4.5.1 All SAWS employees and where applicable, Operators and persons acting on behalf of the SAWS must, before processing Personal Information, ensure that the data will be kept secure and that appropriate measures and safeguards are in place to prevent any unauthorised access, disclosure and / or loss of such Personal Information.

4.5.2 Removing and Downloading Personal Information on to portable devices from workplace equipment or taking soft copies of Personal Information off-site must be authorised in writing by the manager of the relevant department from where the information emanates and a copy of such authorisation sent to the Information Officer, and which removal will be subject to the following provisions:

4.5.2.1 the person removing the Personal Information must explain and justify the operational need for the removal in relation to the volume and sensitivity of the Personal Information and ensure that the details of the Personal Information being removed is documented and recorded under a "removal register";

4.5.2.2 the Personal Information to be removed must be strongly encrypted;

4.5.2.3 the person removing and using said data should only store the data necessary for their immediate needs and should remove the data as soon as possible once dealt with and such removal should be confirmed by way of a recordal in the removal register;



		<p>4.5.2.5 to avoid loss of encrypted data, or in case of failure of the encryption software, an unencrypted copy of the data must be held in a secure environment;</p> <p>4.5.2.6 Where it is necessary to store Personal Information on portable devices such as laptops, USB flash drives, portable hard drives, CDs, DVDs, or any computer not owned by the SAWS, all SAWS employees and where applicable, Operators and persons acting on behalf of the SAWS without exception must before storing said Personal Information ensure that the data is encrypted and is kept secure and that appropriate measures and safeguards are in place to prevent unauthorised access, disclosure and loss of such Personal Information and points 4.5.2.1- 4.5.2.5 will apply to said data.</p> <p>4.5.3 Where soft copies of Personal Information are removed from SAWS premises, all SAWS employees and where applicable, Operators and persons acting on behalf of the SAWS without exception must before removing said Personal Information ensure that only that data necessary for the purpose it is being removed is taken, is documented in a removal register and is thereafter whilst away from the SAWS premises, kept safe and secure and that appropriate measures and safeguards are in place to prevent unauthorised access, disclosure and loss of such Personal Information .</p> <p>4.5.4 Soft copies of Personal Information and portable electronic devices housing Personal Information should be stored in locked units, and they should not be left on desks overnight or in view of third parties.</p> <p>4.5.5 Personal Information which is no longer required should be securely archived and retained, with consideration for the format and retention period requirements relating to the data and destroyed when no longer required, all to be done in line with the SAWS Records Management and Archive Policy and procedures.</p> <p>4.5.6 Personal Information must not be disclosed unlawfully to any third party.</p>
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- 4.5.7 Transfers of Personal Information to third parties as per the provisions of clause 4.4, must be authorised in writing by the manager of the relevant department from where the information emanates and a copy of such authorisation sent to the Information Officer. Furthermore, such transfer must be protected by adequate contractual provisions or data processor agreements, as set out under clause 4.4 above.
- 4.5.8 All losses of Personal Information must be reported to the relevant manager of the department from where the information emanates, the departmental Data Protection Coordinator and the Information Officer.
- 4.5.9 Negligent loss or unauthorised disclosure of Personal Information, or failure to report such events, may be treated as a disciplinary matter.
- 4.5.10 The SAWS, through its Information Security Officer and ITC department, will continuously review its security controls and processes to ensure that all Personal Information is secure.
- 4.6 ACCESS AND CORRECTION OF PERSONAL INFORMATION**
- 4.6.1 Any person has the right to access their Personal Information which the SAWS holds about them, provided that they follow the right to access procedure set out under the SAWS' PAIA Manual which can be obtained from the SAWS website and/or intranet.
- 4.6.2 Any person will have the right to ask the SAWS to update, correct or delete their Personal Information on reasonable grounds by completing the relevant form which is an appendice to this policy.
- 4.6.3 Any person has the right to object to the SAWS processing their Personal Information which the SAWS currently holds about them, by filing a notice of objection, which objection must be brought to the attention of the Information Officer.



	<p>4.6.4 Once a Person objects to the processing of their Personal Information, the SAWS may no longer process said Personal Information.</p> <p>4.6.5 The details of the SAWS Information Officer are set out further below.</p> <p><b>4.7 RECORDS MANAGEMENT</b></p> <p>4.7.1 Records in all formats containing Personal Information must be created, safely and securely stored and disposed of in accordance with the SAWS' Records management and archiving Policy and any associated procedures and codes of practice in place from time to time.</p> <p>4.7.2 All records of Personal Information must be authentic, reliable and usable and capable of speedy and efficient retrieval.</p> <p>4.7.3 All records of Personal Information must not be retained for periods longer than the periods permitted in the SAWS' Records management and Archiving Policy unless there is a specific reason therefor and such retention is required for operational reasons.</p> <p><b>4.8 ROLES AND RESPONSIBILITIES</b></p> <p>4.8.1 <b>Information Officer</b></p> <p>The SAWS Information Officer has primary responsibility for the SAWS' compliance with POPIA. This comprises:</p> <p>4.8.1.1 advise employees and ensuring that the SAWS has a POPIA compliance program in place and that all employees and operators, service providers, contractors and agents acting for or on behalf of the SAWS are aware of this Policy and their obligations in relation to the POPIA compliance program;</p>
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		<p>4.8.1.2 maintaining the SAWS' notification with the Regulator;</p> <p>4.8.1.3 handling data subject access requests and requests from third parties for Personal Information;</p> <p>4.8.1.4 promoting and maintaining awareness of POPIA and regulations, including training; and</p> <p>4.8.1.5 investigating losses and unauthorised disclosures of personal Information.</p> <p><b>4.8.2 Line Managers</b></p> <p>The Line Managers are responsible for ensuring that employees in their department/division, and where applicable all operators, service providers, contractors and agents acting for or on behalf of the SAWS understand the role of the Information Protection conditions in their day-to-day work, through induction, training and performance monitoring, and for monitoring compliance within their own areas of responsibility.</p> <p><b>4.8.3 Data Protection Coordinators</b></p> <p>The SAWS shall ensure that Data Protection Coordinators are designated for their departments or divisions, and provided with appropriate training and support. Coordinators are required to:</p> <p>4.8.3.1 advise employees and where applicable Operators, service providers, contractors and agents acting for or on behalf of the SAWS in their departments, on the implementation of and compliance with POPIA and this Policy and any associated guidance / codes of practice;</p> <p>4.8.3.2 ensure appropriate technical and organisational measures are taken within their departments/divisions to ensure against unauthorised or unlawful processing of Personal Information and against accidental loss or destruction of, or damage to, Personal Information;</p>
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- 4.8.3.3 support the SAWS' notification with the Regulator by maintaining the register of holdings of Personal Information, including databases and relevant filing systems, and the purposes of processing;
- 4.8.3.4 keep the Information Officer informed of changes in the collection, use, and security of Personal Information within their department/divisions;
- 4.8.3.5 report any loss of Personal Information to the relevant Executive and the Information Officer; and
- 4.8.3.6 ensure the proper completion of all section 18 informed consent documents.

**4.8.4 Employees**

All the SAWS employees are responsible for:

- 4.8.4.1 processing Personal Information in accordance with POPIA, the POPIA conditions for processing, and any guidelines and instructions issued by the SAWS from time to time;
- 4.8.4.2 ensuring that they only process Personal Information, which is relevant and accurate and only for the purpose for which it is required;
- 4.8.4.3 ensuring that all special Personal Information will only be processed in line with the provisions set out under POPIA and in accordance with instructions set out by the Information Officer from time to time;
- 4.8.4.4 ensuring that all Personal Information and all records housing such Personal Information are safely retained, stored and archived and/ or destroyed when no longer required in accordance with the SAWS Records management and archiving Policy and procedures;





		<p>4.8.4.5 complying with all security and monitoring measures in order to safeguard and protect any Personal Information which he or she may be in possession of;</p> <p>4.8.4.6 ensuring that any transfer of Personal Information to third parties is authorised, lawful and that appropriate and safe transport mechanisms are employed in respect of the Personal Information so transferred, such as encryption;</p> <p>4.8.4.7 ensuring that only authorised downloading of electronic Personal Information onto portable devices or the removal of manual Personal Information from SAWS premises occurs;</p> <p>4.8.4.8 raising any concerns in respect of the processing of Personal Information with the Information Officer;</p> <p>4.8.4.9 promptly passing on to the Information Officer all data subject access requests and requests from third parties for Personal Information;</p> <p>4.8.4.10 reporting losses or unauthorised disclosures of Personal Information to the Information Officer;</p> <p>4.8.4.11 ensure the Personal Information they provide about themselves is up to date; and</p> <p>4.8.4.12 not attempt to gain access to information that is not necessary to hold, know or process.</p> <p><b>4.8.5 Operators and service providers</b></p> <p>4.8.5.1 All operators, service providers, contractors and agents acting for or on behalf of the Company have a responsibility to act only on the Company's instructions and to ensure that their processing of Personal Information provided to them by the Company is carried out strictly in compliance with this Policy, any operator agreement, and in accordance with POPIA</p>
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		<p>and the eight data protection conditions housed under POPIA.</p> <p>4.8.5.2 Where any employee asks any operators, service providers, contractors and / or agents to process Personal Information on behalf of the Company, such Employee must ensure that a written operator agreement is concluded with the aforementioned data processor which adequately addresses these responsibilities.</p> <p><b>4.9 GENERAL PRINCIPLES</b></p> <p>Any transgression of this Policy, will be investigated and may lead to disciplinary action being taken against the offender.</p> <p><b>4.10 VERSION AND AMENDMENTS</b></p> <p>This Policy is effective as of the date of approval by the Board.</p>
	<p><b>Document Review</b></p>	<p>This policy document will be reviewed once every 3 years or as and when the need arises, including due to changes in legislation governing protection of personal information.</p>
<p><b>5</b></p>	<p><b>References</b></p>	<ul style="list-style-type: none"> <li>i) Protection of Personal Information Act</li> <li>ii) Promotion of Access to Information Manual</li> <li>iii) Information Security Policy</li> <li>iv) Code of conduct</li> <li>v) Disciplinary Code</li> </ul>



6	Information Officer Details	<b>6.1 Information Officer</b>			
		<b>Information Officer(s)</b>	<b>Designation</b>	<b>Responsibility</b>	<b>Contact Details</b>
		Mr. Mnikeli Ndabambi	Chief Executive Officer	The Information Officer	<b>Email Address:</b> <a href="mailto:CEO_SAWS@weathersa.co.za">CEO_SAWS@weathersa.co.za</a> <b>TELEPHONE:</b> (012) 367 6000
Ms. Kenosi Setlhako	Executive: CRS	Deputy Information Officer	<b>Email Address:</b> <a href="mailto:CRS@weathersa.co.za">CRS@weathersa.co.za</a> <b>TELEPHONE:</b> (012) 367 6000		
7	Appendices	A) Section 18 Informed Consent Document B) Personal Information Request Form C) Notice of Objection D) POPI Complaint Form E) Employee Consent and Confidentiality Clause			

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