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PRIVACY POLICY	Version	3
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PRIVACY POLICY

Signatories			
The signatories hereof, confirm their acceptance of the contents and recommend the adoption thereof.			
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TERMS AND DEFINITIONS

TERMS	DEFINITIONS
Consent	Any voluntary, specific, and informed expression of will in terms of which permission is given for the processing of a person's personal information.
Data subject	Any natural or juristic person to whom personal information relates.
PAIA	Promotion of Access to information Act, 2 of 2000.
Personal Information	Information relating to an identifiable natural person who is alive, and includes, but not limited to information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, age, physical or mental health, well-being, disability, religion, belief, culture, language and birth of the person, education, medical, financial, criminal or employment history of the person. When it applies to a juristic person, such a juristic person must be identifiable.
POPIA	Protection of Personal Information Act 4 of 2013.
Privacy	The constitutional and statutory right to protection against unlawful collection, processing, disclosure, or interference with personal information.
Responsible Party	The party that determines the purpose of any means of processing personal information, either or jointly with others.
Stakeholder	A person, group, or organization that has an interest or concern in an organization, e.g., learner, intern, bursar, employee, Accounting Authority members, employer, etc.



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POLICY STATEMENT

- Services SETA is committed to protecting the privacy and confidentiality of the personal information processed during its operations and mandate.
- We recognise the importance of safeguarding personal information and ensuring compliance with applicable privacy and data protection laws, including the Protection of Personal Information Act (POPIA) 4 of 2013.
- Services SETA undertakes to process personal information lawfully, reasonably, and in a manner that does not infringe the privacy rights of data subjects, in accordance with the eight conditions for lawful processing prescribed under POPIA.
- This policy establishes the governance framework for accountability, lawful processing, information security, data subject participation, and regulatory compliance.

BACKGROUND

- The right to privacy is a fundamental human right enshrined in Section 14 of the Constitution of the Republic of South Africa, 1996, which guarantees the protection of personal information against the unlawful collection, retention, dissemination, and use of personal information.
- To give effect to this constitutional right, POPIA was enacted to regulate how personal information is collected, processed, stored, and shared by both public and private bodies.
- Services SETA recognises the fact that it has a legal and ethical obligation to protect the privacy of all individuals whose personal information it processes, including employees, clients, learners, suppliers, service providers, Accounting Authority members, and other stakeholders.
- The organisation is committed to complying with the conditions for lawful processing set out in POPIA, which promote the lawful, fair, and transparent processing of personal data.

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PURPOSE

The purpose of this policy is to establish a structured framework governing the lawful collection, processing, storage, retention, sharing, and disposal of personal information by Services SETA.

The policy sets out:

- The lawful bases for processing personal information;
- The rights of data subjects;
- The responsibilities of the Responsible Party and its operators;
- The security safeguards applied to protect personal information; and
- The mechanisms for compliance with POPIA and related legislation.

APPLICABILITY AND SCOPE

- This policy applies to all Services SETA employees, management, members of the Accounting Authority, its committees and chambers, and all other stakeholders, including service providers, contractors, and other third parties who process personal information on behalf of, or in conjunction with Services SETA.
- All operators (as defined in POPIA) who process personal information on behalf of Services SETA are contractually required to implement appropriate security safeguards in accordance with section 21 of POPIA.
- This policy applies to all personal information processed by Services SETA, whether in physical or electronic form, and irrespective of the location where such processing occurs.
- Where personal information is transferred outside the Republic of South Africa, such transfer shall comply with section 72 of POPIA.

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OBJECTIVES OF THE PRIVACY POLICY

The main objectives of this Privacy Policy are to:

Ensure Legal Compliance: To ensure that Services SETA complies with the Protection of Personal Information Act (POPIA), Act No. 4 of 2013, and other relevant South African legislation governing the protection and lawful processing of personal information.

Protect Personal Information: To safeguard all personal information collected, stored, and processed by the organisation from loss, misuse, unauthorised access, alteration, or destruction.

Promote Transparency and Accountability: To promote lawful, reasonable, and transparent processing of personal information in accordance with the conditions prescribed under POPIA.

Define Roles and Responsibilities: To establish clear responsibilities for all employees and stakeholders in ensuring compliance with data protection principles and procedures.

Support Ethical Information Practices: To uphold the values of integrity, confidentiality, and respect for individual privacy in all organisational activities and interactions

Facilitate Data Subject Rights: To exercise their rights under POPIA, including the right to access, correct, object to processing, request deletion, and lodge complaints with the information regulator.

Maintain Stakeholder Confidence: To build and maintain the confidence of employees, clients, service providers, and the public by demonstrating a commitment to protecting personal and sensitive information

LAWFUL PROCESSING OF PERSONAL INFORMATION

The Services SETA processes personal information in accordance with the lawful bases set out in section 11 of POPIA.

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Personal information may be processed:

- With the consent of the data subject;
- Where processing is necessary for the performance of a contract;
- Where processing complies with a legal obligation;
- Where processing protects a legitimate interest of the data subject;
- Where processing is necessary for the proper performance of a public law duty; or
- Where processing is necessary for pursuing the legitimate interests of Services SETA or a third party.

Personal information shall be collected for a specific, explicitly defined, and lawful purpose, and further processing shall be compatible with that purpose in accordance with section 15 of POPIA.

The Services SETA processes personal information lawfully, reasonably, and in a manner that does not infringe the privacy rights of data subjects.

PERSONAL INFORMATION COLLECTED BY THE SERVICES SETA

The Services SETA collects personal information that includes:

- Full Names, identity numbers, and gender
- Medical information in some instances
- Academic information
- Contact details
- Financial information and banking details

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DATA SUBJECT RIGHTS

Data subjects have the right to:

- Access their personal information;
- Request correction or deletion;
- Object to processing;
- Withdraw consent where processing is based on consent;
- Lodge a complaint with the Information Regulator.

Requests must be submitted to the information officer in accordance with the PAIA Manual.

CORRECTION OF PERSONAL INFORMATION

- Data subjects have the right to request that the Services SETA update, correct, or delete their personal information. To do this, a certified copy of the subject's identity document should be attached to the request.
- Data subjects are encouraged to update their personal information as and when it changes to ensure accuracy.

SECURITY SAFEGUARDS

The Services SETA shall take all reasonable steps to ensure that adequate safeguards are in place to ensure that Personal Information is being processed responsibly and not unlawfully accessed

The Services SETA will:

- Take appropriate and reasonable technical and organisational measures to prevent unlawful access to and processing of personal information.
- Endeavor to identify all reasonably foreseeable internal and external risks to personal information in their possession or under their control and take steps to ensure that

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personal information is stored and processed securely and perform regular checks to ensure information is secure and security measures against new risks that arise are provided for.

- In the event of a security compromise, Services Seta shall notify the Information Regulator and affected data subjects in accordance with section 22 of POPIA.

WEBSITE DATA

LOG FILES

- When anyone visits the Services Seta website, even if they do not create an account, the Services Seta may collect information, such as their IP address, the name of their ISP (Internet Service Provider), their browser, the website from which they visit us, the pages on their website that they visit and in what sequence, the date and length of their visit, and other information concerning their computer operating system, language settings, and broad demographic information.
- This information is aggregated and anonymous data and does not identify them specifically. However, a visitor to our website acknowledges that this data may be used to identify them if it is aggregated with other Personal Information that they supply to us. This information is not shared with third parties and is used only within the company on a need-to-know basis.

COOKIES

- Cookies may be used for session management and user experience optimization.
- The two types of cookies used on the website are described below:
- "Session cookies": These are used to maintain a so-called 'session date' and last only for the duration of an individual's use of the Services Seta website. A session cookie expires when the individual closes their browser or if they have not visited the server for a certain



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period. Session cookies are required for the platform to function optimally but are not used to identify an individual personally.

- “Permanent cookies:”: These cookies permanently store a unique code on your computer or smart device hard drive to identify you as an individual user. No Personal Information is stored in permanent cookies. One can view permanent cookies by checking the cookies directory in their browser's installation. These permanent cookies are not required for the website to work but may enhance your browsing experience.

THIRD PARTY LINKS

- Services SETA is not responsible for the privacy practices of third-party websites.
- Data subjects are encouraged to review third-party privacy policies before disclosing personal information.

APPLICATION OF THE ELECTRONIC COMMUNICATIONS AND TRANSACTIONS ACT 2002

- Electronic communications and data messages exchanged between Services SETA and users shall be governed by the Electronic Communications and Transactions Act, 25 of 2002.
- Data Messages sent by us to a user will be deemed to have been received by such user in terms of the provisions specified in section 23(b) of the ECT Act.
- Users acknowledge that electronic signatures, encryption, and/or authentication are not required for valid electronic communications between us and users.
- Services SETA does not assume liability for unauthorised use of electronic communication channels beyond its reasonable control.

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HOW SERVICES SETA USES YOUR INFORMATION

- The Services SETA uses stakeholders' personal information for a variety of administrative and statistical purposes in accordance with agreed protocols.
- Services SETA uses stakeholders' personal information for a variety of administrative legitimate organisational purposes, including:
 - Administration of employment, learner, and stakeholder relationships;
 - Compliance with statutory and regulatory obligations;
 - Financial and audit administration;
 - Skills development programme implementation;
 - Reporting, governance, and oversight functions.

Personal information shall not be processed for purposes incompatible with the purpose for which it was collected, unless permitted under POPIA.

POLICY REVIEW

This policy shall be reviewed annually and or as and when the Accounting Authority or the Audit & Risk Committee, acting on the instructions of the Accounting Authority, deems fit.

RELATED POLICIES, ACTS AND PROCEDURES

This policy must be read together with:

- Promotion of Access to Information Act 2 of 2000
- Section 14 PAIA Manual
- Protection of Personal Information Act 4 of 2013
- Electronic Communications and Transactions Act 25 of 2002
- Records Management Policy
- Records Classification and Handling Policy

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- ICT Security Policies
- Compliance Charter

CONTACT

To contact us, please visit the Services SETA website and click on the contact page or link below:
https://www.servicesseta.org.za/page?site=Contact_Us_0

