



## PRIVACY NOTICE

25 June 2021

The purpose of this Privacy Notice is to outline the way we collect, store, use and protect information that identifies or relates to you (personal information).

This notice is applicable to you if:

- You visit our website
- You are a prospective client
- You use our services i.e. your child(ren) attend our schools
- You are a data subject whose personal information we process

This notice applies to all our business units.

### INTRODUCTION

Amberfield College is committed to protecting your privacy, by ensuring that your personal information is collected and used appropriately, lawfully and openly.

By providing your personal information to us, you confirm having given your consent – where necessary and appropriate – for the disclosures referred to and we will treat it as such.

By using our website, you confirm that you have reviewed the terms of this Privacy Notice and consent to the use of your personal information and agree that we may collect, use and transfer your personal information in accordance therewith.

If you do not agree with the terms, you may decline to provide your personal information, but this may have an impact on our ability to assist you.

This Privacy Notice and consent forms part of our Terms and Conditions of Use and will be governed in accordance with the laws of South Africa.

The content in this document will detail how we obtain, use and disclose your personal information as is required by us as per the Protection of Personal Information Act, 2013 (POPI Act).

## DEFINITION OF PERSONAL INFORMATION

According to the POPI Act personal information means information relating to an identifiable, living, natural person, and where its applicable, an identifiable, existing juristic person. The POPI Act with more detailed information can be found by clicking on the following link: <http://www.justice.gov.za/legislation/acts/2013-004.pdf>

## COLLECTION OF PERSONAL INFORMATION

The primary purposes of collecting and processing of your personal information is to offer you information and access to our services, to assist us improve our service and to support our contractual relationship. The information collected will only be used for the purpose that it is collected for.

We collect information from you, when you provide us with your personal details regarding a service you require from us, submit enquiries to us or contact us.

Where possible we will inform you what information is required, and what information is optional.

Examples of information we collect from you are:

- Name and surname
- Address
- Email address
- Telephone/cell number
- User generated consent

In terms of the POPI Act (POPIA) section 18 (h) (iv) you have the right to object to the processing of personal information as referred to in section 11(3) of the POPIA.

## INFORMATION COLLECTED ON OUR WEBSITE

Non-personal information may automatically be collected when you browse through the website, such as the type of internet browser used to link to our website. We may also accumulate details which you have submitted, for example services you are interested in. You cannot be identified via this information and it is purely used in providing an effective service on our website and for market research.

Our website may use cookies to assist to personalize your experience on the website. Although most web browsers accept cookies automatically, usually you can modify your browser settings to decline cookies. If you decide to decline cookies, you may not be able to fully use the features of the website.

A cookie is a small text file that your browser places on your computer or device. Cookies help your browser navigate a website and the cookies cannot collect any information stored on your device or your files.

## HOW WE USE YOUR INFORMATION

We will use your personal and non-personal information only for the purpose for which it was collected or agreed with you, for example-

- To analyse the effectiveness of our marketing and promotions
- To collect information about the device you are using to view our site, the type of internet browser or operating system you are using to ensure this site presents the best experience to you
- To evaluate the use of the site
- For market research purposes
- To conduct market or customer satisfaction research or statistical analysis
- To monitoring and audit site usage
- To audit and for record keeping purposes
- In connection with legal proceedings
- To assist with business development
- To carry out obligations arising from any contract entered between you and us
- To confirm and verify your identity or to verify that you are an authorised customer for security purposes
- To contact you regarding services which may be of interest to you, provided you have given us consent or you have previously requested a service from us and provided the communication is relevant and or related to the prior request and made within timeframes established by applicable laws
- To communicate notifications about changes to our service
- To respond to your comments or queries
- We will also use your personal information to comply with legal and regulatory requirements or industry related codes to which we subscribe or which apply to us, or when it is otherwise allowed by law, such as providing required information to the Department of Education

Where we collect personal information for a specific purpose, we commit to not keep it for longer than the intended purpose, unless we have to keep it for legitimate business or legal reasons.

In order to safeguard information from accidental or malicious destruction, when we delete information, we may not immediately remove copies from our servers or backup copies.

You can opt out of receiving communication from us at any time. Any direct marketing communication that we sent to you will provide you with the necessary information to opt out.

## DISCLOSURE AND SHARING OF PERSONAL INFORMATION

We may disclose your personal information when:

- We have a duty or a right to disclose in terms of law or industry codes;
- Where we believe it is necessary to protect our rights as a School; and

We may share your personal information with other divisions or companies within the group of companies to which we belong in order to provide joint content and services and with credit bureaus to report account information as permitted by law.

We may share your personal information with our employees where they require this information in order to do their jobs.

We will not sell your personal information.

Our rights to your personal information may be assigned to our successor or purchaser should we undergo a change in ownership or merger. Any such change in ownership will be disclosed on our website.

## DISCLOSURE OF PERSONAL INFORMATION OF LEARNERS

Section 34 prohibits the Processing of personal information concerning a child, unless general authorisation has been granted in terms of section 35 of POPIA:

- The personal information has deliberately been made public by the child with the consent of a competent person
- It is for historical, statistical purposes to the extent that-
  - The purpose serves a public interest or
  - It appears to be impossible or would involve a disproportionate effort to ask for consent, and sufficient guarantees are in place
  - Provided for to ensure that the processing does not adversely affect the individual privacy of the child to a disproportionate extent
- It is necessary for the establishment, exercise or defence of a right or obligation in law.

## PERSONAL INFORMATION SECURITY

We are legally obliged to provide adequate protection for the personal information we hold and to prevent unauthorised access and use of personal information. We will be required on an on-going basis, to review our security controls and related process to ensure your personal information is secure.

Our security policies and procedures cover-

- Computer and network security
- Records retention
- Governance and regulatory issues
- Incident response procedure
- Monitoring access and usage of personal information
- Secure communications
- Security in contracting out activities.

In the event that we need to pass your personal information to a third party, we will ensure that they treat your Information with the same level of protection we are required to by law.

## **ACCESS TO YOUR PERSONAL INFORMATION**

You have the right to request a copy of the personal information we have on file as per the Promotion of Access to Information Act, 2000. To do this, simply use the following email address [popiacompliance@amberfieldcollege.co.za](mailto:popiacompliance@amberfieldcollege.co.za) and specify what information you require. We commit to take all reasonable steps to confirm your identity before providing any personal information requested.

## **AMENDMENTS TO YOUR PERSONAL INFORMATION**

You have the right to contact us to update, correct or delete your personal information. We commit to take all reasonable steps to confirm your identity before making changes to your personal information we hold. We request that you take the necessary steps to keep your personal information up-to-date by notifying us timeously.

## **RETENTION OF PERSONAL INFORMATION**

We will retain your personal information in compliance with the POPI Act and other applicable legislation.

## LODGE A COMPLAINT

In terms of the POPI Act (POPIA) section 18 (h) (v) you have the right to lodge a complaint to the Information Regulator (South Africa) (IRSA) who can be contacted as follows

<https://www.justice.gov.za/inforeg/contact.html>

33 Hoofd Street

Forum III, 3<sup>rd</sup> Floor Braampark

PO Box 31533

Braamfontein

Johannesburg

2017

Contact Number – 010 023 5207

Email [inforeg@justice.gov.za](mailto:inforeg@justice.gov.za)

## CHANGES TO THE NOTICE

Please note that we may amend this notice from time to time. Please visit our website regularly to familiarise yourself with any changes. Should you continue to use our website or make use of our services the changed terms are applicable to you and you will be deemed to have accepted these.

## CONTACT US

Should you have any queries relating to this notice or feel that we have been in breach of it, or need any further information about our privacy policies or wish to give or withdraw consent or update your personal information, you can contact us at [popiacompliance@amberfieldcollege.co.za](mailto:popiacompliance@amberfieldcollege.co.za).