



ZANDSPRUIT ESTATE

HOME OWNERS ASSOCIATION NPC

**Privacy Policy in terms of the
Protection of Personal Information Act (POPI), No. 4 2013
(South Africa)**

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SCOPE OF POLICY

This policy applies to the business of the estate situated in the Zandspruit Bush & Aero Estate, applied to all persons entering, residing on, working on, or becoming a member of the estate and the Home Owners Association.

INTRODUCTION

Purpose of policy

- Protecting owners, residence, and visitor's privacy is especially important to us.
- ZEHOA commits to comply with the POPI act with regards to the processing of personal information.
- The purpose of this policy is to describe how and why data is collected as well as the storing, usage, sharing or processing of personal information. It clearly describes the rights of all members, persons entering, residing on or working on the estate in relation to personal information and how to contact us if there are any questions or complaints.
- Please note that this policy will be updated from time to time and the latest version will be available on request.

Personal Information

- ZEHOA may collect and process the following personal information:
- Name and contact information, including email address, telephone number, physical address, postal address, and other location information.
- Date of birth, gender, nationality, title.
- Identity number, passport number, and photograph.
- Biometric information, including but not limited to, if applicable, information obtained from fingerprints, hands, facial recognition and/or retinal scanning.
- Verified banking details.
- Employment details.
- Correspondence from you of a private or confidential nature.
- The personal information listed in the Association's PAIA Manual.
- Other personal information as is reasonably required by the HOA.
- ZEHOA to engage with its members in order to provide services.

Policy statement

- Comply with both the law and good practice.
- Respect individuals' rights.
- Be open and honest with individuals whose data is collected and held.
- Provide training and support for staff who handle personal data, so that they can act confidently and consistently.
- ZEHOA acknowledges that it is their responsibility under the POPI Act to avoid causing harm to individuals, meaning:
 - Keeping information securely
 - Retaining of good quality information
- Aims to ensure that individuals concern in regard to their data use are taken into account. Whilst remaining open and transparent, ZEHOA will give individuals reasonable choice over what data is held for and how it will be utilised.

Information Officer Responsibilities

Scope

- The scope of this aspect of the policy is defined by the provisions of the POPI act, Condition 1, and Chapter 5, Part B.

Information officer responsibilities

The following responsibilities applies for the Information Officer – the operational role that forms part of the Finance & Administration Manager, and is governed by the board of ZEHOA:

Developing, publishing, and maintaining the PAIA Manual and attached POPI Policy which addresses all relevant provisions of the POPI Act, including, but not limited to the following:

- Reviewing the POPI Act and periodic updates as published.
- Ensuring that POPI Act induction training takes place for all staff.
- Ensuring that periodic communication awareness on POPI Act responsibilities takes place.
- Ensuring that Privacy Notices for internal and external purposes are developed and published.
- Handling data subject access requests.
- Approving unusual or controversial disclosures of personal data.
- Approving contracts with Data Operators.
- Ensuring that appropriate policies and controls are in place for ensuring the information quality of personal information.
- Ensuring that appropriate Security Safeguards in line with the POPI Act for personal information are in place.
- Handling all aspects of relationship with the Regulator as foreseen in the POPI Act.
- Provide direction to the Deputy Information Officer if and when appointed.

Appointed

The appointment of the ZEHOA Information Officer is authorised by the Board of Directors.

Consideration will be given an annual basis of the re-appointment or replacement of the Information Officer, and the need for any Deputy to assist the Information Officer.

Policy information

How personal information is collected

We may collect or obtain personal information about you:

- Directly from you.
- During the course of our interactions with you.
- When you visit the Estate.
- When you interact with our website and other social media platforms or technology platforms.
- From publicly available sources.
- From a third party who is authorised to share that information.
- Via mobile or other software applications developed or used by the ZEHOA.

How and why, we process personal information

The personal information we may collect and why and how we use it depends on our relationship with you.

POPIA requires that personal information “is collected for a specific, explicitly defined and lawful purpose related to a function or activity of the responsible party”.

Further, POPIA provides that personal information may only be processed if:

- The data subject, or a competent person where the data subject is a child, consents to the processing.
- Processing is necessary to carry out actions for the conclusion or performance of a contract to which the data subject is party.
- Processing complies with an obligation imposed by law on the responsible party.
- Processing protects a legitimate interest of the data subject.
- Processing is necessary for the proper performance of a public law duty by a public body.
- Processing is necessary for pursuing the legitimate interests of the responsible party or of a third party to whom the information is supplied.
- For the purpose of business requirements or compliance to law.

The table at ANNEXURE A in the PAIA Manual set out the types of data we collect with the rational. Where it is lawful or practical for ZEHOA to allow, you have the right to withhold data. However, this may lead to your ability to engage, enter, or conduct services on the estate.

Who we share your personal information with

Depending on the circumstances, we may disclose your personal information to the following categories of persons:

- Auditors, legal, and other professional advisers/counsels, and consultants of ZEHOA, including management agents.
- Information technology and other service providers who support the service functions of the ZEHOA.
- Government and law enforcement authorities.
- Financial institutions relevant to the purpose of the ZEHOA.
- Other third parties where disclosure is required by law or otherwise required for us to perform our obligations and provide our services.
- To any other person with your consent to the disclosure.

We take reasonable steps to protect the confidentiality and security of your personal information when it is disclosed to a third party and seek to ensure the third-party deals with your information in accordance with our instructions, applicable privacy laws, and only for the purpose for which it is disclosed.

Data security

We may hold your personal information electronically or in hard copy on the ZEHOA premises or at our affiliated management agent.

ZEHOA is committed to ensure that member data and personal information is kept safe at all times. For this commitment, we use a range of physical, electronical, and procedural security measures. This will ensure that personal information in our possession is safe against accidental or unlawful destructions, loss, alteration, unauthorised disclosure, or unauthorised access.

Duration of keeping personal information

All personal information collected will be kept for the duration of ongoing legitimate business needs, or to comply with all applicable legal, taxation, or accounting requirements.

Member's rights

You have the right to:

- Ask what personal information we hold about you.
- Request access to the personal information we hold about you.
- Ask us to update, correct, or delete outdated or incorrect personal information.
- Unsubscribe from any direct marketing communication sent to you.
- Object to the processing of your personal information.

If you wish to exercise any of these rights or have any queries regarding this, you may contact us using the information below. Please note that we may use steps to verify your identity.

In the event that you request for a deletion of your personal information, it may lead to termination of agreements. We can also refuse if we need to keep said information for legal and lawful purposes.

WhatsApp group policies

The Information Officer, Deputy Information Officer, Estate manager will be the administrator of the ZEHOA "HOA" WhatsApp group.

All members of the WhatsApp group agree that he or she will be part of the group and that their phone numbers will be visible to other members of the WhatsApp group.

Members must further agree that contact information of other members of the group may only be given to third parties with that person's written consent.

Should any member breach the aforesaid provision, then the Information Officer or Estate manager may remove such member from the group and report such conduct to the Regulator.

WhatsApp groups not formally managed by ZEHOA are expected to apply the similar approach, but will not be controlled/monitored by the ZEHOA.

The board of ZEHOA reserves the right to intervene with cautionary messages in case of issues on these groups that get raised to the board, and may, on repetition of the issue, jointly with the WhatsApp group administrator report such conduct to the Regulator.

Closed-Circuit Television (CCTV)

The ZEHOA has a requirement for maintaining security using CCTV systems. The use of CCTV must be authorised and utilised in compliance with POPIA, and do not require the consent owners, residents, visitors, contractors, service providers, or employees.

All CCTV images are the property of the ZEHOA.

How to contact us

If you have any questions, concerns, or complaints regarding the way in which we obtain or hold your personal information, or you feel we have failed in compliance to this policy, you can contact us on: admin@zehoa.co.za

If you wish to make a request to access your personal information in terms of Section 23 of POPIA, please follow the procedure described in Section C (2) of the Association's PAIA Manual which is available at the ZEHOA office.

Changes to the privacy policy

This policy last updated on 3 January 2022.

We may change or update this policy from time to time, these changes will be communicated to you via email.