

## POPI (PROTECTION OF PRIVATE INFORMATION) ACT

### PURPOSE / OUTCOME

POPI balances the right to privacy and the right of access to information. POPI's focus is not privacy, as such, but rather data protection in the information age. It aims to regulate the manner in which data is processed and every aspect of the processing of personal information from its collection to its destruction. POPI will have significant consequences for all businesses that process the personal information of individuals or juristic persons. It will impact on all companies and businesses that process information relating to employees customers, suppliers and other third parties, such as financial services and marketing organisations. There is no doubt POPI will impact quite heavily on the Human Resources function and add to its compliance responsibilities.

It is therefore important that management develops an understanding of the 8 conditions for the lawful processing of personal information and are able to apply those principles to the processing of employees' personal information in their organisations. As the eight conditions for the lawful processing of personal information will affect nearly every area of business that processes personal information, the consequences are that this will require behavioural changes, changes to legal documents, internal structural changes (i.e. information technology upgrades, assurances that a data base cannot be accessed and physical firewalls and safety measures), and an analyses of subcontracting practices.

### CONTENT

#### Introduction to POPI

- Background
- Definitions
- Key concepts and principles of privacy
- Timeline for implementation

#### Impact on:

- **Marketing & Communication**
  - The practical impact on how we communicate with and marketing to customer or prospects (direct marketing)
  - Marketing in accordance with the law
- **Human Resources**
  - Recruitment and Selection
  - Employee records
  - Monitoring and surveillance

## CONTENT

- **Human Resources**
  - Recruitment and Selection
  - Employee records
  - Monitoring and surveillance
  - Disclosure of employment
  - Contracts of employments
  - Policies and procedures
  - Payroll implications and discrimination
  - Handling religious and other beliefs of employees
  - Disclosing trade union membership and political affiliation
  - Employment Equity reporting
  - Overlap of POPI and Labour law
  - Appointment of Information Officer
  - Conducting a due diligence
  - Actionable points
- **Internal audit**
  - How to audit and provide assurance with regards to privacy

### PRACTICAL ACTIVITIES

Identify an internal company procedure and conduct a high level due diligence against back ground of POPI.

### TARGET GROUP

All levels of management and employees, who through the nature of their job title are required to process personal information on a regular basis.

### DURATION

1 day