

FELIX RISK TRAINING CONSULTANTS POLICY – PROTECTION OF PERSONAL INFORMATION

INTRODUCTION

Felix Risk Training Consultants CC. (“we” and “us”) are committed to protecting the privacy of personal information and to ensure that when it is collected, it is used properly, lawfully as well as transparently.

The overarching purpose of this policy is to address specific terms, conditions and regulations as contained in the **The Protection of Personal Information Act 4 of 2013, (POPIA)** which is to protect people from harm by protecting their personal information. It further aims to stop their money being stolen, to stop their identity being stolen, and generally to protect their privacy, which is a fundamental human right. Put differently, POPIA is the comprehensive data protection legislation enacted in South Africa that aims to give effect to the constitutional right to privacy, whilst balancing this against competing rights and interests, particularly the right of access to information. Essentially, it gives all individuals respect, confidentiality and rights within an installed democracy in South Africa.

The POPIA Act applies to any person or organisation who keeps any type of records relating to the personal information of anyone, unless those records are subject to other legislation which protects such information more stringently. It therefore sets the minimum standards for the protection of personal information and in line with this requirement, the **Felix Risk Training Services** has created a firm policy in place for immediate implementation by all stakeholders, with no exclusions.

STAKEHOLDERS

In the education system in South Africa, the term stakeholder typically refers to anyone who is invested in the welfare and success of an educational institution such as the **Felix Risk Training Services** and its students, including interns, administrators, teachers, staff members, students, parents, families, community members, local business leaders, employees, employers, customer enquiries including website visitors (“you” and “your”) and institutionally elected officials such as board members, management staffing, advisory board members, consultants, industry partners such as the Department of Higher Education and Training (DHET), the Umalusi Council, the South African Qualifications Authority, the Quality Council for Trades and Occupations (QCTO), the Council on Higher Education, the Sector Education and Training Authorities (SETA’s) and other relevant educational institutions. This policy applies to all stakeholders of **Felix Risk Training Services** and its core purpose is to describe the way we collect, store, use and protect information. This policy has no exclusions.

ACCEPTANCE OF THIS POLICY

If you are a stakeholder within the **Felix Risk Training Services**, then acceptance of this policy is not a choice, and is compulsory for all stakeholders, without any exclusions

whatsoever. Whether you are a staff member, student, or any definition that meets that of stakeholder as defined above, then you are compelled to accept all the terms of this policy when you engage with the **Felix Risk Training Services** as a formal pre-requisite for further engagement. Non acceptance on your part, confirms that the **Felix Risk Training Services** cannot and will not engage you further so as to comply both with this policy and the specific requirements of the The Protection of Personal Information Act 4 of 2013.

Therefore, in summary if you do intend to participate as a stakeholder or is an existing stakeholder to **Felix Risk Training Services**, you are legally bound to the normal terms and conditions of our agreement, including your deemed acceptance, knowledge, understanding and full implementation of this policy. Non-acceptance on your part in any form or manner means that you may engage further with **Felix Risk Training Services** for any services whatsoever, including student registrations, online services and staffing. Non-acceptance applies to all stakeholders of **Felix Risk Training Services** as defined above.

COLLECTION OF INFORMATION

The **Felix Risk Training Services** is a private education provider. In order for us to provide superior and high standards of educational services, we are legally obligated to collect various aspects and pieces of personal information, including (but not limited to):

- Full names, identity numbers, gender and demographics
- Citizenship (foreign citizens); criminal offences
- Medical information / allergies where required
- Academic history detailing academic achievements with a focus on highest levels of academic achievement obtained
- Social media / Whatsapp Messages / Videos / Photographs and internet tracking
- Contact details, including contact details of family members and next of kin
- IP addresses of visitors to our online services including:
 - Our website (www.frtc.co.za)
 - Our Online Learning Portal (elearning.frtc.co.za)

We automatically receive and store information pertaining to the use of our online services, including your internet protocol address (IP address), browsing habits, online activity, types and versions of software installed, system information, screen resolutions, pages accessed, and the dates, times and time spent. These records serve as evidence requirements especially during audits and evaluations conducted by the education authorities in South Africa.

When you access our online services, we may store cookies on your computer to collect certain usage information. We use information gathered by cookies to improve our services. Furthermore, emails sent by us may contain electronic image requests, known as web beacons, that allow us to determine whether the email has been delivered and opened.

DISCLOSURE

The **Felix Risk Training Services** is a private education provider and consequently has both internal and external stakeholders as is relevant to private education in South Africa. In discharging our duties, we may be obligated to share your personal information with our staff, students, management, education authorities, communities, parents, service providers

and other stakeholders , as applicable, in order to render our services. Our service providers only use your information in connection with the services they perform for us. On the same token, any use of personal information is purely and solely for the discharging of our duties, and purely for that reason alone. Provision of your personal information to other stakeholders is done purely on what's relevant to our business, what's legal and what the individual circumstances are and **Felix Risk Training Services** confirms and guarantees no use of personal information, in what is not specifically aligned to our business model.

DATA RETENTION

It is important to note that the Companies Act, No 71 of 2008, has a general requirement, in respect of any information that a company is required to keep (whether in terms of the Companies Act or any other legislation), to retain such information for a period of at least seven years.

Regulations to both public and private colleges in South Africa, confirm that the College should implement and maintain sound records management practices. To ensure that records management receives the attention it deserves, it should be a strategic objective in the strategic and business plans. The College must ensure that there is budget for the records management function and that the necessary financial, human and technological resources are allocated to support the records management function. In terms of Section 13 of the National Archives and Records Service of South Africa Act, 1996 the College should manage its records in a well-structured record keeping system, and put the necessary policies and procedures in place to ensure that its record keeping and records management practices comply with the requirements of the Act.

Furthermore, the Higher Education Act, No 101 of 1997, confirms that student records must be stored as records for a minimum of 7 years after completion. Therefore, the **Felix Risk Training Services** has adopted the decision to ensure safe and sound record keeping for a minimum period of 10 years which are available onsite, and records of 10 years and longer being archived and stored off-site.

INFORMATION SECURITY

The function of information security at the **Felix Risk Training Services** confirms that we set forth rules and processes for workforce members, students and other stakeholders thereby, creating a standard around the acceptable use of the organization's information technology, including networks and applications to protect data confidentiality, integrity, and availability.

We take variety of measures to stop unauthorized access and use of personal information, including:

- Physical security
- Computer / network security / E-mail stations
- Access to personal information / academic records / employment histories
- Governance and regulatory requirements
- Auditing security incidents

THE BROAD PROCESS OF COMPLIANCE

In compliance with this policy, we acknowledge and adhere to the requirements that we never ask for more information than what is absolutely necessary to discharge our contractual responsibilities to stakeholders. For example, if we don't require a non-relevant information such as a customer's wedding anniversary, we don't ask for it.

Our communication either written or spoken is done in plain, simple and unambiguous language. Our compliance is tabled for our regular meetings held throughout the year, such as academic and management meetings.

The senior management of the **Felix Risk Training Services** confirms that compliance with this policy is absolutely serious, non-negotiable without exclusions. This is documented by the fact that POPIA applies to any company or organization processing personal information in South Africa, who is domiciled in the country, or not domiciled but making use of automated or non-automated means of processing in the country.

The associated fines for non-compliance with POPIA can range up to 10 million ZAR (South African rands) and the **Felix Risk Training Services** can choose to recover damages / institute lawsuits against relevant stakeholders in the case of severe default, negligence, corruption and fraud. Any dispute or claim arising out of or in connection with protection of personal information policy of Felix Risk Training Consultants CC, or formation (including non-contractual disputes or claims) shall be governed by and construed exclusively in accordance with South African law.

In closing, the core focus is on how personal information will be used and the **Felix Risk Training Services** makes it clear that information or contact information is not collected or discharged thereof in predatory way, with all stakeholders having a full, fair and constitutional right not to engage further with the **Felix Risk Training Services** should they be unwilling to disseminate personal and or sensitive information.

COMPANY DETAILS

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