

CONSENT AND ACKNOWLEDGMENTS IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT NO 4 OF 2013 (POPI)

Summary

For the Social Enterprise Academy to establish a professional relationship with you, we must record personal information about you, such as your name, surname, identification number, email address and telephone number. We will use this information in various manners, which in legal language means we will “process” your personal information. While we enjoy the legal right to process your personal information, you also enjoy the right to refuse consent that we work with your personal information. You must, however, realise that such refusal will terminate our relationship. So, please, consider carefully before you refuse such consent. Should you still refuse consent, please send such refusal to the Social Enterprise Academy Information Officer at zinziswa@socialenterprise.academy. Should you not expressly respond at all to us on this matter, your consent for the Social Enterprise Academy to process your personal information is implied.

Introduction

The Protection of Personal Information (POPI) [Act](#) aims to give effect to the constitutional right to privacy by balancing the right to privacy against that of access to information. The POPI Act requires that personal information pertaining to individuals be processed lawfully and in a reasonable manner that does not infringe on the right to privacy.

This statement sets out how personal information will be processed by the Social Enterprise Academy. The use of the words “the party” for the purposes of this document shall be a reference to any party dealing or communicating with the Social Enterprise Academy and/or concluding any agreement, whether of employment, of service provider, client, trainee, or in any other legal capacity, with the inclusion of each party referred to or included in terms of such exchange or agreement.

Should you be a client, trainee, or any other third party purchasing or otherwise acquiring services from the Social Enterprise Academy, the Social Enterprise Academy may process personal information about you such as your name, surname, nationality, email address, physical address, and telephone number. The purpose of processing such personal information about you is to communicate directly with you, also for marketing purposes, to give effect to the agreement with you, whether through delivering specific social enterprise training or support services or otherwise, to protect your legitimate interests through such performance and to comply with relevant statutory provisions.

Should you be a Social Enterprise Academy board director, employee, or an independent contractor deployed with the Social Enterprise Academy, the Social Enterprise Academy may process personal information about you such as your name and surname, gender, identification number, nationality, marital status, health, disability, well-being or medical history, colour, race or ethnic origin, email address, physical address, telephone number, employment history, language and account numbers. The purpose of processing such personal information about you is to communicate directly with you, to give effect to the agreement with you, whether a contract of employment or otherwise, to protect your legitimate interests through such performance and to comply with relevant statutory provisions.

The Social Enterprise Academy will only collect personal information for the purposes as stated above. As part of the processing of personal information about you, the Social Enterprise Academy will collect such information from you, through your status as board member, employee, independent contractor, client, trainee, business relation, or otherwise. It may also exchange such information with statutory institutions such as the Companies and Intellectual Property Commission (CIPC), the

Department of Social Development, the Department of Employment and Labour, the South African Revenue Service, or any other relevant public or equivalent entity on whose behalf the Social Enterprise Academy may act as intermediary, or other third parties agreed in writing agreed with you.

Your rights to consent or refusal regarding the processing of personal information

You may withdraw consent to the processing of your personal information at any time, and should you wish to do so, you must provide the Social Enterprise Academy with reasonable notice to this effect. Please note that withdrawal of consent is still subject to the terms and conditions of any contract that is in place between yourself and the Social Enterprise Academy. Should the withdrawal of consent result in the interference of legal obligations, then such withdrawal will only be effective if the Social Enterprise Academy agrees to same in writing. The Social Enterprise Academy specifically draws to the attention the fact that the withdrawal of consent may result in it being unable to provide the requested information and/or products and/or services and/or other benefits. Importantly, you also indemnify and hold the Social Enterprise Academy harmless in respect of any claims against the Social Enterprise Academy by any other person on whose behalf you have consented should they claim that you were not so authorized. You furthermore understand that in terms of the POPI Act and other laws of the country, there are instances where your express consent is not necessary in order to permit the processing of personal information, which may be related to police investigations, litigation or when personal information is publicly available. You will not hold the Social Enterprise Academy responsible for any improper or unauthorized use of personal information that is beyond its reasonable control.

Further, please note that the revocation of consent is not retroactive and will not affect disclosures of personal information that have already been made. In order to withdraw consent, please contact the Social Enterprise Academy Information Officer at zinziswa@socialenterprise.academy.

Should you not respond, your consent for the Social Enterprise Academy to process your personal information is implied.

Where personal information has changed in any respect, you are encouraged to notify the Social Enterprise Academy so that its records may be updated. The Social Enterprise Academy will largely rely on you to ensure that personal information is correct and accurate.

Insofar it concerns direct marketing communications, you can ask us not to send you these at any time through following the unsubscribe instructions contained in the marketing communication, or by sending a clear message in this regard to the Social Enterprise Academy Information Officer at zinziswa@socialenterprise.academy.

You have the right to access your personal information that the Social Enterprise Academy may have in its possession, and you are entitled to request the identity of which third parties have received and/or processed personal information for the purpose agreed to. Please note however, that any request in this regard may be declined if:

- the information comes under legal privilege in the course of litigation,
- the disclosure of personal information in the form that it is processed may result in the disclosure of confidential information,
- giving access may cause a third party to refuse to provide similar information to the Social Enterprise Academy,
- the information as it is disclosed may result in the disclosure of another person's information,

- the information contains an opinion about another person and that person has not consented,
or
- the disclosure is prohibited by law.

Requesting access and lodging of complaints

Please submit any requests for access to your personal information in writing to the Social Enterprise Academy Information Officer at zinziswa@socialenterprise.academy. With any request for access to personal information, the Social Enterprise Academy will require you to provide personal information in order to verify identification and therefore the right to access the information.