

## POPIA POLICY

### INTRODUCTION

The Ruth Prowse School of Art (The School) is committed to complying with POPIA and to ensuring the protection of the personal information. The purpose of this policy is to ensure that the School processes personal information responsibly and in a manner which demonstrates its commitment to upholding the right to privacy of students, staff and board members, subject to justifiable limitations.

The School is committed to ensuring that any Personal Information of the Board, Staff and Students is collected, processed and stored properly, lawfully and transparently and in compliance with the Protection of Personal Information Act (POPIA).

### WHAT IS PERSONAL INFORMATION

1. Information relating to the person's race and colour, gender and gender identification, marital status, national, ethnic or social origin, sexual orientation, age, physical or mental health, well-being, disability, religion and belief, culture, language and birth;
2. Information relating to the person's education history of the individual or the medical, financial, criminal or employment history;
3. Any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
4. Any communication via E-mail, SMS or WhatsApp sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
5. The name of the person if it appears with other personal information relating to that person or if the disclosure of the name itself would reveal information about the person.

### THE INFORMATION WE COLLECT

We collect and process personal information of:

1. Students; current, alumni and prospective students
2. Board Members
3. Staff; current, former and prospective staff members
4. Service providers, suppliers and independent contractors
5. Donors and Funders
6. Visitors to the School

The type of information we collect will depend on the purpose for which it is collected and used. We will only collect information that we need for that purpose.

We have a duty to take all reasonable practical steps to ensure that personal information is complete, accurate, not misleading and updated on a regular basis. To achieve this, the School will always attempt to obtain personal information directly from you and not via third parties. It is therefore very important that when personal information is supplied to the School, it is complete and accurate and the supplier of the information has the necessary authority to do so (e.g. financial information of parents of students).

Website usage information is collected using "cookies" which allows us to collect standard internet visitor usage information. This includes information about how you logged on and from our website, including your IP address, information about your visit, your device information and how you use our

website. This will include the capture of your approximate location information - please see the Cookies Policy on our website for further information on this.

## THE PROTECTION OF PERSONAL INFORMATION

Ruth Prowse School of Art NPC will protect the individual by the application of the pseudonym: *The Student, the Staff Member; Numbers* whenever it is appropriate in reports and records.

Personal Records may only be generated, accessed, modified by management and administrative staff authorized to do so. This will include:

1. The understanding of the purpose of the requirements for personal information.
2. The collection of personal information as required for staffing or academic purposes. The specific personal information as required for staffing or academic purposes.
3. The criteria for the disclosure and/ or access to personal information.

## THE PURPOSE FOR WHICH WE USE PERSONAL INFORMATION

We collect and process personal information for:

1. Applications by prospective students: As RPSA NPC is required to fulfil minima access criteria as defined by the Department of Higher Education and Training and to fulfil the application and admission criteria, personal information is required and justified.
2. In addition, student information is collected to fulfil the reporting requirements by the Department of Higher Education and Training in terms of the Higher Education Act and the Council for Higher Education.
3. Student Records: Academic Records: Academic records are required and include student databases, assessment records and academic reports.
4. Alumni records for the verification of enrolments, qualifications and programmes output for statistics for the Department of Higher Education and the South African Qualifications Authority.
5. Financial assistance: As RPSA NPC has an extensive financial assistance programme, the submission of and access to personal information provided for the application, merit and means test criteria.
6. Employee Records :The access to personal information of employees is justified for employment contracts, performance evaluations, familial contact in the event of an emergency and for the processing of salaries. In addition records are required by the Employment Equity Act, the Labour Relations Act, and the Basic Conditions of Employment Act for the processing of large amounts of employee information.
7. Contracting with services providers, suppliers and independent contractors in the supply of goods and services to the School;
8. Ensuring the safety and security of visitors, staff and students whilst on the School premises;
9. Compliance with statutory requirements.

## FURTHER CONSIDERATION TO PURPOSE

The submission of and access to and retention of personal information is justified in the context of:

1. Students at risk: For awareness about a student to facilitate support.
2. Compliance: Relating to contracts or legal requirements and for historical or statistical purposes.
3. Health and Safety requirements for staff and students.
4. Transparency and institutional accountability

## COMMITMENT BY RPSA NPC

In line with the Conditions for Lawful Procession of Personal Information as set out in the Protection of Personal Information Act no 4 of 2013 (the Act), RPSA NPC –

1. Accepts joint responsibility and accountability to responsibly manage and protect your Personal Information with the provision of registered and accredited programmes, part-time courses and the Outreach Skills Programme;
2. Undertakes to collect and process only such Personal Information which is necessary given the purpose for which it is received as required by the Department of Higher Education and Training, the Council for Higher Education and/or the Department of Labour and the South African Revenue Services;
3. Undertakes to only use your Personal Information for the purpose for which the information is essential;
4. Undertakes not to share or further process your Personal Information with anyone or for any reason if not required;
5. Undertakes to take reasonably practicable steps to ensure that information is complete, accurate, not misleading and, where necessary, is updated;
6. Undertakes to be open and transparent on the nature, extent and reasons for processing Personal Information;
7. Undertakes to safeguard and protect your Personal Information in the possession of RPSA NPC;
8. Undertakes to freely confirm what Personal Information we hold of you, to update and rectify the Personal Information upon request and to keep it for no longer than required.

## INFORMATION SECURITY

We are legally obliged to provide adequate protection for the Personal Information we hold and to stop unauthorised access and use thereof. We will, on an ongoing basis, continue to review our security controls and related processes to ensure that your Personal Information remains secure. Generally accepted standards of technology and operational security have been implemented to protect information from loss, misuse, alteration, or destruction.

## RETENTION OF PERSONAL INFORMATION

We shall only retain and store Personal Information for the period for which the data is required to serve its primary purpose or a legitimate interest or for the period required to comply with an applicable legal requirement, whichever is longer.

Personal Information may be retained for longer periods if used for historical, statistical or research purposes if the responsible party has established appropriate safeguards against the records being used for any other purposes. NOTE: when relying on this, data may only be used for this purpose.

Restrictive processing allows a party to hold Personal Information, if the records are used only for the purposes of restrictive processing. Restrictive processing means to “withhold from circulation, use or publication any PI that forms part of a filing system, but not to delete or destroy such information”.

The School will restrict the processing of records if the record is no longer needed for achieving the purpose for which the information was collected or subsequently processed, but it must be maintained for purposes of proof.

## REASONS FOR PROCESSING PERSONAL INFORMATION

RPSA NPC needs to collect, use and keep your Personal Information as prescribed by relevant legislation and regulations and for reasons such as:

1. Records as required by the registered and accredited full-time courses pertaining to Registration Forms, Data for the national Learner Records Database, Registers, Project Marks and Academic Transcripts.
2. To respond to your queries;
3. To confirm and verify your identity or to verify that you are an authorised user for academic records;
4. To comply with all legislative or regulatory requirements related to the education provided to you by us;
5. To satisfy any requirement by the Department of Higher Education and Training and the Council for Higher Education;
6. To fulfil our contractual obligations to you, to communicate with you and for ensuring you are able to access our premises when required;
7. For any other operational purposes required to assist you with the learning and teaching you require;
8. To comply with our legal obligations to you, for example health and safety obligations while you are at the school, or to a third party;
9. In connection with possible requirements by the Information Regulator or other Government agencies allowed by law, legal proceedings, or court rulings.

## ACCESS TO INFORMATION

You have the right to request a copy of the Personal Information we hold about you. To do this, simply contact us via the numbers/addresses provided below or on our website and specify what information you require. We will need proof of authorisation or a copy of your ID document to confirm your identity before providing details of your personal information. Please note that any such access request may be subject to a payment of a legally allowable fee.

## AMENDMENTS TO YOUR INFORMATION

You have the right to ask us to update, correct or delete your personal information. We will require proof of identity and/or authority before making changes to personal information we may hold of you. You are responsible for ensuring that your personal information that we hold is accurate and up to date.

## AGREEMENT BETWEEN RPSA NPC AND THE STUDENT

By providing us with your Personal Information as required by the purposes as outlined, you agree to this Policy and authorise us to process such information as set out herein and you authorise RPSA NPC for the purposes set out herein.

RPSA NPC will not use your Personal Information for any other purpose than that set out in this Policy and we will take the necessary steps to secure the integrity and confidentiality of Personal Information in our possession and under our control by taking appropriate and reasonable measures to prevent loss of, damage to or unauthorised destruction of your Personal Information and to prevent the unlawful access to, or processing of Personal Information.

## 8. Your rights and obligations

8.1 You have a right to access personal information that we hold about you and where such access is necessary for you to exercise and/or protect any of your rights.

8.2 In terms of POPIA, you have the following rights with regards to your personal information:

8.2.1. Have your personal information processed accordance with lawful processing conditions;

8.2.2. Be informed about how your personal information is being used;

8.2.3. Access personal information we hold about you in terms of section 10 below;

8.2.4. You can challenge the accuracy or completeness of your personal information in our records at any time;

8.2.5. Request us to correct any mistake in your personal information that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully;

8.2.6. Require us to delete or destroy a record of personal information where we are no longer authorised to retain the information;

8.2.7. Object at any time to processing of your personal information for direct marketing purposes by completing the prescribed form;

8.2.8. Object to automated decision making which results in legal effects concerning you or similarly significantly affects you;

8.2.9. Object in certain situations to our continued processing of your personal information in certain circumstances.

While it is our policy to respect the rights of individuals, please be aware that your rights are subject to certain exemptions provided for in terms of legislation.

## 9. Access to personal information request

9.1 In order to request access to your personal information that we hold about you, you have to submit the request in writing on an affidavit

## 10. Feedback

10.1 If you have any questions, concerns or complaints about this policy or non-compliance relating to this policy or POPIA, you may contact our Information Officer in order for us to address your query. You can contact the Information Officer via the following:

Information Officer: Eunice Geustyn @ [egeustyn@ruthprowse.co.za](mailto:egeustyn@ruthprowse.co.za)

10.2 Provide us with all relevant information to enable us to assist you efficiently. Your query should contain sufficient details including sufficient facts, dates and supporting documentation. You should also include your contact details.

10.3 If the matter is not resolved to your satisfaction, you have the right to lodge a complaint with the Information Regulator, under the provisions of POPIA. The contact details of the Information Regulator are as follows:

Physical address:

JD House

27 Siemens Street

Braamfontein

Johannesburg

2001

Complaints: [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za)

General enquiries: [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)

Please ensure that you have read and understood the terms and conditions of this Privacy Policy before you provide us with your personal information. We reserve the right in our sole discretion to amend this Policy from time to time. Save as expressly provided to the contrary in this Policy, the amended version of the Privacy Policy shall supersede and replace all previous versions thereof. Acceptance of the terms and conditions contained in this policy is voluntary. We do however require your acceptance to enable us to effectively offer services to you, liaise with you, exercise our rights, or enforce obligations as they arise from the applicable relationship and comply with applicable laws.

11. Policy review

11.1.1 The Information Officer as the policy owner is responsible for ensuring the policy is maintained and that it addresses relevant legal, regulatory and other key documents.

11.1.2 The policy owner manages the process for updating the policy in accordance with the review timing outlined in this policy.

11.1.3 The policy is subject to annual review and approval by the Board.