



PROVIDING PROTECTION AND REDUCING RISK

PROTECTION OF PERSONAL INFORMATION POLICY AND PAIA MANUAL ON ACCESS TO INFORMATION

COMPILED IN TERMS OF:
THE PROTECTION OF PERSONAL INFORMATION ACT, NO. 4 OF 2013
AND
THE PROMOTION OF ACCESS TO INFORMATION ACT, NO. 2 OF 2000

UNDERWRITTEN BY

GUARDRISK 
TAILORING RISK SOLUTIONS

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1. INTRODUCTION

- 1.1 The right to privacy is an integral human right recognised and protected in the South African Constitution and in the Protection of Personal Information Act of 2013 ("POPIA") which was assented by South Africa's parliament on 19 November 2013. Whilst some sections already came into effect on 11 April 2014, the majority of POPIA's sections commence on 01 July 2021.
- 1.2 POPIA aims to promote the protection of privacy through providing guiding principles that are intended to be applied to the Processing of Personal Information in a context-sensitive manner.
- 1.3 Through the provision of quality goods and services, IUM is necessarily involved in the collection, use and disclosure of certain aspects of the Personal Information of clients, customers, employees, and other stakeholders.
- 1.4 A person's right to privacy entails having control over his or her Personal Information and being able to conduct his or her affairs relatively free from unwanted intrusions.
- 1.5 Given the importance of privacy, IUM is committed to effectively managing Personal Information in accordance with POPIA's provisions.

2. DEFINITIONS

2.1 Consent

means any voluntary, specific, and informed expression of will in terms of which permission is given for the Processing of Personal Information.

2.2 Data Subject

means a natural or juristic person to whom Personal Information relates, such as an individual client/policyholder, customer, service provider or a company that supplies IUM with products or services.

2.3 De-Identify

means to delete any information that identifies a Data Subject, or which can be used by a reasonably foreseeable method to identify, or when linked to other information, that identifies the Data Subject.

2.4 Filing System

means any structured set of Personal Information, whether centralised, decentralised or dispersed on a function or geographical basis, which is accessible according to specific criteria.

2.5 Information Officer

means a company's chief executive alternatively an appointed individual by such a chief executive (to be formally registered with the South African Information Regulator) who ensures that a company complies with all the necessary provisions of POPIA to ultimately ensure the lawful Processing of Personal Information of Data Subjects.

2.6 Operator

means a person who Processes Personal Information for a Responsible Party in terms of a contract or mandate, without coming under the direct authority of that party. For example, a third-party service provider that has contracted with IUM to shred documents containing Personal Information. When dealing with an operator, it is considered good practice for a Responsible Party to include an indemnity clause.

2.7 Personal Information

means any information that can be used to reveal a person or juristic entity's identity. Personal information related to an identifiable, living, natural person, and where applicable, an identifiable, existing juristic person (such as a company), including, but not limited to information concerning:

- 2.7.1 Race, gender, sex, pregnancy, marital status, national or ethnic origin, colour, sexual orientation, age, physical or mental health, disability, religion, conscience, belief, culture, language and birth of a person;
- 2.7.2 Information relating to education, medical, financial, criminal or employment history of the person;
- 2.7.3 Any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- 2.7.4 The biometric information of the person;
- 2.7.5 The personal opinions, views or preferences of the person;
- 2.7.6 Correspondence 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;
- 2.7.7 The views or opinions of another individual about the person;
- 2.7.8 The name of the person if it appears with other Personal Information relating to the person or if the disclosure of the name itself would reveal information about the person.

2.8 Processing

means the act of Processing information includes any activity or any set of operations, whether or not by automatic means, concerning Personal Information and includes:

- 2.8.1 The collection, receipt, Recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;

2.8.2 Dissemination by means of transmission, distribution or making available in any other form; or

2.8.3 Merging, linking, as well as any restriction, degradation, erasure, or destruction of information.

2.9 **Record**

means any Recorded information, regardless of form or medium, including:

2.9.1 Writing on any material;

2.9.2 Information produced, Recorded or stored by means of any tape-recorder, computer equipment, whether hardware or software or both, or other device, and any material subsequently derived from information so produced, Recorded or stored;

2.9.3 Label, marking or other writing that identifies or describes anything of which it forms part, or to which it is attached by any means;

2.9.4 Book, map, plan, graph or drawing;

2.9.5 Photograph, film, negative, take or other device in which one or more visual images are embodied so as to be capable, with or

2.9.6 without the aid of some other equipment, of being reproduced.

2.10 **Regulator**

means the Information Regulator established in terms of POPIA.

2.11 **Re-Identify**

in relation to Personal Information of a Data Subject, means to resurrect any information that has been de-identified that identifies the Data Subject, or can be used or manipulated by a reasonably foreseeable method to identify the Data Subject.

2.12 **Responsible Party**

means a public or private entity that determines the purpose of and means for Processing Personal Information.

2.13 **Special Personal Information**

means Personal Information relating to:

2.13.1 the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of the Data Subject; or

2.13.2 the criminal behaviour of a Data Subject to the extent that such information relates to:

2.13.2.1 the alleged commission by a Data Subject of any offence; or

2.13.2.2 any proceedings in respect of any offence allegedly committed by a Data Subject or the disposal of such proceedings.

2.14 **Unique Identifier**

means any identifier that is assigned to a Data Subject and is used by a Responsible Party for the purposes of the operations of that Responsible Party and that uniquely identifies that Data Subject in relation to that Responsible Party.

3. **POLICY PURPOSE**

3.1 The purpose of this policy is to demonstrate IUM's commitment to protecting Personal Information and the privacy rights of its clients, stakeholders and all other Data Subjects in the following manner:

3.1.1 Through stating desired behaviour and directing compliance with the provisions of POPIA and best practice.

3.1.2 By cultivating a culture that recognises privacy as a valuable human right.

3.1.3 By developing and implementing internal controls for the purpose of managing the compliance risk associated with the protection of Personal Information.

3.1.4 By creating business practices that will provide reasonable assurance that the rights of clients and Data Subjects are protected and balanced with the legitimate business needs of IUM.

3.1.5 By assigning specific duties and responsibilities to control owners, including the appointment of an Information Officer and where necessary, Deputy Information Officer, in order to protect the interests of IUM and its clients.

3.1.6 By raising awareness through training and providing guidance to individuals within IUM who Process Personal Information on a daily basis so that they can act confidently and consistently.

4. **POLICY APPLICATION**

4.1 This policy and its guiding principles applies to:

4.1.1 IUM's Executive Committee and management;

4.1.2 All business units and divisions of IUM;

4.1.3 All employees of IUM; and

4.1.4 All contractors, suppliers and other persons acting on behalf of IUM.

4.2 The policy's guiding principles find application in all situations and must be read in conjunction with POPIA as well as IUM's PAIA Manual as required by the Promotion of Access to Information Act No 2 of 2000 (PAIA).

4.3 The legal duty to comply with POPIA's provisions is activated in any situation where there is Processing of Personal Information entered into a Record by or for a Responsible Party who is domiciled (resident) in South Africa.

4.4 POPIA does not apply in situations where the Processing of Personal Information:

4.4.1 Is concluded in the course of purely personal or household activities; or

4.4.2 Where the Personal Information has been de-identified.

5. RIGHTS OF DATA SUBJECTS

Where appropriate, IUM will ensure that its clients and customers are made aware of the rights conferred upon them as Data Subjects in terms of POPIA.

IUM will ensure that it gives effect to the following 5 (five) rights:

5.1 The Right to Access Personal Information

IUM recognises that a Data Subject has the right to establish whether IUM holds Personal Information related to him, her or it including the right to request access to that Personal Information. (see **Annexure A**)

5.2 The Right to have Personal Information Corrected or Deleted

The Data Subject has the right to request, where necessary and subject to the provisions of POPIA, that his, her or its Personal Information must be corrected or deleted where IUM is no longer authorised to retain the Personal Information. (see **Annexure A**)

5.3 The Right to Object to the Processing of Personal Information

The Data Subject has the right, on reasonable grounds, to object to the Processing of his, her or its Personal Information.

In such circumstances, IUM will give due consideration to the request and the requirements of POPIA. IUM may cease to use or disclose the Data Subject's Personal Information and may, subject to any statutory and contractual Record keeping requirements, also approve the destruction of the Personal Information.

5.4 The Right to Complain to the Information Regulator

The Data Subject has the right to submit a complaint to the Information Regulator regarding an alleged infringement of any of the rights protected under POPIA and to institute civil proceedings regarding the alleged non-compliance with the protection of his, her or its Personal Information. (see **Annexure B**)

5.5 The Right to be Informed

The Data Subject has the right to be notified that his, her or its Personal Information is being collected by IUM. The Data Subject also has the right to be notified in any situation where IUM has reasonable grounds to believe that the Personal Information of the Data Subject has been accessed or acquired by an unauthorised person.

6. GENERAL GUIDING PRINCIPLES

All employees and persons acting on behalf of IUM will at all times be subject to, and act in accordance with, the following guidelines:

6.1 Accountability

6.1.1 IUM will ensure that the provisions of POPIA and the guiding principles outlined in this policy are complied with through the encouragement of desired behaviour. However, IUM will take appropriate sanctions, which may include disciplinary action, against those individuals who through their intentional or negligent actions and/or omissions fail to comply with the principles and responsibilities outlined in this policy.

6.2 Process Limitation

6.2.1 IUM will ensure that Personal Information under its control is Processed:

6.2.1.1 In a fair, lawful, and non-excessive manner;

6.2.1.2 Only with the informed consent of the Data Subject; and

6.2.1.3 Only for a specifically defined purpose.

6.2.2 IUM will inform the Data Subject of the reasons for collecting his, her or its Personal Information and obtain consent prior to Processing Personal Information. Alternatively, where services or transactions are concluded over the telephone or electronic video feed, IUM will maintain a voice Recording of the stated purpose for collecting the Personal Information followed by the Data Subject's subsequent consent.

6.2.3 IUM will under no circumstances distribute or share Personal Information between separate legal entities, associated organisations (such as subsidiary companies) or with any individuals that are not directly involved with facilitating the purpose for which the information was originally collected.

6.2.4 Where applicable, the Data Subject must be informed of the possibility that their Personal Information will be shared with other service providers, aspects of IUM's business and be provided with IUM's reasons for doing so.

6.3 Purpose Specification

6.3.1 Section 13(1) of POPIA requires a Responsible Party to collect Personal Information for a specific purpose meaning Responsible Parties will need to define the different reasons for which Personal Information will be Processed and also make sure that these reasons tie in with the Responsible Party's general business activities.

6.3.2 In terms of Section 13 the collection for specific purpose is as follows:

6.3.2.1 IUM will Process Personal Information only for specific, explicitly defined, and legitimate reasons related to a function or activity of the Responsible Party.

6.3.2.2 Steps must be taken in accordance with Section 18(1) to ensure that the Data Subject is aware of IUM's purpose of the collection of the information unless the provisions of Section 18(4) are applicable.

6.3.3 Section 18(1) of POPIA provides that reasonably practicable steps must be taken to make the Data Subject aware of the specific collection and Processing of the Personal Information.

6.4 Further Processing Limitation

6.4.1 Further Processing of Personal Information must be in accordance or compatible with the purpose for which it was collected in terms of Section 13.

- 6.4.2 To assess whether Processing is compatible with the purpose of collection, the Responsible Party must take account of:
- 6.4.2.1 The relationship between the purpose of the intended further Processing and the purpose for which the information has been collected;
 - 6.4.2.2 The nature of the information concerned;
 - 6.4.2.3 The consequences of the intended further Processing for the Data Subject;
 - 6.4.2.4 The manner in which the information has been collected; and
 - 6.4.2.5 Any contractual rights and obligations between the parties.

6.5 Information Quality

- 6.5.1 IUM will take reasonable steps to ensure that all Personal Information collected is complete, accurate and not misleading. In some instances IUM may rely on third party intermediaries to provide such Personal Information and as such, IUM will ensure as far as reasonably possible that such information is complete, accurate and not misleading.
- 6.5.2 IUM will furthermore use its best endeavors to ensure that the Personal Information collected is accurate and correct.

6.6 Open Communication

- 6.6.1 IUM will take reasonable steps to ensure that Data Subjects are notified (and are at all times aware) that their Personal Information is being collected, including the purpose for which it is being collected and Processed.
- 6.6.2 IUM will further ensure that it establishes and maintains a “contact us” facility, for instance via its website (www.ium.co) or through an electronic helpdesk, for Data Subjects who want to:
- 6.6.2.1 Enquire whether IUM holds related Personal Information; or
 - 6.6.2.2 Request access to related Personal Information; or
 - 6.6.2.3 Request IUM to update or correct related Personal Information; or
 - 6.6.2.4 Make a complaint concerning the Processing of Personal Information.

6.7 Security Safeguards

- 6.7.1 IUM will manage the security of its Filing System to ensure that Personal Information is adequately protected. To this end, security controls will be implemented in order to minimise the risk of loss, unauthorised access, disclosure, interference, modification or destruction.
- 6.7.2 Security measures also need to be applied in a context-sensitive manner. For example, the more sensitive the Personal Information, such as medical information or credit card details, the greater the security required.
- 6.7.3 IUM will continuously review its security controls which will include regular testing of protocols and measures put in place to combat cyber-attacks on IUM’s IT network.
- 6.7.4 IUM will further ensure that all paper and electronic Records comprising Personal Information are securely stored and made accessible only to authorised individuals.
- 6.7.5 All current and new employees of IUM will be required to sign employment contracts or addendums to their employment contracts containing terms for the use and storage of employee information. Confidentiality clauses will also be included to reduce the risk of unauthorised disclosures of Personal Information in terms of POPIA for which IUM is responsible.
- 6.7.6 All IUM employees will also on an ad hoc basis receive scheduled POPIA training to ensure that all employees are well aware of their responsibilities in this regard.
- 6.7.7 IUM’s operators and third-party service providers will be required to enter into service level agreements with IUM where both parties pledge their mutual commitments to POPIA and the lawful Processing of any Personal Information pursuant to the agreement.

6.8 Data Subject Participation

- 6.8.1 A Data Subject may request the correction or deletion of his, her or its Personal Information held by IUM.
- 6.8.2 IUM will ensure that it provides a facility for Data Subjects who want to request the correction or deletion of their Personal Information. Where applicable, IUM will include a link to unsubscribe from any of its electronic newsletters or related marketing activities.

7. INFORMATION OFFICERS

- 7.1 IUM has appointed an Information Officer, as well as a Deputy Information Officer to manage, assist and discharge all of IUM’s obligations in terms of POPIA as provided for in this policy, whereby the Information Officer and Deputy Information Officer have been duly registered with the South African Information Regulator – please refer to clause 8.2.12 below. IUM’s executive management will at all times also be actively involved to ensure compliance with the requirements as provided for in POPIA.
- 7.2 Where the Information Officer is unavailable or unable to perform his/her duties, the Deputy Information Officer will assume the role of the Information Officer.
- 7.3 The information and contact details of IUM’s Information Officer and a Deputy Information Officer, as well as the information of the Information Regulator, will be communicated to the Data Subjects in an appropriate format or forum.

8. SPECIFIC DUTIES AND RESPONSIBILITIES

8.1 Executive Committee

- 8.1.1 IUM’s executive committee, together with the Information Officer, cannot delegate its accountability and is ultimately answerable for ensuring that it meets their legal obligations in terms of POPIA.
- The executive committee may however delegate some of its responsibilities in terms of POPIA to IUM’s senior management or other capable individuals.

The executive committee, in conjunction with the Information Officer, is responsible for ensuring that:

- 8.1.2 All persons responsible for the Processing of Personal Information on behalf of IUM:
 - 8.1.2.1 Are appropriately trained and supervised to do so;
 - 8.1.2.2 Understand that they are contractually obligated to protect the Personal Information they come into contact with; and
 - 8.1.2.3 Are aware that a wilful or negligent breach of this policy's Processes and procedures may lead to disciplinary action being taken against them.
- 8.1.3 Data Subjects who want to make enquiries about their Personal Information are made aware of the procedure that needs to be followed should they wish to do so.
- 8.1.4 The scheduling of periodic POPIA audits/reviews to accurately assess and review the ways in which IUM collects, holds, uses, shares, discloses, destroys and Processes Personal Information.

8.2 Information Officer

- 8.2.1 IUM's Information Officer is responsible for:
 - 8.2.1.1 Taking steps, whilst liaising with IUM's executive committee, to ensure that IUM is compliant with the provision of POPIA.
 - 8.2.1.2 Keeping the executive committee updated about IUM's information protection responsibilities under POPIA. For instance, in the case of a security breach, the Information Officer must inform and advise the executive committee of IUM's obligations pursuant to POPIA.
- 8.2.2 Continuity analysing privacy regulations and aligning them with IUM's Personal Information Processing procedures. This will include reviewing the information protection procedures and related policies.
- 8.2.3 Ensuring that POPIA audits/reviews are scheduled and conducted on a regular basis.
- 8.2.4 Ensuring that IUM makes it convenient for Data Subjects who want to update their Personal Information or submit POPIA related complaints.
- 8.2.5 Approving any contracts entered into with operators, employees and other third parties which may have an impact on the Personal Information held or Processed by IUM. This will include overseeing the amendment of IUM's employment contracts and other service level agreements with third parties.
- 8.2.6 Encouraging compliance with the conditions required for the lawful Processing of Personal Information.
- 8.2.7 Ensuring that employees and other persons acting on behalf of IUM are fully aware of the risks associated with the Processing of Personal Information and that they remain informed about IUM's security controls.
- 8.2.8 Organising and overseeing the awareness training of employees and other individuals involved in the Processing of Personal Information on behalf of IUM.
- 8.2.9 Addressing employees' POPIA related questions.
- 8.2.10 Addressing all POPIA related requests and complaints made by IUM's clients and Data Subjects.
- 8.2.11 Working with the Information Regulator in relation to any ongoing investigations. The Information Officer will therefore act as the contact point for the Information Regulator authority on issues relating to the Processing of Personal Information and will consult with the Information Regulator where appropriate, with regard to any other matter.
- 8.2.12 IUM's Information and Deputy Information Officer details as follows:

Information Officer:

Name: Greg Hutchinson
Designation: Chief Information Officer
Contact Number: 010 045 2705
Email Address: greg@gbadmin.co.za

Deputy Information Officer:

Name: Shana Aleixo
Designation: Compliance Officer
Contact Number: 010 045 3344
Email Address: shana@ium.co.za

- 8.2.13 IUM's Information Officer and Deputy Information Officer share the same physical and postal address as below:

9th floor, IUM Building
2 Nicol Road
Bedfordview
Gauteng
2007

9. POPIA AUDIT/REVIEW

IUM's Information Officer will schedule periodic POPIA audits/reviews. The purpose of a POPIA audit/review is to:

- 9.1 Identify the Processes used to collect, Record, store, disseminate and destroy Personal Information.
- 9.2 Determine the flow of Personal Information throughout IUM.
- 9.3 Redefine the purpose for gathering and Processing Personal Information.
- 9.4 Ensure that the Processing parameters are still adequately limited.
- 9.5 Ensure that new Data Subjects are made aware of the Processing of their Personal Information.
- 9.6 Re-establish the rationale for any further Processing where information is received via a third party.
- 9.7 Verify the quality and security of Personal Information.
- 9.8 Monitor the extent of compliance with POPIA and this policy.
- 9.9 Monitor the effectiveness of internal controls established to manage IUM's POPIA related compliance risk.

In performing the POPIA audit/review, the Information Officer will liaise with IUM senior and middle management in order to identify areas within IUM that are most vulnerable or susceptible to the unlawful Processing of Personal Information.

IUM's Information Officer will at all times be permitted direct access to and have demonstrable support from IUM's executive committee and management in performing their duties.

10. REQUEST TO ACCESS PERSONAL INFORMATION PROCEDURE

- 10.1 Data Subjects have the right to:
 - 10.1.1 Request what Personal Information IUM holds about them and why.
 - 10.1.2 Request access to their Personal Information.
 - 10.1.3 Be informed how to keep their Personal Information up to date.
- 10.2 Access to information requests can be made by email, addressed to the Information Officer. The Information Officer will provide the Data Subject with a "Personal Information Request Form" (see **Annexure A**) whereby the Data Subject can request the necessary from IUM.
- 10.3 Once the completed form has been received, the Information Officer will verify the identity of the Data Subject prior to handing over any Personal Information. All requests will be Processed and considered against IUM's PAIA (Promotion of Access to Information Act of 2000) Policy.
- 10.4 The Information Officer will Process all requests within a reasonable time.

11. POPIA COMPLAINTS PROCEDURE

Data Subjects have the right to complain in instances where any of their rights under POPIA have been infringed upon. IUM takes all complaints very seriously and will address all POPIA related complaints in accordance with the following procedure:

- 11.1 POPIA complaints must be submitted to IUM in writing. Where so required, the Information Officer will provide the Data Subject with a "POPIA Complaint Form". (see **Annexure B**)
- 11.2 Where the complaint has been received by any person other than the Information Officer, that person will ensure that the full details of the complaint reach the Information Officer within 1 (one) working day.
- 11.3 The Information Officer will provide the complainant with a written acknowledgment of receipt of the complaint within 3 (three) working days.
- 11.4 The Information Officer will carefully consider the complaint and address the complainant's concerns in an amicable manner. In considering the complaint, the Information Officer will endeavour to resolve the complaint in a fair manner and in accordance with the principles outlined in POPIA.
- 11.5 The Information Officer must also determine whether the complaint related to an error or breach of confidentiality that has occurred and which may have a wider impact on IUM's Data Subjects.
- 11.6 Where the Information Officer has reason to believe that the Personal Information of Data Subjects has been accessed or acquired by an unauthorised person, the Information Officer will consult with IUM's Executive Committee where after the affected Data Subjects and the Information Regulator will be informed of this breach.
- 11.7 The Information Officer will revert to the complainant with a proposed solution with the option of escalating the complaint to IUM's executive committee within 7 (seven) working days of receipt of the complaint. In all instances, IUM will provide reasons for any decisions taken and communicate any anticipated deviation from the specified timelines.
- 11.8 The Information Officer's response to the Data Subject may comprise any of the following:
 - 11.8.1 A suggested remedy for the complaint;
 - 11.8.2 A dismissal of the complaint and the reasons as to why it was dismissed;
 - 11.8.3 An apology (if applicable) and any disciplinary action that has been taken against any employees involved.
- 11.9 Where the Data Subject is not satisfied with the Information Officer's suggested remedies, the Data Subject has the right to complain to the Information Regulator as follows:

Website: <http://www.justice.gov.za/inforeg/index.html>

Telephone Number: (012) 406 4818

Facsimile Number: (086) 500 3351

Email Address: POPIAComplaints@infoeregulator.org.za

- 11.10 The Information Officer will review IUM's complaints process to assess the effectiveness of the procedure on a periodic basis and to improve the procedure where it is found wanting. The reason for any complaints will also be reviewed to ensure the avoidance of occurrences giving rise to POPIA related complaints.

12. DISCIPLINARY ACTION

- 12.1 Where a POPIA complaint or a POPIA infringement investigation has been finalised, IUM may recommend any appropriate administrative, legal and/or disciplinary action to be taken against any employee reasonably suspected of being implicated in any non-compliant activity outlined within this policy.
- 12.2 In the case of ignorance or minor negligence, IUM will undertake to provide further awareness training to the employee.
- 12.3 Any gross negligence or the willful mismanagement of Personal Information, will be considered a serious form of misconduct for which IUM may summarily dismiss the employee. Disciplinary procedures will commence where there is sufficient evidence to support an employee's gross negligence.

Examples of immediate actions that may be taken subsequent to an investigation include:

- 12.3.1 A recommendation to commence with disciplinary action.
- 12.3.2 A referral to appropriate law enforcement agencies for criminal investigation.
- 12.3.3 Recovery of funds and assets in order to limit any prejudice or damages caused.

ANNEXURE A: POPIA PERSONAL INFORMATION REQUEST FORM

IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

GENERAL INFORMATION

Full name		Contact number	
Email address			

Please be aware that we may require you to provide proof of identification prior to Processing your request.

DATA SUBJECT PARTICULARS

Full name		ID number	
Email address		Contact number	
Postal address			

I request IUM to:

1. Inform me whether it holds any of my Personal Information ☐
2. Provide me with a Record or description of my Personal Information ☐
3. Correct or update my Personal Information ☐
4. Destroy or delete a Record of my Personal Information ☐

Instructions	
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SIGNATORY

Full name	Capacity	Date	Signature
	Information Officer		
Full name	Capacity	Date	Signature

ANNEXURE B: POPIA PERSONAL INFORMATION COMPLAINT FORM

IUM is committed to safeguarding your privacy and the confidentiality of your Personal Information and are bound by the provisions of the Protection of Personal Information Act (POPIA).

GENERAL INFORMATION

Full name		Contact number	
Email address			

Where we are unable to resolve your complaint, to your satisfaction you have the right to complain to the Information Regulator.

The Information Regulator's details are as follows:

Information Regulator: Ms Mmamoroke Mphelo
 Physical Address: SALU Building, 316 Thabo Sehume Street, Pretoria
 Email: POPIAComplaints@infoeregulator.org.za/POPIAComplaints@infoeregulator.org.za
 Website: <http://www.justice.gov.za/infoereg/index.html>

COMPLAINANT PARTICULARS

Full name		ID number	
Email address		Contact number	
Postal address			

Details of complaint	
Desired outcome	

DECLARATION

I, _____ hereby acknowledge and agree to the information and conditions outlined above.

Signed on _____ at _____

Full name	Capacity	Date	Signature
Information Officer			
Full name	Capacity	Date	Signature

1. INTRODUCTION

- 1.1 This manual is compiled in terms of the Promotion of Access to Information Act, No 2 of 2000 ("PAIA"). PAIA gives effect to the constitutional right of access to information contained in Section 32 of the Constitution of the Republic of South Africa.
- 1.2 In terms of PAIA, public bodies are required to compile a manual as a Guide to requesters of information. This manual further serves to indicate the kind of records held by IUM (Pty) Ltd (IUM) and the availability of such records.

2. DEFINITIONS

- 2.1 **Complainant**
means a requester or a third party, as defined in section 1 of PAIA;
- 2.2 **Guide**
means the guidance document on how to use PAIA as contemplated in section 10 of PAIA;
- 2.3 **In Writing**
means the form of a data message and accessible in a manner usable for subsequent reference, as contemplated in section 12 of the Electronic Communications and Transactions Act, 2002 (Act No. 25 of 2002);
- 2.4 **Signature**
means a signature contemplated in section 13 of the Electronic Communications and Transactions Act, 2002; and

3. FUNCTIONS AND FUNCTIONAL STRUCTURE

- 3.1 IUM, underwritten by Guardrisk Insurance Company Limited, is the largest independently owned underwriting manager in Southern Africa, offering brokers and their clients insurance solutions that are comprehensive and cost-effective.
- 3.2 We offer cover for multinational corporations, but also for individuals. Our extensive range of products includes assets all risks, commercial, personal and lifestyle as well as specialist marine and liability insurance.
- 3.3 As such, IUM has at its disposal a considerable amount of information, gathered in the ordinary course of its business. This information may be of interest to the IUM stakeholders. This manual is intended to facilitate requests made in terms of PAIA for access to information held by IUM. To this end, this manual sets out the:
 - 3.3.1 structure and functions of IUM;
 - 3.3.2 contact details of IUM's Information Officer and Deputy Information Officer; and
 - 3.3.3 procedure and such other detail, to facilitate requests made in terms of PAIA, for access to information held by IUM.

4. INFORMATION OFFICER CONTACT DETAILS

- 4.1 IUM's Information Officer:

Name:	Greg Hutchinson
Designation:	Chief Information Officer
Contact Number:	010 045 2705
Email Address:	greg@gbadmin.co.za
- 4.2 IUM has, in terms of Section 17(1) of PAIA, designated the person below as the Deputy Information Officer:

Name:	Shana Aleixo
Designation:	Compliance Officer
Contact Number:	010 045 3344
Email Address:	shana@ium.co.za
- 4.3 IUM's Information Officer and Deputy Information Officer share the same physical and postal address as below:

9th floor, IUM Building
2 Nicol Road
Bedfordview
Gauteng
2007
- 4.4 All requests for information under PAIA must be submitted and will be attended to by the Information Officer, in the manner consistent with the procedure set out below and PAIA.

5. GUIDE ON HOW TO USE PAIA

- 5.1 The South African Human Rights Commission ("SAHRC") is responsible for and has developed a Guide in each of the country's 11 (eleven) languages, with information on how to use PAIA. This Guide is available on the SAHRC website alternatively you can request it by completing Annexure B and submitting same to IUM's Information Officer as per point 4.1 above.

5.2 Any information or queries related to the Guide should be directed to:

The South African Human Rights Commission

The Research and Document Department

PAIA Unit

Private Bag X2700

Houghton

2041

Telephone Number: 011 877 3600

Fax Number: 011 403 0625

Website: www.sahrc.org.za

Email Address: PAIA@sahrc.org.za

6. INFORMATION REQUEST

In terms of Part 3, Chapter 1, Section 50 of PAIA, any person may request access to information from IUM provided that:

- 6.1 The record is required for exercising or protection of rights;
- 6.2 The requestor complies with the procedural requirements as defined in PAIA for a request to access a record;
- 6.3 Access to a record is not refused on any ground for refusal as contemplated in PAIA.

7. ACCESS TO RECORDS HELD BY IUM

- 7.1 In terms of Section 52 of PAIA, the following categories of IUM records are available without a person having to request access:
 - 7.1.1 Product information;
 - 7.1.2 Proposal forms;
 - 7.1.3 Claim Forms;
 - 7.1.4 Advertising pamphlets and brochures;
 - 7.1.5 Newsletters
- 7.2 A requester may also request access to records, which are available for inspection in terms of legislation other than the PAIA, such as the following:
 - 7.2.1 Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997);
 - 7.2.2 Companies Act, 2008 (Act No. 71 of 2008);
 - 7.2.3 Compensation for Occupational Injuries and Health Diseases Act, 1993 (Act No. 130 of 1993);
 - 7.2.4 Copyright Act, Act No. 1978 (Act No. 98 of 1978);
 - 7.2.5 Intellectual Property Laws Amendments Act, 1997 (Act No. 38 of 1997);
 - 7.2.6 Labour Relations Act, 1995 (Act No. 66 of 1995);
 - 7.2.7 Occupational Health and Safety Act, 1993 (Act No. 85 of 1993);
 - 7.2.8 Skills Development Act, 1998 (Act No. 97 of 1998);
 - 7.2.9 Skills Development Levies Act, 1999 (Act No. 9 of 1999);
 - 7.2.10 Trademarks Act, 1993 (Act No. 194 of 1993); and
 - 7.2.11 Value Added Tax Act, 1991 (Act No. 89 of 1991).

To obtain the information or records referred to in paragraph 6 above, the request needs to be received on the prescribed form and addressed to the contact person as given in paragraph 4 above. (see attached **Annexure A**)

8. REQUEST PROCEDURE

All requests for information or records under PAIA must comply with the following requirements:

- 8.1 The request must be made through the request form (**Annexure A**, attached hereto);
- 8.2 When completing the form:
 - 8.2.1 Provide your full name and contact details;
 - 8.2.2 If you are acting on behalf of another person state in what capacity, for example, legal guardian, next of kin etc. Note that proof of capacity must be attached;
 - 8.2.3 If you are making the request on behalf of another person, you must provide that person's full names and identity number;
 - 8.2.4 Provide a detailed description of the record required providing any reference numbers if possible;
 - 8.2.5 If you are unable to read, view or listen to the record requested due to disability, you must provide details of your disability and, in what form we must supply the record to you;
 - 8.2.6 Mark with an (x) the appropriate record type option as provided on the form i.e., written, visual, audio or data that you require;
 - 8.2.7 The right to be exercised or protected by you must be detailed as well as the reason for exercising or protecting this right;
 - 8.2.8 The form must be dated and signed in the places provided for this purpose;

- 8.2.9 Once you have completed the application form it must be emailed to IUM's Information Officer as per point 4 or delivered to the offices of IUM as provided in this manual;
- 8.2.10 On receipt of your application, IUM's Information Officer will make a decision to disclose the requested information based on the information provided;
- 8.2.11 You will then receive a written notification of the decision made, our further advices and the prescribed fees (if any) that is payable prior to processing the request. Please refer to Annexure C for a full breakdown of fees payable.

*Please note that all attachments/additional folios you add to the form must be signed by you.

- 8.3 Fully completed request forms must be electronically mailed or hand delivered to IUM's Information Officer. The contact details of the Information Officer are set out in paragraph 4 above.

9. CONSIDERING THE REQUEST

- 9.1 Requests for records for the purpose of criminal or civil proceedings are dealt with in terms of Section 7 of PAIA. Section 7(1) provides as follows:
"The Act" does not apply to a record of a public body or a private body if:
 - 9.1.1 That record is requested for the purpose of criminal or civil proceedings;
 - 9.1.2 So, requested after the commencement of such criminal or civil proceedings, as the case may be;
 - 9.1.3 The production of or access to that record for the purpose referred to in paragraph (a) is provided in law."
- 9.2 If Section 7(1) applies to a request, then the requester must use the rules and procedures for discovery of information related to the legal proceedings.
- 9.3 IUM may refuse access at its sole discretion, including where requests are clearly facetious and/or vexatious.

10. DECISION OF IUM

- 10.1 IUM's Information Officer will render reasonable assistance to a requester as may be necessary to enable that requester to comply with the request procedure set out in paragraph 7 above.
- 10.2 The Information Officer will as soon as reasonably possible, but within 30 (thirty) days after the request is received, decide whether to grant the request or not.
- 10.3 During the 30 (thirty) days referred to in paragraph 9.2 above or the extended period, the Information Officer will:
 - 10.3.1 gather and consider the information or record requested;
 - 10.3.2 consult with relevant departments in IUM as may be necessary desirable to decide upon the request under consideration;
 - 10.3.3 solicit such other assistance as may be necessary to make an informed decision regarding the request under consideration;
 - 10.3.4 if the request is granted, inform the requester in Writing.
- 10.4 If the request is declined, inform the requester of the decision to decline the request in Writing, and furnish the reasons for the decision.

11. RIGHT TO CHALLENGE

- 11.1 IUM is not a public body referred to in paragraph (a) of the definition of "public body" in Section 1 of PAIA. Therefore, no internal appeal lies against the decision of IUM's Information Officer regarding access to information.
- 11.2 If a requester does not agree with the decision, the requester may apply, within 180 (one hundred and eighty) days of being advised of the Information Officer's decision, to the High Court having jurisdiction, for an appropriate order.
- 11.3 A requester may also seek relief from any court with appropriate jurisdiction in respect of the following decisions of the Information Officer:
 - 11.3.1 The amount of fees required to be paid; and/or
 - 11.3.2 The extension of the period within which the information will be provided.

12. RECORD TYPES THAT MAY BE REQUESTED

- 12.1 Personal Records;
- 12.2 Financial Records;
- 12.3 Sales Records;
- 12.4 Client Care Records;
- 12.5 Claim Records;
- 12.6 Information Technology Records;
- 12.7 Secretariat Records; or
- 12.8 "Other Parties" Records **

** Other parties records are defined as those records pertaining to other parties held by IUM or vice versa.

13. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

In terms of Chapter 3, Section 56 of PAIA, IUM will after all reasonable steps have been taken to find the record requested notify the requestor as prescribed by affidavit or affirmation should the record not be found or does not exist.

14. THIRD PARTY NOTIFICATION AND INTERVENTION

In terms of Chapter 5 of PAIA, and its sections and sub-sections IUM will take all reasonable steps to inform a third party of a request received that pertains to them in the manner so prescribed in this chapter.

Request for Access to a Record

(Section 53(1) of the Promotion of Access to Information Act) (Act No. 2 of 2000)

The Information Officer

9th floor, IUM Building

2 Nicol Road

Bedfordview

Gauteng

2007

REQUEST DETAILS

PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

Full names and surname		Identity number	
Postal address			
Fax Number		Telephone number	
Email address			

Capacity in which a request is made, if and when made on behalf of another person:

(Attach ID copy)

PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

(This section must be completed ONLY if a request for information is made on behalf of another person)

Full names and surname		Identity number	
------------------------	--	-----------------	--

PARTICULARS OF RECORD

1. Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
2. If the provided space is inadequate, please continue on a separate page and attach it to this form. The requester must sign all the additional pages.

Description of record or relevant part of the record:

--

Reference number, if available	
Any further particulars of record	

FORM OF ACCESS TO RECORD

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1-4 hereunder, state your disability and indicate in which form the record is required.

Disability:

For in which record is required:

1. Compliance with your request in the specified form may depend on the form in which the record is available.
2. Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.

MARK THE APPROPRIATE BOX WITH A TICK WHERE APPLICABLE

1. If the record is in Writing or printed form:

- 1.1 Copy of record ☐
- 1.2 Inspection of the record ☐

2. If the record consists of visual images

- 2.1 View the images ☐
- 2.2 Copy of the images* ☐
- 2.3 Transcription of the images* ☐

- | | | |
|-----|-------------------------------------|--------------------------|
| 3.1 | Listen to the soundtrack (cassette) | <input type="checkbox"/> |
| 3.2 | Transcription of the soundtrack | <input type="checkbox"/> |

- | | | |
|-----|---|--------------------------|
| 4.1 | Printed copy of the record* | <input type="checkbox"/> |
| 4.2 | Printed copy of the information from the record | <input type="checkbox"/> |
| 4.3 | Copy in computer readable form | <input type="checkbox"/> |

(Mark the applicable box with a tick)

Personal inspection of record at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language (Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)	

1. If the provided space is inadequate, please continue on a separate page and attach it to this form.
2. The requested must sign all the additional pages.

Explain why the record requested is required for the exercise or protection of the said right:

(Annexure C: Prescribed fees)

1. A request fee must be paid before the request will be considered.
2. You will be notified of the amount of the access fee to be paid.
3. The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare the record.
4. If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason:

You will be notified in Writing whether your request has been approved or denied. If you wish to be advised in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at _____ this _____ day of _____ 20____.

Signature

FOR OFFICIAL USE

Reference number:	
Request received by:	
Date Received:	
Access Fees:	
Deposit (if any):	

Signed at _____ this _____ day of _____ 20____.

Full name	Capacity	Date	Signature
-----------	----------	------	-----------

REQUEST FOR A COPY OF THE GUIDE

The Information Officer
9th floor, IUM Building
2 Nicol Road
Bedfordview
Gauteng
2007

Full names			
In my capacity as		Name of private body (if applicable)	
Physical address			
Postal address			
Email address		Facsimile	
Work contact number		Cellphone number	

Hereby requests the following copy(ies) of the guide:

Language	No. of copies	Mark with a tick	Language	No. of copies	Mark with a tick
English			isiZulu		
Afrikaans			Sesotho		
Setswana			siSwati		
Tshivenda			Xitsonga		
Sepedi			isiXhosa		
isiNdebele					

MANNER OF COLLECTION

(Mark with a tick)

Personal collection	
Postal address	
Facsimile	
Electronic communication	
Specify electronic communication	

SIGN-OFF

Signed at _____ this _____ day of _____ 20____.

Full name Capacity Date Signature

REQUEST DETAILS

The following applies to requests (other than personal requests):

1. A requester is required to pay a preliminary request fee before a request will be processed.
2. If the preparation of the record requested required more than the prescribed hours (six), an additional deposit shall be paid (of not more than one third of the access fee which would be payable if the request was granted).
3. A requestor may lodge an application with a court against the render/payment of the request fee and/or deposit.
4. Records may be withheld until the fees have been paid.
5. The fee structure is also available on the South African Human Rights Commission's website at www.sahrc.org.za.

No.	Description	Fee
1.	The fee for a copy of the manual as contemplated in regulation 9(2)(c), for every photocopy of an A4 size page or part thereof.	R2.00
2.	The fees for reproduction referred to in regulation 11(1) are as follows:	
2.1	For every photocopy of an A4 size page or part thereof	R2.00
2.2	For every printed copy of an A4 size page or part thereof held on a computer or in electronic readable form	R0.75
2.3	For a copy in a computer readable form on a stiffy disc	R40.00
2.4	For a copy in a computer readable form on computer disc	R60.00
2.5	For a transcription of visual images, for an A4 size page or part thereof	R40.00
2.6	For a copy of a visual image	R60.00
2.7	For a transcription of an audio record	R20.00
2.8	For a copy of an audio record	R30.00
3.	The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2)	R140.00
4.	The request fee payable by a requester, other than a personal requester, referred to in regulation 11(3):	
4.1	For every photocopy of an A4 size page or part thereof	R2.00
4.2	For a printed copy of an A4 size page or part thereof held on a computer or in electronic readable form	R0.75
4.3	For a copy in a computer readable form on stiffy disc	R7.40
4.4	For a copy in a computer readable form on computer disc	R70.00
4.5	For a transcription of visual images, for an A4 size page or part thereof	R40.00
4.6	For a copy of a visual image	R60.00
4.7	For a transcription of an audio record, for A4 size page or part thereof	R20.00
4.8	For a copy of an audio record	R30.00
5.	The actual postage fee is payable when a copy of a record must be posted to a requester	-
6.	For purposes of section 54(2) of the Act, the following applies:	
6.1	Six hours as the hours to be exceeded before a deposit is payable	
6.2	One third of the access fee is payable as a deposit by the requester	



PROVIDING PROTECTION AND REDUCING RISK

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+27 861 949 444
info@ium.co.za
www.ium.co.za

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Bedfordview
Gauteng, 2007

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Bellville
Western Cape, 7530

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39 David Road
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