

# Kleinmond Street Watch

[www.kleinmondstreetwatch.co.za](http://www.kleinmondstreetwatch.co.za)

[info@kleinmondstraatwag.co.za](mailto:info@kleinmondstraatwag.co.za)

## Protection of Personal Information

This notice is available on our website [www.kleinmondstreetwatch.co.za](http://www.kleinmondstreetwatch.co.za) and, upon request, from our office at [info@kleinmondstraatwag.co.za](mailto:info@kleinmondstraatwag.co.za).

### 1. Introduction

The Protection of Personal Information Act (POPIA) consists of comprehensive legislation which sets out specific principles and conditions with which organisations are obliged to comply when processing personal information. POPIA protects your constitutional right to privacy and the right of access to your personal information.

Kleinmond Street Watch (KSW) processes personal information and other confidential information of individuals to deliver notices of general meetings and regular reports of its activities to members who live or has property within the Kleinmond municipal boundaries. The nature of the personal information KSW processes depends on the legislative requirements that it has to adhere to.

KSW, an official neighbourhood watch, is obliged to handle the personal information of property owners in an ethical manner, POPIA providing the legal framework and conditions under which this is done. All companies, including KSW, are now obliged by law to handle your personal information with greater care than was previously the norm. This includes: how and why information is obtained; how it is processed, shared and stored as well as accessibility to the information.

KSW's information officer is Dr PJL (Vic) Brink, the secretary of its Management Committee. KSW's deputy information officer is Mr J Toerien, the chairman of its Management Committee.

### 2. Summary

KSW takes the protection and safety of Kleinmond property owners' personal information very seriously. The following is a summary of the way personal information is to be managed by KSW:

- **Processing personal information**

KSW collect and process some of the personal information as provided by members when they register on the KSW database or volunteer to help with the night patrols. KSW uses this information to inform members of annual general meetings and to report on activities undertaken by KSW as well as sending out regular crime reports. The information is also used for communication with patrol volunteers and for KSW ward coordinators to offer help when needed. Information is updated by KSW whenever instructed to do so by members.

- **Personal information kept by KSW**

The name and surname, sex, physical address, e-mail address, phone number, name of spouse, security company and contact details in case of emergencies of every KSW member, as provided by members themselves, are recorded. Record is kept of donations towards the KSW fund. For patrol volunteers copies of their IDs photographs and fingerprints and a record of patrol shifts done are also collected according to legislation in this regard.

- **Sharing of your personal information**

KSW will not share any of its members' personal information with a third party. For patrol volunteers, KSW will share some of their information with SAPS so that criminal records can be checked according to legislation in this regard.

- **Protection of personal information**

KSW takes all reasonable precautions to protect personal information against theft, unauthorised access, and disruption of services.

- **Marketing of products**

KSW will not use any member's personal information to market any product or to send any information unrelated to the services of KSW towards the community.

- **The right to access of information**

Every KSW member has the right to know precisely what personal information is kept by KSW and to require changes to this information whenever necessary.

- **The right not to receive information**

KSW members have the right to request that they are not sent communications such as e-mail notices from KSW; in which case their instructions would be registered on the KSW database. Notices and reports would not be sent to them, they would not be able to exercise their right to receive information about KSW's activities and they would lose their right to object for not having received KSW notices, reports and any other information.

### 3. Definitions of terms used in this notice

In this notice the following terms and expressions will have the meaning assigned to them by the POPI Act:

**Confidential information** means any personal information, as defined in the POPI Act, and any other information or data of any nature, tangible or intangible, oral or in writing and in any format or medium, which by its nature or content is, or ought reasonably to be, identifiable as confidential and/or is provided or disclosed in confidence to KSW.

**The data subject** is an individual or juristic person to whom the personal information relates. It includes the members of KSW, KSW patrol volunteers and service providers.

**KSW** is Kleinmond Street Watch, the official neighbourhood watch in Kleinmond.

**Electronic communication** means any text, voice, sound, or image message sent over an electronic communications network that is stored in the network or in the recipient's terminal equipment until it is collected by the recipient.

**An information security breach** is any incident:

- in which sensitive and/or protected and/or private and/or confidential information has been lost, disclosed, stolen, copied, transmitted, viewed, altered, destroyed, or otherwise used or processed in an unauthorised manner; or
- that results in the unauthorised access of information, applications, services, networks, and/or devices by bypassing our company's security mechanisms.

**Personal information** is information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to:

- information relating to the race, gender, sex, pregnancy, marital status, national, ethnic, or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language, and the birth of the person;
- information relating to the education or the medical, financial, criminal, or employment history of the person;
- any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier, or other assignments to the person;
- the biometric information of the person;
- the personal opinions, views, or preferences of the person;
- 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;
- the views or opinions of another individual about the person; and
- 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.

**Processing** means any operation or activity or any set of operations of the responsible party, whether by automatic means, concerning personal information, including:

- the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation, or use of personal information;

- dissemination of personal information by means of transmission, distribution, or making available in any other form; and
- merging, linking, as well as restriction, degradation, erasure, or destruction of personal information.

**Record** means any recorded information regardless of form or medium, including any of the following:

- writing on any material;
- information produced, recorded, or stored by means of any tape-recorder, computer equipment, whether hardware or software or both, or other devices, and any material subsequently derived from information so produced, recorded, or stored;
- label, marking or other writing that identifies or describes anything of which it forms a part, or to which it is attached by any means;
- book, map, plan, graph, or drawing; and
- photograph, film, negative, tape, or other device in which one or more visual images are embodied to be capable, with or without the aid of some other equipment, of being reproduced.
- in the possession or under our company's control, whether or not it was created by us; and regardless of when it came into existence.

**Responsible party** means Kleinmond Street Watch.

**Special personal information** is information that relates to the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life, or biometric information of a data subject. It also includes criminal behaviour relating to alleged commissions of offences or any proceeding dealing with alleged offences.

#### 4. Purpose of processing personal information

KSW processes personal information primarily to deliver notices of general meetings and regular reports of their activities to its members and patrol schedules and related information to its patrol volunteers. KSW also processes personal information:

- to update its data base of members and patrol volunteers;
- to deal with requests and inquiries about personal information held by KSW and to update this information when advised by members owners;
- in connection with and to comply with regulatory requirements (e.g. the legal requirements for patrol volunteers) or when it is otherwise required by law.

#### 5. Collecting and storing of personal information

When data subjects contact KSW by e-mail, other means of electronic communication, telephone or post, KSW collects, stores, uses, and keeps record of certain personal information that data subjects disclose. This includes details such as name, address, mobile phone number, and e-mail communication data. By providing KSW with personal information, data subjects authorise KSW and associated entities or third parties (where applicable) to process such information as set out herein.

KSW does not collect or use personal information of persons under the age of 18 years.

KSW does not process any special personal information about data subjects, unless:

- it is necessary to establish, exercise, or defend a right or obligation in law;
- KSW has obtained the data subject's consent to do so (e.g. should any person volunteer for patrols, his/her permission to do a criminal record check is required).

KSW is committed to processing personal information and special personal information:

- fairly and lawfully, for specific lawful purposes.
- in accordance with any agreement KSW may have with data subjects and in accordance with the accounting standards applicable to such information or information categories.
- which is accurate and kept up to date.
- which is adequate, relevant, and not excessive or misleading.

## 6. Sharing or transfer of personal information

KSW undertakes to use data subjects' personal information only for the purpose for which the information is essential and not to share or further process that information without the consent of the owner.

Please note that in certain circumstances KSW:

- must share personal information with the South African Police Service as part of our obligation to have criminal records checked;
- aims to have agreements in place with service providers (such as online mass e-mail platforms) to ensure that the personal information that KSW remains responsible for, is safeguarded by our service providers. Anyone to whom KSW passes on data subjects' personal information will be required by KSW to treat this information with the same level of protection as KSW is obliged to do.

South African legislation allows for the disclosure of personal information to law enforcement or other agencies without the owners' consent. In circumstances where KSW is required to disclose information because it is legally obliged to do so, it will first consider the legitimate interests of all concerned.

KSW may need to transfer personal information to another country for processing or storage of data or when it is otherwise required by virtue of the nature of the services rendered to data subjects. This will be done only in limited circumstances and in strict adherence to the requirements of the POPI Act and other relevant legislation.

## 7. Retention of personal information

KSW will retain individual data subjects' personal information for as long they are KSW members or service providers and/or in accordance with the provisions of any applicable legislation.

## 8. Safeguarding of personal information

KSW is required to take reasonable measures to adequately protect all the personal information it holds and to avoid unauthorised access and use of such personal information. To comply with this requirement, KSW maintains reasonable industry standard physical, electronic and procedural safeguards in respect of the personal information it collects, stores, discloses and destructs.

Written communication with clients and third parties occurs mostly via the internet. For this reason, KSW has implemented generally accepted and up-to-date electronic communication safety measures. However, the internet is not entirely secure and therefore KSW cannot unconditionally guarantee the security of any information that data subjects provide via email, social media, or other communication platforms. Should data subjects be particularly concerned about the safety of specific personal information they intend to send to KSW, they should liaise with KSW regarding the appropriate communication platform to be used.

In the unlikely event that an information security breach in respect of personal information should occur, KSW will inform the affected data subject thereof. KSW will also investigate the security breach and will take all reasonable measures to limit any possible damage which may arise from the breach.

## 9. Access to and amendment of personal information held by KSW

Data subjects are asked to send an email to [info@kleinmondstraatwag.co.za](mailto:info@kleinmondstraatwag.co.za) if they:

- have any queries about this notice;
- need further information about KSW's privacy practices;
- wish to request a copy of the personal information KSW holds in respect of them and the purpose for holding it. KSW will take all reasonable steps to confirm their identity before providing details of their personal information to them. There will be no charge for providing any information so requested;
- wish to amend, correct, or destroy their personal information as held by KSW.

Data subjects are requested to contact KSW to update their personal information whenever their details change.

If KSW does not respond satisfactorily to a request from a data subject pertaining to its personal information, the data subject may lodge a complaint at the office of the Information Regulator at the following addresses:

- Website: <https://www.justice.gov.za/infoereg/index.html>
- Address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
- Postal address: P.O Box 31533, Braamfontein, Johannesburg, 2017
- Complaint e-mail address: [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za)
- General inquiry e-mail address: [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)

## 10. Changes to this notice

KSW may amend its personal information practices and review this notice from time to time. Amendments will be communicated as necessary and will appear on the KSW website.