

PROTECTION OF PERSONAL INFORMATION POLICY
In terms of the Protection of Personal Information Act 4 of 2013

This policy applies to:
THE NATIONAL COUNCIL OF SPCAs
Registration Number: 003-189 NPO
(hereinafter NSPCA)

Table of Contents

1. Background and Legislative Context.....	3
2. Definitions.....	3
3. Scope and Application	4
4. Information Officer and Deputy Information Officer	4
5. Categories of Personal Information Processed	5
6. Lawful Bases for Processing.....	6
7. Consent.....	6
8. Purpose Specification and Data Minimasation	6
9. Transparency and Collection	7
10. Information Quality and Accuracy	7
11. Security and Confidentiality	7
12. Records Management, Retention and Disposal	7
13. Operators and Third-Party Processors.....	8
14. Sharing Personal Information	8
15. Data Subject Rights and Communications.....	8
16. Complaint Handling Procedure	9
17. Children’s Personal Information.....	9
18. Governance and Accountability	10
19. Policy Review	10

1. BACKGROUND AND LEGISLATIVE CONTEXT

This policy is informed by POPIA, PAIA and related South African legislation applicable to the NSPCA.

This Policy must be read together with the following instruments:

- 1.1. Protection of Personal Information Act 4 of 2013 (“POPIA”)
- 1.2. Regulations relating to the Protection of Personal Information, 2018
- 1.3. Promotion of Access to Information Act 2 of 2000 (“PAIA”)
- 1.4. The NSPCA's PAIA Manual
- 1.5. Electronic Communications and Transactions Act 25 of 2002 (“ECTA”)
- 1.6. Cybercrimes Act 19 of 2020
- 1.7. Societies for the Prevention of Cruelty to Animals Act 169 of 1993
- 1.8. Labour Relations Act 66 of 1995 and Basic Conditions of Employment Act 75 of 1997
- 1.9. Employment Equity Act 55 of 1998

2. DEFINITIONS

For the purposes of this Policy, the following definitions apply. Where a term is not defined below, the definition in POPIA shall apply.

Term	Definition
Consent	Any voluntary, specific, informed, and unambiguous indication of the Data Subject's wishes, by means of a statement or clear positive action, by which they give permission for the processing of their personal information.
Data Subject	The natural or juristic person to whom personal information relates.
Deputy Information Officer (DIO)	A person designated in writing by the Information Officer to assist in fulfilling the NSPCA's obligations under POPIA and PAIA.
Information Officer (IO)	The Chief Executive Officer of the NSPCA, or such person as is duly appointed and registered with the Information Regulator in terms of section 55 of POPIA.
Information Regulator	The independent body established under section 39 of POPIA to oversee and enforce the provisions of POPIA and PAIA.
NSPCA	The National Council of SPCAs, a non-profit organisation and statutory body, established in terms of the Societies for the Prevention of Cruelty Animals Act 169 of 1993 (“SPCA Act”), with registration number 003-189 NPO.
Operator	A person who processes personal information on behalf of the NSPCA in terms of a contract or mandate, without coming under the direct authority of the NSPCA.
Personal Information	Information relating to an identifiable, living natural person, and where applicable, an identifiable, existing juristic person, including but not limited to name, identity number, contact details, financial details, employment history, health information, biometric information, and expressed opinions.
Personnel	All directors, employees, volunteers, interns, contractors, and any other persons who process personal information on behalf of the NSPCA.
Processing	Any operation concerning personal information, including collection, receipt, recording, organisation, storage, updating, retrieval, use, dissemination,

	merging, linking, restriction, erasure, or destruction — whether automated or manual.
Responsible Party	The NSPCA, as the entity that determines the purpose and means of processing personal information.
Special Personal Information	Personal information concerning a Data Subject's religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life, biometric information, or criminal behaviour.

3. SCOPE AND APPLICATION

This Policy applies to all personal information processed by the NSPCA in any format, including electronic and paper-based records.

It applies to personal information relating to:

- 3.1. Employees
- 3.2. Donors and supporters
- 3.3. Complainants, witnesses, and members of the public
- 3.4. Suppliers and service providers
- 3.5. Affiliated SPCAs and related stakeholders
- 3.6. Participants in outreach, education, and research activities
- 3.7. Website users and digital communication subscribers
- 3.8. Children participating in NSPCA programmes (with appropriate consent requirements)

Each affiliated SPCA is an independent entity responsible for its own POPIA compliance.

4. INFORMATION OFFICER AND DEPUTY INFORMATION OFFICER

The NSPCA has appointed an Information Officer and a Deputy Information Officer in accordance with PAIA and the Protection of Personal Information Act ("POPIA").

4.1. Information Officer

Information Officer: Hester Kotzé
Physical Address: 6 Clark Street, Florentia, Alberton, 1449
Telephone: +27 11 907-3590/1/2/3
Email: ceo@nspca.co.za
Alternative Email: nspca@nspca.co.za

4.2. Deputy Information Officer

Deputy Information Officer: Grace de Lange
Email: coo@napca.co.za

All correspondence relating to this Policy, data subject rights requests, and POPIA complaints should be directed to the Information Officer at the contact details above.

5. CATEGORIES OF PERSONAL INFORMATION PROCESSED

The NSPCA processes personal information across several functional areas. The following categories are typically collected and processed in the ordinary course of the NSPCA's activities.

5.1. Identifying Information

- 5.1.1. Full name, identification number, passport number
- 5.1.2. Date of birth, gender, nationality
- 5.1.3. Photographs and video footage (including CCTV)

5.2. Contact Information

- 5.2.1. Postal and physical addresses
- 5.2.2. Email address, telephone and cell numbers

5.3. Financial Information

- 5.3.1. Banking details for employees (payroll) and donors (payment processing)
- 5.3.2. Income Tax numbers and SARS-related information
- 5.3.3. Section 18A donation records

5.4. Employment and Human Resources Information

- 5.4.1. Employment history, qualifications, and professional registrations
- 5.4.2. Performance records, disciplinary records, and leave records
- 5.4.3. Employee wellness and occupational health records
- 5.4.4. Salary and benefit information

5.5. Investigation and Law Enforcement Information

- 5.5.1. Names and contact details of complainants, witnesses, and subjects of investigations.
- 5.5.2. Statements, inspection reports, photographs and video evidence
- 5.5.3. Criminal offence records (where relevant to the SPCA Act or Animals Protection Act 71 of 1962 ("APA")).

5.6. Donor and Supporter Information

- 5.6.1. Donor names, contact details, and giving history
- 5.6.2. Communication preferences and consent records
- 5.6.3. Legacy and bequests-related information

5.7. Digital and Website Data

- 5.7.1. IP addresses and cookie data from the NSPCA website
- 5.7.2. Email engagement data from digital communications platforms
- 5.7.3. Social media interaction data

5.8. Special Personal Information

The NSPCA processes special personal information only where it has a specific lawful basis to do so. This includes:

- 5.8.1. Race and ethnic origin: For employment reporting.
- 5.8.2. Health information: For occupational health, employee wellness, and for purposes of the Compensation for Occupational Injuries and Diseases Act 130 of 1993.
- 5.8.3. Criminal behaviour: In the course of investigation and enforcement activities
- 5.8.4. Biometric information: Where collected through access control and time-and-attendance systems

6. LAWFUL BASES FOR PROCESSING

The NSPCA processes personal information only where one or more of the following applies:

- 6.1. Consent of the data subject
- 6.2. Performance of a contract
- 6.3. Compliance with a legal obligation
- 6.4. Performance of a public or statutory duty
- 6.5. Legitimate interests of the NSPCA or a third party, balanced against the rights of the data subject

7. CONSENT

Where consent is required:

- 7.1. It must be voluntary, informed, and explicit
- 7.2. It may not be implied through silence or inactivity
- 7.3. It may be withdrawn at any time
- 7.4. Withdrawal does not affect prior lawful processing
- 7.5. The NSPCA will not obtain consent from children under the age of 18 without the prior written consent of a competent person (a parent or legal guardian), in accordance with section 35 of POPIA and the Children's Act 38 of 2005.

8. PURPOSE SPECIFICATION AND DATA MINIMISATION

The NSPCA will collect and process personal information only for specified, lawful purposes connected to its functions and will inform data subjects of these purposes at or before collection. Information will be limited to what is necessary for that purpose, retained only for as long as required, and not further processed in a manner incompatible with the original purpose unless permitted by law or consented to by the data subject.

9. TRANSPARENCY AND COLLECTION

- 9.1. The NSPCA will inform data subjects at or before collection of:
- 9.1.1. The purpose of processing
 - 9.1.2. Whether information is required or voluntary
 - 9.1.3. The intended recipients of the information
 - 9.1.4. The rights of the data subject under POPIA
- 9.2. Only information necessary for a defined purpose will be collected.

10. INFORMATION QUALITY AND ACCURACY

Data Subjects may at any time request the correction or deletion of inaccurate, misleading, or outdated personal information.

11. SECURITY AND CONFIDENTIALITY

The NSPCA will implement appropriate technical and organisational measures to safeguard personal information against loss, unauthorised access, disclosure, or alteration. These measures include access controls, secure systems and premises, staff training, and contractual safeguards with service providers. All personnel are bound by confidentiality, and the NSPCA will periodically review risks to personal information and strengthen protections where necessary.

12. RECORDS MANAGEMENT, RETENTION AND DISPOSAL

- 12.1. All records containing personal information will be classified as Confidential, Internal/Private, or Public, in accordance with the NSPCA's document classification framework.
- 12.2. Personal information will be retained for the minimum retention periods determined by reference to applicable legislation, including:
- 12.2.1. Basic Conditions of Employment Act 75 of 1997: Wage records: 3 years after termination
 - 12.2.2. Income Tax Act 58 of 1962: Financial records: 5 years
 - 12.2.3. Companies Act 71 of 2008: Accounting records: 7 years
 - 12.2.4. Prescription Act 68 of 1969: Litigation-related records: at least 3 years from cause of action
- 12.3. Personal information that is no longer required and not subject to a legal retention obligation will be securely destroyed or permanently de-identified. The NSPCA will maintain a record of destruction, including the date and method of disposal. De-identified information may be retained for lawful reporting or analytical purposes.

13. OPERATORS AND THIRD-PARTY PROCESSORS

- 13.1. An Operator is any third party that processes personal information on behalf of the NSPCA in terms of a contract or mandate, acting under the authority and instruction of the NSPCA.
- 13.2. The NSPCA must, before engaging an Operator, satisfy itself that the Operator has the capacity and measures in place to process personal information lawfully, securely, and only for the instructed purpose.
- 13.3. Common Operators engaged by the NSPCA may include payroll and human resource software providers; cloud hosting and IT managed service providers; email marketing and donor management platforms; and banking and payment processing service providers.
- 13.4. The NSPCA remains the Responsible Party in respect of all personal information processed by Operators on its behalf and is accountable for ensuring Operator compliance with applicable obligations.

14. SHARING PERSONAL INFORMATION

- 14.1. The NSPCA does not sell or rent personal information.
- 14.2. Information may only be shared where:
 - 14.2.1. Required by law or court order
 - 14.2.2. Necessary for contractual purposes
 - 14.2.3. Required for legitimate operational or statutory functions
 - 14.2.4. With service providers acting under contract as Operators
- 14.3. All Operators are required to process personal information only in accordance with the NSPCA's instructions and POPIA requirements.
- 14.4. Where personal information is transferred outside South Africa, appropriate safeguards will be applied to ensure an adequate level of protection.

15. DATA SUBJECT RIGHTS AND COMMUNICATIONS

15.1. Rights of data subjects

Data subjects have the right to:

- 15.1.1 Access their personal information
- 15.1.2 Request correction or deletion of inaccurate information
- 15.1.3 Object to processing in certain circumstances
- 15.1.4 Withdraw consent where applicable
- 15.1.5 Lodge a complaint with the Information Regulator

15.2. Direct marketing

The NSPCA only sends electronic communications where:

- 15.2.1. Consent has been obtained, or
- 15.2.2. There is an existing relationship and an opt-out option is provided

All communications include an unsubscribe option.

15.3. Personal information breaches

Any suspected or actual data breach will be reported immediately to the Information Officer. The NSPCA will:

- 15.3.1. Contain and investigate the breach
- 15.3.2. Notify the Information Regulator where required
- 15.3.3. Inform affected data subjects where there is a risk of harm

16. COMPLAINT HANDLING PROCEDURE

- 16.1 Any Data Subject who believes that the NSPCA has processed their personal information in a manner inconsistent with POPIA or this Policy may lodge a complaint.
- 16.2. Complaints must be submitted in writing to the Information Officer and should include: the name and contact details of the complainant; a description of the conduct complained of; the personal information affected; and the relief sought.
- 16.3. The Information Officer will acknowledge receipt within five business days and will investigate and respond in writing within 30 calendar days.
- 16.4. If the Data Subject is dissatisfied with the NSPCA's response, or if the complaint is not resolved within the applicable timeframe, the Data Subject may lodge a complaint with the Information Regulator:

Physical Address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg
Postal Address: P.O. Box 31533, Braamfontein, 2017
Email: PAIAComplaints@info regulator.org.za
Telephone: 010 023 52000

17. CHILDREN'S PERSONAL INFORMATION

- 17.1. In terms of section 35 of POPIA, the NSPCA is prohibited from processing the personal information of a child (a person under the age of 18) without the prior written consent of a competent person (parent or legal guardian).
- 17.2. In connection with education and community outreach activities involving children:
 - 17.2.1. Parental or guardian consent will be obtained before collecting any personal information from or about a child
 - 17.2.2. Personal information of children will be stored separately and accessed only by authorised Personnel

17.2.3. Photographs or video recordings of children will not be taken, stored, or published without the explicit written consent of a competent person

17.2.4. Children's personal information will not be used for direct marketing purposes

17.3. Where the NSPCA's digital platforms may be accessed by children, appropriate measures will be in place to limit data collection from persons under 18 without verified parental consent.

18. GOVERNANCE AND ACCOUNTABILITY

18.1. The Information Officer is responsible for POPIA compliance, supported by the Deputy Information Officer and oversight from the Board of Directors.

18.2. The NSPCA will:

18.2.1. Provide staff training on POPIA and data handling

18.2.2. Investigate and respond to complaints relating to personal information

18.2.3. Conduct periodic reviews of compliance and security measures

18.2.4. Maintain disciplinary consequences for non-compliance with this Policy

19. POLICY REVIEW

19.1. This Policy will be reviewed at least annually by the Information Officer, or earlier in the event of: a material change in the NSPCA's processing activities; an amendment to POPIA or any related regulation; a significant personal information breach or enforcement action; or a recommendation by the Information Regulator.

19.2. All amendments to this Policy must be approved by the Board of Directors before taking effect.

FORM 1

**OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN
TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL
INFORMATION ACT, 2013 (ACT NO.
4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL
INFORMATION, 2017**
[Regulation 2(1)]

Note:

1. *Affidavits or other documentary evidence in support of the objection must be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*

Reference Number....

A	DETAILS OF DATA SUBJECT	
Name and surname of data subject:		
Residential, postal or business address:		
	Code ()	
Contact number(s):		
Fax number:		
E-mail address:		
B	DETAILS OF RESPONSIBLE PARTY	
Name and surname of responsible party <i>(if the responsible party is a natural)</i> :		
Residential, postal or business address:		
	Code ()	
Contact number(s):		
Fax number:		
E-mail address:		

Name of public or private body <i>(if the responsible party is not a natural person)</i> :	
Business address:	
	Code ()
Contact number(s):	
Fax number:	
E-mail address:	
C	REASONS FOR OBJECTION <i>(Please provide detailed reasons for the objection)</i>

Signed at this day of20.....

.....
Signature of data subject (applicant)

FORM 2

**REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR
DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF
SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO.
4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2017
[Regulation 3(2)]**

Note:

1. *Affidavits or other documentary evidence in support of the request must be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*

Reference Number....

Mark the appropriate box with an "x".

Request for:

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A		DETAILS OF THE DATA SUBJECT	
Surname:			
Full names:			
Identity number:			
Residential, postal or business address:			
			Code ()
Contact number(s):			
Fax number:			
E-mail address:			
B		DETAILS OF RESPONSIBLE PARTY	
Name and surname of responsible party (<i>if the responsible party is a natural person</i>):			
Residential, postal or business address:			
			Code ()
Contact number(s):			
Fax number:			
E-mail address:			

Name of public or private body (if the responsible party is not a natural person):	
Business address:	
	Code ()
Contact number(s):	
Fax number:	
E-mail address:	
C	REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT/*DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY. (Please provide detailed reasons for the request)

* *Delete whichever is not applicable*

Signed at this day of20.....

.....
Signature of Data subject