



Jones & Wagener

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Policy for PRIVACY

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J&W BUSINESS MANAGEMENT SYSTEM

- 01 JSP STRATEGIC & BUSINESS PLANNING
- 02 JRM LEGAL & RISK MANAGEMENT
- 03 JBD BUSINESS DEVELOPMENT & ACQUISITION OF WORK
- 04 JBP BUSINESS PERFORMANCE MANAGEMENT
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- 08 JHR HUMAN RESOURCES MANAGEMENT
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1. **INTRODUCTION**

Jones & Wagener (Pty) Ltd (“J&W”) is a specialist engineering and environmental consulting company. J&W is committed to ensuring the protection and security of Data and Personal Information (“PI”) that it gathers from any potential and existing clients, suppliers, vendors, contractors, students, employees or potential employees and persons (referred to as individuals / organisations hereinafter).

J&W endeavours to have security practices and structures in place to ensure the protection of any PI provided to us, through any channel, be it online, directly to our general staff, or centralised points of entry such as operations, research, public participation, training, learnership programmes, HR and procurement.

The purpose of this policy is to outline what information is collected by J&W, as well the purpose for which we collect it, and to describe our process for storing and processing any PI we gather.

2. **WHAT PI WE COLLECT**

J&W collects basic contact information from any parties enquiring on services, such as, but not limited to:

- Full names and/or organisation name; and
- Contact details, such as email addresses and telephone numbers.

For any vendors, contractors, clients and third Parties the company collects additional information such as, but not limited to:

- Company registration numbers;
- VAT and Tax numbers;
- Company / personal physical address;
- Payment and financial details;
- Identity / passport numbers;
- Insurance information and
- Credit worthiness, where applicable.

Where inquiries or requests are made for employment, scholarships and learnership programmes, further details are collected by the company such as, but not limited to:

- Contact details, such as email addresses and telephone numbers;
- Previous employment history;
- Academic records;
- Financial information, where applicable;
- Medical information, based on the risk associated with working in the environmental and engineering industry;
- Curriculum vitae (CV);
- References and interview notes;
- Photographs and videos;

- Race and ethnicity information for the purposes of employment equity and transformation;
- Information about any disability, conditions that may require us to make special provisions;
- Confirmations of previous employment and other disclosures;
- Payroll information (including identity number, salary information, and bank account details);
- Information necessary to process any court orders regarding payments of debts (garnishee orders);
- Criminal records;
- Benefit information (including pension fund or medical aid information);
- Beneficiary and emergency contact information;
- Driver's licence status and
- Marital status.

During the normal course of business, a wide variety of PI is collected by the company from vendors, contractors, clients and third Parties that includes, but is not limited to:

- Technical and design information;
- Financial models and projections; and
- Product information.

3. WHY WE COLLECT PI

The purpose for J&W collecting personal information includes, but is not limited to the following:

- To carry out the organisation's obligations arising from any contracts entered into between customers, clients, vendors, employees and students;
- To carry out and manage business operations;
- To confirm and verify identity or to verify that the authorised individual / company is valid for security purposes;
- For the detection and prevention of fraud, crime, or other malpractice;
- For audit and record keeping purposes;
- To send notifications about changes to our service;
- For purposes of research and analytics;
- During formal public participation processes;
- To assist with business development;
- To respond to queries or comments;
- To comply with legal and regulatory requirements or industry codes to which we subscribe, or which apply to us, or when it is otherwise allowed by law;
- To administer benefits to any customers, clients, employees and students;

- For vetting and verification, occupational health and safety administration, work management, business travel, corporate security, organisational charts, email archiving for disaster recovery, legal report obligations; and
- Any other legitimate business interests.

4. **HOW WE PROTECT PI**

In accordance with the Protection of Personal Information (PoPI) Act 4 of 2013 (PoPI Act), J&W is committed to protecting all PI processed from loss, misuse and unauthorised access, disclosure, alteration or destruction.

The organisation follows appropriate practices to ensure safeguards are in place for all information collected, including electronic and physical PI records. This is achieved by means of the following:

- Fostering a culture of accountability within the organisation to ensure privacy controls are implemented and due processes are followed by all employees.
- Conducting appropriate staff training to ensure all staff understand the policies and processes related to the treatment of personal information.
- Holding non-compliant persons to account.
- Always specifying the purpose for collecting PI, and only collecting that which is necessary to fulfil that purpose.
- Limiting the processing of PI to only the reasons which were specified at collection and only allowing further processing if it is compatible with the original purpose, or permission provided when it was collected, or if additional consent is received.
- Ensuring the quality of PI by providing means of updating PI of individuals and organisations, as well as keeping records up to date.
- Complying with the sections of Promotion of Access to Information Act 2 of 2000 (PAIA) that provides for openness and transparency in allowing for access to information.
- Ensuring individuals and organisations are made aware of the channels used to collect their information and may follow any of the prescriptions of PAIA to update, have access to correct information or lodge a complaint regarding their PI.
- Ensuring measures are in place to minimise the threat to privacy should something happen to the PI we possess, in accordance with the POPI Incident Response Policy, so that we can minimise impacts to the individuals and organisations affected.
- Implementing appropriate **security safeguards** such as infrastructure and IT security measures (firewalls), identity and access management, security awareness and policies / procedures (business continuity planning and data recovery) for data privacy and restrictions on information in place to protect the PI we process.
- Gathering **prior authorisation** from the Regulator in order to process Special Personal Information (SPI) in terms of the POPI act section 26, such as children and health information, religion, sexuality and ethnic origins, while ensuring that sufficient controls are in place to provide specialised care to such SPI.

5. HOW WE COLLECT AND SHARE PI

5.1 Collecting

J&W will primarily collect information directly from the individual / organisation through an authorised representative, using specific channels or directed to an individual in our organisation, or alternatively provided through online channels, portals, and external third parties where the consent has been provided to do so.

This can be done by corresponding with us by post, phone, e-mail or on our website, contractually working with us as a third party on projects, general sharing of information, and other means. Other means include via the credit bureau, completing the visitor's register when entering the premise, CCTV footage taken on the premises for security reasons, registering as an interested and affected person on a project, attending a public or focus group meeting, etc.

5.2 Sharing

Where appropriate, before disclosing PI to a third party, we will take reasonable steps to confirm that the third party has adequate precautions and security controls in place to protect that PI and data with the level of protection as prescribed by the law.

Information may also be shared with our associated companies in Ghana, the UK, or others, as well as other countries outside of South Africa, in which case we will fully comply with applicable international Data Protection Legislation. This may happen if our servers or suppliers and service providers are based outside of South Africa, or if our services are hosted in systems or servers or backups are stored outside of South Africa. We ensure equal Data Privacy across all our branches and subsidiaries, while we make sure that PI is protected, and enter into appropriate agreements to achieve this where required.

5.3 Marketing

Individuals / organisations have the right to choose whether to receive marketing material or not. When accepting to use our products and services or joining the organisation, marketing consent will be collected for related services, products and offerings. Although J&W does not typically engage in any direct marketing, should an individual or organisation not want to receive any marketing we will record this and comply appropriately.

The organisation complies, where applicable, with the direct marketing provisions of the Consumer Protection Act No 68 of 2008 ("CPA") and the regulations.

6. RIGHTS OF THE INDIVIDUAL / ORGANISATION (THE DATA SUBJECT)

Where the individual / organisation is concerned, certain rights are provided regarding the PI J&W holds. These rights can be exercised at the discretion of the individual / organisation, and comprise the right to:

- **Lodge a complaint** - if an individual or organisation has any concerns regarding the use of their PI, a complaint may be lodged with the Information Officer.
- **Request for access** – individuals / organisations may request access to their information, following the PAIA manual processes.
- **Right to object or request restrictions** - individuals / organisations have the right to object to their information being processed or withdraw permission to process their information by either J&W or any third party involved. However, it must be noted that where certain transactional processing is objected to and they are mandatory to the

fulfilling of services or operations of J&W, then we have the right to terminate agreements with the individual / organisation. For example, if we have a contract or agreement with a supplier and they object to providing their financial details, which we need to use to pay the supplier, then we cannot fulfil the terms of the agreement and will terminate the agreement accordingly.

- **Right to correct** - where an individual / organisation's information has changed, is inaccurate or incomplete, they have the right to have it amended.
- **Right to request the erasure** - a request to erase an individual / organisations' PI, where the PI is no longer necessary for the purpose of which it was collected, will be allowed, provided it is in line with our data retention and destruction guidelines.

7. WEBSITES

7.1 Cookies

J&W may place small text files called 'cookies' on your device when you visit the organisation's website. These files contain a personal identifier allowing us to associate your personal information with a certain device. These files serve a number of useful purposes, including:

- tailoring our website's functionality to you personally by remembering your preferences;
- improving the websites performance.

Where an individual / organisation provides PI through the online platform it would only be to gather the necessary information to resolve any request or enquiry and identify the individual / organisation, with information such as name, email address, phone number or organisation and details associated with the enquiry.

Internal staff, contractors, students and vendors may access the internal portals, tools and systems provided to maintain the contractual agreements held with them, as well as maintain personal and corporate records for the purpose of executing work deliverables and providing benefits to them.

All information provided on our public and restricted platforms are secured by appropriate infrastructure, system and physical security controls, and policies, and are in line with the legal requirements of the POPI Act and other security standards, to ensure that all our information and that of others we collect is protected.

8. INFORMATION OFFICER

Information Officer: **Ms TS Mothoagae**

Contact email: **post@jaws.co.za**

Contact number: **011 519 0200**

9. GENERAL

This policy is reviewed and updated from time to time and will be available on our website and at any building of J&W office upon request.

DOCUMENT REVISION HISTORY

Date	Revision	Changes	Approved by:
2023/03/13	23r0	First issue	Trevor Green