

Transcript of the Unpacking the POPIA Act Webinar, 30 November 2021.

Hosted by the Information Regulator and the National School of Government (NSG).

WEBVTT

1

00:00:03.780 --> 00:00:18.810

Prof Nitasha Ramparsad (NSG): Good afternoon and welcome to the the third part of the puppy webinar series The industry has partnered with the information regulator of South Africa to deliver webinars on the puppy act.

2

00:00:19.620 --> 00:00:27.420

Prof Nitasha Ramparsad (NSG): This particular webinar is to provide guidance to responsible parties on how to conduct a personal information impact assessment.

3

00:00:27.990 --> 00:00:36.600

Prof Nitasha Ramparsad (NSG): Which is a process to assess compliance with the eight conditions for law for processing of personal information identifying risks and proposing.

4

00:00:37.020 --> 00:00:44.790

Prof Nitasha Ramparsad (NSG): mitigating measures furthermore guidance and how to develop and implement a compliance framework will be presented.

5

00:00:45.450 --> 00:01:05.160

Prof Nitasha Ramparsad (NSG): A compliance framework will support the fundamentals of an effective privacy management program for responsible parties at the end of this webinar, we hope that you will be able to design a puppy or compliance framework, as well as be able to conduct a personal information impact assessment.

6

00:01:06.240 --> 00:01:17.490

Prof Nitasha Ramparsad (NSG): i'd like to now hand over to the professor of assigning really our principal of the industry to provide the opening and welcome Professor many.

7

00:01:34.410 --> 00:01:38.490

Prof Nitasha Ramparsad (NSG): So I think your camera is frozen.

8

00:02:11.910 --> 00:02:19.950

Prof Nitasha Ramparsad (NSG): We apologize for the technical issue that just trying to get our principal back, and we are just beg your indulgence for a few minutes.

9

00:02:38.520 --> 00:02:39.600

hello, can you hear me now.

10

00:02:40.950 --> 00:02:42.660

busani ngcaweni: hello, can you hear me.

11

00:02:43.260 --> 00:02:43.980

Prof Nitasha Ramparsad (NSG): Yes, we can yes.

12

00:02:44.520 --> 00:02:54.330

busani ngcaweni: Thanks good stuff okay now, so I sing him tends to you and Lewis, who have been making this arrangement and must also then, thank you, colleagues.

13

00:02:55.740 --> 00:03:07.290

busani ngcaweni: From the information regulator, this is much appreciated, it is a partnership that we've had this is a tab iteration of this is this webinar.

14

00:03:08.010 --> 00:03:19.470

busani ngcaweni: And we don't take it for granted that you make yourselves it's a very senior level available to engage public servants and talk about a very important piece of legislation.

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00:03:20.010 --> 00:03:39.720

busani ngcaweni: That all of us have to comply with the attitude at the national school of government is that when we talk about building state capacity, we talked about the combination of factors, one is about having skilled public servants who mastered their craft.

16

00:03:40.380 --> 00:03:41.430

busani ngcaweni: So they know.

17

00:03:41.910 --> 00:03:51.810

busani ngcaweni: What to do as prescribed if they have to issue permits they're able to issue per minute, and those are correct permits and they are issued on time.

18

00:03:52.710 --> 00:04:03.840

busani ngcaweni: If they have to issue a birth certificate they do it and start on time and correctly without spelling mistakes if they have to give social grants.

19

00:04:04.710 --> 00:04:16.350

busani ngcaweni: there's they do so without humiliating young mothers and asking them why did they get pregnant the Defense instance they do what they have to do as prescribed by law.

20

00:04:16.770 --> 00:04:26.490

busani ngcaweni: And that they do it with empathy and kindness necessarily that way when the public Internet with others, public service, they will say we are professional.

21

00:04:26.850 --> 00:04:34.740

busani ngcaweni: Because we treated them empathetically and they say we are professional because we deliver a service proficiently.

22

00:04:35.490 --> 00:04:46.230

busani ngcaweni: which has the capacity to also talking about people, knowing understanding the legislative environment and knowing how to comply with the legislative environment.

23

00:04:46.950 --> 00:04:57.930

busani ngcaweni: For example, PR itself has a lot of responsibilities, a you know that public service, need to be aware of, because if we violate those.

24

00:04:58.890 --> 00:05:08.040

busani ngcaweni: i'm making an estimation here colleagues that the personal injury lawyers who are busy at road excellent find at some point.

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00:05:08.760 --> 00:05:19.590

busani ngcaweni: And they moved from rf into that Department of Health my prediction is that those personal injury lawyers and now going to be all over the state.

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00:05:20.220 --> 00:05:27.450

busani ngcaweni: Using poor PA violations, because these are low hanging fruit for personal injury lawyers.

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00:05:27.900 --> 00:05:40.440

busani ngcaweni: that they will be suing government employees and government state departments for validation of appear, it is essential, therefore, that working with him regulator and other stakeholders.

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00:05:40.980 --> 00:05:53.430

busani ngcaweni: That we are able to empower public servants to know how to navigate the intricacies of this oftentimes when we were caught on the wrong side of the law.

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00:05:54.000 --> 00:06:04.560

busani ngcaweni: We blame an institution that is responsible for overseeing the implementation of the law, it is not the US an organization that wrote the law.

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00:06:05.070 --> 00:06:14.040

busani ngcaweni: It is a policy department that wrote the law, you are custodians of implementation of of that law, it is important, therefore.

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00:06:14.490 --> 00:06:20.430

busani ngcaweni: That you have these engagements and open, as we have opened your doors to integrate with public safety service and so on.

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00:06:20.820 --> 00:06:30.660

busani ngcaweni: So they know that when they are challenged in future by yourselves is not because you are on a witch hunt looking for people who are validating and want to punish those.

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00:06:31.830 --> 00:06:43.770

busani ngcaweni: Awareness is very critical what matters like this was it we appreciate that we are able to be here and they are public servants who have consistently been attending these, we hope that they are taking something.

34

00:06:44.400 --> 00:06:52.710

busani ngcaweni: away from it and sharing and telling other people about, it is important that public sector public servants were able to think creatively.

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00:06:53.220 --> 00:06:59.490

busani ngcaweni: Around, how do we if i'm immediately as an officer and working in a department, a coach when NBC.

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00:07:00.180 --> 00:07:08.220

busani ngcaweni: With my political principle we take pictures, you have to know how to navigate situations like those because half the time.

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00:07:08.490 --> 00:07:20.940

busani ngcaweni: It is not your intention to deliberately break the law, but by you understanding the law, the regulations you improve your ability to navigate and manage those complex situation because tomorrow.

38

00:07:21.990 --> 00:07:31.500

busani ngcaweni: Let me say you use this image you never got permission for it, and so on, as Department of State all of us are now working and caring.

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00:07:32.010 --> 00:07:43.260

busani ngcaweni: eeg ater is big data needs to be protected, it needs to be self self guided and we need to spend resources to install and wellness you know building the capacity of people across.

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00:07:43.680 --> 00:07:49.590

busani ngcaweni: The system to know how to manage big data it wasn't covered a lot of responses with responsibilities.

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00:07:49.980 --> 00:08:00.960

busani ngcaweni: So thank you once again for being here all of your attendees and colleagues who have organized with the colleagues from the from the regulator let's have a great conversation feather Thank you a program director.

42

00:08:02.940 --> 00:08:06.270

Prof Nitasha Ramparsad (NSG): Thank you very much principle for that very warm introduction.

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00:08:07.350 --> 00:08:18.030

Prof Nitasha Ramparsad (NSG): Just some housekeeping if you could please keep your MIC off, and please keep your camera off we encouraging you to please use the Q amp a.

44

00:08:18.720 --> 00:08:22.860

Prof Nitasha Ramparsad (NSG): function which you will see at the bottom of your screen next to where it says participants.

45

00:08:23.700 --> 00:08:32.970

Prof Nitasha Ramparsad (NSG): The icon next to where it says participants is a little Q amp a with to speech bubbles, if you could please note your questions in there.

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00:08:33.540 --> 00:08:41.190

Prof Nitasha Ramparsad (NSG): The panelists will address your questions and now i'd like to introduce our next our next speaker, Mr ellison teeny.

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00:08:41.760 --> 00:08:51.990

Prof Nitasha Ramparsad (NSG): mystery is an attorney specializing in transparency and accountability issues she has litigated on transparency and whistleblowing issues and a number of high quality matters.

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00:08:52.410 --> 00:09:02.760

Prof Nitasha Ramparsad (NSG): The Labor court constitutional court and Supreme Court of Appeal, she was formerly the director of the open democracy advice Center she subordinate to have the judges better campaign, which is a.

49

00:09:03.480 --> 00:09:07.590

Prof Nitasha Ramparsad (NSG): project of the democratic governance and rights unit at the University of Cape Town.

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00:09:08.160 --> 00:09:16.200

Prof Nitasha Ramparsad (NSG): They have an extensive campaign on judicial appointments and conduct processes publications include the right to know the right to live.

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00:09:16.680 --> 00:09:20.670

Prof Nitasha Ramparsad (NSG): edited by Richard calland and herself and she contributes to the day maverick.

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00:09:21.150 --> 00:09:33.030

Prof Nitasha Ramparsad (NSG): She works on issues surrounding gender based violence, and particularly the rollout of sexual offences courts with rape survivor justice campaign, thank you very much, Mr Lee i'd now like to hand the floor to you.

53

00:09:35.160 --> 00:09:40.050

Ms. Alison Tilley: Well, thank you very much profit and thank you very much.

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00:09:41.070 --> 00:09:42.030

Ms. Alison Tilley: For the welcome.

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00:09:43.290 --> 00:09:44.610

Ms. Alison Tilley: Prof awareness.

56

00:09:47.340 --> 00:10:09.300

Ms. Alison Tilley: As you've indicated, this is part three of a three part series and i'm afraid that each part could have probably be been three times as long there's a there's a lot to get through in this legislation and the regulator is the custodian of off both puffy and Pio.

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00:10:10.740 --> 00:10:13.830

Ms. Alison Tilley: Pio being the promotion of access to information act.

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00:10:15.300 --> 00:10:31.050

Ms. Alison Tilley: The role of the regulator is is not just to be a big stick and and fracking everybody with with consequences if papi is is an empire on much respected.

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00:10:31.860 --> 00:10:45.150

Ms. Alison Tilley: Protected promoted unfulfilled but also, I think, to encourage people to think about these rights to privacy and rights to access to information is really important developmental rights.

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00:10:46.770 --> 00:10:49.290

Ms. Alison Tilley: In a in a country which is.

61

00:10:50.880 --> 00:10:53.460

Ms. Alison Tilley: plagued by by poverty and inequality.

62

00:10:54.750 --> 00:10:57.180

Ms. Alison Tilley: We know that data is the new i'll.

63

00:10:58.410 --> 00:11:12.480

Ms. Alison Tilley: People say that what what they really mean when they say that is that companies that do nothing but trade and data are very, very, very rich and and that we need to look after our data as a natural resource.

64

00:11:14.370 --> 00:11:20.700

Ms. Alison Tilley: And that's part of what the regulators here to do and in our in our previous.

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00:11:22.350 --> 00:11:41.850

Ms. Alison Tilley: webinars we've we've talked a lot about puppy going to talk a lot about puppy in this webinar as well, we certainly hope to to look ahead and and perhaps doing on pyre, which is the other parts of the regulator's mandate, the members of the regulator are appointed.

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00:11:42.900 --> 00:11:44.070

Ms. Alison Tilley: by the committee.

67

00:11:45.510 --> 00:11:46.410

Ms. Alison Tilley: There then.

68

00:11:47.550 --> 00:12:00.510

Ms. Alison Tilley: committee in Parliament were voted on by Parliament and then we were appointed by the President, so I guess we feel we feel responsible for making sure that the the regulator really does its job.

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00:12:01.920 --> 00:12:03.810

Ms. Alison Tilley: If I can say from.

70

00:12:05.040 --> 00:12:07.920

Ms. Alison Tilley: From our side i'm sorry, let me just.

71

00:12:14.100 --> 00:12:18.840

Ms. Alison Tilley: And if I can say from from our side, we have a number of colleagues with us.

72

00:12:20.040 --> 00:12:24.870

Ms. Alison Tilley: From the education, communication division, we have.

73

00:12:26.070 --> 00:12:26.970

Ms. Alison Tilley: Mr dendur.

74

00:12:28.080 --> 00:12:40.950

Ms. Alison Tilley: Sunday is is also with us, and then we have a number of other colleagues, I think the the two that you're really going to see most of today is splashes so so long.

75

00:12:42.240 --> 00:12:43.230

Ms. Alison Tilley: Who heads up.

76

00:12:44.520 --> 00:13:02.160

Ms. Alison Tilley: The division that deals with policy and research are also going to have Mr Mr CEO who will be addressing us as the second part of the presentation and then also we have with us, Mr add.

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00:13:03.180 --> 00:13:14.190

Ms. Alison Tilley: Mr modern your net and Mr Lambert and Miss Kampala so without further ado.

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00:13:16.020 --> 00:13:18.600

Ms. Alison Tilley: Perhaps I can, I think.

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00:13:20.160 --> 00:13:27.330

Ms. Alison Tilley: MC hand over to missoula and asked her to to begin her presentation.

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00:13:30.150 --> 00:13:34.830

Prof Nitasha Ramparsad (NSG): Thank you very much, Mr Lee and now going to introduce miss versus you know.

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00:13:35.610 --> 00:13:44.790

Prof Nitasha Ramparsad (NSG): versus yellow is a privacy and take attorney skilled in providing sound legal expertise across highly regulated public and private sector environments.

82

00:13:45.450 --> 00:13:49.680

Prof Nitasha Ramparsad (NSG): Russia started her career in private practice and then serve with the pocket protector.

83

00:13:50.130 --> 00:13:57.060

Prof Nitasha Ramparsad (NSG): She was there after appointed as most of the High Court she assumed the role of Chief Eric to legal legal services and headed the legal.

84

00:13:57.360 --> 00:14:04.740

Prof Nitasha Ramparsad (NSG): director, with the Department of employment and Labor workman's compensation and the wife, Russia is currently the executive.

85

00:14:05.220 --> 00:14:13.290

Prof Nitasha Ramparsad (NSG): hitting legal policy, research and information technology, analysis and the deputy information officer with information regulator South Africa.

86

00:14:13.800 --> 00:14:27.870

Prof Nitasha Ramparsad (NSG): she's a doctoral candidate in ICT law privacy and cyber security she's also engaged with global Internet governance programs and is passionate about development to ICT, so thank you very much for expression for giving us your time.

87

00:14:29.190 --> 00:14:30.750

Prof Nitasha Ramparsad (NSG): And now, like 1020.

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00:14:32.730 --> 00:14:33.990

Ms. Varsha Sewlal: And thank you very much.

89

00:14:35.130 --> 00:14:40.290

Ms. Varsha Sewlal: Thank you for the opportunity i'm going to get right in to my presentation.

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00:14:57.030 --> 00:14:57.420

There we go.

91

00:14:58.800 --> 00:15:05.310

Ms. Varsha Sewlal: i'm going to address you today, on the Compliance framework and personal information impact assessment.

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00:15:05.730 --> 00:15:18.960

Ms. Varsha Sewlal: And, and the purpose of this is that you know there's a legislative mandate on information offices to ensure that they have a compliance framework in place and that they undertake a personal information.

93

00:15:20.490 --> 00:15:22.350

Ms. Varsha Sewlal: And, and what does this actually mean.

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00:15:26.040 --> 00:15:33.540

Ms. Varsha Sewlal: So, in terms of Section 50 518 of the protection of personal information act and information officer.

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00:15:34.320 --> 00:15:44.910

Ms. Varsha Sewlal: is responsible for compliance by the body with the conditions for the lawful processing of personal information and regulation for one a.

96

00:15:45.510 --> 00:15:59.580

Ms. Varsha Sewlal: Relating to prepare for strides that an information officer must ensure that a compliance framework is developed implemented monitored and maintained and and and we need to unpack What this actually means.

97

00:16:00.690 --> 00:16:13.470

Ms. Varsha Sewlal: And in terms of regulation for one be there's an additional process which prescribes that information officers, must ensure that a personal information impact assessment is undertaken and i'm going to call it peer.

98

00:16:14.070 --> 00:16:23.310

Ms. Varsha Sewlal: And impact assessment is basically a process that is utilized to assess compliance with the eight conditions for lawful processing of personal information.

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00:16:23.970 --> 00:16:34.380

Ms. Varsha Sewlal: It will enable you to identify risks associated with the type of processing that you undertake and enable you to also identify and propose mitigation measures.

100

00:16:34.800 --> 00:16:51.360

Ms. Varsha Sewlal: That would minimize or diminish the identified or anticipated risks and an impact assessment should be conducted to ensure that adequate measures and standards are put in place in order to comply with the condition to the lawful processing of personal information.

101

00:16:55.050 --> 00:16:59.670

Ms. Varsha Sewlal: To try and unpack what API compliance framework actually is.

102

00:17:01.080 --> 00:17:14.340

Ms. Varsha Sewlal: accountability is a principle that all organizations across many disciplines need to abide by and what the peer compliance framework actually does is that.

103

00:17:14.760 --> 00:17:29.400

Ms. Varsha Sewlal: It when you look at the accountability condition it's one of the conditions in prepare and then, and it also enables responsible parties to demonstrate compliance with the conditions of popular.

104

00:17:30.660 --> 00:17:38.970

Ms. Varsha Sewlal: In addition to this, appropriate technical and organizational measures must be implemented to meet the requirements of accountability.

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00:17:39.480 --> 00:17:44.910

Ms. Varsha Sewlal: and to ensure that the processing of personal information is in accordance with poppier.

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00:17:45.600 --> 00:17:56.820

Ms. Varsha Sewlal: And, and all of this can become a nebulous concept, because which policies do you actually look at and and what exactly is a compliance framework intended to to achieve.

107

00:17:57.360 --> 00:18:03.030

Ms. Varsha Sewlal: So a compliance framework will govern personal information and it provides a framework.

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00:18:03.450 --> 00:18:14.640

Ms. Varsha Sewlal: Which there are two forms the structure that that will give you a holistic overview of how an organization will create and manage it into enterprise wide information assets.

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00:18:14.970 --> 00:18:24.210

Ms. Varsha Sewlal: And this would consist of your record any type of personal information and data that you hold as an as an organization be public or private.

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00:18:26.400 --> 00:18:39.840

Ms. Varsha Sewlal: A compliance framework would include some of these functions when you're planning to prepare one, it would provide you with strategic thought leadership, it will assemble cross functional support.

111

00:18:40.920 --> 00:18:48.510

Ms. Varsha Sewlal: It will enable you to develop a privacy framework analyze legal requirements and develop a compliance framework.

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00:18:49.710 --> 00:19:08.460

Ms. Varsha Sewlal: From this you'd also be able to develop privacy policies processes and internal controls which protect personal information and, and these will be inclusive of your privacy matters that you would encounter in your day to day operational issues.

113

00:19:09.480 --> 00:19:21.450

Ms. Varsha Sewlal: The components of a puppy a compliance framework and, as I stated earlier, that the compliance framework will have to support the fundamentals of an effective privacy management Program.

114

00:19:22.140 --> 00:19:34.950

Ms. Varsha Sewlal: The compliance framework also needs to comprise of different strategies initiatives policies procedures standards and guidelines that would work collectively to achieve poppier compliance.

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00:19:35.610 --> 00:19:48.060

Ms. Varsha Sewlal: And and and just as an overview your compliance framework would cover matters like establishing a governance framework which could, which has to include appointing and information officer.

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00:19:48.930 --> 00:19:55.740

Ms. Varsha Sewlal: Ensuring that you have adequate risk assessment policies and procedures in your environment.

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00:19:56.460 --> 00:20:05.490

Ms. Varsha Sewlal: Ensuring that you have an internal policy on the protection of personal information and the speaks to the privacy ecosystem that exists in your business environment.

118

00:20:06.270 --> 00:20:25.290

Ms. Varsha Sewlal: It would also include you undertaking a personal information impact assessment, as you will note the personal information impact assessment appear, it would actually form as a component of a compliance framework, it would speak to your records management policy.

119

00:20:27.060 --> 00:20:41.430

Ms. Varsha Sewlal: And also ensure that you have implemented appropriate technical and organizational measures, and this would be inclusive of ensuring you have a breach management process.

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00:20:42.390 --> 00:20:45.720

Ms. Varsha Sewlal: You would also have to develop an information security policy.

121

00:20:46.680 --> 00:20:59.580

Ms. Varsha Sewlal: include and include a policy on accessing information so it's not just about protecting information it's also about making sure that certain information is accessible in terms of popular.

122

00:21:00.360 --> 00:21:19.740

Ms. Varsha Sewlal: And you would provide for review mechanisms, because your policy your framework is not going to be stagnant it's going to be one that would grow and be augmented as your business environment changes and and what i've done here is that they i'm and i'm going to just look at.

123

00:21:20.760 --> 00:21:29.010

Ms. Varsha Sewlal: Two of these components of a of the proposed for peer compliance framework, when you need to establish a governance framework.

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00:21:29.640 --> 00:21:45.540

Ms. Varsha Sewlal: These are the types of measures that you should include in in your compliance framework for instance registering your information officer and designating or delegating a deputy information officer, if required.

125

00:21:46.740 --> 00:21:51.690

Ms. Varsha Sewlal: and to ensure that the information officer does develop a compliance framework.

126

00:21:52.920 --> 00:22:00.750

Ms. Varsha Sewlal: conducting a personal information impact assessment to determine adequate technical and organizational measures are put in place.

127

00:22:01.470 --> 00:22:12.930

Ms. Varsha Sewlal: Ensure that you have a pyre manual and ensure the internal measures are developed together with adequate systems that will enable you to process request for information or access.

128

00:22:13.980 --> 00:22:26.010

Ms. Varsha Sewlal: You need to also ensure that you conduct internal awareness sessions on prepare the regulations code of conduct or information issued by the by the regulator.

129

00:22:27.030 --> 00:22:36.450

Ms. Varsha Sewlal: And you would also need to ensure that an organizational structure in your business environment will clearly identify operational roles.

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00:22:37.350 --> 00:22:47.160

Ms. Varsha Sewlal: develop policies and procedures that would give effect to your governance structure and ensure that there is a review process of all policies and procedures.

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00:22:48.240 --> 00:22:54.450

Ms. Varsha Sewlal: And the records management, the types of activities that you and processes that you can adopt.

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00:22:54.990 --> 00:23:06.180

Ms. Varsha Sewlal: is to make sure that, firstly, you have a records management policy, and that should incorporate the following Firstly, you need to identify what what is a record.

133

00:23:07.050 --> 00:23:14.640

Ms. Varsha Sewlal: identify records that require additional protection classification of the information that you hold in your business environment.

134

00:23:15.300 --> 00:23:30.960

Ms. Varsha Sewlal: Is is critical, because you need to identify the kind of risk that that information will attract and and the only way, you can do, that is, firstly, to identify all records that you keep in your business environment.

135

00:23:32.070 --> 00:23:45.120

Ms. Varsha Sewlal: and ensure that you can identify your retention and disposal periods, because you are not you should not be secure, you should not be retaining information longer than it has served its purpose for.

136

00:23:46.200 --> 00:23:59.190

Ms. Varsha Sewlal: And you need to ensure that every type of information that you hold, there is a congruent disposal period attached to that information, so you would have to basically create.

137

00:23:59.640 --> 00:24:07.230

Ms. Varsha Sewlal: An information register and classify your information, identify what it is link it to.

138

00:24:08.130 --> 00:24:18.000

Ms. Varsha Sewlal: The time that the time period that you ought to be keeping this information and and and, likewise, what is the time period for you to dispose of that information.

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00:24:18.750 --> 00:24:31.860

Ms. Varsha Sewlal: You need to identify where records will be stored assign specific individuals to implement records management your your tools and and have an implementation plan for your records management policy.

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00:24:32.610 --> 00:24:43.650

Ms. Varsha Sewlal: stuff needs to be trained on information that has to be retained and which, and that would should be disposed of and the time periods for that need to be a deer to.

141

00:24:44.850 --> 00:24:55.080

Ms. Varsha Sewlal: develop an electronic records and document management system and the system or to enable you to access the categories of information that you identify.

142

00:24:55.650 --> 00:25:05.460

Ms. Varsha Sewlal: and select your employees segregate duties were possible, because if you do that you'll be able to have enhanced the protection of personal information.

143

00:25:06.030 --> 00:25:15.210

Ms. Varsha Sewlal: it's it's very wise to make sure that, in line with the segregation of duties that all employees don't have access to all information.

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00:25:15.780 --> 00:25:29.850

Ms. Varsha Sewlal: And should it be a breach of any type or compromise, then you would have to account for not having put into processes that would ensure enhanced protection of personal information.

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00:25:30.450 --> 00:25:39.570

Ms. Varsha Sewlal: And, as I alluded to earlier maintain or register all employees and their corresponding access to the information technology systems and records.

146

00:25:39.930 --> 00:25:48.150

Ms. Varsha Sewlal: And the reason for this is that it's linked with the segregation of duties and if you have a register of who has access to what information.

147

00:25:48.780 --> 00:26:04.710

Ms. Varsha Sewlal: You would be able to identify where a breach or compromise of that information occurred and it's often in a public sector environment that it's not it's not always possible to implement that kind of.

148

00:26:06.300 --> 00:26:12.000

Ms. Varsha Sewlal: You know sectioning off access, but that is that there is what you ought to be doing.

149

00:26:13.110 --> 00:26:24.090

Ms. Varsha Sewlal: To safeguard personal information, and I think it's prudent to mention that the public sector and and and I believe that most of the Internet attendees today would probably be from the public sector.

150

00:26:24.600 --> 00:26:42.180

Ms. Varsha Sewlal: that the public sector holds the largest amount of personal information in the country and the last thing you want to do is to compromise that information and compromise millions of citizens that rely on us to abide by the provisions of puppy.

151

00:26:46.860 --> 00:26:55.170

Ms. Varsha Sewlal: And in addition to this, what you can do is when what you ought to do is make sure that you conduct an audit of all your contracts.

152

00:26:55.470 --> 00:27:03.180

Ms. Varsha Sewlal: Your service level agreements your operating agreements information systems and ensure that they are aligned with popular.

153

00:27:03.600 --> 00:27:13.500

Ms. Varsha Sewlal: Because many of these would have been pre pop here, and you need to conduct an audit to ensure to ascertain whether or not.

154

00:27:14.130 --> 00:27:17.250

Ms. Varsha Sewlal: They abide with the principles enshrined in popular.

155

00:27:18.090 --> 00:27:32.100

Ms. Varsha Sewlal: When you conduct an audit of all your processes, where you collect disseminate record store or destroy personal information you'll easily be able to identify whether or not you have attained compliance.

156

00:27:32.520 --> 00:27:39.870

Ms. Varsha Sewlal: And I mean this this compliance framework, as I mentioned before it's to ensure the protection of personal information.

157

00:27:40.200 --> 00:27:52.650

Ms. Varsha Sewlal: And, and this is why conducting an audit of all your processes, where information is collected disseminated recorded stored or destroyed will will assist you in attaining compliance.

158

00:27:54.030 --> 00:28:00.540

Ms. Varsha Sewlal: You should be assigning protection of personal information responsibilities and obligations to employees.

159

00:28:00.930 --> 00:28:08.250

Ms. Varsha Sewlal: And, and there should form part of their individual job descriptions, to the extent of it being included in their performance agreements.

160

00:28:08.970 --> 00:28:22.350

Ms. Varsha Sewlal: The projection of personal information is serious business and and I really believe that, if these roles and responsibilities and obligations that clarified at the outset, it will enable employees.

161

00:28:22.980 --> 00:28:30.030

Ms. Varsha Sewlal: and supervisors to ensure that is compliance and and being proactive about protecting personal information.

162

00:28:31.200 --> 00:28:38.430

Ms. Varsha Sewlal: incorporated incorporates the projection of personal information mechanisms into how your risk assessments are conducted and reported.

163

00:28:39.000 --> 00:28:50.580

Ms. Varsha Sewlal: And I mean it's something that has to be done from you know from the inception of appear, you need to also incorporate the protection of personal information mechanisms.

164

00:28:51.090 --> 00:29:08.550

Ms. Varsha Sewlal: When you process, health and safety protocols to develop retention and disposal policy of information and sure that just tough again I trained all your policies and procedures, ensure that paperwork is disposed off securely to sharing.

165

00:29:09.570 --> 00:29:20.580

Ms. Varsha Sewlal: The adoption of strict controls as to who can access personal information is important and blanket access, as mentioned before, should be avoided at all costs.

166

00:29:24.900 --> 00:29:45.000

Ms. Varsha Sewlal: included under records management, you should have a disaster management and recovery plan a business continuity policy and identify how personal information and records will be backed up in your in your disaster management and recovery plan and your business continuity policy.

167

00:29:46.230 --> 00:29:56.550

Ms. Varsha Sewlal: store your backups of electronic information and systems of sight in ensure that it securely stored, they must be secure storage of personal information.

168

00:29:57.090 --> 00:30:05.610

Ms. Varsha Sewlal: To prevent unauthorized access, and I think that means on a very basic level look at how personal information is stored.

169

00:30:06.480 --> 00:30:16.830

Ms. Varsha Sewlal: There many in environments within the public sector wav files are easily accessible, they might be on your tables in your in unlockable cupboards.

170

00:30:17.610 --> 00:30:31.050

Ms. Varsha Sewlal: And, and we need to be very mindful that personal information has to be protected from the most basic level and in as much as the responsibility of ensuring there's a compliance framework.

171

00:30:31.770 --> 00:30:48.210

Ms. Varsha Sewlal: That has to be implemented by the information officer, which in the public sector is your your DG or your or head of department and but records management and the prediction of personal information is something that is going to cascade all the way.

172

00:30:49.230 --> 00:31:09.630

Ms. Varsha Sewlal: Right from from your administrative clock to your registry clocks even your drivers, and I think that has to be thought of when you are outlining or when you're trying to identify who has access to information and what is the level of access to the information that they have.

173

00:31:12.390 --> 00:31:19.770

Ms. Varsha Sewlal: And i'm also going to cover the development of an internal policy on the protection of personal information.

174

00:31:20.460 --> 00:31:26.400

Ms. Varsha Sewlal: And the benefit of having an internal policy on the protection of personal information is that.

175

00:31:27.000 --> 00:31:38.730

Ms. Varsha Sewlal: You will enable employees to be guided and and in the event state is any confusion as to what processes to adopt or to follow.

176

00:31:39.360 --> 00:31:53.520

Ms. Varsha Sewlal: That you know it will provide the clarity and the guidance that's needed in your operating environment, so the policy would have to guide your organization and employees and how they ought to be processing personal information.

177

00:31:55.110 --> 00:32:00.060

Ms. Varsha Sewlal: As aligned with the conditions of lawful processing and some of the recommended.

178

00:32:00.660 --> 00:32:16.170

Ms. Varsha Sewlal: And this is not an exhaustive list some of some of the recommended policies and strategies, you can adopt is firstly enjoying that you develop a personal information strategy and integrate how put the protection of personal information.

179

00:32:17.490 --> 00:32:27.450

Ms. Varsha Sewlal: integrate that with your risk assessments and your risk reporting because compromised personal information is a huge risk in all environments.

180

00:32:28.020 --> 00:32:39.060

Ms. Varsha Sewlal: develop a protection of personal information charter include the projection of personal information in your mission your values and and the culture of your organization.

181

00:32:39.810 --> 00:32:57.480

Ms. Varsha Sewlal: and ensure that you can get employees to acknowledge and agree to the adherence of the protection of personal information and privacy policies in writing and conduct an annual review of this policy and incorporate principles of ethical governance of personal information.

182

00:33:01.080 --> 00:33:11.340

Ms. Varsha Sewlal: undertake an assessment of all processing activities that are undertaken in every division, and this will be clarified when we talk about the the PA.

183

00:33:11.850 --> 00:33:30.180

Ms. Varsha Sewlal: So every processing activity in your business environment in terms of your division and your job function must be identified identify also in in relation to those activities, whether or not that is compliance or poppier and.

184

00:33:31.710 --> 00:33:39.630

Ms. Varsha Sewlal: In addition to that try to identify what are the risks that are associated with that proceed without processing activity.

185

00:33:40.050 --> 00:33:51.000

Ms. Varsha Sewlal: Identifying mitigating measures linked to each processing activity assign individuals to implement your records management policy tools and implementation plan.

186

00:33:51.990 --> 00:34:00.090

Ms. Varsha Sewlal: And categorize your different types of information being processed whether its personnel information legal information financial.

187

00:34:00.420 --> 00:34:07.650

Ms. Varsha Sewlal: Information your disaster recovery information, commercial and operational in intermedia information.

188

00:34:08.310 --> 00:34:15.360

Ms. Varsha Sewlal: When you develop an invention of personal information you'll be able to classify and categorize that that information.

189

00:34:16.260 --> 00:34:27.090

Ms. Varsha Sewlal: record every processing activity and maintain a register of each processing activity and it does actually requires you on a very granular level to think about.

190

00:34:27.540 --> 00:34:39.510

Ms. Varsha Sewlal: What is processing exactly you know if I am going to secure personal information from an applicant and I have a file, if I have a file.

191

00:34:39.990 --> 00:34:54.060

Ms. Varsha Sewlal: of personal information on my desk you're actually processing personal information, how do you secure that personal information aligned with papaya is something that you're going to have to think about the most basic tasks.

192

00:34:54.570 --> 00:35:02.280

Ms. Varsha Sewlal: would have to be thought of and identified when dealing when developing your invention of personal information.

193

00:35:02.730 --> 00:35:15.720

Ms. Varsha Sewlal: So if you classify information, you can you can also develop a retention and disposal policy in accordance with the data sets and the categories of information that you process in your environment.

194

00:35:18.270 --> 00:35:26.700

Ms. Varsha Sewlal: And it will be necessary to conduct an audit again of all current processes, we collect store share correct and delete personal information.

195

00:35:27.300 --> 00:35:38.520

Ms. Varsha Sewlal: And it's it's it's going to be necessary for you to identify special personal information because special personal information will require a greater level of protection.

196

00:35:39.090 --> 00:35:51.870

Ms. Varsha Sewlal: To a large extent, you need to identify again all personal information that you have processed identify how that information was collected and where the information was collected stored and processed.

197

00:35:53.010 --> 00:35:56.730

Ms. Varsha Sewlal: identify every person that processes personal information.

198

00:35:57.600 --> 00:36:10.290

Ms. Varsha Sewlal: maintain your register of every activity conducted and its associated processing activity, because there might be activities that will be linked to our initial processing activity and you need to identify that.

199

00:36:11.250 --> 00:36:18.240

Ms. Varsha Sewlal: develop a procedure that will enable a data subject to object to the processing of their personal information.

200

00:36:19.170 --> 00:36:24.870

Ms. Varsha Sewlal: We spoke about retention policy already developed a policy on information quality.

201

00:36:25.680 --> 00:36:33.690

Ms. Varsha Sewlal: And the reason for this is that you need to ensure, in terms of prepare that the information that you hold is updated and accurate.

202

00:36:34.080 --> 00:36:47.130

Ms. Varsha Sewlal: And the only way, you can do, that is, if you if you have a policy on ensuring that your information is updated because it's often that you might have information that has not been verified or updated and.

203

00:36:52.380 --> 00:36:58.770

Ms. Varsha Sewlal: I mean it's quite there other, it seems as if it's quite lengthy, but all of these processes are quite necessary.

204

00:36:59.220 --> 00:37:08.610

Ms. Varsha Sewlal: If you, you also need to develop a procedure to do the correction and deletion of personal information in terms of Section 24 appear.

205

00:37:09.240 --> 00:37:17.670

Ms. Varsha Sewlal: develop a process where you can notify the data subject on the reason for processing the type of information that is being processed.

206

00:37:18.360 --> 00:37:25.170

Ms. Varsha Sewlal: The details of the responsible party processing the personal information and if the necessary consent what secured.

207

00:37:25.890 --> 00:37:35.400

Ms. Varsha Sewlal: Was the personal information collected directly from the data subject conduct a process to map all the personal information that is being processed.

208

00:37:35.850 --> 00:37:50.670

Ms. Varsha Sewlal: and ensure that personal information mapping is reviewed on a regular basis, I think you need to also establish a lot the lawful basis for your processing activities and a framework to establish and assess legitimate interest.

209

00:37:51.990 --> 00:38:00.090

Ms. Varsha Sewlal: document the lawful basis for processing of personal information and establish a register of all consents that have been secured.

210

00:38:03.600 --> 00:38:10.200

Ms. Varsha Sewlal: The review process to secure and review the process to secure consents on an annual basis.

211

00:38:11.790 --> 00:38:18.210

Ms. Varsha Sewlal: It will also be necessary for you to develop a policy on internal and external sharing of personal information.

212

00:38:18.660 --> 00:38:33.120

Ms. Varsha Sewlal: develop an information asset register that will keep a record of systems procedures applications that I use for the processing and storage of personal information and I spoke about this earlier so ensure information is accurate again.

213

00:38:34.260 --> 00:38:45.180

Ms. Varsha Sewlal: All employees must compile a monthly report on personal information that is processed and that report should be escalated monthly to the information officer.

214

00:38:45.630 --> 00:38:52.500

Ms. Varsha Sewlal: and to ensure that the information officer is fully apprised of our processing activities and it doesn't have to be.

215

00:38:53.160 --> 00:39:03.450

Ms. Varsha Sewlal: It doesn't have to be something that's laborious or cumbersome to do it can be a simple register that you develop and develop a policy on how.

216

00:39:03.990 --> 00:39:18.930

Ms. Varsha Sewlal: You use personal information, and for that specific purpose and if you're utilizing that information for any purpose that's beyond the purpose that you initially collected for, and I did I did say that it's not an exhaustive list.

217

00:39:21.270 --> 00:39:30.720

Ms. Varsha Sewlal: So I just want to this slide basically it draws on numerous global compliance and accountability frameworks.

218

00:39:31.770 --> 00:39:41.730

Ms. Varsha Sewlal: Which is, which is the same as a compliance framework in regulation for so as a data privacy compliance and accountability framework.

219

00:39:43.800 --> 00:39:46.620

Ms. Varsha Sewlal: will enable ensure that you have these.

220

00:39:47.940 --> 00:39:57.750

Ms. Varsha Sewlal: components which would include a governance your risk assessment process your organizational profile process.

221

00:39:58.620 --> 00:40:18.960

Ms. Varsha Sewlal: A process that will also cater for your day to day operations and sure that you include some sort of data security or information security practice whether it's going to be whether you're going to encrypt information or not, or whatever process that your CIO recommend.

222

00:40:20.190 --> 00:40:27.720

Ms. Varsha Sewlal: Ensure that you can cater for breaches and that you can manage peaches assess monitor and review the breach procedure.

223

00:40:28.350 --> 00:40:35.490

Ms. Varsha Sewlal: i'm looking at how you engage with third parties conducted due diligence look at your agreements with third parties.

224

00:40:36.390 --> 00:40:51.720

Ms. Varsha Sewlal: And and and I think importantly look at how your HR processes are being managed internally, make sure that you provide training on on on compliance and I and identify any projects that you might be working on.

225

00:40:52.860 --> 00:41:03.630

Ms. Varsha Sewlal: And just says if there's any special or any special personal information that is being processed in those projects and how you can ensure that you.

226

00:41:04.260 --> 00:41:18.210

Ms. Varsha Sewlal: protect that information and then again from a legal and compliance perspective, ensure that you review contracts to make sure that there's compliance with personal with the protection of personal information.

227

00:41:20.160 --> 00:41:33.270

Ms. Varsha Sewlal: This this slide is basically a tool that would improve privacy and it's it's it's called the nist it's a global framework and and basically it's it identifies.

228

00:41:34.710 --> 00:41:44.790

Ms. Varsha Sewlal: Some of the tools that you can utilize to boost information security in your environment and and you can see, here it.

229

00:41:45.510 --> 00:42:02.130

Ms. Varsha Sewlal: talks about a cybersecurity framework and a privacy framework, and I think the days have now gone by, where you cannot include cyber security and privacy, they are inextricably linked you can't.

230

00:42:03.510 --> 00:42:23.430

Ms. Varsha Sewlal: deal with one without dealing with the other, and as you find through automation and the development of Ai how important it is even from a development phase and, and I say it from a design phase issues of cyber security privacy and ethical Ai.

231

00:42:25.230 --> 00:42:35.340

Ms. Varsha Sewlal: As you develop technology these these factors have to be considered from the design phase after you have a product and you've already put that product in place.

232

00:42:35.730 --> 00:42:46.620

Ms. Varsha Sewlal: or it's too late, because it's very difficult to have often market features that would include cyber security privacy and ethical.

233

00:42:47.970 --> 00:42:59.850

Ms. Varsha Sewlal: factors and and my recommendation is that even when you're contracting out when you are when you are developing software or you asking for software to be developed that.

234

00:43:00.450 --> 00:43:11.100

Ms. Varsha Sewlal: Your developer, must be able to show you how they are abiding by cyber security privacy and ethical principles and if they are unable to do that.

235

00:43:11.760 --> 00:43:22.080

Ms. Varsha Sewlal: I don't think you know you should continue, because I mean the if the development of software and development of technology that we utilize and support.

236

00:43:22.830 --> 00:43:37.320

Ms. Varsha Sewlal: is not going to support it principles are privacy and security and ethical principles, I think, as we move forward we headed for for disaster and you make your environment quite vulnerable in that regard.

237

00:43:40.020 --> 00:43:53.550

Ms. Varsha Sewlal: And these are the different phases that enable the protection of personal information compliance, it says data privacy here which we we in South Africa utilize.

238

00:43:53.880 --> 00:44:09.540

Ms. Varsha Sewlal: The protection of personal information, but it means the same thing and it talks about assessing designing transformation operation and conforming with these principles i'm not going to go through it any further than that.

239

00:44:11.790 --> 00:44:14.940

Ms. Varsha Sewlal: coming to a personal information impact assessment.

240

00:44:16.650 --> 00:44:23.580

Ms. Varsha Sewlal: Privacy impact assessment appears or they're even called data protection impact assessments, they are one in the same.

241

00:44:24.420 --> 00:44:36.300

Ms. Varsha Sewlal: Global privacy frameworks require that an impact assessment has to be conducted in specific circumstances, for instance, if there's a high privacy risk project.

242

00:44:36.900 --> 00:44:50.190

Ms. Varsha Sewlal: Or you have changed a business process or there's a new way of of processing personal information that could have quite an impact on on the privacy of data subjects.

243

00:44:51.090 --> 00:45:09.480

Ms. Varsha Sewlal: In instances where information is profiled where automated decisions are made, which could lead to legal implications and it could also lead to prejudice of data subjects where you have systematic monitoring.

244

00:45:10.590 --> 00:45:13.710

Ms. Varsha Sewlal: The difference with our process in.

245

00:45:14.940 --> 00:45:24.990

Ms. Varsha Sewlal: PA is that we don't have defined categories, when you need to conduct a personal information impact assessment it's it's it's pretty open.

246

00:45:25.350 --> 00:45:36.930

Ms. Varsha Sewlal: Because regulation for one be doesn't prescribe the circumstances when you need to conduct a personal information impact assessment, it merely says.

247

00:45:37.260 --> 00:45:49.470

Ms. Varsha Sewlal: That a personal information impact assessment must be conducted to ensure that adequate measures and stated that exist in order to comply with the conditions of the lawful processing and personal information.

248

00:45:51.750 --> 00:46:02.400

Ms. Varsha Sewlal: They are certain examples of processing that can attract high risk and those would be, for instance, processing especial personal information on a large scale.

249

00:46:03.150 --> 00:46:13.230

Ms. Varsha Sewlal: The merging or linking of personal information personal information or incapacitated person or those who have limited ability to act.

250

00:46:13.890 --> 00:46:32.640

Ms. Varsha Sewlal: When you are utilizing new technologies or biometric procedures transporter flow personal information to countries which may not have adequate protection for data subjects processing, which would obstructed subjects from exercising their rights and.

251

00:46:33.810 --> 00:46:47.550

Ms. Varsha Sewlal: You will find that in in the jurisdiction, such as the EU, the UK, Australia and Canada, they would conduct an impact assessment, when when there's one or more of the factors that i've discussed.

252

00:46:49.020 --> 00:47:00.510

Ms. Varsha Sewlal: But we, as I mentioned puppy is silent on those qualifications and it actually means that you can conduct a PL when when you deem or when the information officer deemed necessary to do so.

253

00:47:03.300 --> 00:47:17.220

Ms. Varsha Sewlal: The identification assessment and management of risks of privacy risks, again, is a fundamental component of accountability, you see the the the principle of accountability, or the condition of accountability features again.

254

00:47:17.790 --> 00:47:28.230

Ms. Varsha Sewlal: When it comes to conducting a personal information impact assessment similar to to what we see in the need for a compliance framework, you need to understand the risks.

255

00:47:29.280 --> 00:47:36.750

Ms. Varsha Sewlal: That there are created by the way you process personal information and and, most importantly, you need to ensure.

256

00:47:37.170 --> 00:47:53.940

Ms. Varsha Sewlal: That you identify proportionate mechanisms to every risk that you identify, so the PA is actually a risk management tool and it will enable you to identify record and minimize risks to the protection of personal information.

257

00:47:56.250 --> 00:48:03.810

Ms. Varsha Sewlal: And the PR would include, for instance, the nature scope context and the purposes of processing.

258

00:48:04.470 --> 00:48:16.350

Ms. Varsha Sewlal: It would also assist your necessity, I mean, is it necessary for you to process that information is it proportional and it and you would be able to identify compliance measures.

259

00:48:16.830 --> 00:48:29.790

Ms. Varsha Sewlal: It will enable you to identify and assess risks today the subjects and identify any additional measures that would enable you to mitigate those risks, so the the PR should be able to.

260

00:48:30.690 --> 00:48:45.990

Ms. Varsha Sewlal: assist you in in mapping the flow of personal information between responsible parties operators and data subjects and your internal systems, it will identify assist you to identify procedures that.

261

00:48:47.400 --> 00:48:57.180

Ms. Varsha Sewlal: will diminish your ability to comply with appear, and it will also enable you to to mitigate and reduce high risks so.

262

00:48:57.990 --> 00:49:21.000

Ms. Varsha Sewlal: it's basically a process it's a documented process and you need to have control that you can review periodically some some jurisdictions conduct a personal information impact assessment or data protection impact assessment annually, or in the instances that we discussed earlier.

263

00:49:22.650 --> 00:49:31.950

Ms. Varsha Sewlal: The components of a personal information impact assessment, it would, firstly, identify how personal information is processed and the source of processing.

264

00:49:32.550 --> 00:49:38.430

Ms. Varsha Sewlal: Who is accountable and was responsible within the Organization for processing that personal information.

265

00:49:39.150 --> 00:49:57.900

Ms. Varsha Sewlal: It would also identify the purpose that the personal information is processed how that personal information will be processed again we talk about the personal information to attention and disposal policy how personal information will be managed and modified how personal information.

266

00:49:59.310 --> 00:50:13.050

Ms. Varsha Sewlal: and processes and application developers will protect personal information again, it will be able to identify how personal information is processed when transferred to other jurisdictions.

267

00:50:17.070 --> 00:50:17.520

Ms. Varsha Sewlal: Thank you.

268

00:50:20.190 --> 00:50:31.410

Ms. Varsha Sewlal: That That brings me to the to the end of me unpacking the essential components of the personal information impact assessment and the compliance framework, thank you.

269

00:50:32.820 --> 00:50:43.440

Prof Nitasha Ramparsad (NSG): Thank you very much, Mr bigelow, we will not take miss shirley miss presentation and then we will combine the the question and answer session after her.

270

00:50:44.760 --> 00:50:54.000

Prof Nitasha Ramparsad (NSG): Muslim is a seasoned researchers successful at conducting notable independent research in social policy, research and public policy analysis.

271

00:50:54.390 --> 00:51:00.720

Prof Nitasha Ramparsad (NSG): She has over 11 years of experience with an eagerness to advance knowledge through forward thinking investigations.

272

00:51:01.170 --> 00:51:07.320

Prof Nitasha Ramparsad (NSG): and experienced in conducting and overseeing key strategic research projects data collection and insights.

273

00:51:07.710 --> 00:51:18.150

Prof Nitasha Ramparsad (NSG): which have enabled organizations to make informed decisions towards policy formulation, for the past 11 years she has used her research expertise and research findings.

274

00:51:18.570 --> 00:51:28.350

Prof Nitasha Ramparsad (NSG): As a voice for the most marginalized and voiceless in society and ensure that the views form part of policymaking and our cornerstones of decision making processes.

275

00:51:28.770 --> 00:51:42.480

Prof Nitasha Ramparsad (NSG): Mr Olympia is currently a senior manager for policy analysis and research and the legal policy, research and information technology analysis division at the information regulator, South Africa, thank you very much for sharing your time machine me.

276

00:51:43.530 --> 00:51:46.800

Prof Nitasha Ramparsad (NSG): Please will you take the flow things you.

277

00:51:55.260 --> 00:51:57.270

Prof Nitasha Ramparsad (NSG): must remember limited Okay, thank you.

278

00:51:59.790 --> 00:52:10.980

Ms. Hlengiwe Shelembe: Thank you so much for the introduction and also thank you to Mr allow for providing that background or theoretical background on the.

279

00:52:11.400 --> 00:52:32.100

Ms. Hlengiwe Shelembe: personal information impact assessment, so what i'm going to be doing, from now on, then our be providing i'll be going through the template which responsible parties or public and private bodies can utilize in order to undertake the process of personnel information impact assessment.

280

00:52:39.480 --> 00:52:45.240

Ms. Hlengiwe Shelembe: So as part of a papers or interaction to my presentation.

281

00:52:46.140 --> 00:52:57.840

Ms. Hlengiwe Shelembe: Over and above what missoula have alluded on in terms of the responsibilities and duties of the information Officer of a public or private body in section 55 of PA.

282

00:52:58.470 --> 00:53:11.010

Ms. Hlengiwe Shelembe: Is that under Section 111 to have copia a Dr regulations in one of the of those regulations is regulation for one P, which prescribes that.

283

00:53:11.460 --> 00:53:19.770

Ms. Hlengiwe Shelembe: Information officers, must ensure that if you're smart inflammation impact assessment or impact assessment is, I will refer to it.

284

00:53:20.310 --> 00:53:27.090

Ms. Hlengiwe Shelembe: At some point during this presentation is undertaken so in impact assessment.

285

00:53:27.750 --> 00:53:37.380

Ms. Hlengiwe Shelembe: Is the process, which is our just unpacked what is what is it utilize to do as missoula have already added to it but i'll just quickly go through.

286

00:53:37.710 --> 00:53:45.690

Ms. Hlengiwe Shelembe: What is utilized, for it is to identify types of personnel information processed by in by the entity in the middle of processing.

287

00:53:46.140 --> 00:53:55.500

Ms. Hlengiwe Shelembe: As there's compliance with the conditions for the law for processing of information which are found in section eight to section 25 of the poppy.

288

00:53:56.310 --> 00:54:02.670

Ms. Hlengiwe Shelembe: And also identify risk associated with a manner that tree processing, such as much information.

289

00:54:03.000 --> 00:54:09.450

Ms. Hlengiwe Shelembe: As misled and it is well that this is one form of identifying lists which are associated in the manner in which.

290

00:54:09.780 --> 00:54:25.800

Ms. Hlengiwe Shelembe: The public body or an entity or private entity is processing personal information in his position and, lastly, to it is to then propose mitigation measures and aimed at minimizing the identified or anticipated risk.

291

00:54:26.400 --> 00:54:46.590

Ms. Hlengiwe Shelembe: And here we're talking two measures that we we maybe as an entity or as a public or private entity that can recommend in order to minimize whatever it is that would have been identified is posing a threat or to the rise of data subjects.

292

00:54:54.810 --> 00:55:04.590

Ms. Hlengiwe Shelembe: Then i'll quickly go through the PR components, or the personal information assessment components, over and above what what has been discussed.

293

00:55:05.010 --> 00:55:11.430

Ms. Hlengiwe Shelembe: I will just go to all the components that will then be outlining in the template which then.

294

00:55:12.180 --> 00:55:21.480

Ms. Hlengiwe Shelembe: explains how a personal information, including assessments to be undertaken firstly we've got type of personal information type of personal information, then.

295

00:55:21.780 --> 00:55:31.650

Ms. Hlengiwe Shelembe: It is likely outlined in the puppy eggs and as Chapter one and that definitions, it is outlined as to as.

296

00:55:32.370 --> 00:55:51.240

Ms. Hlengiwe Shelembe: Relating to in identifiable living natural person or where it is reasonable, in a favorable existing just it just touristic person, so this can range from people's race, gender sex pregnancy marital status.

297

00:55:51.960 --> 00:56:01.260

Ms. Hlengiwe Shelembe: information relating to the education to people's education or data science, education, medical or financial or criminal information.

298

00:56:01.620 --> 00:56:21.870

Ms. Hlengiwe Shelembe: also bear metric information biometric information of the person or people's personal opinions of US Those are all types of business information also you can also insert company details because company details are attached to a specific person so, for instance, if you.

299

00:56:23.130 --> 00:56:24.180

Ms. Hlengiwe Shelembe: Will a person's.

300

00:56:25.500 --> 00:56:34.650

Ms. Hlengiwe Shelembe: Come Oh, a company's registration number company belongs to a specific business or if you put if you punch in such a number in a specific maybe in a specific.

301

00:56:35.310 --> 00:56:45.720

Ms. Hlengiwe Shelembe: program it can be able to then pull out all the details of the of the directors of have such a company, so that is also regarded as a person that information.

302

00:56:46.230 --> 00:56:58.020

Ms. Hlengiwe Shelembe: Next component can be the main is the main of processing here then we're talking to then and after having identified the type of Islam from all the types of business information process by a.

303

00:56:58.290 --> 00:57:03.000

Ms. Hlengiwe Shelembe: public or private body, then we're talking to the middle of processing the middle of processing.

304

00:57:03.660 --> 00:57:16.410

Ms. Hlengiwe Shelembe: thing as well is also quite a wide concept it's where I invite me what actually meets what meets the eye so here we're talking to the main rate here is processing, which talks to.

305

00:57:17.340 --> 00:57:26.880

Ms. Hlengiwe Shelembe: It can talk to how we receive such information after receiving how to be recorded, how do we store that information, then, how do we go about.

306

00:57:28.320 --> 00:57:36.000

Ms. Hlengiwe Shelembe: destroying or deleting such information after the people's for which it was collected or process for have been achieved or.

307

00:57:36.600 --> 00:57:46.590

Ms. Hlengiwe Shelembe: Or have been have been going through that so another a component again of the President, information and pick the assessment is the description of condition for local processing of.

308

00:57:47.130 --> 00:57:53.790

Ms. Hlengiwe Shelembe: The whole process in such a personal information he hadn't read it, where we are going to learn and pepper all the.

309

00:57:54.360 --> 00:58:08.130

Ms. Hlengiwe Shelembe: Conditions for low for personal information, then here it's going to be a condition and then underneath each condition and they are questions or social technicians have been summarize from the ads in order to enable.

310

00:58:09.000 --> 00:58:19.260

Ms. Hlengiwe Shelembe: public or private, with is to be able to ascertain if the outcome playing with the with each when the shape my night and then the next component will be the assessment of compliance we.

311

00:58:19.830 --> 00:58:23.760

Ms. Hlengiwe Shelembe: Public and private bodies' then all this political parties will be able to ascertain.

312

00:58:24.450 --> 00:58:43.680

Ms. Hlengiwe Shelembe: The complaints, they have to specify, yes or no, and if the outcome playing India have to then specify to motivate how the APP on playing and the dis component of PA and then after that then assess risk score you call it assessment of risk then here we assess.

313

00:58:44.700 --> 00:58:55.350

Ms. Hlengiwe Shelembe: The risks that are associated with the manner in which we are processing such information or your major differences are associated with either with either we are with our compliance.

314

00:58:55.920 --> 00:59:07.590

Ms. Hlengiwe Shelembe: With each condition and then after the three then propose mitigation measures which then that it means amazing whatever is that we've identified and then yes make offers.

315

00:59:09.180 --> 00:59:23.790

Ms. Hlengiwe Shelembe: So, then, we are going, they were moving them to the assessment of the complaints of of complaints in place, so this is actually the heads of the, the head of the of the personal information impact assessment.

316

00:59:24.960 --> 00:59:37.290

Ms. Hlengiwe Shelembe: First, go physically i'm going to then explain the headings off the top of the table, because they are the ones that are going to be able to get guide responsible parties to be able to populate the template or populate.

317

00:59:37.620 --> 00:59:47.700

Ms. Hlengiwe Shelembe: The impact the person that information impact assessment template or undertake the process rather So the first heading of in the table before the type of.

318

00:59:48.090 --> 01:00:05.010

Ms. Hlengiwe Shelembe: Information is have explained in your previous like that here we're identifying all the types of information that responsible parties process for for data subject with ranges for which range from the age, gender.

319

01:00:07.500 --> 01:00:11.130

Ms. Hlengiwe Shelembe: ethnic origin pregnancy or health status.

320

01:00:12.600 --> 01:00:22.830

Ms. Hlengiwe Shelembe: financial information of data subjects medical information or education and information or data subjects personal views, and so what is outlined in the end.

321

01:00:23.160 --> 01:00:35.190

Ms. Hlengiwe Shelembe: Here in this column this This is where responsible parties have to is all those types of information that process, and then the next column, the next hiding inequality in the table is how do you process.

322

01:00:35.850 --> 01:00:43.620

Ms. Hlengiwe Shelembe: Information so for each type of lead with being identified in the US alone, they would have to be.

323

01:00:44.160 --> 01:00:50.940

Ms. Hlengiwe Shelembe: responsible parties, they have to account in terms of how into the process as i've explained in the previous slide that.

324

01:00:51.300 --> 01:00:57.120

Ms. Hlengiwe Shelembe: processing of this information is this is also described in Chapter one of the of the op ED.

325

01:00:57.510 --> 01:01:07.770

Ms. Hlengiwe Shelembe: It talks to the connection in terms of how do we collect such personal information that we have in our position to be collected by an email to people.

326

01:01:08.340 --> 01:01:18.840

Ms. Hlengiwe Shelembe: We collected in person or two people him to innovate, or do we do we collect it via registers, you know, sometimes when you attend conferences or.

327

01:01:19.770 --> 01:01:33.540

Ms. Hlengiwe Shelembe: seminars their their attendance registers, where people have to fill in their names and sometimes in India cell phone numbers and so forth, so this is what you mean by collection and processing and then there's also received.

328

01:01:34.710 --> 01:01:49.200

Ms. Hlengiwe Shelembe: Here we taking to then how to receive such personal information in our position as well to receive it isn't still receive via email or it's Korea to receive it via via via Korea or.

329

01:01:50.130 --> 01:02:03.690

Ms. Hlengiwe Shelembe: receive it via via telephone call or it's in person or its physical and people him deliver such as my information, I can only imagine, maybe as a as a public body, for instance.

330

01:02:04.380 --> 01:02:14.430

Ms. Hlengiwe Shelembe: If we have service providers, we have to submit proposals or or something like that today him to divide the proposals which have the additional which.

331

01:02:14.850 --> 01:02:28.590

Ms. Hlengiwe Shelembe: which contain their personal information which can be the names at numbers, they are combining name or company profiles and so forth, so analysis, this is how we meet in a cow is how we account.

332

01:02:28.920 --> 01:02:39.570

Ms. Hlengiwe Shelembe: For for listening in terms of culturally sensitive personal information and then we move to the recording as well, recording how to record such information after we have received it to rewrite it.

333

01:02:40.410 --> 01:02:52.710

Ms. Hlengiwe Shelembe: Really civic duty quite it in a spreadsheet or do we recorded in a maybe in the book or do we recorded via, for instance, if they are if.

334

01:02:53.910 --> 01:03:11.850

Ms. Hlengiwe Shelembe: Maybe it's a it's a conversation between two people and people are sharing their personal opinions to be recorded in a tape recorder if we're taking photos if we if a fugitive involves taking photos or it's Jeanette Jeanette is implanted do we recorded.

335

01:03:13.320 --> 01:03:24.060

Ms. Hlengiwe Shelembe: To the recorded in a to take it via you use cameras and so forth, and then move to storage as well, and the and the processing of kismet information.

336

01:03:24.360 --> 01:03:35.760

Ms. Hlengiwe Shelembe: Of the heavens recorded it and how to restore such personal information, to put it in your face to face on it, or do we put it in the you to store it in MSP or using extent now.

337

01:03:36.480 --> 01:03:45.900

Ms. Hlengiwe Shelembe: Do is do it in a in a in a in a computer if we put it in the file, for instance, is it stored in a local collide in a lockable cabinet.

338

01:03:46.290 --> 01:03:52.230

Ms. Hlengiwe Shelembe: Is it and then those cabinets is a storage room for instance in how safe the Stone Age.

339

01:03:52.710 --> 01:03:57.150

Ms. Hlengiwe Shelembe: is locked at all times in and so forth.

340

01:03:57.510 --> 01:04:12.210

Ms. Hlengiwe Shelembe: And then we move to the updating or modification of personal information, then, how do we then update it if there's a need to update such personal information in our position, how do we update it, for instance, a public public or.

341

01:04:12.690 --> 01:04:21.780

Ms. Hlengiwe Shelembe: Private booty don't have employees and such employees, they do have their ID numbers or their marital status.

342

01:04:22.680 --> 01:04:27.870

Ms. Hlengiwe Shelembe: and so forth, and then how to date in this let's say, for instance, an employee.

343

01:04:28.620 --> 01:04:37.830

Ms. Hlengiwe Shelembe: gets married and then he changed the ascending how to date info about updating such personal information which they prefer public or private booty.

344

01:04:38.070 --> 01:04:50.610

Ms. Hlengiwe Shelembe: may have in their position and then the name, how we work with to have to fill in a form in order to update that information when it can send an email how how, how does the entire process evolved.

345

01:04:50.910 --> 01:04:59.400

Ms. Hlengiwe Shelembe: And then, and that distraction then after maybe improve people's for such personal information has been achieved or beyond the pupils.

346

01:04:59.670 --> 01:05:05.940

Ms. Hlengiwe Shelembe: Of search display information for the book was he was collected for how to help us in the company or.

347

01:05:06.210 --> 01:05:18.570

Ms. Hlengiwe Shelembe: The private or public booty guava distracting alternating such personal information, because we cannot keep this information for indefinite period when the people's for which he was credited for have been achieved.

348

01:05:19.080 --> 01:05:24.450

Ms. Hlengiwe Shelembe: And this is why the poverty and that the power to process on the position of Islam information.

349

01:05:24.690 --> 01:05:42.450

Ms. Hlengiwe Shelembe: Then the next column, to the description of the condition for low for processing on personal information here that's where we go deep into the conditions, the conditions for local processing of Islam information which are found in Chapter from section to section 25 of the puppy and.

350

01:05:43.530 --> 01:05:58.050

Ms. Hlengiwe Shelembe: The at the at eight and then in this template and we have sort of we have a conditioning and a coalition we've broken them into these your shirts are questions which are going to enable responsible parties to be able to.

351

01:05:59.760 --> 01:06:07.350

Ms. Hlengiwe Shelembe: To to a city near compliance Peters with each condition, so the next column talks to the assessment of complaints this way.

352

01:06:07.650 --> 01:06:16.020

Ms. Hlengiwe Shelembe: A responsible parties, then, can be able to ascertain if they are complaining or not, depending on the question which is pimples and I and that each position.

353

01:06:16.350 --> 01:06:23.790

Ms. Hlengiwe Shelembe: The next the second last column, to the assessment of risk to data subjects here we're talking to potential harm to the rise of data subject.

354

01:06:24.000 --> 01:06:32.760

Ms. Hlengiwe Shelembe: To the rights and freedoms of these are subjects associated remain a mystery at reading material processing this information, whether we are complaining or not.

355

01:06:33.060 --> 01:06:42.300

Ms. Hlengiwe Shelembe: What are they not at the associated theorists to data subjects how how, how is the meaning, which we are processing or in the main, a mystery our campaign we're not.

356

01:06:42.540 --> 01:06:50.610

Ms. Hlengiwe Shelembe: playing with the condition, then pause the harm to the rise of in films of status updates, for which we process personal information for.

357

01:06:51.000 --> 01:07:03.930

Ms. Hlengiwe Shelembe: And the last column towards today mitigation measures in confusion here within this way, we propose then mitigation measures or systems, we should put in place in order to minimize the identified the risk.

358

01:07:04.410 --> 01:07:10.860

Ms. Hlengiwe Shelembe: The risk that we have identified in the previous column, such as maybe if we see.

359

01:07:11.370 --> 01:07:24.510

Ms. Hlengiwe Shelembe: we're not comparing with condition wondering what I should we put in place in order for a respect for us as a responsible person to be able to to to comply and also ensure that we are.

360

01:07:25.260 --> 01:07:35.820

Ms. Hlengiwe Shelembe: Low fully processing personal information of these subjects that we have in opposition, so from here, then from after explaining the each heading in the table that.

361

01:07:36.840 --> 01:07:46.110

Ms. Hlengiwe Shelembe: In the template that we are using for the for the personal information page assessment that's when they go to each and deeper into each condition which.

362

01:07:46.920 --> 01:07:50.340

Ms. Hlengiwe Shelembe: Which region to cody and as for the conditions that are outlined.

363

01:07:51.060 --> 01:08:01.170

Ms. Hlengiwe Shelembe: From section to section 2025 of the puppy Act, the first condition, it talks to the actual accountability which is fun in section eight of.

364

01:08:01.560 --> 01:08:21.210

Ms. Hlengiwe Shelembe: Of the puppy act and accountability, then there's a question that says either measures in place in order to ensure compliance, the conditions for local processing of kismet information so by majors in case we are referring to data protection policies can be records management policy.

365

01:08:22.260 --> 01:08:34.110

Ms. Hlengiwe Shelembe: Data protection policies breach management policies or access to information point is the documentation of processing activities implementation of appropriate security.

366

01:08:34.440 --> 01:08:48.000

Ms. Hlengiwe Shelembe: Measures so under this condition i'm just going to make one example, and then this condition condition of accountability so in terms of how How then responsible parties can compounds populating the Internet employees.

367

01:08:48.570 --> 01:09:05.640

Ms. Hlengiwe Shelembe: For instance, this questions access it measures in place in order to ensure compliance with the intake conditions for more information in the next column to self assessment of compliance I their majors employees to say this way this way, the responsible party then have to.

368

01:09:06.900 --> 01:09:17.370

Ms. Hlengiwe Shelembe: indicate if the if the images in place or no, so this way you say yes or no depending if they asked me as a piece that I have outlined, such as data protection policies.

369

01:09:17.670 --> 01:09:33.540

Ms. Hlengiwe Shelembe: REACH management pulling citizens of what is outlined here this way within a city, even if you say yes, we are the measures in place, you have to name them all under this column, and then the next column says assessment of risk to data subjects so here this way we identify risks.

370

01:09:35.040 --> 01:09:42.570

Ms. Hlengiwe Shelembe: that are associated to how we have answered in the previous column assessment of us reach our potential harms to the rise of data.

371

01:09:42.870 --> 01:09:50.220

Ms. Hlengiwe Shelembe: To the rights and freedoms of data, so I put it this way, then we identify risk if the if the admin if there are no measures in place.

372

01:09:50.460 --> 01:09:56.730

Ms. Hlengiwe Shelembe: What are the potential is there are that could be identified is causing harm to the rights.

373

01:09:57.000 --> 01:10:11.820

Ms. Hlengiwe Shelembe: and freedoms of data subjects for us not complain for more heavy metals employees, which ensure that we are low fuller adhering to the condition to the to the eighth conditions for low for personal information and then we propose mitigation mitigation measures.

374

01:10:14.730 --> 01:10:19.140

Ms. Hlengiwe Shelembe: And then we move into condition to which is finding section nine from section.

375

01:10:19.680 --> 01:10:25.920

Ms. Hlengiwe Shelembe: To section 12 of puppies it's also processing limitation, so, in essence, it looks to.

376

01:10:26.250 --> 01:10:33.630

Ms. Hlengiwe Shelembe: Know fullness of processing mini manatee consent justification and objection and collection direct from data subjects.

377

01:10:33.870 --> 01:10:41.220

Ms. Hlengiwe Shelembe: So, in essence, and the local under lawfulness of processing the question they that has posed under that is.

378

01:10:41.460 --> 01:10:51.090

Ms. Hlengiwe Shelembe: Is the is the personal information process know fully in there and in a reasonable manner, it does not influence the previous of the data subjects So here we are referring to.

379

01:10:51.660 --> 01:11:03.990

Ms. Hlengiwe Shelembe: In the manner in which we are processing that in America, who is responsible parties are processing personal information in your position is it locally so by law when you were referring to.

380

01:11:05.100 --> 01:11:09.780

Ms. Hlengiwe Shelembe: Are we are you are you adhering to all the conditions for personal of low for.

381

01:11:10.050 --> 01:11:21.240

Ms. Hlengiwe Shelembe: Processing of personalized information and is it in a reasonable manner, in essence, that is fair practical insensible so in essence that it doesn't infringe the greatness of intersected.

382

01:11:21.510 --> 01:11:38.100

Ms. Hlengiwe Shelembe: So, and then you do the same, as I have outlined in the previous slide in terms of compliance answer the question if you're complaining or not, and then identify areas that are associated with the answer provided in the previous column, and also a.

383

01:11:38.580 --> 01:11:51.360

Ms. Hlengiwe Shelembe: then propose mitigation measures in order to minimize the identified risk and the next is many, many still under the same condition in humanities, the personal information being processed adequate.

384

01:11:51.840 --> 01:12:06.570

Ms. Hlengiwe Shelembe: Relevant in not so, for instance, here we asking if precise information that you have in your position as a responsible party is it is it only the personal information that you actually need to have a niche process in, for instance, if.

385

01:12:07.410 --> 01:12:15.150

Ms. Hlengiwe Shelembe: I use the example of the attendance register again if you are if you're collecting personal information by the attendance register, for instance.

386

01:12:15.390 --> 01:12:24.210

Ms. Hlengiwe Shelembe: In maybe you just want to see who attended or how many people attended any tree who attended for me to organization, but then you still ask people, maybe to provide.

387

01:12:24.630 --> 01:12:38.550

Ms. Hlengiwe Shelembe: Their cell phone numbers and email addresses as well, while we are not actually going to use such such a such personal information you're not going to process it for in favor but then yes in collecting it so.

388

01:12:39.360 --> 01:12:54.300

Ms. Hlengiwe Shelembe: that somehow we incorporate access excessive processing or personal information in sometimes to be irrelevant because it's not personal information that you're going to use that you are processing it, but then we are not.

389

01:12:54.780 --> 01:13:03.960

Ms. Hlengiwe Shelembe: Too much really need to process it at the time, because collecting itself is processing of information and then you also then have to.

390

01:13:05.940 --> 01:13:06.720

Ms. Hlengiwe Shelembe: ascertain.

391

01:13:08.100 --> 01:13:24.270

Ms. Hlengiwe Shelembe: Your compliance status and the risk associated with the with your complaint status and then propose mitigation measures and then still have the same conditions of consent justification objection here we're talking to.

392

01:13:25.110 --> 01:13:33.180

Ms. Hlengiwe Shelembe: permission of permission or there is provided by data subjects for you as a responsible party to.

393

01:13:33.840 --> 01:13:45.360

Ms. Hlengiwe Shelembe: Actually process, the business information in your position, the question is, does the responsible party applicant opt in consent from the subject with processing personal information so here we're asking if.

394

01:13:45.870 --> 01:14:00.840

Ms. Hlengiwe Shelembe: we're losing data such as personal information to this is such a gift for permission willingly to you as a responsible party to process the episode that information to give you permission to they really understand.

395

01:14:02.160 --> 01:14:12.150

Ms. Hlengiwe Shelembe: Is there is such a permission given to the tree understand is such consent is it informed in essence that today, understand that.

396

01:14:12.600 --> 01:14:23.880

Ms. Hlengiwe Shelembe: What what you mean by producing a piece of the puzzle that information in life you're going to go about this before they can even give you consent or approval for you to process the information.

397

01:14:24.720 --> 01:14:31.320

Ms. Hlengiwe Shelembe: They sit there a another question and a consent is that either mechanisms in place for data subjects to provide consent.

398

01:14:31.590 --> 01:14:39.570

Ms. Hlengiwe Shelembe: For the information to be collected here we're talking to mechanisms such as our consent form that can that can be.

399

01:14:39.930 --> 01:14:48.090

Ms. Hlengiwe Shelembe: developed by a responsible party in order to ensure that it's a subject really to give permission or approval for the personal information to be processed.

400

01:14:48.360 --> 01:14:55.500

Ms. Hlengiwe Shelembe: by the responsible party So even if it's already been, it must be recorded, so that it can be documented accordingly.

401

01:14:55.890 --> 01:15:02.010

Ms. Hlengiwe Shelembe: And the next question and the same condition is collection that I confirm is under coalition directly from data subject.

402

01:15:02.430 --> 01:15:11.790

Ms. Hlengiwe Shelembe: Here we're asking if the personal information collected is collected directly from data side they accept otherwise provided for in section 12 to have prepare.

403

01:15:12.060 --> 01:15:16.800

Ms. Hlengiwe Shelembe: So we all know, the personal information has to be collected directly from data subjects.

404

01:15:17.610 --> 01:15:30.150

Ms. Hlengiwe Shelembe: For it to be processed, so that they can be the ones who who give consent, that their information can be a process, however, it is that exceptions that are provided in section 12.

405

01:15:30.540 --> 01:15:40.680

Ms. Hlengiwe Shelembe: To have copia in instances where personal information does not have to be collected directly from data such as such as if it's personal information pertaining to.

406

01:15:40.950 --> 01:15:57.810

Ms. Hlengiwe Shelembe: Children in also if such personal information has been readily made available in the public domain by the data subjects themselves so in those instances in others outlined in section 12 to a PA were responsible parties do not have to.

407

01:16:00.030 --> 01:16:08.520

Ms. Hlengiwe Shelembe: collect information directly from data subjects that condition is the people specifications is in section 12 and 14.

408

01:16:08.940 --> 01:16:22.440

Ms. Hlengiwe Shelembe: And the people specification you're covering collection for this specific peoples and retention and assertion of record is the people's for collection is physically a defined to data subjects.

409

01:16:23.400 --> 01:16:37.020

Ms. Hlengiwe Shelembe: When we collecting opposite personality information of data subject this is three then as responsible parties explicitly defined or explain to data subjects that.

410

01:16:37.590 --> 01:16:50.280

Ms. Hlengiwe Shelembe: The people's behind our our our our processing activities for their personal information under attention and restriction of report is the framework awkwardness which guides to ensure that.

411

01:16:50.670 --> 01:16:59.700

Ms. Hlengiwe Shelembe: data is not kept or retained for any longer than is necessary for achieving the people's for which the information was connected so, because then.

412

01:17:00.270 --> 01:17:09.630

Ms. Hlengiwe Shelembe: Each personal information process or collected is processed by specific people's do you have any framework or police in place which guys, to ensure that.

413

01:17:10.170 --> 01:17:17.880

Ms. Hlengiwe Shelembe: Once the peoples of production of processing has been achieved, then, is the people it a policy which.

414

01:17:18.600 --> 01:17:35.190

Ms. Hlengiwe Shelembe: ensures that such information of suspicion and information is not kept kept or retained nomadic means necessary after the people's if been achieved in the guidelines in terms of Harbison information is altered updated destroyed or deleted, we have guidelines.

415

01:17:36.300 --> 01:17:44.880

Ms. Hlengiwe Shelembe: or a policy in place which then informs in terms of how does a departmental organization that goes about.

416

01:17:45.720 --> 01:17:52.380

Ms. Hlengiwe Shelembe: altering updating was destroying personal information after the people's have been a achieved.

417

01:17:52.920 --> 01:18:01.740

Ms. Hlengiwe Shelembe: condition for we chose to fit a processing limitations and section 15 talks to failure processing to be must be compatible.

418

01:18:02.100 --> 01:18:13.650

Ms. Hlengiwe Shelembe: With the peoples of collection, the question that we have these that we have systems in place to ensure that failure processing of information is in accordance with the people's for which it was.

419

01:18:14.490 --> 01:18:22.650

Ms. Hlengiwe Shelembe: collected so under this condition we're looking at if, for instance, if a company is certain company connects.

420

01:18:23.340 --> 01:18:31.950

Ms. Hlengiwe Shelembe: You have you your phone numbers you give them your your telephone number, for instance, and insurance come and they'll have your telephone number.

421

01:18:32.700 --> 01:18:46.020

Ms. Hlengiwe Shelembe: If you want to take a certain policy from an insurance company that have your telephone number to sort of take in contact to in underwriting new voices in policy, but then you will find that after that.

422

01:18:47.190 --> 01:18:54.270

Ms. Hlengiwe Shelembe: You find other insurance companies now conduct to you regarding a produce images almost in the same nature which.

423

01:18:54.900 --> 01:19:01.380

Ms. Hlengiwe Shelembe: which will change what you have inquired from company number one that is feather, it is now failure processing.

424

01:19:02.070 --> 01:19:14.760

Ms. Hlengiwe Shelembe: of your personal information, and it is not allowed, as far as puppies his face puppy is concerned, because they know the people is beyond what in what your initial initially gave.

425

01:19:15.120 --> 01:19:18.360

Ms. Hlengiwe Shelembe: Your numbers for you gave your numbers for a specific company.

426

01:19:19.020 --> 01:19:29.640

Ms. Hlengiwe Shelembe: Foot so that they can underwrite to a specific points in that company, so if now it is used for the next company still underwriting you for your police, but it did not initially give.

427

01:19:30.180 --> 01:19:42.030

Ms. Hlengiwe Shelembe: consent to get to giving the numbers to that second company which is now contacting you about a policy so condition five tips to information quality is in section 16.

428

01:19:42.990 --> 01:20:00.840

Ms. Hlengiwe Shelembe: measures in place to ensure that piece of information collected is complete and accurate, you know, sometimes we have created into verification majors to to verify, because the information is in our position, I was just making example here if, for instance, if we have.

429

01:20:02.490 --> 01:20:17.820

Ms. Hlengiwe Shelembe: His now information and the my name is Mr mbye have my probably my cell phone number in a probably a medical practitioner, so I have consulted you.

430

01:20:18.090 --> 01:20:26.550

Ms. Hlengiwe Shelembe: As a patient, and you have my numbers, you need to contact me regarding a city in health my city and health conditions.

431

01:20:26.910 --> 01:20:32.880

Ms. Hlengiwe Shelembe: need to provide me with feedback, or maybe i've taken Tesco it or something like that, and maybe you have my email address.

432

01:20:33.150 --> 01:20:38.640

Ms. Hlengiwe Shelembe: And email it to me, but they do not have a verification majors in order to ensure that.

433

01:20:38.880 --> 01:20:50.040

Ms. Hlengiwe Shelembe: The email address that you have undermining really belongs to me it's correct belongs to me and it's accurate and you happen to share such pessimistic my purse my name for my health information.

434

01:20:50.340 --> 01:21:04.530

Ms. Hlengiwe Shelembe: In and that same email address, which was modified, only to find that it was not my email address or not kept has correctly, so you would have a then shed my customer information with their home data subject in recording to the wrong hands, which.

435

01:21:05.190 --> 01:21:07.140

Ms. Hlengiwe Shelembe: Which is why they need is necessary that.

436

01:21:08.100 --> 01:21:17.640

Ms. Hlengiwe Shelembe: organizations or public and private parties do have measures in place to ensure that there's information that we have is complete and accurate it's just one of the.

437

01:21:17.880 --> 01:21:27.300

Ms. Hlengiwe Shelembe: One of the reasons why it's important to have such verification measures in place condition number six which talks to openness is in section 1718.

438

01:21:27.840 --> 01:21:35.970

Ms. Hlengiwe Shelembe: talks to openness openness of responsible parties data subjects of which they inform me because my information they are processing.

439

01:21:36.510 --> 01:21:49.710

Ms. Hlengiwe Shelembe: here to notification have to have data subject been collecting information to inform decided that the personal information is being processed, such as collected used toys distributed or this day with distracted.

440

01:21:50.370 --> 01:21:57.210

Ms. Hlengiwe Shelembe: and have to you have actually have to inform the circus will have to answer here if you inform them or no.

441

01:21:57.600 --> 01:22:12.090

Ms. Hlengiwe Shelembe: And then another question is, do you do in from the data subject or the possible use of the episode information by third parties if saw under what circumstances so under this under this question here, we are we asking if.

442

01:22:14.190 --> 01:22:21.690

Ms. Hlengiwe Shelembe: If you have dessert is piece of information in helping to shape with a third party to inform them that.

443

01:22:22.380 --> 01:22:26.910

Ms. Hlengiwe Shelembe: You might share their business information in your position with the with the third party.

444

01:22:27.690 --> 01:22:34.830

Ms. Hlengiwe Shelembe: A condition seven which talks to security safeguards in section from section to section 2012 puppies.

445

01:22:35.490 --> 01:22:41.580

Ms. Hlengiwe Shelembe: talks to security measures on integrity and confidentiality of customer information at the appropriate measures in place.

446

01:22:41.940 --> 01:22:59.220

Ms. Hlengiwe Shelembe: To ensure that integrity and confidentiality, so of course my information is secured do we have appropriate measures in place if you keep people's personal information on our laptop on the laptops or desktops we have strong passwords which which will ensure that.

447

01:23:00.270 --> 01:23:11.280

Ms. Hlengiwe Shelembe: Outside policies or an authorized piteous do not gain access to such as much information if we have if we keep personal information in the phase.

448

01:23:12.540 --> 01:23:18.690

Ms. Hlengiwe Shelembe: Where these files kept at it kept in the local cupboards and it kept in the storage in order to ensure that.

449

01:23:20.790 --> 01:23:32.820

Ms. Hlengiwe Shelembe: And also raise parties don't get content gain access to such information have regular verifications been conducted to assess if safeguards are effectively implemented have we.

450

01:23:33.390 --> 01:23:47.940

Ms. Hlengiwe Shelembe: As as as responsible parties have you have you have have you conducted the regular verifications in order to assess if such tickets that you have pays a fee to be implemented, for instance, if you say employees.

451

01:23:50.220 --> 01:23:52.620

Ms. Hlengiwe Shelembe: Probably employees from HR you have.

452

01:23:54.660 --> 01:24:02.010

Ms. Hlengiwe Shelembe: Other employees personal information, the laptop in the safe that that you have is that he have strong passwords which I know is his name.

453

01:24:02.910 --> 01:24:16.080

Ms. Hlengiwe Shelembe: Is the access by unauthorized patterns, if you can, if you can read the verifications in order to really assess if safeguards are effective implemented to set employees from your HR component.

454

01:24:17.850 --> 01:24:28.320

Ms. Hlengiwe Shelembe: Effective today effectively use such passwords to the really ensure that the laptops are always looked at all times to really update.

455

01:24:29.610 --> 01:24:48.000

Ms. Hlengiwe Shelembe: To really update save that be pennies do continually updates if God mechanisms in place to you tune your risk in deficiencies do then do then had to update site safeguards mechanisms in response to numerous that that would have been.

456

01:24:49.380 --> 01:24:59.520

Ms. Hlengiwe Shelembe: identified the next question is under the notification of secret is comprised compromises either procedures in place to inform the Information Office often Nazi.

457

01:24:59.820 --> 01:25:12.960

Ms. Hlengiwe Shelembe: fable bridge or personnel security compromised in case there's a there's a data breach that happens, new department or in within the company or the organization to do employees.

458

01:25:14.040 --> 01:25:23.670

Ms. Hlengiwe Shelembe: know what they need to do in order to report such a breach to the information officer of the organization or the department, because.

459

01:25:24.450 --> 01:25:34.890

Ms. Hlengiwe Shelembe: In terms of the puppy act section 22 does say that, as such a breach needs to be reported to the information regulator, but for clubs, the information repeated.

460

01:25:35.220 --> 01:25:42.300

Ms. Hlengiwe Shelembe: Employees within the company within an organization right department, they need to know what what steps to.

461

01:25:42.810 --> 01:25:55.440

Ms. Hlengiwe Shelembe: Take as far as informing or reporting such a preach to the information Officer of a department or company condition eight, which is the last condition is data subject participation rate is from section to.

462

01:25:56.010 --> 01:26:02.040

Ms. Hlengiwe Shelembe: Section 25 of PR talks to assess to personal information.

463

01:26:02.640 --> 01:26:11.550

Ms. Hlengiwe Shelembe: or data subject access to personal information is this system in place to prevent the subject is access to their personal information that you might have in your position.

464

01:26:12.000 --> 01:26:23.130

Ms. Hlengiwe Shelembe: And then collection of kismet information as a procedures in place to correct or delete personal information about data subject that is an accurate irrelevant excessive out of date.

465

01:26:23.580 --> 01:26:33.090

Ms. Hlengiwe Shelembe: incomplete misleading or tend unlawfully so with all these conditions, then responsible parties have to.

466

01:26:34.050 --> 01:26:41.280

Ms. Hlengiwe Shelembe: follow the same procedure in terms of compliance in the haight if they're complaining or not, and provide motivation if they're complaining.

467

01:26:41.640 --> 01:27:02.340

Ms. Hlengiwe Shelembe: What is in place that prospect, they are complaining and then identifying risks which could be potential harm or the potential harm or is to data to the rights of data subjects

and also propose a mitigation major for each risk that we have been identified, they under each condition.

468

01:27:03.810 --> 01:27:13.320

Ms. Hlengiwe Shelembe: Thank you, that is the end of my presentation despite the puzzle man information impact assessment template this content in key.

469

01:27:14.820 --> 01:27:24.750

Prof Nitasha Ramparsad (NSG): Thank you very much to both Matthew doll and mission, and we have gained very valuable insights today regarding the PA and the various.

470

01:27:24.750 --> 01:27:25.620

Ms. Hlengiwe Shelembe: components.

471

01:27:25.860 --> 01:27:35.820

Prof Nitasha Ramparsad (NSG): Where the accountability and protection of information, the national school is definitely pursuing training in the style guide and we really, thank you for the insight.

472

01:27:36.600 --> 01:27:48.300

Prof Nitasha Ramparsad (NSG): i'd like to open the floor to questions, and they are three raised hands, can we take the first question from Mr mercer barta MERCATOR.

473

01:28:00.390 --> 01:28:06.090

Prof Nitasha Ramparsad (NSG): Please can we enable the MIC for miss muscle better, much better.

474

01:28:17.010 --> 01:28:18.060

Prof Nitasha Ramparsad (NSG): Please go ahead.

475

01:28:31.980 --> 01:28:35.040

Prof Nitasha Ramparsad (NSG): miss Mr barter to like to go ahead, please.

476

01:28:46.590 --> 01:28:49.140

Prof Nitasha Ramparsad (NSG): Okay, I think we might be having some technical issues.

477

01:28:50.490 --> 01:28:56.430

Prof Nitasha Ramparsad (NSG): Can we please request you to raise your question in the Q amp a box.

478

01:29:02.160 --> 01:29:08.550

Prof Nitasha Ramparsad (NSG): most popular but I think if we could take your question, please could we please enable her MIC.

479

01:29:32.670 --> 01:29:33.360

Prof Nitasha Ramparsad (NSG): Could you please.

480

01:29:34.380 --> 01:29:35.430

Prof Nitasha Ramparsad (NSG): share your question.

481

01:29:38.730 --> 01:29:39.060

zanenhlanhla Shabangu: We have.

482

01:29:39.750 --> 01:29:40.620

zanenhlanhla Shabangu: To talk chicken.

483

01:29:54.210 --> 01:30:03.090

Prof Nitasha Ramparsad (NSG): Okay, I think perhaps she's may have just stepped away for a moment, Mr Honda redness would you like to perhaps go ahead man.

484

01:30:03.810 --> 01:30:12.120

Sohaana Rugnath: Sure Thank you so much, and thank you for the presentation, it was most insightful really appreciate both presentations.

485

01:30:13.170 --> 01:30:21.000

Sohaana Rugnath: it's it's a question that we currently dealing with right now within our organization we're doing you know routine internal audit.

486

01:30:22.050 --> 01:30:23.730

Sohaana Rugnath: Compliance risk management.

487

01:30:24.780 --> 01:30:43.710

Sohaana Rugnath: monitoring stations, we you know, we in order to test the the the company's compliance with regulatory requirements and with general governance requirements, we need to do certain audits and monitoring which, from an evidence evidentiary perspective would.

488

01:30:45.240 --> 01:30:49.380

Sohaana Rugnath: Sometimes contain personal information or information that is personally nature.

489

01:30:51.000 --> 01:31:02.070

Sohaana Rugnath: Otto being one example where we need to receive driver's license or triple B II audit where where you know samples are done, we need to find out, do we really need content.

490

01:31:02.460 --> 01:31:19.650

Sohaana Rugnath: How do we deal with this within the organization, where, in order to do and to have good governance, we need to implement a robust compliance risk management program and, within that program, we need to request information that is personal in nature.

491

01:31:20.730 --> 01:31:27.900

Sohaana Rugnath: However, it is not required in terms of any specific piece of legislation that we do these monitoring and auditing.

492

01:31:28.740 --> 01:31:43.170

Sohaana Rugnath: And you know how do we deal with it, especially from a pure auditing monitoring perspective routinely across the organization that needs to be done to ensure compliance and good governance, thank you.

493

01:31:45.420 --> 01:31:47.340

Prof Nitasha Ramparsad (NSG): Thank you very much for your question man.

494

01:31:48.360 --> 01:31:54.510

Prof Nitasha Ramparsad (NSG): May I direct the question to any of the panelists please feel free to enable you're like.

495

01:31:56.160 --> 01:31:58.860

Ms. Varsha Sewlal: hi it's for sure I think i'll just.

496

01:31:59.160 --> 01:32:01.020

Ms. Varsha Sewlal: Take that I think you.

497

01:32:01.350 --> 01:32:09.180

Ms. Varsha Sewlal: If you don't have a statutory obligation and there aren't any exemptions that are applicable to you, you.

498

01:32:09.780 --> 01:32:16.260

Ms. Varsha Sewlal: When you are processing personal information you're going to have to ensure that you secure consents.

499

01:32:16.890 --> 01:32:25.320

Ms. Varsha Sewlal: For the personal information that you are processing I think that's one of the one of the critical issues that you're going to have to.

500

01:32:25.740 --> 01:32:32.670

Ms. Varsha Sewlal: undertake and I think it's also going to be necessary for you in terms of your your compliance framework.

501

01:32:33.540 --> 01:32:41.010

Ms. Varsha Sewlal: That you that you're looking at is going to be like your enterprise wide compliance framework that you would deal with other issues.

502

01:32:41.400 --> 01:32:55.350

Ms. Varsha Sewlal: But I don't think it's going to be the most of you to ensure that you have a compliance framework that ensures the protection of personal information because you can easily dovetail those two processes, they don't have to be.

503

01:32:55.860 --> 01:33:03.390

Ms. Varsha Sewlal: divorced from each other, you can ensure that your your the imperatives that you capture in your compliance framework.

504

01:33:04.200 --> 01:33:11.520

Ms. Varsha Sewlal: are included in your wider compliance, for your organization, so they don't you know it doesn't have to be a cumbersome process.

505

01:33:12.300 --> 01:33:26.340

Ms. Varsha Sewlal: I think firstly, you have to be able to classify that information that you have classify it identify and look at how you can secure it and and in terms of papaya what is the purpose of the collection and and.

506

01:33:27.720 --> 01:33:39.570

Ms. Varsha Sewlal: How you're utilizing that information and is it necessary for you to secure consent to process and personal information you're going to have to it's it's a difficult question because.

507

01:33:40.680 --> 01:33:55.140

Ms. Varsha Sewlal: How, you know processing activities very and the purpose for your processing is going to vary and and that has to be understood within your own business environment and I don't know if any of my colleagues want to weigh in on that as well, thanks.

508

01:33:58.440 --> 01:34:01.830

Prof Nitasha Ramparsad (NSG): i'd like to invite the panel, perhaps, if you want to also comment.

509

01:34:10.050 --> 01:34:11.310

Prof Nitasha Ramparsad (NSG): And no further comments.

510

01:34:12.510 --> 01:34:19.440

Prof Nitasha Ramparsad (NSG): I think, in the absence of further comments regarding the Christian i'd like to allow a.

511

01:34:20.520 --> 01:34:22.170

Prof Nitasha Ramparsad (NSG): trooper to ask this question.

512

01:34:27.480 --> 01:34:43.680

Julian Kruger: I also find the session very insightful I just want to find out when we deal with archival records they see from various organs of state coming to our department as a responsible institution.

513

01:34:44.760 --> 01:34:53.610

Julian Kruger: They are a lot of documents coming from the quotes and we need obviously the informed consent, because some of those documents contain information.

514

01:34:54.300 --> 01:35:05.850

Julian Kruger: As an information requested by other third parties, how would you suggest we deal with those type of records which come from various departmental institutions, thank you.

515

01:35:14.010 --> 01:35:15.330

Ms. Varsha Sewlal: yeah sure i'm.

516

01:35:15.570 --> 01:35:32.730

Ms. Varsha Sewlal: Because i'm just trying to ascertain whether the processing is occurring, for instance, under one of the exclusions, because in terms of sections section six one see if you are processing personal information bio on behalf of a public body.

517

01:35:34.230 --> 01:35:44.100

Ms. Varsha Sewlal: Then the exclusions would apply and are you, is it going to be in relation to a public function because.

518

01:35:45.270 --> 01:36:05.520

Ms. Varsha Sewlal: If, in terms of Section 38 one personal information that's process for the purpose of discharging irrelevant function is exempt from sections 11 3011 for 1215 and 18 and and, in any case, to the extent that, where the application of those provisions.

519

01:36:06.720 --> 01:36:19.230

Ms. Varsha Sewlal: of personal information would not would be likely to prejudice the proper discharge of the function, so I think you're going to have to ascertain what is it relevant function for the purposes of Section 38 one.

520

01:36:19.980 --> 01:36:31.620

Ms. Varsha Sewlal: As is it a function for public body or is your function conferred in terms of the law and it's performed, with a view to protecting members of the public against.

521

01:36:31.980 --> 01:36:38.880

Ms. Varsha Sewlal: Whether its financial loss or dishonesty and and I think most importantly you're going to have to just try to ascertain.

522

01:36:39.390 --> 01:36:53.370

Ms. Varsha Sewlal: In terms of which piece of legislation are you actually processing that personal information and and you've got to consider also the provisions of Section three to appear because PA applies.

523

01:36:54.780 --> 01:37:05.790

Ms. Varsha Sewlal: You know, to the exclusion of any provision or any other legislation that regulates a person of information, and if that if that regulation is materially inconsistent.

524

01:37:06.330 --> 01:37:20.010

Ms. Varsha Sewlal: With prepare then prepare a word puppy up basically What it means is that 44 PM provides more extensive protection, then appear would would prevail in in that instance thanks.

525

01:37:24.240 --> 01:37:25.290

Prof Nitasha Ramparsad (NSG): Thank you very much.

526

01:37:25.740 --> 01:37:30.030

Prof Nitasha Ramparsad (NSG): is another question, but surely a lesson, please go ahead.

527

01:37:33.540 --> 01:37:39.090

Shalili Misser: Thank you very much, and I must also appreciate the present presentations need a tesla.

528

01:37:39.480 --> 01:37:53.370

Shalili Misser: It has been indeed very informative I come from an institution, where we're going to have to publish results very soon and we usually do it via news the newspaper.

529

01:37:55.110 --> 01:38:04.590

Shalili Misser: And we have unique identifiers, in other words, each person whose results are going to be published has a number.

530

01:38:05.730 --> 01:38:17.340

Shalili Misser: And we would like to know whether we need consent to then go ahead and publish that information, given the fact that they have a unique identifier.

531

01:38:17.730 --> 01:38:27.660

Shalili Misser: And they will remain anonymous I mean that number would be only known to the person to whom it applies will consent be required in that instance, thank you.

532

01:38:31.680 --> 01:38:32.490

Shalili Misser: and

533

01:38:38.160 --> 01:38:40.530

Prof Nitasha Ramparsad (NSG): Surely or did you want to continue your question.

534

01:38:48.510 --> 01:38:48.990

Shalili Misser: Hello.

535

01:38:49.890 --> 01:38:52.740

Prof Nitasha Ramparsad (NSG): Yes, we can hear you will you will you continue in your question.

536

01:38:53.640 --> 01:38:58.800

Shalili Misser: I wanted to add that it is part of our legislative mandate to receive.

537

01:38:58.920 --> 01:39:01.770

Shalili Misser: A to release such results.

538

01:39:05.220 --> 01:39:05.520

Shalili Misser: Okay.

539

01:39:05.580 --> 01:39:06.780

Prof Nitasha Ramparsad (NSG): Thank you very much.

540

01:39:07.860 --> 01:39:09.840

Ms. Varsha Sewlal: And thanks i'll i'll just take that.

541

01:39:09.870 --> 01:39:20.520

Ms. Varsha Sewlal: I think I spoke about it when you are processing personal information for the purpose of discharging irrelevant function and if you've got into your relevant function is couched.

542

01:39:21.480 --> 01:39:37.380

Ms. Varsha Sewlal: Within the legislation, then you then the provision under section that he he will be applicable to you in terms of your exemptions of such and functions so there's not going to be a need for you to get specific consent.

543

01:39:39.030 --> 01:39:46.740

Ms. Varsha Sewlal: In that regard, as you will be discharging a function of a public body, and if that function has been conferred.

544

01:39:47.160 --> 01:39:57.450

Ms. Varsha Sewlal: In terms of a piece of legislation and you need to you know i'm not going to give you a blanket I don't know what legislation that I may have looked at the legislation that.

545

01:39:57.900 --> 01:40:06.030

Ms. Varsha Sewlal: The way your results are unable to be published publicly, but I think what you need to assess is assess.

546

01:40:06.600 --> 01:40:23.370

Ms. Varsha Sewlal: The function of your your obviously from a public entity so assess the function and and and establish whether or not the publication of that information is in terms of your legislation, and if it is then section 38 would be applicable to you thanks.

547

01:40:28.020 --> 01:40:42.090

Prof Nitasha Ramparsad (NSG): Thank you very much missoula think from the question and answer board, there is a question around what is the process to follow to request data information belonging to a public body.

548

01:40:43.140 --> 01:40:47.640

Prof Nitasha Ramparsad (NSG): Can I request, perhaps the someone from the panel to respond.

549

01:40:49.080 --> 01:40:55.470

Prof Nitasha Ramparsad (NSG): What is the process to follow to request the data inflammation belonging to a public body.

550

01:40:58.260 --> 01:40:58.650

Ms. Varsha Sewlal: I don't know.

551

01:41:00.180 --> 01:41:01.230

Ms. Varsha Sewlal: Okay, go for it.

552

01:41:03.210 --> 01:41:03.570

Ms. Varsha Sewlal: Okay.

553

01:41:03.930 --> 01:41:10.080

Mr. Sizwe Buthelezi: um the process is outlined in terms of Section 18 of pay so basically.

554

01:41:10.590 --> 01:41:12.570

Mr. Sizwe Buthelezi: There should be a request form that must be.

555

01:41:12.570 --> 01:41:15.360

Mr. Sizwe Buthelezi: completed and submitted to the relevant public body.

556

01:41:17.730 --> 01:41:18.240

Mr. Sizwe Buthelezi: Thank you.

557

01:41:21.240 --> 01:41:27.090

Prof Nitasha Ramparsad (NSG): Thank you very much, and then there was another comment.

558

01:41:27.180 --> 01:41:29.310

Prof Nitasha Ramparsad (NSG): About a method for.

559

01:41:31.140 --> 01:41:45.450

Prof Nitasha Ramparsad (NSG): PR which is on the Q amp a and people are welcome to download from there may invite the panel to perhaps just share some insights with regards to the theme of the session, perhaps.

560

01:41:46.890 --> 01:41:48.090

Prof Nitasha Ramparsad (NSG): misty or.

561

01:41:49.680 --> 01:41:51.060

Prof Nitasha Ramparsad (NSG): anybody else.

562

01:41:52.470 --> 01:41:53.940

Ms. Alison Tilley: Sorry, you said, the scene.

563

01:41:54.000 --> 01:41:54.420

Of.

564

01:41:55.890 --> 01:42:00.180

Prof Nitasha Ramparsad (NSG): Whether you got it the theme of the session so you would like to share insights.

565

01:42:01.980 --> 01:42:02.310

Ms. Alison Tilley: Show.

566

01:42:02.850 --> 01:42:09.180

Ms. Alison Tilley: And I think we we had scheduled Mr done but to wrap up but.

567

01:42:11.250 --> 01:42:12.450

Ms. Alison Tilley: If he's not.

568

01:42:14.430 --> 01:42:18.660

Ms. Alison Tilley: i'm just looking at him he's not amusing his MIC so.

569

01:42:18.990 --> 01:42:19.380

Prof Nitasha Ramparsad (NSG): He went.

570

01:42:19.980 --> 01:42:23.460

Prof Nitasha Ramparsad (NSG): Right it's just to perhaps get some additional voices.

571

01:42:23.850 --> 01:42:25.140

Ms. Alison Tilley: From the panel sure.

572

01:42:26.400 --> 01:42:26.520

Ms. Alison Tilley: I.

573

01:42:26.670 --> 01:42:32.760

Ms. Alison Tilley: Think, I think one of the things is that it's it's this we've thrown a lot of information at you.

574

01:42:33.420 --> 01:42:40.110

Ms. Alison Tilley: And i'm guessing that you know you're looking at at all and thinking of this is just you know this is going to be such a.

575

01:42:40.680 --> 01:42:52.110

Ms. Alison Tilley: thing and we're going to have to do fill in all the information and all these reports, I think I think it's actually perhaps simpler.

576

01:42:52.860 --> 01:43:04.860

Ms. Alison Tilley: than it appears, and really, the main thing is that when you get people's information you really have to think about what you're getting it for you have to get it for a reason.

577

01:43:05.550 --> 01:43:18.060

Ms. Alison Tilley: And, and you have to need it, if you have people's information you have to take care of it, you have to look after it, make sure that it remains accurate that it doesn't get lost or stolen.

578

01:43:18.750 --> 01:43:29.430

Ms. Alison Tilley: And, and then, when you don't need it anymore, you have to destroy it, and I think those are those are really the three the three things.

579

01:43:30.810 --> 01:43:36.570

Ms. Alison Tilley: That you know you can provided you're thinking about those things.

580

01:43:37.740 --> 01:43:49.680

Ms. Alison Tilley: That the the actual steps that are required or suggested, not necessarily required, but suggested in terms of an impact assessment.

581

01:43:50.220 --> 01:44:02.010

Ms. Alison Tilley: I think it will be perhaps simpler and clearer and there may be being be situations where it, you know these these some of these.

582

01:44:02.880 --> 01:44:13.890

Ms. Alison Tilley: Proposals around how to do an impact assessment may not apply to you, so I think you have to you have to be thoughtful about approaching.

583

01:44:14.460 --> 01:44:26.700

Ms. Alison Tilley: The framework and and the the impact assessment and do it, you know with exercising discretion and thinking about what it is that the actors trying to do.

584

01:44:27.900 --> 01:44:38.850

Ms. Alison Tilley: it's it's not just to take a couple of boxes it's really to think about your information as much as anybody else's How would you want to treat it.

585

01:44:39.990 --> 01:44:46.680

Ms. Alison Tilley: You you don't want to get those phone calls at six o'clock in the evening selling new timeshare.

586

01:44:47.760 --> 01:44:57.210

Ms. Alison Tilley: And just as much as we're trying to protect people from that kind of direct marketing squirrels applying to.

587

01:44:58.290 --> 01:45:09.060

Ms. Alison Tilley: Make sure that the way the state handles inflammation is is appropriate and and thoughtful, so I think.

588

01:45:10.320 --> 01:45:11.880

Ms. Alison Tilley: I have i'm not sure if that will.

589

01:45:13.380 --> 01:45:16.050

Ms. Alison Tilley: alleviate your anxieties at all, but.

590

01:45:17.070 --> 01:45:27.300

Ms. Alison Tilley: yeah I certainly i'm hearing that I think people are people are thinking that this may be burdensome and.

591

01:45:28.410 --> 01:45:41.880

Ms. Alison Tilley: It may require some thinking, but I hope that that that is useful thinking and and probably necessary in the context of records management in some ways, anyway, so.

592

01:45:43.050 --> 01:45:46.140

Ms. Alison Tilley: yeah and I don't want to alarm everybody.

593

01:45:47.400 --> 01:45:47.880

Ms. Alison Tilley: Thank you.

594

01:45:51.150 --> 01:45:56.220

Prof Nitasha Ramparsad (NSG): Thank you very much, Mr Lee i'd like to now invite Mr jimbo to please.

595

01:45:56.910 --> 01:45:58.680

Prof Nitasha Ramparsad (NSG): deliver the summation of the session

596

01:46:00.180 --> 01:46:00.720

Prof Nitasha Ramparsad (NSG): Thank you.

597

01:46:09.570 --> 01:46:13.290

Prof Nitasha Ramparsad (NSG): Mr Dima we can't hear you could just enable your MIC case.

598

01:46:30.030 --> 01:46:32.670

Ms. Alison Tilley: That should be fine should be working.

599

01:46:33.840 --> 01:46:34.110

Ms. Alison Tilley: Oh.

600

01:46:36.600 --> 01:46:38.370

Ms. Alison Tilley: And he disappeared and Tommy.

601

01:46:45.150 --> 01:46:47.640

Prof Nitasha Ramparsad (NSG): And I think given way to reconnect.

602

01:46:49.980 --> 01:46:51.270

Prof Nitasha Ramparsad (NSG): For the technicalities.

603

01:46:57.390 --> 01:46:58.920

Mr Mukelani Dimba (IRSA): Of sorry try that again.

604

01:46:59.670 --> 01:47:01.650

Prof Nitasha Ramparsad (NSG): Yes, thank you, we can hear you now.

605

01:47:02.790 --> 01:47:05.670

Mr Mukelani Dimba (IRSA): My apologies for that I have to quickly love often.

606

01:47:05.760 --> 01:47:13.200

Mr Mukelani Dimba (IRSA): than not right back in and before I do the summation I just want to.

607

01:47:14.250 --> 01:47:19.080

Mr Mukelani Dimba (IRSA): respond Professor nutrition, to the question that you asked.

608

01:47:21.030 --> 01:47:30.540

Mr Mukelani Dimba (IRSA): What I wanted to emphasize it's a point that has been made previously, I want to emphasize the point that both the compliance framework.

609

01:47:31.050 --> 01:47:45.630

Mr Mukelani Dimba (IRSA): And the the the personnel information impact assessment initiatives cannot be separated from the organization's general risk management system it's part and parcel of that.

610

01:47:47.520 --> 01:47:59.070

Mr Mukelani Dimba (IRSA): Mr I hope that the presentations that were given by both miss allow and remember really drove home that particular point that this is part of.

611

01:48:00.390 --> 01:48:10.920

Mr Mukelani Dimba (IRSA): The organization taking very clear very informed actions to safeguard the information that they they hold.

612

01:48:12.690 --> 01:48:29.190

Mr Mukelani Dimba (IRSA): I say this in light of what we're seeing now as a trend of data breaches, or what is referred to in PR as security compromise is, these are on the rise, these are reality for all responsible parties these days.

613

01:48:30.000 --> 01:48:46.560

Mr Mukelani Dimba (IRSA): So it's important for action to be taken to ensure that you don't fall foul of the provisions in PA in terms of safeguarding information and one of the principles that are very applicable in the sense is the principle of humanity.

614

01:48:47.940 --> 01:49:02.340

Mr Mukelani Dimba (IRSA): If you collect less you create less risk, but if you collect more, then you must accept that they'll be more risky in your in your operations so as you as you conduct the.

615

01:49:02.970 --> 01:49:13.260

Mr Mukelani Dimba (IRSA): performance, so your personal information impact assessment, one of the things that you really need to look at is, do you really need to collect what you're collecting right now.

616

01:49:13.710 --> 01:49:26.310

Mr Mukelani Dimba (IRSA): If you are writing a training session, for example, must you really have ID numbers as part of the attendance register so Those are some of the questions that you have to look into and.

617

01:49:26.790 --> 01:49:42.780

Mr Mukelani Dimba (IRSA): Again, it is important to try and minimize risk as much as possible and It all starts by understanding what it is that you hold how you process that information and and be clear on the levels of risk that are out of the process for further.

618

01:49:44.130 --> 01:49:45.840

Mr Mukelani Dimba (IRSA): Processing of information.

619

01:49:49.530 --> 01:49:50.760

Mr Mukelani Dimba (IRSA): Let me just.

620

01:49:51.900 --> 01:49:53.850

Mr Mukelani Dimba (IRSA): speak very, very briefly.

621

01:49:55.950 --> 01:50:11.040

Mr Mukelani Dimba (IRSA): On what was presented to us today, starting with miss louds presentation miss announced that he does have by reflecting on the obligations that are created in the law.

622

01:50:11.490 --> 01:50:21.780

Mr Mukelani Dimba (IRSA): On information offices section 55.1 PM makes it very clear that information officers are responsible, they are the champions of.

623

01:50:23.010 --> 01:50:35.970

Mr Mukelani Dimba (IRSA): Legal processing of information within their institutions and, and this means making sure that there is a compliance framework in place developed in its implemented as should and.

624

01:50:36.810 --> 01:50:47.310

Mr Mukelani Dimba (IRSA): Regulation 4.1 be creates this other obligation on production of an impact assessment within an institution.

625

01:50:47.850 --> 01:50:53.400

Mr Mukelani Dimba (IRSA): And again, these assessments are conducted to ensure that they are adequate measures and standards.

626

01:50:54.330 --> 01:51:11.160

Mr Mukelani Dimba (IRSA): To comply with the conditions for norful processing of personal information, this is where this started as of em and then we looked closely at the compliance framework itself and invited six to achieve.

627

01:51:12.810 --> 01:51:13.710

Mr Mukelani Dimba (IRSA): Some of the.

628

01:51:15.270 --> 01:51:21.240

Mr Mukelani Dimba (IRSA): components that were mentioned as part of the compliance framework where things such as establishing a governance framework.

629

01:51:22.260 --> 01:51:33.540

Mr Mukelani Dimba (IRSA): it's important to have a governance framework because you don't want your compliance to rest on an individual, but there must be structures, there must be processes, there must be arrangements in place to drive.

630

01:51:34.590 --> 01:51:53.430

Mr Mukelani Dimba (IRSA): to drive compliance and implementation and that's why you need those governance structures to be put in place the other item that smell spoke quite at length about was the issue of records management records are the lifeblood of an information.

631

01:51:54.750 --> 01:52:11.910

Mr Mukelani Dimba (IRSA): system, whether you're talking about access to information or talking about protection of information there the lifeline of it, and this allows us to do about 19 proposed actions to ensure that your records management practices are in good shape, to enable you to comply in terms of prepare.

632

01:52:13.200 --> 01:52:19.260

Mr Mukelani Dimba (IRSA): The other component of the compliance framework, I want to speak to is the idea of policy on accessing information.

633

01:52:19.890 --> 01:52:27.480

Mr Mukelani Dimba (IRSA): Our and in their policy on information security, these are these called soft laws, you need the soft laws which.

634

01:52:28.020 --> 01:52:35.280

Mr Mukelani Dimba (IRSA): adjust what is provided for in the form of legislation and adapted to circumstances in your organization's.

635

01:52:35.970 --> 01:52:50.160

Mr Mukelani Dimba (IRSA): This is essentially about the rules that you develop in order to enable the institution to meet its communication in terms of the law, you need to be able to develop those sophomores it's a critical component.

636

01:52:51.270 --> 01:52:51.930

Mr Mukelani Dimba (IRSA): and

637

01:52:53.550 --> 01:53:07.140

Mr Mukelani Dimba (IRSA): Then, Miss Val took us through the five phases of data privacy compliance and those were essentially assessing assessing the situation designing the compliance framework.

638

01:53:08.160 --> 01:53:17.190

Mr Mukelani Dimba (IRSA): Transforming which basically means developing and implementing processes and procedures that enabled you to comply.

639

01:53:17.670 --> 01:53:33.210

Mr Mukelani Dimba (IRSA): With the legislation and then putting those into operation and then lastly conforming, which is about evaluating adherence to privacy and compliance rules, so those were the main aspects that.

640

01:53:34.110 --> 01:53:45.390

Mr Mukelani Dimba (IRSA): are presented to us and from Michelin, but the main takeaway for me was again the components that are part of your.

641

01:53:46.320 --> 01:53:54.570

Mr Mukelani Dimba (IRSA): personal information impact assessment, where she presented that slide that showed the circle.

642

01:53:55.560 --> 01:54:12.750

Mr Mukelani Dimba (IRSA): Basically, the circle, the flow of processes when you are putting together in an impact assessment, starting with identification of personal information that you hold being clear around the manner of processing of information to work stream or in each unit.

643

01:54:13.890 --> 01:54:22.770

Mr Mukelani Dimba (IRSA): describing the conditions for lawful processing of information for each item of personal information that is being processed.

644

01:54:23.850 --> 01:54:31.920

Mr Mukelani Dimba (IRSA): coming up with an assessment of whether you comply, is where, in your existing systems for for processing information.

645

01:54:33.120 --> 01:54:38.970

Mr Mukelani Dimba (IRSA): She also mentioned the idea of being clear on the risk, you need to assess the risks.

646

01:54:40.530 --> 01:54:45.600

Mr Mukelani Dimba (IRSA): And mitigation measures once you're clear on the risk, what measures.

647

01:54:46.920 --> 01:55:02.010

Mr Mukelani Dimba (IRSA): taken to ensure that the risk is minimized so those were the main components of that system that were presented to us earlier today, I think, proof to me, those are the key.

648

01:55:03.060 --> 01:55:11.490

Mr Mukelani Dimba (IRSA): aspects that came quite clear and vividly through through the presentations of the two clinics, thank you very much.

649

01:55:13.200 --> 01:55:28.530

Prof Nitasha Ramparsad (NSG): Thank you very much, Mr timber, I really appreciate the summation and the highlighting of the key points from each presentation i'd now like to hand over to the principal of the school purpose and where we need to provide a closure.

650

01:55:34.680 --> 01:55:41.790

busani ngcaweni: Colleagues, I must say thank you for this empowering session today.

651

01:55:42.840 --> 01:55:47.430

busani ngcaweni: I do sincerely hope that all the people who attended have learned.

652

01:55:48.210 --> 01:55:49.200

busani ngcaweni: A great deal.

653

01:55:49.410 --> 01:55:59.280

busani ngcaweni: From this engagement, as I indicated earlier on my prediction is that the call the personal injury lawyers.

654

01:56:00.360 --> 01:56:13.110

busani ngcaweni: Who activity array and they move to the Department of Health will now move across the state to try and make money from PA foundations.

655

01:56:14.040 --> 01:56:29.160

busani ngcaweni: it's a logical thing to do, they are always looking for low hanging fruits as negligent as sometimes we can be there will actually be able to profit by suing organs of state or PR violation.

656

01:56:30.150 --> 01:56:46.770

busani ngcaweni: more so now with the intensification of cyber crimes which are becoming more and more prevalent in light of US migrating our way and using cloud based solutions and so on.

657

01:56:47.460 --> 01:56:59.430

busani ngcaweni: As we do this, we migrate and move to be heavily reliant on technology that increases the risk of cyber crimes and in cyber crimes increase.

658

01:56:59.910 --> 01:57:14.550

busani ngcaweni: The risk of us losing or compromising protected personnel information also prizes having conversations like these ones is empowering you may not have to go through a.

659

01:57:15.420 --> 01:57:21.990

busani ngcaweni: 12th man, a 12 month, you know training cause to learn about how to become puppy of blind.

660

01:57:22.500 --> 01:57:34.140

busani ngcaweni: Real conversations like these ones we take who hours of available time we increase your awareness, we teach you about the tools, but, most importantly, also we help you network.

661

01:57:34.530 --> 01:57:45.540

busani ngcaweni: with relevant organs of state like the information regulate if any of your colleagues have got further information to ask if you are unclear about anything.

662

01:57:46.050 --> 01:57:54.690

busani ngcaweni: If you need to have a session in your department or institution with the information regulator these colleagues are available.

663

01:57:55.440 --> 01:58:05.490

busani ngcaweni: The idea of educating and raising awareness is so that we can pretend and manage risk before they become reality, we are grateful, therefore.

664

01:58:05.940 --> 01:58:13.110

busani ngcaweni: That you responded positively to this Code and the last two concepts, we made we're also grateful that information regulator.

665

01:58:13.560 --> 01:58:22.200

busani ngcaweni: accidental to our proposal in our request that they become available for such engagement were doing the same with the what's the general.

666

01:58:22.740 --> 01:58:34.230

busani ngcaweni: Where do the same with numerous other tokens of status, where it was our view as an as a school of government is the more with expose the more we share the more we advocate.

667

01:58:34.710 --> 01:58:42.090

busani ngcaweni: More we open up learning opportunities will build a state that is capable ethical and also development.

668

01:58:42.750 --> 01:58:53.190

busani ngcaweni: is very intervention today is developmental because it is not punitive is about sharing and empowering instead of the information regulator.

669

01:58:53.910 --> 01:59:06.720

busani ngcaweni: or any other pockets of states taking drastic punitive measures before we can spread the word and make all of us compliant whilst understanding that we can be as creative.

670

01:59:07.350 --> 01:59:13.980

busani ngcaweni: As we can be under circumstances so we appreciate your time and your presence today everybody.

671

01:59:14.370 --> 01:59:34.710

busani ngcaweni: If I may request the colleagues from the regulator or those were actually panelists today everybody was panelists who spoke, if you can turn on your video cameras, so that we can see all of you again and say officially good afternoon to you all, so if we can all turn on your your videos.

672

01:59:36.360 --> 01:59:42.990

busani ngcaweni: Yes, we'll see Natasha Natasha Thank you were a several now we don't see you.

673

01:59:44.460 --> 01:59:55.380

busani ngcaweni: want to see everybody was participating today hello, thank you very much good to have you all here, I suppose, some of you may not have their.

674

01:59:55.890 --> 02:00:04.560

busani ngcaweni: cameras, but we just want to send a letter of appreciation departments to have access to you know from now on, or any other agents or organ.

675

02:00:05.010 --> 02:00:23.520

busani ngcaweni: As well as here, it was significant part about this is that all of us have learned that we have an obligation to protect sensitive personal information to serve as we go through the harassment as we go to now all because people have been able to access and have this day, no data.

676

02:00:24.570 --> 02:00:29.640

busani ngcaweni: You know today is my last day trading as a deputy chair person of console.

677

02:00:30.390 --> 02:00:41.640

busani ngcaweni: Of the University of South Africa, where we have been going through major challenges like these ones with people who have been stealing and have this thing information of students and they monetize it.

678

02:00:42.090 --> 02:00:52.890

busani ngcaweni: Through various means task pushing the university interest, this can happen to everybody any of us, regardless of where we are, you would be generalists today.

679

02:00:53.310 --> 02:00:58.830

busani ngcaweni: model, you could find yourself in court with people who make an argument that you will compromise their personal.

680

02:00:59.340 --> 02:01:05.520

busani ngcaweni: Information you could be middle as an officer you think we're doing a great job for your boss, who wanted to trend.

681

02:01:05.940 --> 02:01:14.400

busani ngcaweni: on social media tomorrow, you may find yourself in court, and you could shoot because there was a validation of of privacy and so on.

682

02:01:14.850 --> 02:01:31.050

busani ngcaweni: So, thank you very much once again, we appreciate this may all have a great time you know few weeks and man, a man that remain to the end of this financially, please be safe hope to see you soon in this platforms in the new year, thank you and goodbye.

683

02:01:34.230 --> 02:01:34.770

Thank you so much.

684

02:01:36.060 --> 02:01:37.980

busani ngcaweni: I thank you, colleagues bye bye.

CHAT

01:23:32 Ms Nomzamo Zondi (IRSA): Hi Erik and everyone, please note that the presentation and recording will be available on the Information Regulators website and the NSG will also share the same with participants.

01:24:20 John Smith: Available resources include:

01:24:24 John Smith:

https://informationofficers.co.za/POPIA_Compliance_Framework.pdf

01:34:38 Ms Nomzamo Zondi (IRSA): <https://t.co/fmZdE62g5H?amp=1>

01:36:02 John Smith: Example of a PIIA: <https://informationofficers.co.za/piia.gif>

01:36:14 Ms Nomzamo Zondi (IRSA): Share above with those struggling to log in and it will assist them to quickly register and automatically they will be routed into the webinar :-)

01:37:52 John Smith: Example of a POPIA Compliance Framework:

<https://informationofficers.co.za/popia-compliance-system.gif>

02:00:56 Hanri Kruger: Section 11 makes provision for six legal grounds to lawfully process personal information. Why only include consent as this is the most UNLIKELY ground when public bodies are processing personal information. Either a legal obligation or performing a public law duty.

02:16:08 Ms Nomzamo Zondi (IRSA): Please unmute Babalwa

02:36:16 busani ngcaweni: BUT the AG wants to verify some of this data?

02:36:42 Ms Louise Lepad (NSG): please check the NSG website for further information on training programmes www.thensg.gov.za

02:36:42 busani ngcaweni: For example, they now reconcile EPWP stipends data with ID numbers?

02:45:44 Zuko Makaula: Thank you for attending the webinar. Please provide us with feedback by completing the survey below:

<https://limesurvey.thensg.gov.za/limesurvey/index.php/515748?lang=en>

02:47:47 Zuko Makaula: Thank you for attending the webinar. Please provide us with feedback by completing the survey below:

<https://limesurvey.thensg.gov.za/limesurvey/index.php/515748?lang=en>

02:47:55 Jimmy Weir-Smith: Thank you for the excellent course

02:48:01 Itumeleng Mokwena: Good bye