



INFORMATION MANUAL

In terms of Section 51 of The Promotion of Access to Information Act, No. 2 of 2000, (“PAIA”), and Section 18 of The Protection of Personal Information Act, No. 4 of 2013, (“POPI”) compiled for:

Generation Education (Pty) Ltd

with Registration Number 2014/263894/07

(“the Private Body”)

(“the Private Body”, “we”, “GenEd” or “us”)

	<u>TABLE OF CONTENTS</u>
1.	INTRODUCTION
2.	DEFINITIONS AND INTERPRETATION
3.	CONTACT DETAILS OF THE PRIVATE BODY – Section 51(1)(a)(i) of PAIA and section 18(1)(b) of the POPI Act
	PART A: PROMOTION OF ACCESS TO INFORMATION
4.	GUIDE ON HOW TO EXERCISE RIGHTS IN TERMS OF PAIA – Section 51(1)(b)(i)
5.	RECORDS AVAILABLE IN TERMS OF LEGISLATION OTHER THAN PAIA AND POPI– Section 51(1)(b)(iii) of PAIA
6.	DESCRIPTION OF SUBJECTS AND CATEGORIES OF RECORDS – Section 51(1)(b)(iv) of PAIA
7.	FORM OF REQUEST FOR RECORDS
8.	FEEES PRESCRIBED IN TERMS OF THE REGULATIONS – Section 51(1)(f) of PAIA
	PART B: PROTECTION OF PERSONAL INFORMATION
9.	PROTECTION OF PERSONAL INFORMATION - Section 51(1)(c)(i)-(iii) of PAIA read with section 18 of the POPI Act
10.	TRANSBORDER FLOWS OF PERSONAL INFORMATION – Section 51(1)(iv) of PAIA and section 18(1)(g) of the POPI Act
11.	SECURITY MEASURES TO PROTECT PERSONAL INFORMATION – Section 51(1)(v) of PAIA
12.	UPDATES TO THE MANUAL – Section 51(2)

1 INTRODUCTION

- 1.1 This Information Manual is published in terms of section 51 of the Promotion of Access to Information Act, No. 2 of 2000 (“PAIA”), as amended by the Protection of Personal Information Act, No. 4 of 2013, (“POPI Act”) as well as section 18 of the POPI Act.
- 1.2 PAIA gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and/or protection of any right.
- 1.3 The POPI Act gives effect to the provisions of, *inter alia*, Section 14 of the Constitution, which provides for the right to privacy of all persons.
- 1.4 The information provided in this manual includes:
 - 1.4.1 contact details of the Head, as defined in PAIA, of the Private Body and the information officer, as defined in the POPI Act;
 - 1.4.2 a description of the guide referred to in section 10 of PAIA, (which is a guide which was produced by the Human Rights Commission and after 1 July 2021 shall be made available and amended, from time to time, by the Information Regulator defined in POPI) dealing with access to information;
 - 1.4.3 a description of the records of the Private Body which are available in terms of any legislation other than the PAIA;
 - 1.4.4 a description of the subjects on which the Private Body holds records and the categories of records held on each subject;
 - 1.4.5 a description of the subjects on which the Private Body holds personal information and the categories of personal information held on each subject;
 - 1.4.6 the purpose of processing personal information;
 - 1.4.7 the recipients to whom the personal information may be supplied;
 - 1.4.8 planned transborder flows of information (if applicable);

- 1.4.9 a general description of the security measures in place to ensure the confidentiality, integrity, and availability of the information to be processed;
 - 1.4.10 sufficient information so as to facilitate a request for access to a record of the Private Body;
 - 1.4.11 a privacy and POPIA policy.
- 1.5 The reference to any information in addition to that specifically required in terms of section 51 of PAIA and section 18 of the POPI Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of PAIA and the POPI Act.
- 1.6 The main aim of this manual is to:
- 1.6.1 disclose the types of records held by the Private Body and to facilitate the requests for access to records of the Private Body, as permitted by PAIA (dealt with in Part A hereof);
 - 1.6.2 make data subjects aware of the type and source of information being collected, the purpose of collecting and processing such information and related matters (dealt with in Part B hereof).

This manual may be updated from time to time and shall be made available on the Private Body's website and/or at its principal place of business, to any person on request, subject to the payment of a reasonable fee and to the Information Regulator.

2 **DEFINITIONS AND INTERPRETATION**

- 2.1 In this document, clause headings are for convenience and shall not be used in its interpretation unless the context clearly indicates a contrary intention:
- 2.2 An expression which denotes -
- 2.2.1 any gender includes the other genders;
 - 2.2.2 a natural person includes an artificial or juristic person and vice versa;

- 2.2.3 the singular includes the plural and vice versa;
- 2.3 The following expressions shall bear the meanings assigned to them below and similar expressions bear corresponding meanings:
- 2.3.1 **"data subject"** or **"you"** means the person to whom personal information relates;
- 2.3.2 **"Personal Information"** means information relating to an identifiable living, natural person, and where it is applicable, an identifiable existing juristic person and for the purpose of this document includes:
- 2.3.2.1 general personal details which include a data subject's name, surname, gender, date of birth, age, nationality, language preferences, marital status, identity number and passport number, employment history;
- 2.3.2.2 contact details which include a data subject's address, contact number, email address, postal code;
- 2.3.2.3 user information which includes Personal Information included in correspondence, transaction documents, or obtained in the course of providing services;
- 2.3.2.4 educational information which includes previous and current academic records, academic qualifications, type of education, curriculum and subjects being studied, and any extracurricular activities;
- 2.3.2.5 consent records which include records of any consents you have given us in respect of using your Personal Information and any related information, such as the specific details of the consent. We will also record any withdrawals or refusals of consent;
- 2.3.2.6 payment details which include details related to any payments made, such as payment method, the information provided by payment gateway service provider, payment amount, date and reason for payment and related information;
- 2.3.2.7 data relating to the GenEx Platform, such as the type of device you use to access the website, the operating system and browser, browser settings, IP address, dates, and times of connecting to and using the Platform and other technical communications information;
- 2.3.2.8 cookies and other technologies;
- 2.3.2.9 account details, such as your username, password, usage data, and aggregate statistical information;
- 2.3.2.10 views and opinions, which include any views and opinions that you choose to share with us, or publicly post about us on social media platforms or elsewhere;

- 2.3.2.11 Personal Information concerning children and special Personal Information which includes the race, religious or philosophical beliefs, health, biometric information, and/or criminal behaviour of a data subject, provided:
- 2.3.2.11.1 the processing occurs with the consent of the competent person or data subject, respectively;
 - 2.3.2.11.2 the processing is necessary for the exercise or defence of a right or obligation in law;
 - 2.3.2.11.3 the processing is necessary to comply with law;
 - 2.3.2.11.4 the processing is for historical, statistical or research purposes;
 - 2.3.2.11.5 the information has been deliberately made public by the competent person or data subject, respectively,
- 2.3.3 **"this document"** or **"this manual"** means this information manual, together with all of its annexures, as amended from time to time;
- 2.3.4 **"the Private Body"** means the private body to which this manual applies with their details as they appear on the front page of this manual;
- 2.3.5 **"requester"** means a person or entity requesting access to a record that is under the control of the Private Body.
- 2.4 Any reference to any statute, regulation or other legislation shall be a reference to that statute, regulation or other legislation as at the signature date, and as amended or substituted from time to time;
- 2.5 If any provision in a definition is a substantive provision conferring a right or imposing an obligation on any party then, notwithstanding that it is only in a definition, effect shall be given to that provision as if it were a substantive provision in the body of this manual;
- 2.6 Where any term is defined within a particular clause other than this, that term shall bear the meaning ascribed to it in that clause wherever it is used in this manual;
- 2.7 Where any number of days is to be calculated from a particular day, such number shall be calculated as excluding such particular day and commencing on the next day. If the last day of such number so calculated falls on a day which is not a business day, the last day shall be deemed to be the next succeeding business day;
- 2.8 Any reference to days (other than a reference to business days), months or years shall be a reference to calendar days, months or years, as the case may be or as is otherwise defined in any legislation;

- 2.9 The use of the word "including" followed by a specific example/s shall not be construed as limiting the meaning of the general wording preceding it and the eiusdem generis rule shall not be applied in the interpretation of such general wording or such specific example/s;
- 2.10 Insofar as there is a conflict in the interpretation of or application of this manual and PAIA or the POPI Act, PAIA or the POPI Act shall prevail;
- 2.11 This manual does not purport to be exhaustive of or comprehensively deal with every procedure provided for in PAIA or all rights listed under the POPI Act. The reader relying on any provisions of this Manual is advised to familiarise his/her/itself with the provisions of PAIA and the POPI Act.

3 CONTACT DETAILS OF THE HEAD OF THE PRIVATE BODY AND THE INFORMATION OFFICER – Section 51(1)(a)(i) of PAIA and section 18 (1)(b) of the POPI Act

- 3.1 Head of the Private Body: Jevron Kendor Epstein.
- 3.1.1 **Postal Address of Head of the Private Body:** 42 Hans Strijdom Avenue, Foreshore, Cape, Town, Western Cape, 8001;
- 3.1.2 **Street Address of Head of the Private Body:** 42 Hans Strijdom Avenue, Foreshore, Cape, Town, Western Cape, 8001;
- 3.1.3 **Telephone Number of Head of the Private Body:** 021 205 5922.
- 3.1.4 **Email of Head of the Private Body:** jevron@generationschools.co.za.
- 3.2 The Act stipulates the following general responsibilities of the Information Officer: (1) to encourage compliance with POPI, (2) dealing with requests made to the Private Body in relation to POPI (for instance, requests from Data Subjects to update or view their Personal Information), (3) working with the Regulator in relation to investigations, (4) otherwise ensuring compliance with POPI, (5) as may be prescribed (i.e. keep an eye on the Regulator's website). Information Officers need to be registered with the Regulator before taking up their duties.

PART A: PROMOTION OF ACCESS TO INFORMATION

4 GUIDE ON HOW TO EXERCISE RIGHTS IN TERMS OF PAIA– Section 51(1)(b)(i) of PAIA

- 4.1 The Human Rights Commission (“the HRC”) has compiled a guide, as contemplated in section 10 of PAIA, containing information to assist any person who wishes to exercise any right as contemplated in PAIA.
- 4.2 The contact details of the HRC are as follows:
- 4.2.1 Postal address: Private Bag 2700, Houghton, 2041
 - 4.2.2 Telephone: +27 11 484 8300
 - 4.2.3 Telefax: +27 11 484 0582
 - 4.2.4 Website: www.sahrc.org.za
 - 4.2.5 Email: paia@sahrc.org.za
- 4.3 The guide is also available electronically at
<https://www.sahrc.org.za/home/21/files/Section%2010%20guide%202014.pdf>
- 4.4 With effect from 1 July 2021, the Information Regulator, (“IR”) must update and make available the existing guide that had previously been compiled by the HRC containing information in an easily comprehensible form and manner as may reasonable be required by a person who wishes to exercise any right contemplated in PAIA and POPI.

4.5 The contact details of the IR are as follows:

4.5.1 Physical address: Braampark, Forum 3, 33 Hoof Street, Braampark, Johannesburg, 2017

4.5.2 Postal Address: P.O Box, 31533

4.5.3 Telephone: +27 10 023 5200

4.5.4 Telefax: +27 86 500 3351

4.5.5 Website: www.justice.gov.za/inforeg/contact.html

4.5.6 Email: inforeg@justice.gov.za.

5 **RECORDS AVAILABLE IN TERMS OF LEGISLATION OTHER THAN PAIA AND POPI** – Section 51(1)(b)(iii) of PAIA

5.1 Some of the records held by the Private Body are available in terms of legislation other than PAIA or POPI, which legislation is listed below. Records that must be made available in terms of these Acts shall be made available in terms of the requirements of PAIA and this manual. That legislation includes:

5.1.1 The Companies Act, No. 71 Of 2008

5.1.2 Income Tax Act, No. 58 Of 1962

5.1.3 Value Added Tax Act, No. 89 Of 1991

5.1.4 Labour Relations Act, No. 66 Of 1995

5.1.5 Basic Conditions of Employment Act, No. 75 Of 1997

5.1.6 Employment Equity Act, No. 55 Of 1998

5.1.7 Skills Development Levies Act, No. 9 Of 1999

5.1.8 Unemployment Insurance Act, No. 63 Of 2001

5.1.9 any other industry applicable legislation.

6 **DESCRIPTION OF SUBJECTS AND CATEGORIES OF RECORDS** –
Section 51(1)(b)(iv) of PAIA

6.1 The Private Body holds various records. The subjects on which the Private Body holds records and the categories of records held by the Private Body are reproduced in the tables below.

6.2 The listing of a category or subject matter in this manual does not guarantee access to such records. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of PAIA and other applicable legislation. A request for records shall be made in the prescribed form set out later in this manual under the heading “**FORM OF REQUEST FOR RECORDS**”.

RECORD SUBJECTS: INTERNAL ADMINISTRATION, COMPLIANCE AND MANAGEMENT
<u>Categories of records held:</u>
Records of the owners of the Private Body
Records and minutes of the meetings of the owners and/or managers of the Private Body
Agreements dealing with the internal arrangements between the owners and/or managers of the Private Body
Records relating to the creation and/or registration of the Private Body
Internal auditing and risk
Legislative compliance

RECORD SUBJECTS: INTERNAL ADMINISTRATION, COMPLIANCE AND MANAGEMENT
Regulatory reports

RECORD SUBJECTS: HUMAN RESOURCES
<u>Categories of records held:</u>
Any personal records provided to the Private Body by their employees
List of employees
Conditions of employment and other employee-related contractual and quasi-legal records
Health and Safety records
Internal evaluation records
Codes of conduct as well as the relevant disciplinary codes and procedures
All internal policies applicable and accessible to the employees
Any records a third party has provided to the Private Body about any of their employees
Other internal records and correspondence relating to employees

RECORD SUBJECTS: FINANCE
<u>Categories of records held:</u>
Financial statements and other accounting records
Accounting reports
Taxation records
Debtors and creditors records
Insurance records
Banking statements
Credit notes
Credit application information
Client verification records
Invoices
Goods received vouchers
Insurance policies and claims
Income related reports

RECORD SUBJECTS: CLIENT RECORDS
<u>Categories of records held:</u>
Any records a client has provided to the Private Body or a third party acting for or on behalf of the Private Body
Contractual information
Client needs assessments
Personal records of clients
Credit information and other research conducted in respect of clients
Any records a third party has provided to the Private Body about clients
Confidential, privileged, contractual and quasi-legal records of clients
Client evaluation records
Client profiling
Client account numbers
Any records a third party has provided to the Private Body either directly or indirectly
Records generated by or within the Private Body pertaining to clients, including transactional records

RECORD SUBJECTS: SERVICE PROVIDERS, SUPPLIERS AND THIRD PARTIES
<u>Categories of records held:</u>
Any records a client has provided to the Private Body or a third party acting for or on behalf of the Private Body
Lists of service providers and suppliers
Service providers' and suppliers' terms and conditions

RECORD SUBJECTS: ASSETS
<u>Categories of records held:</u>
Register of assets (movable or immovable)
Insurance records relating to the assets
Register of intellectual property owned by the Private Body

RECORD SUBJECTS: OTHER RECORDS
<u>Categories of records held:</u>
Information relating to the Private Body' s own commercial activities
Research information belonging to the Private Body, whether carried out itself or commissioned from a third party
Environment and market information
Project management
Information technology including information systems, network security, software licenses, technology asset
Support services
Internal communication

7 FORM OF REQUEST FOR RECORDS

- 7.1 A request for records shall be accompanied by adequate proof of identity of the applicant, (such as a certified copy of his/her identity document), and made using the prescribed form, a copy of which is attached hereto and marked annexure "A" ("**the prescribed form**"). The prescribed form is also available from the website of the Human Rights Commission at <https://www.sahrc.org.za>, or the website of the Department of Justice and Constitutional Development at <https://www.doj.gov.za> and as may be advised by the Information Regulator on or after 1 July 2021.
- 7.2 The prescribed form shall be submitted to the Private Body Head named in clause 3 hereof.
- 7.3 The above procedure shall apply in the event that the requester is requesting information for personal use and/or on behalf of another person, even if such other person is a permanent employee of the Private Body.
- 7.4 The Head of the Private Body shall as soon as reasonably possible, and within 30 (thirty) days after the request has been received, decide whether or not to grant such request.
- 7.5 The requester will be notified of the decision of the Head of the Private Body or the General Manager in the manner indicated by the requester.
- 7.6 After access is granted, actual access to the record requested will be given as soon as reasonably possible.
- 7.7 If the request for access is refused, the Head of the Private Body or the General Manager shall advise the requester in writing of the refusal. The notice of refusal shall state:
- 7.7.1 adequate reasons for the refusal; and
 - 7.7.2 that the requester may lodge an appeal with a court of competent jurisdiction against the refusal of the request (including the period) for lodging such an appeal.
- 7.8 If the Head of the Private Body or the General Manager fails to respond within 30 (thirty) days after a request has been received, it is deemed, in terms of section 58 read together with section 56(1) of PAIA, that the Head of the Private Body or the General Manager has refused the request.

8 FEES PRESCRIBED IN TERMS OF THE REGULATIONS – Section 51(1)(f) of PAIA

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

8.1.1 A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;

8.1.2 If the preparation of the record requested requires more than the prescribed 6 (six) hours, a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);

8.1.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;

8.2 Records may be withheld until the fees have been paid.

8.3 The fee structure shall be available by way of regulations published from time to time.

8.4 In addition to the request fee, the following reproduction fees are prescribed by the Minister in respect of private bodies such as the Private Body:

DESCRIPTION:	FEE:
For every photocopy of an A4-size page or part thereof:	R1.10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form:	R0.75
For a copy in a computer-readable form on compact disc:	R70

DESCRIPTION:	FEE:
(i) For a transcription of visual images, for an A4-size page or part thereof: (ii) For a copy of visual images:	(i) R20 (ii) R60
(iii) For transcription of an audio record, for an A4-size page or part thereof: (iv) For a copy of an audio record:	(iii) R20 (iv) R30
To search for the record for disclosure:	R30 for each hour or part of an hour reasonably required for such search.

8.5 The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.

8.6 For purposes of section 54(2) of the Act, the following applies:

8.6.1 Six hours as the hours to be exceeded before a deposit is payable; and

8.6.2 one third of the access fee is payable as a deposit by the requester.

8.7 The actual postage is payable when a copy of a record must be posted to a requester.

PART B: PROTECTION OF PERSONAL INFORMATION

9 **PROTECTION OF PERSONAL INFORMATION (POPIA POLICY)** - Section 51(1)(c)(i)-(iii) of PAIA read with section 18 of the POPI Act

- 9.1 In South Africa, the right to privacy is protected in terms of the common law and section 14 of the 1996 Constitution. As with all rights in the Bill of Rights, none are absolute, and can be limited in terms of laws of general application. While the Constitution provides for, among other rights, the right to privacy, the extent of the right to privacy may be limited by application of laws such as the Promotion of Access to Information Act, 2 of 2000 and the Regulation of Interception of Communications and Provision of Communication-related Information Act, 70 of 2002 (RICA).
- 9.2 POPI requires all South African organisations which handle personal information, to comply with several important principles regarding privacy, disclosure, and trans-border flows of personal information to other countries. POPI places responsibilities on the Private Body to process personal information that it holds, in a fair and proper manner. The processing of such information includes the collection, organising, storage, disclosure, transmission and use of personal information.
- 9.3 The Private Body processes certain personal information, as defined in the POPI Act, (“**Personal Information**”) relating to several data subjects, from time to time. A data subject is the person, (natural or juristic), to whom Personal Information relates and from whom the Private Body collects and processes information.
- 9.4 A description of the data subjects, (individuals and juristic persons), the information relating thereto, the purpose of processing that information and the recipients of that Personal Information is reproduced in the tables below.

DATA SUBJECTS AND PURPOSE FOR PROCESSING PERSONAL INFORMATION:

DATA SUBJECTS: EMPLOYEES		
<u>Personal Information processed:</u>	<u>Source of the Personal Information</u>	<u>Is the supply of Personal Information mandatory or voluntary?:</u>
Information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person	Direct from data subject	Mandatory
Information relating to the education or the medical, financial, criminal or employment history of the person	Direct from data subject & third party	Mandatory

DATA SUBJECTS: EMPLOYEES		
Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person	Direct from data subject	Mandatory
The biometric information of the person	Direct from data subject	Voluntary
Will any of the Personal Information be transferred to another country or international organisation?		
No		
<u>Purpose of processing Personal Information:</u>		
To assess candidates for employment, to comply with legislative obligations in respect of employees, to load employee onto payroll and remunerate them.		
<u>Recipient or categories of recipients to whom the Personal Information is supplied:</u>		
Human resources, management		
<u>The consequences of failure to provide information:</u>		
Inability to assess candidates for employment, inability to comply with legislative obligations in respect of employees, inability to load employee onto payroll and remunerate them.		

DATA SUBJECTS: USERS OF THE GENEX PLATFORM (Students, parents and guardians)		
<u>Personal Information processed:</u>	<u>Source of the Personal Information</u>	<u>Is the supply of Personal Information mandatory or voluntary?:</u>
Information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person	Direct from data subject (Mandatory
Information relating to the education or the medical, financial, criminal or employment history of the person	Direct from data subject	Mandatory

DATA SUBJECTS: USERS OF THE GENEX PLATFORM (Students, parents and guardians)		
Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person	Direct from data subject	Mandatory
Will any of the Personal Information be transferred to another country or international organisation?		
Yes		
Description of the level of protection afforded to the Personal Information by such other country or international organisation.		
GDPR		

**DATA SUBJECTS:
USERS OF THE GENEX PLATFORM
(Students, parents and guardians)**

Purpose of processing Personal Information:

To deliver the contractual educational services, manage student enrollment, maintain academic records, ensure student safety, and support effective communication with parents and staff as well as to:

- operate the **Student Information System (SIS)** which is a comprehensive campus management tool that centralises all operational and academic information, facilitating enrolment, progress tracking, academic planning, and communication;
- operate the **Learning Management System (LMS)** which enhances student engagement through access to high-quality online Cambridge content, collaborative tools, progress tracking, and continuous assessments;
- operate and manage clients' account or their relationship with us;
- monitor and analyse our business to ensure that it is operating properly, for financial management and business development purposes;
- contact students, parents and guardians by email, telephone, text message, push notifications or other means to notify them about changes to our services or to inform them about our services, unless they have opted-out of such communications (direct marketing);
- carry out market research and surveys, business and statistical analysis and necessary audits;
- effect fraud prevention;
- perform other administrative and operational tasks like testing our processes and systems and ensuring that our security measures are appropriate and adequate;
- comply with our regulatory, legal, or other obligations;
- attend to all ancillary tasks to the provision of educational services as contracted.

<p>DATA SUBJECTS: USERS OF THE GENEX PLATFORM (Students, parents and guardians)</p>
<p><u>Recipient or categories of recipients to whom the Personal Information is supplied:</u></p>
<p>Finance, management, administrative staff at schools, educators.</p>
<p><u>The consequences of failure to provide information or withdrawal of consent:</u></p>
<p>Inability to manage student enrollment, inability to maintain academic records, inability to ensure student safety, and inability to support effective communication with parents and staff and inability to fulfil the purposes set out above.</p>

<p>DATA SUBJECTS: SUPPLIERS</p>		
<p><u>Personal Information processed:</u></p>	<p><u>Source of the Personal Information</u></p>	<p><u>Is the supply of Personal Information mandatory or voluntary?:</u></p>
<p>Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person</p>	<p>Direct from data subject</p>	<p>Mandatory</p>

DATA SUBJECTS: SUPPLIERS
Will any of the Personal Information be transferred to another country or international organisation?
No
<u>Purpose of processing Personal Information:</u>
To evaluate suppliers and their goods, to place orders for goods and settle supplier accounts.
<u>Recipient or categories of recipients to whom the Personal Information is supplied:</u>
Procurement, management, finance
<u>The consequences of failure to provide information:</u>
Inability to evaluate suppliers and their goods, inability to place orders for goods and inability to settle supplier accounts.

DATA SUBJECTS: SERVICE PROVIDERS		
<u>Personal Information processed:</u>	<u>Source of the Personal Information</u>	<u>Is the supply of Personal Information mandatory or voluntary?:</u>
Information relating to the education or the medical, financial, criminal or employment history of the person	Direct from data subject & third-party	Mandatory
Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person	Direct from data subject	Mandatory
The views or opinions of another individual about the person	Third party	Mandatory
Will any of the Personal Information be transferred to another country or international organisation?		
No		

DATA SUBJECTS: SERVICE PROVIDERS
<u>Purpose of processing Personal Information:</u>
To evaluate service providers and their services, to place orders for services and settle service provider accounts.
<u>Recipient or categories of recipients to whom the Personal Information is supplied:</u>
Procurement, management, finance
<u>The consequences of failure to provide information:</u>
Inability to evaluate service providers and their services, inability to place orders for services and inability to settle service provider accounts.

DATA SUBJECTS: FUNDERS AND DONORS		
<u>Personal Information processed:</u>	<u>Source of the Personal Information</u>	<u>Is the supply of Personal Information mandatory or voluntary?:</u>
Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person	Direct from data subject	Mandatory
Will any of the Personal Information be transferred to another country or international organisation?		
No		
<u>Purpose of processing Personal Information:</u>		
Manage and facilitate bursaries for students		
<u>Recipient or categories of recipients to whom the Personal Information is supplied:</u>		
HR, Finance, Management		
<u>The consequences of failure to provide information:</u>		
Inability to manage and facilitate bursaries for students		

DATA SUBJECTS: PROSPECTIVE CLIENTS		
<u>Personal Information processed:</u>	<u>Source of the Personal Information</u>	<u>Is the supply of Personal Information mandatory or voluntary?:</u>
Information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person	Direct from data subject	Mandatory
Information relating to the education or the medical, financial, criminal or employment history of the person	Direct from data subject	Mandatory
Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person	Direct from data subject	Mandatory

DATA SUBJECTS: PROSPECTIVE CLIENTS
Will any of the Personal Information be transferred to another country or international organisation?
No
<u>Purpose of processing Personal Information:</u>
Manage and support the enrolment and application process for students and guardians
<u>Recipient or categories of recipients to whom the Personal Information is supplied:</u>
Admissions staff, marketing, management
<u>The consequences of failure to provide information:</u>
Inability to manage and support the enrolment and application process for students and guardians

9.5 The Private Body may collect and process the above data subjects' Personal Information as defined in POPI and set out in the tables above and otherwise. The type of information will also depend on the nature of the relationship with the data subject and the purpose for which the information is collected and used.

9.6 The purpose of collecting the information set out in the tables above is set out therein. Personal Information will be processed for those purposes and other lawful purposes only, even though not set out above.

9.7 Whenever possible, the Private Body will inform the relevant data subject what information they are required to provide to the Private Body and what information is optional.

9.8 Where Personal Information is collected in terms of specific legislation, the Private Body will inform the data subject in terms of which legislation that data is collected.

9.9 In addition, GenEd collects Personal information about Data Subjects from the following sources:

- 9.9.1 directly from the data subject when he/she provides it to us, such as when a data subject applies to be enrolled with the Generation Group, signs up to use our website or services, contacts us or through the course of our relationship with the data subject;
- 9.9.2 in the case of a child, from his/her parent or legal guardian or from another source to the extent that consent is given or authorised by the child's parent/legal guardian;
- 9.9.3 from public records or public sources, whereby the data subject has deliberately made the information public;
- 9.9.4 from the data subject's use of our website or interaction with any features or resources made available on or through our website;
- 9.9.5 from any interaction with a third party via our website, provided the third party is authorised to share the data subject's Personal Information with us as a result of a contractual agreement or as required in terms of applicable law;
- 9.9.6 From the CCTV systems set up on our premises for security purposes. It must be noted that the CCTV system is not used for any other purpose, other than providing security and serving as evidence in the event of an incident. Additionally, CCTV cameras are located and positioned to give a general overview of what is happening in certain places but not to recognize individual persons;
- 9.9.7 From other sources, provided this does not prejudice a legitimate interest of the data subject;
- 9.9.8 from another source provided it is necessary:
 - 9.9.8.1 to comply with the law or any obligation imposed by law;
 - 9.9.8.2 to enforce legislation;
 - 9.9.8.3 for the conduct of any proceedings in any court or tribunal that have commenced or are reasonably contemplated;
 - 9.9.8.4 in the interests of national security;

- 9.9.8.5 to maintain the legitimate interests of the Generation Group or of a third party to whom the information is supplied.

LAWFUL BASIS OF COLLECTING PERSONAL INFORMATION

9.10 The Private Body needs to adhere to POPIA and protect personal information efficiently by adhering to the principles of POPIA governing the lawful basis of collecting personal information such as:

- 9.10.1 **Purpose Limitation** - Personal data may only be used for the specific purpose for which it has been initially collected. Subsequent use for other purposes must be compatible with this primary purpose.
- 9.10.2 **Proportionality** - Processing of personal data may not be excessive in relation to the objective pursued by the Private Body. Data may be collected only to the extent required.
- 9.10.3 **Direct Collection** - Personal data must generally be collected directly from the data subject.
- 9.10.4 **Transparency** - The data subject must be aware what personal data is processed for which purpose and who is responsible for it.
- 9.10.5 **Data Quality** - Personal data must be collected correctly. Appropriate measures must be taken so that irrelevant or incomplete data is corrected or deleted.
- 9.10.6 **Security** - Appropriate technical and organizational measures must be taken to protect personal data against unauthorized access, accidental loss or destruction and other forms of unlawful processing. Data may be accessible only by persons who have a “need to know”.
- 9.10.7 **Deletion** - Personal Data that is no longer required must be deleted. The period of time data after which data is to be deleted shall be defined and the actual deletion must be ensured. The storage for an indefinite period is not permissible without consent.

PROCESSING OF PERSONAL INFORMATION

9.11 Personal Information may only be processed if certain conditions are met which are listed below:

- 9.11.1 The data subject, or in the case of a minor, their parent or guardian consents to the processing – consent is obtained directly from the data subject or their parent or guardian either by accepting the terms and conditions hereof when logging in to the GenEx Platform of the terms and conditions signed with GenEd for the provision of the contracted educational services;
- 9.11.2 The Personal Information is subject to a contract concluded between the parties or such information is in the public domain;
- 9.11.3 Processing complies with an obligation imposed by law;
- 9.11.4 Processing protects a legitimate interest of clients and, employees so that the Private Body can respond to their needs on a timeous basis and provide them with a beneficial service;
- 9.11.5 Processing protects a legitimate interest of suppliers so that the Private Body can provide them with business opportunities on a timeous basis and relevant information;
- 9.11.6 Processing protects a legitimate interest of Employees to enable the Private Body to provide them with the necessary services and protection.

9.12 We will not, without data subjects' express consent use their Personal Information for any purpose, other than:

specifically:

- 9.12.1 as set out above;

generally:

- 9.12.2 in relation to the provision of any goods and services to a data subject;

- 9.12.3 to inform the data subject of new services or products or special offers (unless they have opted out from receiving marketing material from us). You may unsubscribe from any direct marketing communications at any time by clicking on the unsubscribe link that we include in every direct marketing communication or by contacting us and requesting us to do so;
- 9.12.4 to improve our product and/or service selection and their experience; or
- 9.12.5 to disclose their Personal Information to any third party as set out below:
 - 9.12.5.1 to our employees who are required to have that information to render the required services or ancillary functions;
 - 9.12.5.2 to law enforcement, government officials, fraud detection agencies or other third parties when we believe in good faith that the disclosure of Personal Information is necessary to prevent physical harm or financial loss, to report or support the investigation into suspected illegal activity;
 - 9.12.5.3 to our service providers (under contract with us) who help with parts of our business operations (fraud prevention, marketing, technology services, storage, payment processing, cloud-based software such as SIS etc). However, these service providers may only use data subjects information in connection with the services they perform for us and not for their own benefit;
 - 9.12.5.4 to any third-party seller for purposes of sending data subjects an invoice for any goods purchased from such third-party seller, which disclosed information will be limited to data subjects' email addresses;
 - 9.12.5.5 to accountants, auditors, lawyers, and other external professional advisors in terms of written agreements with them;
 - 9.12.5.6 to any relevant party to the extent necessary for the establishment, exercise or defence of legal rights, criminal offences, threats to public security, etc;
 - 9.12.5.7 to any relevant third party if we sell or transfer all or any portion of our business or assets;

9.12.5.8 to any relevant third party in the event of an acquisition or merger.

9.13 The Private Body takes all reasonable measures to ensure that anyone processing and storing Personal Information on our behalf (i.e., the operators of the SIS (Student Information System):

9.13.1 processes such information only with our knowledge or authorisation;

9.13.2 treats such Personal Information as confidential and does not disclose it, unless required by law or during the proper performance of their duties;

9.13.3 acts in accordance with an agreement entered with GenEd;

9.13.4 maintain sufficient and proper security measures. In particular, incorporating the Laravel Framework into the development of the Student Information System (“SIS”) and the Learning Management Systems (“LMS”).

9.14 We are entitled to use or disclose data subjects’ Personal Information if such use or disclosure is required to comply with any applicable law, subpoena, order of court or legal process served on us, or to protect and defend our rights or property.

9.15 Data subjects’ privacy is important to us and we will therefore not sell, rent or provide their Personal Information to unauthorised third parties for their independent use, without their consent;

9.16 We will not publish personal information concerning:

9.16.1 the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a data subject; or

9.16.2 the criminal behaviour of a data subject except to the extent that such information relates to i) the alleged commission by a data subject of any offence; or ii) any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings.

- 9.17 In line with our obligations in terms of section 22 of the POPI Act, where there are reasonable grounds to believe that Personal Information has been accessed or acquired by any unauthorised person, we will notify the Information Regulator and the data subject, where possible and follow our procedures set out in our data breach policy.
- 9.18 When data subjects provide a rating or review of our services and/or goods, they consent to us using that rating or review as we deem fit, including without limitation, on our website, in newsletters or other marketing material. The name that will appear next to that rating or review is their first name, as they would have provided. We will not display their surname, nor any of their contact details, with a rating or review.
- 9.19 We will:
- 9.19.1 treat data subjects' Personal Information as strictly confidential, save where we are entitled to share it as set out in this section;
 - 9.19.2 take appropriate technical and organisational measures to ensure that data subjects' Personal Information is kept secure and is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration, disclosure or access;
 - 9.19.3 provide data subjects with access to their Personal Information to view and/or update personal details;
 - 9.19.4 promptly notify data subjects if we become aware of any unauthorised use, disclosure or processing of their Personal Information;
 - 9.19.5 provide data subjects with reasonable evidence of our compliance with our obligations under this section on reasonable notice and request; and
 - 9.19.6 upon data subjects request, promptly return or destroy any and all of their Personal Information in our possession or control, save for that which we are legally obliged to retain.
- 9.20 Given the nature of the Personal Information that we collect and store on the Platform, as well as the importance of such information, you hereby consent to the indefinite retention of all Personal Information loaded on the Platform unless otherwise specifically instructed by you.

- 9.21 Whilst we will do all things reasonably necessary to protect data subjects' rights of privacy, we cannot guarantee or accept any liability whatsoever for unauthorised or unlawful disclosures of data subjects' Personal Information, whilst in our possession, made by third parties who are not subject to our direct control, unless such disclosure is because of our gross negligence.
- 9.22 In addition to the above, we may automatically gather non-personal information about data subjects, such as the type of internet browser they use or the website from which they accessed our website. We may also compile aggregated data based on their interactions with our site, such as the products or services they express interest in. This information cannot be used to identify them and is solely intended to help us improve the effectiveness of our website. Occasionally, we may share this non-personal or aggregated data with third parties for purposes related to our website.
- 9.23 Our website may use cookies from time to time, which are small text files stored on the data subject's computer by their browser. Cookies often contain a unique identifier, allowing us to recognize their specific browser and improve their experience.
- 9.24 They help us remember users and simplify navigation. data subjects can disable cookies through their browser settings or delete existing ones, but please note that some website features may not function properly if cookies are turned off.

ACCESS AND CORRECTION OF PERSONAL INFORMATION

- 9.25 Data Subjects have the right to access the Personal Information the Private Body holds about them.
- 9.26 Data subjects also have the right to request the Private Body to update, correct or delete their Personal Information on reasonable grounds.
- 9.27 Once a data subject objects to the processing of their Personal Information, the Private Body may no longer process that Personal Information.
- 9.28 Where a data subject objects to the processing of their Personal Information it may affect the ability to provide the contracted educational services and result in a withdrawal of the service.
- 9.29 The Private Body will take all reasonable steps to confirm the data subject's identity before providing details of their Personal Information or making changes to their Personal Information.

- 9.30 Data subjects have the right to object to the processing of their Personal Information.
- 9.31 In the event a data subject requires confirmation regarding the existence of the Personal Information processed by the Private Body or believes that the Personal Information processed by the Private Body requires rectification, the data subject is entitled to utilise the processes and procedures set out in section A of this manual to request access to the records of the Private Body set out in section 18(1)(h)(iii).
- 9.32 The Private Body limits access to Personal Information to only authorised and necessary employees, agents, contractors and other third parties, who will only process such Personal Information on instruction.

COMPLAINTS

- 9.33 Whilst we will do all things reasonably necessary to protect data subjects' rights of privacy, we cannot guarantee or accept any liability whatsoever for unauthorised or unlawful disclosures of data subjects' Personal Information, whilst in our possession, made by third parties who are not subject to our direct control, unless such disclosure is as a result of our gross negligence.
- 9.34 Should a data subject believe that we have used their Personal Information contrary to this Manual and the provisions of the POPI Act, the data subject should first attempt to resolve any concerns with us. If the data subject is not satisfied, they have the right to lodge a complaint with the Information Regulator (which address can be found herein below), established in terms of the POPI Act.

The Information Regulator (South Africa)
SALU Building
316 Thabo Sehume Street
Pretoria
0004

10 **TRANSBORDER FLOWS OF PERSONAL INFORMATION** – (section 51(1)(iv) of PAIA and section 18(1)(g) of the POPI Act.

10.1 The Private Body may from time to time need to transfer authorised Personal Information to another country for storage purposes or for the rendering of services by a foreign third-party service provider or otherwise. We will ensure that any person that we pass data subjects' Personal Information to agrees to treat their information with the same level of protection as we are obliged to in terms of section 72 of the POPI Act.

11 **SECURITY MEASURES TO PROTECT PERSONAL INFORMATION** – Section 51(1)(v)

11.1 The security measures implemented by the Private Body to ensure the confidentiality, integrity and availability of Personal Information, are listed and described below:

<u>PHYSICAL SECURITY MEASURES:</u>	<u>CYBER SECURITY MEASURES:</u>
Access control to the premises and certain key areas, which access is restricted to authorised personnel	Firewalls
Devices and user stations are password protected	Virus protection
Servers are stored in access-controlled rooms	Remote destruction
Security gate	Data is backed up
Cameras	
Access control (employee key card)	

<u>PHYSICAL SECURITY MEASURES:</u>	<u>CYBER SECURITY MEASURES:</u>
On site security guards	
Safe storage of physical documentation	
Discarded documentation is shredded	

11.2 All information provided to the Private Body is stored on our secured servers or those of our service providers and is encrypted using SSL technology. Where a data subject has received a temporary password generated by us or chosen one for themselves which enables access to certain parts of the GenEx Platform, he or she is responsible for keeping this password confidential and should not share it with anyone else.

11.3 The Private Body takes reasonable measures to:

- 11.3.1 identify all reasonable foreseeable risks to Personal Information in our possession or under our control;
- 11.3.2 establish and maintain appropriate safeguards against the risks identified;
- 11.3.3 regularly verify the effectiveness of safeguards;
- 11.3.4 ensure that the safeguards are reviewed and updated in response to new risks or deficiencies in previously implemented safeguards.

11.4 The internet is an open and often vulnerable system, GenEd cannot fully guarantee the security of Personal Information transferred to us via the internet. Notwithstanding, we will implement all reasonable measures to protect Personal Information. Therefore, you acknowledge and agree that any transfer of Personal Information via the internet is at your own risk and you are responsible for ensuring that any Personal Information that you send is sent securely.

12 **UPDATES TO THE MANUAL** – Section 51(2)

The Private Body may update this manual every six months or from time to time as it may deem necessary.

SIGNED at _____ on _____ 20_____

THE HEAD OF THE PRIVATE BODY