

THE CLOTHING BANK



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PROTECTION OF PERSONAL INFORMATION FRAMEWORK

The following topics will be covered in this Protection of Personal Information Framework:

- What is the purpose of this Framework?
- To whom does this Framework apply?
- What is Personal Information?
- How do we collect your Personal Information?
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- Where do we store your Personal Information?
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- What is Special Personal Information and when do we process it?
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- How can you review your Personal Information that we have collected, utilised or disclosed?
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- How fast will we respond to your written requests?
- Are there any costs to you for requesting information about your Personal Information or this framework?
- How do we know that it is really you requesting your Personal Information?
- What safeguards have we implemented to protect your Personal Information?
- How do you contact us regarding access to your Personal Information?
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1 WHAT IS THE PURPOSE OF THIS FRAMEWORK?

- 1.1 The purpose of this Protection of Personal Information Framework ("**Framework**") is to inform data subjects about the types of personal information The Clothing Bank processes by collecting or collating, receiving, recording, storing, updating, distributing, erasing or destroying, using and disclosing such Personal Information (which is explained in paragraph 3 below). In this Framework, data subjects include any private, public, juristic or natural persons which includes employees, beneficiaries or suppliers, associates ("**you**" or "**your**") of The Clothing Bank ("TCB", "**we**" or "**us**").
- 1.2 This Framework explains how we process your Personal Information, the choices you have regarding its use and disclosure, and how you may correct the Personal Information which we have on record for you.
- 1.3 At TCB, we take your privacy seriously, by complying with applicable privacy laws and regulations in South Africa, specifically the Protection of Personal Information Act, No 4 of 2013 ("**the POPI Act**"). From time to time, we may make changes to this Framework. We will treat Personal Information in a manner consistent with this Framework, unless we have your consent to treat it differently. This Framework applies to any information we collect or receive about you, from any source.

2 TO WHOM DOES THIS FRAMEWORK APPLY?

This Framework applies to the processing of your Personal Information by TCB and its subsidiaries and affiliates.

3 WHAT IS PERSONAL INFORMATION?

Personal information, for the purposes of this Framework, is any form of information that is identifiable with you. This information may include but is not limited to your name, race, gender, pregnancy, marital status, mailing address, phone number, email address, business facsimile number, education, employment history, and your financial history (such as your credit history, credit facilities, and shares).

4 HOW DO WE COLLECT YOUR PERSONAL INFORMATION?

- 4.1 We will always collect your Personal Information by fair, lawful and reasonable means ensuring that we protect your privacy. We will ensure that we only collect and use your Personal Information based on legitimate grounds and that your Personal Information is handled and processed in a way that you would reasonably expect and in a way that does not adversely affect you.
- 4.2 We may collect Personal Information directly from you or from third parties, where we have obtained your consent to do so or as otherwise permitted by law such as where it is

contained in a public record or has been made public by you or where collecting your Personal Information from a third party would not prejudice any of your legitimate interests.

5 WHEN AND HOW DO WE OBTAIN YOUR CONSENT?

5.1 We obtain your consent prior to collecting or prior to using or disclosing your Personal Information for any purpose, unless we are otherwise permitted to do so without your consent including to carry out actions in relation to the conclusion or performance of a contract to which you are a party (such as an enterprise development agreement or employment contract). You may provide your consent to us either electronically or in writing.

5.2 We will inform and make clear to you from the outset the manner and reason for which your Personal Information will be processed before we obtain your consent to process it. You may withdraw your consent or object to our processing of your Personal Information at any time by contacting us using the contact details provided in paragraph 20 below. This will not affect the legality of processing which occurred prior to your withdrawal of consent.

6 WHERE DO WE STORE YOUR PERSONAL INFORMATION?

We will keep the Personal Information that we collect from you on site, at our offices at

- 33 and 31 Thor Circle Thornton, Cape Town;
- 50 Tsessebe Crescent, Corporate Park South, Midrand,
- 272 Umbilo Road, Bulwer, Durban
- 94 Fitz Patrick Road, Quigney, East London
- Berg River Park, Cnr Jan Van Riebeeck Rd and Driebergen Street, Paarl

as well as off site. Our service providers, which include data storage and processing providers operating both in the Republic of South Africa and in certain instances, outside of the Republic of South Africa, may, from time to time, also hold your Personal Information in connection with purposes for which you provided your consent. We will ensure that any data processors that we utilise to deal with or process your Personal Information comply with the provisions of this Framework.

7 HOW DO WE USE YOUR PERSONAL INFORMATION?

7.1 We identify the purposes for which we use your Personal Information at the time we collect such information from you.

7.2 We will only collect your Personal Information for a specific, lawful and clear purpose of which we will inform you as far as possible prior to when such processing occurs. We will ensure that your consent to such processing will relate only to the purpose for which you have been made aware and we will not process your Personal Information for any other purpose.

7.3 We generally use your Personal Information for the following purposes:

7.3.1 for the purpose of providing services or products to you, including coaching and mentoring, or obtaining services or products from you;

7.3.2 to gather analysis or valuable information so that TCB can improve the Enterprise Development programme and provide the most appropriate support to you;

7.3.3 to carry out TCB's obligations and enforce its rights arising from any contracts entered into by it with you (including employment contracts);

7.3.4 to report to funders on the impact of the Enterprise Development programme

7.3.5 to report to our verification agency in order to comply with BBBEE requirements

7.3.6 to conduct research on the impact of the Enterprise Development programme

7.3.7 to survey you to assess your progress in our Enterprise Development programme using the Poverty Stoplight software

7.3.8 to register the you for the ISBP learnership with the W&R Seta

7.3.9 to respond to an e-mail that you have sent to us by return e-mail or if e-mail is unsuccessful, by phone;

7.3.10 to contact you from time to time, where you have specifically consented to follow-up contacts by TCB or its subsidiaries or affiliates;

7.3.11 for such other purposes to which you may consent from time to time; and

7.3.12 for such other uses authorised by law.

8 DO WE USE YOUR PERSONAL INFORMATION FOR DIRECT MARKETING PURPOSES?

No, we only use your Personal Information to contact you from time-to-time where you have consented to us doing so. We may also use your Personal Information to contact you in connection with your participation in our Enterprise Development programme..

9 WHAT IS SPECIAL PERSONAL INFORMATION AND WHEN DO WE PROCESS IT?

Special Personal Information is sensitive Personal Information that may relate to your race or ethnic origin, trade union membership, health, sex life or criminal behaviour. We only process special Personal Information if (i) you have expressly consented to such processing; (ii) our processing of such information is necessary in terms of law or in order for us to exercise or defend a legal claim; or (iii) the processing is for historical or statistical purposes.

10 HOW LONG WILL WE UTILISE OR RETAIN YOUR PERSONAL INFORMATION?

10.1 We may keep a record of your Personal Information, correspondence or comments on file. We will utilise, disclose or retain your Personal Information for as long as necessary to fulfil the purposes for which that Personal Information was collected and as permitted or required by law.

10.2 We may retain your Personal Information for longer periods for statistical, historical or research purposes and should this occur, we will ensure that appropriate safeguards have been put in place to ensure that your recorded Personal Information is not processed for any other purpose.

10.3 Once the purpose for which your Personal Information was obtained no longer applies or becomes obsolete, we will ensure that it is deleted or destroyed or de-identified so that it can no longer be ascribed to you.

11 TO WHOM DO WE PROVIDE YOUR PERSONAL INFORMATION?

11.1 We identify to whom, and for what purpose, we disclose your Personal Information, at the time we collect such information from you and obtain your consent to such disclosure.

11.2 We may disclose your Personal Information to third party service providers and funders with whom we have contractual agreements in place that include appropriate privacy standards. Such third parties may be assisting us with the purposes listed above for example, service providers may be used to provide telephone support, and for data storage and backups. We will only make disclosures of Personal Information to such persons or third parties for which you provide your consent.

11.3 We may also make disclosures of Personal Information as otherwise permitted or required by law.

11.4 In addition, we may send Personal Information outside of the jurisdiction in which it is collected for the above purposes, including for processing and storage by service providers in connection with such purposes. You should note that while your Personal Information is out of that jurisdiction, it is subject to the laws of the country in which it is held, and may be subject to disclosure to the governments, courts or law enforcement or regulatory agencies of such other country, pursuant to the laws of such country.

12 HOW DO WE ENSURE THE PRIVACY OF YOUR PERSONAL INFORMATION WHEN DEALING WITH OUR AFFILIATES, SUBSIDIARIES AND OTHER THIRD PARTIES?

We ensure that all affiliates, subsidiaries and other third parties that are retained to perform services on our behalf and are provided with Personal Information are required to comply with this Framework and our privacy practices.

13 HOW CAN YOU REVIEW YOUR PERSONAL INFORMATION THAT WE HAVE COLLECTED, UTILISED OR DISCLOSED?

If you make a written request to review any Personal Information about you that we have collected, utilised or disclosed, we will provide you with any such Personal Information to the extent required by law. We will make such Personal Information available to you in a form that is generally understandable, and will explain any abbreviations.

14 HOW DO YOU KNOW THAT THE PERSONAL INFORMATION WE HAVE ON YOU IS ACCURATE?

We will ensure that your Personal Information is kept as accurate, complete and up-to-date to the extent reasonably possible. We will not routinely update your Personal Information, unless such a process is necessary. We expect you, from time to time, to supply us with written updates to your Personal Information, when required.

15 WHAT IF THE PERSONAL INFORMATION WE HAVE ON YOU IS INACCURATE?

At any time, you can challenge the accuracy or completeness of your Personal Information in our records. If you successfully demonstrate that your Personal Information in our records is inaccurate or incomplete, we will amend or delete the Personal Information as required. Where appropriate, we will transmit the amended or deleted information to third parties having access to your Personal Information.

16 HOW FAST WILL WE RESPOND TO YOUR WRITTEN REQUESTS?

We will attempt to respond to each of your written requests not later than 30 days after receipt of such requests. You have the right to make a complaint to us in respect of this time limit by contacting us using the contact details provided in paragraph 20 below.

17 ARE THERE ANY COSTS TO YOU FOR REQUESTING INFORMATION ABOUT YOUR PERSONAL INFORMATION OR THIS FRAMEWORK?

We will not charge any fees for you to access your Personal Information in our records or in terms of this Framework or practices without first providing you with an estimate of the approximate costs, if any. You may withdraw your request for access to information by notifying us within the 30 day notice period disclosed on the estimate. If you do not notify us

within such 30 day period, we will send you a further notice indicating that you will be deemed to have withdrawn your request for access unless you advise us otherwise within 30 days. If, after the expiry of this second 30 day period, you have not so advised us, we will deem your request to have been withdrawn and provide you with written notice to that effect.

18 HOW DO WE KNOW THAT IT IS REALLY YOU REQUESTING YOUR PERSONAL INFORMATION?

We may request that you provide sufficient identification to permit access to the existence, use or disclosure of your Personal Information. Any such identifying information shall be used only for this purpose.

19 WHAT SAFEGUARDS HAVE WE IMPLEMENTED TO PROTECT YOUR PERSONAL INFORMATION?

19.1 We have implemented physical, organisational, contractual and technological security measures to protect your Personal Information from loss or theft, unauthorised access, disclosure, copying, use or modification. The only employees who are granted access to your Personal Information are those with a business 'need-to-know' or whose duties reasonably require such information.

19.2 We will provide you and the information protection regulator with detailed written notification should there be a security breach or a reasonable belief of a security breach which allows unauthorised persons to access your Personal Information. We will provide such notification as soon as reasonably possible after we discover a security compromise.

20 HOW DO YOU CONTACT US REGARDING ACCESS TO YOUR PERSONAL INFORMATION?

All comments, questions, concerns or complaints regarding your Personal Information or this Framework, should be forwarded to us as follows:

Attention: the TCB Information Officer

In writing: Unit 2, Viking Place, 33 Thor Circle, Thornton, Cape Town

Per email: juliamilligan@theclothingbank.org.za

Per fax: N/A

21 CONTACTING THE INFORMATION REGULATOR

If you are unhappy with the way that we treat your personal information, you are also entitled to lodge a complaint with the Information Regulator established for the purposes of ensuring compliance with the POPI Act. The contact details of the Information Regulator are as follows:

Tel: 012 406 4818

Fax: 086 500 3351

Email: infoereg@justice.gov.za