



Protection of Personal Information (POPIA) Privacy Policy

1. Introduction

The Protection of Personal Information Act, 2013 (“POPIA”) came into full effect on 1 July 2021. In this regard, we have several obligations and duties in terms of POPIA with which we are required to comply. The protection of your personal information is a high priority for us, and we have taken appropriate and reasonable steps to ensure that your personal information is protected and remains private.

In addition to this document serving as our Privacy Policy, this document also serves as a data subject notification as contemplated in section 18 of POPIA. This Privacy Policy explains what personal information we collect, why we collect it, how we use it, who we may share it with, how we protect it, and your rights relating to your personal information.

Where we refer to “process” or “processing”, this means how we collect, use, store, make available, update, disclose, transfer, destroy or otherwise deal with your personal information.

As a general rule, we will only process your personal information where it is necessary to:

- provide products or services to you;
- perform in terms of a contract;
- comply with legal or regulatory obligations;
- protect legitimate business interests; or
- where you have provided consent.

We may combine your personal information and use the combined information for any lawful purpose contemplated in this Privacy Policy.

Any reference to “we”, “us” or “our” means Uthingo Partners (Pty) Ltd (“Uthingo”). By using our services, website, products and/or engaging with us, you acknowledge that we may process your personal information as explained in this Privacy Policy.

We may update this Privacy Policy from time to time due to changes in legislation, operational requirements or business practices. The latest version published on our website at the time of engagement with us will apply.

2. Application of this Privacy Policy

This Privacy Policy applies to all individuals and entities whose personal information we may process, including but not limited to:

- clients and prospective clients;
- beneficiaries, programme participants and prospective beneficiaries;
- learners, students, parents, guardians and educational support programme participants;
- suppliers, service providers and contractors;
- employees and prospective employees;
- business partners;
- shareholders and directors;
- website users;
- event attendees;
- marketing contacts and newsletter subscribers; and
- any representatives, employees, authorised persons or associated individuals linked to the above parties.

This Privacy Policy also applies where we receive personal information relating to identifiable juristic persons and their representatives in the course of providing our services.

Where you provide us with personal information relating to another individual or third party, you warrant that you are authorised to do so and that the relevant individual has been informed of the contents of this Privacy Policy where required.

3. What is Personal Information?

Personal information refers to any information relating to an identifiable, living natural person and, where applicable, an identifiable existing juristic person.

Personal information includes, but is not limited to, the following information:

- age;
- beliefs;
- birth information;
- biometric information;
- colour;
- conscience;
- correspondence;
- criminal history;
- culture;
- disability;
- education;
- email address;
- employment history;
- ethnic origin;
- financial history;
- gender;

- identity number;
- language;
- location information;
- marital status;
- mental health;
- medical history;
- name;
- national origin;
- online identifiers;
- personal opinions;
- personal preferences;
- personal views;
- physical address;
- physical health;
- pregnancy;
- race;
- religion;
- sex;
- sexual orientation;
- social origin;
- symbol;
- telephone number; and
- wellbeing.

4. Is the Supply of Personal Information Voluntary or Mandatory?

The supply of certain personal information is mandatory in terms of legislation and regulatory obligations. If you do not provide such information, we may not be able to comply with our legal obligations or provide products or services to you.

We may collect and process personal information in accordance with applicable legislation, including but not limited to:

- Basic Conditions of Employment Act, No. 75 of 1997;
- Companies Act, No. 71 of 2008;
- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993;
- Competition Act, No. 89 of 1998;
- Constitution of the Republic of South Africa Act, No. 108 of 1996;
- Criminal Procedure Act, No. 51 of 1977;
- Employment Equity Act, No. 55 of 1998;
- Insolvency Act, No. 24 of 1936;
- Labour Relations Act, No. 66 of 1995;
- Skills Development Levies Act, No. 9 of 1999;
- Unemployment Insurance Act, No. 63 of 2001;
- Value Added Tax Act, No. 89 of 1991;
- Electronic Communications and Transactions Act, No. 25 of 2002;
- Income Tax Act, No. 58 of 1962;
- Occupational Health and Safety Act, No. 85 of 1993;
- Intellectual Property Laws Amendment Act, No. 38 of 1997; and
- any other legislation applicable to our business operations and services.

In other circumstances, the provision of personal information may be voluntary; however, if sufficient information is not provided, we may be unable to provide our products, services or support.

5. Lawful Basis for Processing Personal Information

We will only process your personal information where one or more of the following lawful grounds apply:

- you have consented to the processing;
- the processing is necessary to conclude or perform under a contract with you;
- the processing complies with a legal or regulatory obligation;
- the processing protects a legitimate interest of you, Uthingo or a third party;
- the processing is necessary for the exercise, protection or defence of a right or obligation in law; or
- the processing is otherwise permitted by applicable law.

6. What is Special Personal Information?

Special personal information includes personal information concerning:

- religious or philosophical beliefs;
- race or ethnic origin;
- trade union membership;
- political persuasion;
- health or sex life;
- biometric information; and
- criminal behaviour where applicable legislation applies.

7. When Will We Process Special Personal Information?

We may process special personal information where:

- you have consented to the processing;
- the processing is necessary for employment, payroll or human resource purposes;
- the processing is necessary to comply with legal obligations;
- the processing is necessary for the establishment, exercise or defence of a right or obligation in law;
- the information has deliberately been made public by you;
- the processing is necessary for statistical or research purposes subject to appropriate safeguards; or
- the processing is otherwise permitted or required by law.

Due to the nature of our business and B-BBEE advisory services, we may process certain special personal information including race, gender, disability and demographic information for purposes including:

- B-BBEE verification support;

- Employment Equity compliance;
- beneficiary assessments;
- enterprise and supplier development initiatives;
- transformation reporting; and
- related advisory and compliance services.

Processing of Children’s Personal Information

Due to the nature of certain social impact, educational and socio-economic development programmes supported or administered by Uthingo and its associated partners, we may process limited personal information relating to children and learners.

Such processing may include:

- learner identification information;
- educational and academic information;
- application and assessment information;
- demographic information;
- guardian or parent information;
- attendance and participation records; and
- any other information reasonably necessary for programme administration and support.

We will only process children’s personal information:

- with the consent of a competent parent or legal guardian where required;
- where the processing is necessary for the establishment, exercise or defence of a right or obligation in law;
- where the processing is necessary to comply with legal obligations;
- where the processing is necessary for programme administration, educational support or related lawful purposes; or
- where otherwise permitted by applicable law.

We take appropriate and reasonable steps to protect children’s personal information and limit processing to what is reasonably necessary for the relevant purpose.

8. When and From Where do we Obtain Personal Information?

We may collect personal information:

- directly from you;
- from public records;
- from publicly available platforms and sources;
- from your use of our website, systems, platforms or communication channels;
- from communications and interactions with us;
- from third parties authorised to share such information;
- from service providers, partners or regulators; and
- from other lawful sources.

Where required by law, we will obtain consent before collecting personal information from third parties.

Third parties from whom we may collect personal information include:

- clients, beneficiaries and business partners;
- schools, educational institutions, guardians, programme coordinators and social impact partners;
- employers, representatives and authorised agents;
- verification agencies and auditors;
- attorneys, accountants, consultants and advisors;
- banks and payment service providers;
- regulatory authorities and government institutions;
- law enforcement agencies;
- recruitment agencies and referees;
- IT, cloud hosting and software service providers;
- marketing and CRM platform providers;
- website analytics providers;
- property management and security providers;
- courts, tribunals, trustees, curators and executors; and
- any other lawful source relevant to our business activities.

9. Reasons We Process Personal Information

We may process personal information for the following purposes:

- to provide products and services;
- to provide B-BBEE advisory, consulting and related services;
- to assess and support beneficiaries and enterprise development initiatives;
- to conduct due diligence, verification and compliance activities;
- to communicate with clients, beneficiaries, suppliers and stakeholders;
- to facilitate communication and coordination with schools, guardians, programme partners and beneficiaries;
- to administer educational, social impact, socio-economic development and beneficiary support programmes;
- to assess eligibility and facilitate learner placement, educational support and programme participation initiatives;
- to manage contractual relationships;
- to process payments and financial transactions;
- to manage supplier and procurement processes;
- to respond to enquiries, complaints and requests;
- to provide marketing communications, newsletters, updates and event invitations;
- to administer events, webinars and training sessions;
- to maintain CRM systems and business relationship records;
- to conduct research, analytics and reporting;
- to develop and improve products and services;
- to manage recruitment and employment processes;
- to ensure information, network and cybersecurity;
- to maintain website functionality and administration;
- to comply with legal, regulatory, reporting and governance obligations;
- to establish, exercise or defend legal rights;
- to detect, prevent and investigate fraud, misconduct and security incidents;
- and

- for any lawful purpose related to our business operations.

We will not sell your personal information.

10. Direct Marketing

We may send you marketing communications relating to our services, events, newsletters, updates and related offerings where permitted by law.

You may opt out of receiving direct marketing communications from us at any time by:

- using the unsubscribe functionality where available;
- contacting us directly; or
- requesting removal from our marketing databases.

We will process direct marketing communications in accordance with POPIA and applicable electronic communications legislation.

11. Website Usage, Cookies and Electronic Communications

When you visit our website or interact with our electronic platforms, we may automatically collect certain technical information including:

- IP addresses;
- browser type;
- device information;
- operating system information;
- website usage information;
- session information;
- security logs; and
- analytics information.

We may use cookies or similar technologies to:

- improve website functionality;
- analyse website usage;
- maintain website security;
- improve user experience; and
- support website administration.

You may disable cookies through your browser settings; however, certain website functionality may be affected.

Electronic communications may be monitored where necessary for:

- security;
- fraud prevention;
- quality assurance;
- business continuity; and
- legal or regulatory compliance purposes.

12. Office Access and Security

Our offices are located within premises managed by third-party property managers and/or security service providers.

Access to such premises may require visitor registration, vehicle registration, identity verification, CCTV monitoring and/or biometric authentication systems for authorised personnel.

Such processing activities may be conducted by the relevant property owners, building management or contracted security providers in accordance with their own legal and regulatory obligations and privacy practices.

Where Uthingo receives or accesses such information, it will only be used for legitimate security, health and safety, access control and business continuity purposes.

13. Sharing of Personal Information

We may share personal information where:

- you have consented to the disclosure;
- the disclosure is necessary to perform under a contract;
- the disclosure is required by law;
- the disclosure is necessary to protect legitimate interests; or
- the disclosure is necessary for lawful business operations.

We may share personal information with:

- service providers and operators processing information on our behalf;
- auditors, accountants, consultants and professional advisors;
- verification agencies and regulators;
- cloud hosting and IT service providers;
- CRM and marketing platform providers;
- banks and payment processors;
- insurers;
- legal advisors and courts;
- regulators and government bodies;
- business partners and stakeholders; and
- any other lawful recipient where required for operational or legal purposes.

Where third-party operators process personal information on our behalf, we take reasonable steps to ensure that they are contractually bound to implement appropriate security and confidentiality measures in accordance with POPIA.

14. Cross-Border Transfers of Personal Information

We may transfer personal information to service providers, operators or third parties located in other countries where necessary for operational, administrative, storage, support or service delivery purposes.

This may include cloud storage providers, software platforms and technology providers located outside South Africa.

We will only transfer personal information across borders:

- where appropriate safeguards are in place;
- where the recipient is subject to laws or agreements providing adequate protection;
- where the transfer is necessary to perform a contract;
- where you have consented to the transfer; or
- where the transfer is otherwise permitted by law.

15. How We Secure Personal Information

We implement appropriate and reasonable technical, organisational and administrative safeguards to protect personal information against loss, misuse, unauthorised access, disclosure, alteration or destruction.

Security measures may include:

- secure storage systems;
- cybersecurity monitoring;
- controlled access to systems and records;
- password and access management protocols;
- encryption and firewall technologies where appropriate;
- confidentiality obligations;
- secure disposal and destruction procedures;
- employee awareness and training; and
- operator and supplier security assessments where appropriate.

16. Personal Information Retention

We retain personal information only for as long as reasonably necessary to fulfil the purpose for which it was collected, including for:

- legal and regulatory compliance;
- contractual obligations;
- operational requirements;
- dispute resolution;
- record keeping;
- historical, statistical or research purposes; and
- lawful business requirements.

Thereafter, personal information will be securely destroyed, deleted, anonymised or de-identified where appropriate and reasonably practicable.

We may retain certain records even after our relationship with you has ended where required or permitted by law.

17. Personal Information Breaches

In the event of a suspected or confirmed personal information breach, we will take reasonable steps to:

- investigate and contain the incident;
- assess risks and potential impacts;
- implement corrective measures;
- notify affected parties where required; and
- notify the Information Regulator where legally required.

18. Your Rights as a Data Subject

You have the right to:

- request confirmation that we hold your personal information;
- request access to your personal information;
- request correction or updating of personal information;
- request deletion or destruction of personal information where applicable;
- object to the processing of personal information;
- withdraw consent where processing is based on consent;
- object to direct marketing;
- lodge a complaint with the Information Regulator; and
- exercise any other rights afforded under POPIA or applicable legislation.

Proof of identity may be required before giving effect to any request.

Requests may be refused where permitted or required by law.

Where the law requires us to retain certain information, we may not be able to delete such information upon request.

You are required to inform us if your personal information changes.

19. Information Regulator

You have the right to lodge a complaint with the Information Regulator.

Contact details of the Information Regulator:

Telephone: 010 023 5200

Toll Free: 0800 017 160

Email:

- enquiries@infoeregulator.org.za
- PAIAComplaints@infoeregulator.org.za
- POPIAComplaints@infoeregulator.org.za

Website: <https://www.infoeregulator.org.za>

Postal Address: P.O. Box 31533, Braamfontein, Johannesburg, 2017
Physical Address: Woodmead North Office Park, 54 Maxwell Drive, Woodmead,
Johannesburg, 2191

20. Contact Details

For any queries relating to this Privacy Policy or our processing of personal information, please contact our Information Officer and/or Deputy Information Officer using the details below.

Deputy Information Officer: Lauren O'Dwyer

Email: lauren@uthingopartners.co.za

Information Officer: Nontombi Selepe

Email: Nontombi@uthingopartners.co.za

Telephone: 011 568 8166

Physical Address: Homestead Office Park, Block C, 65 Homestead Avenue,
Bryanston, 2191.

21. Version Control

Version	Effective Date	Summary of Changes	Approved By
2509	01 July 2021	Initial Privacy Policy	Management
2605	15 May 2026	Expanded and updated Privacy Policy aligned with operational processing activities and PAIA Manual	Management