

Pinion Search Partners (Pty) Ltd.

Registration Number: 2018/090483/07

PAIA & POPIA MANUAL

Published in terms of:

Section 51 of the

Promotion of Access to Information Act (No. 2 of 2000)

&

Sections 11 and 24 of the

Protection of Personal Information Act (No. 4 of 2013)

Published on Wednesday, 08 December 2021

Table of Contents

1.	Introduction	3
1.1.	Availability of this PAIA & POPIA Manual	3
1.2.	Availability of Guides to the PAIA and POPIA Acts	3
	The Information Regulator (South Africa)	3
2.	Company Contact Details	4
	Duly authorised persons:	4
3.	Company Records in terms of PAIA	5
	Company Record Classification Key	5
4.	Processing of Personal Information	6
4.1.	The purpose of processing of personal information by the Company	6
4.2.	Categories of data subjects and personal information processed by the Company	7
	Candidates and Potential Candidates	7
	Clients and Potential Clients	7
	Collaboration and Business Partners	7
	Suppliers	7
	Employees	7
	Visitors	8
4.3.	Recipients or categories of recipients with whom personal information is shared	8
5.	Prescribed Request Forms and Fees	9
5.1.	Form of Request	9
	PAIA – Access Request	9
	POPIA – Objection, Correction or Deletion Requests	9
5.2.	Prescribed Fees in terms of PAIA	10
5.3.	Access to Required PAIA and POPIA Forms and the Prescribed Fees	10
6.	Remedies	11
	Annexure A: Form 2	12

1. Introduction

Pinion Search Partners (Pty) Ltd. (“the Company”) conducts business as an Executive Search firm where we assist our clients with staffing solutions, recruitment needs, Outsourced HR and other business processes. This PAIA and POPIA Manual (“Manual”) provides an outline of the type of records and the personal information it holds and explains how to submit requests for access to these records in terms of the Promotion of Access to Information Act (2 of 2000) (“PAIA”).

In addition, it explains how to object to the processing of personal information held by the Company, or request for correction or deletion of the personal information, in terms of Sections 11 and 24 of the Protection of Personal Information Act (4 of 2013) (“POPIA”). The PAIA and POPIA Acts give effect to everyone’s constitutional right of access to information held by private sector or public bodies if the record or personal information is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

Requests shall be made in accordance with the prescribed procedures, at the rates provided. The forms and relevant fees are dealt with under paragraph 5 hereunder.

1.1. Availability of this PAIA & POPIA Manual

This Manual is published on the Company website at www.pinionsearch.com or alternatively, a copy can be requested from the Information Officer (see contact details in section 2).

1.2. Availability of Guides to the PAIA and POPIA Acts

Guides to the PAIA and POPIA Acts can be obtained, and queries directed to:

The Information Regulator (South Africa)

JD House

27 Stiemens Street

Braamfontein

Johannesburg

P.O. Box 31533

Braamfontein

Johannesburg

2017

Website: <https://www.justice.gov.za/inforeg/index.html>

General Enquiries E-mail: inforeg@justice.gov.za

Complaints E-mail: complaints.IR@justice.gov.za

2. Company Contact Details

Company contact details in terms of PAIA, Section 51:

Postal Address:

Pinion Search Partners (Pty) Ltd.

Unit C, No. 4 Grove Walk

Claremont

7708

Cape Town

South Africa

Physical Address:

Unit C, No. 4 Grove Walk

Claremont

7708

Cape Town

South Africa

Telephone Number: +27 087 821 7411

Website: www.pinionsearch.com

Duly authorised persons:

Information Officer

Jennifer van Riet

E-mail: jennifer@pinionsearch.com

3. Company Records in terms of PAIA

Company Record Classification Key

Categories of Data Subjects	Personal Information processed
Candidates and Potential Candidates	Personal Information
	Contact Detail
	Credit History
	Work History
	Location information
	Category information
Clients and Potential Clients	Location Information
	Senior management/EXCO Organograms
	Relevant contact detail
Collaboration and Business Partners	Personal Information
	Performance Information
	Personal Information of employees
Suppliers	Personal Information
	Personal Information of representatives
Employees	Personal information
	Medical information
	Disability information
	Pension and Provident Fund Information
	Contracts
	Performance records
	Payroll records
	Electronic access records
	Physical access records
	Surveillance records
	Health and safety records
	Training records
	Employment history
	Time and attendance records
Visitors	Physical access records
	Electronic access records and scans
	Surveillance records

4. Processing of Personal Information

The Company takes the privacy and protection of personal information very seriously and will only process personal information in accordance with the current South African privacy protection laws. Accordingly, the relevant personal information privacy principles relating to the processing thereof (including, but not limited to, the collection, handling, transfer, sharing, correction, storage, archiving and deletion) will be applied to any personal information processed by the Company.

4.1. The purpose of processing of personal information by the Company

There are various ways in which we may process your data. This section details our purposes for processing, our legal basis for the processing, and our storage periods.

In certain cases, we will process your data after obtaining your consent. You are free to withdraw your consent at any time. We may process your data with your consent for the following purposes:

- Electronic communications, such as subscribing to our mailing list or by contacting us via a form or email address upon the Site.
- Cookies, in order to grant you a personalised experience when dealing with us. You may decline the installation of cookies; however, this may affect the functionality of our website or prevent you from using the Site entirely. If you opt out of using cookies, we may store a single cookie in order to remember this preference.
- For website analytics, storing details such as your IP address, bounce rate, page time, cost per click, most visited pages, and device information. These tracking cookies may be declined at any time.
- For promotional campaigns, in which case additional information may be volunteered by you in order to participate in the promotion or to receive a delivery.

We will process your data when we have to perform a contract; for as long as the contractual relationship is in place, and for 12 months following the end of the relationship. In order to fulfil our obligations to you in terms of the Services you have engaged us for, we will need to process your data.

We may also process your data in terms of **legitimate interest**, as long as the data being processed is strictly necessary, proportional, and does not infringe on your individual rights to privacy. Processing may take place in terms of the following necessary scenarios:

- To monitor and analyse how to improve our Service and/or our Site, as well as to keep the same secure and free from abuse. This may include communications such as surveys or direct electronic communications.
- To keep active communications with you while you are our contracted client. Certain communications are necessary during delivery of our Services, and we have a legitimate interest in keeping you information about our Services.

For further detail and understanding of what personal information is processed, how it is processed and stored, and with which third parties it is shared, kindly consult the Pinion Search Partners Privacy Statement.

[\(please link to privacy statement\)](#)

4.2. Categories of data subjects and personal information processed by the Company

Categories of data subjects and personal information processed by the Company include the following:

Candidates and Potential Candidates

Personal Information

Contact Detail

Credit History

Work History

Location information

Category information

Clients and Potential Clients

Location Information

Senior management/EXCO Organograms

Relevant contact detail

Collaboration and Business Partners

Personal Information

Performance Information

Personal Information of employees

Suppliers

Personal Information

Personal Information of representatives

Employees

Personal information

Medical information

Disability information

Pension and Provident Fund Information

Contracts

Performance records

Payroll records

Electronic access records

Physical access records

Surveillance records

Health and safety records

Training records

Employment history

Time and attendance records

Visitors

Physical access records

Electronic access records and scans

Surveillance records

4.3. Recipients or categories of recipients with whom personal information is shared

We may share your information with our service providers and processors in order to deliver the Services to you. These will often be providers that offer solutions for hosting, marketing and other business critical operations. In the case of third parties processing data, we require that they comply with our internal standards, policies, technical and organisational measures, ensuring that your data is protected and remains confidential. We will only share data in accordance with this Privacy Policy and with approved and contractually appointed third parties.

When you authorise us to do so, we may also share your data with other companies so that they can process the data for other purposes, as explained in more detail when we request your prior consent. In addition, if you provide consent for the installation of cookies, your data may be processed by third parties. These cookies are subject to the third parties' respective Privacy Policies.

Where necessary and compelled by authorities to do so, we may share your information with law enforcement and competent courts. We may also share your information where we have to take legal action to protect our, or third-party rights.

We will not sell your information. Our contracts dictate that third-party service providers may not use your information for their own benefit or for any services other than those requested by us.

5. Prescribed Request Forms and Fees

5.1. Form of Request

To facilitate the processing of your request, kindly:

PAIA – Access Request

- 1) Use the Prescribed PAIA Form on the Company website.
- 2) Address your request to the Information Officer.
- 3) Provide sufficient detail to enable the Company to identify:
 - a. The record(s) requested.
 - b. The requestor (and, if an agent is lodging the request, proof of capacity).
 - c. The South African postal address, e-mail address or fax number of the requestor.
 - d. The form of access required.
 - e. If the requestor wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof.
 - f. The right which the requestor is seeking to exercise or protect with an explanation of the reason, the record is required to exercise or protect the right.

POPIA – Objection, Correction or Deletion Requests

- i) Upon receipt of the requested information, the following actions may be taken:
 - No further action necessary;
 - Object to the processing of your personal information; or
 - Request for the correction or deletion of your personal information.
- ii) Once a decision has been made, use the relevant Prescribed POPIA Form (Form 1 or Form 2) on the company website.
- iii) Address your request to the Information Officer.
- iii) Ensure to provide sufficient detail in the Forms:

Form 2 – Objection to the Processing of Personal Information

A Details of The Data Subject

- a. Name and surname / registered name of data subject;
- b. Unique identifier / Identity number;
- c. Residential, postal or business address;
- d. Contact number(s); and
- e. Fax number / E-mail address.

B Details of The Responsible Party

- a. Name(s) and surname / registered name of responsible party
- b. Provide all details of parties with whom personal information was shared
- c. Residential, postal or business address;

- d. Contact number(s); and
- e. Fax number / E-mail address.

C Reasons for Objection in Terms of Section 11(1)(D) To (F)

Please see included Annexure A: Form 2 – Request for Correction or Deletion of Personal Information.

D Information To Be Corrected / Deleted / Destructed / Destroyed

Details of the personal information about the data subject in terms of section 24(1)(a) which is in possession or under the control of the responsible party; and/ or reasons for destruction or deletion of a record of personal information about the data subject in terms of section 24(1)(b) which the responsible party is no longer authorised to retain.

5.2. Prescribed Fees in terms of PAIA

The fees for reproduction of a record as referred to in section 52(3) are as follows -

5.2.1. For every photocopy of an A4 size page or part thereof	R1.10
5.2.2. For every printed copy of an A4-size page or part thereof	R0.75
5.2.3. For a copy of a compact disc	R70.00
5.2.4. For a transcript of visual images for an A4 size page or	R40.00
5.2.5. For a copy of visual images	R60.00
5.2.6. For a transcript of an audio record, for an A4-size page or	R20.00
5.2.7. For a copy of an audio record	R30.00

The request fee payable by a requester, other than a personal requester is *R50.00*

- i. A requestor is required to pay the prescribed fees (R50.00) before a request will be processed.
- ii. If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted).
- iii. A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit.
- iv. Records may be withheld until the fees have been paid.

5.3. Access to Required PAIA and POPIA Forms and the Prescribed Fees

The prescribed forms and fees are as follows:

5.3.1. For every photocopy of an A4 size page or part thereof	R1.10
5.3.2. For every printed copy of an A4-size page or part thereof	R0.75
5.3.3. For a copy of a compact disc	R70.00
5.3.4. For a transcript of visual images for an A4 size page or	R40.00

5.3.5. For a copy of visual images	R60.00
5.3.6. For a transcript of an audio record, for an A4-size page or	R20.00
5.3.7. For a copy of an audio record	R30.00

The request fee payable by a requester, other than a personal requester is *R50.00*

- i. A requestor is required to pay the prescribed fees (R50.00) before a request will be processed.
- ii. If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted).
- iii. A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit.
- iv. Records may be withheld until the fees have been paid.

published on the Company website or, alternatively, copies can be requested from the Information Officer (see contact details in paragraph 2).

The Prescribed Forms and Fees can be found on the Company website as follows:

PAIA Form – Request for Access to Record of Private Body

POPIA Form 1 – Objection to the Processing of Personal Information

POPIA Form 2 – Request for Correction or Deletion of Personal Information

6. Remedies

The Company does not have internal appeal procedures regarding the PAIA and POPIA Act requests. As such, the decision made by the duly authorised persons in paragraph 2, is final. If a request is denied, the requestor is entitled to apply to a court with appropriate jurisdiction, or the Information Regulator (South Africa), for relief.

Annexure A: Form 2

Annexure 2 (Web): Request to Access/Correct/Delete Personal Information

REQUEST FOR ACCESS TO/CORRECTION/DELETION OF PERSONAL INFORMATION

OR DESTROYING/DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE POPI ACT, 2013 (ACT NO. 4 OF 2013) REGULATIONS, 2018 [Regulation 3]

Notes:

- 1. Affidavits or other documentary evidence in support of the objection may be attached.*
- 2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
- 3. Complete as is applicable.*

Mark the appropriate request box with an X

- ☐ Access to/Correction or deletion of personal information about the data subject which is in possession or under the control of the responsible party.
- ☐ Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

DETAILS OF DATA SUBJECT

Name(s) and surname of data subject:

Unique Identifier/ Identity Number:

Residential, postal or business address:

Contact number(s):

E-mail address:

DETAILS OF RESPONSIBLE PARTY

Name /Registered name of responsible party:

Residential, postal or business address:

Contact number(s):

E-mail address:

INFORMATION TO BE ACCESSED/CORRECTED/DELETED/DESTROYED (Circle applicable request)

Give description of Information:

Give detailed reasons for the request:

Signed at this day of20.....

.....

Signature of data subject/ designated person