



## Cape Town Torah High NPC ("CTTH")

# PRIVACY POLICY

### INTRODUCTION

The purpose of this policy is to describe the way that CTTH collect, store, use and protect data that can be associated with any person or another specific natural or juristic person and can be used to identify that person.

### THE LAW

**The Constitution of South Africa (1996)** protects everyone's right to privacy (section 14). To give effect to this right, the Protection of Personal Information Act (Act 4 of 2013) ("POPIA") was enacted. The Act seeks to facilitate the balance between the right to privacy with other rights, such as the right to access information. POPIA recognises that a person's right to privacy includes protection against unlawful collection, retention, dissemination and use of personal information. POPIA also introduces measures to protect personal information that is processed by public and private bodies including schools.

### POPIA

The supply of personal information is part of everyday life. Access to the information and how it is used is regulated by POPIA.

### Personal information

Personal information is broadly defined in POPIA as meaning information relating to an identifiable, living, natural person, and where applicable, an identifiable, existing juristic person. The information includes, but not limited to:

- a 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;
- b Information relating to the education or the medical, financial, criminal or employment history of the person;
- c Any identifying number, symbol, e-mail address, physical address, telephone number, location, online identifier or other particular assignment to the person;
- d The biometric information of the person;
- e The personal opinions, views or preferences of the person;
- f Correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- g The views or opinions of another individual about the person; and
- h The name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal personal information about the person

### Processing of Information

In terms of POPIA, processing of information refers to act that can be performed that relates to the handling of personal information, which includes the “collection, recording, organisation, storage, updating or modification, retrieval, consultation, use, dissemination by means of transmission, distribution or making available in any other form, merging, linking, as well as blocking, erasure or destruction of personal information.”

POPIA specifies that personal information can only be processed from a **data subject** (the person from whom information is obtained):

1. With the consent of the data subject; (which consent can be withdrawn or the data subject may object to its collection if he/she can show legitimate grounds for the objection) or
2. If it is necessary for the conclusion or performance of a contract to which the data subject is a party; or
3. It is required by law; or
4. It protects a legitimate interest of the data subject; or
5. It is necessary to pursue your legitimate interests or the interest of a third party to whom the information is supplied.

POPIA requires that certain conditions be met for the processing of personal information. These conditions include that the processing be:

1. Lawful.
2. Done in a reasonable manner. Processing must not infringe on the privacy of the person from whom information is being collected (*the data subject*). The information must be for a legitimate purpose and must be relevant, adequate and not excessive. It also requires that the data subject, or in the case of a child, his/her parents must consent to the processing of such information (except where the information is publicly available).
3. For a specific purpose and specific time, save where the information is for historical, statistical or research purposes. In such instances the information may not be used for other purposes.
4. Within the processing limits and may not go beyond the agreed original scope. Such processing is prohibited by the Act.
5. Undertaken by to ensure the quality of the information. The person processing the information must ensure the information is complete, accurate, current and not misleading.
6. Done in an open manner, which means that the data subject must be aware of the collection, who the responsible person collecting the data is and why it is needed.
7. Undertaken by the responsible person who must ensure that the information is protected against loss, damage, destruction, and unauthorised or unlawful access or processing.
8. Done in a manner that enables the data subject to participate, which includes enabling the data subject to access personal information and correction if required.

### Not considered Personal Information

1. Information that does not identify a specific person (also called anonymous information).
2. Information that has been permanently deleted so as not to identify any specific person.
3. Non-personal statistical information collected and compiled by CTTH.

4. Information that you have provided voluntarily in an open public environment. This could include chat rooms, blogs, social media, open meetings or any other public event forum.

### **CTTH COMPLIANCE WITH POPIA**

Information about students and their families is an important part of CTTH's business. Such information may be collected, collated, processed or disclosed for the purposes set out hereunder.

#### **Information collected by CTTH**

1. When parent/s and/or guardian/s apply to enroll the student in school and when completing and signing school documentation including the Application for Enrolment, the Letter of Acceptance and the Enrolment Agreement, the parent/s and/or guardian/s supply CTTH with personal information about themselves, the student and potentially the personal information of the third party who will pay the school fees (the payer). CTTH undertakes to protect this personal information according to this Privacy Policy.
2. When an employee and service provider enters into a legal relationship with CTTH, the employee or service provider will supply CTTH with personal information about themselves. CTTH undertakes to protect this personal information according to this Privacy Policy
3. CTTH may collect and store the following Personal Information:
  - 3.1. Name, surname, address, email address contact information, identity number and/or passport number or other such identifying permit number, residency status and religious affiliation of students/parent/s and/or guardian/s.
  - 3.2. Student's name, identity number and/or passport number or other such identifying permit number, family information including siblings and next of kin, date of birth, address, residency, status, medical information including allergies, medical conditions and vaccination data, education history, special needs information, if any, usernames and passwords for all school owned information and communication technology equipment progress reports, meeting notes, test and assessment results.
  - 3.3. In the event fees are paid the payer, the name, surname, address, email address contact information, identity number and/or passport number or other such identifying permit number, and residency status.
  - 3.4. Employee's name and surname, address, date of birth, identity number and/or passport number or other such identifying permit number residency status, contact information, employment record, qualifications, referee's details, information relating to any criminal activity, if any, car registration number, and tax number.
  - 3.5. Service provider's name and surname, if applicable, address, date of birth or registration number in the case of a juristic person, identity number and/or passport number or other such identifying permit number (if applicable), residency status (if applicable), contact information, qualifications, where applicable, details of employees employed by the service provider working at CTTH (if applicable) referees details (if applicable), information relating to any criminal activity, if any, car registration number, if applicable, registration numbers for Income Tax and VAT, where applicable.
  - 3.6. Members of the Board of Governors' name, address identity number and/or passport number or other such identifying permit number and contact information.
  - 3.7. Information that is required by law or in terms of any contract entered into with CTTH.
  - 3.8. All email correspondence.
  - 3.9. Information and correspondence relating to transactional activities.
  - 3.10. Recordings of meetings, unless any participant does not consent thereto.
  - 3.11. Recordings of telephone conversations, unless any participant does not consent thereto

- 3.12. Website connection information (including upon registration on the parent portal, your name, surname, email address and your username and password), statistics on page views, traffic to and from the Website, IP address and standard web log information.
- 3.13. In the case where CTTH receives remission applications, then CTTH may require additional information about the applicants' finances.
- 3.14. The parent/s and/or legal guardian/s and/or payer's contact details and financial information. In the event debit order mandates have been approved or a refund is required, their bank account details.

### **Manner Information Stored at CTTH**

Information collected by CTTH is maintained electronically on the School's information management system or manually in indexed filing systems.

CTTH takes reasonable technical, administrative and physical steps to protect against unauthorised access to and disclosure of personal information.

CTTH uses a combination of firewall barriers, encryption techniques and authentication procedures, among others, to maintain the security of information on its Information and Communication Technology systems which includes your online sessions and the protection of CTTH's systems from unauthorised access.

### **The manner Information used by CTTH**

1. CTTH processes information about parent/s and/or legal guardian/s, student/s, payer, employees and service providers in order to safeguard and promote the welfare of the student, employees, and the school and to promote the objects and interests of CTTH, facilitate the efficient operation of CTTH and ensure that all relevant legal obligations of CTTH are complied with.  
(Processing means obtaining or recording information or carrying out any operation on the information such as storing or using the information or passing it on to third parties.)
2. By signing a contract with CTTH the parent/s and/or guardian/s, give CTTH consent to:
  - 2.1. Collect and store information details about the parent/s and/or guardian/s, student and the payer.
  - 2.2. Collect, store and share credit information about the parent/s and/or guardian/s and the payer.
  - 2.3. Inform any other school or educational institution to which the parent/s and/or guardian/s, propose to send the student of any outstanding fees.
  - 2.4. Share names and contact details about the parent/s and/or guardian/s, and/or student with its employees and service providers for school-related purposes. CTTH will contractually bind all employees and service providers to comply with this Privacy Policy.
  - 2.5. Include photographs, with or without name, of the student in CTTH publications, or in press releases to celebrate the CTTH or the student's activities, achievements or successes.
  - 2.6. Supply information and a reference for the student to any educational institution which the parent/s and/or guardian/s, propose the student may attend. CTTH will take care to ensure that all information supplied about the student is accurate and that any opinion CTTH may give on their ability, aptitude and character is fair. However, CTTH is not responsible for any loss the parent/s and/or guardian/s, or the student may suffer from correct statements of fact CTTH may make or opinions CTTH may reasonably supply.

- 3.0 In the event CTTH enters into a separate arrangement for the payment of Fees, CTTH may, in order to verify the payer’s identity and credit worthiness, search the files of any licensed credit reference agency that will keep a record of that search and details about the payer. This record will be seen by other organisations that make searches about the payer. Failure to supply information may result in a refusal of a separate fee arrangement.
- 4.0 Similarly, employees and service providers who enter into legal agreements with CTTH, similarly consent to CTTH processing their personal information.
- 5.0 Where in the professional opinion of the school Principal, it is deemed necessary, CTTH may share information with certain third parties which may be deemed necessary to comply with the law, enforce the CTTH web policies, or protect its or others' rights, safety or property.
- 6.0 CTTH does not sell, trade, or otherwise transfer personally identifiable information of third parties to outside parties unless CTTH provides such a third party with advance notice or is required to do by law.

**Retention of personal information by CTTH**

CTTH will keep records for seven years after a student has left the school. Thereafter, it only retains such information needed for alumni, statistical and research purposes. Any personal information you would like us to delete before the seven-year period, you may ask CTTH to do so, however, we will retain such information as is necessary for statistical and research purposes or any information CTTH is required to retain by law

**Information from The PJJDS Website**

CTTH is currently working with our service providers to ensure the cyber security of our website. The intention is to have a system in place where the website is scanned on a regular basis for security holes and known vulnerabilities in order to make the CTTH site as safe as possible. To this end CTTH will regularly make use of malware scanning software. Personal information is to be contained behind secured networks and is only accessible by a limited number of people who have special access rights to such systems and are required to keep the information confidential.

CTTH has a variety of security measures when a user, enters, submits, or accesses the user’s information in order to maintain the safety of each user’s personal information. Certain transactions that are processed through a gateway provider are not stored or processed on the CTTH’s servers.

**CTTH Use Of 'Cookies'**

The CTTH is implementing a cookie advisory on its website that will advise visitors and users of the following: “We use cookies. By using this site, you consent to our use of cookies”.

\*\*\*\*\*