



## SHONAQUIP SOCIAL ENTERPRISE PRIVACY POLICY

### 1. INTRODUCTION

1.1 The Shonaquip Social Enterprise (SSE) is committed to protecting and respecting your privacy. We strive to ensure that our use of your personal Information is lawful, reasonable and relevant to our relationship with you with the ultimate goal of serving your needs and improving the way we work.

1.2 This Privacy Policy must, as appropriate, be read together with our Website Terms of use and any other documents or agreements between the SSE and you that describe the manner in which we, in specific circumstances, collect and/or process personal Information about you. This will enable you to understand the manner in which we will process your personal Information. This Privacy Policy supplements such Terms of Use and Agreements, but does not supersede them and in the event of any conflict, ambiguity or inconsistency between this Privacy policy, the Terms and/or the Agreements, such documents shall be interpreted in the following order of priority:

1.2.1 This Privacy Policy;

1.2.2 The Website Terms of Use; and

1.2.3 The Agreements.

1.3 If you are concerned about any aspect of this Privacy Policy as it relates to your personal Information, please do not continue to engage with us, use our Website or our products and services until you have obtained clarity from us on any concerns you may have.

### 2. DEFINITIONS

The following definitions will apply to this Privacy Policy, unless inconsistent with or otherwise indicated by the context:

2.1 **Child/Children** shall be as defined in the Protection of Personal Information Act;

2.2 **Contact Information** shall include, but is not limited to your billing addresses, delivery addresses, e-mail addresses and telephone numbers.



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- 2.3 **Cookies** means a small text file (up to 4KB) created by a website that is stored in the user's computer either temporarily for that session only or permanently on the hard disk (persistent cookie). Cookies provide a way for the website to recognize you and keep track of your preferences;
- 2.4 **Data** means information in electronic form;
- 2.5 **Data subject** shall be as defined in the Protection of Personal Information Act;
- 2.6 **Financial Information** shall include but is not limited to bank account details; details of funds which hold on your behalf for as a deposit for an order, medical insurance information, financial statements, tax clearance certificates and VAT registration numbers;
- 2.7 **HTTPS means** Hypertext Transfer Protocol Secure which is an extension of the Hypertext Transfer Protocol. It is used for secure communication over a computer network, and is widely used on the Internet;
- 2.8 **IP address** means a unique address that identifies a device on the Internet or a local network;
- 2.9 **Identity Information** shall include but is not limited to information concerning your name, username or similar identifier, marital status, title, occupation, interests, date of birth, gender, race and legal status, as well as copies of your identity documents, photographs, identity number, registration number and your qualifications;
- 2.10 **Location Information** includes but is not limited to geographical information from your Access Device (which is usually based on the GPS or IP location);
- 2.11 **Marketing and Communications Information** includes but is not limited to your preferences in respect of receiving marketing information from us and our third parties, and your communication preferences;
- 2.12 **Personal information** means information as defined in the Protection of Personal Information Act;
- 2.13 **Protection of Personal Information Act** means the Protection of Personal Information Act 4 of 2013. POPI shall have a corresponding meaning;
- 2.14 **Regulator** means the Information Regulator;



- 2.15 **Shonaquip** means Shonaquip Proprietary Limited, registration number 2010/020028/07, a limited liability private company duly incorporated in the Republic of South Africa;
- 2.16 **Special Personal Information** means information as defined in the Protection of Personal Information Act;
- 2.17 **Technical Information** shall include but is not limited to your internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access the Website or to use our products and services or engage with us;
- 2.18 **Traffic data** means any data processed for the purpose of the conveyance of a communication on an electronic communications network in respect of that communication and includes data relating to the routing, duration or time of a communication;
- 2.19 **Transaction Information** shall include but is not limited to details about payments made to or received from you and company information, which may consist of financial activity;
- 2.20 **The Shonaquip Social Enterprise** means the hybrid social enterprise consisting of Shonaquip (Pty) Ltd and Uhambo Foundation wherein the companies work together to achieve a social purpose. SSE shall have a corresponding meaning;
- 2.21 **Uhambo Foundation** means Uhambo Foundation NPC, a non-profit company duly incorporated in the Republic of South Africa under registration number 2010/004598/08;
- 2.22 **Usage Information** shall include but is not limited to information as to your access to and use of the Website, products and services, such as what links you went to, what content you accessed, the amount of content viewed and the order of that content, as well as the amount of time spent on the specific content and what products and services you access and use when engaging with the SSE;
- 2.23 **User** means a person who uses a computer or other device to access this website; and
- 2.24 **Web browser** means an application used to access and view this website. Well know web browsers include Internet Explorer, Google Chrome and Safari.



### **3. APPLICATION**

- 3.1 The Shonaquip Social Enterprise Privacy Policy applies to how we collect, use and process your personal Information and in some instances Special Personal Information and Personal Information relating to Children.
- 3.2 The Privacy Policy applies to information collected personally, through social media, via the SSE website or through any other means, which is processed and/stored by us after collection.
- 3.3 The Privacy Policy applies to the processing by us or on our behalf, and by our successors-in-title, of the personal information relating to you, being a user who accesses and/or uses our Website or our products and services, or a provider of products and services to us as well as our clients, suppliers, employees, former employees, prospective employees and other data subjects that engage with us.

### **4. COLLECTION OF YOUR PERSONAL INFORMATION**

- 4.1 If you provide us with your personal information, it will be stored, processed, used in accordance with this Privacy Policy and the POPI Act.
- 4.2 We may process various types of personal information about you, including but not limited to: identity information, contact information, financial information, transaction information, technical information, usage information, location information and marketing and communication information as defined in this Privacy Policy.

### **5. USE AND DISCLOSURE**

- 5.1 We will use your personal information, only for the purposes for which it was collected, as consented to by you.
- 5.2 In addition, where necessary, you consent that your information may be used for the following purposes:
- 5.2.1 To establish and verify your identity;
  - 5.2.2 To maintain and update our client, or potential client databases;



- 5.2.3 To send you direct marketing material from which you will be able to opt out or unsubscribe;
  - 5.2.4 To send you messages about our website, your account and the goods and services we offer;
  - 5.2.5 To customize our Website to users' preferences;
  - 5.2.6 To inform you of facts relating to your Website access and use;
  - 5.2.7 To improve the content of our Website or any of our services; installation, guarantee, extended warranties, client care and products;
  - 5.2.8 To inform you about our goods and services, including information particularly aimed at a specific user;
  - 5.2.9 For marketing and product research purposes; and
  - 5.2.10 To communicate with you in general.
- 5.3 Furthermore, You agree and give permission for us to share your Personal Information under the following circumstances:
- 5.3.1 with our agents, advisers and suppliers that have agreed to be bound by applicable data protection legislation and this Privacy Policy or similar terms, which offer the same level of protection as this Privacy Policy;
  - 5.3.2 with our employees, suppliers, consultants, contractors and agents if and to the extent that they require such Personal Information in order to process it for us and/or in the provision of services for or to us; reporting purposes (e.g. the South African Revenue Service); hosting, development and administration, technical support and other support services relating to our Website or the operation of our business. We will authorise any Personal Information processing done by a third party on our behalf, amongst other things by entering into written agreements with those third parties governing our relationship with them and containing confidentiality; non-disclosure and data protection provisions. Such persons may be disciplined, their contracts terminated or other appropriate action taken if they fail to meet their obligations;



- 5.3.3 To enable us to enforce or apply our Terms and/or any Agreement you have with us;
- 5.3.4 To enable us to monitor web traffic: web servers serving the website automatically collect information about pages you visit. This information is used for internal review, to tailor information to individual visitors and for traffic audits;
- 5.3.5 For statistics purposes: we may perform statistical analyses in order to measure interest in the various areas of the Website (for product development purposes);
- 5.3.6 To protect our rights, property or safety or that of our clients, employees, contractors, suppliers, agents and any other third party;
- 5.3.7 With governmental agencies and other regulatory or self-regulatory bodies, if required to do so by law or when we reasonably believe that such action is necessary to:
  - 5.3.7.1 comply with the law or with any legal process;
  - 5.3.7.2 protect and defend the rights, property or safety of the SSE, or our clients, employees, contractors, suppliers, agents or any third party;
  - 5.3.7.3 detect, prevent or manage actual or alleged fraud, security breaches, technical issues, or the abuse, misuse or unauthorised use of the Website and/or contraventions of this Privacy Policy; and/or



5.3.7.4 protect the rights, property or safety of members of the public (if you provide false or deceptive information or misrepresent yourself, we may proactively disclose such information to the appropriate regulatory bodies and/or commercial entities).

5.4 We will get your permission before disclosing your Personal Information to any third party for any other purpose, if we are required by law to do so.

5.5 We may, where permitted or required to do so by applicable law, process your personal information without your knowledge or permission, if sufficient grounds of justification are present, and we will do so in accordance with the provisions of the Privacy policy and the Law.

## **6. SPECIAL PERSONAL INFORMATION AND INFORMATION RELATING TO CHILDREN**

6.1 The SSE hereby notifies you that, in certain circumstances, we may collect certain Special Personal Information about you or Information relating to children.

6.2 The processing of Special Personal Information and Information relating to children requires higher levels of protection. We need to have further justifications for processing Special Personal Information and Information relating to children. The SSE has implemented appropriate policies and safeguards, which we are required by law to maintain, to process Special Personal Information and Information relating to children.

6.3 The SSE will generally not process particularly Special Personal Information about you or information relating to children unless it is necessary for establishing, exercising or defending a right or obligation in law, or where we have obtained your consent to do so. On rare occasions, there may be other reasons for processing your Special Personal Information, or Information relating to children such as where the information has been deliberately made public by you.



## **7. WEBSITE ANALYTICS**

7.1 Generally, you may visit our Website without providing any personal information. The website servers will in such instances collect the IP address used by you to access the website, but not the e-mail address or any other personal identifiable information. The information on IP addresses is aggregated to measure the number of visits, the average time spent at the website, pages viewed, etc. We analyse non-identifiable traffic data to improve our services, via a third (3<sup>rd</sup>) party programme.

7.2 We may collect, hold, and use statistical information about website visits to help us improve the website. Such information includes: your IP address; the search terms you used; the pages accessed on the website and the links you clicked on; the date and time you visited the website; the referring website (if any) through which you clicked through to our website; and the type of web browser you use (e.g. Internet Explorer, Mozilla or Firefox).

7.3 The traffic data is aggregated and is not personally identifiable. Our website analysis will also respect any "do not track" setting you might have set on your web browser.

7.4 We use cookies on our website where they are required for particular features to work. We also make use of tracking cookies to track and analyse website usage. The cookies do not collect any personal information about you.

## **8. LINKS TO SOCIAL NETWORKING SERVICES**

8.1 We use social networking services such as Twitter and Facebook and network sharing services such as LinkedIn to communicate with the public about our work. When you communicate with us through these services, that social networking service may collect your personal information for its own purposes.

8.2 These services may track your use of our website on those pages where their links are displayed. If you are logged in to those services (including any Google service) while using our website, their tracking will be associated with your profile with those service providers.

8.3 These services have their own privacy policies which are independent of our privacy policy and practices.





8.4 We only use personal information that you provide through these social networking services for the purposes for which you provided it and will not make your personal information available to any third party unless this is necessary for the purpose for which you provided the information (for instance to order an appropriate device).

## **9. DIRECT MARKETING**

9.1 The SSE processes Personal Information for the purpose of direct marketing by way of electronic communication. We will only send you direct marketing materials if you have specifically opted-in to receive these materials, or if you are a client of the SSE, at all times in accordance with applicable laws.

9.2 You may refuse to accept, require us to discontinue, or pre-emptively block any approach or communication from us if that approach or communication is primarily for the purpose of direct marketing.

9.3 You may opt out of receiving direct marketing communication from us at any time by requesting us (in any manner, whether telephonically, electronically, in writing or in person) to stop providing any direct marketing communication to you.

## **10. INFORMATION SECURITY**

10.1 The SSE takes reasonable steps to put in place and maintain electronic procedures and systems with reference to accepted technological standards to secure all information under our control. For example, our website is protected and encrypted.

10.2 Our hosting company will host our website in a secure environment that uses a firewall and other advanced security measures to prevent interference or access from outside intruders. We authorise access to personal information only for those employees who require it to fulfil their job responsibilities.

10.3 The SSE also has security policies and procedures that cover: physical security; computer and network security; access to personal information; reasonably secure communications; security in contracting out activities or functions; retention and disposal of information; acceptable usage of personal information; governance and regulatory issues; monitoring access and usage of private information and investigating and reacting to security incidents.



- 10.4 When we contract with third parties, we impose appropriate security, privacy and confidentiality obligations on them to ensure that personal information that we remain responsible for, is kept secure.
- 10.5 We will ensure that anyone to whom we pass your personal information agrees to treat your information with the same level of protection as we are obligated to.
- 10.6 Despite the above measures being taken when processing your personal information and Special Personal Information, subject to the provisions of this clause 10, as far as the law allows, we will not be liable for any loss, claim and/or damage arising from any unauthorised access, disclosure, misuse, loss, alteration or destruction of your Personal Information and/or Special Personal Information. By engaging with us you bound by this Privacy Policy and you acknowledge that you know and you accept that technology is not absolutely secure and there is a risk that your Personal Information and Special Personal Information will not be secure when processed by means of technology. We do not promise that we can keep your Personal Information and Special Personal Information completely secure. To the maximum extent permitted by law, you will not be able to take action against us if you suffer losses or damages in these circumstances.

## **11. RETENTION OF YOUR PERSONAL INFORMATION**

We will only retain your personal information for as long as it is necessary to fulfil the purposes explicitly set out in this policy, unless:

- 11.1 retention of the record is required or authorised by law; or
- 11.2 you have consented to the retention of the record. During the period of retention, we will continue to abide by our non-disclosure obligations and will not share or sell your personal information.

## **12. TRANSFER OF PERSONAL INFORMATION OUTSIDE OF SOUTH AFRICA**

We may transmit or transfer personal information outside South Africa to a foreign country. Personal information may be stored on servers located outside South Africa in a foreign country whose laws protecting personal information may not be as stringent as the laws in South Africa. You consent to us processing your personal information in a foreign country whose laws regarding processing of personal information may be less stringent.



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### **13. YOUR RIGHT TO ACCESS AND CORRECT PERSONAL INFORMATION**

We will provide you with access to any personal information that we hold about you. You may also request that we correct your personal information. Kindly contact our Information Officer or Deputy Information Officer to request access to your personal information or the correction of your personal information. You can ask to be removed from any of our subscription lists at any time.

### **14. THIRD PARTY SITES**

14.1 This Privacy Policy does not apply to the websites of any other parties, or the applications, products or services such websites advertise and which may be linked to our Website, or websites that link to or advertise on our Website.

14.2 We are not responsible for the privacy practices of such third party websites, or for any claims, loss or damage arising from these.

14.3 We advise you to read the privacy policy of each third party website and decide whether you agree to their privacy practices and policies, as these third party websites may also be collecting or sharing your Personal Information and Special Personal Information.

### **15. PRIVACY POLICY CHANGES**

To the extent allowed by the law, this Privacy Policy may be amended and updated from time to time in our sole discretion, without notice, provided that if we do so, we will post the revised policy on the Website and we will take reasonably practicable steps to inform you of the updated Privacy Policy. Accordingly, please check this Privacy Policy for changes periodically. If you continue to engage with us, provide products or services to us or access or use the Website and/or products and services after amendments are made to the Privacy Policy and displayed on our Website, you will be deemed to have accepted the updated Privacy Policy.



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## 16. CONTACT DETAILS

We have appointed an Information Officer and Deputy Information Officer who are responsible for overseeing questions in relation to the Privacy policy. You may contact them on the details provided below to discuss this Privacy policy or your rights under the POPI Act:

Name: Shona Mary McDonald

Role: Information Officer

Address: Unit 7, Independence Square, Cnr Strandfontein and New Ottery Roads, Ottery, Cape Town, 7800

Tel: 021 797 8239

Fax: 086 544 5914

Email: [shona@shonaquip.co.za](mailto:shona@shonaquip.co.za)  
[shona@uhambofoundation.org.za](mailto:shona@uhambofoundation.org.za)

Name: Gugulethu Bonga

Role: Deputy Information Officer

Address: Unit 7, Independence Square, Cnr Strandfontein and New Ottery Roads, Ottery, Cape Town, 7800

Tel: 021 797 8239

Fax: 086 544 5914

Email: [gugulethu@shonaquip.co.za](mailto:gugulethu@shonaquip.co.za)

or

This Privacy Policy was adopted by the Shonaquip Social Enterprise on the 16<sup>th</sup> July 2021.

Signed at Cape Town this 18<sup>th</sup> day of July 2023.

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Shona Mary McDonald – Information Officer