



PSCBC

**PUBLIC SERVICE COORDINATING BARGAINING
COUNCIL**

PRIVACY POLICY

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(PSCBC)
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1. **ABOUT THIS POLICY**

- 1.1. The Public Service Co-ordinating Bargaining Council (“**PSCBC**”) is an independent organisation established in terms of Section 35 of the Labour Relations Act 66 of 1995 (“**LRA**”), read with Sections 36 and 37. The main objective of the organisation is to maintain good labour relations in the Public Service.
- 1.2. This Policy describes how the PSCBC processes personal information that it collects and/or receives from you.
- 1.3. PSCBC is a “**Responsible Party**”. This means that we are responsible for deciding how we hold and use your personal information. We are required under data protection legislation to notify you of the information contained in this Privacy Policy.
- 1.4. This Policy applies to all Data Subjects who visit the PSCBC website, make use of PSCBC's services and all Data Subjects whose personal information is processed by the PSCBC.

2. **DEFINITIONS**

- 2.1. For purposes of this Policy:
 - 2.1.1. “**Data Subject**” or “**You**” means any person to whom the specific personal information relates, as contemplated in POPIA;
 - 2.1.2. “**IO**” means the Information Officer of the PSCBC;
 - 2.1.3. “**Personal Information**” means information relating to an identifiable, living, natural person, and (where applicable) an identifiable, existing juristic person, including the name, race, gender, marital status, address and identifying number of a person, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
 - 2.1.4. “**Policy**” or “**Privacy Policy**” means this Privacy Policy, as may be amended from time to time;
 - 2.1.5. “**POPIA**” means the *Protection of Personal Information, 2013* and any regulations or codes of conduct promulgated thereunder;
 - 2.1.6. “**Processing**” or “**Process**” means any activity that involves the use of Personal Information. It includes any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including:

- 2.1.6.1. the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- 2.1.6.2. dissemination by means of transmission, distribution or making available in any other form; or
- 2.1.6.3. merging, linking, as well as restriction, degradation, erasure or destruction of information;
- 2.1.7. “**PSCBC**”, “**Us**” or “**We**” means the Public Service Co-ordinating Bargaining Council;
- 2.1.8. “**Special Personal Information**” means personal information concerning the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a data subject; or the criminal behaviour of a data subject to the extent that such information relates to the alleged commission by a data subject of any offence; or any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings;
- 2.1.9. “**Social Media Platforms**” means platforms such as Facebook, LinkedIn, Twitter, Pinterest, YouTube, Instagram, WeChat, WhatsApp, TikTok, blogs and all other similar Social Media or communication platforms; and
- 2.1.10. “**Website**” means the PSCBC’s website which can be accessed at <https://pscbc.co.za/>.

3. **INFORMATION WE COLLECT AND RECEIVE**

In most circumstances, providing your personal information to us is voluntary. However, it may be mandatory to provide your personal information to us. If you fail to provide certain information when requested, we may not be able to perform the services you requested from us, or we may be prevented from complying with our legal obligations.

We collect and receive information about you in the following ways:

3.1. **Information you give us:**

This includes, without limitation, any personal information that you provide to us directly:

- 3.1.1. when you sign-up to utilise our services;
- 3.1.2. by filling in forms on our website, or those provided to you;

- 3.1.3. when you complete a survey;
- 3.1.4. by posting comments or content on our Social Media platforms;
- 3.1.5. when you contact us or we contact you and you provide personal information directly to us; and
- 3.1.6. any other personal information that we may request from you for purposes of providing our services to you.

3.2. Personal Information we collect:

- 3.2.1. When you register to use our services, you will be required to provide us with the following information, your:
 - 3.2.1.1. name and surname;
 - 3.2.1.2. contact number and email address;
 - 3.2.1.3. physical address;
 - 3.2.1.4. identity or passport number;
 - 3.2.1.5. date of birth;
 - 3.2.1.6. levy amounts; and
 - 3.2.1.7. bank details.

3.3. Information we collect or receive when you use our Website or Social Media platforms

We collect information when you access and/or use our Website or Social Media Platforms by using cookies, web beacons and other technologies, which may include your personal information. Depending on how you access and use our Website and Social Media platforms, we may receive:

- 3.3.1. log files;
- 3.3.2. cookies and web beacons;
- 3.3.3. DoubleClick DART Cookies;
- 3.3.4. information we infer about you based on your interaction with products and services;

3.3.5. device information (for example the type of device you're using, how you access platforms, your browser or operating system and your Internet Protocol ("IP") address); and

3.3.6. location information.

3.4. Information from third-party sources

We may receive additional information about you that is publicly or commercially available and combine that with the personal information we have collected or received about you in other ways.

3.5. Special Personal Information

We may collect your special personal information. When we process your special personal information, we will ensure that we process the special personal information in accordance with the requirements set out in POPIA or applicable data privacy legislation.

4. HOW WE USE THE INFORMATION WE COLLECT AND RECEIVE

We use the personal information we collect and receive from you for the following general purposes:

- 4.1. to provide you with information, products or services you request from us;
- 4.2. in order to refer you to an appropriate third-party service provider;
- 4.3. to communicate with you;
- 4.4. to provide you with support; and
- 4.5. to provide you with communications related to the work we do (e.g., to provide you with news and general information about other services and events which we offer, that are similar to those that you have already procured or enquired about).

5. HOW WE SHARE THE INFORMATION WE COLLECT AND RECEIVE

- 5.1. We do not sell your personal information to third parties for their marketing purposes.
- 5.2. We may share information with:
 - 5.2.1. other bargaining councils which are affiliated with us;
 - 5.2.2. we may disclose your personal information to a limited number of our employees and third-party service providers (other than those who we refer you to), who interact with you on our behalf;

- 5.2.3. other parties in response to a legal or regulatory obligation we may have;
- 5.2.4. other parties when we perform an obligation we have towards you;
- 5.2.5. other parties in response to legal process or when necessary to conduct or protect our legal rights;
- 5.2.6. companies that provide services to us or act on our behalf, who may have access to information about you. These companies are limited in their ability to use your personal information that they receive in the course of providing services to us or you;
- 5.2.7. third parties where you provide consent. In some cases, third parties (often advertisers) may wish to attain personal information about you in order to promote their products to you, or for whatever other reason, which we may only share if you have provided consent in the form of an explicit opt-in. Before we ask you to opt-in, we will endeavour to provide you with a clear description of what data would be shared with the third-party. Remember that once you have opted in to allow us to send your Personal Information to the third-party, we cannot control what the third-party does with your personal information. Therefore, be sure to investigate the third-party's privacy policies before providing permission for us to share your personal information; and
- 5.2.8. third parties in the course of a business transfer. Where all or a part of our business is merged, sold or reorganised, personal information about you may be shared with the successor entity. PSCBC will use reasonable measures to help ensure that any successor entity processes personal information in accordance with this Policy.

6. YOUR RIGHTS

- 6.1. Your use of our Website or Social Media Platforms, followed by your submission of information (including any personal information) to us, represents that you have consented to the processing of your personal information as described in this Policy.
- 6.2. You have the right to withdraw your consent at any time. To withdraw your consent, please contact Mr Oomang Parag (oomangp@pscbc.org.za). Upon receiving notification that you have withdrawn your consent, we will no longer process your personal information for the purpose(s) you originally agreed to, unless we have another legitimate basis for doing so in law.
- 6.3. Where we send you any communications related to the work we do, you have the right to ask us not to send you such information. You can exercise this right at any time by using any of

the various "opt-out" options that will be provided to you when we communicate with you. The communication will not be sent to you if you tell us not to. However you will receive service-related messages from us.

- 6.4. We use cookies on our Website. You may reject our cookies by configuring your browser to do so. However, this may impact your access to and use of our Website.
- 6.5. We want to make sure that any personal information we hold about you is up to date. If you are of the view that your personal information is inaccurate, you can ask us to correct or remove it by contacting our Information Officer on the details provided in Clause 14.

7. **RETENTION OF DATA**

We will retain your personal information only for as long as is necessary for the purposes set out in this Privacy Policy or to comply with our legal obligations, resolve disputes, and enforce our legal agreements and policies.

8. **OUR COMMITMENT TO SECURITY**

- 8.1. The security of your personal information is important to us. While we strive to use commercially acceptable means to protect your personal information, we cannot guarantee its absolute security. However, we do employ a number of safeguards intended to mitigate the risk of unauthorised access or disclosure of your personal information. We will do our best to protect your personal information and we will use up to date technology that will help us to do this. We will at all times comply with our obligations under POPIA or applicable data protection legislation.
- 8.2. The following security measures have been instituted to ensure confidentiality, integrity and availability of information:
 - 8.2.1. dedicated hosting of servers at a secure off-site data centre;
 - 8.2.2. daily cloud back up services of all servers;
 - 8.2.3. ransomware protection of all information through ASE-256-bit encryption of PSCBC information;
 - 8.2.4. anti-virus software with live monitoring and management; and
 - 8.2.5. set up of secure firewalls on all servers.

9. **TRANSFER OF DATA**

- 9.1. We are based in and operate from South Africa. Your personal information may be transferred to and maintained on servers located outside of your country of residence, where the data privacy laws, regulations and standards, may not be equivalent to the laws in your country of residence.
- 9.2. We might transfer your personal information to places outside of South Africa and store it there, where our suppliers might process it. If that happens, your personal information will only be transferred to and stored in country that has equivalent, or better, data protection legislation than South Africa or with a service provider which is subject to an agreement requiring it to comply with data protection requirements equivalent or better than those applicable in South Africa.
- 9.3. Your use of our Website, followed by your submission of information to us, represents your consent to such transfer.
- 9.4. **By withholding your consent to the transfer of your personal information, you may have limited or restricted access to our Website or use of our services.**
- 9.5. We will take all steps reasonably necessary to ensure that your personal information is treated securely and in accordance with this Policy.

10. **LINKS TO OTHER WEBSITES**

Our Website or Social Media platforms may contain links to and from third-party websites, mobile applications, services, advertisers, or affiliates. Please note that we are not responsible for the data privacy practices of those third parties. It is your responsibility to ensure that you have read the privacy policy of each third-party website you visit which collects your personal information.

11. **CHANGES TO THIS PRIVACY POLICY**

We may update this Privacy Policy from time to time. Any changes that we may make to our Privacy Policy will be posted on our website and will be effective from the date of posting.

12. **ACCESS TO, CORRECTION AND DELETION OF YOUR PERSONAL INFORMATION**

You may request details of personal information which we hold about you under the *Promotion of Access to Information Act, 2000* (“**PAIA**”). Fees to obtain a copy or a description of personal information held about you are prescribed in terms of PAIA. Confirmation of whether or not we hold personal information about you may be requested free of charge. If you would like to obtain a copy of your personal information held by PSCBC, please review our PAIA Manual located at <https://pscbc.co.za/pscbc-paia-manual>

- 12.1. You may request the correction of personal information that the PSCBC holds about you. Please ensure that the personal information we hold about you is complete, accurate and up to date. If you fail to keep your information updated, or if your information is incorrect, the PSCBC may limit the products and services offered to you or elect not to open the account.
- 12.2. You have a right in certain circumstances to request the destruction or deletion of and, where applicable, to obtain restriction on the processing of personal information held about you. If you wish to exercise this right, please contact us using the contact details set out below in clause 14.
- 12.3. You have a right to object on reasonable grounds to the processing of your personal information where the processing is carried out in order to protect our legitimate interests or your legitimate interests, unless the law provides for such processing.

13. COMPLAINTS

- 13.1. Should you believe that the PSCBC has utilised your personal information contrary to applicable laws, you undertake to first attempt to resolve any concerns with us.
- 13.2. If you are not satisfied with such process, you may have the right to lodge a complaint with the Information Regulator, using the contact details listed below:

E-mail address: POPIAComplaints@inforegulator.org.za

Physical address JD House
27 Stiemens Street
Braamfontein
Johannesburg, 2001

14. IO CONTACT DETAILS

If you have any comments or questions about this Policy or how we handle your personal information, please contact our Information Officer.

IO Name:	Mr Oomang Parag
E-mail address:	oomangp@pscbc.org.za
Contact number:	+27 12 644 8108