

# TARYN HARRIS CORPORATE TRAVEL CC T/A WINNING SOLUTIONS

## THE PROTECTION OF PERSONAL INFORMATION ACT (POPIA)

### CLIENT AND USER DATA SUBJECTS PRIVACY POLICY

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#### 1. PREAMBLE

The purpose of this policy is to advise clients and data subjects of Winning Solutions why data is collected and processed by the Company, what data is collected and how it is processed.

Winning Solutions is committed to full compliance with the POPI Act insofar as the utilisation and disclosure of data subject personal information (PI) is concerned. Hence, technical and operational measures have been put in place to protect data subject privacy and Winning Solutions invites all data subjects and/ or requesters of (PI) to engage with its Information Officer (IO) in respect of any matter related hereto.

This privacy policy:

- Outlines Winning Solutions' practices and commitment to complying with POPIA;
- Sets out the categories of personal information Winning Solutions may collect from third parties or other sources;
- Outlines how Winning Solutions processes personal information; and
- Is fully binding on all stakeholders.

This privacy policy is an evolving document.

#### 2. SCOPE OF APPLICATION

This policy applies to data subjects under the POPI Act and its principles extend to the Promotion of Access to Information Act (PAIA) in respect of requesters of records held by Winning Solutions. PI applies to both natural and juristic persons. Data subjects and requesters are invited to engage with the Winning Solutions Information Officer about any matter pertaining to the POPIA and PAIA, including but not limited to updating PI, deletion of PI, complaints in respect of how PI is being processed and updating consent for electronic direct marketing. The "Information Officer" details are contained herein below to facilitate these types of engagement.

### **3. ABOUT THE COMPANY**

Winning Solutions is a Travel Agency based in both South Africa and the United Kingdom specializing in Corporate Incentive travel packages. We pride ourselves on the service we provide to our clients and the relationships we build with them.

Our intellectual capital is made up of individuals who are entrepreneurial by nature, progressive and forward thinking and thrive on finding solutions and value add components that create value for our business and clients and position us at an exclusive level of service, whilst simultaneously advancing their own careers.

### **4. PURPOSE OF POPIA**

POPIA was promulgated to regulate the constitutional right to privacy and aims to protect the free-flow of information and advance the right of access to information whilst giving effect to the right to privacy. The purpose of POPIA is to ensure that when a responsible party is in possession of “personal information”, certain protective measures are taken to ensure that the information is protected.

POPIA describes personal information which is any information about an individual or entity that is in the Company’s possession.

### **5. PURPOSE OF PAIA**

The general purpose of The Promotion of Access to Information Act, No. 2 of 2000 (PAIA) was enacted to give effect to the constitutional right of access to information is to promote transparency. It is intended to give effect to the access of information and to provide for different criteria and processes for when information is being sought from public bodies and/or private persons. Details regarding the access to information is available below.

### **6. DEFINITION OF PERSONAL INFORMATION (PI)**

“Personal information” means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, 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 information, 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;
- e. 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;
- f. the views or opinions of another individual about the person; and
- g. 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 information about the person;

## 7. PURPOSE OF COLLECTING AND PROCESSING PI

Winning Solutions processes and uses PI for various purposes including for:

- a. Performing its duties in pursuance of any agreement or contract
- b. Carrying out market research, business and statistical analysis and
- c. Engaging in various forms of direct marketing
- d. Facilitating transactions with data subjects
- e. Collecting data for facilitation of travel requirements and VISA applications, including special requests, dietary requirements and travel preferences
- f. Collecting data on travel destinations including accommodation, transfers and restaurants
- g. Fulfilling its contractual obligations to its clients and client contacts
- h. Complying with the provisions of statute and regulations
- i. Attending to the legitimate interests of data subjects
- j. Identifying prospects for enhanced service delivery and business sustainability
- k. Making contact, if and when required, to promote its services and/or products or in relation to a customer care query
- l. Tracking data subject activity on the website and its links as well as their transactions with Winning Solutions
- m. Confirming and verifying data subject identity or to verify that they are authorised users for security purposes;
- n. Auditing and record keeping purposes
- o. In connection with legal proceedings
- p. Carrying out any other reasonable business operations

Information may also be used for other purposes for which permission is given, if required to by law, or if it is of public interest to disclose such information. Winning Solutions undertakes to only process information that is required and relevant for the purposes set out above.

The Company will not intentionally collect information about children and will only process information about children with the consent of a parent or guardian, or if otherwise required to do so by law.

The Company does not intend to process any “special personal information” as defined in POPIA, which includes for example political, religious or health-related information, and will only process special personal information with the stakeholders’ consent, or if otherwise allowed to do so in law if for a specific operational reason.

Stakeholders may on reasonable grounds object to the processing of information, after which Winning Solutions undertakes not to continue to process, except when required to do so by law.

## 8. LAWFUL BASIS

In respect of the processing of PI as provided for above, Winning Solutions will adhere to the conditions for the lawful processing of PI, based on its desire to provide data subjects services in their best interests as well as a legitimate interest of Winning Solutions to achieve its business objectives.

## **9. DATA SUBJECTS RIGHTS**

Data subjects have the right to request that Winning Solutions provide them with access to their PI, to rectify or correct their personal information, erase PI or restrict the processing of PI, including refraining from sharing it or otherwise providing it to any third parties.

Data subjects also have the right to raise complaints with the Information Regulator. The afore-going rights may be subject to certain limitations pursuant to applicable law. In order to access any of these rights, they may contact the Information Officer.

## **10. PERIOD OF HOLDING PERSONAL INFORMATION**

Winning Solutions endeavours to provide the most accurate information possible to stakeholders, including data subjects. Winning Solutions seeks to verify the accuracy of its information as frequently as possible and to remove information that it learns to be inaccurate. Thus, Winning Solutions intends to process the information it has about data subjects for so long as it is required or until the data subject instructs Winning Solutions to refrain from processing it.

In order to instruct Winning Solutions to refrain from collecting and/ or processing PI data subjects may contact the Information Officer.

Notwithstanding the above, Winning Solutions shall hold PI for such period as may be required in terms of statutes such as the Companies Act and various labour laws.

## **11. CONSENT**

The supply of PI to the Company by any of its stakeholders is at the stakeholders' discretion. By supplying Winning Solutions with any information, stakeholders are accepting the practices and terms contained in this privacy policy.

Winning Solutions will not process stakeholders' PI without obtaining stakeholders' consent.

In respect of all marketing activities relating to the Company's services and/or products, consent to collect or use PI will be obtained.

In respect of other activities, consent to collect or use will be obtained via acknowledgement by the stakeholder concerned, that the Company is collecting his or her PI. This acknowledgment will be contained in all documents where PI is collected, including any agreements and/or contracts concluded between the Company and the stakeholder, where the stakeholder will be specifically requested to sign an acknowledgment of the collection of PI.

If PI is collected through a third party, the third party will be requested to sign a declaration that they comply with POPIA requirements.

Winning Solutions processes and shares stakeholder information internally and will only share PI relating to that stakeholder internally in instances where operationally required or where it is obliged to disclose certain categories of information relating to regulatory, statutory and legal purposes.

## 12. CATEGORIES OF PERSONAL INFORMATION COLLECTED AND PROCESSED

Winning Solutions collects information about data subjects who may be clients, client contacts, prospective clients and prospective client contacts. It also collects information on its employees, consultants, agents and suppliers as well as third parties that are part of its scope of operation.

In respect of clients, client contacts, prospective clients and prospective client contacts, Winning Solutions profiles business organizations and the contacts who work for the said organisations and it may have some or all of the following categories of personal information on data subjects, historical or current:

- Name and surname
- Identity Number and Passport Number
- Nationality
- Travel History
- Equity, Gender & Disability status
- Contact details (email, contact numbers)
- Birth date
- Position held
- Areas of interest in respect of Winning Solutions offerings
- Sales and transaction history
- Record of services used
- Email correspondence and attachments
- Organisation details
- Office address
- Office contact details
- Organisation email Address
- Organisation and data subject Social media URL's
- Other information that is available in the public domain.

We collect and process personal information mainly to contact data subjects for the purpose of understanding their requirements and delivering services accordingly. Where possible, we will inform data subjects what information they are required to provide to Winning Solutions and what information is optional, as well as the consequences of not providing the said information.

Website usage information may be collected using “cookies” which allows Winning Solutions to collect standard internet visitor usage information.

## 13. COLLECTING INFORMATION AND SOURCES OF INFORMATION

The type of information collected varies. Information includes any personal information as defined in POPIA, but is not limited to details required for the purposes of National and International travel.

Stakeholders' information in general refers to information submitted to Winning Solutions through:

- its website that identifies or relates to an online visitor or customer, whether they are an individual or a business;
- agreements and/or contracts concluded with the Company;

- third party sources where allowed to do so in law;
- emails;
- social media;
- registers;
- employment; and
- other communications sources.

Given that PI can be extracted and/ or obtained from several sources and consolidated into systems of record, it may be difficult or impossible to identify the exact source of one particular piece of information.

#### **14. SHARING AND DISCLOSURE OF INFORMATION**

Winning Solutions will only share information with third parties with a stakeholder's consent or if otherwise required to do so by law.

Winning Solutions may disclose data subject PI to its service providers who are involved in the delivery of products or services. In this case, Winning Solutions has trusted relationships with selected third parties who perform services on its behalf. All service providers are bound by contract to maintain the security of Winning Solutions' stakeholders' information, ensure that it complies with the privacy requirements as required by the POPI Act and to use it only as permitted by Winning Solutions.

Winning Solutions may also disclose data subject PI:

- Where it has a duty or a right to disclose in terms of law and/ or industry codes;
- Where it believes it is necessary to protect its rights.

#### **15. INFORMATION SECURITY AND SAFEGUARDING**

Winning Solutions understands the value of information and will take all reasonable steps to protect the information from loss, misuse, or unauthorised access.

As such, Winning Solutions' is legally obliged to and takes responsibility for:

- Protecting and managing the PI that it holds about its stakeholders;
- Making use of electronic and computer safeguards, such as firewalls and data encryption, to secure stakeholders' information;
- Ensuring physical and electronic access control to its premises;
- Only authorising access to information to those employees who require it to fulfil their designated responsibilities.
- Reviewing its security controls and related processes on a regular basis to ensure that the PI of data subjects remains secure.

Winning Solutions has conducted an impact assessment across all of its functions and used the findings thereof to manage risk optimally as well as to provide iterative improvements on an ongoing basis. Its policies and procedures cover the following aspects:

- Physical security;
- Computer and network security;
- Access to personal information;
- 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;
- Investigating and reacting to security incidents.

Stakeholders can also help maintain the security of information by becoming familiar with POPIA and implementing their own security measures and procedures.

## **16. ACCESS TO INFORMATION – HOW TO CONTACT THE COMPANY**

Stakeholders have the right to access information, including certain personal information held by Winning Solutions. Requests for information must be made to the Information Officer at our Head Office:

Name: Nicole Pierrot  
 Telephone number: +27 31 764 7730  
 Postal address: Private Bag x4, Kloof, 3630  
 Physical address: The Yard, 71 Old Main Road, Hillcrest, Durban  
 Email address: [nicole@winningsolutions.co.za](mailto:nicole@winningsolutions.co.za)

Access to information in terms of the PAIA must be obtained in accordance with the Access to Information Manual, which is available on the Winning Solutions website. A stakeholder, having provided adequate proof of identity, has the right to:

- request a responsible party to confirm whether or not Winning Solutions holds personal information about the stakeholder; and
- request from Winning Solutions the record or a description of the personal information about the stakeholder held by Winning Solutions, including information about the identity of all third parties, or categories of third parties, who have, or have had, access to the information.

A stakeholder may, in the prescribed manner, request Winning Solutions to:

- correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or
- destroy or delete a record of personal information about the data subject that Winning Solutions is no longer authorised to retain in terms of POPIA.