

Privacy Policy

At SNAP Academy (School), SNAP Education NPC and SNAP Support NPC, we respect your privacy and are committed to protecting your Personal Information. This Privacy Policy ("Policy") explains how we process personal information and your privacy rights.

It is important that you read this Policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing Personal Information about you so that you are fully aware of how and why we are using your information.

Reference to "Consent", "your Consent" or "your explicit Consent" shall include the ticking of a tick box or clicking on a "Submit", "Subscribe" or "I agree" button on our website or sending a reply by email after we have made available our Privacy Policy to you or when you sign any admission contract or policy provided to you by us or when you apply to sponsor a child with autism in South Africa or abroad.

1. Important information and who we are

a) Responsible party

- i) SNAP Academy (School) established in terms of section 30(1) of the Western Cape Provincial School Education Act 2 of 1997, SNAP Education NPC (Reg. No. 2010/003266/08) and SNAP Support NPC (Reg. No. 2007/000028/08) (collectively referred to as "SNAP", "we", "us" or "our" in this Privacy Policy) are the Responsible Parties when engaging with you as a user of the SNAP website (<https://snap.org.za/>), other social media sites ("Sites") and other electronic communications and our Services, and responsible for your Personal Information.
- ii) Taking into account the nature, scope, context and purposes as well as the risks of varying likelihood and severity of the rights and freedoms of natural persons, we have implemented appropriate technical and organisational measures to ensure and be able to demonstrate that processing is performed in accordance with POPIA. We shall review and update where necessary.
- iii) We have appointed an Information Officer (IO) who is responsible for overseeing questions in relation to this Privacy Policy. If you have any questions about this Privacy Policy, including any requests, please contact the IO using the details set out below.

b) Contact details

- i) If you have any questions about this Policy or our privacy practices, please contact us at:
 - (1) Information Officer: MRS SALOME SMIT (SNAP Academy principal)
 - (2) Email address: salome@snap.org.za
 - (3) Tel: 021 975 7224
- ii) You have the right to make a complaint at any time to the Information Regulator's office (IR), the Republic of South Africa's authority for data protection issues (<https://www.justice.gov.za/inforeg/>). **We would, however, appreciate the chance to deal with your concerns before you approach the IR, so please contact us in the first instance.**

c) Changes to the Policy and your duty to inform us of changes

- i) We keep our Policy under regular review. This version was last updated as per the date in the footer. Archived versions (if available) can be obtained by contacting us. Any changes made to our Policy in future will be posted on our website or made available to you during your engagement with us (including access to the Services). The new version will apply the moment it is published on our website or incorporated by reference in any of our communications.
- ii) **It is important that the Personal Information we hold about you, the Learner or your spouse/ partner is accurate and current. Please keep us informed if your Personal Information changes during your relationship with us.**

- d) **Third party links:** Our Sites may include links to Third party websites, plug-ins, and applications. Clicking on those links or enabling those connections may allow Third parties to collect or share data about you. If you disclose your Personal Information to a Third party, such as an entity which operates a website linked to this website or our social media sites, **WE WILL NOT BE LIABLE FOR ANY LOSS OR DAMAGE, HOWSOEVER ARISING, SUFFERED BY YOU AS A RESULT OF THE DISCLOSURE OF SUCH INFORMATION TO THE THIRD PARTY.** This is because we do not regulate or control how that Third party uses your Personal Information. You should always ensure that you read the privacy policy of any Third party. When you leave our website, we encourage you to read the privacy policy of every website you visit.

2. The data we collect about you

- a) Personal Information means the information as per the Definitions. Personal Information does not include data where the identity of the data subject has been removed (anonymous data/ de-identified data or information).
- e) We may process different kinds of Personal Information about you when we engage with you, which we have grouped together as follows:
 - i) **Identity Data** includes first name, last name or similar identifier, title, date of birth, age, nationality, job title, address and gender.
 - ii) **Contact Data** includes physical address, billing address, email address, social media details and telephone numbers.
 - iii) **Children information** includes Personal Information about a Child/ Learner (under the age of 18 years).
 - iv) **Financial Data** includes banking details and/or payment card details.
 - v) **Special Personal Information** includes religious, criminal behaviour information, biometric and health information.
 - vi) **Marketing and Communications Data** includes your preferences in receiving marketing from us and our Third parties and your communication preferences.
 - vii) **Medical Information** includes medical condition, medication, doctor and/or other healthcare provider details, medical aid and emergency contact details.
 - viii) **Transaction Data** includes details about payments/ donations from you and other details of services you have acquired from us or accessed on our website.
 - ix) **Technical Data** includes internet protocol (IP) address, 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 this website.

Privacy Policy

- x) **Usage Data** includes information about how you use our website and services. This information shall include the full Uniform Resource Locators (URL) Clickstream to, through and from our website (including the date and time) and the services you viewed or searched for, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs) and methods used to browse away from the page and any phone number used to call us.
- f) We also collect, use and share aggregated data and pattern data such as (but not limited to) statistical or demographic data for any purpose (Aggregated Data). Aggregated Data could be derived from your Personal Information but is not considered Personal Information in law as this data will not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your Personal Information so that it can directly or indirectly identify you, we treat the combined data as Personal Information which will be used in accordance with this Privacy Policy.
- g) You may choose to provide additional Personal Information to us, in which event you agree to provide accurate and current information, and not to impersonate or misrepresent any person or entity or falsely state or otherwise misrepresent your affiliation with anyone or anything.
- h) **Special Personal Information: We process Special Personal Information however subject to your Consent, or where we process Special Personal information of your child/children, then subject to the Consent of a Competent person. All processing shall then take place in accordance with this Privacy Policy**
- i) **Submission of Personal Information on behalf of another: If you provide information on behalf of someone else (i.e. your child or student), then it is your responsibility to obtain the necessary consent from the person/ user (or the parent/ guardian in the case of a child or student) before making the Personal Information available to us. On receipt of Personal Information, we assume that the necessary consent has been obtained and will process the Personal Information as per your instructions. By submitting such Personal Information on behalf of another person/ user, you indemnify us against any Third party claim, where such Third party claim relates to Personal Information that has been processed without the necessary consent or other available exception allowed by law.**
- j) **If you fail to provide Personal Information: Where we need to collect Personal Information by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with services (including services for no charge)). In this case, we may have to cancel a service you have with us, but we will notify you if this is the case at the time.**
- k) **Medical emergency: We process children information primarily by collecting directly from a parent or guardian, but we may process the personal information of a child without the necessary consent or knowledge of the consenting party in the case of a medical emergency.**

3. How is your personal information collected?

We use different methods to collect data from and about you including through:

- a) **Direct interactions.** You may directly provide us or a SNAP Member with your Personal Information when you: -
 - i) subscribe to our newsletter or blog (if any);
 - ii) apply for any of the services of SNAP (subject to the specific terms and conditions, i.e. Learner Admission Contract) ;
 - iii) engage with us via Zoom, Skype or any other Video conferencing facility;
 - iv) access any of our facilities/ schools/ offices/ premises;
 - v) enter a competition or promotion conducted by SNAP;
 - vi) give us feedback; or
 - vii) contact us via email, telephone, WhatsApp or other social media sites messaging platforms we may subscribe to.
- l) **Automated technologies or interactions.**
 - i) As you interact with our website, we will automatically collect Technical Data about your equipment/ devices, browsing actions and patterns. We collect this Personal Information by using cookies (see clause [below](#)), server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies.
 - ii) We make use of Close Circuit Television (CCTV) cameras for security purposes and under certain circumstances educational purposes. The use of CCTV cameras are subject to our CCTV Policy as well as this privacy Policy. For more information you can contact our information Officer to obtain a copy of the CCTV policy
- m) **Third parties or publicly available sources.** We will receive Personal Information about you from various Third parties and public sources as set out below:
 - i) Technical Data from the following parties:
 - (1) analytics providers such as Google ("How Google uses information from sites or apps that use our services", (located at <https://policies.google.com/technologies/partner-sites>);
 - (2) advertising networks; and
 - (3) search information providers.
 - ii) Contact, financial and transaction data from third party service providers of technical and payment services.
 - iii) Identity and Contact data from publicly available sources such as CIPC.

4. Cookies

- a) Our sites make use of cookies to help us understand our users better. Cookies are small pieces of information sent by an organisation to your computer and stored on your hard drive to allow that website to recognise you when you visit. Cookies do not harm your computer or any files on your computer. Depending on the type of cookie we use, cookies also allow us to make our websites more user friendly.

Privacy Policy

- n) SNAP may use Third party vendors, including but not limited to Google and MSN/ Bing to show SNAP-related ads on sites on the internet. Third party vendors use cookies to serve ads based on a user's prior visits to our sites or other websites. Users may opt-out of Google's use of cookies by visiting the Google Advertising Settings Page or the Network Advertising Initiative's opt-out page for other Third party vendors' use of cookies.
- o) You should be able to adjust your browser so that your computer does not accept cookies.
- p) You can, alternatively, adjust your browser to notify you when a website attempts to put a cookie on your computer. How you adjust your browser to stop it accepting, or to notify you of, cookies will depend on the type of internet browser programme your computer uses.
- q) Please remember, cookies do not contain identity, contact or financial information. We do not exchange cookies with any Third party websites or external data suppliers.

5. How we use your Personal Information

- a) We will not sell your Personal Information. We will only use your Personal Information within the framework of the law. Most commonly, we will use your Personal Information in the following circumstances:
 - i) where you have given us your consent; or
 - ii) where we need to perform the contract we are about to enter into or have entered into with you; or
 - iii) where it is necessary for the protection of the Data subject's legitimate interest; or
 - iv) where it is necessary for our legitimate interests (or those of a Third party) and your interests and fundamental rights do not override those interests; or
 - v) where we need to comply with a legal obligation.
- r) Generally, we do not rely on consent only as a legal basis for processing your Personal Information although we will get your consent before sending Third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.
- s) **Purposes for which we will use your Personal Information**
 - i) We have set out below, in a table format, a description of all the ways we plan to use your Personal Information, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.
 - ii) Note that we may process your Personal Information for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your Personal Information where more than one ground has been set out in the table below.
 - iii) Note that we Process Special Personal Information strictly in accordance with the POPI Act.

Privacy Policy

Purpose/ Activity	Type of data	Lawful basis for processing including basis of legitimate interest
(a) To receive SNAP newsletters/ communications as customer/ parent/legal guardian of the school (b) To sign up where you are not yet a customer of SNAP/ parent/legal guardian of the school	(a) Identity (b) Contact (c) Technical	(a) Existing customer (as per POPIA) of SNAP (a) Consent
To register your child/ children as a potential learner (Application) and you as the parent/ guardian	(a) Identity (b) Contact (c) Financial (d) Children Information (e) Special Personal Information	(a) Consent (f) Necessary for our legitimate interests (to provide special support and make special arrangements for learners)
To perform in terms of our service agreement (a) Provide the services (g) Manage payments, fees and charges (h) Collect and recover money owed to us	(a) Identity (i) Contact (j) Financial (k) Transaction (l) Special Personal Information (m) Marketing and Communications	(a) Performance of a contract with you (n) Necessary for our legitimate interests (to recover debts due to us)

<p>To manage our relationship with you (as Competent Person) and Learner/Child:</p> <ul style="list-style-type: none"> (a) To deliver the services (o) Notifying you of changes to the services (b) Notifying you about changes to our terms or Privacy Policy or Services terms and conditions (p) Asking you to leave a review or take a survey (q) To reply to your submission via our "Contact" page 	<ul style="list-style-type: none"> (a) Identity (r) Contact (s) Marketing and Communications (t) Special Personal Information 	<ul style="list-style-type: none"> (a) Competent person's Consent (b) Performance of a contract with you (c) Necessary to comply with a legal obligation (u) Necessary for our legitimate interests (to keep our records updated and to study how customers use our services)
<p>To process and assist with payment for services executed by us:</p> <ul style="list-style-type: none"> (a) Manage payments, fees and charges (v) Collect and recover money owed to us 	<ul style="list-style-type: none"> (a) Identity (w) Contact (x) Marketing and Communication 	<ul style="list-style-type: none"> (a) Consent (y) Performance of a contract with you (z) Necessary for our legitimate interest (to recover debts owed to us)
<p>To organise medical treatment for learners</p>	<ul style="list-style-type: none"> (a) Identity (aa) Contact (a) Special Personal Information 	<ul style="list-style-type: none"> (a) Performance of a contract with you (a) Necessary for the protection of the data subject's (child) legitimate interest. (b) Necessary for our legitimate interests
<p>The school Board Members</p>	<ul style="list-style-type: none"> (a) Identity; (b) Contact 	<p>Consent</p>
<p>To reply to your email messages</p>	<ul style="list-style-type: none"> (a) Identity (bb) Contact 	<p>Consent</p>
<p>To follow our COVID19 protocol and determine whether you can be allowed on to our premises</p>	<ul style="list-style-type: none"> (a) Identity (cc) Contact (dd) Special Personal Information 	<ul style="list-style-type: none"> (a) Consent (ee) Necessary to comply with a legal obligation (ff) Necessary for our legitimate interests and the interest of other persons on the premises (gg) Required by law
<ul style="list-style-type: none"> (a) To monitor our premises for security purposes (hh) To monitor certain class sessions for quality and observation purposes (as per specific permission) [Subject to our CCTV Policy] 	<ul style="list-style-type: none"> (a) Identity (ii) Special Personal Information 	<ul style="list-style-type: none"> (a) Consent (for observation purposes, specific consent when required and subject to CCTV Policy) (jj) Necessary for our legitimate interests (to keep our premises secure and keep our records up to date)
<p>Service Providers</p>	<ul style="list-style-type: none"> (a) Identity (b) Contact (c) Financial Information 	<ul style="list-style-type: none"> (b) Consent (kk) To carry out actions for the conclusion and performance of a contract to which the data subject (service provider) is party

Privacy Policy

To assist Emergency Services (External Third Party)	(a) Identity (ll) Contact (mm) Special Personal Information	(a) Necessary for the protection of Data subjects' (students/ parents/ guardians) legitimate interests (nn) Necessary for the protection of our legitimate interests
To enable you to partake in a prize draw, competition, promotion or complete a survey (where available)	(a) Identity (oo) Contact (pp) Profile (qq) Usage (rr) Marketing and Communications	(a) Performance of a contract with you (ss) Necessary for our legitimate interests (to study how customers use our services, to develop them and grow our business)
To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (tt) Contact (uu) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (vv) Necessary to comply with a legal obligation
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity (ww) Contact (xx) Profile (yy) Usage (zz) Marketing and Communications (aaa) Technical	Necessary for our legitimate interests (to study how customers use our services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, services, marketing, customer relationships and experience	(a) Technical (bbb) Usage	Necessary for our legitimate interests (to define types of customers for our services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about services that may be of interest to you	(a) Identity (ccc) Contact (ddd) Technical (eee) Usage (fff) Profile (ggg) Marketing and Communications	(a) Existing customer: customer as per POPIA (hhh) Potential customer: Consent
Apply to sponsor a child with autism (locally or abroad)	(a) Identity (iii) Contact (jjj) Financial	(a) Consent (kkk) Performance of a contract with you

		(III) Necessary for our legitimate interest
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- t) **Marketing:** We strive to provide you with choices regarding certain Personal Information uses, particularly around marketing and advertising.
 - i) **Promotional offers from us**
 - (1) As a customer:
 - (a) When you acquired any of our services or make use of our website (browse wrap agreement) we will deal with you as a customer under POPIA.
 - (b) We will use your identity and contact information to submit to you information/ material of our other services that are related and that we feel may be of interest to you.
 - (c) Important: you may ask us on submission of your identity and contact information not to send you the above-mentioned information. At any time, subsequent to our initial engagement, you can make use of the opting out options under par. 5below;
 - (2) Not a customer of SNAP yet:
 - (a) We may collect through one of our personnel members or through our mailing system, you email address; however
 - (b) Before we use same for any direct marketing purposes, we will ask you for consent (opt-in) prior to sending you direct marketing material.
 - ii) **Third party marketing**
 - (1) We will get your express opt-in consent before we share your Personal Information with any Third party for marketing purposes.
 - (2) **TAKE NOTE:** We may provide (without your consent) Third party marketing parties/ advertisers with anonymous aggregate information about our users (for example, we may inform them that 500 men aged under 30 have clicked on a specific product or advertisement on any given day). We may also use such aggregate information to help advertisers reach the kind of audience they want to target (for example, women in Gauteng). We may make use of the Personal Information we have collected from you to enable us to comply with our advertisers' wishes by displaying their advertisement to that target audience. **IMPORTANT: We do not disclose information about identifiable individuals to our advertisers.**
 - iii) **Opting out**
 - (1) You can ask us or Third parties to stop sending you marketing messages at any time by using their unsubscribe function (if available) on direct marketing communications or by contacting us at reception@snap.org.za and requesting to opt-out of our marketing services.
 - (2) Where you opt out of receiving these marketing communications, this will not apply to Personal Information provided to us as a result of services requested, service experience or other transactions.
- u) **Change of purpose**
 - i) We will only use your Personal Information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.
 - ii) If we need to use your Personal Information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.
 - iii) Please note that we may process your Personal Information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

6. Disclosures of your Personal Information

- a) We may share Personal Information with the parties set out below for the purposes set out in the table above.
 - iv) **Internal Third-Parties**
 - (1) Definition (as set out below): Partners, affiliates, employees (including teachers and/or tutors), directors and/ or agents of SNAP (if applicable), acting as joint responsible parties or operators and who may also provide IT and system administration services and undertake leadership reporting. We require that these parties agree to Process such information based on our instructions and in compliance with this Privacy Policy and any other appropriate confidentiality and security measures.
 - (2) Where we share Personal Information to our group (affiliates, collaborating companies/ partners/ agents), we ensure your Personal Information is protected by requiring all our collaborating companies to follow this Policy when Processing your Personal Information.
 - v) **External Third-Parties:-**
 Definition (as set out below):

Privacy Policy

- (1) Service providers acting as operators who provide IT and system administration services, subject to a Processing of personal information agreement between them and us;
 - (2) Professional advisers acting as operators or joint Responsible Parties, including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services;
 - (3) The Revenue Services, regulators and other authorities acting as operators or joint Responsible Parties who require reporting of Processing activities in certain circumstances;
 - (4) Educational organisations, such as (but not limited to) the Department of Education, Department of Social Development, Department of Welfare and the Western Cape Education Department;
 - (5) Courts of law or any other authorities where we have an obligation under law to share your Personal Information;
 - (6) Emergency services where we are required to protect the interest of a Data Subject.
- b) Where Personal Information, about a learner/child, needs to be shared we first obtain the Competent Person's Consent where reasonably possible.
- c) In the event that we sell or buy any business or assets, in which case we may disclose your Personal Information to the prospective seller or buyer of such business or assets.
- d) Where we make use of External Parties to deliver certain parts of the SNAP services (i.e. IT Support) we will conclude a Processing of Personal information / Operator Agreement with said parties before sharing Personal Information with them.
- e) Where Personal Information, about the learner/child, needs to be shared with a doctor or occupational therapist we will first obtain the Competent Person's Consent where reasonably possible and where it is not an emergency to protect the legitimate interest of the Data Subject.

The following table sets out the categories of recipients (but not limited to) to whom SNAP may disclose Personal Information to:

will	Personal Information category:	Categories of recipients to whom the Personal Information may be supplied	(NOTE: SNAP only disclose
	SNAP may supply the Personal Information to any party to whom SNAP may have assigned or transferred any of its rights or obligations under any agreement, and/or to service providers who render the following (but not limited to) services: <ul style="list-style-type: none"> • Capturing, organising and storing data. • Sending of emails and other correspondence to stakeholders. • Conducting due diligence checks. • Administration of the Medical Aid and Pension Schemes. • 3rd Party Services • Coaches & student/volunteer teachers 		
	For criminal checks on potential employees: <ul style="list-style-type: none"> • Identity number; and • Full name 	South African Police Services	
	For qualification verifications: <ul style="list-style-type: none"> • Qualifications 	South African Qualifications Authority	
	For credit information: <ul style="list-style-type: none"> • Identity number and names, Credit and payment history 	Credit Bureaus	
	<ul style="list-style-type: none"> • Full name, ID number, Date of Birth, Address (Physical & Postal), Contact numbers, email address, Gender, Nationality, Marital status, Disability Status, Citizenship, Qualifications, Personal categories, Year of service, Nature of appointment, Duration of Appointment, remuneration status 	Western Cape Education Department (CEMIS)	

Personal Information to external third parties in accordance with the terms set out in this Policy).

- vi) Third-Parties to whom we may choose to sell, transfer or merge all or parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your Personal Information in the same way as set out in this Privacy Policy.
- f) We require all Third-Parties to respect the security of your Personal Information and to treat it in accordance with the law. We do not allow our Third-Party service providers to use your Personal Information for their own purposes and only permit them to Process your Personal Information for specified purposes and in accordance with our instructions.

7. International transfers

- a) Some of our External Third-parties may be based outside the Republic so their processing of your Personal Information could involve a transfer of data outside South Africa.
- v) Whenever we transfer your Personal Information out of the country, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:
- i) SNAP enters into written contracts with Third party service providers that contain terms substantially the same as those set out in this Privacy Policy, in particular, in relation to requiring appropriate technical and organisational data security measures and relating to the further transfer of Personal Information from the Third party recipient to Third parties who are in a foreign country.
 - ii) Processing of Personal Information takes place in a territory which is subject to Data Protection Laws similar to our Data Protection Legislation and that the territory provides adequate protection for the privacy rights of individuals.

Privacy Policy

- iii) Confirming that the necessary pre-authorisation from the information Regulator (only where said pre-authorisation is required by the Data Protection Legislation), has been obtained by the Responsible party, i.e. section 57 of POPIA.
- w) By adhering to the principles set by POPIA, we ensure compliance with GDPR, which has comparable requirements for the processing of Personal Information. GDPR principles are applicable to entities that process the Personal Information of European citizens.
- x) **By submitting your Personal Information to us you consent to the transfer of your Personal Information outside the borders of South Africa (when required).**

8. Data security

- a) We have put in place appropriate technological and organisational measures to prevent your Personal Information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your Personal Information to those SNAP personnel, agents, contractors and other Third parties who have a business need to know. They will only process your Personal Information on our instructions, are subject to a duty of confidentiality.
- b) Where required by law we will notify you and any applicable regulator of a breach where we are legally required to do so.
- c) Where we act as Operator, the Responsible party must ensure that it has implemented appropriate technical and organisational measures against unauthorised or unlawful processing, access, disclosure, copying, modification, storage, reproduction, display or distribution of Personal Information. Other than securing the Personal Information on collection of same from the Responsible party via the SNAP services, SNAP shall not be responsible for any other Responsible party's security safeguard obligations.

9. Data retention

How long will you use my Personal Information for?

- a) We will only retain your Personal Information for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal or regulatory requirements. We may retain your Personal Information for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.
 - y) To determine the appropriate retention period for Personal Information, we consider the amount, nature and sensitivity of the Personal Information, the potential risk of harm from unauthorised use or disclosure of your Personal Information, the purposes for which we process your Personal Information and whether we can achieve those purposes through other means, and the applicable legal, regulatory or other requirements.
 - z) By law we have to keep the basic information about our customers (including contact, identity, financial and transaction data) for 7 (seven) years after they cease being customers for tax purposes.
 - aa) In some circumstances you can ask us to delete your data: see [Your legal rights](#) below for further information.
 - bb) In some circumstances we will anonymise your Personal Information (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

10. Records

We will keep detailed, accurate and up-to-date written records regarding any processing of Personal Information we carry out, including but not limited to, the access, control and security of the Personal Information and approved subcontractors, the processing purposes, categories of processing, any possible transfers of Personal Information to a Third party country and related safeguards, the instructions as received from our customers and a general description of the technical and organisational security measures and retention and destruction of Personal Information.

11. Social media

- a) Our website may, in certain circumstances, provide you with social plug-ins from various social media networks. If you choose to interact with a social network such as [Facebook](#), YouTube or Instagram, where available, (for example by registering an account), your activity on our websites will also be made available to that social network. This is necessary for the performance of your contract with us, which allows you to interact with a social network. If you are logged in on one of these social networks during your visit to one of our websites or are interacting with one of the social plug-ins, the social network might add this information to your respective profile on this network based on your privacy settings. If you would like to prevent this type of information transfer, please log out of your social network account before you enter one of our websites, or change the necessary privacy settings, where possible.
- cc) Communication, engagement and actions taken through external social media networks that we participate in are custom to the terms and conditions as well as the privacy policies held with each social media platform respectively.
- dd) You are advised to use social media networks wisely and communicate/ engage with them with due care and caution in regard to their own privacy policies (if any). **PLEASE NOTE: WE WILL NEVER ASK FOR PERSONAL OR SENSITIVE INFORMATION THROUGH SOCIAL MEDIA NETWORKS AND ENCOURAGE USERS, WISHING TO DISCUSS SENSITIVE DETAILS OR TO RESOLVE ISSUES/ CONCERNS, TO CONTACT US THROUGH PRIMARY COMMUNICATION CHANNELS SUCH AS BY TELEPHONE OR EMAIL.**
- ee) Our social media network page(s) may share web links to relevant web pages. By default some social media platforms shorten lengthy URL's. You are advised to exercise caution and due care before clicking on any shortened URL's published on social media platforms by this website. Despite our best efforts to ensure that only genuine URL's are published many social media platforms are prone to spam and hacking and therefore our website and its owners cannot be held liable for any damages or implications caused by visiting any shortened links.

12. Your legal rights

Privacy Policy

- a) Under certain circumstances, you have the following rights under data protection laws in relation to your Personal Information:
- i) **Request access** to Personal Information (commonly known as a "data subject access request"). There may be a fee associated with this request – see below. This enables you to receive a copy of the Personal Information we may hold about you and that you are entitled to obtain and to verify whether we are lawfully Processing it. See the SNAP Promotion of Access to Information Manual ("PAIA Manual").
 - ii) **Request correction** of Personal Information. This enables you to have any incomplete or inaccurate data we may hold about you corrected, though we may need to verify the accuracy of the new data you provided to us.
 - iii) **Request erasure** of your Personal Information. This enables you to ask us to delete or remove Personal Information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your Personal Information where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your Personal Information to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
 - iv) **Object to processing** of your Personal Information where we are relying on a legitimate interest (or those of a Third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your Personal Information for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
 - v) **Request restriction of processing** of your Personal Information. This enables you to ask us to suspend the processing of your Personal Information in the following scenarios:
 - (1) If you want us to establish the data's accuracy.
 - (2) Where our use of the data is unlawful, but you do not want us to erase it.
 - (3) Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
 - (4) You have objected to our use of your data, but we need to verify whether we have overriding legitimate grounds to use it.
 - vi) **Request the transfer** of your Personal Information to you or to a Third party. We will provide to you, or a Third party you have chosen, your Personal Information in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
 - vii) **Withdraw consent** at any time where we are relying on consent to process your Personal Information. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.
- ff) If you wish to exercise any of the rights set out above, please contact our Information Officer at the details mentioned above.
- gg) **Fee required:** Apart from the prescribed fees under PAIA, you will not have to pay a fee to access your Personal Information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.
- hh) **What we may need from you:** We may need to request specific information from you to help us confirm your identity and ensure your right to access your Personal Information (or to exercise any of your other rights). This is a security measure to ensure that Personal Information is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.
- ii) **Time limit to respond:** We try to respond to all legitimate requests within 30 (thirty) days. Occasionally it could take us longer than 30 (thirty) days if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

13. Subcontractors

- a) We may authorise a Third party (subcontractor) to process the Personal Information on our behalf. Where we use sub-contractors, we will:
- i) enter into a written contract with the subcontractor that contains terms substantially the same as those set out in this Privacy Policy, in particular, in relation to requiring appropriate technical and organisational data security measures; and
 - ii) maintain control over all Personal Information we entrust to the subcontractor.
- jj) We agree to select subcontractors carefully according to their suitability and reliability.
- kk) A subcontractor within the meaning of this Privacy Policy shall not exist if we commission Third parties with additional services, that are not an essential part of this Privacy Policy.
- ll) Where the subcontractor fails to fulfil its obligations under such written agreement, we remain fully liable to you for the subcontractor's performance of its agreement obligations.
- mm) The parties consider SNAP to control any Personal Information controlled by or in the possession of its subcontractors.
- nn) We undertake to ensure that all subcontractors who process Personal Information of Data subjects shall not amend, modify, merge or combine such Personal Information and process same as per our instructions.

14. Definitions

- a) **Child or Learner** shall mean any person under the age of eighteen (18) years who is not legally competent, without the assistance of a competent person, to take any action or decision in respect of any matter concerning him- or herself.

Privacy Policy

- b) **Competent person** means any person who is legally competent to consent to any action or decision being taken in respect of any matter concerning a child or learner.
- c) **Consent** means any voluntary, specific and informed expression of will in terms of which permission is given for the processing of Personal Information.
- d) **Customer** means a Data subject using SNAP services (i.e. learner, parent or guardian):
- i) if SNAP has obtained the contact details of the Data subject in the context of the provision of services;
 - ii) for the purposes of direct marketing of SNAP's own services; or
 - iii) if the Data subject has been given a reasonable opportunity to object free of charge and in a manner free from unnecessary formality, to such use of his, her or its electronic details-
 - (1) at the time when the information was collected; and
 - (2) on the occasion of each communication with the Data subject for the purpose of marketing if the Data subject has not initially refused such use.
- e) **Data subject** means the person to whom Personal Information relates and, in this document, refers to you, as the party providing Personal Information that will be processed by SNAP or a relevant Third party.
- f) **GDPR** means the General Data Protection Regulation of the European Union.
- g) **Legitimate Interest** means the interest of our organisation in conducting and managing our affairs to enable us to give you the best service and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your Personal Information for our legitimate interests. We do not use your Personal Information for activities where our interests override the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.
- h) **Operator** means a person who processes Personal Information for a Responsible party in terms of a contract or mandate, without coming under the direct authority of the party.
- i) **PAIA** means the [Promotion of Access to Information Act](#), Act 2 of 2000.
- oo) **Performance of contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.
- pp) **Personal Information** means information as defined under POPIA.
- qq) **POPIA** means the [Protection of Personal Information Act](#), Act 4 of 2013.
- rr) **Responsible party** means a public or private body or any other person which, alone or in conjunction with others (**Joint Responsible party**) determines the purpose of and means for processing Personal Information.
- ss) **Special Personal Information** means information as defined under section 26 of POPIA (this includes details about race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and biometric information or criminal convictions and offences).

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