

National Edging group of companies and National Converting Agency

Privacy Notice

For: Job applicants and employees

Last Updated: 17 August 2022

Please read this Privacy Notice carefully to understand how we handle your personal information. If you do not agree with this Privacy Notice, please inform our Information Officer as soon as possible.

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1. INTRODUCTION

This Notice applies to **each company** in the National Edging group made up of:

- National Edging KZN (Pty) Ltd (Reg No. 1997/001074/07);
- National Converting Agencies (Pty) Ltd (Reg No. 1996/001842/07);
- National Edging Gauteng (Pty) Ltd (Reg No. 1997/001165/07);
- National Edging Cape (Pty) Ltd (Reg No. 2007/008095/07); and
- National Edging PE (Pty) Ltd (Reg No. 2007/008005/07).

(collectively, “**the Group**”)

The Group’s entities are duly registered according to the laws of the Republic of South Africa. The Group’s registered head office is at: 3 Albizia Place, Maxmead, Pinetown, 3610, KwaZulu-Natal, South Africa.

If you are employed or being recruited by an entity within the Group, **that entity is the employer and 'responsible party'** for your personal information. **The Group is not the responsible party.**

In this Notice, your employer is referred to as “**we**”, “**us**”, and “**our**”.

2. CONTACT US

Privacy queries and requests are handled by our Information Officer. You may contact our Information Officer to discuss this Privacy Notice, your data protection rights, and to raise any complaints.

- **Email Address:** **privacy@nationaledging.co.za**
- **Telephone No.:** **+27 31 701 3512**

3. WHO DOES THIS NOTICE COVER?

This Privacy Notice doesn't govern all the information we process. This Notice only applies to:

- Job applicants and prospects;
- Employees (permanent, temporary and secondees);
- Agency and contracted staff; and
- Directors.

This Notice must be read with any other forms, agreements and privacy notices that describe how we process your personal information. If there is any conflict, the terms of the specific document will apply.

4. WHAT PERSONAL INFORMATION WE COLLECT AND WHY

We collect your personal information for the following purposes. We also describe the consequences of failing to provide us with this information.

Your employment	<ul style="list-style-type: none"> ▪ name, address, telephone numbers (landline and mobile) and personal email address. ▪ date of birth, gender, and Identity Number. ▪ a copy of your Identity Document and driver's license. ▪ next of kin and emergency contacts. 	<ul style="list-style-type: none"> ▪ employment and education history (qualifications, CV, employment references, visa's (if applicable) and details of any criminal convictions that you choose to voluntarily declare; ▪ location of employment. ▪ details of any secondary employment declared. ▪ conflict of interest or gift declarations.
Purpose(s)	To carry out our obligations in terms of the contract we have with you, to provide you with access to systems and services required for your role, and to manage our human resource management processes. We will also use it for our regulatory purposes in our role as an employer.	
If you don't provide this information	This information is mandatory. If you fail to provide it to us, this may result in us being unable to hire you as an employee, or to fulfil our contractual obligations to you, or to comply with our statutory obligations as an employer. It could also lead to disciplinary action.	
Your salary	<ul style="list-style-type: none"> ▪ job role and employment contract, including start and leave dates, salary, 	<ul style="list-style-type: none"> ▪ bank account details, payroll records and SARS tax numbers and status information.

	<p>any changes to your employment contract, working patterns (e.g., any requests for flexible working).</p> <ul style="list-style-type: none"> ▪ Working hours (biometric clocking-in is covered by a separate form). ▪ any overtime, expenses and other payments claimed, including details of any loans, entertainment or travel expenses. 	<ul style="list-style-type: none"> ▪ details of any leave including sick leave, annual leave, family responsibility leave, and special leave, etc. ▪ details relating to maternity, paternity, shared parental and adoptive parental leave and pay. Including forms applying for the relevant leave, copies of forms/matching certificates and any other relevant documentation relating to the nature of the leave you will be taking.
Purpose(s)	To pay your salary and other employment related benefits. We also process it for the administration of statutory and contractual leave entitlements such as annual or maternity leave.	
If you don't provide this information	This information is mandatory. If you fail to provide it to us, this may result in us being unable to fulfil our contractual obligations to you (e.g., to pay your salary or approve your leave), or comply with our statutory obligations (e.g., workplace health and safety).	
Your performance & training	<ul style="list-style-type: none"> ▪ Information relating to your performance at work (probation, reviews and promotions) ▪ grievances, harassment, safety and dignity at work related matters and investigations to which you may be a party or witness. 	<ul style="list-style-type: none"> ▪ disciplinary records and evidence related to any investigations, hearings, warnings, and sanctions. ▪ information related to your training history and development needs.
Purpose(s)	To assess your performance, to conduct pay and grading reviews and to deal with any employer / employee related disputes. We also use it to meet the training and development needs for your role.	
If you don't provide this information	We may be unable to assess your job performance or investigate any complaints on your behalf.	
Monitoring and Access Control	<ul style="list-style-type: none"> ▪ about your access and use of our IT systems, equipment and networks. ▪ Monitoring (e.g., official work mailboxes, correspondence, passwords, and record-keeping systems). 	<ul style="list-style-type: none"> ▪ CCTV footage and images. ▪ Facial images or fingerprints for access control.
Purpose(s)	To monitor IT acceptable use standards and compliance with access control permissions, to detect and investigate any abuse or misuse of company assets, or any damage or loss to stock, property or persons on the premises.	
If you don't provide this information or object to it being collected	We may need to restrict or limit your ability to access certain areas of the premises or your use of certain assets. You may offer alternatives to us, but this will be subject to our operational requirements.	
Your health and well-being	<ul style="list-style-type: none"> ▪ Health and wellbeing information voluntarily declared by you including, eye examinations, occupational health reports, sick leave forms, or health management questionnaires (e.g., Fitness for Work from your GP or hospital). 	<ul style="list-style-type: none"> ▪ Details of any desk audits, access needs or reasonable adjustments. ▪ Information you have voluntarily provided about race, disability status, and gender identification and may be extended to include other protected characteristics.

	<ul style="list-style-type: none"> ▪ Accident or incident records if you have an accident or incident at work. 	<ul style="list-style-type: none"> ▪ Where required by legislation, any notifiable medical conditions which may pose a significant threat to public health and the safety of other employees.
Purposes	To comply with our legal obligations and to protect your legitimate interests as an employee in maintaining a healthy and safe working environment, including your wellbeing. We may process race, gender and disability status to comply with broad-based economic empowerment and employment equity laws.	
If you don't provide this information	If you fail to provide us with mandatory information, this may result in us being unable to fulfil our contractual obligations to you, such as paying your salary or approving your leave, or comply with our statutory obligations, such as ensuring a safe workplace for other employees. As a result, it could also lead to disciplinary action.	

5. HOW WE COLLECT PERSONAL INFORMATION?

We collect information about you from the following sources:

<ul style="list-style-type: none"> ▪ Directly from you, 	<ul style="list-style-type: none"> ▪ provident fund administrators,
<ul style="list-style-type: none"> ▪ employment / recruitment agencies, 	<ul style="list-style-type: none"> ▪ government departments (SARS),
<ul style="list-style-type: none"> ▪ your employer if you're a secondee, 	<ul style="list-style-type: none"> ▪ health insurers, and
<ul style="list-style-type: none"> ▪ references you provide us, 	<ul style="list-style-type: none"> ▪ occupational health and other health providers
<ul style="list-style-type: none"> ▪ security / background clearance providers, 	

6. LEGAL BASIS

Depending on the processing activity, we rely on the following grounds to process your personal information:

- where it is necessary to carry out actions for the conclusion or performance of a contract with you;
- so we can comply with our statutory and other legal obligations as an employer;
- to protect your legitimate interests or those of another person;
- to pursue our legitimate interests in a proportionate manner;
- where you provide us with your consent, or consent on behalf of your child where you act as the legal guardian or competent person, provided that consent may always be withdrawn at a later date by emailing our Information Officer.

7. HOW LONG WE'LL KEEP YOUR PERSONAL INFORMATION

We only keep your personal information for as long as needed to comply with our legal obligations or to fulfil the relevant purposes for their collection.

Employee file records are usually kept during your employment and for 3 years from the end of your employment. Only then are they destroyed.

Other day to day records which do not form part of employee files are kept for 3 years from the date of their creation and are then destroyed.

8. **AUTOMATED DECISIONS ABOUT YOU**

We do not use your personal information to make any automated decisions about you.

9. **DISCLOSURE OF PERSONAL INFORMATION**

Government departments and regulators where it is mandatory under applicable laws (with SARS for PAYE purposes).

External auditors & advisors

Your name, gender, age, job position, and race with our employment equity advisors or with B-BBEE accreditation agencies to help us comply with our legal obligations.

Insurers and fund administrators

We may share your information with approved insurers, provident funds and pension funds where we are required to do so under our employment contract with you and strictly for the purposes of registering you with such providers for the benefit of you or your dependents (including your children), and making payment of any employer's contributions to them.

For the protection of the Group and others

You acknowledge that we may access, keep and disclose the data we collect and maintain about you if required to do so by law or, in good faith, believe that such access, retention or disclosure is reasonably necessary to:

- comply with legal process (e.g., a subpoena or court order);
- enforce our employment agreements, disciplinary codes, workplace policies or insurance policies, including investigating any potential violations to such terms and policies;
- respond to claims that your conduct violates the rights of third parties; or
- to mitigate any reasonable risks, or to protect the rights, property or personal safety of the Group and our service providers, our customers or the public.

With your consent, we may also disclose your information in other ways you direct us to.

10. **OPERATORS (EXTERNAL PROCESSORS)**

We use external processors ("**Operators**") for certain processing activities and to assist in the performance of our legal obligations as an employer.

We reserve the right to change our Operators at any time without further notice to you, but we will ensure our Operators are bound by or similar terms providing the same or higher levels of protection. Such external processing activities include, but are not limited to:

- IT systems, support, backups, security and infrastructure;
- human resources, employment equity and leave management;
- payroll;
- email and document storage infrastructure;
- credit reference agencies (where required);
- recruitment and B-BBEE verification agencies (where required).

Before entering a business relationship with these Operators, we follow due diligence checks with them. A list of our current external processors can be found at [TABLE A – OPERATORS](#).

11. YOUR DATA PROTECTION RIGHTS

Data protection laws grant you with, among others, the following rights:

- **Request access to your personal information** – You may ask us free of charge to confirm that we hold your personal information, or ask us to provide you with details, at a fee, how we have processed your data, which can be done by submitting [PAIA Form 2](#) to us;
- **Request the correction of your personal information** – to ensure any incomplete or inaccurate personal information is corrected by submitting [POPI Form 2](#) to us;
- **Request erasure of your personal information** – where there is no lawful basis for the retention or continued processing of your personal information by submitting [POPI Form 2](#) to us;
- **Object to the processing of your personal information for a legitimate interest (or those of a third party)** – under certain conditions where you feel it impacts your fundamental rights and freedoms by submitting [POPI Form 1](#) to us;
- **Request restriction of processing of your personal information** – to restrict or suspend the processing of your personal information to limited circumstances submitting [POPI Form 1](#) to us;
- **Lodge a complaint** – to our Information Officer and the Information Regulator as the relevant supervisory authority; and
- **bring civil legal proceedings** – regarding the alleged interference with the protection of your personal information.
- **Withdraw consent given in respect of the processing of your personal information at any time** – withdrawal of consent will not affect the lawfulness of any processing carried out before your withdrawal notice. It may also not affect the continued processing of your personal information in instances where your consent is not required.

To withdraw your consent – email our Information Officer stating that you “*withdraw your consent for National Edging to process your personal information.*”

If an above request/objection is to be made, please use the contact details in [Section 2](#) above and we will revert **within 30 calendar days**. The relevant forms to be completed in exercising your rights are also available on the [Information Regulator’s website](#) or in our PAIA Manual.

12. INTERNATIONAL TRANSFERS

Generally, the Information we collect about you will be processed in South Africa with the use of cloud servers. If you are based in Kenya, we may process your information in both Kenya and South Africa.

We reserve the right to transfer to and/or store your personal information in a jurisdiction other than where it was collected, and in a jurisdiction that may not have comparable data protection legislation to South Africa and Kenya. If we do, we will take reasonable steps to ensure that your personal information is protected in that jurisdiction.

13. QUERIES AND COMPLAINTS

If you have any questions or complaints about your privacy rights or this Privacy Notice, please contact our Information Officer. If you believe our attempts to resolve the issue have been inadequate, you can file a complaint with the following regulators:

▪ South Africa	www.inforegulator.org.za	▪ Kenya	www.odpc.go.ke
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14. GOVERNING LAW

This Privacy Notice is governed by South African law. If you are based in Kenya, then Kenyan data protection laws may apply.

If any provision of this Privacy Notice is determined to be illegal, void or unenforceable due to applicable law or by order of court, it shall be deemed to be deleted and the continuation in full force and effect of the remaining provisions shall not be prejudiced.

15. CHANGES TO THIS POLICY

We may amend this Privacy Notice from time-to-time and we will take reasonably practicable steps to inform you when changes are made. Without limiting the way we may inform you, we may notify you by email, or when you access our IT network.

TABLE A – OPERATORS

External processors are third parties who supply certain parts of our staff services for us. We have contracts in place with them and they cannot do anything with your personal information unless we have instructed them to do so. Our current external processors are listed below.

We may appoint other external processors not listed in the below table as and when needed, and where it is allowed in terms of applicable data protection laws.

Operator	Purpose for processing	Location
Microsoft Corporation SA (Pty) Ltd.	Email host; digital file storage and server infrastructure (OneDrive)	South Africa.
Stimela Group	BEE Accreditation and consulting	South Africa
HR Skills Market (Pty) Ltd	BEE Accreditation and consulting; and Employment Equity & SETA	South Africa
SAGE SA (Pty) Ltd	Invoicing Software and occasional technical support	South Africa
Skynamo (Pty) Ltd	Field sales tracking & management	South Africa
NetConfig (Pty) Ltd	IT Support and security	South Africa
Infinity (Pty) Ltd	IT Support and security	South Africa
Gavotech (Pty) Ltd	IT Support and security	South Africa
Uniclox (Pty) Ltd	clocking-in	South Africa
Iron Mountain (Pty) Ltd	Waste/Recycling Provider	South Africa
Zero Paper (Pty) Ltd	Waste/Recycling Provider	South Africa