POPIA ACT POLICY & PROCEDURES

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1 TERMS AND ABBREVIATIONS

Term/Abbreviation	Description
POPIA	Protection of Personal Information Act, No. 4 of 2013, which regulates the processing of personal information in South Africa.
Solid Beginnings School	Refer to all the Solid Beginnings Three Models namely, *Solid Beginnings Nursery and day Care, Solid Beginnings Primary School and Solid Beginnings Training Institute*
DBE	Department of Basic Education, the South African government department responsible for primary and secondary education policies and administration.
SASA	South African Schools Act, No. 84 of 1996, which governs the administration and governance of schools in South Africa, including record-keeping and data privacy aspects.
Constitution of South Africa (Section 14)	Guarantees the right to privacy, including protection of personal information, which forms a foundational basis for data privacy legislation in South Africa.
Data Subject	The individual to whom personal information relates, such as a student, parent, guardian, staff member, or third party.
Responsible Party	The entity (in this case, the school) that determines the purpose and means of processing personal information.
Processing	Any activity related to personal information, including collection, storage, modification, sharing, and disposal.
Information Officer	A designated individual (typically the Principal) responsible for ensuring the school complies with POPIA and data protection obligations.
SGB	School Governing Body, a group that oversees the management and governance of the school and ensures compliance with policies such as POPIA and DBE guidelines.

Term/Abbreviation	Description
Personal Information	Information that identifies or could identify an individual, such as name, ID number, contact information, or educational and health records.
Sensitive Information	Personal information that is particularly private, such as medical or psychological records, which requires additional safeguards under POPIA.
Consent	Permission obtained from the data subject (or parent/guardian in the case of a minor) to process personal information for specified purposes.
Data Breach	An incident where personal information is accessed or disclosed without authorization, potentially leading to harm to the data subjects involved.
Data Retention	The practice of keeping personal information only for as long as necessary to fulfil its purpose, as outlined in DBE retention guidelines.
Data Disposal	The secure destruction of personal information that is no longer needed, using methods like shredding or secure digital deletion.
Access Control	Measures to ensure that only authorized individuals can access personal information, typically implemented through passwords and unique logins.
Information Regulator	The body established under POPIA to enforce data protection laws, handle complaints, and guide institutions on compliance with privacy laws.
Objection	The right of a data subject to contest the processing of their personal information, especially if it is believed to be unlawful or unnecessary.
Data Subject Participation	The right of individuals to access, correct, or delete their personal information, as well as the right to be informed about data processing activities.

2 INTRODUCTION

Solid Beginnings School is dedicated to protecting the personal information of all stakeholders—students, parents, guardians, employees, and third parties—in line with the Protection of Personal Information Act (POPIA) No. 4 of 2013. Additionally, the school's policy aligns with the Constitution of the Republic of South Africa, the South African Schools Act No. 84 of 1996, the DBE's National Policy for Safeguarding Learners' Information, and other pertinent laws.

This policy outlines our data protection obligations and processes to comply with POPIA, DBE regulations, and uphold the privacy rights of all data subjects involved with Solid Beginnings.

3 LEGAL FRAMEWORK

This policy complies with the following legislative and regulatory frameworks:

Legal Framework	Function
Protection of Personal Information Act (POPIA)	Ensures lawful processing of personal information.
Constitution of South Africa (Section 14)	Guarantees the right to privacy for all citizens, including the protection of personal information.
South African Schools Act (SASA) No. 84 of 1996	Mandates schools to keep accurate and secure records of students and requires parental consent for releasing learner information.
National Policy for Safeguarding Learners' Information (DBE)	Guides schools on how to handle student data securely and responsibly.
Employment Equity Act and Labour Relations Act	Regulates employee data privacy and data handling practices.

4 PURPOSE OF THE POLICY

The purpose of the POPIA Act Policy is to:

- safeguard the personal information of students, parents, guardians, staff, members of the SGB and third parties.
- ensure that the school complies with POPIA, as well as DBE directives on data protection, by implementing effective and transparent procedures.
- provide guidelines that align with the South African Schools Act and the DBE's National Policy for Safeguarding Learners' Information.

5 SCOPE

This policy applies to all Solid Beginnings stakeholders, namely, **staff**, **students**, **parents**, **third-party service providers**, **volunteers**, the members of the **SGB** and any other parties who interact with or process personal information on behalf of the school.

It applies to all forms of personal data, including electronic and paper records.

6 DATA PROTECTION PRINCIPLES

To comply with POPIA, Solid Beginnings adheres to the following eight principles:

- **Accountability:** The school assumes responsibility for protecting personal data and ensuring compliance with data protection laws.
- **Processing Limitation:** Personal data is processed only for specified, lawful, and legitimate purposes.
- **Further Processing Limitation:** The school shall ensure that any further processing of the collected information shall be compatible with the initial process it was collected for.
- **Purpose Specification:** Data is collected only for necessary educational, administrative, or operational purposes.
- **Security Safeguards:** The school will implement physical and technical safeguards to prevent unauthorized access, loss, or destruction of personal information.
- **Openness and Participation:** Transparency is maintained with data subjects regarding the collection, use, and storage of personal information.
- **Information Quality:** The school shall take reasonable steps to ensure that the personal information collected is complete, accurate, not misleading and updated where necessary.
- **Data Subject Participation:** The school shall ensure that all stakeholders (data subjects) exercise their rights and responsibilities regarding their personal information. Data subjects shall exercise their rights to access, correct and delete their personal data, and to be informed of how their data is being used.Roles and Responsibilities

Role	Responsibility
Principal (or as delegated by Principal) as Information Officer	Ensures POPIA compliance across all departments, provides necessary training, and oversees data protection audits.
The School Governing Body (SGB)	Ensures that the school policies and processes align with POPIA, SASA, and DBE policies, overseeing implementation and compliance.
Teachers and Staff	Responsible for following POPIA guidelines when collecting, handling, and sharing personal data, reporting any breaches or concerns.
Parents and Guardians	Provide or withdraw consent for data usage as required by the Schools Act and POPIA.

7 DATA COLLECTION AND PROCESSING

- **Collection of Information**: Only data necessary for educational, health, safety, and operational purposes is collected, in line with the SASA and DBE's Safeguarding Policy.
- **Parental Consent**: The school obtains verbal or written consent from parents/guardians before processing children's personal data, especially when third-party sharing or publishing is involved. Publishing may include, but not limited to promotional brochures, social media pages (Tik-tok, facebook, twitter, Instagram and staff personal social media pages and any other similar platforms).

  NB- Parents/ guardians are expected to read, understand and sign the enrolment form upon child's enrolment, granting the school the rights to process personal and media information.
- **Sensitive Data**: Special precautions are taken when handling sensitive data, such as medical information, in accordance with POPIA's stipulations and DBE health and safety guidelines.

8 SECURITY MEASURES

- **Physical Security**: Paper records are securely stored in locked cabinets with limited access, following DBE guidelines.
- **IT Security**: Password-protected systems and encryption are used to protect electronic records. Firewalls and anti-virus software are regularly updated.
- **Access Control**: Only authorized staff members have access to sensitive information, with unique logins for data systems to monitor activity.

9 DATA RETENTION AND DISPOSAL

- **Retention**: Personal information is retained as per DBE retention schedules. For example, learner records must be kept for a period specified by the DBE after graduation.
- **Disposal**: Outdated or unnecessary information is destroyed in a secure manner (e.g., shredding, secure deletion of digital files).

10 DATA BREACH MANAGEMENT

- **Incident Reporting**: Any data breach is reported immediately to the Information Officer, who will initiate an investigation and notify the DBE if required.
- **Mitigation**: Steps are taken to minimize harm, such as informing affected individuals and implementing additional security measures.
- **Record Keeping**: Details of the breach and corrective actions taken are documented as per POPIA requirements.

11 RIGHTS OF DATA SUBJECTS

- **Access to Information**: Data subjects have the right to access their data as per POPIA and DBE policies.
- **Correction and Deletion**: Requests for data correction or deletion will be addressed in line with DBE requirements and relevant legislation.

- **Objection**: Data subjects have the right to object to data processing if it does not comply with POPIA, and appeals can be directed to the DBE or Information Regulator if needed.

12 POPIA TRAINING AND AWARENESS

- **Training**: All staff members will undergo annual POPIA compliance training, covering data protection practices, breach management, and proper use of data systems, in line with DBE requirements.
- **Regular Audits**: Bi-annual audits will be conducted to ensure that all data handling practices comply with POPIA and DBE standards.

13 PARENTAL AND STUDENT COMMUNICATION

- **Information Dissemination**: Parents and students will be provided with a summary of their rights and responsibilities under POPIA and the school's policy.
- **Consent Forms**: Consent forms covering data collection, usage, and storage will be distributed at the beginning of each school year or at the time of enrolment.

14 COMPLAINTS AND QUERIES

Any concerns regarding the handling of personal information can be directed to the Information Officer (Principal) and, if unresolved, to the Information Regulator or the DBE.