



**Western Cape
Government**

Community Safety

DEPARTMENT OF COMMUNITY SAFETY

POPIA PRIVACY NOTICE

July 2021

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Privacy notice

The Department of Community Safety respects and protects your privacy

1. What is this notice for and who does it apply to?

This is a general notice that explains:

- **Who** we collect personal information from.
- **What** personal information we collect.
- **Why** we collect your personal information.
- **How** we use your personal information; and
- **What rights you have** in relation to your personal information.

This notice also explains:

- **How** you can **access** the information we hold about you and ask for that information to be corrected; and
- **How** you can make a **complaint** about the way we have handled your personal information.

This general notice applies to all persons (both natural and juristic, like companies and close corporations) whose personal information we collect, regardless of form and medium. This includes our employees, consultants, agents and service providers.

It applies to all our services and related websites.

You must read this privacy notice together with the [rules for using our website](#) (including our disclaimer (Annexure A), our [copyright licence](#) (Annexure B) and any other notices and policies that may apply to you. For example, the WCG IT End User Policy (Annexure C).

In addition to this general notice we may need to explain specific privacy practices in more detail. In such circumstances, we develop and provide separate privacy notices to describe how we will handle the personal information that we collect.

For example, where we ask you to provide personal information in relation to your employment or in a public submission to a policy proposal, we will provide you with a privacy notice at the time of collection or as soon as practicable afterwards. These privacy notices explain our personal information handling practices in relation to that particular purpose or activity.

Our [contact details](#) are at the bottom of this notice.

2. The Protection of Personal Information Act, 2013 (POPIA)

The Protection of Personal Information Act, 2013 (POPIA) protects personal information of natural and juristic persons and requires the Department of Community Safety to comply with the eight minimum conditions set out in the Act.

'Personal information' is any information that can identify a person.

Personal information includes 'special personal information', which is a particular category of personal information. While we recognise that protecting all personal information is important in gaining and maintaining your trust, special personal information is often afforded a higher level of protection.

3. Collection of personal information from citizens, employees, and suppliers

We collect and hold a broad range of personal information relating to:

- Correspondence from members of the public or organisations addressed to us or our Provincial Minister.
- Correspondence from other Provincial Ministers and organs of state.
- Employment and personnel matters relating to staff and contractors.
- Facilitating appointments.
- Facilitating meetings.
- Administering programs for which the Department of Community Safety is responsible for.
- Research we have commissioned.
- Contract management.
- Complaints (including privacy complaints) and feedback provided to us.
- Requests in terms of the Promotion of Access to Information Act, 2000 (PAIA).
- Legal advice provided by internal state law advisors and external lawyers.
- The performance of legislative and administrative functions.
- For Audit and record keeping purpose
- For the detection and prevention of fraud, crime, and other malpractice
- To confirm and verify your identity or to verify that you are the authorised user for security purposes

We collect personal information in a variety of ways. These include:

- Correspondence and submissions.
- Paper-based forms.
- Online (web-based forms and e-mails); and
- Phone calls, faxes, and face to face meetings.

We often collect personal information directly from you. However, in some circumstances we may also collect information about you from another organ of state or organisation.

- Certain third-party service providers may collect or check information from or about you on our behalf. For example, where we use external employment agencies, vetting agencies, credit bureaus, lawyers, accountants, consultants, professional bodies, banks, travel agencies, non-government organisations and security companies.
- We work with public bodies or organs of state such as local, provincial, and national government departments, which may collect or check information from or about you on our behalf.
- We only collect personal information where that information is reasonably necessary for, or directly related to, one or more of our functions or activities.

We collect personal information from and about:

- **Visitors to our [website](#):**
 - We collect information that you give to us directly via our website contact forms.

- We also use common technologies (including '[cookies](#)') to anonymously and automatically track website use and improve user experience. You can usually disable these if you prefer. Our [website privacy notice](#) has more information.

● **Our job applicants, bursary applicants, intern applicants and employees:**

- We collect information from you when you apply for a job, internship, or bursary and if you are successful and we employ you, give you an internship or a bursary.
- We may also collect information about you from third parties, like educational bodies or previous employers.
- We also collect information about employees' and interns' use of email and the internet to monitor and review e-mail and internet activity, where we believe it is reasonable and necessary to detect abuse or unlawful activity on the department's resources. You cannot expect privacy in this regard.

● **Our suppliers, service providers, contractors, and consultants:**

- We collect information from you when you apply to be listed on our supplier database and bid to supply goods or services to us.
- We may also collect or check information about you from various private or public bodies, such as banks or tax authorities.

● **Our citizens and users of public services and facilities provided by the Department of Community Safety:**

- We collect information you give us when you send us a letter, an email or text message, or when you use social media or our call centre to contact us.
- We also collect personal information when it is directly relevant to the specific public services, we provide to you.
- We also collect information from visitors to our buildings and facilities in terms of the Control of Access to Public Premises and Vehicles Act, 1985.

4. Types of personal information we collect and use

The personal information we collect, and hold varies depending on what we need to perform our functions and responsibilities. It may include:

- Your name, address, and contact details (for example your phone number or email address).
- Information about your identity (such as date of birth, country of birth, passport details, visa details and driver's licence).
- Information about your personal circumstances (for example age, gender, marital status, and occupation).
- Information about your financial affairs (for example payment details, bank account details, and business and financial interests).
- Information about your employment (for example applications for employment, work history, referee comments and remuneration); and
- Government identifiers.

We do not necessarily collect all this information from every person but only where it is necessary.

4.1 Special personal information

We may also collect 'special personal information' which is a subset of personal information under the POPIA.

Special personal information includes information about the following:

- Your health.
- Your membership to a professional or trade association, or a trade union.
- Your racial or ethnic origin.
- Criminal activities you may have been involved in; and
- Your biometrics (including photographs and voice or video recordings of you).

Generally, we will only collect special personal information if its collection is reasonably necessary for, or directly related to, one or more of our functions or activities or the collection is required or authorised by law.

For example, we collect special personal information such as race and disability to inform the development of a workforce plan. We require employees to complete the EEA 1 form prescribed by the Employment Equity Act, 1998. We ensure that the contents remain confidential and only use the information to comply with previously mentioned act.

We collect **general personal and contact information** about our employees, suppliers and users of our public services and facilities.

- **Job applicants and employees:** We usually collect detailed personal information about your educational, employment, financial and criminal background, and any other relevant information such as images of you, fingerprints, drivers licence details, vehicle registration number, tax number and bank account details. If we employ you, we will also allocate you a unique identifier called a PERSAL number. We may also need further information about matters such as health issues and family members, where relevant to the employment relationship.
- **Suppliers, service providers, contractors, and consultants:** We often collect detailed personal information about your qualifications, experience or suitability as a supplier, and other relevant information such as bank account details and VAT number. We may also need further information relevant to the business relationship, such financial statements or information about solvency.
- **Visitors to our buildings and facilities:** We usually collect close circuit television (CCTV) images (and audio recordings, where applicable) of visitors to our buildings and facilities, as well as names, identity numbers and contact details.

5. Why specific directorates collect your personal information

5. PROGRAMME 1: ADMINISTRATION

The purpose is to provide strategic direction and support, administrative, financial, and executive services to the Department and related entities. The objective of the Programme is to efficiently support the Offices of the Ministry, Head of Department, Western Cape Police Ombudsman (WCPO) and the Western Cape Liquor Authority (WCLA) in their functions of providing strategic leadership and ensuring effective governance inclusive of financial management.

5.1 Sub-programme: Office of the Ministry

Function:

To provide administrative and support services to the Provincial Minister.

5.2 Sub-programme: Office of the Head of Department**Function:**

To provide administrative and support services to the office of the Head of the Department.

5.3 Sub-programme: Financial Management**Function:**

To ensure departmental financial compliance through the provision of financial management and advisory services; and

5.4 The Sub-programme: Corporate Services**Function:**

To enhance departmental effectiveness through facilitating strategic planning management of programme performance, communications and administrative support.

6. PROGRAMME 2: PROVINCIAL SECRETARIAT FOR POLICE SERVICE**Function:**

To exercise oversight over the conduct, effectiveness, and efficacy of law enforcement agencies in the Province.

6.1 Sub-programme: Programme Support**Function:**

To assist Sub-programmes with policy development, manage the budgetary process and implement project management in the Programme.

6.2 Sub-programme: Policy and Research**Function:**

To conduct relevant research to inform stakeholders, influence community safety resource allocation to the Province, and to contribute towards the development of relevant policies.

6.3 Sub-programme: Monitoring and Evaluation**Function:**

To conduct effective compliance monitoring and evaluation of policing in the Province.

6.4 Sub-programme: Safety Promotion**Function:**

To promote safety within communities by raising awareness and building capacity to be responsive to the safety concerns and needs of that community.

6.5 Sub-programme 2.5: Community Police Relations**Function:**

To promote good relations between the police and the community by facilitating the capacitation and functioning of safety partners.

7. PROGRAMME 3: PROVINCIAL POLICING FUNCTIONS

Function:

To give effect to the Constitutional Mandate allocated to provinces as it relates to the promotion of good relations between communities and the police through its whole-of-society approach and to ensure that all service delivery complaints about policing in the province is dealt with independently and effectively.

7.1 Sub-programme: Safety Partnerships**Function:**

To increase safety by means of sustainable partnerships with community-based organisations in the field of safety.

7.2 Sub-programme: Western Cape Police Ombudsman (WCPO)**Function:**

To independently investigate and seek to resolve complaints by community members against poor police service delivery in an impartial manner.

8. PROGRAMME 4: SECURITY RISK MANAGEMENT**Function:**

To institute a 'whole of government' approach towards building more resilient institutions, and empower communities to promote greater safety.

8.1 Sub-programme: Programme Support**Function:**

To facilitate institutional resilience by providing strategic leadership around the institutionalisation of the Security Risk Management Strategy and to provide an accreditation process of Neighbourhood Watch (NHW) structures in the Western Cape Province.

8.2 Sub-programme: Provincial Security Provisioning**Function:**

To enhance safety and security administration and provisioning within the WCG.

8.3 Sub-programme: Security Advisory Services**Function:**

To enhance safety and security capacity across the WCG institutions.

If you are concerned about the collection of your personal information, **please ask** the **Information Officer** about our policies, practices, and procedures in this regard.

6. Use and disclosure of personal information

• We **routinely** use your personal information:

- To communicate and manage our relationship with you.
- To provide you with public services, as required or allowed by law;
- To manage security and access control to our buildings and facilities; and
- For record keeping and other administrative purposes, as required by law.

- We will not provide your personal information to anyone else unless you consent thereto or one of the following exceptions applies:
 - You would reasonably expect us to use the information for that purpose.
 - It is legally required or authorised, such as by a law, or a court or tribunal order.
 - It is reasonably necessary for an enforcement-related activity.
 - We reasonably believe that it is necessary to lessen or prevent a serious threat to the life, health, or safety of any individual, or to public health or safety.
 - We have reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to our functions or activities has been, is being or may be engaged in and we reasonably believe that it is necessary for us to take appropriate action in relation to the matter;
 - It is reasonably necessary for the establishment, exercise, or defence of a legal or equitable claim; or
 - The information is used only for **historical, statistical or research purposes** and is not published in an identifiable form.
- When we share your personal information with selected **service providers** who work on our behalf, for specific defined purposes related to public services we provide we will ensure that appropriate protections of your personal information are in place with these third parties, in accordance with our obligations under the POPIA.
- We are very careful with special personal information, and where practical, we usually group personal information together as aggregated data so that individuals cannot be identified.

Unless we have your clear informed consent or the law clearly allows us in certain limited circumstances, **we will not:**

- Sell or rent personal information.
- Use your personal information for purposes that are different, unusual, or unexpected in relation to the reason for collecting it in the first place; or
- Share your personal information with third parties in circumstances other than the ones we have referred to above.

6.1 Storage and data security

We **respect and protect your privacy** and store your personal information according to generally accepted information security practices. We take all reasonable steps to protect the personal information held in our possession against loss, unauthorised access, use, modification, disclosure, or misuse. The Department of Community Safety will promptly with any accidental or unauthorised disclosure of personal information.

Storage of personal information (and the disposal of information when no longer required) is managed in accordance with the Western Cape Government records management regime as provided for in the Provincial Archives and Records Service Act of the Western Cape, 2005. When the personal information we collect is no longer required, we delete or destroy it in a secure manner, unless we are required to maintain it because of a law, or court or tribunal order.

Where a breach of personal information occurs, we will notify the Information Regulator and affected individuals as required. We will aim to provide you with timely advice to ensure you are able to manage any loss—financial or otherwise—that could result from the breach.

7. Your choices and consent in connection with your personal information

- We try to obtain your **consent** to collect and use your personal information, where practical.
- **You do not normally have to give us personal information**, but if you do not, we may not be able to communicate with or provide government services to you. You may also ask us not to send you unsolicited messages (opt-out), but then we cannot tell you about public services that may be important to you.
- **You may access personal information we hold** about you and ask us to correct or delete any that is wrong, irrelevant, out of date, misleading and so on. But we may check your identity before giving you access. For more information, please read our manual as required by the Promotion of Access to Information Act 2000.
- You also have certain **rights to withdraw consent or object** to us using your personal information under POPIA, but these rights are limited. For example, if the purpose for which your personal information was requested initially does not exist anymore you may request that the information may no longer be used. We can decline your request to delete the information from our records if other legislation requires us to retain the information.

8. Privacy Complaints

- If you feel we are not dealing with your personal information fairly and lawfully, you may complain to the **Information Regulator** at JD House, 27 Stiemens Street, Braamfontein P O Box 31533, Braamfontein, Johannesburg, 2017 Tel: +27(0) 10 023 5200 Email: complaints.IR@justice.gov.za

9. How to contact us to comment, complain or ask questions about our privacy notice or your personal information

Information Officer (Head of Department)

Name: Adv Yashina Pillay

Email: Hod.Comsafe@westerncape.gov.za

Tel: 021 483 9354

Deputy Information Officer (POPIA)

Mr David Coetzee

Tel: 021 483 3960

Email: David.Coetzee@westerncape.gov.za

Deputy Information Officer (PAIA)

Ms Linde Govender

Tel: 021 483 5694

Email: Linde.Govender@westerncape.gov.za

Post: The Information Officer, Department of Community Safety, Western Cape Government, 35 Wale Street, Private Bag X5346, Cape Town, 8001

Visit us in person: 35 Wale Street, 4th Floor, Cape Town, 8001

You can also get **paper copies** of this privacy notice or any of the documents referred to in this notice from 35 Wale Street, Cape Town, 8001.

10. Revision of Policies

Department of Community Safety, Western Cape Government, reserve the right to and may from time to time update this Privacy Notice. Any such revision will be published as an amended version on the department website.

Department of Community Safety

Chief Directorate: Security Risk Management

www.westerncape.gov.za

<https://www.westerncape.gov.za/dept/community-safety>



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