

PRIVACY POLICY



GENERAL
COMPANY
POLICY


	General Company Policy	Doc No.:	POL-GEN 022
	WBHO Privacy Policy	Rev. No.:	00
		Rev. Date:	23/08/2021

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1 INTRODUCTION

WBHO is committed to protecting the Personal Information in our possession. This policy applies to all the companies forming part of the WBHO group, a list of which is provided in Annexure 1 of the PAIA and POPIA Manual (“WBHO Group”). In this WBHO Privacy Policy, we interchangeably use the words “WBHO”, “we”, “us” and “our” to refer to ourselves.


This WBHO Privacy Policy provides you with information about how, when, and why we use your Personal Information as well as how we keep it secure. It also sets out your legal rights, our legal responsibilities and how you can contact us.

This WBHO Privacy Policy sets out the approach which we use to Process the Personal Information provided by you to us or collected when you conduct business with us or in accessing our website (“WBHO website”).

The WBHO Group is a Responsible Party as far as it pertains to your Personal Information and we strive to ensure that our use of your Personal Information is reasonable, lawful and relevant to our business activities.

2 DEFINITIONS & ABBREVIATIONS

- **“Cookie”** means a small file that is placed on your device (to identify your device) when you visit a website.
- **“Data Subject”** means the person to whom Personal Information relates.
- **“Electronic Communication”** means any text, voice, sound or image message sent over an electronic communications network which is stored in the network or in the recipient’s terminal equipment until it is collected by the recipient.
- **“Information Officer”** means the head of an organisation or as appointed by that organisation;
- **“Operator”** means a person who process Personal Information for an organisation.
- **“Personal Information”** means information that is about any individual, or from which any individual is directly or indirectly identifiable, in particular, by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that individual.
- **“POPIA”** means the Protection of Personal Information Act 4 of 2013.
- **“Processing”** means any operation or activity whether or not by automatic means, concerning personal information, including the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use. Dissemination by means of transmission, distribution or making available in any other form, or merging, linking, as well as restriction, degradation, erasure or destruction of information.
- **“Public Records”** means records that are accessible in the public domain and is in the possession of or under the control of a public body, whether or not it was created by that public body.
- **“Responsible Party”** means the entity that decides how and why Personal Information is processed

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- “**Special Personal Information**” refers to details about your religious or philosophical beliefs, race or ethnic origin, trade union membership, health, biometric information or information about your criminal offences or convictions.

3 YOUR CONSENT TO THE PROCESSING OF YOUR PERSONAL INFORMATION

By providing us with your Personal Information, you: -

- Agree to this WBHO Privacy Policy and authorise WBHO Group to Process such information as set out herein;
- Authorise WBHO Group and other related third parties to Process your Personal Information for the purposes stated in this WBHO Privacy Policy;
- Agree where permitted or required by law, that WBHO Group and other related third parties may Process your Personal Information without your consent.

If you are concerned about any aspect of the WBHO Privacy Policy as it relates to your Personal Information, please contact WBHO Group through the designated Information Officer.

4 WHO DOES THE WBHO PRIVACY POLICY APPLY TO

The WBHO Privacy Policy applies to the Processing of the Personal Information relating to clients and suppliers, former employees, prospective employees and other persons (juristic or otherwise) that engage with us or through the WBHO website.


The WBHO website may sometimes contain links to third party websites and applications. WBHO Group is not responsible for and make no representations or warranties in relation to the privacy practices or content of any third-party websites and applications.

5 COLLECTION AND STORAGE OF PERSONAL INFORMATION

5.1 Collection of Personal Information

The WBHO Group may collect, receive, record, organise, collate, store, update or modify, retrieve, Process, use and share your Personal Information in the following ways if it is necessary in order for us to carry out our functions and activities and is lawful. Personal Information may be collected by us as follows: -

- When you interact with us or use the WBHO website;
- When your Personal Information becomes public through whatever means;
- When you subscribe to receive our SENS announcements and any company updates;
- When applying for, appointed to or provided with an employment position, student bursary or vacation work as the case may be;
- When you ask us to add your details to our sub-contractor database or you bid upon one of our projects;
- When appointed as a supplier or subcontractor on one of our projects;

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- through the following additional means:
 - Published and written correspondence, including newspapers, magazines, letters, emails and SMS;
 - Telephone conversations, including reference checks;
 - WBHO website, including through the use of cookies;
 - CCTV video and audio recordings; and
 - Social media, including but not limited to Facebook, Twitter, and LinkedIn
 - Third parties including nominated referees, former employers, recruitment agencies, skills and qualifications verification agencies and medical practitioners;

In addition to the above, we may create Personal Information such as records of your communications and interactions with us, including but not limited to your attendance at events or at interviews in the course of applying for a job with us.

Third party Personal Information supplied by you, such as that of a spouse, family member, colleague or friend would be accepted on condition that you have acquired all the rights required from that third party to provide that Personal Information to us to use for our business activities;

5.2 Storage of Personal Information

- We will store hard copy documents containing Personal Information on our as well as third-party service providers premises.
- Electronic documents are stored on our servers with the necessary and appropriate security measures and protocols implemented to ensure the security and confidentiality of the documents;

Where electronic documents are stored on a cloud-based system or on our third-party service providers' servers such as IT systems or hosting service providers, we ensure such third-party service providers or cloud-computing services have appropriate security measures in place.

6 CATEGORIES OF PERSONAL INFORMATION

We may process the following categories of your Personal Information: -

- **Identity Information**, which includes information concerning your name, username or similar identifier, marital status, title, occupation, interests, date of birth, gender, race and legal status, as well as copies of your identity documents, photographs, identity number, registration number and your qualifications;
- **Contact Information**, includes your billing addresses, delivery addresses, e-mail addresses and telephone numbers;
- **Financial Information**, includes bank account details, insurance information, financial statements, tax clearance certificates and VAT registration numbers;
- **Transaction Information**, includes details about payments made to or received from you or any juristic entity, which may also consist of other transactional activity;
- **Technical Information**, includes your internet protocol (IP) address, your login data, 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 the WBHO website or engage with us;

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- **Usage Information**, includes information such as your access to and use of the WBHO website or use of our products and services. This information may consist of links you followed, what content you accessed, the amount of content viewed and the order of that content, as well as the amount of time spent on the specific content and what products and services you access and use when engaging with WBHO;
- **Location Information**, includes geographical information from your Access Device (which is usually based on the GPS or IP location); and
- **Marketing and Communications Information**, includes your preferences in respect of mode of receiving marketing information from us or other related third parties, as well as your communication preferences.


7 SPECIAL PERSONAL INFORMATION

Where we need to process the Special Personal Information, we shall do so in the ordinary course of our business, for a legitimate purpose and in accordance with the Protection of Personal Information Act No4 of 2013 (POPIA).

8 PURPOSE OF PROCESSING AND LEGAL BASIS FOR PROCESSING

Your Personal Information will, amongst other things, be used for the following purposes:

- in the ordinary course of the WBHO Group business;
- to open joint venture bank accounts as well as provide “know your client” information to the financial institutions;
- to comply with our statutory obligations, including client identification and verification as part of our “know your client” and customer due diligence obligations;
- to screen clients and visitors' health when accessing our premises in order to comply with Covid-19 regulations and protocols;
- to comply with all applicable laws including fraud and corruption prevention laws;
- to conduct recruitment and hiring processes, which include conducting criminal record and credit checks (where appropriate), the capturing of a job applicant's details and providing status updates to job applicants;
- in relation to supplier information, to create, maintain and update supplier profiles on our systems, pay suppliers, and for general supplier administration;
- to detect, prevent or manage actual or alleged fraud, security breaches or the abuse, misuse or unauthorized use of our systems and files, the WBHO website and/or contraventions of this WBHO Privacy Policy;
- to communicate with you and retain a record of our respective communications;
- fulfil any contractual obligations that we may have to you or any third party;
- to invite you to functions or events that we may host;
- The WBHO Group shall obtain your permission before collecting or using your Personal Information and/or Special Personal Information for any other purpose.

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9 DISCLOSURE OF PERSONAL INFORMATION TO THIRD PARTIES

We shall not intentionally disclose your Personal Information, whether for commercial gain or otherwise, other than with your permission, as permitted by applicable laws or in the manner as set out in this WBHO Privacy Policy.

You voluntarily agree and give permission for us to share your Personal Information under the following circumstances:


- If and when required by law;
- with our employees:
 - if and to the extent required by suppliers, consultants, sub-contractors and agents, in order to Process your Personal Information on our behalf and/or in the provision of services for or to us,;
 - for the hosting, development and administration, technical support and other support services relating to the WBHO website or the operation of our business;
- with our employees, suppliers, consultants, sub-contractors and agents, if and to the extent required by our clients or potential clients, when submitting tenders or in fulfilling our contractual obligations when performing construction, engineering and related or ancillary services;
- To enable us to enforce or apply our rights arising in any manner in law or in terms of this WBHO Privacy Policy;
- With Governmental agencies and other regulatory or self-regulatory bodies, if required to do so by law.
- We will authorize any Personal Information Processing performed by a third party on our behalf, save that such authorization shall be in terms of written agreements with third parties governing our relationship with them and containing, amongst other things, confidentiality, non-disclosure and data protection clauses. Authorized third parties shall adhere to the terms and conditions of the written agreements. Failure to adhere could result in the termination of the written agreements or other appropriate actions being taken against such third parties;

10 SECURITY

We shall take reasonable technical and organizational measures to secure the integrity of your Personal Information and prevent unauthorized access, misuse, loss, alteration and destruction of your Personal Information;

We review our storage and processing practices, including physical security measures periodically, to ensure that we keep abreast of good practice by:

- Creating a back-up of your information for operational, business continuity and safety purposes;
- Implementing a formal disaster recovery programme.
- Implementing policies and procedures to address actual and suspected data breaches and undertake to notify you and the relevant regulatory authorities of breaches in instances where WBHO Group is legally required to do so and within the period in which such notification is necessary.

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11 DATA ACCURACY

The Data Subject undertakes to provide WBHO Group with Personal Information which is accurate, complete and up to date. Should the Personal Information change, the onus is on the Data Subject to notify WBHO Group of any such change and provide WBHO Group with the accurate information.

12 DATA ADMINISTRATION

WBHO Group will restrict the Processing of Personal Information to data which is sufficient for the fulfilment of the primary purpose and applicable legitimate purpose for which it was collected

13 DATA RETENTION

WBHO Group shall only retain and store Personal Information for the period for which such data is required to serve its primary purpose or a legitimate interest or for the period required to comply with an applicable legal requirement, whichever is longer.

14 YOUR LEGAL RIGHTS

Data protection legislation may confer certain rights on you in respect of your Personal Information. We aim to be clear about what Personal Information we collect so that you can make meaningful choices about what Personal Information you make available to us.

In recognition of your legal rights to your Personal Information, you shall be entitled to: -

- Block all cookies;
- Request access to your Personal Information;
- Request the correction or erasure of your Personal Information;
- Object to the Processing of your Personal Information;
- Request restriction of Processing of your Personal Information; and
- Withdraw consent which you previously gave for the Processing of your Personal Information.

15 DIRECT MARKETING

We may Process your Personal Information for the purpose of providing you with information regarding services that may be of interest to you.

16 QUERIES & CONTACT DETAILS OF THE INFORMATION OFFICER AND INFORMATION REGULATOR

Should you feel that your rights in respect of your Personal Information have been infringed, please address your concerns to the Information Officer at donna_msiska@wbho.co.za or the Deputy Information Officer at samuel_gumede@wbho.co.za

If you feel that attempts made by WBHO Group to resolve the matter have been inadequate, you may lodge a complaint with the South African Information Regulator by accessing their website at www.justice.gov.za/inforeg.