



**PROTECTION OF PERSONAL INFORMATION ACT 4 of 2013**

**COMPLIANCE FRAMEWORK**

**APRIL 2023**



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## **Foreword**

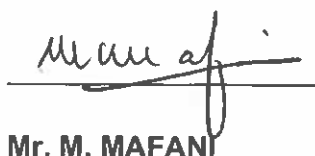
The Promotion of Access to Information Act 2 of 2000 (PAIA) and the Protection of Personal Information Act 4 of 2013 (POPIA) are pieces of legislation used to protect the basic human right of access to information (PAIA) and privacy (POPIA).

Regulation 4(1) of the 2018 POPIA regulations which came into effect on 1 May 2021, provides for the responsibilities of Information Officers. Amongst the responsibilities imposed on Information Officers, regulation 4(1) (a) prescribes that Information Officers must ensure that a compliance framework is developed, implemented, monitored and maintained.

Although the legislation requires such a compliance framework, little to no guidance is provided in the legislation as to what such a compliance framework should look like and how it should function.

However, according to training provided by the Information Regulator of South Africa, a compliance framework provides a framework which provides a holistic overview of how an organization creates and manages its enterprise-wide information assets (records personal information and data) within the regulatory environment. Furthermore, the Information Regulator indicates that a Compliance Framework will support the fundamentals of an effective privacy management programme and that it will comprise of all strategies, initiatives, policies, procedures, standards and guidelines that work collectively to achieve POPIA compliance.

With this background in mind, Government Fleet Management Services Trading Entity (GFMS) embarked on compiling this table as evidence of the development, implementation, monitoring and maintenance of its POPIA Compliance Framework.

  
Mr. M. MAFANI

DATE: 13 APRIL 2023



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<b>A. ESTABLISHING A GOVERNANCE FRAMEWORK</b>			
	<b>TASK</b>	<b>Completed: Yes/No/In Progress</b>	<b>Review/Action</b>
1.	Register the Information Officer (IO)/Designate or Delegate a Deputy Information Office/s if required.	Yes	
2.	IO to develop a compliance framework.	Yes	
3.	Conduct a personal information impact assessment to determine adequate technical and organizational measures are put in place.	yes	
4.	Ensure that there is a PAIA manual (s14 PAIA).	yes	
5.	Internal measures are developed together with adequate systems to process requests for information or access.	yes	
6.	Conduct internal awareness sessions on POPIA, regulations, codes of conduct or information issued by the Regulator.	In progress	





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7.	Ensure that an Organisational Structure clearly identifies operational roles.	yes	
8.	Develop policies and procedures to give effect to the governance structure.	yes	
9.	Ensure that there is a review process of all policies and procedures.	Yes	
10	Appointment of Corporate Governance Officer	In progress	
11	Establishment of Corporate Governance Committee	In progress	





<b>B. RISK ASSESSMENT</b>			
	<b>Task</b>	<b>Completed:</b>  <b>Yes/No/In Progress</b>	<b>Review/Action</b>
<b>1.</b>	Integrate the protection of personal information with risk assessments and risk reporting.	<b>In progress</b>	
<b>2.</b>	Conduct Information Risk Assessment for the Department	<b>In progress</b>	
<b>3.</b>	Development Response/Mitigation Plan	<b>In progress</b>	





D. DEVELOP AN INTERNAL POLICY ON THE PROTECTION OF PERSONAL INFORMATION			
	Task	Completed: Yes/No/In progress	Review/Action
1.	The policy must guide the organization, its employees on how to process personal information and align with the conditions for lawful processing and must incorporate the following:	In progress	
2.	Develop a protection of personal information strategy.	In progress	
3.	Develop a protection of personal information charter.	In progress	
4.	Include a protection of personal information in the mission, values and culture of organization.	In progress	
5.	Require employees to acknowledge and agree to adhere to the protection of personal information/privacy policies in writing.	In progress	





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6.	Conduct an annual review of the policy.	In progress	
7.	Incorporate principles of ethical governance of personal information.	In progress	
8.	Undertake an assessment of all processing activities undertaken per division.	In progress	
9.	Each processing activity must be identified in terms of the relevant division/job function.	In progress	
10.	Identify if there is compliance with POPIA in relation to each processing activity.	In progress	
11.	Assign individuals to implement the records management policy, tools and implementation plan.	In progress	
12.	Categorize the different types of information that is being processed (Personnel, Legal, Financial, Disaster Recovery, Commercial and Operational).	In progress	
13.	Develop an inventory of personal information.	In progress	





14.	Record all processing activities and maintain a register of each processing activity.	In progress	
15.	Develop a system to classify information and develop a retention and disposal policy in accordance with each data set, category of personal information.	In progress	
16.	Conduct an audit of all current process that collect, store, share, correct and delete personal information.	In progress	
17.	Identify special personal information.	In progress	
18.	Identify all personal information that has been processed.	In progress	
19.	Identify how the personal information is collected.	In progress	
20.	Identify where the personal information is collected, stored and processed.	In progress	
21.	Identify each person that processes personal information.	In progress	







22.	Maintain a register of every activity conducted and its associated processing activity.	In progress	
23.	Develop a procedure to enable the data subject to object to the processing of their personal information (Section 11).	In progress	
24.	Develop a policy on record retention (Section 14).	In progress	
25.	Develop a policy on information quality to ensure that information is updated and accurate.	In progress	
26.	Develop a procedure to deal with the correction and deletion of personal information.	In progress	
27.	Develop a process to notify the data subject on the reason for processing, the type of information that is being processed, the details of the responsible party processing the personal information that is being processed, and the details of the responsible party processing the personal information collected directly from the data subject.	In progress	





28.	Conduct a process to map all personal information processing.	In progress	
29.	Ensure that the personal information mapping process is reviewed on a regular basis.	In progress	
30.	Establish a lawful basis for all processing of personal information.	In progress	
31.	Develop a framework to establish and assess legitimate interest.	In progress	
32.	Document the lawful basis for processing of personal information.	In progress	
33.	Establish a register of all consents that have been secured.	In progress	

