



PROTECTION OF PERSONAL INFORMATION ACT (POPIA) POLICY

Comprehensive Data Protection and
Privacy Management Policy

- 2023 -

1. INTRODUCTION

MSH Talent (Pty) Ltd ("MSH Talent") is a specialist recruitment and talent acquisition agency operating within South Africa and internationally. As part of our business operations, we collect, process, store, share, and manage large volumes of personal information relating to job applicants, employees, contractors, clients, suppliers, and other stakeholders.

The Protection of Personal Information Act, No. 4 of 2013 (POPIA) establishes minimum requirements for the lawful processing of personal information and seeks to protect the constitutional right to privacy while balancing legitimate business requirements.

MSH Talent recognises that trust is fundamental to our success. Candidates entrust us with sensitive career information, clients entrust us with confidential business information, and employees entrust us with personal records necessary for employment administration.

Accordingly, MSH Talent is committed to:

- Protecting the privacy rights of all individuals.
- Processing personal information lawfully and fairly.
- Implementing robust technical and organisational security measures.
- Maintaining transparency in all information processing activities.
- Ensuring compliance with POPIA and other applicable legislation.
- Promoting a culture of privacy and information security throughout the organisation.

This policy outlines the framework through which MSH Talent manages personal information and demonstrates its commitment to lawful and responsible data processing.



DOCUMENT CONTROL

DOCUMENT TITLE: **Protection of Personal Information Policy**

Company	: MSH Talent (Pty) Ltd
Policy Owner	: Information Officer
Version	: 1.0
Effective Date	: December 2023
Review Date	: Annually
Classification	: Internal Policy Document
Legislative Ref	: Protect of Personal Information Act No. 4 of 2013



2. OBJECTIVES OF THIS POLICY

The objectives of this policy are to:

Legal Compliance

Ensure compliance with:

- ▶ Protection of Personal Information Act (POPIA)
- ▶ Promotion of Access to Information Act (PAIA)
- ▶ Basic Conditions of Employment Act
- ▶ Labour Relations Act
- ▶ Employment Equity Act
- ▶ Electronic Communications and Transactions Act
- ▶ Consumer Protection Act]

Protection of Personal Information

Protect all personal information under the control of MSH Talent from:

- ▶ Unauthorised access
- ▶ Unlawful disclosure
- ▶ Data loss
- ▶ Cybercrime
- ▶ Identity theft
- ▶ Fraud
- ▶ Misuse

Risk Management

Reduce:

- ▶ Legal liability
- ▶ Financial loss
- ▶ Reputational damage
- ▶ Regulatory penalties

Business Continuity

Ensure information remains:

- ▶ Available
- ▶ Accurate
- ▶ Secure
- ▶ Accessible when required

3. APPLICATION OF THIS POLICY

This policy applies to:

Employees

- ▶ Permanent employees
- ▶ Temporary employees
- ▶ Interns
- ▶ Apprentices
- ▶ Consultants

Recruitment Candidates

- ▶ Active candidates
- ▶ Passive candidates
- ▶ Job applicants
- ▶ Former applicants

Clients

- ▶ Existing clients
- ▶ Prospective clients
- ▶ Contracted clients

Suppliers

- ▶ Service providers
- ▶ Contractors
- ▶ Technology vendors

Business Partners

- ▶ Joint venture partners
- ▶ Recruitment partners
- ▶ Referral partners

4. POPIA PRINCIPLE

MSH Talent processes personal information according to the eight lawful conditions established by POPIA.

5. ACCOUNTABILITY

The Directors of MSH Talent are ultimately responsible for ensuring POPIA compliance throughout the organisation.

Management shall:

- ▶ Implement privacy governance structures.
- ▶ Allocate sufficient resources.
- ▶ Conduct compliance reviews.
- ▶ Approve privacy-related policies.
- ▶ Promote privacy awareness.

Every employee shares responsibility for protecting personal information.

Privacy compliance is not solely the responsibility of the Information Officer but a company-wide obligation.

6. INFORMATION OFFICER

Appointment

In accordance with POPIA, MSH Talent shall appoint an Information Officer and where necessary, Deputy Information Officers.

Responsibilities

The Information Officer shall:

Compliance Monitoring

- ▶ Monitor POPIA compliance.
- ▶ Maintain compliance registers.
- ▶ Conduct audits.
- ▶ Review policies.

Regulatory Engagement

- ▶ Liaise with the Information Regulator.
- ▶ Manage investigations.
- ▶ Submit required reports.

Training

- ▶ Conduct awareness campaigns.
- ▶ Facilitate employee training.

Incident Management

- ▶ Investigate breaches.
- ▶ Coordinate response activities.
- ▶ Implement corrective actions.

Record Management

- ▶ Maintain processing records.
- ▶ Maintain breach registers.
- ▶ Maintain consent registers.



7. PERSONAL INFORMATION COLLECTED BY MSH TALENT

As a recruitment business, MSH Talent processes significant volumes of information.

Candidate Information

We may collect:

Identification Information

- ▶ Full names
- ▶ ID numbers
- ▶ Passport numbers
- ▶ Visa details
- ▶ Driver's licence details

Contact Information

- ▶ Email addresses
- ▶ Telephone numbers
- ▶ Residential addresses

Employment Information

- ▶ Cvs
- ▶ Employment history
- ▶ Salary information
- ▶ References
- ▶ Qualifications

Verification Information

- ▶ Criminal checks
- ▶ Qualification verification
- ▶ Credit checks
- ▶ Right-to-work documentation

Recruitment Information

- ▶ Interview notes
- ▶ Assessment results
- ▶ Psychometric testing results
- ▶ Candidate evaluations

8. SPECIAL PERSONAL INFORMATION

Certain information requires enhanced protection.

This includes:

Health Information

Examples:

- ▶ Disability disclosures
- ▶ Medical fitness certificates
- ▶ Occupational health records

Criminal Information

Examples:

- ▶ Criminal background checks
- ▶ Security clearance checks

Biometric Information

Examples:

- ▶ Fingerprints
- ▶ Facial recognition records

Race and Demographic Information

Collected only where required for:

- ▶ Employment Equity reporting
- ▶ B-BBEE reporting
- ▶ Regulatory compliance

9. SOURCES OF PERSONAL INFORMATION

Information may be obtained from:

Directly From Individuals

- ▶ Job applications
- ▶ Website registrations
- ▶ Interviews
- ▶ Email correspondence

Third Parties

- ▶ Referees
- ▶ Former employers
- ▶ Verification agencies
- ▶ Background screening providers

Public Sources

- ▶ LinkedIn profiles
- ▶ Professional networking sites
- ▶ Publicly available databases

Where information is collected indirectly, MSH Talent will ensure lawful processing requirements are met.

10. PURPOSE OF PROCESSING

Personal information is processed for legitimate business purposes.

Recruitment Services

Including:

Candidate sourcing
Talent pooling
Candidate matching
Interview coordination
Placement activities

Employment Administration

Including:

Payroll
Benefits administration
Performance management

Client Relationship Management

Including:

Contract administration
Service delivery
Business development

Compliance

Including:

Employment Equity reporting
Tax compliance
Labour law compliance

11. CONSENT MANAGEMENT

Consent must be:

Voluntary

- ▶ No coercion may be used.

Specific

- ▶ Individuals must understand what they are consenting to.

Informed

- ▶ Clear explanations must be provided.

Recorded

- ▶ Consent records shall be maintained.
- ▶ Candidates may withdraw consent at any time by contacting MSH Talent.

12. DATA SECURITY FRAMEWORK

MSH Talent adopts a layered security approach.

Physical Security Controls

- ▶ Controlled office access
- ▶ Alarm systems
- ▶ Visitor registers
- ▶ Secure storage cabinets
- ▶ CCTV monitoring

Technical Security Controls

- ▶ Firewalls
- ▶ Endpoint protection
- ▶ Encryption
- ▶ VPN access
- ▶ Secure cloud storage
- ▶ Password policies
- ▶ Multi-factor authentication

Administrative Controls

- ▶ Confidentiality agreements
- ▶ Staff training
- ▶ Access control procedures
- ▶ Data classification standards

13. RECRUITMENT DATABASE MANAGEMENT

Candidate databases are one of the company's most valuable assets and require enhanced controls.

The following systems must be used:

- ▶ Pnet
- ▶ Bullhorn
- ▶ Vincere
- ▶ JobAdder

- ▶ Career Junction
- ▶ Glassware
- ▶ LinkedIn Recruiter
- ▶ Internal CRM systems

- ▶ Indeed
- ▶ Reed.UK
- ▶ CV Library
- ▶ Total jobs

Access shall be restricted based on job role and business need.

Candidate records shall not be exported, shared, or transferred without proper authorisation.

14. INTERNATIONAL DATA TRANSFERS

MSH Talent recruits globally and may transfer information internationally.

Transfers may occur to:

UK clients

European clients

Middle East clients

International cloud service providers

Before transferring information internationally, MSH Talent shall ensure:

- ▶ Adequate protection exists.
- ▶ Appropriate contracts are in place.
- ▶ Data subjects have been informed.

15. DATA RETENTION POLICY

Information shall only be retained for as long as necessary.

Candidate Records

Retained for up to 5 years after last meaningful interaction.

Client Records

Retained for contractual and legal purposes.

Employee Records

Retained according to labour and tax legislation.

Once retention periods expire, information shall be securely destroyed.

16. DATA SUBJECT RIGHTS

Individuals have the right to:

Access

Request copies of their information.

Correction

Request corrections to inaccurate information.

Deletion

Request deletion where legally permissible.

Objection

Object to certain processing activities.

Restriction

Request limitations on processing.

Complaint

Lodge complaints with:

Information Regulator South Africa
Information Regulator South Africa

17. PERSONAL INFORMATION BREACHES

A breach includes:

- ▶ Lost laptops
- ▶ Hacked systems
- ▶ Misdirected emails
- ▶ Unauthorised access
- ▶ Data theft

Breach Response Process

Stage 1 - Identification

- ▶ Employee reports incident immediately.

Stage 2 - Containment

- ▶ Prevent further loss or disclosure.

Stage 3 - Investigation

Determine:

- ▶ Cause
- ▶ Impact
- ▶ Scope

Stage 4 - Notification

Notify:

- ▶ Information Officer
- ▶ Information Regulator
- ▶ Affected individuals

Stage 5 - Remediation

- ▶ Implement corrective actions.

18. DIRECT MARKETING POLICY

Marketing communications shall comply with POPIA.

Individuals may:

- ▶ Opt in
- ▶ Opt out
- ▶ Withdraw consent

Marketing lists shall be regularly reviewed.

19. EMPLOYEE CONFIDENTIALITY OBLIGATIONS

All employees shall:

- ▶ Sign confidentiality agreements.
- ▶ Protect personal information.
- ▶ Follow company procedures.
- ▶ Report incidents immediately.

Failure to comply may result in:

- ▶ Disciplinary action
- ▶ Dismissal
- ▶ Legal action

20. POPIA TRAINING PROGRAMME

All staff shall receive training on:

Recruitment Data Handling

- ▶ CV management
- ▶ Candidate consent
- ▶ Client disclosures

Regulatory Compliance

- ▶ POPIA
- ▶ PAIA
- ▶ Employment legislation

Cybersecurity

- ▶ Phishing awareness
- ▶ Password management
- ▶ Secure remote working

Training shall be conducted:

- ▶ During onboarding
- ▶ Annually thereafter
- ▶ Following major regulatory changes

21. MONITORING, AUDITING AND REVIEW

MSH Talent shall conduct:

Annual POPIA audits
Security assessments
Vulnerability reviews

Process reviews
Compliance reporting

Findings shall be reported to management and corrective actions tracked to completion.

22. DISCIPLINARY CONSEQUENCES

Any violation of this policy may result in:

Written warnings
Final warnings
Dismissal

Civil claims
Criminal prosecution

depending on the seriousness of the breach.

23. MANAGEMENT COMMITMENT

MSH Talent is committed to maintaining the highest standards of privacy, confidentiality, ethics, and information security. Protecting personal information is fundamental to maintaining the trust of candidates, clients, employees, and business partners and remains a core part of our corporate governance and operational excellence framework.

Approved By:
Managing Director - MSH Talent (Pty) Ltd

Policy Review Cycle: Annual

Document Classification: Controlled Company Document

Version: 1.0

This policy should be read together with the company's Privacy Notice, Data Retention Policy, Information Security Policy, Candidate Consent Form, PAIA Manual, and Employment Equity Compliance Procedures.