Province of the
EASTERN CAPE
SOCIAL DEVELOPMENT

Beacon Hill Office Park - Corner of Hargreaves Road and Hockley Close – Private Bag X0039 – Bhisho – 5605 – REPUBLIC OF SOUTH AFRICA
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PROTECTION OF PERSONAL INFORMATION ACT(POPIA) COMPLIANCE FRAMEWORK FOR AN EASTERN CAPE DEPARTMENT OF SOCIAL DEVELOPMENT

Regulation 4(1) of the 2018 POPIA regulations which came into effect on 1 May 2021, provides for responsibilities of Information Officers. Amongst the responsibilities imposed on Information Officers regulation 4(1)(b) prescribes that Information Officers must ensure that a Personal Information Impact Assessment (PIIA) is done to ensure that adequate measures and standards exist in order to comply with the conditions for the lawful processing of personal information.

Although the legislation requires such a PIIA, little to no guidance is provided in the legislation as to what such an assessment should look like and how it should function hence the Department decided to develop a corporate impact assessment in order to get a base of POPIA compliance.

However, according to training provided by the Information Regulator of South Africa, the identification, assessment and management of privacy risks is a fundamental component of accountability in POPIA. Understanding the risks in which you process personal information is central to an appropriate and proportionate privacy management framework.

With this background in mind, the Eastern Cape Department of Social Development has developed a POPIA impact assessment tool with the aim of identifying, recording the personal information processed by the Department and then determine the risk exposure of the Department in order to put relevant control measures. In addition, the Department has adopted personal information impact assessment (PIIA) tool from the office of the Premier (OTP) to be used by an individual program/office before embarking on processing any new personal information. A PIIA is an important risk management tool used to enable the identification and recording of personal information and protecting and minimizing the risks.

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. **Objective of this framework**

1. To prepare the Department and programs with the compliance requirements of the POPIA and then comply.
2. To provide guidance on POPIA compliance in relation to program's operational practices and controls.
3. To provide guidance on the establishment of governance controls at a Departmental level and at a program/branch level.
4. To provide guidance on systemic risk issues that cut across the programs and could compromised the Department on POPIA compliance.
5. To provide guidance on information/records management strategy and controls to improve compliance level with applicable legislations.
6. To provide guidance on internal policy reviews at program or branch level and Departmental information management policy to include personal information policy guidance.

Key activities on POPIA compliance framework

The table below has four key activity deliverables of the ECDSD POPIA compliance framework with sub activity deliverables on each key activity deliverable to monitored and can be used for compliance measurement.

	ECDSD POPIA Compliance framework deliverables

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A.	ESTABLISHING A GOVERNANCE FRAMEWORK		
	Task	**Completed: Yes/No/In progress**	**Review/Action**
1.	Register the Information Officer (IO)/Designate or Delegate a Deputy Information Officer/S if required.	Yes	Review annually
2.	IO and Governance champion to develop a compliance framework.	Yes	Review annually
3.	Conduct a personal information impact assessment to determine adequate technical and organizational and measures are put in place.	Yes	Review annually
4.	Ensure that there is a PAIA manual (S14 PAIA Act).	Yes	Review annually
5.	Internal measures are developed together with adequate systems to process requests for information or access.	Yes	Review annually

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	ECDSD POPIA Compliance framework deliverables		
A.	**ESTABLISHING A GOVERNANCE FRAMEWORK**		
	Task	**Completed: Yes/No/In progress**	**Review/Action**
6.	Conduct internal awareness sessions on POPIA, regulations, codes of conduct or information issued by the Regulator.	Yes	Review annually
7.	Ensure that an Organizational Structure clearly identifies operational roles in relation to POPIA practices	Yes	Review annually
8.	Develop Policies and Procedures to give effect to the governance structure.	Yes	Every three years or when a need arises
9.	Ensure that there is a Review Process of all Policies and Procedures.	Yes	Based on Departmental policy framework

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B.	RISK ASSESSMENT		
	Task	**Completed: Yes/No/In progress**	**Review/Action**
1.	Integrate the protection of personal information with risk assessments and risk reporting.	In progress	annually
2.	Undertake an assessment of all processing activities undertaken per division and assess the risks and risk reporting required	In progress	Annually
3. .	Identify risks and identify mitigating measures linked to each processing activity.	In progress	Annually

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C.	RECORDS MANAGEMENT		
	Task	**Completed: Yes/No/In progress**	**Review/Action**
1.	Develop a records management policy which must incorporate the following:		
1.1.	Identify what is a record?	Yes	Every three years
1.2.	Identify records that require additional protection.	Yes	Review annually
1.3.	Retention and disposal periods must be identified.	Yes	Review annually
1.4.	Identify where records will be stored.	Yes	Review annually
1.5.	Assign individuals to implement the records management policy, tools and implementation plan	Yes	Review annually
1.6.	Train staff on information that is to be retained and that which should be disposed of.	Yes	Review annually

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C.	RECORDS MANAGEMENT		
	Task	**Completed: Yes/No/In progress**	**Review/Action**
1.7.	Develop an electronic records and document management system (ERDMS).	Yes	Review Annually
1.8.	The ERDMS must enable access of certain categories of information to select employees, segregate duties to enhance protection of personal information.	Yes	Review Annually
1.9.	Maintain a register of all employees and their corresponding access to information technology systems and records.	Yes	Review Annually
2.	Developing a disaster management and recovery plan and a business continuity policy. Identify personal information and records that need to be backed up.	Yes	Review Annually
3.	Store backups of electronic information and systems offsite.	Yes	Review regularly
4.	Secure Storage, Personal information must be stored securely to prevent unauthorized access.	Yes	Review regularly

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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 organisation, its employees on how to process personal information and align with the conditions for lawful processing and must incorporate the following:	In progress	31 March 2024
2.	Develop a protection of personal information charter	yes	Review Annually
3.	Include protection of personal information in the mission, values and culture of organisation.	In progress	31 March 2024
4.	Require employees to acknowledge and agree to adhere to the protection of personal information/ privacy policies in writing. Target those who are involved in the use of data collection tools.	In progress	31 March 2025
5.	Incorporate principles of ethical governance of personal information.	In progress	31 March 2024
6.	Each processing activity must be identified in terms of the relevant division, job function.	done	Review Annually

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D.	DEVELOP AN INTERNAL POLICY ON THE PROTECTION OF PERSONAL INFORMATION		
	Task	**Completed: Yes/No/In progress**	**Review/Action**
7.	Identify if there is compliance with POPIA in relation to each processing activity.	In progress	Done
8.	Assign individuals to implement the records management policy, tools and implementation plan.	Yes	Done
9.	Categorise the different types of information that is being processed (Personnel, Legal, Financial, Disaster Recovery, Commercial, and Operational).	Yes	31 March 2024
10.	Develop an inventory of personal information.	In progress	Review Annually
11.	Record all processing Activities and maintain a register of each processing activity.	In progress	31 March 2024
12.	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	31 March 2024

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D.	DEVELOP AN INTERNAL POLICY ON THE PROTECTION OF PERSONAL INFORMATION		
	Task	**Completed: Yes/No/In progress**	**Review/Action**
13.	Conduct an audit of all current processes that collect, store, share, correct and delete personal information.	Done	Review Annually
14.	Identify special personal information	Done	Review Annually
15.	Identify all personal information that is processed	Done	Review Annually
16.	Identify how personal information is collected	Done	Review Annually
17.	Identify where personal information is collected, stored and processed	In progress	Review Annually
18.	Identify each person that processes personal information	In progress	Review Annually

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D.	DEVELOP AN INTERNAL POLICY ON THE PROTECTION OF PERSONAL INFORMATION		
	Task	**Completed: Yes/No/In progress**	**Review/Action**
19.	Develop a procedure to enable the data subject to object to the processing of their personal information. (Section 11)	Yes	31 March 2024
20.	Develop a policy on record retention. (Section 14)	Yes	31 March 2024
21.	Develop a policy on information quality to ensure that information is updated and accurate	In progress	31 March 2024
22.	Develop a procedure to deal with the correction and deletion of personal information.	Yes	31 March 2024
23.	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, if the necessary consent was secured, was the personal information collected directly from the data subject.	In progress	31 March 2024
24.	Conduct a process to map all personal information processing	In progress	31 March 2024

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D.	DEVELOP AN INTERNAL POLICY ON THE PROTECTION OF PERSONAL INFORMATION		
	Task	**Completed: Yes/No/In progress**	**Review/Action**
25.	Ensure that the personal information mapping process is reviewed on a regular basis	In progress	Review Annually
26.	Establish a lawful basis for all processing of personal information	Yes	31 March 2024
27.	Develop a framework to establish and assess legitimate interest	In progress	31 March 2024
28.	Document the lawful basis for processing of personal information	In progress	31 March 2024
29.	Establish a register of all consents that have been secured	In progress	31 March 2024

Key role players on the POPIA compliance framework

Key POPIA compliance activities	Key Role players on POPIA Compliance requirements	Review/Action plan

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Establishment of governance framework and corporate governance structures	HOD	Done
Appointment of a Deputy information officers and Governance champion	HOD	Done
Development of POPIA compliance framework	HOD	Done
POPIA awareness sessions with employees	Governance champion and DIO	Done
Implementation of POPIA compliance measures at program/branch level	Each Chief Director	31 March 2024
Addition of POPIA compliance as the strategic risk to all the programs/branches with measures	Director Risk Management unit	31 August 2023
Review of Information and records management strategy to include personal information and life cycle management by an individual office.	Director responsible for records management	Review Annually
Review of Information and records management policy to include POPIA requirements and guidance	Director responsible for records management	31 March 2024
Review of contract management in relation protection of personal information to guide SLAs	Director Legal service unit	31 March 2024

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Development and publication of a Procedures for personal information breach	Deputy Director information security and physical security	31 March 2024
Implementation of a secured storage facility for physical and electronic records and personal information	Director responsible for records Management supported by Director Infrastructure and Director Business application Systems (ICT).	30 September 2024
Quarterly update on consent received from data subjects	Individual Chief Director	31 March 2024
Data subject both internal and external informed of their rights on POPIA	Director Legal service unit	31 March 2024
Data subject's personal information updated	Individual Chief Director	31 March 2024
Existing policies, procedures and tools used during processing of personal information should be reviewed to include controls of protecting personal information.	Individual Chief Director	Review Annually
Implementation of controls to protect special personal information	Individual Chief Director	31 March 2024
Auditing of POPIA compliance by programs/branches to get an assurance	Director Internal audit	Annually

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on the functioning of the control measures.		
Review of ICT tools used during and for processing of personal information to include control measures.	CIO	Annually

Annexures to the framework

- POPIA impact assessment tool
- Personal information impact assessment (PIIA)

This POPIA compliance framework serves as the base guiding document to the Department to achieve a better compliance culture to the POPIA.

Approved/~~Not approved~~

_____ 31/08/2023

MZIMKHULU MACHEMBA (MR.) **DATE**

HEAD OF DEPARTMENT OF SOCIAL DEVELOPMENT EASTERN CAPE