Province of the
EASTERN CAPE
SOCIAL DEVELOPMENT

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**TO : HEAD OF THE DEPARTMENT**
**CC : HEAD OFFICE AND DISTRICT MANAGEMENT**

**FROM : POPIA CORPORATE GOVERNANCE OFFICER**
**DATE : 29 JUNE 2026**

**SUBJECT : ECDSD POPIA COMPLIANCE ASSESSMENT AND PERSONAL INFORMATION IMPACT ASSESSMENT REPORT**

## Purpose of the Report

To inform the Executive Management about the vulnerability of the Department in processing the personal information including the risks and impact on the POPI Act compliance requirements.

## Introduction

The Protection of Personal Information Act (POPIA) governs the way in which organization process the personal information of data subjects.
Section 55, read with Regulation 4(1)(b) requires you to do a Personal Information Impact Assessment (PIIA) before the Department begins any type of processing of personal information. A PIIA should begin early in the life of a project, before you start your processing, and run alongside the planning and development process.
PIIA assists the Department to ensure that adequate measures and standards exist in order to comply with the conditions for the lawful processing of personal information.
This PIIA will assist the Department in addressing the requirements set by Section 55 and Regulation 4.

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The Department has used the self-assessment tool to systematically assess their compliance status with POPIA, identifying areas of strength and areas that may require improvement. This proactive approach enables Department to stay abreast of evolving data protection regulations, mitigate potential risks, and demonstrate a commitment to protecting the privacy rights of data subjects.
In this assessment the covers the Departmental branches, District offices and Departmental institutions that processes personal information.
Personal information impact assessment (PIIA) tool is used to identify compliance with the conditions for lawful processing of Personal Information and used to assess a processing activity which are already being performed including the planned new processing of Personal information.

**The method or approach used to conduct both PIIA and POPIA compliance assessments.**

- Structured interviews questionnaires were used to gather data from different programs representatives/branches and representatives of District programs and representatives from the management of the center/institution.
- Site inspection to different offices was used to verify and to collect the secondary data.
- Verification of personal information based on data collection tools used by the individual program/office.
- Verification of personal information controls the new initiatives or planned projects.

**Participants**

Officials from various offices at the Head office, District offices, Local service office, Service delivery point and at the Departmental institutions.

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**Findings on staff general knowledge about POPI Act:**

- There is no formal understanding (Because not trained or workshopped) of the POPIA in some of the district's offices.
- Some have general knowledge of the act.
- Some have heard about it on social media and other media platforms.
- Some never heard about it and as a result they had no knowledge of it at all.
- Mostly they have never heard of the ECDSD POPIA compliance framework.
- Although they did not know that it is the POPI Act they do apply partially some requirements at intake stage. They suggest the review of intake processes to include POPI act requirements.
    - They do explain the rights of the clients in terms of the POPI Act prior to collecting their personal information.
    - They also do not share their client's personal information with other stakeholders without their client's consent.

**General findings**

I. Most of the operational staff members involved in the collection of personal information are not knowledgeable of the two legislations, POPIA and PAIA.
II. None of the offices have PAIA manuals in their entrances, receptions or waiting areas where the public enter a department's buildings.
III. There are no registries in most LSO, SDP and Institutions for officials to keep their files.
IV. Where there are cabinets or table drawers most of them are not lockable.
V. Officials have no choice but to keep files in these cabinets or table drawers which are not locked because they have nowhere else to keep them.
VI. Libode is the one of the SDP with an official registry (locked storage) but with no personnel, but it is not properly managed as files are not properly filed and it is not always kept locked. They complained that their challenge is because there is no registry clerk to manage the registry.

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VII. Sterkspruit LSO and SDP there are no registry clerks and no knowledge about POPIA, PAIA and cyber security.
VIII. Flagstaff has a storeroom which they also use to keep their files, but it is also not locked.
IX. Lulama Futshane and Qumbu CYCCs do not have enough storage for files and formal registry with clerks. Social workers keep their files. They need workshop on the two Legislations.
X. Earnest Malgas does have lockable storage but needs workshop on the legislation.
XI. Protea place of safety does not have a formal registry and needs workshop on the two legislations and on cyber security.
XII. Most of District program managers, LSO managers and supervisors at SDP and management in the centers are not aware of the POPI act, POPIA compliance framework, PAIA, cyber security and ICT security policies.
XIII. No data privacy policy that guides the processing of personal data and special personal data/information in the Department.
XIV. The absence of registry clerks or lack of registry capacity has resulted to non-compliant with Archives Act, POPI act and Departmental records management policy.
XV. The Lack formal registries in most of the offices include lockable physical document storage therefore, there is no guarantee that the files/information cannot be stolen or destroyed or fall into the wrong hands.

**How the files are kept by the officials with no offices space to work from:**

Officials reported that because they must do their work and render service delivery to their clients, some consult their clients in their cars and end up taking the file to their homes in the boots of their cars.

Some work in their nearest ECDSD offices where they face the challenge of overcrowding as they join the offices which are already occupied by the office officials.

They complained that the privacy with their clients is not up to the acceptable standard but, there is nothing they can do because this is caused by the unavailability of offices for them to work from.

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**Identify and assess risks (table 1)**

| **Describe source of risk and nature of potential impact on individuals.** | **Likelihood of harm** | **Severity of harm** | **Overall risk** |
|---|---|---|---|
| For each category of personal information identified, provide feedback as described to the right:<br><br>1. Clients/beneficiaries<br>2. Employees<br>3. Service providers and NPOs<br>4.external partners<br>5. oversight bodies | Remote, possible or probable:<br><br>1. Possible<br>2. Possible<br>3. Possible<br><br>4. possible<br>5.Possible | Minimal, significant or severe:<br><br>1. Minimal<br>2. Significant<br>3. significant<br><br>4. minimal<br>5. minimal | Low, medium or high:<br><br>1. Low<br>2. Medium<br>3. medium<br><br>4. low<br>5. low |

**Identify measures to reduce risk**

| **Identify additional measures you could take to reduce or eliminate risks identified as medium or high risk identified above on table 1** | | | |
|---|---|---|---|
| **Options to reduce or eliminate risk** | **Effect on risk** | **Residual risk** | **Measure approved by Information** |

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| | | | |
|---|---|---|---|
| | | | **Officer** |
| **Describe the steps you will take to reduce or eliminate the risk:**<br><br>a) Alarmed office<br>b) Locked office<br>c) Locked cabinet<br>d) Bigger and secure records storage<br>e) CCTV cameras<br>f) Educate officials through awareness on POPI Act and Privacy policy and Records management policy<br>g) Disposal of unnecessary records in accordance with policy<br>h) Signed operational agreement with relevant service providers and NPOs | Eliminated<br>reduced<br>accepted<br>Reduced | Low medium<br>high<br>Low | Yes, to be approved<br>Yes |

**RECOMMENDATIONS:**

1) Systemic risk issues that cut across the programs could compromise the Department on POPIA compliance and therefore Personal information risk should be lifted to the level of a strategic risk register in the Department.
2) The department needs to have a proper registry for each operational office guided by the Head office Main registry. This should be led by Executive Management for resourcing.

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3) Operational Management and staff need to be workshopped continuously on POPIA, PAIA, cyber security and records management processes. This should be led by ISS branch and District management.
4) Finalize the review of records management policy and Privacy policy
5) The Department should consider investing on modernize records management practices to better improve compliance.
6) Prioritize the purchase of lockable cabinets as an interim for each office dealing with clients' confidential information. Led by Facilities unit. These cabinets must be a temporal measure where the registries are not yet built.

Sign off and Personal information Impact assessment report

| Item | Names | Notes |
|---|---|---|
| Measures approved by: | Mr. M. Machemba<br>Information Officer | |
| Residual risks approved by: | Mr. M. Machemba<br>Information Officer | |

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Compiled by
Mncedisi Gazi

26/06/2026
Date:----------

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Approved/Not Approved
Head of the Department

29/06/2026
Date:----------