

## **MULUMA'S PRIVACY POLICY**

### **1. PURPOSE OF THIS PROCEDURE DOCUMENT**

This is the privacy policy of Muluma Advisory Services (Pty) Ltd *Trading as* Muluma Management Consulting Group (Pty) Ltd, registration number 2019/164764/07.

This policy details how we collect, store, protect and use personal information – that is information that can be used to identify an individual or a company (juristic person) – in connection with the services we may offer through [www.muluma.co.za](http://www.muluma.co.za) website (referred to as the “Site”) and through your dealings with us (referred to as the “Services”).

### **2. AUDIENCE**

Personal information submitted to us by using this Site or our Services is governed by this Privacy Policy.

### **3. AS THE OPERATOR OR PROCESSOR**

- 3.1 Where we have been contracted by another company, such as your employer or a company you are dealing with directly.
- 3.2 Please be aware that we are not the entity responsible for making decisions on your data, but instead are rendering services to the company that you are dealing with directly.
- 3.3 Please refer to the Privacy Policy of the company you are dealing with in these cases.

### **4. AS THE CONTROLLER OR RESPONSIBLE PARTY**

- 4.1 Where you are dealing with us directly by means of our Services or Site, this Privacy Policy applies.
- 4.2 You are not required to provide us with any personal information when using the Site, unless you choose to engage with us in a manner that requires us to have your information (such as by subscribing to our newsletter or enquiring about our Services).
- 4.3 Should you engage us for our Services, you will be required to provide further information as detailed in this Privacy Policy.

### **5 WHAT IS PERSONAL INFORMATION?**

Personal information includes:

- a. certain information that is collected automatically when you visit our website,
- b. certain information collected on engaging our services;



- c. certain information collected on submission; and
- d. optional information that you provide to us voluntarily.
- e. Additional information captured on the website that does not classify as personal information may also be collected and processed, including but not limited to:
  - anonymised information,
  - de-identified information that cannot be associated with an individual,
  - statistical information,
  - information that is public knowledge, which has been publicly and voluntarily disclosed.

## 6 WHO IS PROCESSING YOUR DATA?

In the case that we are the Data Controller or Responsible Party, then data processing is processed by us, an entity incorporated within the laws of South Africa, registration number 2019/164764/07, with the following contact details:

Muluma Advisory Services (Pty) Ltd *Trading as* Muluma Management Consulting Group (Pty) Ltd

Unit 10 Stanford Office Park

12 Bauhinia Street

Highveld Technopark

Centurion

0157

General Email: [[info@muluma.co.za](mailto:info@muluma.co.za)]

Data Related Queries: [[Paula@muluma.co.za](mailto:Paula@muluma.co.za)]

## 7 WHAT ARE WE PROCESSING AND WHY?

7.1 There are various ways in which we may process your data.

7.2 This section details our purposes for processing, our legal basis for the processing, and our storage periods.

7.3 We will only process your data after obtaining your written consent. You are free to withdraw your consent at any time.

7.4 We may process your data with your consent for the following purposes:

- a. Electronic communications, such as subscribing to our mailing list or by contacting us via a form or email address upon the Site.
- b. Cookies, to grant you a personalised experience when dealing with us. You may decline the installation of cookies; however, this may affect the functionality of our website or prevent you from using the Site entirely. If you opt out of using cookies, we may store a single cookie in order to remember this preference.



- c. For website analytics, storing details such as your IP address, bounce rate, page time, cost per click, most visited pages, and device information. These tracking cookies may be declined at any time.
- d. For promotional campaigns, in which case additional information may be volunteered by you in order to participate in the promotion or to receive a delivery.
- e. We will process your data when we have to perform a contract; for as long as the contractual relationship is in place, and for the said contract 5 years following the end of the relationship.
- f. In order to fulfil our obligations to you in terms of the Services you have engaged us for, we will need to process your data.
- g. We may also process your data in terms of legitimate interest, as long as the data being processed is strictly necessary, proportional, and does not infringe on your individual rights to privacy.

7.5 Processing may take place in terms of the following necessary scenarios:

- a. To monitor and analyse how to improve our Service and/or our Site, as well as to keep the same secure and free from abuse. This may include communications such as surveys or direct electronic communications.
- b. To keep active communications with you while you are our contracted client. Certain communications are necessary during delivery of our Services, and we have a legitimate interest in keeping you informed about our Services.
- c. We will collect information directly from any data subject which relates to the terms of the agreement unless otherwise instructed not to in writing.
- d. The collection of this data from data subject will be governed by data collection requirements set out in this agreement.

## 8 WHERE IS YOUR DATA PROCESSED?

- 8.1 In some cases, your information may be stored and processed outside of the country or region where it was originally collected in order to complete our obligations to you.
- 8.2 In some of these countries, you may have fewer rights in respect of your information than you do in your country of residence these rights will be made available to you in writing for your approval including the privacy laws that govern those states will be made available to you in writing.
- 8.3 Your agreement to the terms of this Privacy Policy, followed by your submission of information in connection with our Services, represents your agreement to this cross-border transfer of personal data.
- 8.4 In the case that personal information (including personal information, special personal information and children's personal information) needs to be processed outside the



primary region which is South Africa you will be notified in writing in which Jurisdiction the operator will process your information.

8.5 Our primary region for storing and process data is South Africa.

## **9 WHO ELSE WILL HAVE ACCESS TO YOUR PERSONAL INFORMATION?**

- 9.1 We may share your information with our service providers and processors in order to deliver the Services to you.
- 9.2 These will often be providers that offer solutions for hosting, marketing and other business critical operations.
- 9.3 In the case of third parties processing data we will obtain written consent from you before, we require that any third parties processing data must comply with our internal standards, policies, technical and organisational measures, ensuring that your data is protected and remains confidential.
- 9.4 We will only share data in accordance with this Privacy Policy and with approved and contractually appointed third parties.
- 9.5 When you authorise us to do so, we may also share your data with other companies so that they can process the data for other purposes, as explained in more detail when we request your prior consent.
- 9.6 In addition, if you provide consent for the installation of cookies, your data may be processed by third parties.
- 9.7 These cookies are subject to the third parties' respective Privacy Policies.
- 9.8 Where necessary and compelled by authorities to do so, we may share your information with law enforcement and competent courts.
- 9.9 We may also share your information where we have to take legal action to protect our, or third-party rights.
- 9.10 We will not sell your information. Our contracts dictate that third-party service providers may not use your information for their own benefit or for any services other than those requested by us.

## **10 HOW ARE WE PROCESSING YOUR DATA?**

- 10.1 We will only process personal data as a result of the provision of our Services, or in operating our Site. These instructions are included in our standard Terms and Conditions and engagement contracts.
- 10.2 Should we have reason to believe that your instructions infringe on data protection regulation, we will inform you promptly.
- 10.3 We will ensure that our employees are subject to confidentiality agreements and any statutory privacy obligations.
- 10.4 To provide you with the Services, we may need to use other service providers, as well as hire new providers in the future.



- 10.5 Those companies will only process the data to the extent necessary to render the Services, and we will enter into written agreements with them to make sure that said companies comply with the obligations included in this Privacy Policy and implement all necessary security measures to ensure adequate protection of the data.
- 10.6 In the event that we should change upstream service providers that are involved in providing you with Services, or where we may need to hire additional companies to provide the Services, you have the right to reasonably oppose such an appointment.
- 10.7 Such opposition shall be addressed on a case-by-case basis in accordance with the appropriate data protection regulation.
- 10.8 We will implement appropriate technical and organisational measures to ensure a level of security appropriate to the risk.
- 10.9 At your request and expense and taking into account the nature of processing and the information available to us, we shall reasonably assist you in compliance with the security obligations set forth by data protection regulation.
- 10.10 A list of our sub processors is available on request and is included in our Data Processing Agreements.
- 10.11 Upon termination of your services, we will delete your personal data, on all our cloud services and destroy and physical data in our possession and provided a destruction certificate unless otherwise required for a statutory requirement, our contract with you, or as per the retention periods set out in this Privacy Policy.
- 10.12 In the event that personal information is required to be returned we will return all personal information within reasonable time this will include any information that was processed by a third party in terms of the contract.
- 10.13 In the event that the data subjects require access, correction or deletion or object to the processing of their personal information this will be disclosed to the client and client will follow necessary action with regards to the terms of their access to information manual.

## **11 WHAT HAPPENS IN THE EVENT OF A BREACH?**

- 11.1 In the event of a confirmed breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, we shall promptly assess the risk to people's rights and freedoms and without undue delay report this breach to the appropriate authorities, controllers, responsible parties, and subjects as required by law.
- 11.2 We will cooperate with you and take such reasonable commercial steps as are directed by you to assist in the investigation, mitigation, and remediation of each such data breach.
- 11.3 Any material breach to this privacy policy will be communicated within 1 hour of the suspected breach in writing or telephonically to impacted/affected stakeholders; Muluma



Advisory Services t/a Muluma Management Consulting Group (Pty) Ltd is aware that any material breach of privacy is liable to a fine of up to R 1 million rand and/or imprisonment.

- 11.4 Necessary investigations will be conducted in line with the company's incident response plan and necessary feedback provided.
- 11.5 In the event that the suspected breach is in relation to a data subject only the client will be allowed to contact their data subject and follow their own internal investigation and inform the Information regulator.
- 11.6 In the event of a forensic investigation the client will be allowed to fully participate in the investigation and allowed to use their own team.

## 12 YOUR RIGHTS

- 12.1 You have the right to request access to, and rectification or erasure of your personal information.
- 12.2 You may also restrict processing, or object to processing in accordance with relevant data protection regulation.
- 12.3 In cases where consent was given, you have the right to withdraw consent at any time.
- 12.4 If you do request that your information is deleted, and should your request be accepted, all information will be permanently erased, except for information that we are required to keep by law or by other exception in line with data privacy regulation.
- 12.5 You may exercise your rights at any time by lodging a request with our Information Officer at [Paula@muluma.co.za](mailto:Paula@muluma.co.za).

## 13. UPDATING YOUR INFORMATION

- 13.1 You may update your information in writing at any time by submitting a support request or sending an email to our Information Officer at [[Paula@muluma.co.za](mailto:Paula@muluma.co.za)].
- 13.2 Please remember that it is your duty to keep information updated so we can correctly provide you with the Services, and you undertake to verify the information you have handed us from time to time to make sure that it is accurate.

## 14 CHANGES TO THIS POLICY

- 14.1 This policy may be updated from time to time. You may be required to accept the updated Privacy Policy in order to keep using our Services.
- 14.2 Alternatively, we may post non-material changes to this Privacy Policy on our website, with a notice advising of the effective date of the changes.
- 14.3 We may notify you of material changes to the Privacy Policy by email (or otherwise) prior to the effective date of the changes.



## **15 SECURITY SAFEGUARDS**

- 15.1 After hours the main Office is locked and only Muluma employees have the keys.
- 15.2 Personal information is stored in a locked filing cabinet with the key held by one authorised employee.
- 15.3 All information is stored on the cloud which only authorised employees have access.
- 15.4 Only authorised personnel have access to certain folders on the share drive.
- 15.5 A monthly security safeguard report should be generated by the IO and signed of by the management any security gaps identified should be closed off before the next report is generated.
- 15.6 All processes put in place to close any security safeguard gaps should be properly documented and available for review.