

MALANS FACTORY SHOP (PTY) LTD

PRIVACY POLICY

July 2021

Malan's Factory Shop (Pty) Ltd | Privacy policy

Effective date: 1 July 2021

Malan's Factory Shop (Pty) Ltd is committed to protecting the privacy of personal information of our data subjects. The information you share with us as a data subject allows us to provide you with the best experience with our products and services, or as a stakeholder of Malan's Factory Shop (Pty) Ltd.

It is important that you take all necessary and appropriate steps to protect your data yourself (for example, by ensuring that all passwords and access codes are kept secure).

Malan's Factory Shop (Pty) Ltd has dedicated policies and procedures in place to protect all personal information collected and processed by us. Please read below for more information on how we collect, process, use and disclose personal information.

Registered address: 41 Island Street,
Paarl,
Western Cape
7646

Information officer contact details: Henriëtte Goosen (021) 872 8868

Collection of data

Personal data may either be collected directly from you, as data subject, or it may be collected from other sources such as:

- a) From your employing company
- b) Legislative or company documents
- c) Entity representatives

Where information is not collected directly from you as a data subject, we will take reasonable steps to inform you of the fact that the information was collected and will be processed.

You must not send us personal information about someone else without first getting his or her consent for it to be used and disclosed in the ways set out in this terms and conditions. This is because we will assume he or she has consented although we may still ask for confirmation from them. Where you do give us information about someone else, or someone else discloses a connection with you, that information may be taken into account with your other personal information.

Prospective employees

In applying for a position at Malan’s Factory Shop (Pty) Ltd you may provide us with personal information as part of the application process. We may also obtain personal information while performing the required background check, reference check and credit check if relevant.

The personal information that may be obtained during this process is as follows:

Personal information	Purpose for processing
Contact information such as: name, e-mail address, telephone number, and location.	To contact and address the applicant.
Education information such as: education history, previous employer, references (views and opinions of others), professional memberships, and affiliations.	To determine qualifications and work experience. To perform the necessary reference checks.
Other: language, date of birth, and location.	To determine seniority, preferred communication language, and geographical placement.

Employees

Malan’s Factory Shop (Pty) Ltd must process personal information of their employees for various legal and employment purposes. The information that will be processed is as follows:

Personal information	Purpose for processing
Personal details such as: full name, ID document, telephone number, e-mail address, physical address, gender, and race.	To contact and identify data subject and for employment equity purposes.
Employment Details such as: job title, office location, employment contract, training information, performance and disciplinary records, and leave records.	To conclude a contract with the employee, keep records of work progress, leave entitlement and general employment terms.

Financial information such as: bank details, tax number, and salary information.	For payroll purposes
Education History and Employment history	To determine credentials and person-job fit

Clients

In order for us to provide you with the best service, we need to collect and process personal information from you as a customer. This information will consist of the following:

Personal information	Purpose for processing
Contact information such as: name, telephone number, physical address, e-mail address, postal address, and language.	For correspondence, identification purposes and to determine client's language preference for communication.
Financial Information such as: VAT number and bank details.	Professional obligation, to enable us to invoice for services rendered or goods purchased.

Malan's Factory Shop (Pty) Ltd will always keep your personal information confidential, however, you agree and consent that Malan's Factory Shop (Pty) Ltd may:

- a) Communicate with you electronically in relation with the service or product being provided (e-mail, fax, telephone or through any other relevant or secured electronic platform);
- b) Obtain any relevant personal information, from any person or institution, necessary to comply with the agreement between you and Malan's Factory Shop (Pty) Ltd;
- c) Obtain credit information from any person or institution where necessary;
- d) Verify the information provided herein and to contact other third party for purposes of the same;
- e) Disclose personal information to regulatory or government agencies in accordance with the relevant legislation or directive;
- f) Use personal information to market new or other products of the company which may be suitable or relevant to you.

Individuals screened for COVID 19

The personal information collected is necessary to comply with the COVID 19 screening as required by the Disaster Management Act and supplementary regulations and directives. This information will be kept confidential unless disclosure is required by law, e.g., should a positive case be identified. This information will be stored and destroyed as soon as it is no longer needed. If you do not provide the information as required, we can limit or refuse you access to our premises.

CCTV Monitoring

The premises of Malan's Factory Shop (Pty) Ltd are monitored by CCTV footage. This footage is only processed for security purposes and not shared with any person or entity outside the company. CCTV footage is retained for a period of three months after which it is destroyed.

Consent

Where the legal basis for us processing your personal information is consent as above, it will be included in the contract or agreement concluded with you. This consent may be withdrawn at any time; however, this withdrawal of consent will not make processing we undertook before your withdrawal unlawful. You will not suffer any detriment for withdrawing your consent.

You may withdraw your consent by contacting our information officer, whose details are provided at the beginning of the privacy policy.

Where the legal basis for processing is for the proper performance of the contract, and you fail to provide us with the information or request us to stop processing this information, it may create limitations on our performance of the contract or agreement.

Sharing information

In processing your personal information, we may share it with third party processors under an operator's agreement. These include but are not limited to:

- a) Payment processors;
- b) Email management and distribution tools;
- c) Data storage providers;
- d) Server hosts.

As an operator, these service providers will not be able to process or use your data for any reason other than to provide the service as required by us. They also need to implement proper safeguards to ensure the personal information is always secured.

Information transfers

In some cases, the third parties to whom Malan's Factory Shop (Pty) Ltd may disclose your Personal Information may be located outside your country of residence (for example, in a cloud service, system or server), and may be subject to different privacy regimes.

Where required by applicable law, when Malan's Factory Shop (Pty) Ltd discloses Personal Information overseas, it will ensure appropriate safeguards are in place to require that your Personal Information will remain protected and that the recipient will handle the information in a manner consistent with this Policy and POPIA.

Retention

Malan's Factory Shop (Pty) Ltd is required to comply with various different legislative retention periods, which leads to different retention requirements. Your personal information will be kept for no longer than is necessary for compliance or other legitimate business purposes.

Your legal rights

You have the following rights under the Protection of Personal Information Act:

- a) Request access to your personal information;
- b) Request a correction or deletion of personal information;
- c) Object to the processing of personal information;
- d) Lodge a complaint to the Information Regulator.

If you want to exercise any of the rights described above or are dissatisfied with the way we have used your personal information, please contact the information officer.

Changes to this policy

This policy may change from time to time. The latest effective date will be highlighted at the start of the privacy policy.