



Privacy Statement

Office of the Ombudsman for the City of Johannesburg



1 Introduction

- 1.1 This is the Privacy Statement of the Office of the Ombudsman for the City of Johannesburg's (Office) website, available at www.joburgombudsman.org.za (Website), which applies to your personal information.
- 1.2 The Office respects privacy rights and complies with all laws in respect of the handling of all personal information, including collection, use, storage, sharing and disposal.
- 1.3 This Privacy Statement aims to help you understand how the Office handles personal information when you use the Website.
- 1.4 This Privacy Statement does not apply to any third party websites which may be accessible through links on the Website. The Office makes no representations or warranties about the privacy practices of any third party and does not accept any responsibility for the privacy practices of, or content displayed on, third party websites. Third party website providers are responsible for informing you about their own privacy practices.

2 Changes to Privacy Statement

The Office reviews its policies regularly and occasionally may need to change or update them. Any updated versions of this Privacy Statement will be posted on the Website and will be effective from the date of posting. Where practical, and at the Office's discretion, notice of the change will be displayed on the Website. This Privacy Statement was last reviewed and updated on 14 February 2018.

3 What personal information does the Office handle?

- 3.1 When used in this Privacy Statement, the term "personal information" has the meaning given to it in the *Protection of Personal Information Act, 2013 (POPI)*. Generally speaking, personal information is any information that can be used to personally identify a natural or juristic person.
- 3.2 The Office collects personal information when you communicate with the Office or provide information to it, including by lodging a complaint with the Office or by providing information in any other way to the Office.

4 How does the Office collect your personal information?

- 4.1 The Office collects your personal information directly from you in the following ways:
 - (1) through your access to and use of the Website;
 - (2) when you lodge a complaint with the Office;



(3) when you communicate with the Office in any other way; and

(4) when you have an employment or business relationship with the Office.

4.2 The Office also collects your personal information from the relevant departments and municipal entities of the City of Johannesburg Metropolitan Municipality, any public information sources and other third parties such as the South African Human Rights Commission and the Office of the Public Protector.

5 **What happens if the Office is not permitted to collect your personal information?**

If you do not provide the Office with your personal information where the Office requires it, the Office may not be able to accept your complaint or this may restrict the dealings of the Office with you.

6 **For what purposes does the Office handle your personal information?**

The Office collects your personal information and handles it for the purposes of:

- (1) accepting and investigating any complaints that you lodge or which are lodged on your behalf;
- (2) meeting legal or other regulatory obligations imposed on it;
- (3) updating its records;
- (4) processing and responding to any queries from you;
- (5) conducting its operations;
- (6) conducting surveys; and
- (7) commencement and maintenance of employment and business relationships.

7 **Who does the Office disclose your personal information to?**

7.1 The Office may disclose your personal information to:

- (1) its employees (including those of the City of Johannesburg Metropolitan Municipality), affiliates, contractors or third party service providers in connection with its operations and the services that it provides to you;
- (2) its insurers and professional advisors, including its accountants, business advisors and consultants;



(3) law enforcement or regulatory bodies as required by law or for the purposes of assisting you; and

(4) any other juristic or natural person for any authorised purpose with your express consent.

7.2 The Office undertakes never to sell your personal information.

8 **Does the Office disclose your personal information to anyone outside South Africa?**

8.1 Your personal information may need to be transferred to, or stored with, the Office's third party suppliers and service providers, such as hosting or information technology service providers, located outside of South Africa for some of the purposes listed above.

8.2 Where your personal information is transferred outside of South Africa, your rights will continue to be respected and the Office will take all reasonable steps to ensure transferred personal information is kept secure and receives a similar level of protection as that which it receives in South Africa.

9 **Security and data quality**

9.1 The Office may hold your personal information in either electronic or hard copy form. In both cases the Office takes reasonable and appropriate steps to ensure that the personal information is protected from misuse and loss and from unauthorised access, modification or disclosure.

9.2 Personal information is deleted, destroyed or de-identified when no longer needed or when the Office is no longer required by law to retain it (whichever is the later).

10 **How can you access and correct your personal information?**

10.1 You have the right to contact the Office at any time requesting:

(1) confirmation that it has your personal information;

(2) access to the records containing your personal information or a description of the personal information that it holds about you; and

(3) the identity or categories of third parties who have had, or currently have, access to your personal information.

10.2 When making a request the Office requires adequate proof of identity which will include providing a certified copy of identity / registration documents.

10.3 The Office will try to provide you with suitable means of accessing information, where you are entitled to it, by for example, posting or emailing it to you.



- 10.4 There may be instances where the Office cannot grant you access to your personal information. For example, if your access would interfere with the privacy of others or would result in a breach of confidentiality, the Office may need to refuse access. If the Office refuses access, it will give written reasons for its refusal.
- 10.5 If you believe that any personal information that the Office holds about you is inaccurate, irrelevant, outdated, incomplete or misleading, you may request the Office to correct it. If you believe that any personal information that the Office holds about you is excessive or has been unlawfully obtained or that the Office is no longer authorised to retain the information, you may request that the Office destroys or deletes it. The Office will consider if the information requires correction, deletion or destruction and if the Office does not agree that there are grounds for action, you may request that the Office adds a note to the personal information stating that you disagree with it.
- 10.6 The Office may charge a reasonable fee to cover its administrative and other reasonable costs in providing the information to you. The Office will not charge for simply making the request or for making any corrections to the personal information.

11 Unlawful access to your personal information

- 11.1 If you believe that your personal information has been unlawfully accessed or acquired, you may contact the Office using the contact information below and provide details of the incident so that the Office can investigate it.
- 11.2 The Office will treat your complaints confidentially (unless otherwise required by law), investigate those complaints and aim to ensure that those complaints are resolved within a reasonable time.

12 Indemnity

- 12.1 You must ensure that you are permitted to provide the information that you do to the Office.
- 12.2 The Office and its employees or agents will not be liable for, and you indemnify and hold the Office harmless against, any loss or harm, direct, indirect or consequential, arising from, or connected to the use of your personal information or the disclosure to the Office of your or any third party's personal information by you. **[This means that if you provide your or another person's personal information to the Office, the Office and its employees and agents will not be responsible to you for any loss or harm that arises. Instead, you will be responsible.]**

13 Changes to personal information

Should your personal information change, please inform the Office and provide it with all changes as soon as reasonably possible to enable it to update the personal information.



14 **Contact information**

If you have any questions about this Privacy Statement, you may contact the Office using the details set out below.

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Email: Lolly.Mphaga@joburgombudsman.org.za