

We Are Creative (Pty) Ltd t/a Star Films Privacy Policy in terms of the Protection of Personal Information Act, No. 4 2013 (South Africa)	
Organisation	We Are Creative (Pty) Ltd t/a Star Films
Scope of policy	This policy applies to the business of We Are Creative (Pty) Ltd wherever it is conducted, but based at the registered office. It applies to paid staff, current suppliers and customers.
Policy operational date	17/06/2021
Policy prepared by	Adam Thal
Date approved by Information Officer	01/07/2021
Next policy review date	August 2022
Introduction	
Purpose of policy	<p>The purpose of this policy is to enable Star Films to:</p> <ul style="list-style-type: none"> <li>• comply with the law in respect of the data it holds about individuals;</li> <li>• follow good practice;</li> <li>• protect Star Films staff and other individuals</li> <li>• protect the organisation from the consequences of a breach of its responsibilities.</li> </ul>
Personal information	This policy applies to information relating to identifiable individuals, in terms of the Protection of Personal Information Act, 2013 (hereinafter POPI Act).

<p>Policy statement</p>	<p>Star Films will:</p> <ul style="list-style-type: none"> <li>• comply with both the law and good practice</li> <li>• respect individuals' rights</li> <li>• be open and honest with individuals whose data is held</li> <li>• provide training and support for staff who handle personal data, so that they can act confidently and consistently</li> </ul>
	<p>Star Films recognises that its first priority under the POPI Act is to avoid causing harm to individuals. In the main this means:</p> <ul style="list-style-type: none"> <li>• keeping information securely in the right hands, and</li> <li>• retention of good quality information.</li> </ul> <p>Secondly, the Act aims to ensure that the legitimate concerns of individuals about the ways in which their data may be used are taken into account. In addition to being open and transparent, Star Films will seek to give individuals as much choice as is possible and reasonable over what data is held and how it is used.</p>
<p>Key risks</p>	<p>Star Films has identified the following potential key risks, which this policy is designed to address:</p> <ul style="list-style-type: none"> <li>• Breach of confidentiality (information being given out inappropriately)</li> <li>• Insufficient clarity about the range of uses to which data will be put — leading to Data Subjects being insufficiently informed</li> <li>• Failure to offer choice about data use when appropriate</li> <li>• Breach of security by allowing unauthorised access</li> <li>• Harm to individuals if personal data is not up to date</li> <li>• Data Operator contracts</li> </ul>
<p>Information Officer Responsibilities</p>	

<p>Scope</p>	<p>The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 1, and Chapter 5, Part B.</p>
<p>Information Officer Responsibilities</p>	<p>The Information Officer has the following responsibilities:</p> <ul style="list-style-type: none"> <li>• Developing, publishing and maintaining a POPI Policy which addresses all relevant provisions of the POPI Act, including but not limited to the following:</li> <li>• Reviewing the POPI Act and periodic updates as published</li> <li>• Ensuring that periodic communication awareness on POPI Act responsibilities takes place</li> <li>• Ensuring that Privacy Notices for internal and external purposes are developed and published</li> <li>• Handling data subject access requests</li> <li>• Approving unusual or controversial disclosures of personal data</li> <li>• Approving contracts with Data Operators</li> <li>• Ensuring that appropriate policies and controls are in place for ensuring the Information Quality of personal information</li> <li>• Ensuring that appropriate Security Safeguards in line with the POPI Act for personal information are in place</li> <li>• Handling all aspects of relationship with the Regulator as foreseen in the POPI Act</li> </ul> <p>Provide direction to any Deputy Information Officer if and when appointed</p>

Processing Limitation	
<p>Scope</p>	<p>The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 2.</p>
<p>Processing Limitation</p>	<p>Star Films undertakes to comply with the POPI Act, Conditions 2 in terms of processing limitation, sections 9 to 12, subject to the following stipulation (Forms of Consent).</p>

Forms of consent	Star Films undertakes to gain written consent where appropriate; alternatively a recording must be kept of verbal consent.
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Purpose specification	
Scope	The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 3.

Further processing limitation	
Purpose specification	Star Films undertakes to comply with the POPI Act, Conditions 2 in terms of processing limitation, sections 13 and 14, subject to the following stipulation (Retention periods).
Further processing limitation	
Scope	The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 4.
Further processing limitation	Star Films undertakes to comply with the POPI Act, Conditions 2 in terms of processing limitation, section 15.

Information quality	
Scope	The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 5.  Star Films will comply with all of the aspects of Condition 5, section 16.

<p>Accuracy</p>	<p>Star Films will regularly review its procedures for ensuring that its records remain accurate and consistent and, in particular:</p> <ul style="list-style-type: none"> <li>• Data on any individual will be held in as few places as necessary, and all staff will be discouraged from establishing unnecessary additional data sets.</li> <li>• Effective procedures will be in place so that all relevant systems are updated when information about any individual changes.</li> <li>• Staff who keep more detailed information about individuals will be given additional guidance on accuracy in record keeping.</li> </ul>
<p>Updating</p>	<p>Star Films will review all personal information on an annual basis in August of each year.</p>
<p>Archiving</p>	<p>Only information and accounts for SARS purposes are archived on-site... All other information is discarded either electronically or shredded after the completion of the specific project.</p>
<p>Openness</p>	
<p>Scope</p>	<p>The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 6.</p>

<p>Openness</p>	<p>In line with Conditions 6 and 8 of the Act, Star Films is committed to ensuring that in principle Data Subjects are aware that their data is being processed and</p> <ul style="list-style-type: none"> <li>• for what purpose it is being processed; •</li> <li>what types of disclosure are likely; and</li> <li>• how to exercise their rights in relation to the data.</li> </ul>
<p>Procedure</p>	<p>Whenever data is collected, the number of mandatory fields will be kept to a minimum and Data Subjects will be informed which fields are mandatory and why.</p>

<p>Security Safeguards</p>	
<p>Scope</p>	<p>The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 7, section 19 to 22.</p> <p>This section of the policy only addresses security issues relating to personal information. It does not cover security of the building, business continuity or any other aspect of security.</p>
<p>Specific risks</p>	<p>Star Films has identified the following risks:</p> <ul style="list-style-type: none"> <li>• Staff with access to personal information could misuse it.</li> <li>• Staff may be tricked into giving away information, either about customers / member or colleagues, especially over the phone, through “social engineering”.</li> </ul>

Security measures	Star Films will ensure that all necessary controls are in place in terms of access to personal information.
Business continuity	Star Films will ensure that adequate steps are taken to provide business continuity in the event of an emergency.
Data Subject participation	
Scope	The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 8, sections 23 to 25.
Responsibility	Any subject access requests will be handled by the POPI Act Information Officer in terms of Condition 8.

Procedure for making request	<p>Subject access requests must be in writing. All staff are required to pass on anything which might be a subject access request to the POPI Act Information Officer without delay.</p> <p>Requests for access to personal information will be handled in compliance with the POPI Act and in compliance with the Promotion of Access to Information Act (PAIA</p>
Procedure for granting access	Procedures for access to personal information will be handled in compliance with the PAIA Act.
Processing of Special Personal Information	
Scope	The scope of this aspect of the policy is defined by the provisions of the POPI Act, Part B, sections 26 to 33.

<p>Processing of Special Personal Information</p>	<p>Star Films has the policy of adhering to the process of Special Personal Information which relates to the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a data subject.</p> <p>Special personal information includes criminal behaviour relating to alleged offences or proceedings dealing with alleged offences.</p> <p>Unless a general authorisation, alternatively a specific authorisation relating to the different types of special personal information applies, a responsible party is prohibited from processing special personal information.</p>
<p>Processing of Personal Information of Children</p>	

<p>Scope</p>	<p>The scope of this aspect of the policy is defined by the provisions of the POPI Act, Part C, sections 34 and 35.</p>
<p>Processing of Personal Information of Children</p>	<p>Star Films has the policy of adhering to the process of Special Personal Information of children. This applies to under-18 individuals, so an age check is required for all personal information records.</p> <p>General authorisation concerning personal information of children only applies where under-18 are involved.</p>
<p>Prior Authorisation</p>	
<p>Scope</p>	<p>The scope of this aspect of the policy is defined by the provisions of the POPI Act, Chapter 6.</p>

Prior Authorisation	Star Films has the policy of adhering to the process of Prior Authorisation in terms of sections 57 to 59.
Direct Marketing, Directories and Automated Decision Making	
Scope	The scope of this aspect of the policy is defined by the provisions of the POPI Act, Chapter 8.
Direct Marketing, Directories and Automated Decision Making	Star Films undertakes to comply with the POPI Act Chapter 8, sections 69 to 71.
Opting in	Whenever data is first collected which might be used for any marketing purpose, this purpose will be made clear, and the Data Subject will be given a clear opportunity to opt in.

Electronic contact	Whenever e-mail addresses are collected, any future use for marketing will be identified, and the provision of the address made optional.
Staff training & acceptance of responsibilities	
Scope	The scope of this aspect of the policy is written in support of the provisions of the POPI Act, Chapter 5, Part B.
Induction	The Star Films Information Officer will ensure that all staff who have access to any kind of personal information will have their responsibilities outlined during their induction procedures.
Continuing training	Star Films will provide opportunities for staff to explore POPI Act issues through training, team meetings, and supervisions.

Procedure for staff signifying acceptance of policy	Star Films will ensure that all staff sign acceptance of this policy once they have had a chance to understand the policy and their responsibilities in terms of the policy and the POPI Act.
Policy review	
Responsibility	The Star Films Information Officer is responsible for an annual review to be completed prior to the policy anniversary date.
Procedure	The Star Films Information Officer will ensure relevant stakeholders are consulted as part of the annual review to be completed prior to the policy anniversary date.

## APPENDIX: STAR FILMS PRIVACY NOTICE

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## Introduction

We respect the privacy of everyone who visits this website. As a result we would like to inform you regarding the way we would use your Personal Information. We recommend you to read this Customer Privacy Notice and Consent so that you understand our approach towards the use of your Personal Information. By submitting your Personal Information to us, you will be treated as having given your permission – where necessary and appropriate – for disclosures referred to in this policy. By using this web site, you acknowledge that you have reviewed the terms of this Customer Privacy Notice and Consent to Use of Personal Information (the “Customer Privacy Notice and Consent”) and agree that we may collect, use and transfer your Personal Information in accordance therewith.

This Customer Privacy Notice and Consent forms part of our Terms and Conditions of Use and such shall be governed by and construed in accordance with the laws of South Africa. This Notice explains how we obtain, use and disclose your personal information, as is required by the Protection of Personal Information Act, 2013 (POPI Act). At Star Films we are committed to protecting your privacy and to ensure that your Personal Information is collected and used properly, lawfully and openly.

## Who we are

Star Films is an established company that specialises in the audio visual production industry.

Our specialities are television commercial production and audio visual content related to the advertising and marketing industries.

We have been in operation since 2003.

## Collection of Personal Information

We collect and process your Personal Information mainly to provide information packs for each project. The type of information we collect will depend on the purpose for which it is collected and used. We will only collect information that we need for that purpose.

## How we use your information

We will use your Personal Information only for the purposes for which it was collected or agreed with you, for example:

- In connection with legal proceedings
- Call sheets for productions
- Payments (made and received) for accounts purposes

- To assist with business development
- To carry out our obligations arising from any contracts entered into between you and us
- To conduct market or customer satisfaction research or for statistical analysis
- To confirm and verify your identity or to verify that you are an authorised customer for security purposes
- To respond to your queries or comments
- We will also use your Personal Information to comply with legal and regulatory requirements or industry codes to which we subscribe or which apply to us, or when it is otherwise allowed by law.
- Where we collect Personal Information for a specific purpose, we will not keep it for longer than is necessary to fulfil that purpose, unless we have to keep it for legitimate business or legal reasons. In order to protect information from accidental or malicious destruction, when we delete information from our services we may not immediately delete residual copies from our servers or remove information from our backup systems.

#### Personal Information Security

We are legally obliged to provide adequate protection for the Personal Information we hold and to stop unauthorised access and use of personal information. We will, on an on-going basis, continue to review our security controls and related processes to ensure that your Personal Information is secure.

Our security policies and procedures cover:

- Acceptable usage of personal information;
- Access to personal information;
- Computer and network security;
- Governance and regulatory issues;
- Investigating and reacting to security incidents.
- Monitoring access and usage of personal information;
- Physical security;
- Retention and disposal of information;
- Secure communications;
- Security in contracting out activities or functions;

When we contract with third parties, we impose appropriate security, privacy and confidentiality obligations on them to ensure that Personal Information that we remain responsible for, is kept secure.

We will ensure that anyone to whom we pass your Personal Information agrees to treat your information with the same level of protection as we are obliged to.



#### Access to your Personal Information

You have the right to request a copy of the Personal Information we hold about you. To do this, simply contact us at the numbers/addresses listed on our home page and specify what information you would like. We will take all reasonable steps to confirm your identity before providing details of your personal information.

#### Correction of your Personal Information

You have the right to ask us to update, correct or delete your personal information. We will take all reasonable steps to confirm your identity before making changes to Personal Information we may hold about you. We would appreciate it if you would take the necessary steps to keep your Personal Information accurate and up-to-date by notifying us of any changes we need to be aware of.

#### Definition of Personal Information

According to the POPI Act "Personal Information" means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person.

#### Changes to this notice

Please note that we may amend this notice from time to time. Please check our website periodically to inform yourself of any changes.

#### How to contact us

If you have any queries about this notice or believe we have not adhered to it, or need further information about our privacy practices or wish to give or withdraw consent, exercise preferences or access or correct your personal information, please contact us at the numbers/addresses listed on our website [www.starfilms.tv](http://www.starfilms.tv).