



Province of the
EASTERN CAPE
COOPERATIVE GOVERNANCE
& TRADITIONAL AFFAIRS

PRIVACY POLICY

2025

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Date Completed	
Date of Approval	
Date For Next Review	2029
Related Policies	Protection of Personal Information Policy;

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SIGN OFF

1. Head of Department

This Policy on the Privacy has been recommended by Mr. V. Mlokothe in his capacity as Head of Department for the Eastern Cape Department of Cooperative Governance and Traditional Affairs. I am satisfied and concur with the contents of this Policy.

The development of the policy on Privacy will ensure that the department is able to protect personal information of data subjects in compliance with the Protection of Personal Information Act, 2013.

Recommended	
Designation	Head of Department
Date	24th December 2025

2. Executive Authority

The Department of Cooperative Governance and Traditional Affairs is statutorily required to process personal information in a manner prescribed by 8 conditions set out in chapter 3 of the Protection of Personal Information Act, 2013.

I therefore trust that the guidance from Privacy Policy will contribute to the lawful processing of Personal information by the Department.

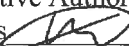
Signed	
Designation	MEC: Honourable Mr. Z. A. Williams for the Eastern Cape Department of Cooperative Governance and Traditional Affairs
Date	21 - 01 - 2026

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1. PREAMBLE

The right to privacy is an integral human right recognised and protected in the South African Constitution and in the Protection of Personal Information Act (No 4 of 2013) (POPIA). POPIA promotes the protection of privacy by providing guiding principles that must be applied to the processing of personal information.

As a public body (as described in section 1 of POPIA), the Eastern Cape Cooperative Governance and Traditional Affairs (ECCOGTA) must ensure that whilst it performs a public function, the personal information of its stakeholders is protected and lawfully processed.

This policy explains how we obtain, process and disclose the personal information of individuals and juristic persons in accordance with the requirements of the Protection of Personal Information Act ("POPIA").

2. PURPOSE OF POLICY

The purpose of the policy is to –

- (a) To give effect to the constitutional right to privacy, by safeguarding personal information when processed by a responsible party, subject to justifiable limitations that are aimed at-
 - (i) balancing the right to privacy against other rights, particularly the right of access to information;”

3. POLICY OBJECTIVES

The objectives of this policy are: -

- 3.1 To promote the protection of personal information being processed by the department and to introduce certain conditions for the lawful processing of personal information.

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- 3.2 To inform data subjects how the department deals with the personal information they provide, among other things, for accessing the ECCOGTA website and operational requirements.

4. APPLICATION AND SCOPE

The provisions of this policy shall apply to all employees and decision makers involved in the handling of personal information in the department.

5. DEFINITIONS AND TERMS

Terms and definitions that will be used throughout the policy that need clarification for the reader can also include any keywords, technical terms and abbreviations that may be used in this document.

WORD/TERM	DEFINITION
Consent	means any voluntary, specific and informed expression of will in terms of which permission is given for the processing of personal information.
Data Subject	means the person to whom personal information relates.
Personal information	means information relating to an identifiable, living, natural person, and where applicable, an identifiable, existing juristic person, including, but not limited to- (a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person; (b) information relating to the education or the medical, financial, criminal or employment history of the person; (c) any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other assignment to the person;

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	(d) the biometric information of that person; (e) the personal opinions, views or preferences of the person; (f) correspondence sent by the that implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence; (g) the views or opinions of another individual about the person; and (h) the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about that person.
POPIA	means Protection of Personal Information Act 4 of 2013
Processing	means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including- (a) the collection, receipt, recording, organisation, collation, storage, updating or modifications, re-trieval, alteration, consultation or use; (b) dissemination by means of transmission, distribution or making available in any other form; or (c) merging, linking, as well as restriction, degradation, erasure or destruction of information.
Record	means any recorded information- (a) regardless of form or medium, including any of the following- (i) writing on any material; (ii) information produced, recorded or stored by means of any tape-recorder, computer equipment, whether hardware or software or both, or other device, and any material subsequently derived from information so produced, recorded or stored; (iii) label, marking or other writing that identifies or describes anything of which it forms part or to which it is attached by any means;

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	(iv) book, map, plan, graph or drawing; (v) photograph, film, negative, tape or other device in which one or more visual images are embedded so as to be capable, with or without the aid of some other equipment, of being reproduced; (b) in the possession or under control of a responsible party; (c) whether or not it was created by a responsible party; and (d) regardless of when it came into existence.
Information Officer	as defined by the Promotion of Access to Information Act 2 of 2000, is the Head of Department.
Information Regulator	means the Information Regulator established in terms of section 29 of the Protection of Personal Information Act 4 of 2013.
Responsible party	means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information.

6. LEGAL FRAMEWORK

- 6.1 Constitution of the Republic of South Africa, 1996
- 6.2 Protection of Personal Information Act 4 of 2013
- 6.3 Promotion of Access to Information Act 2 of 2000
- 6.4 Public Service Act, 1994 (Proclamation 103 of 1994) and regulations

7. POLICY PRINCIPLES

7.1 Accountability

The department acknowledges that it is accountable to the data subjects by ensuring that their rights are respected and protected and that their personal information may not be processed in a manner that is inconsistent with the Constitution and legislation.

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7.2 Confidentiality

The Departmental staff must, both during and after term of their employment in the department, treat as confidential the personal information which comes to their knowledge in the course of performance of their official duties, except if such information is required by law.

7.3 Respect for the Rule of Law

The department acknowledges its Constitutional obligation as an organ of State to only exercise public power if it is authorised by law to do so. In so far as it relates to personal information at its disposal, the department undertakes to respect the Constitutional right to privacy and observe the lawful conditions for processing of personal information.

8. POLICY STATEMENT

- 8.1. The department is committed to protecting the personal information of its employees, service providers, public office bearers and clients accessing our website.
- 8.2. The department will adhere to the principles as outlined in Section 51 of the Electronic Communications and Transactions Act, 2002 and the provisions contained in the Protection of Personal Information Act, 2013 (Act No: 4 of 2013) (POPI Act) with regards to protecting the information amongst others on its website and other electronic databases within its control.
- 8.3 In line with these principles, the department undertakes to:
 - (a) Obtain permission to process data subject's personal information;
 - (b) Inform data subject, upon request, of the specific purpose for which we process their personal information;
 - (c) Only use data subject's personal information for the purpose for which it was obtained and not for any other purpose;
 - (d) Only retain data subject personal information for as long as we are legally required to do so.

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- (e) Safeguard data subject personal information in line with the provision of the Act.

9. THE PROCESSING OF DATA SUBJECT'S PERSONAL INFORMATION

- 9.1. The processing of personal information includes, inter alia: collecting, storing, using, receiving, erasing, destroying, backing up, transmitting, changing, organising, and sharing of data subject personal information.
- 9.2. The department collects personally identifiable information, such as data subject's name, email address, home or work address or telephone number, district, province, gender, age, race, results of learners, etc.
- 9.3. The provisions of clause 10.5 of chapter 5 of the Minimum Information Security Standards may apply in so far as the personal information concerned is classified as sensitive.

10. PURPOSE OF COLLECTING DATA SUBJECT'S PERSONAL INFORMATION

The department collects and uses personal information for research, recruitment, assessment of programme intervention and support and procurement.

11. EXEMPTIONS

- 11.1. Section 38 of POPIA provides for exemptions in terms of POPIA, in respect of certain functions of a public body.
- 11.2. The exempted functions referred to above, relate to the following:
- (a) The data subject's right to object to the processing of personal information, in terms of section 11(3) and (4).
- 11.3. The exemption is to the extent to which the application of those provisions to the personal information would be likely to prejudice the proper discharge of that function. In the context of the department, exemption, indicates that the provision of personal information to ECCOGTA is necessary and mandatory for ECCOGTA to perform its functions as legislated.

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11.4. The department may be exempted from the obligation to ensure that personal information is collected directly from the data subject, in terms of section 12 and may collect personal information of data subjects from other sources other than the data subject.

11.5 The exemption may further relate to the requirement that further processing must be compatible with the purpose of initial collection, in terms of section 15. The department is required to maintain its data for historical purposes (amongst others), which allows for collected personal information to be retained and processed further if required.

11.6 The requirement to notify data subjects when collecting personal information in terms of section 18. The department is not required to notify data subjects when collecting personal information due to the impracticality thereof, thus, data subjects are required to provide consent to collect and process personal information, and the POPIA manual will serve as a general notification of collection, processing, and disclosure of personal information.

12. REASONS FOR COLLECTION AND RETENTION OF PERSONAL INFORMATION:

12.1. To gather contact information of an identifiable, living, natural person and where applicable an identifiable, existing juristic person (contractors or service providers).

12.2. To confirm and verify the identity of a natural person (ID numbers) or juristic person (registration numbers) or to verify that a person (i.e. third parties) is an authorized user of the ECCOGTA's systems, processes, website, etc.

12.3. To conduct trend analysis, statistical purposes and historical research or to allow for such research activities to be conducted making use of the ECCOGTA data.

12.4. For audit and record keeping purposes.

12.5. To provide collected information in connection with legal proceedings and in the prevention, detection, and prosecution of offences.

13. DISCLOSURE OF DATA SUBJECT'S PERSONAL INFORMATION TO THIRD PARTIES

13.1. Data subject personal information shall be kept confidential at all times and may only be disclosed to ECCOGTA, employees in the District Support Centres and government departments and oversight bodies as may be legally required.

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13.2. ECCOGTA has agreements and security measures in place to ensure that all third parties to whom personal information of data subjects is disclosed comply with the terms and provisions of the POPI Act. ECCOGTA will ensure that third parties fully understand the duties and obligations they become encumbered with in retaining the privacy and integrity of personal information.

14. MEASURES TO ENSURE SECURITY OF PERSONAL INFORMATION

- 14.1. Due to the nature of the internet, information submitted to the ECCOGTA website, may not be secure, unless submitted by or through a secure connection. The department however has reasonable security measures in place to protect Personal Information of data subjects.
- 14.2. Our security measures are in place to protect data subject's personal information from being accessed or acquired by any unauthorised person.

15. ACCESS TO DATA SUBJECT'S PERSONAL INFORMATION

- 15.1. Data subjects may contact ECCOGTA to enquire what personal information we hold for them. The Department shall make the information available to the data subjects at their request and after reasonable satisfaction that they have confirmed identity.

16. CHANGE TO PERSONAL INFORMATION OF DATA SUBJECTS

- 16.1. The POPI Act requires that all personal information stored must be accurate and updated. Data subjects may update, correct, amend, or delete their personal information at any time. It must be noted that before any changes to the personal information are made, reasonable steps to confirm identity of data subjects will be confirmed.

17. RIGHT TO LODGE A COMPLAINT

In terms of section 18(h)(v) of the Protection of Personal Information Act, 2013, data subjects have the right to lodge a complaint to the Information Regulator South Africa (IRSA). The IRSA contact details are as follows:

<https://info regulator.org.za/>

JD House, 27 Stiemens Street, Braamfontein,

Johannesburg, 2001.

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Phone: Email: enquiries@info regulator.org.za

18. MONITORING AND REPORTING

- 18.1. The Information Officer and /or Deputy Information Officer will monitor implementation of this policy and provide reports as may be required by relevant bodies, including but not limited to, the Audit Committee, Office of the Premier and the Information Regulator.

19. COMMITMENT AND CONSEQUENCES OF NON-COMPLIANCE

- 19.1 Protection of Personal Information of data subjects in the department is the responsibility of all responsible parties and this requires a collective and collaborative effort.
- 19.2 Commitment by all departmental employees is imperative because consequences of non- compliance may result in a serious reputational damage, litigation, and severe penalties by the Information regulator.
- 19.3 The department must therefore capacitate staff and management on the protection of personal information.
- 19.4 Where there is non-compliance with the requirements of this policy, disciplinary action shall be considered in accordance with the applicable disciplinary code.

20. COMMUNICATION OF THE POLICY

The Privacy Policy must be communicated to all staff members by placing it in the intranet, issuing circulars and ongoing advocacy sessions.

21. REVIEW OF THE POLICY

The policy must be reviewed every five years or as and when there are developments in POPIA and its regulations, guidelines and codes of conduct issued by the Regulator.

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22. DATE OF EFFECT AND APPROVAL

Privacy Policy will become effective upon approval by the Executive Authority.

23. VERSION CONTROL AND CHANGE HISTORY

Version Control	Date Effective	Approved By	Amendment

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