

Human Resources Privacy Notice

C1 - PUBLIC

Document approval

Version	Change	Product Owner	DPO	Managing Executive	Date	Approved version (PDF)
v1	Original	Jenni van der Merwe	Gareth Nell	n/a	Feb 22, 2023	HR Privacy Notice.pdf
v2	Add PAIA reporting mechanisms as per https://infoeregulator.org.za/paia-forms/	Jenni van der Merwe	Ricky Farrer	n/a	Mar 19, 2024	

19 March 2024

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Privacy Notice

DocuSigned by:


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Data Controller

Mezzanine Ware RF (Pty) Ltd is the controller of the personal data that you (the data subject) provide us. Once you consent to the collection of your personal data through engaging with our recruitment and employment processes, we collect the below-listed types of personal data from you the data subject.

The use and storage of your data are processed in accordance with this privacy notice.

Data Processing

Purpose of Processing

The processing of data is used for recruitment, contracting, and/or Employment Equity (EE) and Broad-Based Black Economic Empowerment (BBEE) reporting purposes at Mezzanine Head Office, South Africa.

Legal Basis for Processing

The legal basis for the processing of the personal data of the data subject is:

- processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- processing is necessary for compliance with a legal obligation to which the controller is subject; The applicable legislation is the Basic Conditions of Employment Act, No 75 of 1997, Basic Conditions of Employment Amendment Act, No 7 of 2018, Employment Equity Act, No 55 of 1998, Employment Equity Amendment Act, No 47 of 2013, Broad-based Black Economic Empowerment Act, No 53 of 2003, and Broad-Based Black Economic Empowerment Amendment Act, No 46 of 2013.

The applicable Union Laws or Member State laws necessary for compliance with a legal obligation to which the controller is subject or necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller are:

- Basic Conditions of Employment Act, No 75 of 1997, and Basic Conditions of Employment Amendment Act, No 7 of 2018, Keeping written particulars of employment.
- Employment Equity Act, No 55 of 1998, and Employment Equity Amendment Act, No 47 of 2013, Submission of Employment Equity report to the Director-General of the Department of Labour.
- Broad-based Black Economic Empowerment Act, No 53 of 2003, and Broad-Based Black Economic Empowerment Amendment Act, No 46 of 2013, Promotion of transformation.

Where special category personal data is required the legal basis is:

- Consent, or
- processing is necessary for the establishment, exercise, or defence of a right or obligation in law: Employment Equity Act, No 55 of 1998, Employment Equity Amendment Act, No 47 of 2013, Broad-based Black Economic Empowerment Act, No 53 of 2003, and Broad-Based Black Economic Empowerment Amendment Act, No 46 of 2013.

Voluntary or Mandatory Provision of Personal Data

The personal data listed in section "Provision of Personal Data" is mandatory based on the below-listed laws or regulations.

- Basic Conditions of Employment Act, No 75 of 1997.
- Basic Conditions of Employment Amendment Act, No 7 of 2018.
- Employment Equity Act, No 55 of 1998.
- Employment Equity Amendment Act, No 47 of 2013.
- Broad-based Black Economic Empowerment Act, No 53 of 2003.
- Broad-Based Black Economic Empowerment Amendment Act, No 46 of 2013.

The personal data listed in section "Provision of Personal Data" is mandatory for the fulfilment of the product or service (contract) to which the data subject has or is applying for.

Provision of Personal Data

Once you consent (or due to the legal basis listed above) to the collection of your personal data through the use of this product we collect the below-listed types of personal data from you the data subject.

- First name, last name/surname, maiden name
- Email address
- Phone number
- Date of birth
- Address
- Citizenship
- Gender
- Title
- ID Number
- Banking Details
- Information about Customer's Creditworthiness
- Copy of) Driving License
- (Copy of) Identity Card
- (Copy of) Passport
- (Copy of) Residence Permit
- Education

- Employment Status and Employment History
- Records of Criminal Convictions
- Disability
- Marital Status
- Record of Ethnicity
- Taxpayer Identification Number
- Passport number
- Employee number

Consequences of failure to provide information

The consequences of failure to provide the personal data listed in section "Provision of Personal Data" is not being able to be employed or contracted by the Controller.

Data Transfer

Personal Data Recipients

In the event that it is necessary to transfer personal information of the data subject to a third party the data subject shall be informed of the appropriate steps taken based on the lawfulness of processing.

The personal data of the data subject will be processed by the below-listed recipients.

- EmpowerLogic (Pty) Ltd, South Africa
- Internal Employees on need to know basis
- M3 Human Capital, South Africa
- Vodacom SA (Pty) Ltd, South Africa

Personal Data Storage

The period for which the personal data will be stored is six (6) years after the termination of the data subject's employment or relationship with the Employer (or Company) for any reason.

Automated Decision-Making

The processing activities do not include automated decision-making.

Source of Personal Data

The personal information of the data subject was lawfully obtained from the below-listed sources.

- Data Subject
- Employment status, employment history and Qualification; LinkedIn, Offerzen and recruitment agencies
- Record of criminal conviction; MIE

Data Subject Rights

Data subjects have the below-listed rights with regards to the personal data of the data subject.

- Right of access to information regarding the purposes of the processing, the categories of personal data concerned, the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations, where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period.
- Right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing.
- Right to lodge a complaint with a supervisory authority.
- Right to any available information as to their source where the personal data are not collected from the data subject.
- Right to be informed of the existence of automated decision-making, including profiling, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.
- Right to be informed of the appropriate safeguards where personal data are transferred to a third country or to an international organization.
- Right to be provided with a copy of the personal data undergoing processing.
- Right to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal.
- Right to object to processing of personal information.
- Right to be informed that and what personal information has been collected when not collected from the data subject.
- Right to be informed that and what personal information has been accessed or acquired by an unauthorized person as well as security compromises.

Data Subject Complaints

In the event that you wish to complain about how we have handled your personal data, please contact the Data Protection Officer at data-protection-officer@mezzanineware.com or in writing at Suite 173, Private Bag x14, Die Boord, 7613. Our Data Protection Officer will then look into your complaint and work with you to resolve the matter.

If you still feel that your personal data has not been handled appropriately according to the law, you can contact the [Information Regulator: South Africa](#) (POPIA) or the relevant Supervisory Authority (GDPR) of your region.

As per the Promotion of Access to Information Act (PAIA) the Information Regulator forms may be used to make various requests as is the right of the data subject. See [PAIA Forms](#).

PAIA form options include:

- Form 01: [Request for a Guide from the Regulator](#) [Regulation 2]
- Form 01: [Request for a Copy of the Guide from an Information Officer](#) [Regulations 3]
- Form 02: [Request for Access to Record](#) [Regulation 7]
- Form 03: [Outcome of request and of fees payable](#) [Regulation 8]
- Form 04: [Internal Appeal Form](#) [Regulation 9]
- Form 05: [Complaint Form](#) [Regulation 10]
- Form 13: [PAIA Request for Compliance Assessment Form](#) [Regulation 14(1)]