

The Sanlam Unity Umbrella Fund and the Protection of Personal Information Act (POPIA), 2013

June 2022

Frequently Asked Questions (FAQ)

Is the Sanlam Unity Umbrella Fund POPIA compliant?

Yes, the Fund is compliant with POPIA. Please note that for the purposes of the Q&A the Sanlam Umbrella Pension Fund, Sanlam Umbrella Provident Fund and the Sanlam Unity Umbrella Fund are collectively referred to as the Sanlam Umbrella Fund or the Fund.

Will the Sanlam Umbrella Fund (the Fund) and its sponsor and administrator Sanlam (Sanlam) adhere to the eight conditions of lawful processing?

Yes, the Fund and Sanlam adheres to the eight conditions of lawful processing set out in POPIA namely:

- ① **Accountability:**
The Fund *complies with and adheres to POPIA.*
- ② **Processing Limitation:**
The Fund *processes personal information only where a legitimate basis exists, in a fair, lawful, and non-excessive manner.*
- ③ **Purpose Specification:**
The Fund *only processes personal information for a specific, explicitly defined and lawful purpose. Records of personal information are not retained any longer than is necessary for achieving this purpose.*
- ④ **Further Processing limitation:**
The Fund *does not process personal information for a secondary purpose unless that secondary purpose is in accordance with or compatible with the original purpose or authorised by POPIA.*
- ⑤ **Information Quality:**
The Fund *makes every reasonable effort to ensure that the personal information processed is complete, accurate, up to date and not misleading. The Fund relies on other role players to do the same when submitting personal information.*
- ⑥ **Openness:**
The Fund *ensures that data subjects are aware of the processing of their personal information, including the source and purpose of its collection.*
- ⑦ **Security Safeguards:**
The *integrity and confidentiality of personal information is protected by taking appropriate, reasonable technical and organisational measures.*
- ⑧ **Data Subject Participation:**
The Fund *ensures that data subjects have access to their personal information (and may request the deletion or correction of their personal information).*



What are the legitimate bases on which the Sanlam Unity Umbrella Fund relies in processing personal information?

The Fund only processes personal information when one of the following legitimate bases applies:

- ① Processing is necessary to carry out actions for the conclusion or performance of a contract to which the data subject is party;
- ① Processing complies with an obligation imposed by law on the responsible party;
- ① Processing protects a legitimate interest of the data subject;
- ① Processing is necessary for pursuing the legitimate interests of the responsible party or of a third party to whom the information is supplied;
- ① The data subject (or a competent person where the data subject is a child) consents to the processing.

Does the Sanlam Unity Umbrella Fund process special personal information or personal information of children, and if so, what additional measures will the Fund be taking when processing this information?

Yes, there are instances where we process this type of information in performing our contractual obligations or in accordance with legal and regulatory requirements. The Fund will only process special personal information where there is a legitimate basis to do so. For example:

- ① Children's information will be processed in respect of insurance cover and beneficiaries, beneficiary nominations, beneficiary fund administration and Section 37C administrative activities; and
- ① A member's health information will be processed in the administration of insurance underwriting, death, and disability claims.

This information is processed by function-specific teams and as it is categorised as sensitive information. Significant additional security is in place for the processing of this information.

Does the Sanlam Unity Umbrella Fund store any personal information using cloud storage? If so, what measures have been taken to comply with POPIA?

Yes, Sanlam, as the Fund's administrator, stores some personal information on cloud storage solutions. Sanlam is constantly enhancing its technology infrastructure to remain sustainable, advance service offerings and improve efficiencies. All technology infrastructure, including cloud-based processing and storage, has been deemed suitable for use and has undergone rigorous governance and risk assessments to ensure adherence to all regulatory requirements. All their technology infrastructure adheres to their information security requirements.

Does the Sanlam Unity Umbrella Fund transfer personal information outside of South Africa?

Personal information will generally be processed in South Africa. However, in certain circumstances, unless contractually agreed otherwise, Sanlam may transfer personal information to countries outside of South Africa, provided that the recipient is subject to a law, binding corporate rules or binding agreement which effectively upholds the principles for lawful processing of personal information as contained in POPIA, and such law, binding corporate rules or binding agreement contains similar restrictions to further cross-border transfers as those contained in POPIA.

If an intended foreign recipient of personal information is not subject to any such law, binding corporate rules or binding agreement, Sanlam on behalf of the Fund will obtain the consent of the data subject prior to transferring the personal information to the third party. Where Sanlam transfers personal information to third parties outside of South Africa, it will do so only in accordance with, and in the fulfilment of its contract with the responsible party unless otherwise required or permitted by law.



How will the Sanlam Unity Umbrella Fund and Sanlam ensure that the quality of the personal information you hold is good enough for the purposes for which it was collected, that it is complete, accurate, not misleading, and updated where necessary?

The quality of information is both a factor of the input from the provider of the information (such as the members, and employers) and the steps taken in the actual processing of the information. Whilst the Fund makes every reasonable effort to ensure that the personal information processed is complete, accurate and not misleading, it relies on other role players to do the same when submitting personal information to the Fund. Sanlam also performs limited system validation checks to ensure the accuracy of personal information and all documentation has been checked and updated according to the plain language principle.

Has the Sanlam Unity Umbrella Fund identified any instances in which the Fund must obtain prior authorisation from the Information Regulator to process personal information?

No.

Does the Sanlam Unity Umbrella Fund or Sanlam map or document the activities it performs for clients, and does the mapping or documentation include information about the requirements in terms of POPIA?

Yes, to both questions. All processes were revisited end-to-end bearing POPIA requirements in mind. Sanlam also performs an annual ISAE 3402 Type II assessment on processes relating to retirement fund administration.

Have you performed a privacy impact assessment?

Yes.

Have you amended your compliance programme to manage privacy risks?

Yes, confidentiality of data has always been a priority and formed part of compliance programmes to manage privacy risks. These programmes have been enhanced to take POPIA requirements into account.

Does the Sanlam Unity Umbrella Fund or Sanlam outsource any of its activities? If so, to whom has Sanlam outsourced and what security measures has Sanlam put in place to ensure personal information is treated confidentially?

Yes, the Fund outsources a large number of its activities to third parties (for example, administration, investment and insurance). Sanlam as administrator outsources some of the functions delegated to it by the Fund to third parties (for example, printing of benefit statements). Before outsourcing, risk assessments are conducted to ensure that the vendors have appropriate controls in place to safeguard personal information. The Fund and Sanlam also ensures that contracts with service providers require them to secure the integrity and confidentiality of personal information by taking appropriate, reasonable technical and organisational measures to prevent loss of, damage to or unauthorised destruction of personal information and the unlawful access to or processing of personal information.

Does the Sanlam Unity Umbrella Fund or Sanlam provide personal information to anyone other than the office bearers, legally appointed service providers or statutory authority of a client?

In addition to the service providers that form part of the contracted value chain, personal information is only provided to the client's appointed service providers to fulfil their contractual obligations, where written evidence of such appointment is provided to Sanlam. Similarly, personal information is provided to office bearers of a client, in accordance with legislation and/or to statutory authorities.

Are there any activities that the Sanlam Unity Umbrella Fund performs (where personal information is processed) that are not provided for in the agreement(s) with the retirement fund or employer? No.



What security measures are in place in relation to processes where bank account numbers are collected on hardcopy forms?

In the limited cases where we receive a hardcopy form, the document is scanned and indexed, and the original is either filed securely or shredded (depending on the type of document and contract with the client).

How and when are data breaches reported?

Sanlam's Information Security department has dedicated teams who monitor activities on their network and devices on a continuous basis. This includes the monitoring and response to potential cyber threats and internal activities that may be suspicious.

Sanlam's breach process complies with the requirements of POPIA. When a personal information data breach occurs within Sanlam, this will be reported as soon as reasonably possible to the Sanlam Incidence Response Committee (IRC). The breach will be recorded and fully investigated via a crisis protocol and process. The IRC will inform the Fund's Information Officer and will ensure that a breach is contained and managed in an effective and efficient manner. Breaches will be reported to the regulator and other responsible parties (where Sanlam is the operator) as required.

Where a breach occurs at the Fund level the Fund's Information Officer will ensure that a breach is contained and managed in an effective and efficient manner and will report to the regulator and other parties as required.

Does the Sanlam Unity Umbrella Fund or Sanlam have a process in place to handle data subject participation (DSP) requests and how does this process work?

Yes. A formal request in terms of POPIA or PAIA (as the case may be) may be submitted to the Fund via the existing channels. Once a formal request has been received, this will be directed to a DSP process where it will be managed as required by the provisions of POPIA. Where the Fund is the responsible party, requests for correction, deletion or destruction of personal information will be considered and feedback will be provided to the data subject.

Does the Sanlam Unity Umbrella Fund or Sanlam have policies, manual and other formal documentations in relation to POPIA and PAIA?

Yes.

Does Sanlam employ appropriate, reasonable technical and organisational measures to prevent loss of, damage to or unauthorised destruction of personal information and unlawful access to or processing of personal information?

Yes. Sanlam has a formal Information Security Strategy, inclusive of cybercrime prevention measures. The strategy is driven and governed by the Sanlam Group Office. The execution of the controls and preventative processes are coordinated and executed by Sanlam's Group Technology and Information division. Governance is managed via several governance forums (representing all the businesses in the Sanlam Group) that report quarterly to the Group Office and the Sanlam Board. The strong focus on governance ensures that the business culture is aligned with the structures put in place to secure the information we manage. Sanlam also performs an annual ISAE 3402 Type II assessment on processes relating to retirement fund administration.

Has the Sanlam Unity Umbrella Fund and the Sanlam employees been trained on POPIA and its requirements?

Yes. Sanlam has leveraged its internal training capabilities to provide both training and regular awareness and updates to employees and Fund Officials. This was supplemented with additional external training sessions for key employees to ensure the principles of POPIA are entrenched in all levels of the organisation. These initiatives are ongoing, with regular training and awareness planned going forward. POPIA is not just about complying with legislation. It is also about a company's privacy culture.



What are some practical measures that the Sanlam Unity Umbrella Fund or Sanlam has put in place to ensure POPIA compliance?

The Fund and Sanlam have implemented various measures to ensure we comply with POPIA, including:

- ① Appointed Information Officers.
- ① Reviewed and updated all our contracts to ensure compliance with POPIA.
- ① Reviewed all our forms, communications and digital channels and updated where necessary to ensure we are aligned with requirements of POPIA.
- ① Enhanced privacy notices to inform data subjects how and why their personal information is/will be processed.
- ① Enhanced our existing system processes and data security controls to ensure compliance, within a rapidly changing technological environment.
- ① Ensured the legal justification for the processing of personal information is clearly established.
- ① Enhanced existing processes for data subjects to access and review their personal information held by the Fund and Sanlam.
- ① Enhanced our existing data breach processes.
- ① Increased awareness and training among staff and Fund Officials about the regulatory requirements and enhancing a data privacy culture.
- ① Ensured personal information continues to be stored and destroyed in a secure and confidential manner.

The information officer of the Sanlam Unity Umbrella Fund

The information officer of the Fund can be contacted at: sanlamumbrellafund@sanlaminvestments.com

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