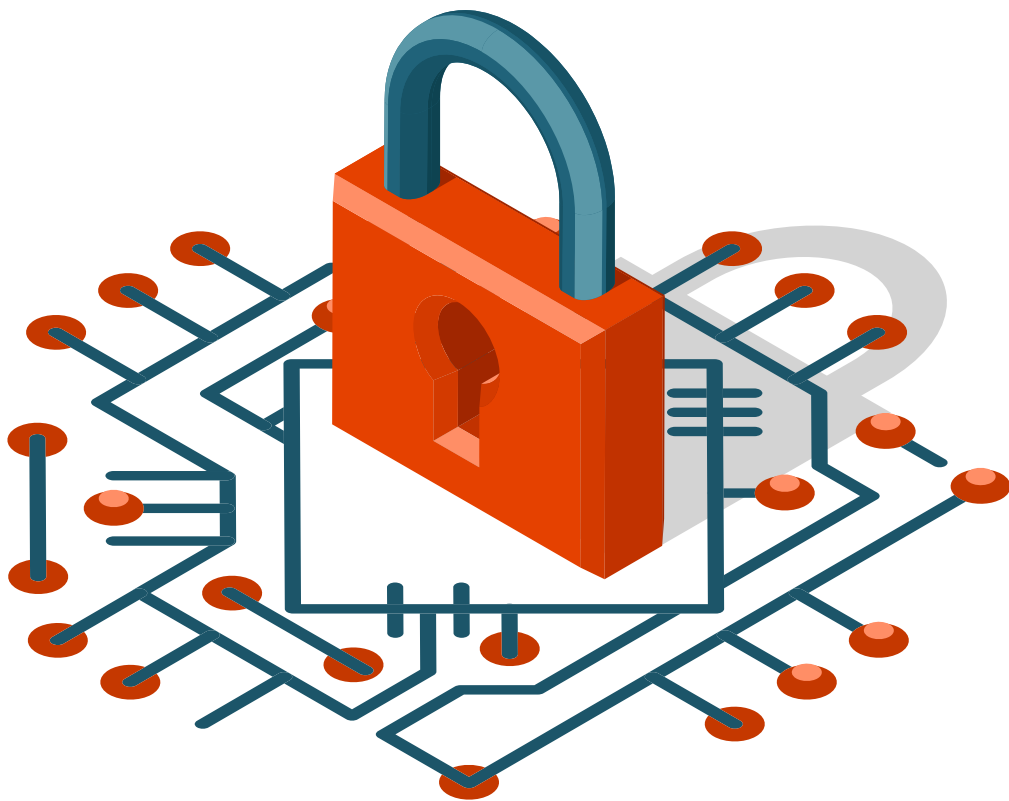


EIGHT DATA HYGIENE TIPS TO MARK INTERNATIONAL DATA PRIVACY DAY

28 January is International Data Privacy Day - a day dedicated to reminding nations, businesses and individuals of the importance of good data protection practices. However, data privacy is really a 365-day-a-year event, and everyone that processes personal information should be constantly thinking about how to improve their data protection strategies.

To mark South Africa celebrating its first International Data Privacy Day since the Protection of Personal Information Act, 2013 (POPIA) came into law, we have put together eight data hygiene tips to guide you in your personal information processing activities. Each tip addresses one of the conditions for lawful processing of personal information under POPIA.



CONDITION 1

ACCOUNTABILITY

Conduct a data mapping exercise to **record how you process personal information** and regularly check that these records are updated.

Tip: Create process flows to visually map the flow of information within each department and between departments, detailing information such as the type of personal information used, why it is being used, whether it is being transferred to a third party and if so why, etc.

CONDITION 2

PROCESSING LIMITATION

Know when you need to have consent to process personal information. Make sure that all **consent requests make it clear that consent is voluntary, specific and informed.**

Tip: For online consent requests, enable your users to actively select an unchecked "I agree" box i.e. do not use "pre-ticked" boxes.

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CONDITION 3

PURPOSE SPECIFICATION

Understand why you need a person's personal information - and explain **why personal information is being processed**.

Tip: If you use a person's personal information for multiple purposes, explain each purpose to them. Avoid generic or catch-all reasons for using their personal information.

CONDITION 4

FURTHER PROCESSING LIMITATION

Regularly review your reasons for processing personal information to **make sure that your purposes have not changed** over time.

Tip: If you are creating a new, innovative product, consider whether it may evolve over time, causing the usage of a customer's information to change as well.

CONDITION 5

INFORMATION QUALITY

Put a process in place to check that all personal information in your possession is **complete, accurate, not misleading and updated**.

Tip: If the personal information that you are collecting is used to make serious decisions about a person, consider independently verifying the information to ensure that it is accurate.

CONDITION 6

OPENESS

Adopt a POPIA-compliant privacy policy to **notify data subjects** that their personal information is being processed.

Tip: Provide stakeholders with your privacy notice before or at the same time you contract with them.

CONDITION 7

SECURITY SAFEGUARDS

Understand what internal and external threats exist to your business and how you can **protect your information assets** from being either intentionally or accidentally compromised.

Tip: Have a data breach plan which includes rehearsal of actions to take in the event of a data breach. Be mindful that under POPIA and, in certain instances, under the Cybercrimes Act, you must report the incident to regulatory or other authorities without delay. **Please feel free to reach out to us to utilise Webber Wentzel's exciting new Data Breach Alert Tool - for more information on this product click here.**

CONDITION 8

DATA SUBJECT PARTICIPATION

Know what rights your stakeholders have to access the personal information that you hold about them. Educate your staff on how to respond when people exercise those rights.

Tip: Have manual processes or automated systems in place to enable people to access their records so that they can request you to delete or change the personal information that you hold about them.

For assistance with ensuring data protection compliance, please contact one of our experts - here.