



the gpaa

Department:
Government Pensions Administration Agency
REPUBLIC OF SOUTH AFRICA

GPAA POPI COMPLAINTS RESOLUTION PROCEDURE

1. PURPOSE

In terms of section 74 Protection of personal information Act 4 of 2013 (hereinafter referred to as the POPIA), any person may submit a complaint to the Information Regulator (hereinafter referred to as the “Regulator”) in the prescribed manner and form alleging interference with the protection of the personal information of a data subject. In addition, the Regulator itself may initiate an investigation into the interference with the protection of the personal information of a data subject.

A complaint to the Regulator must be made in writing. The purpose of this document is to provide all staff with a consistent and comprehensive understanding of how to handle data subjects’ complaints successfully. It is important to record all complaints and to ensure that client complaints are resolved in a courteous, timely, effective and fair manner.

If a data subject or responsible party feels that GPAA has acted outside of the requirements of POPIA, the GPAA would like to invite such a person to address their complaint to us in writing at the details below. A copy of our complaints resolution process is available on request.

This document also serves as a guideline to achieve successful results in dealing with data subject complaints.

The following needs to be achieved:

- The understanding of what a complaint is.
- Record the nature of the complaint.

- To thoroughly investigate the complaint.
- To ensure fair treatment of the data subjects.
- To make informed decisions.
- To ensure timely resolution.
- To conduct root cause analysis.
- To put forward and manage possible solutions through corrective action improvements.
- To ensure that the complaints process is fair, transparent, accessible, and visible to data subjects.
- To ensure that adequate communication is provided to the data subjects about the complaints process, where to complain and to whom to complain to and that is it performed in clear and understandable language.

2. Glossary of Terminology

GPAA	Government Employees Pensions Fund
Data subject	The person to whom personal information relates.eg. Members, pensioners, beneficiaries, board members, service providers, staff members and etc.
Personal information	Information related to an identifiable, living, natural person and, where applicable, an identifiable, existing juristic person. This information can include, but is not limited to names; surname; contact details; physical and postal addresses; date of birth; identification number; passport number; tax number; tax related information; nationality; gender; age; disability; well-being; marital and pregnancy status; race ;bank account details; biometric information; health information; confidential correspondence; Information relating to children; education and employment history.
Processing	Any activity, automated or manual, concerning personal information. Such activity may include, but is not limited to, collection, receipt, recording, organisation, storage, collation,

	retrieval, alteration, updating, distribution, dissemination by means of transmission, erasure or destruction of personal information.
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3. INTERNAL COMPLAINT RESOLUTION PROCEDURE

Where there are reasonable grounds to believe that there has been a data breach or that the personal information of a data subject has been accessed or acquired by any unauthorised person, the GPAA must:

- Notify the Information Regulator;
- Notify the data subject directly unless the identity of such data subject cannot be established;
- In instances where the identity of the data subject cannot be established or number of data subjects impacted, the GPAA must make a media statement or publish such notification to data subjects on its website;
- Log the date and content of the complaint in the Complaints Register which must be kept for the period of five years;
- The Information Officer will appoint a relevant privacy steering committee or relevant staff member to investigate the complaint;
- The Information Officer will acknowledge receipt of the complaint in writing within 3 business days of receipt, and give the complainant the name and contact details of the staff member/s responsible for the resolution of the complaint;
- The privacy steering committee and any other resources or manpower, will investigate the complaint to ascertain whether the complaint can be resolved immediately;
- If the complaint is of a serious nature, the complaint will be handled and investigated by the Information Officer or any other senior staff / executive management;
- If the complaint can be resolved immediately, privacy steering committee or relevant staff member will take the necessary action and advise the complainant accordingly;

- If the complaint cannot be resolved immediately, privacy steering committee or relevant staff member will send the complainant a written summary of the steps to be taken to resolve the matter and the expected date of resolution;
- If unable to resolve the complaint within 3 weeks of logging the complaint in the Complaints Register, privacy steering committee or relevant staff member will notify the complainant in writing. This must outline the current status of the complaint and the expected date of final resolution;
- If unable to resolve the complaint within a further 3 weeks of the written acknowledgement (6 weeks since complaint was logged), privacy steering committee or relevant staff member will notify the complainant, giving written reasons as to why the outcome was not favourable, and advise the complainant of their right to seek legal redress by referring the complaint to the Information Regulator;
- The outcome must clearly indicate that the complainant may refer the matter to the Information Regulator. The Information Regulator's address and other contact details must be provided to the complainant.

4. COMPLAINTS MUST BE ADDRESSED TO:

The GPAA encourages all data subjects to first address their complaints to the Information and Deputy information officer before escalating the complaint to the Information Regulator.

Information officer

Chief Executive Officer

Ms Kedibone Madiehe

Personal Assistant

Ms Antigane Naidoo

Tel: 012 319 1007

Email:

Deputy Information Officer

Ms Esti de Witt

Tel: 012 319 1270

Email: Esti.deWitt@gpaa.gov.za

Personal Assistant (to Esti de Witt)

Ms Marinda Smith

Tel: 012 319 1006

Email: marinda.smith@gpaa.gov.za

5. THE INFORMATION REGULATOR'S CONTACT DETAILS ARE AS FOLLOWS:

JD House, 27 Stiemens Street,
Braamfontein,
Johannesburg,
2001

P.O Box 31533,
Braamfontein,
Johannesburg,
2017

Telephone: 010 023 5200

Email: enquiries@info regulator.org.za