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TECHNOLOGY, MEDIA & TELECOMMUNICATIONS SECTOR ALERT

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The achilles heel in POPI compliance:
Third-party interactions

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EXPERTISE AND SERVICES

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CLIFFE DEKKER HOFMEYR

THE ACHILLES HEEL IN POPI COMPLIANCE:

Third-party interactions

When considering POPIA compliance and data protection strategy, it is imperative that your business has catered for third-party information sharing and the associated risks. Has your business considered the risks presented by third-parties and sub-contractors whom you allow access to your HR data? Who retains the ultimate responsibility in relation to data shared with or collected from third parties? Are the third parties you engage with POPIA compliant? How do you mitigate these risks given that the achilles heel in your compliance program may be coming from an 'unseen' third party risk?



Examples of third parties in Employee Data Management:

- 

Pay roll administrators
- 

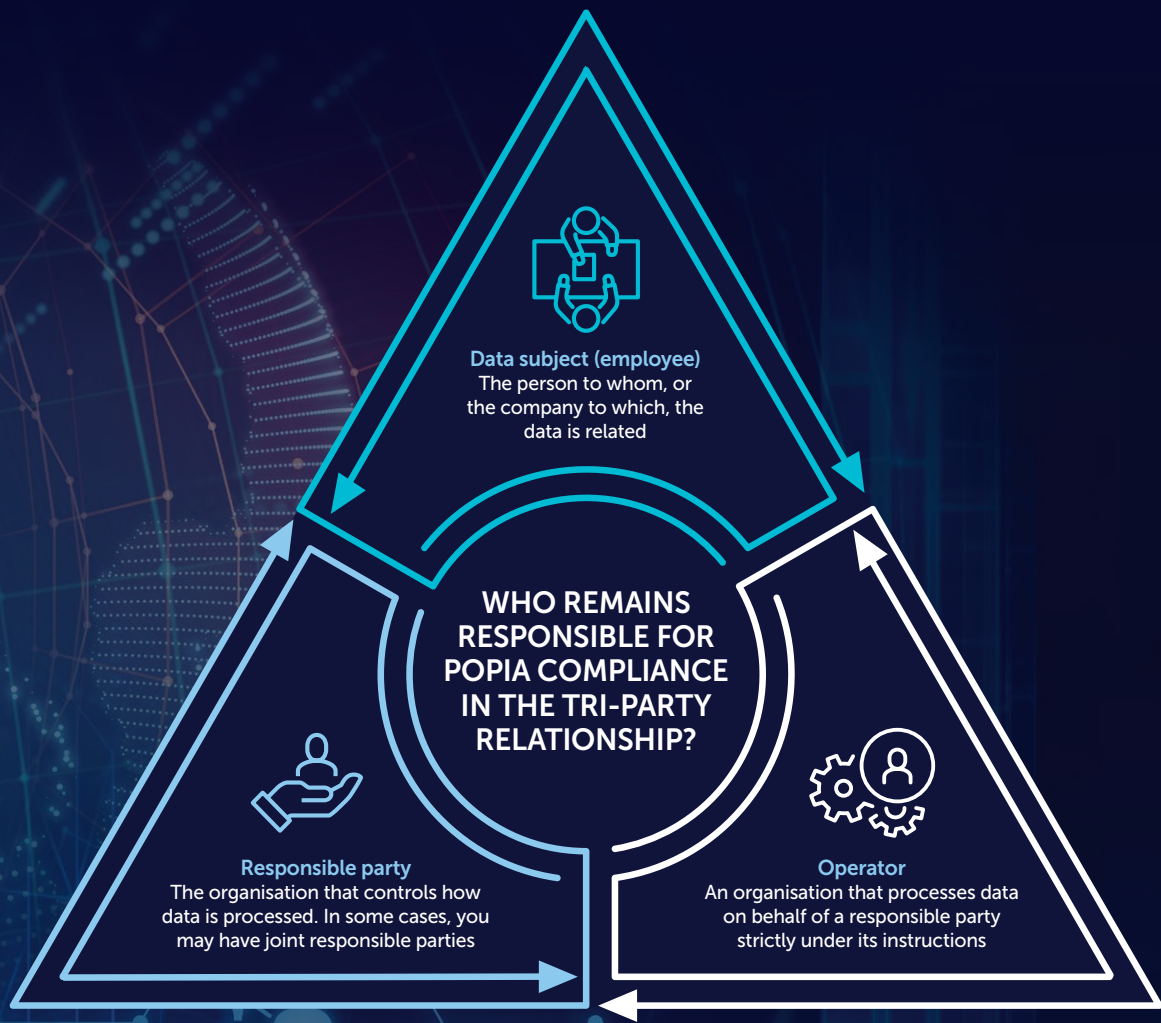
Recruitment agencies
- 

Debt collectors
- 

Forensic investigators
- 

Regulatory Bodies
- 

External chairpersons in disciplinary proceedings



Is an employer responsible for a data breach at a third party?

Yes, if they are an operator.

No, if they are a responsible party in their own right.

Do these relationships need to be managed in a contract?

Yes No

Does an employer need to ensure that third party "operators" have adequate security safeguards to process and store the data?

Yes No



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BBBEE STATUS: LEVEL TWO CONTRIBUTOR

Our BBBEE verification is one of several components of our transformation strategy and we continue to seek ways of improving it in a meaningful manner.

PLEASE NOTE

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