

# PRIVACY POLICY

## 1. INTRODUCTION AND PURPOSE

- 1.1. At Herotel Telecoms (Pty) Ltd, including our subsidiaries (collectively “Herotel”, “we”, “us”, or “our”), we respect your rights to privacy and are committed to the lawful processing of your Personal Information, in accordance with the Protection of Personal Information Act (“POPI”) and any other applicable privacy legislation.
- 1.2. The purpose of this policy (the “Policy”) is to describe the ways we collect, store, use, or otherwise Process your Personal Information, regardless of the form or source from which it is collected or provided, including electronically through the use of our website/s or applications, directly from yourself as Data Subject, or from third parties.
- 1.3. This Policy furthermore sets out your rights, obligations and responsibilities relating to your Personal Information, as well as Herotel’s undertakings regarding the processing and protection of your Personal Information.

## 2. SCOPE

This policy applies to any natural or juristic person whose Personal Information Herotel, in its capacity as a Responsible Party, collects, uses, shares or otherwise Processes, in order to discharge its contractual, regulatory and/or legal obligations.

## 3. DEFINITIONS

- 3.1. **“Data Subject”** (“you” or “your”) means the person to whom personal information relates, for example our customers, employees and suppliers;
- 3.2. **“Operator”** means a natural or juristic person who processes personal information for Herotel in terms of a contract or mandate, for example contractors, software providers, agents and suppliers;
- 3.3. **“Personal Information”** means personal information relating to an identifiable, living, natural person, and where applicable, and identifiable, existing juristic person (as defined by POPI);
- 3.4. **“Person/s”** means a natural or juristic person, including but not limited to customers, end-users, employees, agents and suppliers;
- 3.5. **“POPI”** means the Protection of Personal Information Act 2013, and any amendments;
- 3.6. **“Processing/Process or Processes”** means any operation or activity or any set of operations, including collection, storing and sharing of Personal Information;

- 3.7. **“Responsible Party”** means HeroTel, who determines, either on our own or as a joint-responsible party with any other responsible parties, the purpose of and means for processing personal information.

## 4. COLLECTION

- 4.1. When you engage with us, whether directly or through a third party, you are entrusting us with the collection of your Personal Information, either with your consent or where such collection is justifiable and in a lawful and reasonable manner that does not infringe on anyone’s rights to privacy.
- 4.2. The Personal Information we collect about you is dependent on either the transaction or services you may be applying for or enquiring about, or the reason we may be communicating with you, and the channel and form used to communicate with you, which may include requesting of enquiring about our product or service/s, contacting our one of our support departments for assistance, applying for one of our vacancies, processing and collecting payment, or otherwise engaging with you for purposes related to our products, services and related matters, whether electronically or through other means
- 4.3. The types of Personal Information we collect in relation to our business activities include, but are not limited to, your name, surname, location data, billing address, email address, payment method and information relating to billing, contact details, device information, mobile app usage, hardware and software information, copies of your ID document and proof of residence, and your communications with us, in whatsoever form. Where candidates apply for positions advertised by us, this includes work history, personal information relating to references, and other information, including special personal information (as defined by POPI), that is required by employment legislation, including but not limited to the Employment Equity Act.
- 4.4. We collect Personal Information related to you directly from you as far as possible, however certain Personal Information may be collected from third parties where necessary, including but not limited to employee references, credit records from credit bureaus and criminal records. Where Personal Information is collected from third parties this will be either with your consent or for another lawful reason.
- 4.5. The supply of Personal Information to us is voluntary, however should you elect to not provide us with the required Personal Information we may not be able to assist you with providing services, support, employment applications or other transactions.
- 4.6. Where you provide us with Personal Information it is your responsibility to ensure that such Personal Information is complete, accurate, and not misleading.

## 5. USE

- 5.1. We will only use your Personal Information for purposes related to the reason it was collected, or where we have lawful justification to do so. We will only use your Personal Information with your consent, or where collection is necessary to comply with the obligations contained in a service agreement entered into between you and us, or in

pursuing our legitimate interest, or those of third parties with whom we conduct legitimate business.

- 5.2.** By providing us with your Personal Information or granting us access thereto, you consent to us communicating with you electronically or in any other manner or form, with regards to any matters pertaining to the products or services that we provide to you.

## **6. DISCLOSURE**

We may share certain of your Personal Information with other Persons, including Operators, for lawful Processing including, but not limited to, third party service providers, including software service providers, credit bureaus, legal advisors, consultants, regulators, banks or third party financial institutions for the process of payment transactions, and other parties engaged in activities relating to or ancillary to the provision and supply of Herotel's products, services and employment, including for the prevention and detection of fraud.

## **7. RETENTION AND STORAGE**

We will not retain your Personal Information for longer than is necessary, taking into consideration the purpose for which it was collected or for other lawfully permissible reasons, including where retention is required by legal, regulatory or contractual obligations, or for historical or statistical purposes. Your Personal Information will be appropriately destroyed, deleted or de-identified after we are no longer required or permitted to retain it, unless we have a justifiable and lawful reason for retaining it.

## **8. SECURITY MEASURES**

- 8.1.** Herotel strives to secure the integrity and confidentiality of Personal Information in our possession or under our control by taking appropriate, reasonable technical and organisational measures to prevent unlawful access to or processing of, loss of, damage to or unauthorised destruction of Personal Information.
- 8.2.** Where your Personal Information is processed by an Operator or third party, they will be required to treat such Personal Information as confidential and will be obliged not to disclose it, unless required by law or in the course of the performance of their contractual duties. They will also be required to establish and maintain the appropriate security measures contained in POPI.

## **9. TRANSFER TO FOREIGN COUNTRIES AND COMPANIES**

Your Personal Information may at times be transferred to a foreign country or international companies where this is necessary for the provision of our products and services, employment, or other lawful reasons, in which case the level of protection afforded to the Personal Information by that third country or international organisation will be maintained at the same level of security that we are obliged to afford you.

## **10. USE OF OUR WEBSITE AND APPLICATIONS**

### **10.1. The use of cookies**

- 10.1.1. Cookies are used to better your user experience while visiting the website or using our products or services. Where applicable Herotel uses a cookie control system allowing you, on your first visit to our websites/s to allow or disallow the use of cookies on your computer or device. This complies with our obligations for us to obtain explicit consent from our website users before leaving behind or reading files such as cookies on your computer or device.
- 10.1.2. Cookies are small files saved to your computer's hard drive that track, save and store information about your interactions and usage of the website. This allows the website, through its server to provide you with a tailored experience within our website/s.
- 10.1.3. You are advised that if you wish to deny the use and saving of cookies from this website on to your computer's hard drive, you should take necessary steps within your web browsers security settings to block all cookies from this website and its external serving vendors.
- 10.1.4. This website uses tracking software to monitor its visitors to better understand how they use it. This software is provided by Google Analytics which uses cookies to track visitor usage. The software will save a cookie to your computer's hard drive, in order to track and monitor your engagement and usage of the website, but will not store, save or collect Personal Information. You can read Google's privacy policy here for further information - <https://marketingplatform.google.com/about/analytics/terms/us/>.
- 10.1.5. Other cookies may be stored to your computer's hard drive by external vendors when this website uses referral programs, sponsored links or adverts. Such cookies are used for conversion and referral tracking and typically expire after 30 days, though some may take longer. No Personal Information is stored, saved or collected.

### **10.2. Website links**

Some pages of our websites contain external links. You are advised to verify the privacy practices of such other websites, as Herotel is not responsible for the manner of use or misuse of Personal Information made available by you at such other websites.

### **10.3. Third-party applications**

Herotel integrates with various third party applications, which are governed by their own privacy policies. You are responsible for observing these policies when transacting or engaging with such applications.

### **10.4. Mobile applications (“App/s”)**

- 10.4.1. When you download and use our Apps, some information regarding the type of device you use, operating system version, device status and the device identifier are automatically collected to be able to provide, maintain and improve the Apps.

- 10.4.2. The Apps may send you push notifications from time-to-time. To ensure you receive proper notifications, certain information about your device such as operating system and make and model is collected. Notifications may be turned off at a device level, if you no longer wish to receive them.
- 10.4.3. Subject to your permission settings, the Apps may have access to your camera, and storage, which may be required of by Apps to provide products or services related to the relevant App.
- 10.4.4. We use mobile analytics software to allow us to better understand the functionality of our Apps installed on your phone or device. This software may record information such as how often you use the App, the events that occur within the App, aggregated usage, performance data, and where the App was downloaded from. We link the information we store within analytics software to personally identifiable information you submit within the App for debugging purposes.

## **11. NOTIFICATIONS OF CHANGES**

This Privacy Policy may be amended from time to time, and hence you are encouraged to review the policy regularly.

## **12. YOUR RIGHTS**

### **12.1. Access**

- 12.1.1. You have the right, after providing adequate proof of identity and following the correct procedures described in this clause, to request from us:
  - 12.1.1.1. whether we hold Personal Information about you;
  - 12.1.1.2. the record or a description of the Personal Information held by us; and
  - 12.1.1.3. Personal Information about any third parties who have access to your Personal Information.

### **12.2. Correction**

- 12.2.1. You have the right to request us to:
  - 12.2.1.1. correct or delete Personal Information about you that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or
  - 12.2.1.2. destroy or delete a record of Personal Information that we are no longer authorised to retain in accordance with the provisions of POPI.

### **12.3. Withdrawal of consent or objection to processing**

- 12.3.1. You have the right to withdraw your consent for us to process your Personal Information, and to object to us processing your Personal Information, unless legislation permits such processing.
- 12.3.2. For the procedures on how to access your rights, refer to Herotel's Promotion of Access to Information ("PAIA") manual, which is located on our website. Please note that we

are legally permitted to charge a reasonable fee to process your request, where applicable.

### **13. COMPLAINTS**

- 13.1.** Should you have a complaint regarding your Personal Information you may direct your correspondence to our Information Officer:

Herotel Telecoms (Pty) Ltd  
Attention: Information Officer  
Email: [privacy@herotel.com](mailto:privacy@herotel.com)

- 13.2.** If you are not satisfied with the internal resolution of your complaint regarding your Personal Information you have the right to lodge a complaint with the Information Regulator:

Email: [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)