**Informed Consent Notice**

# Introduction

* 1. The World Health Organization (WHO) declared the Coronavirus (COVID-19) a pandemic. Countries across the world, including the Republic of South Africa, are working to slowdown the spread of the virus by scanning, testing and treating patients, carrying out contact tracing, tracking, and declaring a lockdown.
  2. As a result, and in order to manage and curb the spread of COVID-19, the South African Government has issued Regulations in terms of section 27(2) of the Disaster Management Act 57 of 2002 (Regulations). In terms of section 10(8) of the Regulations of 18 March 2020:
     1. Any Minister may issue and vary directions, as required, within his or her mandate, to address, prevent and combat the spread of COVID-19, from time to time as may be required.
  3. In support of the above, the Information Regulator (Regulator), is mindful of the fact that some of the measures lined up to curb and combat the spread may involve possession, sharing, storing and in other ways processing Personal Information, has issued a Guidance Note to:
     1. Give effect to the right to privacy as it relates to the protection of Personal Information;
     2. Provide guidance to the public and private bodies and their operators on the limitation of the right to privacy when processing Personal Information of Data Subject’s for the purpose of containing the spread and reduce the impact of COVID-19.

# Definitions

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| Consent | Any voluntary, specific and informed expression of will where permission is given |
| Data Subject/You/Your | The person that will provide the CSIR or its Operator(s) with Personal Information |
| Operator | A natural or juristic person who processes a Data Subject’s Personal Information on behalf of the CSIR |
| Personal Information | Information relating to any identifiable, living, natural person or an identifiable, existing juristic person |
| Process/Processes | Any operation or activity or any set of operations, concerning Personal Information |
| Responsible Party | The CSIR who needs to process your Personal Information for business purposes. |

# Purpose of this Informed Consent Notice

* 1. This Informed Consent Notice explains and sets out:
     + - What Personal Information belonging to you will be processed by the CSIR;
       - Why the CSIR needs the Personal Information;
       - What the CSIR will be doing with the Personal Information;
       - Who the CSIR will be sharing the Personal Information with; and
       - What the CSIR will do with the Personal Information once the purpose for the processing ends.

# Explanatory notes

* 1. Please take note of the definitions above and the **highlighted text** in the document, which correspond with PoPIA definitions and used throughout this **Informed Consent Notice.**
  2. When the CSIR processes your Personal Information, the CSIR has a legal duty to protect the Personal Information in a lawful, legitimate and responsible manner and in accordance with the provisions of PoPIA.

# Application of this Informed Consent Notice

1. 1. This Informed Consent Notice will apply to the CSIR and the Personal Information supplied by you. It includes any processing or further processing of the Personal Information by any Operators duly appointed by the CSIR.

# Purpose of the collection

* 1. Your Personal Information is collected in order for the CSIR:
     + - To comply with the Department of Labour’s Workplace COVID-19 regulations;
       - To ensure a healthy and safe working environment for all staff, visitors, cleaners, security, contractors, tenants, etc.;
       - To ensure that the CSIR manages you in line with its legal and business objectives, strategies, mandates and the applicable laws;
       - To investigate any matter which may be raised against you, including the conducting of any disciplinary hearings and related activities, including the pursuance of legal processes and procedures;
       - To conduct risk assessments and risk profiles, as well as internal and external audits;
       - To perform the required and prescribed security clearance procedures in respect of you and for giving you access to the CSIR’s premises and offices, facilities and systems;
       - To make contact with you and attending to your enquiries and requests;
       - To provide you with information pertaining to Covid-19 and the CSIR’s processes to deal with the pandemic;
       - For research and statistical analysis purposes, including data analysis, testing, and research;
  2. To get your explicit consent to process and further process all the Personal Information and Special Personal Information which you will provide to the CSIR;
  3. To inform you that the CSIR undertakes that it will only use the Personal Information referred to above for the purposes set out under this Informed Consent Notice and for no other purpose, unless with your explicit and prior permission.

# Consequences of withholding consent or Personal Information

* 1. Should you refuse to provide the CSIR with your Personal Information, which is required by the CSIR for the purposes indicated above, and the required consent to process the aforementioned Personal Information and Special Personal Information, then the CSIR will be unable to allow you access to the CSIR’s premises.

# Storage, retention and destruction of information

* 1. Your Personal Information will be stored electronically in a centralised database, which, for operational reasons, will be accessible on a need to know and business basis.
  2. The CSIR undertakes to conduct regular audits regarding the safety and security of your Personal Information.
  3. Once the Personal Information is no longer required because the purpose for which it was held has expired, your Personal Information will be safely and securely archived for the requisite and prescribed retention periods as required by the law. On expiration of this retention period, the CSIR will ensure that your Personal Information is either submitted to the National Archives in accordance with the National Archives Act, 1996 (Act 43 of 1996), or permanently destroyed, as the case may be.

# Access by others and cross border transfers

* 1. The CSIR may have to disclose your Personal Information to other parties, including regulatory bodies, or government departments. Such disclosure will always be subject to applicable laws prevalent at the time.
  2. No Personal Information or Special Personal Information will be transferred across the borders of South Africa.

# Right to object and complaints

* 1. You are encouraged to make immediate contact with the CSIR’s Privacy Specialist at any time if you are not comfortable or satisfied with the manner in which the CSIR is processing your Personal Information. On receipt of your objection, the CSIR will place a hold on any further processing until the cause of the objection has been resolved. If you are still not satisfied with such process, you have the right to lodge a complaint with the Information Regulator at [inforeg@justice.gov.za](mailto:inforeg@justice.gov.za)

# Accuracy of information and responsibility

* 1. PoPIA requires that all your Personal Information and related details, as supplied are complete, accurate and up-to-date. The CSIR will always use its best endeavours to ensure that your Personal Information is reliable, however, it will be your responsibility to advise the CSIR of any changes to your Personal Information, as and when these may occur.

# Access to the information by the Data Subject

* 1. You have the right at any time to ask the CSIR to provide you with the details of the Personal Information which you have provided to the CSIR with regard to the screening tool and the purpose for which it has been used, provided that such a request is made by sending an e-mail to [privacy@csir.co.za](http://www.csir.co.za)

# Declaration and informed consent

* 1. You confirm that the Personal Information provided to the CSIR is accurate, up-to-date, not misleading and is complete in all respects, save where the same may change and then in such event, you undertake to advise the CSIR or its operator(s) of these changes.
  2. In providing the required Personal Information and Special Personal Information to the CSIR, you consent and give the CSIR permission to process and further process the Personal Information as and where required and acknowledge that you understand the purposes for which the Personal Information is required and for which it will be used.

For further information, contact:

CSIR Privacy Specialist

[privacy@csir.co.za](mailto:privacy@csir.co.za)