

# THE CLARENS

## GOLF & LEISURE ESTATE

### Data Breach Policy

## Registration Number 2005/036615/08

The Clarens Golf & Leisure Estate HOA (NPC)

Policy Title: Data Protection Policy

Effective Date: 29 June 2025

Information Officer: Bernie Platte (General Manager)

Deputy Information Officer: Heindrich Dyer (Golf Director)

Last Reviewed: 29 June 2025

Next Review Due: 29 June 2026

**Organisation Name:** The Clarens Golf & Leisure Estate HOA (NPC), a non-profit company incorporated in terms of the Companies Act, 2008 (Act No. 71 of 2008) (Reg 2005/036615/08)

#### 1. Purpose

The purpose of this policy is to establish a formal procedure to detect, respond to, investigate, and mitigate data breaches involving personal information. This policy ensures that The Clarens Golf & Leisure Estate HOA (NPC) complies with the Protection of Personal Information Act, 4 of 2013 (POPIA) and protects the privacy, dignity, and rights of all data subjects.

#### 2. Scope

This policy applies to:

- All full-time, part-time, temporary, casual, board members and contract employees.
- All contractors, third-party vendors, managing agents, and volunteers
- All stakeholders and service providers who handle or process personal information on behalf of the HOA
- All personal information held in any format (electronic, hard copy, visual, or audio)
- All systems, networks, physical records, websites, databases, cloud platforms, and storage devices

#### 3. Definition of a Data Breach

A data breach refers to any unauthorised or unlawful processing, access, disclosure, loss, alteration, destruction, or theft of personal information, whether accidental or deliberate. This includes, but is not limited to:

- Unauthorised access to internal systems
- Unintentional disclosure via email or printed documents
- Derelict of duty
- Cyber incidents (hacking, phishing, ransomware)
- Loss or theft of physical devices (phones, laptops, USB drives)

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- Negligent disposal or mishandling of personal records
- Failure of technical or physical safeguards

#### 4. Examples of Data Breaches

- A CCTV archive is leaked or shared beyond its intended purpose
- A laptop containing estate resident data is stolen
- Mailing sensitive correspondence to the wrong resident
- A cloud-based storage account is compromised
- A third-party security contractor mishandles guest registration logs

#### 5. Roles and Responsibilities

##### Information Officer (Bernie Platte, General Manager)

- Lead authority on all data breach responses
- Investigates breach causes and scope
- Liaises with the Information Regulator and affected parties
- Ensures breach response steps are executed
- Maintains the incident register
- Oversees remedial action and reporting

##### All Employees, Contractors, and Service Providers

- Required to immediately report any actual or suspected breach
- Must not delay or cover up breaches
- May not attempt to manage breaches independently
- Must follow all procedures related to breach containment and documentation

#### 6. Breach Response Procedure

##### Step 1: Identification and Containment

- Report the incident to the Information Officer immediately
- Isolate the affected device, system, or area
- Cease access to compromised accounts or platforms
- Secure paper records and physical evidence
- Preserve logs, audit trails, and digital evidence

##### Step 2: Impact Assessment

The Information Officer will:

- Determine what personal information was compromised
- Assess the number and category of data subjects affected
- Analyse the potential harm (reputation, financial, physical, emotional)
- Determine breach severity and urgency
- Consider third-party involvement and system vulnerabilities

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### **Step 3: Notification**

If required under POPIA, the HOA will notify:

- The **Information Regulator** without undue delay
- All **affected data subjects**, using clear, non-technical language

#### **Mandatory notification will include:**

- Nature of the breach
- Data types involved
- Steps taken to mitigate harm
- Recommendations for the affected parties
- Contact details for further enquiries or support

### **Step 4: Mitigation and Remediation**

- Remove unauthorised access points
- Apply technical patches and security updates
- Strengthen system access controls
- Conduct targeted training for implicated staff
- Offer support to affected individuals (where appropriate)

### **Step 5: Documentation and Post-Incident Review**

- Record full details of the incident in the Breach Register
- Conduct a root cause analysis
- Review and amend internal policies, procedures, or vendor contracts
- Report findings to the Board of Directors or relevant committee
- Implement measures to prevent future breaches

## **7. Disciplinary Measures**

Non-compliance with this policy, including failure to report, concealment of breaches, or negligent behaviour, may result in disciplinary action, including termination of employment or contract, depending on the severity and impact.

## **8. Third Parties and Operators**

All contractors and third-party service providers are required, by contractual agreement, to:

- Handle all personal information in accordance with POPIA
- Notify the HOA immediately of any breach affecting our data
- Cooperate fully during investigations
- Implement equivalent or superior security measures

## **9. Data Retention and Storage**

- CCTV footage is stored for 7 days

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- Other records (residents, guests, bookings, communications, raffles, etc.) are retained only for the period necessary, in compliance with POPIA, SARS, and legal/statutory requirements
- Secure disposal and deletion protocols apply to expired data

### 10. Staff Training and Policy Awareness

- All staff will receive induction training on POPIA, this policy, and breach procedures
- Refresher training is conducted annually
- Policy reviews occur at least annually or upon material change in law or risk
- Employees must acknowledge policy understanding and compliance

### 11. Contact Information

#### Information Officer:

**Name:** Bernie Platte

**Email:** [info@theclarens.co.za](mailto:info@theclarens.co.za)

**Tell:** 058 256 1270

 Visit: The Clubhouse Administration Office

 Website: [www.theclarens.co.za](http://www.theclarens.co.za)

**Regulatory Contact:** 010 023 5200

**Information Regulator (South Africa)**

 [helpdesk@infoeregulator.org.za](mailto:helpdesk@infoeregulator.org.za)

 [infoeregulator.org.za/complaints/](http://infoeregulator.org.za/complaints/)