**POPI ACT: EMPLOYMENT ADDENDUM OR INCLUSION IN NEW EMPLOYMENT CONTRACTS**

**PERSONAL INFORMATION (POPI ACT NOTIFICATIONS AND CONSENT)** *[amend as per employment contract style in the practice, e.g. if “you” or “the employee”, “the Practice” or “the Practice”, etc.]*

1. The Practice is a Responsible Party under the Protection of Personal Information (POPI) Act. The Practice uses the following entities as Operators, that are processing personal information on its behalf: [insert and amend as applicable, e.g. “insurance / … brokers, insert their name payroll administrators, financial / accounting firm doing payroll, tax, leave benefits, etc, recruitment agencies, Compensation Fund / RAF intermediaries, medical scheme pre-payment / switches, etc.”]. These entities operate under the authority and instruction of the Practice and are bound to ensure compliance with the POPI Act.
2. You hereby state that you understand that your personal information has to be processed by the Practice for the following purposes, as authorised by the applicable laws:
	1. Title, marital status, address, tax numbers and identity number for payroll- and SARS reporting purposes;
	2. Bank account details for payroll (payment of your salary) and tax purposes;
	3. Your salary, and all deductions, contributions and benefits as it has to be communicated to SARS;
	4. Race, gender and nationality for reports to the relevant authorities on skills development, employment equity and broad-based black economic empowerment [only if Practice does Skills Development, Employment Equity and/or BB BEE];
	5. Information relating to yourself and your beneficiaries on pension-, provident-, long-term insurance-, funeral funds, etc. as may be required by such entities [only add if Practice facilitates this];
	6. In cases of occupational injuries and/or diseases, all information as is required by the Compensation Fund and under the Occupational Health and Safety Act;
	7. Health information that must be disclosed under the Notifiable Medical Conditions Regulations and the Regulations under the Disaster Management Act, to the National Institute of Communicable Diseases and similar laws.
3. You hereby agree that the Practice may process (i.e. gather, update and retain) the following personal information:
	1. All information relating to your application for employment at the Practice as supplied by you, by references and by those who interviewed you;
	2. Your qualifications, professional registrations and professional indemnity cover; [if applicable if employee is in a professional role];
	3. Health information as disclosed to the Practice as part of sick leave and disability management;
	4. Your salary, and all deductions, contributions and benefits to track pay and pay progression;
	5. Details related to your medical scheme (number, beneficiaries, premiums and deductibles, benefits) [only add if Practice facilitates this];
	6. Details of your next of kin, in order to be able to communicate with you, and/or to ensure that next of kin is informed of important information relating to you;
	7. All your contact details, including your home- and other addresses where you may be resident from time to time, should the Practice have to get hold of you in cases of absences and/or investigations;
	8. Performance discussions and/or reviews, remuneration reviews, disciplinary action (except where the Practice’s disciplinary policy states that such are removed from your file after a period of time);
	9. Your contributions to staff /Practice meetings, Practice committees and the likes in which you may express your views;
	10. All information that may be necessary to be processed as part of you being an employee of the Practice.
4. If you are in a role as an employee that requires you to manage relationships, agreements or the likes with third parties, such third parties will have access to certain personal, but employment-related details, such as your name, your job title, the e-mail address and the contact details associated with your employment and your role.
5. Unless a law requires of the Practice to disclose personal information, such as to the Compensation Fund, SARS or the Department of Labour, or as necessary as part of your role at the Practice, no personal information will be disclosed either internally (e.g. to other employees), or to third parties, without your written permission.
6. [If applicable & amend as required: As the Practice is using a cloud-based / global server to store employee information, your personal information is stored on a server that is hosted outside of South Africa’s borders. These entities are complying with rules that are similar to the POPI Act OR: the Practice has entered into an agreement to ensure that personal information is processed in line with the POPI Act. Such information can only be accessed by [insert] for purposes of [insert]. Excluded from these records that can be accessed are [e.g. disciplinary records, performance records … list what is not stored on a global or overseas server.]
7. The Practice will only retain your information as is necessary for the purposes for which it were/are being processed, as set out above, or for as a long as a law, such as the laws governing tax and payroll, may dictate. Upon your resignation, all your personal information will be [amend: archived off-site for a period of one year], and thereafter only information that must be kept by law for longer, will be kept for such periods as specified by law. In cases of disputes or legal processes, information will be kept for as long as needed for such processes to be drawn to completion.
8. The Practice stores all employee personal information taking appropriate and reasonable technical and organisational steps to protect the information from unauthorised access, use and changes; from loss, destruction or damage as follows: [describe: e.g. in a password-protected system on a computer / cloud-based human resource system, and/or in a locked filing cabinet (describe where back-ups are kept in case of fire or flood, etc.), which information may only be accessed by [describe, e.g. the Practice manager / the Practice-owner / … etc.]. No payroll information is disclosed to any third party, apart from SARS and can only be accessed by [insert e.g. the payroll administrator / …].
9. You are always entitled to see what information is being kept about you, and you may contact HR / … [stipulate who] to access, change or request the removal of personal information processed by the Practice.