

Futurewise Education (Pty) Ltd “Futurewise Education”

PAIA MANUAL (“Manual”)

Published in terms of Section 51 of the Promotion of Access to Information Act 2 of 2000 (“PAIA Act”)

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1. Introduction

Futurewise Education (Pty) Ltd (Registration Number: 2021/747261/07) is a private company registered in terms of the company laws of the Republic of South Africa and specialises in the provision of life insurance products (“Futurewise”).

This Manual is published in terms of section 51 of the PAIA Act and provides an outline of the type of records and personal information which Futurewise holds. The Manual also explains how to submit requests for access to these records in terms of the PAIA Act. In addition to explaining how to access, or object to, personal information held by Futurewise, or to request correction of the personal information, in terms of sections’ 23 and 24 of the Protection of Personal Information Act 4 of 2013 (“POPI Act”), the Manual also explains how to submit requests for access to these records in terms of the PAIA Act.

The objective of the PAIA Act is to give effect to the constitutional right to access to information, which information is held by a public or private body and which information is required for the exercise or protection of any rights. The PAIA Act recognises the right entrenched in section 32 of the Constitution of the Republic of South Africa, 1996 and aims to foster a culture of transparency and accountability in public and private bodies by giving effect to the right of access to information.

Accordingly, requests for access to information held by Futurewise shall be made in accordance with the prescribed procedures and at the rates provided. The prescribed forms and fee tariffs are dealt with in Chapter 1 of Part 3 of the PAIA Act, as well as in section 5 below.

Availability of this Manual

This Manual is published on the Futurewise website at www.futurewise.co.za or alternatively, a copy can be requested from the Information Officer or Deputy Information Officer (see contact details in paragraph 2 below).

Availability of guides to the PAIA and POPI Acts

Guides to the PAIA and POPI Acts can be obtained and queries directed to:



PAIA Act	POPI Act
<p>The South African Human Rights Commission:</p> <p><u>Physical Address:</u></p> <p>Braampark Forum 3 33 Hoofd Street Braamfontein Johannesburg Gauteng</p>	<p>The office of the Information Regulator:</p> <p><u>Physical Address:</u></p> <p>The Information Regulator (South Africa) Forum III 3rd Floor Braampark PO Box 31533 Braamfontein, Johannesburg, 2107 Mr. Marks Thibela Chief Executive Officer</p>
<p>Private Bag 2700, Houghton, 2041 Tel: +27 11 877 3600 Fax: +27 11 403 0625 Website: www.sahrc.org.za E-mail: PAIA@sahrc.org.za</p>	<p>Tel No: +27 010 023 5207 Cell No: 082 746 4173 E-mail: infoereg@justice.gov.za</p>

2. Futurewise Education Contact Details

Contact details in terms of section 51 of PAIA:

Futurewise Education (Pty) Ltd (Reg. No: 2021/747261/07)
 P.O. Box 5527
 Northlands
 2116

Physical Address:
 Kagiso Tiso House
 100 West Street
 Wierda Valley
 Sandton
 2196
 Website: www.futurewise.co.za

Duly authorised persons:

Information Officer:	Deputy Information Officer:
<p>Name: Gottfried Rautenbach Tel: 076 982 9111 E-mail: Gottfried.rautenbach@futureworld.org</p>	<p>Name: Thato Ramashala Tel: 079 231 6001 E-mail: Thato.ramashala@futureworld.org</p>



Applicable Legislation:

The following legislation, amongst others which may become applicable from time to time, is applicable to and observed by Futurewise pursuant to undertaking its day-to-day operations:

Item No:	Legislative Reference:	Act:
1	No. 61 of 1973	The Companies Act
2	No. 75 of 1997	The Basic Conditions of Employment Act
3	No. 55 of 1998	The Employment Equity Act
4	No. 58 of 1962	The Income Tax Act
5	No. 66 of 1995	The Labour Relations Act
6	No. 89 of 1991	The Value Added Tax Act
7	No. 37 of 2002	The Financial Advisory and Intermediary Services Act
8	No. 25 of 2002	The Electronic Communications and Transactions Act
9	No. 2 of 2000	The Promotion of Access to Information Act
10	No. 4 of 2013	The Protection of Personal Information Act
11	No. 63 of 2001	The Unemployment Insurance Act
12	No. 53 of 2003	The Broad-Based Black Economic Empowerment Act
13	No. 130 of 1993	Compensation for Occupational Injuries and Diseases Act
14	No. 36 of 1994	Public Holidays Act

3. Company Records

Availability of Futurewise 's Records

Departmental Records	Subject	Classification No.
Human Resources Division	Employee Records	5
	Employment Contracts	5
	Personnel Guidelines, Policies and Procedures	10
	Employee Medical Records	5
	Employee Disability Insurance Records	5
	Employee Pension and Provident Fund Records	5
	Payroll Records	5
	Recruitment Records	5
Financial /Procurement Division	Financial Statements	14
	Tax Records (Futurewise & Employees)	5 & 10



	Health Industry Development Programme Records	1
	Asset Register	10
	Supplier Records	7
	Management Accounts	10
Legal Services and Corporate Governance Division	General Contract Documentation	7
	Company Guidelines, Policies and Procedures	10
	Intellectual Property Records	10
	Employee, Member and Supplier Information	5 & 7
	Immovable Property Records	10
	Statutory Records	1
Sales and Marketing Division	Product / Service Brochures	1
	User Guides	10
	Customer History Records	7
	Product Sales Records	7
	Marketing and Future Product / Plan Strategies	10
	Customer Information and Database	7
	Third Party Agreements and Documents	7
Information Technology Division	Processing, Administrative and Development Records	10

Futurewise record classification key

Classification No.	Access	Classification [PAIA section]
1	May be Disclosed	Public Access Document
2	May not be Disclosed	Request after commencement of criminal or civil proceedings [s7]
3	May be Disclosed	Subject to copyright
4	Limited Disclosure	Personal Information of natural persons that belongs to the requester of that information, or personal information of juristic persons represented by the requestor of that information [s61]



5	May not be Disclosed	Unreasonable disclosure of personal information or of natural person [s63]
6	May not be Disclosed	Likely to harm the commercial or financial interests of a third party [s64(1)(a) and (b)]
7	May not be Disclosed	Likely to harm the Company or third party in contract or other negotiations [s64(1)(c)]
8	May not be Disclosed	Would breach a duty of confidence owed to a third party in terms of an Agreement [s65]
9	May not be Disclosed	Likely to compromise the safety of individuals or protection of property [s66]
10	May not be Disclosed	Legally privileged document [s67]
11	May not be Refused	Environmental testing / investigation which reveals public safety / environmental risks [s64(2); s68(2)]
12	May not be Disclosed	Commercial information of Private Body [s68]
13	May not be Disclosed	Likely to prejudice research and development information of the Company or a third party [s69]
14	May not be Refused	Disclosure in public interest [s70]

4. Procedure to follow when submitting a request for access: Section 53(1)

The requester must complete Annexure C and submit this form together with request fee, to the Information Officer and/or Depute Information Officer of Futurewise.

The form must be submitted to the Information Officer and/or Deputy Information Officer of Futurewise at the street address and via the electronic mail addresses, as outlined in clause 2 above.

The form must provide sufficient particulars to enable the Information Officer and/or Deputy Information Officer of Futurewise to identify the record(s) requested and to identify the requester.

The requester must:

- indicate which form of access is required;
- specify his/her postal address or fax number which must be in the Republic of South Africa;



- identify the right that the requester is seeking to exercise or protect, and provide an explanation of why the requested record is required for the exercise or protection of that right.

If, in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, the requester must state that manner and the necessary particulars to be informed in such other manner.

If the requester is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the Information Officer and/or Depute Information Officer of Futurewise.

5. Processing of Personal Information

Pursuant to promoting responsible information processing practices within its organisation, as well as in its capacity as a Responsible Party contemplated in terms of the provisions of the POPI Act, Futurewise takes any activities relating to the protection and processing of Personal Information (as defined in terms of the provisions of section 1 of the POPI Act) very seriously. To promote the constitutional right to privacy, as well as to play its part in promoting the rights protected in terms of the POPI Act, Futurewise undertakes to, in so far as is required of it, observe the requirements and conditions for the lawful processing of Personal Information.

5.1. The purpose(s) for which Futurewise processes Personal Information

Futurewise may process Personal Information for a variety of purposes, which may include, but is not limited to, the following:

- to provide or manage any information, products and/or services requested by Data Subjects in general and our customers;
- to help us identify Data Subjects when they contact us or we contact them;
- to facilitate the delivery of products and/or services to our customers;
- to maintain customer records;
- to maintain supplier records;
- for recruitment purposes;
- for employment purposes;
- for apprenticeship purposes;
- for general administration, financial and tax purposes;
- for legal or contractual purposes;
- for health and safety purposes;
- to retain the records of our consultants and/or contractors;



- to monitor access, secure and manage any of our office premises and facilities we manage, regardless of location in South Africa;
- to transact with our suppliers and business partners;
- to help us improve the quality of our products and services;
- to analyse the Personal Information collected for research and statistical purposes;
- to help us recover debts;
- to transfer Personal Information to third parties, including, but not limited to our suppliers, contractors, customers, group companies and/or affiliates;
- transmitting marketing material to Data Subjects in respect of any third party products/services marketed by Futurewise or any customer of Futurewise from time to time through or by means of any marketing channel deployed by Futurewise;
- to carry out analysis and customer profiling; and
- to identify other products and services which might be of interest to our customers and Data Subjects in general, as well as to inform them of our products and services.

5.2. Categories of Data Subjects and Personal Information processed by Futurewise

As per section 1 of the POPIA Act, a Data Subject may either be a natural or juristic person.

The categories of Data Subjects and Personal Information processed by Futurewise may include, but is not limited to, the following:

Customers – Natural Persons	Customers Personal and Special Personal Information
	Customers insurance information
	Customers financial information
	Customers biometric information
	Customers dependent Personal and Special Personal Information
	Nominated beneficiary Personal and Special Personal Information
	Nominated beneficiary financial information
	Nominated beneficiary biometric information
	Nominated beneficiary dependent Personal and Special Personal Information
	Children of the customer’s Personal and Special Personal Information
	Children of the customer’s biometric information



Suppliers	Supplier Personal Information
	Personal Information of supplier representatives
Employees / Directors	Employee / Director Personal Information
	Employee and Director Special Personal Information
Service Providers	Service providers Personal Information

5.3. Recipients or categories of recipients with whom Personal Information is shared

Subject to any relevant terms and conditions of use which may be applicable when a Data Subject engages with Futurewise, we may share the Personal Information of any Data Subject we process for any of the purposes outlined in section 4.1 above, with the following third parties, whether such third parties qualify as “responsible parties” in terms of section 1 of the POPI Act or not:

- any relevant regulatory authorities or ombudsmen or other authorities, where Futurewise has a legal duty to share information;
- any approved service provider, contractor or supplier with whom Futurewise has an agreement;
- employees, contractors and temporary staff;
- any payment system Futurewise uses;
- any approved business partners and/or affiliates who provide products and services to Futurewise; and
- any approved service providers or authorised agents who perform services on Futurewise’s behalf.

Futurewise processes personal information in order to facilitate and enhance the delivery of products and services to its policyholders, foster a legally compliant workplace environment, as well as safeguard the personal information relating to any data subjects which it in fact holds. We undertake to process any personal information in a manner which promotes the constitutional right to privacy, retains accountability and data subject participation.

5.4. Description of Information security measures to protect Personal Information

We have, and continue to, implement reasonable, technical and organisational measures for the protection of Personal Information processed by Futurewise. We at all times take reasonable and appropriate



security measures to secure the integrity and confidentiality of Personal Information in our possession in order to guard against:

- the loss of, damage to or unauthorised destruction of Personal Information;
- the unlawful access or processing of Personal Information; or
- the wilful manipulation of Personal Information.

We will take steps to ensure that any third-party operator(s) (as defined in terms of section 1 of the POPI Act) who process Personal Information on behalf of Futurewise apply adequate safeguards as outlined above.

5.5. Cross-border flows of Personal information

Section 72 of the POPI Act provides that personal Information may only be transferred out of the Republic of South Africa:

- If the recipient country can offer such data an “adequate level” of protection. This means that its data privacy laws must be substantially like the Conditions for Lawful Processing as contained in the POPI Act; or
- If the Data Subject consents to the transfer of their Personal Information; or
- If the transfer is necessary for the performance of a contractual obligation between the Data Subject and the Responsible Party; or
- If the transfer is necessary for the performance of a contractual obligation between the Responsible Party and a third party, in the interests of the Data Subject; or
- If the transfer is for the benefit of the Data Subject, and it is not reasonably practicable to obtain the consent of the Data Subject, and if it were, the Data Subject, would likely provide such consent

We will take reasonable steps to ensure that any third-party process operators are bound by laws, binding corporate rules or binding agreements that provide an adequate level of protection and uphold the principles for reasonable and lawful processing of Personal Information as contemplated in terms of the POPI Act.

5.6. Personal Information is received from third parties on behalf of a Data Subject



When Futurewise receives Personal Information from a third party on behalf of a Data Subject, we require confirmation that such a third party has prior written consent from the Data Subject, that they are aware of the contents of this PAIA Manual and the Futurewise Privacy Policy, and do not have any objection to us processing their Personal Information.

6. Objection to the processing of Personal Information

Section 11 (3) of the POPI Act and regulation 2 of the POPIA Regulations provides that a Data Subject may, at any time object to the Processing of his/her/its Personal Information in the prescribed form attached to this manual (Annexure B).

7. Request for Correction or Deletion of Personal Information

Section 24 of the POPI Act and regulation 3 of the POPI Regulations provides that a Data Subject may request for their Personal Information to be corrected/deleted in the prescribed form as per Annexure C.

8. Prescribed Request Forms and Fees

8.1. How to gain access to records not automatically disclosed

Information which is automatically available, without having to complete the prescribed form and paying the requester's fee, will be made available via the Futurewise website (www.futurewise.co.za) or in the manner requested, should this be reasonable and possible. The manner of access will include:

- Perusal with copying of material if needed and at the prescribed fee for copies;
- Access to visual, audio visual material with a transcription, dubbing, copying or both, if required.

To facilitate the processing of any request by a requester, kindly follow the procedure set forth herein below:

- Use the prescribed form(s) as attached hereto in the form of an Annexure, alternatively the form(s) can be found on Futurewise 's website – www.futurewise.co.za;
- Address your request to the Information Officer/Deputy Information Officer;
- Provide sufficient detail to enable Futurewise or any authorised person dealing with a request to identify:



The record(s) requested;

- The requestor (and, if an agent is lodging the request on behalf of someone, proof of capacity and authorisation);
- The South African postal address, email address or cell number of the requestor;
- The form of access required;
- If the requester wishes to be informed of the decision in any manner (in addition to being informed in writing) the manner and particulars thereof;
- The right which the requestor is seeking to exercise or protect with an explanation of the reason the record is required in order to exercise or protect the right.

8.2. Prescribed fees

The following applies to requests other than personal requests (a personal request is where a requester seeks information about himself or herself or his/her next of kin). Personal requests are exempted from paying fees. In addition, if the information is about a deceased individual, then the requester will also be exempted from paying fees.

Every other request which is not a personal request is subject to payment of the prescribed fees set out in section 51(1)(f) of the PAIA Act (“the Fees”). The Fees must be paid to Futurewise by way of electronic funds transfer into Futurewise’s bank account, the details of which are available on request. Please note that proof of payment must be submitted to the email addresses of the Information Office and/or Deputy Information Officer as set out in clause 2 above.

If the preparation of the record(s) requested requires more than the prescribed hours (six hours), a deposit shall be paid equal to not more than one third of the Fee and/or the Deposit which would be payable if the request were granted.

Should Futurewise fail to provide the requester record(s) after approving the request, a requestor may lodge an application with a court against the payment of the Fee and/or Deposit.

Records may be withheld until the Fees and/or Deposit have been paid.

The detailed Fee Structure is available on the website of the South African Human Rights Commission at www.sahrc.org.za

8.3. Access to prescribed forms and fees

Prescribed forms and fees are published on Futurewise’s website or, alternatively, copies can be requested from the Information Officer or



Deputy Information Officer (see contact details in section 2). Prescribed forms and fees can be found on Futurewise 's website as follows:

Annexure A – Form A: Form of Request www.futurewise.co.za

Annexure B – Prescribed Form for the Objection to the Processing of Personal Information

Annexure C – Prescribed Form for a Request for Correction or Deletion of Personal Information or Destroying or Deletion of Record of Personal Information in terms of s 24(1) of the POPI Act.

9. Remedies available to Requesters if their Request for Information has been Refused

Futurewise does not have an internal appeal procedure regarding the PAIA and POPI Act requests for access to information. As such, the decision made by the duly authorised persons whose particulars appear in section 2, is final.

The PAIA Act provides for an internal appeal procedure in terms of sections 74 and 75 of the PAIA Act. The Minister, as defined in the PAIA Act, is the relevant authority to review any decision taken on appeal.

If a request is denied, the requestor is entitled to apply to a court with appropriate jurisdiction, or the Information Regulator (once established), for relief.

