

## Privacy Policy

Assegai Recruitment (Pty) Ltd (the **Company**) owns and operates a recruitment agency. The Company processes the personal information of candidate employers (**clients**) and candidate employees (**candidates**) for the purpose of matching suitable candidates to suitable clients for their mutual benefit, and for the purpose of growing the frequency and improving the excellence of the recruitment services offered by the Company. These are the Company's essential purposes, referred to below collectively as the "**Business Purpose**".

In compliance with the Protection of Personal Information Act 4 of 2013, the Company commits to processing the personal information of clients and candidates lawfully and in a reasonable manner which does not infringe the privacy of any client or candidate.

### How does the Company collect personal information?

1. The Company collects a client's personal information, including contact details, website address, email correspondence and information for billing purposes, in the process of executing the Company's Terms of Business with the client. The Company may also refer to the client's website and any social media profiles published by the client, to better understand the client's activities and ethos.
2. The Company collects a candidate's personal information, including contact details, identity number, information regarding nationality, gender, race and marital status, the number of a candidate's dependents, a candidate's health status, details regarding the candidate's current employment including full remuneration information, details regarding a candidate's transportation arrangements, a candidate's preferred working location, details regarding a candidate's criminal record, credit record, computer skills and smoking habits (where relevant). This information is collected directly from the candidate by the candidate completing and submitting a Candidate Application Form to the Company or by the candidate submitting a resume or curriculum vitae to the Company via the Company's website. The Company will collect further personal information directly from the candidate through email correspondence, personal interviews and telephone calls, including documentation supporting the candidate's resume or curriculum vitae or information about the candidate's work experience and character.
3. The Company may collect further information about a candidate from third parties, including information about the candidate's previous work performance from the referees named in the candidate's resume or curriculum vitae, information about the candidate's previous work performance from representatives of previous employers who are not named as referees, information about the candidate's work experience or general character from social media, as well as verification of the candidate's statements and status by running background checks on identity, criminal record, credit history and educational qualifications, through [www.mie.co.za](http://www.mie.co.za).
4. The Company may monitor activity on its own website and gather information about who is visiting and using the site and how, in order to assess the Company's market reach and improve its service offering.

By signing the Terms of Business (clients), or signing a Candidate Application Form (candidates) or uploading applications on the Company's website (candidates), clients and candidates consent to the collection of personal information described in this Privacy Policy and any further collection necessary to fulfil the Business Purpose.

### Is providing personal information voluntary or compulsory?

The Company needs to have a full picture of each client and candidate in order to fulfil the Business Purpose. When a client or candidate withholds information, the Company is not able to represent the client or candidate properly in attempting to make suitable employment matches. Providing personal information is voluntary, but the Company may decline to perform recruitment services for a client or candidate until the information which it has requested from

that client or candidate and which the Company deems essential in its sole discretion, has been provided.

### **How does the Company store and manage personal information?**

The Company uses a cloud-based recruitment software platform operated by Manatal.co.Ltd (**Manatal**), based in Thailand, to store and manage most if not all of the personal information which the Company collects from clients and candidates.

1. The Company has a contract with Manatal, in terms of which Manatal expressly states that the Company, not Manatal, is the controller of the personal information which is stored on Manatal's platform. The Company has password-protected access to the client and candidate information stored on Manatal's platform and is responsible for ensuring the accuracy and completeness of the information on that platform.
2. Through its platform, Manatal is able to organise and present the personal information on the Company's account, to the Company in different ways which enable the Company to make the right decisions to fulfil the Business Purpose. This organisation and presentation of data is the essential purpose of Manatal's service and it undertakes only to use the personal information to carry out this purpose. Manatal and its employees and subcontractors are bound by statute or contract to treat the personal information on its platform as confidential and not to disclose it unless required by law.
3. Manatal provides services to organisations in many different countries, including countries with data protection laws as stringent or more stringent than South Africa's Protection of Personal Information Act. It is of critical importance to their business to maintain the security of the personal information they store. Their security measures are summarised in their Privacy Policy and copied below:

*We care about the security of your Personal Information, and take appropriate steps including technical and organizational measures to ensure that your Personal Information is treated securely and in accordance with this Services Privacy Policy. The measures we use are designed to provide a level of security appropriate to the risk of processing your Personal Information, and to protect it loss, misuse, and unauthorized access, disclosure, alteration, and destruction. Such measures shall include, as appropriate:*

- i. the pseudonymization and encryption of Personal Information;*
- ii. the ability to ensure the ongoing confidentiality, integrity, availability and resilience of processing systems and services;*
- iii. the ability to restore the availability and access to Personal Information in a timely manner in the event of a physical or technical incident;*
- iv. a process for regularly testing, assessing and evaluating the effectiveness of technical and organisational measures for ensuring the security of the processing.*

The full Manatal privacy policy is available at <https://www.manatal.com/privacy-policy/>.

Any personal information collected by the Company and not stored on the Manatal platform will be stored and organised using the Company's Microsoft Office 365 software, which is continuously updated as part of the Company's contract with Microsoft and which includes security settings appropriate for business- or professional-level applications.

By signing the Terms of Business (clients), or signing a Candidate Application Form (candidates) or uploading applications on the Company's website (candidates), clients and candidates consent to the storage and management of personal information described in this Privacy Policy and any further storage and management necessary to fulfil the Business Purpose.

## **What does the Company do with the personal information?**

As described above, the Company uses the personal information which it collects to fulfil the Business Purpose, that is:

1. to match suitable candidates to suitable clients for their mutual benefit; and
2. for the purpose of growing the frequency and improving the excellence of the recruitment services offered by the Company.

In order to carry out the Business Purpose, the Company's owners, managers and employees need to review, consider, verify and discuss internally, the personal information provided by clients and candidates. The Company will usually create a resume or curriculum vitae for a candidate on the Company's own template, populating it with personal information collected by the Company. The personal information of candidates has to be shared with relevant clients and vice versa, in order to secure or attempt to secure successful employment matches.

By signing the Terms of Business (clients), or signing a Candidate Application Form (candidates) or uploading applications on the Company's website (candidates), clients and candidates consent to the use of personal information described in this Privacy Policy and any further use necessary to fulfil the Business Purpose.

## **How long does the Company keep the personal information for?**

The Company stores and processes client and candidate personal information for so long as the Company maintains contact with the client or candidate, in the form of direct telephone or electronic communication contact which is reciprocated by the client or candidate in some form, and for five years after. This is a general rule applied by the Company to:

1. ensure that it maintains and consults the personal information of all clients and candidates who could benefit from the Company's active services; and
2. carry out good record-keeping practices, in case the details of any employment match are queried by the relevant client or candidate in the future.

By signing the Terms of Business (clients), or signing a Candidate Application Form (candidates) or uploading applications on the Company's website (candidates), clients and candidates consent to the length of time for which the Company keeps their personal information.

## **Client and candidate rights to deal with their personal information**

The Company views itself as the temporary custodian of clients' and customers' personal information, which is entrusted to the Company and curated by the Company to fulfil the Business Purpose. Each client and candidate has the right to:

1. withdraw any of the consents given to the Company in relation to the processing of their personal information (in which case the Company may continue to process the personal information to the extent necessary to implement its contract with the client or candidate, or to protect the legitimate interests of the client or candidate, or to protect the legitimate interests of the Company, or to comply with a legal obligation);
2. ask the Company to reveal what personal information the Company has relating to the client or candidate and who has had access to that information (in which case the Company will respond on email as soon as reasonably practicable);
3. ask the Company to correct or delete any of their personal information which is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or unlawfully obtained (in which case the Company will respond by altering its records, or

substantiating its records to the client or candidate, or annotating its records, as appropriate, as soon as reasonably practicable);

4. ask the Company to destroy or delete any of their personal information if it is no longer lawful for the Company to retain it (in which case the Company will respond in accordance with the Protection of Personal Information Act as soon as reasonably practicable, allowing time for the Company to seek legal advice if necessary);
5. object to the Company processing any of their personal information where the processing is:
  - a. not covered by consent; or
  - b. not necessary for carrying out the contract between the Company and the client or candidate; or
  - c. not necessary to discharge a legal obligation of the Company,

and the client or candidate has reasonable grounds for objection relating to the client or candidate's situation (in which case the Company must cease processing the personal information);

6. object to the Company processing any of their personal information to prevent any direct marketing by the Company to the client or candidate (in which case the Company must cease processing the personal information for this purpose);
7. lodge a complaint to the Information Regulator at:

33 Hoofd Street  
Forum III, 3<sup>rd</sup> Floor Braampark  
PO Box 31533  
Braamfontein, Johannesburg, 2017

Mr Marks Thibela  
Chief Executive Officer  
Tel No. +27 (0) 10 023 5207  
Cell No. +27 (0) 82 746 4173

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

The Company is a private company registered with the Companies and Intellectual Property Commission of South Africa, as Assegai Recruitment (Pty) Ltd, registration number 2020/244223/07. The Company's registered address is 26 Kenelm Road, Everton, KwaZulu-Natal, 3605.

Within the Company's structure, the collection and processing of client and candidate personal information is managed by the Lead Recruiter, who is also the Company's Information Officer. For all requests relating to the processing of personal information, the Information Officer may be contacted at [louise@assegairecruitment.co.za](mailto:louise@assegairecruitment.co.za).