

Sensible Risk Solutions (Pty) Ltd

Company Registration No. 2014/204790/07 Vat No. 4330279342 FSP No. 48159



Physical Address
Wild Fig Business Park
1494 Cranberry Street
Block A, 1st Floor
Honeydew
2040

Postal Address
Suite 178
Private Bag X3
Strubens Valley
1735

Tel: +27 10 001 7590
www.sensiblerisk.com

POPIA Data Complaints Handling Protocols

August 2024

OBJECTIVE

The aim of this document is to ensure that the staff of Sensible Risk Solutions understand how to handle data subject complaints, as any such POPIA-related complaint needs to be resolved effectively and in a timely manner.

We believe that a complaint could arise following a data subject's request to access details about their personal information that we hold, from a data subject's objection to the fact that we are processing their personal information, or should we have a data breach.

The following needs to be achieved:

- All staff need to understand what a complaint is.
Basically, this can relate to any situation whereby the data subject believes we have not upheld their rights and have failed to follow lawful processing conditions when dealing with their personal information.
- Full details of the complaint must be reported to Henry Ansara as the Information Officer, who will then decide on the course of action to be followed, and which staff members need to be involved in handling the complaint.
- All complaints must be investigated to ensure we understand the root cause, and to determine if any correction action or improved processes need to be implemented.
- We need to communicate with the data subject, to acknowledge receipt of their complaint, to advise of the way in which we plan on addressing it, our findings and proposed plan of action, as well as informing the data subjects of their rights.
- All complaints must be logged for record-keeping purposes.
- Ultimately, the complaints handling process needs to be fair, simple, and transparent.

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PROCESSES

- a) Accept all written complaints submitted from data subjects.
- b) If the complaint is not in writing, request that the data subject send full details of their complaint to us in writing.
- c) Inform Henry Ansara of the complaint received, giving all the available details as well as the written complaint.
- d) Log the date and details of the complaint in the Complaints Register.
- e) Acknowledge receipt of the complaint to the data subject in writing, within two days of receipt, providing concise details of the process that will be followed.
- f) Investigate the complaint, involving the relevant staff members and service providers where necessary.
- g) If the complaint can be resolved immediately, take the necessary action, and advise the data subject accordingly.
- h) If the complaint is of a complex nature, or further investigations are required, send the data subject a written summary of the planned steps that we will take and the time frame.
- i) Keep the data subject informed of our progress. If we encounter any delays, we must notify the data subject thereof.
- j) Once resolved, provide the data subject with the outcome and the resolution.
- k) If the complaint is deemed to be invalid and we dismiss the complaint or part thereof, we must inform the data subject of their right to escalate their complaint to the Information Regulator.
- l) Update the Complaints Register with the details of the investigation and the outcome of the complaint.

Should we not resolve a complaint or if the data subject remains dissatisfied with our actions, they have the right to lodge a complaint with the Information Regulator.

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The contact details of the Information Regulator are:

Postal Address: P.O Box 3153, Braamfontein, Johannesburg, 2017

Physical Address: JD House, 27 Siemens Street, Braamfontein, Johannesburg, 2001

E-Mail Address: complaints.IR@justice.gov.za

Telephone: 010 023 5200

Website: <https://www.inforegulator.org.za/>

Section 74. (1) of POPIA states that “any person may submit a complaint to the Regulator in the prescribed manner and form alleging interference with the protection of the personal information of a data subject.”

Should any person believe that Sensible Risk Solutions has interfered with the protection of the personal information of a data subject, that person can complete part I of Form 5 (see Attachment 1) and this can then be submitted to the Information Regulator.