



## Data Privacy Notice

### Rothschild & Co (South Africa) Foundation (“the Foundation”)

Please read and retain this Privacy Notice to understand how your information will be treated and what your rights are under the data protection legislation. This Privacy Notice may be updated from time to time.

In adopting this Privacy Notice, we wish to balance our legitimate interests and your reasonable expectation of privacy.

The South African Protection of Personal Information Act 4 of 2013 (“**POPIA**”), gives effect to the constitutional right to privacy by safeguarding personal information and it regulates the manner in which personal information must be processed. We regard the lawful and correct treatment of personal information as important to the achievement of the Foundation’s objectives. We are legally obliged to protect any personal information we hold in relation to our trustees, beneficiaries, scholarship applicants, administrators, suppliers and other third parties who interact with us e.g. in connection with our beneficiaries and people we interact with when we hold functions.

This Privacy Notice explains how we obtain, use and disclose your personal information. We are required under POPIA to notify you of the information contained in this Privacy Notice. This Privacy Notice sets out:

- Who we are;
- What personal information we collect;
- How we use your information;
- To whom we disclose your information;
- How we safeguard your information;
- Your rights to access and correct information; and
- How to contact us.

#### 1. Who we are

The Foundation was established by Southern Arrows (Pty) Ltd (“the Founder”), the majority shareholder of Rothschild and Co South Africa (Pty) Ltd (“**Rothschild & Co SA**”), to promote education of Black Persons in the financial services sector. The Foundation entered into a broad-based black economic empowerment ownership (“**BBEE**”) transaction pursuant to which the Foundation became a minority shareholder of Rothschild & Co SA.

The Foundation’s registered address is 7th Floor 144 Oxford, 144 Oxford Road, Rosebank, Johannesburg 2196.

The Foundation appointed Rothschild & Co SA as its Administrator in order to manage the day-to-day activities and functions of the Foundation.

Where we refer to “**Associates**” in this Privacy Notice, we are referring to entities within the Rothschild & Co Group, being Rothschild & Co - a French partnership limited by shares (société en commandite par actions) which is listed on the Euronext Exchange in Paris - and Rothschild & Co Continuation Holdings AG, together with their subsidiary and associated companies and partnerships, including Rothschild & Co SA and the Founder (“**the Group**”).

For the purposes of South African data protection legislation (which is, in the main, POPIA), the Foundation is a “**responsible party**” in respect of your personal information. This means that we are responsible for deciding how we hold and use personal information about you. This includes ensuring that we use your personal information in accordance with applicable data protection laws, including POPIA.



## 2. What personal information we collect

“Personal information” includes information relating to an identifiable, living, natural person (and, where applicable, an identifiable, existing juristic person). “Special Personal Information” means information relating to the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health, sex life or biometric information of a natural person.

In essence, the above types of information are any information or data that can be used to identify you or that the Foundation can link to you and which it has in its possession and/or under its control. It does not include data that cannot be linked to you (i.e. anonymous data).

In the course of the Foundation’s operations, we collect and process the following personal information:

- Information that we collect from the trustees e.g. in order to obtain Letters of Authority from the Master of the High Court, for purposes of providing due diligence to the Foundation’s bank and other service providers, and for purposes of the Foundation’s secretarial function e.g. signed written resolutions and declarations of personal interests.
- In relation to the Foundation’s beneficiaries and scholarship applicants:
  - Information that you or someone acting on your behalf provides to the Foundation, for example: (i) when submitting an application for a scholarship, including scans of identification documents, (ii) when providing information for the day-to-day administration of the scholarships, (iii) when providing information about a third party (such as a parent or guardian who consents to an application by a minor i.e. someone under 18 years of age), (iv) when a parent or guardian consents to an application by a minor, (v) an applicant’s qualifications, education history (including scanned / digital exam transcripts), CV, and financial information to prove eligibility for a scholarship.

This includes information such as names, identity numbers, birthplaces, telephone numbers, email addresses, copies of identity books / cards, gender, race, ethnicity, and bank account details that we receive when you fill in forms or communicate with us, whether face-to-face, by phone, e-mail or otherwise.
  - Information that we collect or generate about you, such as your academic record provided to us by your tertiary institution. We also collect information about you when you have been successful in your scholarship application e.g. your photograph or when we otherwise interact or correspond with you.
- We may obtain Special Personal Information, which may include (i) health information, including any medical conditions, which we may use so that we can make reasonable adjustments to improve the service we are able to offer you and to look after your wellbeing while studying, and (ii) race or ethnicity and religious beliefs – we use these types of data to monitor the effectiveness of our outreach. You are not required to give this information and may choose not to do so.
- If you are a trustee of the Foundation, information which you or someone acting on your behalf provides to the Foundation such as your name, identity number, telephone number, email address, copy of your identity book / card and proof of address, gender, race, ethnicity, and bank account details and information which you provide when communicating with us, whether face-to-face, by phone, e-mail or otherwise.
- If you are a supplier to the Foundation, your contact details and those of the people who work for you, your bank account details, and information you provide when communicating with us, whether face-to-face, by phone, e-mail or otherwise.
- Information captured on security systems and for security purposes, including Closed Circuit Television (“CCTV”), if you visit the Foundation’s premises.



### 3. How we use your personal information

Personal information may be stored and processed by the Foundation in the following ways and for the following purposes:

- To process scholarship applications;
- To respond to your queries;
- To verify your, or your parent / guardian(s), bank account details and financial standing;
- To verify your identity (including for anti-money laundering and fraud prevention purposes);
- To perform statistical and demographic analysis;
- To contact you in connection with awards made by the Foundation;
- To notify you about any changes to the Foundation's scholarship programme or in connection with the administration of the scholarship programme;
- To report to the trustees of the Foundation;
- To interact with the universities where scholarship applicants and scholarship holders are studying;
- For purposes of paying invoices;
- To perform our obligations in terms of any contract we have with you;
- To comply with our legal and regulatory obligations. This includes BBEE verification and financial audits, record-keeping requirements and reporting to the relevant authorities; and
- To prevent and respond to actual and potential fraud or illegal activities.

The Foundation's processing of personal information is premised on one or more of the following grounds:

- Consent – we may (but usually do not) need your consent to use your personal information. Under certain circumstances, you may withdraw your consent by contacting us (see section 7 below);
- Conclusion or performance of a contract - we may need to collect and use your personal information to enter into a contract with you or to perform our obligations under a contract with you;
- Legitimate interest – we may use your personal information for your or our legitimate interests or those of third parties, some examples of which are given above; and/or
- Compliance with law or regulation – we may use your personal information in order to comply with applicable law/regulation.

If you fail to provide certain information when requested, the Foundation may be unable to perform its obligations in terms of any agreement it has entered into with you, or it may be prevented from complying with its legal obligations.

The Foundation will only use your personal information for the purposes for which it was collected, unless it considers that it needs to use the personal information for another reason and that reason is compatible with the original purpose for which it was collected. Where the Foundation needs to use your personal information for a purpose unrelated to the reason for its collection, the Foundation will notify you and will explain the legal basis which allows it to do so, or will request your consent.

Please note that, where this is required or permitted by law, the Foundation may process your personal information without your knowledge or consent.



#### **4. To whom we may disclose your personal information**

The Foundation may disclose personal information to its Associates in the circumstances described below:

- To perform its obligations in connection with an agreement with you;
- For management and administration of the Foundation;
- For the management and administration of internal policies and procedures within the Foundation and its Administrator; and/or
- For measurement of the B-BBEE status of Rothschild & Co SA.

Information disclosed by the Foundation to our Administrator to perform any functions on behalf of the Foundation will be treated by the Administrator in accordance with its data protection policies.

We may also disclose personal information to other third parties, as follows:

- The trustees of the Foundation;
- Third party agents, service providers or contractors, who will be required to treat your information in accordance with the Foundation's policies, and who will only use personal information on the Foundation's behalf for purposes described in this Privacy Notice;
- To third parties who are relevant to any agreement between you and the Foundation;
- To the extent required by law, regulation or court order, for example if the Foundation is under a duty to disclose personal information in order to comply with any legal or regulatory obligation; and
- In order to establish, exercise or defend the Foundation's legal rights, for example if the Foundation needs to obtain external legal advice or provide personal information in connection with judicial proceedings.

Where personal information is disclosed to our Associates or other third parties, we will take steps to ensure that the personal information is kept confidential and is accessed only by those persons who need to do so for the purposes described in this Privacy Notice, and that appropriate security measures are in place to protect your personal information in line with our Administrator's data protection policies. We do not allow our third-party service providers to use your personal information for their own purposes nor to keep your data after the processing is complete. We only permit them to process your personal information for specified purposes and in accordance with our instructions. When your information is shared, we will always seek to share the minimum amount of information necessary to fulfil the purpose. To the extent that your personal information is provided to regulators or the courts, your information will be dealt with by these authorities in accordance with the law and their internal policies and procedures.

Where there are reasonable grounds for us to believe that your personal information has been accessed or acquired by any unauthorised person, we will notify the Information Regulator and you, unless a public body responsible for detection, prevention or investigation of offences or the Information Regulator informs us that notifying you will impede a criminal investigation by them.

#### **5. How we safeguard your personal information**

We are legally obliged to provide appropriate, reasonable protection for the personal information that we hold and to implement measures to prevent unauthorised access and use of personal information. We will, on an ongoing basis, continue to review our security controls and related processes to ensure that your personal information is secure.

Our security policies and procedures cover:

- Physical security;
- Computer and network security;



- Access to personal information;
- Secure communications;
- Security in contracting out activities or functions;
- Retention and disposal of information;
- Acceptable usage of personal information;
- Governance and regulatory issues;
- Monitoring access to and usage of personal information; and
- Investigating and reacting to security incidents.

In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a need to know the information. When we contract with third parties, we impose appropriate and reasonable security, privacy and confidentiality obligations on them to ensure that personal information for which we remain responsible for is kept secure.

### ***Transfers of personal information outside of South Africa***

Your personal information may be transferred to, and stored at, a destination outside of South Africa. It may also be stored and processed by our Associates operating outside of South Africa. Associates may include third party agents, service providers and/or contractors.

Where we transfer personal information outside of South Africa, we will ensure that it is protected in a manner that is consistent with how personal information is protected by us in South Africa. This may be achieved in one of the following ways:

- The persons to whom we send the information are subject to law, binding corporate rules, or a binding agreement which provide an adequate level of protection; or
- The recipient has signed a contract which obliges the recipient to ensure an adequate level of protection for the personal information that they receive.

In other circumstances the law may permit us to transfer personal information outside of South Africa.

In all cases, however, we will ensure that any transfer of personal information complies with applicable data protection law.

You can obtain further details of the protection given to your personal information when it is transferred outside of South Africa by contacting us in accordance with section 7 below.

### ***Retention of personal information***

We will only retain your personal information for as long as necessary to fulfil the purposes for which it was collected, including to satisfy any legal, accounting or reporting requirements. The period for which we hold your personal information will vary. The retention period is determined by various criteria including:

- The purpose for which we are using it - we will need to keep the information for as long as is necessary for that purpose; and
- Legal obligations - laws or regulations may set a minimum period for which we have to retain your personal information.



## 6. Your rights in relation to personal information

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

You have a number of legal rights in relation to the personal information that we hold about you. These rights include:

- The right to be informed that we are collecting your personal information;
- The right to obtain information regarding the processing of your personal information and access to the personal information which we hold about you.
- The right to request that we correct, destroy or delete any of your personal information that we have processed in accordance with this Privacy Notice. The personal information that you may request us to correct, destroy or delete is personal information that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, obtained unlawfully or that we are no longer authorised to retain. Please note that there may be circumstances where you ask us to erase your personal information but the Foundation is legally entitled or obliged to retain it and is therefore entitled to refuse your request;
- The right to object to, and the right to request that we restrict our processing of your personal information on reasonable grounds relating to your particular situation, unless the processing is required by law. Again, there may be circumstances where you object to, or ask us to restrict our processing of your personal information but the Foundation is legally entitled or obliged to continue processing your personal information and is therefore entitled to refuse your request. However, you may raise an objection if you are of the view that the processing of your personal information is not necessary to pursue your legitimate interests, our legitimate interests or the legitimate interests of a third party to whom the information was supplied;
- The right to withdraw your consent, although in certain circumstance it may be lawful for the Foundation to continue processing your data where the Foundation has another legitimate reason (other than consent) for doing so. The Foundation is not relying on your consent in order to process your personal information for the purposes and in the manner set out in this Privacy Notice;
- The right to lodge a complaint with the Information Regulator (South Africa), if you think that any of your rights have been infringed by us; and
- The right to institute civil proceedings regarding an alleged interference with the protection of your personal information as processed in accordance with this Privacy Notice.

You can exercise your rights by contacting us, in writing, using the details set out in the section 7 below. We may need to request specific information from you to help us confirm your identity and ensure your right to access the information, or to exercise any of your other rights.

You can find out more information about your rights by contacting the Information Regulator (South Africa) – website: <https://justice.gov.za/infoereg/>.

## 7. How to contact us

If you would like further information about our processing of your personal information or the exercise of any of the rights referred to above, please address questions, comments and requests to [dataprotection.southafrica@rothschildandco.com](mailto:dataprotection.southafrica@rothschildandco.com) for the attention of the South African Deputy Information Officer, who is responsible for overseeing compliance with this Privacy Notice.

1 October 2020