

Human Trafficking Institute

South African Privacy Policy

Introduction

Welcome to the HTI's privacy policy.

HTI (also referred to as “we”, “us” or “our” in this policy) respects your privacy and is committed to protecting your personal information.

This privacy policy explains:

- How we obtain, use and disclose your personal information, in accordance with the requirements of the Protection of Personal Information Act 4 of 2013 (**POPIA**);
- How we protect your personal information; and
- Your privacy rights under POPIA.

Please also use the Glossary at the end of this privacy policy to understand the meaning of some of the terms used in this privacy policy.

1. Important information and who we are

The HTI is a non-profit organisation whose leadership and staff have extensive experience investigating and prosecuting human trafficking cases around the world, as well as training law enforcement, prosecutors and judges in the practical and legal aspects of human trafficking case management. Working inside criminal justice systems, the HTI provides experts, capacity building, and data-driven resources in order to provide and facilitate effective and gender-sensitive justice to victims of human trafficking. In South Africa, HTI works closely with law enforcement such as the National Prosecuting Authority (NPA) as well the South African Police Services (SAPS), and the Directorate for Priority Crime Investigation (Hawks) to achieve its purpose and support these institutions achieve their respective public mandates institutions achieve their respective public

mandates. HTI processes personal information provided to it by these organisations as well as for its own purposes as described in this privacy policy.

Purpose of this privacy policy

This privacy policy aims to give you information on how HTI processes personal information when you, personally, or for a juristic entity, engage with HTI, including where you:

- visit this website or any other website that is owned or operated by us;
- use any of our services as a partner, beneficiary, individual, governmental or regulatory body, including, but not limited to, training and supplying of experts to anti-trafficking teams;
- engage the services of our personnel;
- make a donation to HTI;
- engage with us on prospective contracts or other commercial arrangements with us or for other purposes; and
- conclude a contract with us (for example, where you act as a donor, partner, supplier, beneficiary, agent, individual or governmental or regulatory body).

It is important that you read this privacy policy together with any other privacy policy we may provide on specific occasions when we are collecting or processing personal information about you so that

you are fully aware of how and why we are using your information. This privacy policy supplements other notices and privacy policies and is not intended to override them.

Responsible party

In respect of the circumstances to which this privacy policy applies, HTI is the responsible party and is responsible for your personal information, (collectively referred to as HTI, "we", "us" or "our" in this privacy policy).

We have appointed an information officer who is responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact the Information Officer using the details set out below.

Contact details

If you have any questions about this privacy policy or our privacy practices, please contact our Information Officer in the following ways:

Full name of legal entity: Human Trafficking Institute Inc. Incorporated in the State of Delaware (a registered external company in South Africa)

Email address: glen.parks@traffickinginstitute.org

Postal address: 3rd Floor Office 302 114 Bree Street, Cape Town, 8000

Telephone number: +27 83 636 0178

You have the right to make a complaint at any time to the Information Regulator, the South African regulatory authority for personal information protection issues ([Home - Information Regulator \(inforegulator.org.za\)](http://inforegulator.org.za)) (**Information Regulator**). We would, however, appreciate the opportunity to deal with your concerns before you approach the Information Regulator, so please contact us in the first instance.

Changes to the privacy policy and your duty to inform us of changes

We keep our privacy policy under regular review. This version was last updated on 1 April 2025. Historic versions can be obtained by contacting us.

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.

Third-party links

This website (or any other website that is owned or operated by us) may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share information about you. We do not control these third-party websites and are not responsible for their privacy statements. We make no representations or warranties about the privacy practices of any third-party website and do not accept any responsibility for the privacy practices of, or content displayed on, these third-party websites. Third party website

providers are responsible for informing you about their own privacy practices. We encourage you to read the privacy policy of every website you visit.

2. The personal information we collect about you

Personal information means information about a natural or juristic person from which that person can be identified. It does not include information where the identity has been removed (anonymous information).

We may collect, use, store and transfer different kinds of personal information which we have grouped together as follows:

- **Identity Information** includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth, gender, company registration number, tax number, and may also include due diligence (know-your-client) information.
- **Contact Information** includes billing address, delivery address, email address and telephone numbers.
- **Financial Information** includes bank account and payment card details.
- **Transaction Information** includes details about payments to and from you, and other details of services you have received or funded or provided, and includes details about invoicing and other payment arrangements that may apply to our relationship with you.
- **Technical Information** includes internet protocol (IP) address, your login information, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access this website.
- **Profile Information** includes your interests, preferences, feedback and survey responses.
- **Usage Information** includes information about how you use our website and services.
- **Marketing and Communications Information** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We also collect, use and share **Aggregated Information** such as statistical or demographic information for any purpose. Aggregated Information could be derived from your personal information

but is not considered personal information in law as this information will **not** directly or indirectly reveal your identity.

The categories of information included in this privacy notice are examples only and are not intended to be an exhaustive list.

We may collect this personal information in various ways such as directly from you, from correspondence with you, or through meetings or other assessments; or third parties.

Special personal information

HTI only processes special personal information in limited circumstances. HTI may be required to access, review and consult on documents containing special personal information relating to the victims, persons of interest, suspects, accused persons, and witnesses involved in human trafficking cases. The special personal information may include details about race or ethnicity, religious beliefs, sex life, sexual orientation, information about health, and allegations of criminal behaviour.

Personal information relating to children

HTI only processes personal information relating to children in limited circumstances.

HTI may be required to process personal information relating to children, for example where HTI, in the execution of its duties, encounters children as victims of human trafficking and will need to process personal information in order to assess child protection risks and ensure that there are clear and understood local office procedures in place to mitigate identified risks.

If you fail to provide personal information

Where we need to collect personal information by law, or under the terms of a contract we have with you, and you fail to provide that information when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may not be able to proceed with a particular engagement we have or intend to have with you (this may include cancelling a service you have with us), but we will notify you if this is the case at the time.

3. How we use your personal information

We will only use your personal information as the law allows. Most commonly, we will use your personal information in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal obligation.
- Where we have obtained your consent to process your personal information for the specific purposes described to you. Where you have provided such consent, you have the right to withdraw consent at any time by contacting us unless the information is

processed in relation to an ongoing transaction or relationship and you may not be able to access certain services if you withdraw consent.

- Where applicable law or the Information Regulator has explicitly authorised us to do so.

Purposes for which we will use your personal information

We have set out below, in a table format, a description of all the ways we plan to use your personal information, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal information for more than one lawful basis depending on the specific purpose for which we are using your information. Please contact us if you need further details regarding the purposes for which we process your personal information.

Purpose/Activity	Type of personal information	Lawful basis for processing including basis of legitimate interest
A. Using our services		
To register you as a training participant or partner interested in receiving information/consultancy advice	(a) Identity (b) Contact (c) Station/office location (d) Job Position	Performance of a contract with your employer
To enable us to perform our obligations to you in terms of a written contract	(a) Identity Information	Performance of a contract with you or your employer
B. Website		
To administer and protect our work, this website (and any other website owned or operated by us) and our Services (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity Information (b) Contact Information (c) Technical Information	(a) Necessary for our legitimate interests (for performing our work, provision of administration and IT services, network security, to prevent fraud and in the context of a reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity Information (b) Contact Information (c) Profile Information (d) Usage Information (e) Marketing and Communications Information (f) Technical Information	Necessary for our legitimate interests (to study how donors and partners view and respond to our services, to develop them, to expand our work and to inform our marketing strategy)
To use data analytics to improve our website, Services, marketing, customer relationships and experiences	(a) Technical Information (b) Usage Information	Necessary for our legitimate interests (to define types of donors and partners for who are interested in our services, to keep our website updated and relevant, to expand our work and to inform our marketing strategy)
C. Contracts and other commercial engagements with our suppliers or other third parties		

To enable us to negotiate a potential contract or commercial engagement with you	(a) Identity Information (b) Contact Information	(a) Conclusion of a contract with you (b) Necessary for our legitimate interests (to perform due diligence checks on potential supplier) (c) Necessary to comply with a legal obligation
To enable us to perform our obligations to you in terms of a written contract, and/or to enable us to receive services you may be providing to us in terms of a written contract	(a) Identity Information (b) Contact Information (c) Financial Information	(a) Performance of a contract with you (b) Necessary for our legitimate interests (for example, to perform audits to ensure that our counterparties are complying with their obligations under the contract) (c) Necessary to comply with a legal obligation
D. General		
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how partners use our services)
To enable you to partake in a prize draw, competition, fundraiser, auction or complete a survey	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how partners use our services, to develop them and expand our work)
To make suggestions and recommendations to you about services that may be of interest to you, or about HTI's work	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing and Communications	Necessary for our legitimate interests (to develop our services and expand our work and donor base)

Marketing (if applicable to our relationship with you)

We strive to provide you with choices regarding certain personal information uses, particularly around marketing and advertising.

We may use your Identity, Contact, Technical, Usage and Profile Information to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or purchased goods or services from us and you have not opted out of receiving that marketing.

We will get your express opt-in consent before we share your personal information with any third party for marketing purposes.

You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you **OR** by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal information provided to us as a result of a service, donation, service experience or other transactions.

Cookies (if you are engaging with us via a website owned or controlled by us)

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly.

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

4. Disclosures of your personal information

We may share your personal information with the parties set out below for the purposes set out in the table *Purposes for which we will use your personal information* above (see section 3 of this privacy policy).

- Internal third parties namely: our employees or affiliates
- External third parties namely:
 - Third parties in relation to the performance of any contract or business with you, or to whom we subcontract to provide our services like software developers and other IT vendors. We do not allow our third-party service providers to use your personal information for their own purposes and only permit them to process your

personal information for specified purposes and in accordance with our instructions.

- Third parties, to whom we may choose to transfer or merge parts of our business or our assets. Alternatively, we may seek to merge with other businesses. If a change happens to our business, then the new business may use your personal information in the same way as set out in this privacy policy.
- Legal advisers and insurers where necessary to investigate, exercise or defend claims and other professional advisers.
- Auditors where necessary to ensure proper functioning of the HTI business.
- Law enforcement bodies, where necessary to facilitate the prevention or detection of crime or the apprehension or prosecution of offenders.
- Public authorities, regulators and government bodies, where necessary for us to comply with our legal and regulatory obligations (for example, the Information Regulator), and in some cases contractual obligations
- Any other juristic or natural person for any authorised purpose with your express consent.

We require all third parties to respect the security of your personal information and to treat it in accordance with the law.

5. Cross-border transfers of personal information

In certain circumstances, we may transfer your personal information outside the Republic of South Africa within HTI group.

6. Security

We have put in place appropriate security measures to prevent your personal information from being lost, damaged, destroyed in an unauthorised way or accessed in an unauthorised way. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data breach (that is, where we have reasonable grounds to believe that personal information is accessed or acquired by an unauthorised person) and will notify you and any applicable regulator of a breach where we are legally required to do so.

7. Our retention of your personal information

How long will you use my personal information for?

We will only retain your personal information for as long as reasonably necessary to fulfil the purposes we collected it for or subsequently processed, unless: the retention of the information is required or authorised by any legal or regulatory requirements; we reasonably require the information for lawful purposes relating to one of our functions or activities (for example in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship

with you); the retention of the information is required by a contract entered into between us; or you consent to such retention of information.

We may also retain your personal information for a longer period for historical, statistical or research purposes only where we have implemented appropriate safeguards against your information being used for any other purpose (for example, by anonymising the information so that it can no longer be associated with you). To determine the appropriate retention period for personal information, we consider the amount, nature and sensitivity of the personal information, the potential risk of harm from unauthorised use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal, regulatory or other requirements.

In some circumstances you can ask us to delete your information: see "*Your legal rights*" below for further information.

8. Your legal rights

Under certain circumstances, you have the following rights under applicable privacy laws in relation to your personal information:

- **Notification that your personal information is being collected.** When your personal information is collected, you have the right to be informed that your information is collected and where the information is not collected from you, you have the right to be informed of the source from whom/which it is collected.
- **Notification of security compromises.** Where reasonable grounds exist for us to believe that your personal information has been accessed or acquired by an unauthorised person, you have the right to be notified.
- **Request access to your personal information.** You have the right to confirm, free of charge, whether or not we hold any of your personal information, and to the extent that we do hold your information, to request a copy or description of that record for a prescribed fee, where required. Please see our PAIA Manual which sets out how you can request access to your information. You will be required to provide adequate proof of your identity so that we can confirm your identity and ensure your right to access your personal information. We may need to request other specific information from you to help us process your request. This is a security measure to ensure that personal information is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.
- **Request correction of your personal information.** You have the right to request us to correct or delete your personal information which we have in our possession, where it is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully.
- **Request destruction or deletion of your personal information.** You have the right to ask us to delete or remove your personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal information to comply with the law. Note,

however, that we may not always be able to comply with your request of destruction or deletion for specific legal reasons which will be notified to you, if applicable, at the time of your request.

- **Object to processing of your personal information.** You have the right to object to our processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your right to object to processing.
- **Request restriction of processing your personal information.** This enables you to ask us to suspend the processing of your personal information in the following scenarios:
 - If you want us to establish the information's accuracy.
 - Where we no longer need the information for the purpose for which the information was initially collected but we need it for purposes of proof.
 - Where our use of the information is unlawful but you do not want us to erase it.
 - If you want us to transmit your personal information into another automated processing system.
- **Withdraw consent.** You have the right to withdraw your consent at any time where we are relying on consent to process your personal information. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain services to you. We will advise you if this is the case at the time you withdraw your consent.
- **Submit a complaint to the Regulator.** You have the right to submit a complaint to the Information Regulator regarding an alleged interference with the protection of your personal information.
- **Institute civil proceedings.** You have the right to institute civil proceedings regarding the alleged interference with the protection of your personal information.

If you wish to exercise any of the rights set out above, please contact the Information Officer.

Time limit to respond

We try to respond to all legitimate requests as soon as is reasonably possible. Where your request is particularly complex or you have made a number of requests, we may take some time in process the request/s. In this case, we will notify you and keep you updated.

9. Glossary

Information Regulator means South Africa's Information Regulator established in terms of section 39 of the *Protection of Personal Information Act, 2013*;

personal information means all information relating to individuals that is processed in terms of this privacy policy, and where applicable, information relating to an identifiable, existing juristic person; and includes Identity Information, Contact Information, Financial Information, Transaction Information, Technical Information, Profile Information, Usage Information, Marketing and Communications Information, and Special Personal Information;

POPIA means the *Protection of Personal Information Act, 2013* and its regulations;

process means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including –

- the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- dissemination by means of transmission, distribution or making available in any other form; or
- merging, linking, as well as restriction, degradation, erasure or destruction of information, and **processing** and **processed** have corresponding meanings;

responsible party means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information; and for the purposes of this privacy policy is HTI.

special personal information means personal information about race or ethnicity, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health, sexual life, any actual or alleged criminal behaviour, biometric information or any other information that is deemed to be sensitive under applicable privacy laws.