



# The Willows

## External Privacy Notice

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### 1. Introduction

In this document, references to "**The Willows School**", "we" or "us" are to **The Willows School Pty Ltd** and its subsidiary companies.

**The Willows School** recognises its accountability in terms of the Protection of Personal Information Act, 04 of 2013 (hereinafter referred to as "POPIA"), other privacy protection legislation, together with its regulations to all its clients, suppliers, service providers and other third parties. **The Willows School** needs to collect personal information from clients, suppliers, service providers to carry out its business.

To maintain a trust relationship with our stakeholders, we are committed to complying with both the spirit and the letter of POPIA, other privacy protection legislation, and to always act with due skill, care, and diligence when dealing with personal information.

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## **2. What is personal information**

Personal Information according to POPIA, means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to –

- a. Information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language, and birth of the person;
  - b. Information relating to the education or the medical, financial, criminal, or employment history of the person;
  - c. Any identifying number, symbol, e-mail address, telephone number, location information, online identifier, or other particular assignment to the person;
  - d. The biometric information of the person;
  - e. The personal opinions, views, or preferences of the person;
  - f. Correspondence sent by the person that would reveal the contents of the original correspondence;
  - g. The views or opinions of another individual about the person; and
  - h. The name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.
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## **3. Where and when do we collect personal information**

- Information you provide to us:
  - Parents/Students – information provided directly to us when you engage our services ranging enrolment documents, contractual agreements, etc.
  - Suppliers / Service providers – information you provide to us when we engage with you to make use of your services and/or products
- Information based on your use of our products and services;
- Information based on our use of products and services from suppliers and service providers;
- Information based on how you engage or interact with us, such as on social media, and through e-mails, letters, telephone calls, surveys, etc;
- Use of our website (if applicable);
- From third parties affiliated with our services;
- From entities within our group.

### Important:

To deliver optimal service and maintain our business relationships, certain personal information is essential. If you do not provide the requested personal data necessary for us to evaluate or fulfil your request, we may be unable to process your request, provide the relevant services, or continue with the proposed business relationship.

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## 4. When will we process your personal information

We will only process your personal information for lawful purposes relating to our business if the following circumstances apply:

- You have **consented** thereto, or if you are a child, and a competent person (such as a parent or guardian) has consented thereto on your behalf;
  - a person legally authorised by you, or a court, has **consented** thereto;
  - It is necessary to conclude or perform under a **contract** we have with you;
  - The **law** requires or permits it; and/or
  - It is required to protect or pursue your, our, or a third party's **legitimate interest**;
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## 5. When will we process your special personal information

Special personal information refers to the following categories of information:

- Religious and philosophical beliefs;
- Race;
- Ethnic origin;
- Trade union membership;
- Political beliefs;
- Health including physical or mental health, disability, and medical history;
- Biometric information;
- Criminal behaviour where it relates to the alleged commission of any offence or the proceedings relating to that offence.

We will process special personal information in the following instances:

- You have **consented** to the processing (in circumstances where we are legally obliged to obtain your consent); or
- It is necessary to exercise or defend a right or obligation in **law**; or
- It is necessary to comply with an **international legal obligation** of **public interest**; or
- It is for certain **historical, research, or statistical purposes** that would not adversely affect your privacy; or
- You have **deliberately made your personal information public**.

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## 6. What information do we collect, and how do we use your information

Kindly note that the following list is not comprehensive. It sets out the main purposes and data elements collected by **The Willows School**.

| Purpose   | Data elements  |
|---|--|
| <b>Students:</b>  |  |
| <ul style="list-style-type: none"><li>• To identify our students;</li><li>• For communication purposes;</li><li>• To provide care;</li><li>• For educational purposes;</li><li>• For evaluation purposes;</li><li>• For reporting purposes;</li><li>• For Department of Education or other regulatory reporting purposes</li><li>• For emergency purposes</li></ul>   | <ul style="list-style-type: none"><li>- Full Name and Surname;</li><li>- Date of birth;</li><li>- Age;</li><li>- Identity or Passport number;</li><li>- Gender;</li><li>- Academic records;</li><li>- Assessment reports;</li><li>- Medical Aid Information;</li><li>- Information regarding special needs of students including medical conditions, impairments, disabilities and/or diagnoses;</li><li>- Information regarding family demographics (i.e., marital status; family composition; information about siblings)</li><li>- Emergency Contact details;</li></ul> |
| <b>Parents, sponsors, carers and/or guardians:</b>  |  |
| <ul style="list-style-type: none"><li>• To provide you with our services;</li><li>• To identify and distinguish you;</li><li>• For legal and regulatory compliance;</li><li>• For tax related purposes;</li><li>• To communicate with you and to send you necessary documentation and reports, etc.;</li><li>• To reach you for service-related communication;</li><li>• For quoting and invoicing (billing purposes);</li><li>• To process payments;</li><li>• To verify your identity.</li><li>• To meet our operational needs;</li><li>• To keep accurate records and conduct internal audits.</li></ul> | <ul style="list-style-type: none"><li>- Full Name and Surname;</li><li>- Identity Number;</li><li>- Physical, postal and e-mail address;</li><li>- Contact Numbers (Home, Work, Mobile);</li><li>- Marital status;</li><li>- Number of dependents;</li><li>- Occupation;</li><li>- Employers details and contact information;</li><li>- Gross income;</li><li>- Payment details;</li><li>- Banking account details;</li><li>- Credit verification checks;</li></ul>  |

### **Service Providers / Suppliers**

|   |  |
|---|--|
| <ul style="list-style-type: none"><li>• To process purchase orders;</li><li>• For service procurement;</li><li>• For communication purposes;</li><li>• To identify and distinguish your business;</li><li>• For legal and regulatory compliance;</li><li>• For tax related purposes;</li><li>• For payment purposes.</li><li>• To meet our operational needs;</li><li>• To keep accurate records and conduct internal audits.</li></ul> | <ul style="list-style-type: none"><li>- Entity Name and trading as name or Full Name and Surname;</li><li>- Entity registration number or Identity Number;</li><li>- Physical, postal and e-mail address;</li><li>- Contact details (Landline or Mobile);</li><li>- Banking details;</li><li>- Authorised representative details</li><li>- VAT Numbers;</li><li>- Invoice required details</li></ul> |
|---|--|

## **7. How we share your information**

We may employ third-party companies and individuals to facilitate our service, to provide the service on our behalf, to perform service-related services, to provide security and IT infrastructure, to help us manage our business or to assist us in analysing how our service is used.

These third parties may have access to your personal information, but only to perform these tasks on our behalf and are obligated not to disclose or use it for any other purpose. We value your personal information, and our service providers are closely selected to ensure that they comply with the relevant safeguards and technical measures in relation to your personal information.

We may also use third-party service providers to monitor and analyse the use of our service.

We may also disclose your information:

- Where we have a duty or a right to disclose in terms of law or industry codes;
- Where we believe it is necessary to protect our rights.

### **Legal Disclosures:**

We may need to share your information when we believe it is required by law, legal process or to help protect the rights and safety of you, us, or others. We attempt to notify members about legal demands for their data when appropriate in our judgment unless prohibited by law or court order or when the request is an emergency. We may dispute such demands when we believe, at our discretion, that the requests are overbroad, vague, or lack proper authority, but we do not promise to challenge every demand.

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## 8. Your rights and obligations

### Data Retention:

We keep most of your personal information while we still have a purpose, we need to provide you with services or where we are legally obligated to do so.

We will also keep your information where you have agreed for us to do so, or have given your consent that we are allowed to do so.

We keep some of your information even after our business relationship has terminated, if it is reasonably necessary to comply with our legal obligations, meet regulatory requirements, resolve disputes, maintain security, prevent fraud and abuse, enforce our other user agreements, or fulfil your request to object to our processing of your information.

You have rights in connection with your personal information. You have many choices about how your information is collected, used, and shared.

### Your rights:

In certain circumstances, by law, you have the right to:

- **Request access to your information:** You will be able to ask us what information we have about you as well as ask for a copy of this information. This should be done on request to [claire@thewillows-school.co.za](mailto:claire@thewillows-school.co.za). There are some exemptions, which means you may not always receive all the information we process. When we can give you a copy it might be done at a certain fee, which will also be communicated to you at the time of your query.
- **Change or correct information:** You have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.
- **Delete information:** You can ask us to delete or remove personal information under certain circumstances.
- **Object to processing:** You can do this where we are relying on your legitimate interest, public interest, or our 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 data for direct marketing purposes or where you have given your consent for the specific processing and you want to retract your consent. Retracting your consent does not invalidate the information we lawfully processed while we had your consent to do so.

- **Request the restriction of processing:** You can ask us to suspend the processing of personal data about you, for example, if you want us to establish its accuracy or the reason for processing it.
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## 9. Changes to our external privacy notice

Changes to the privacy notice apply to your use of our services. We may modify this privacy notice from time to time, as required by changes in legislation. When material changes are made, we will provide notice thereof, to provide you the opportunity to review the changes before they become effective.

You acknowledge that your continued use of our services after we publish our changes to this privacy notice means that the collection, use, and sharing of your personal information is subject to the updated privacy notice.

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## 10. Other important information

### Security:

We have put in place appropriate security measures to prevent your data from being accidentally lost, used, or accessed in an unauthorised way, altered, or disclosed. In addition, we limit access to your personal information on a business need-to-know basis, and subject to a duty of confidentiality.

### Transborder information transfers:

The transfer of your personal information across South African borders may be required however will only be effected if the transaction requires transborder processing. In such instance the personal information will only be transferred in accordance with the requirements of POPIA and/or other South African legislative requirements, and/or if the data subject consents to the transferring of personal information to a third party in a foreign country. In the event of transborder transferring of personal information we will take the necessary steps to ensure the processing of personal information is done in accordance with the laws of the jurisdiction the information is transferred to and/or that binding corporate rules or binding agreements are in place that provide for levels of protection at an adequate level in accordance with the principles of POPIA.

Note that we use productivity software solutions such as Microsoft 365 for our business-related administrative tasks and cloud storage. In addition, we make use of software and applications specifically developed for us by a third-party to fulfil our operational requirements. The information collected through these third-party

services and service providers may be stored on the servers of the software solution providers, which may be located outside the borders of South Africa.

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## **11. Contact information**

Should you have a query please send an email to:

Our Information Officer: **Claire Anne Prince**  
e-mail address: [\*\*claire@thewillows-school.co.za\*\*](mailto:claire@thewillows-school.co.za)

Our Deputy Information Officer: **Jeannette Duvenhage**  
e-mail address: [\*\*accounts@thewillows-school.co.za\*\*](mailto:accounts@thewillows-school.co.za)

Address: **49 Garden Road, Bordeaux, Randburg, 2194**  
Phone Number: **011 787 8293**

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## **12. The Information Regulator**

You have the right to lodge a complaint with the South African Information Regulator. See the Information Regulator contact details below.

Physical Address: **Woodmead North Office Park**  
**54 Maxwell Drive, Woodmead,**  
**Johannesburg, 2191**

POPIA Complaints e-mail: [\*\*POPIAComplaints@inforegulator.org.za\*\*](mailto:POPIAComplaints@inforegulator.org.za)

PAIA Complaints e-mail: [\*\*PAIAComplaints@inforegulator.org.za\*\*](mailto:PAIAComplaints@inforegulator.org.za)

General enquiries e-mail: [\*\*enquiries@inforegulator.org.za\*\*](mailto:enquiries@inforegulator.org.za)



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### 13. Document control

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| Division Name  | The Willows School Management |
| Author Name  | Claire Anne Prince            |
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### 14. Change history

| Date | Author | Version | Change Reference |
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