



## **QHUBEKA GROUP PRIVACY NOTICE**

### **1. WHAT DOES THIS NOTICE COVER?**

This Privacy Notice applies to the processing of your personal data. It describes your data protection rights, including a right to object to some of the processing which Qhubeka carries out. More information about your rights, and how to exercise them, is set out in the “What are your choices and rights?” section below.

We may also provide you with additional information when we collect personal data, where we feel it would be helpful to provide relevant and timely information.

The data controller for your information is the Qhubeka entity with which you have a relationship.

### **2. WHAT IS PERSONAL DATA?**

“Personal data” means information about an identifiable individual (“you”) that Qhubeka (“Qhubeka”, “we” or “us”) collects. Identifiable individuals include current and prospective donors, beneficiaries, participants, service providers, website users and other Qhubeka stakeholders.

### **3. WHAT IS THE LEGAL BASIS FOR THE USE OF YOUR DATA?**

Qhubeka uses your personal data in accordance with the General Data Protection Regulation (GDPR) and the South African Protection of Personal Information (POPI) Act. These legal instruments regulate the manner in which Qhubeka may lawfully collect your personal data, and what Qhubeka may do with this data.

### **4. HOW DOES QHUBEKA COLLECT YOUR DATA?**

Qhubeka collects your data when you:

- a. Make a donation to Qhubeka using any of our online payment platforms.
- b. Subscribe to our mailing list.
- c. Enter a Qhubeka fundraising event.
- d. Engage with Qhubeka as a service provider.

### **5. WHAT PERSONAL DATA DOES QHUBEKA COLLECT?**

- a. The personal data that Qhubeka collects is as follows:
  - i. Your name, age, date of birth and gender.
  - ii. Identification information, such as your ID number, in the event that you are a supplier or a contractor, or to enable you to redeem points from third parties with whom you may be affiliated e.g. various medical aids.



- iii. Utility and/or bank details to facilitate payment in the event that you are a service provider.
  - iv. Contact details, such as your address, email address and phone number.
  - v. Your marketing preferences, including any consents you have given us.
  - vi. Information related to the browser or device you use to access our website.
  - vii. Any other information that you may consensually give us.
- b. Qhubeka does not collect:
- i. The bank details or credit card information of our donors. This information is processed by Qhubeka's payment portal external service providers.

If you provide information to us about any person other than yourself, you must ensure that they understand how their information will be used. They must also have given their consent for you to disclose it to us and for you to allow us to use it, along with our outsourced service providers when and where applicable.

## **6. WHAT PERSONAL DATA DOES QHUBEKA RECEIVE FROM THIRD PARTIES?**

Sometimes we obtain personal data from third parties, such as our donation partners, payment platforms and other suppliers we work with. In particular, we obtain:

- a. The identity and contact details of donors from third parties engaged to collect donations and to add subscribers to our mailing lists. Please note that each communication sent out via our mailing platform has an opt out option.
- b. The identity information and contact details of event participants from third party event organizers.

## **7. WHY DOES QHUBEKA USE THIS PERSONAL DATA?**

We use the personal data referred to above for the following purposes:

- a. **Where necessary to fulfil a contract, or take steps linked to a contract. This includes:**
  - i. Verifying your identity.
  - ii. Taking payments from you.
  - iii. Communicating with you in relation to Qhubeka's work, i.e. in the form of donor reporting.
- b. **To promote Qhubeka activities to current and potential donors and participants, with their consent. This includes the following:**
  - i. Sending you direct marketing via email in relation to our work.
  - ii. Advising you of relevant news and updates, and hosting or administering events.
  - iii. Sending thank you notes to all our donors for donations received, where donations are not anonymous.
  - iv. Notifying donors as to when their funded bicycles will be distributed.
  - v. Tagging donors on our impact map, where the donation was not anonymous. The link to the impact map is as follows: <https://qhubeka.org/impact-map/>. Please note that only the name and the surname of a donor are added to the map, to enable a donor to search for their funded bicycle. You may notify us at any time should you wish for your name to be removed from the impact map.
  - vi. On other occasions where we ask you for consent, we will use the personal data for the purpose which we explain at that time.



If you have agreed to receive marketing from Qhubeka, you may opt out at any time.

- c. **For purposes which are required by law, including:**
  - i. Undertaking compliance checks on donors, potential donors and other third parties as part of our anti-money laundering obligations, as well as for the purpose of compliance with other legal and regulatory obligations.
  - ii. In response to requests by government or law enforcement authorities conducting an investigation.
  - iii. In connection with legal claims and for compliance, regulatory and investigative purposes.

We will not be able to provide services, accept donations or permit participation in any event if we are not provided with all relevant personal data. The provision of some information, such as the details you provide so that we can send you marketing communications, is optional.

- d. **Where necessary for the carrying out of Qhubeka's operations as listed below, to the extent that our interests are not overridden by your data protection rights, such as the following:**
  - i. Monitoring the use of our websites, and using personal data to help up improve and protect our services and websites, both online and offline.
  - ii. Investigating any complaints received from you or from others, about our website or our services.

## **8. WHERE WILL YOUR PERSONAL DATA BE PROCESSED?**

Your personal data will be processed in and accessed from jurisdictions outside the European Economic Area ("EEA") by us and by any third parties with whom it is necessary for us to share your personal data.

Your personal data will be transferred to Qhubeka Group affiliates and vendors in the following countries:

- i. South Africa; and
- ii. Any other country in which your donation is processed, in the event that you are a donor.

## **9. HOW WILL QHUBEKA SHARE YOUR PERSONAL DATA?**

- a. We will share your personal data with other members of the Qhubeka Group where necessary to administer and manage group functions, including the provision of Qhubeka's services to you.
- b. Your personal data will also be shared with trusted third parties where necessary, such as legal or other advisers, consultants and other professional experts, complainants, correspondents and enquirers.
- c. We will share your personal data with companies providing services under contract to Qhubeka where necessary, such as help desk providers and IT hosting and/or IT service and maintenance providers.
- d. Your personal data will also be shared with government authorities and/or law enforcement officials if required for the purposes above, if mandated by law or if required for the legal protection of our legitimate interests in compliance with applicable laws.



## 10. HOW LONG WILL QHUBEKA RETAIN YOUR PERSONAL DATA?

Where we process personal data for marketing purposes or with your consent, we process the data until you ask us to stop and for a short period after this (to allow us to implement your requests). We also keep a record of the fact that you have asked us not to send you direct marketing or to process your data so that we can respect your request in future.

Where we process personal data in connection with Qhubeka's work, we keep the data for 6 years from the date the work is completed.

Where we process personal data in order to comply with our legal obligations (for example, "know-your-client" information processed for anti-money laundering purposes) we will retain this for as long as the party continues to receive services from Qhubeka, and for a further 6 years thereafter.

## 11. WHAT ARE YOUR CHOICES AND RIGHTS?

You are entitled to ask Qhubeka for a copy of your personal data, to correct, delete or restrict processing of it, and to obtain the personal data you provide in a structured, machine readable format. You are also entitled to ask us to share (port) this personal data to other organisations. You also have the right to object to processing in some circumstances.

Where we have asked for your consent, you can withdraw your consent at any time. If you withdraw your consent to Qhubeka processing your personal data, this will not affect any processing which has already taken place at that time. You can also ask us not to send or to carry out profiling for direct marketing, at any time.

These rights may be limited in some situations – for example, where we can demonstrate that we have a legal requirement to process your data.

If you wish to exercise these rights, please contact us as set out below.

If you have unresolved concerns you have the right to complain to a local data protection authority where you live, work or where you believe a breach may have occurred.

## 12. UPDATES TO THIS PRIVACY NOTICE

This Privacy Notice may be updated periodically. We will update the date at the top of this Privacy Notice accordingly. On some occasions, we may also actively advise you of specific data handling activities or significant changes to this Privacy Notice as required by applicable law.

## 13. CONTACT US

We hope that we can satisfy queries you may have about the way we process your data. If you have any concerns about how we process your data, feel free to discuss this with the Qhubeka Marketing Department, who can be contacted at

<b>Email</b>	/	donate@qhubeka.org or info@qhubeka.org
<b>Address</b>	/	30a Dias Crescent, Douglasdale, Johannesburg, South Africa
<b>Number</b>	/	+27 11 467 8726

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