



Integrity Advocate & POPIA

Compliance Brief



Introduction:

The Protection of Personal Information Act (POPIA) governs how the public and private bodies process personal information in the course of commercial activities. In addition, the Act contains various provisions relating to data deletion, data correction, process objections etc. The Information Regulator began enforcement of the POPIA starting July 1, 2021

Purpose & Scope of POPIA


The purpose of the Protection of Personal Information Act (POPIA Act) is to:

- Establish minimum requirements for the processing of personal information.
- Establish regulator powers and duties/functions.
- Issue codes of conduct.
- Provide rights for persons regarding unsolicited electronic communications and automated decision making.
- Regulate the flow of personal information across borders.



Principle	Requirement	How Integrity Advocate Complies
Lawfulness of Processing	<p>POPIA, Chapter 3, Section 13, Collection for specific purpose.</p> <p>Personal information must be collected for a specific, explicitly defined and lawful purpose related to a function or activity of the responsible party.</p>	<p>Integrity Advocate has brought its privacy management program to life by building a technology and service specifically designed to protect individual privacy for the specific purpose of verifying learner identify and communicated participation expectations. The technology balances the need of organizations to ensure process integrity, minimize end-user support needs and to protect the privacy of participants simultaneously by;</p> <ul style="list-style-type: none"> ○ Recognizing what is personal information ○ Minimizing what we collect ○ Limiting how it can be used ○ Deleting what is not required as soon as it is not required ○ Restricting access ○ Ensuring full transparency
Identifying Purposes	<p>POPIA, Chapter 3, Section 13, Consent, Justification and Objection.</p> <p>“Personal information may only be processed if—</p> <p>4. processing protects a legitimate interest of the data subject;”</p> <p>“6. processing is necessary for pursuing the legitimate interests of the responsible party or of a third party to whom the information is supplied.”</p>	<p>Integrity Advocate requires informed consent from each end-user within its technology to a privacy policy that explains why their information is being requested, and how it will be used and destroyed.</p>
Consent	<p>POPIA, Chapter 3, Section 13, Consent, Justification and Objection.</p> <p>“1. The responsible party bears the burden of proof for the data subject’s ” consent.</p>	<p>Integrity Advocate provides its privacy statements and policies in easy-to-understand wording and in over twenty-five languages to ensure end-users can provide meaningful consent.</p>

Limiting Collection	<p>POPIA, Chapter 3, Section 10, Minimality.</p> <p>"Personal information may only be processed if, given the purpose for which it is processed, it is adequate, relevant and not excessive."</p>	<p>Integrity Advocate limits collection by using technology in a manner that is advantageous to the privacy of end-users. An example of this is monitoring if a user accesses other browser tabs and/or programs without disclosing what other programs or webpages they accessed or not requiring users to present government issued ID on subsequent visits when they can biometrically confirm the user against a prior confirmed image.</p>
Limiting Use, Disclosure & Retention	<p>POPIA, Chapter 3, Section 14 Retention and restriction of records.</p> <p>1. "personal information must not be retained any longer than is necessary for achieving the purpose for which the information was collected or subsequently processed"</p> <p>"4. A responsible party must destroy or delete a record of personal information or de-identify it as soon as reasonably practicable."</p>	<p>Unlike all other service providers of proctoring technology, Integrity Advocate does not disclose, transfer and/or give access to all personal information collected during a session. The information shared is only the user's image and the minimum number of images required to substantiate a rule violation. Justice organizations, like PayPal, act as an intermediary to protect both parties in a transaction and so does Integrity Advocate. Integrity Advocate does this by providing a full review service, not only removing the administrative burden of organizations reviewing sessions but also ensuring that the private information of fully compliant users is not unnecessarily shared.</p>
Safeguards	<p>POPIA, Chapter 3, Section 19 Security measures on integrity and confidentiality of personal information.</p> <p>"1. A responsible party must secure the integrity and confidentiality of personal information in its possession or under its control by taking appropriate, reasonable technical and organisational measures to prevent—</p> <ol style="list-style-type: none"> 1. loss of, damage to or unauthorised destruction of personal information; and 2. unlawful access to or processing of personal information." 	<p>Integrity Advocate adheres to industry standard security and quality control guidelines such as ISO 27001 (ISO/IEC 27001:2013), ISO 9001 (ISO/IEC 9001:2015), FedRAMP (NIST SP 800-53 R3) and AICPA Trust Service Criteria. We are actively seeking certifications in these standards as well as certification in the Cyber Security Alliance STAR program.</p>
Individual Access	<p>POPIA, Chapter 3, Section 23 Access to Personal Information.</p> <p>"1. A data subject, having provided adequate proof of identity, has the right to—</p> <ol style="list-style-type: none"> 1. request a responsible party to confirm, free of charge, whether or not the responsible party holds personal information about the data subject." 	<p>Integrity Advocate has completely eliminated the need for end-users to request access to the personal information our technology collects about them. This is done by sending an email to each individual after their session has been completed and reviewed. The email details the information retained and the conclusions drawn.</p>



Challenging Compliance	<p>POPIA, Chapter 3, Section 24 Correction of Personal Information</p> <p>"1. A data subject may, in the prescribed manner, request a responsible party to—</p> <p>1. correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading ...".</p>	<p>As mentioned above, Integrity Advocate emails users when a session is completed. This creates complete transparency and a simple and direct method to have concerns heard and records corrected when and where required.</p>
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Conclusion

The challenge to online services providing participation monitoring and proctoring services is to enable the best possible user experience, robust integrity controls and balance it with the required privacy protection for learners. Integrity Advocate's demonstrated compliance with POPIA allows organizations to utilize our services with the confidence.