

PRIVACY POLICY

1. INTRODUCTION

- 1.1 ATP Recruitment is a professional recruitment agency based in Cape Town. Your privacy is important to us, and this Privacy Policy is in place to let you know how we collect, store, use, protect, share and otherwise process your personal information, in line with the Protection of Personal Information Act 4 of 2013 ("POPIA" or "the Act").
- 1.2 Any use of the terms "us", "we", "our" or "ATP" means ATP Recruitment. Any use of the terms "you", "your" "user" or "client" means any user of our website or any person (including a legal person) engaging our services.
- 1.3 By accessing and/or using our website and/or submitting any information via our website or by any electronic or other means, you are deemed to have read and understood and agree to accept and be bound by the terms of this Privacy Policy and the Terms and Conditions of use of our website.

2. CONSENT TO PROCESS PERSONAL INFORMATION

- 2.1 By using our website and submitting information via our website or directly to us by other electronic means, you hereby expressly consent to us processing your personal information whether electronically or manually, and agree that all personal information processed by us may be stored and used for the purposes detailed in this Privacy Policy.
- 2.2 You are not required to provide any personal information when accessing our website but may voluntarily choose to do so when applying for a job or advertising a vacancy in your business (engaging our services). Should you not agree with this Privacy Policy and not consent to the processing of your personal information, we may be unable to render any services to you.
- 2.3 If you provide further information in addition to the minimum information required to use our website and/or engage our services, you do so at your own risk, and agree that the information provided is not for the purpose of misrepresentation or impersonation of any other person or entity.
- 2.4 If you refuse to provide us with any mandatory information (information required to be obtained by us by law or another lawful obligation), we reserve the right to discontinue the rendering of any services to you.

3. WHAT TYPES OF PERSONAL INFORMATION DO WE PROCESS?

- 3.1 When you engage our services, we may request and collect certain personal information which is required (mandatory) for the proper rendering of our services to you, including but not limited to:

- 3.1.1 Your name and surname, identity number or date of birth, email and physical address, contact information;
- 3.1.2 information relation to your qualifications and employment history;
- 3.1.3 information about your salary, criminal and credit history, where necessary;
- 3.1.4 Your IP address.

4. WHEN WILL WE PROCESS YOUR PERSONAL INFORMATION?

4.1 We may process your personal information when:

- 4.1.1 You browse our website and/or submit any information via our website;
- 4.1.2 You send any personal information directly to us by other electronic means;
- 4.1.3 When you engage our services a job seeker or an employer wanting to fill a vacancy;
- 4.1.4 When we are required to do so by law.

4.2 We will only process personal information given to us with your consent, and which is necessary to the meet the legitimate purpose (your job application or filling a vacancy) for which the information is required.

4.3 In certain instances, we are required by law, to collect and process your personal information, which laws include but are not limited to:

- 4.3.1 The Electronic Communications and Transactions Act (ECTA);
- 4.3.2 The Financial Intelligence Centre Act (FICA);
- 4.3.3 The National Credit Act.

4.4 Should any applicable laws including but not limited to The National Credit Act, 34 of 2005 require your written consent for the processing of certain personal information by us, such consent will be obtained prior to the processing of such information.

5. HOW DO WE USE YOUR INFORMATION?

5.1 You consent and agree that we may process your personal information for the following purposes:

- 5.1.1 To enable you to make full use of all features on our website;
- 5.1.2 To assess whether you are suitable for and to process your application for a job vacancy;
- 5.1.3 To enable us to fulfil our obligations in terms of our contractual agreement(s) with you;
- 5.1.4 To respond to your enquiries and manage our relationship with you;
- 5.1.5 To ensure that our records are kept up to date;
- 5.1.6 To contact you regarding current or new services offered by us (unless you have opted out from receiving marketing material from us);
- 5.1.7 To improve your experience on our website and our service offering;
- 5.1.8 To comply with any applicable laws or legal requirements or for fraud prevention;
- 5.1.9 Generally to render the services offered by us on our website.

6. YOUR RESPONSIBILITIES & RIGHTS

6.1 You are responsible for ensuring that the personal information provided to us is both accurate and up to date. Should you send personal information on behalf of someone other than yourself, you warrant that you have their permission to do so and are deemed to have accepted the terms of this Privacy Policy on their behalf.

6.2 You have the right to:

6.2.1 Request that we correct, destroy, delete or update any of the personal information that we may have processed in accordance with this Privacy Policy.

6.2.2 Request access to or confirmation of any personal information that we hold about you.

6.2.3 Withdraw your consent to our processing of personal information, unless the processing of such information is in compliance with an obligation imposed on us by law or prevents the proper performing of any contractual obligation that we may have with you.

6.2.4 Object to the processing of your personal information by us unless the processing of such information is required by law.

6.3 In order to ensure that your information is protected, we will require that you verify your identity before accessing your personal information held by us or making any changes or correction to such information.

6.4 Should you no longer want to receive any marketing related emails or other electronic communications from us based on the personal information provided by you, you can opt out from such communications at any time, by contacting our information officer.

7. ACCURACY OF INFORMATION

7.1 We take all reasonable steps to ensure that all information provided to us when you make use of our website or engage our services is secure, responsibly used, correct and treated confidentially.

7.2 We may from time to time, request that you update and review your personal information to ensure that it is accurate and up to date.

8. DISCLOSURE OF PERSONAL INFORMATION

8.1 We may disclose your personal information in certain instances set out in this Privacy Policy or where we are required to do so by law.

8.2 We will not without your express consent, disclose your personal information to any third party(ies), other than as set or below:

8.2.1 To our third-party service providers who require such information in assisting us with fulfilling our obligations and in respect of the purposes listed in clause 5.1.1 – 5.1.9

above, provided such employees and/or third-party service providers agree to keep such information confidential;

- 8.2.2 If we have a legal or contractual duty to provide the information to a third party;
- 8.2.3 If required to do so by law in terms of applicable legislation;
- 8.2.4 To third-party service providers who may assist us with the operation and maintenance of our website or with the communication with our users;
- 8.2.5 To our service providers contracted under us to assist with business operation, fraud detection and prevention, marketing and other technology services;
- 8.2.6 To law enforcement, government officials, fraud detection agencies or other third parties in instances where we believe it is necessary in good faith, to disclose personal information of our users to prevent physical harm or financial loss, to report to support the investigation into suspicious or suspected illegal activity or the violation of this Privacy Policy or the Terms and Conditions of our website.

8.3 Should we want to share your personal information for any other reason not listed above, we will not do so without first obtaining your prior consent.

9. COOKIES

9.1 When you browse our website small files referred to as 'cookies' are placed on your computer or device.

9.2 Cookies have an important functions which include but are not limited to the following:

- 9.2.1 Personalizing your experience by letting us remember your preferences;
- 9.2.2 Improving our website performance based on feedback by our users;
- 9.2.3 Allowing third parties to provide services to our website; and
- 9.2.4 Email marketing or targeted advertising where applicable and appropriate in compliance with the applicable provisions and restrictions of relevant laws.

9.3 Cookies can be accessed both by us and by you and can easily be deleted from your device. In the event that you elect to either delete cookies or to change your device settings related to cookies, you accept that you may no longer be able to access all functions or aspects of our website.

10. THIRD PARTY WEBSITES

10.1 Once you leave our website or are re-directed to any third-party website or application, you are no longer governed by this Privacy Policy or the Terms and Conditions of our website and are advised to consult the policies of such third-party websites.

10.2 We will not be held liable or responsible for any loss or harm suffered by you whether directly or indirectly as a result of disclosing such information to any third-party, including in respect of the failure of such third-party to lawfully process any information provided to them by you.

11. SECURITY AND RETENTION

11.1 While we are in possession of your personal information, all necessary measures are in place to ensure that:

- 11.1.1 Your personal information is treated as strictly confidential, save for the provisions regarding disclosure of personal information as contained in this Privacy Policy;
- 11.1.2 Your personal information is stored in a secure manner and is protected against unauthorized or unlawful processing, accidental loss, destruction, damage, alteration, disclosure or unauthorized access;
- 11.1.3 You are notified as soon as reasonably possible in the event that we become aware of any possible or actual threats to the privacy and confidentiality of your information, any unauthorized access, use or processing of your information;
- 11.1.4 Upon your written request, personal information held by us is either returned or destroyed save for any information we are required by law to be retain.

11.2 Your personal information shall not be retained or stored by us for a period longer than for which it was originally obtained and required, unless we are required to do so by law or you consent to such information being retained by us for a longer period.

12. AGE OF CONSENT

12.1 By using our website, you warrant that you are 18 years of age or older and of full legal capacity. If you are under the age of 18 or if you are not legally permitted to enter into a binding agreement, then you may use our website only with the involvement and supervision of your parent or legal guardian. If your parent or legal guardian supervises you and gives his/her consent, then such person agrees to be bound by the terms of this Privacy Policy and to the Terms and Conditions of our website.

13. CHANGE OF POLICY

13.1 We reserve the right to make changes to and/or update any of the terms in this Privacy Policy at any time.

13.2 If you opt out of receiving electronic updates from us, you accept responsibility for ensuring that you are aware of any changes made to this Privacy Policy, and thereby accept the updated terms. The most recent version of this Privacy Policy will always appear on our website.

14. DISCLAIMER & INDEMNITY

14.1 The use of <https://www.atprecruitment.co.za/> and the engaging of our services is entirely at your own risk and you assume full responsibility for any risk to or loss of personal information resulting from the use of the website or engaging our services, or as a result of the reliance on any information provided or displayed on the website.

14.2 While we undertake to do all things necessary to protect your rights of privacy and to protect your personal information, we cannot guarantee nor do we accept any liability whatsoever for the unauthorized or unlawful disclosure of your personal information by us or any third parties who are not subject to our control, while such information is in our possession, unless such disclosure is as a result of our gross negligence.

14.3 Should you be an employer engaging our services for purposes of filing a vacancy, you hereby indemnify us against any loss or damage, direct or indirect, that a prospective or hired employee suffers due to your unauthorized use of such employee's personal information or your non-compliance with POPIA.

15. CONTACT INFORMATION

For more information or to access, correct, amend, delete or update any personal information or to register a complaint, you may contact our Information Officer at ann@atprecruitment.co.za.