

SECURITY REQUIREMENTS

What security obligations are imposed on data controllers and data processors?

Security requirements may not always be included in the data protection law, but are key to guaranteeing lawful processing of personal data. The entity processing the data must take all useful precautions with respect to the nature of the data and the risk presented by the processing, to preserve the security of the data and, prevent alteration, corruption or access by unauthorized third parties. Appropriate technical and organizational measures should be implemented to ensure a level of security appropriate to the risk.

Employers in South Africa are expected to follow the Security Safeguards outlined in the Protection of Personal Information Act (POPIA), Condition 7, Sec. 9. Employers must secure both the integrity and confidentiality of personal information in its possession or under its control by taking appropriate, reasonable technical and organizational measures to prevent: loss, damage, unauthorized destruction, unlawful access and/or unlawful processing.

Employers must take measures to:

- identify reasonably foreseeable internal and external risks to personal information in the employer's possession or under its control;

- establish and maintain appropriate safeguards to protect the data from these risks;
- regularly verify that safeguards are effectively implemented; and,
- ensure that safeguards are continually updated in response to new risks or deficiencies.

Employers should also follow generally accepted information security practices and procedures which may apply.



HR Best Practices: Ensure contracts with service providers detail the security and confidentiality measures that will be implemented. In addition, regularly train employees who may have access to personal information, to ensure that they are following all technical and organizational security measures that have been put in place.

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