

**SMALL ENTERPRISE FINANCE AGENCY (SEFA) PREPAREDNESS  
TO IMPLEMENT THE PROTECTION OF PERSONAL INFORMATION (PoPI) ACT,  
NO. 4 of 2013**

By

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## DECLARATION

I, Noluthando Kwatsha, student number 32548745, declare that “Small enterprise finance agency (SEFA) preparedness to implement the protection of personal information act (PoPI) No. 4 of 2013” is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references. I further declare that I submitted the thesis/dissertation to originality checking software and that it falls within the accepted requirements for originality. I further declare that I have not previously submitted this work, or part of it, for examination at Unisa for another qualification or at any other higher education institution.

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## **ABSTRACT**

This is a qualitative study on the preparedness of the Small Enterprise Finance Agency to implement the Protection of Personal Information Act (PoPI), No. 4 of 2013. The impetus for this study originated in the realisation that, after the promulgation of the Protection of Personal Information Act, No.4 of 2013 (PoPI) on 19 November 2013 to date, little done has been by public and private bodies to establish reliable controls for the processing and protection of personal information. Other factors were also considered, such as Section 13 of the National Archives and Record Service of South Africa Act (No. 43 of 1996 as amended), which requires government departments to develop, implement and maintain proper information management systems.

This study intends to investigate the attitudes and opinions of those individuals involved in the management of personal information, who may contribute to the readiness to implement the PoPI Act at SEFA Head Office. The current gaps associated with the implementation of the Protection of Personal Information (PoPI) Act in SEFA are explored. The researcher also investigates the processes and procedures that are in place for the implementation of the PoPI Act and SEFA capabilities, as well as the current state of compliance to the implementation of the PoPI Act.

The observation of SEFA Records Management Policy and Procedures, SEFA Records Retention Schedule, SEFA Records Classification Schedule and SEFA records storerooms compliance with ISO 11799-2003 (International Standard on Document Storage Requirements for Archives and Libraries) was the primary technique of data collection, followed by interviews based on a questionnaire. The sample involved in the questionnaire was drawn from a population of 173 staff members at the internal departments at SEFA Head Office, who manage personal information. Interviews were conducted with 10% (sample of 17 employees) of staff members from each of the 11 departments. The officials varied from Head of Departments, Managers and Administrators responsible for managing their departmental personal information.

The findings show that not all required tools that were developed could be exploited to close the current gaps at SEFA Head Office, associated with the implementation of the PoPI Act. It was realised that the office does not have a plan in place to prepare for the implementation of the PoPI Act. The key results suggest that there are no policies or guidelines on the implementation of PoPI Act at SEFA Head Office. However, the researcher discovered an implemented Records Management Policy and Procedures that will form part of the foundation towards the implementation of the PoPI Act. A further study to include regional and satellite offices – namely East London, Cape Town, Mafikeng, Bloemfontein, Polokwane, Nelspruit, Kempton Park, Braamfontein, Riversands and Tshwane – is recommended.

**Key words:** personal information, personal information management, records management, enterprise content management, records, procedures, policies, Protection of Personal Information Act, No. 4 of 2013, National Archives and Record Service of South Africa Act, No. 43 of 1996, as amended.

## INTYILAPHANDO

Olu luphando ntyila-zwi malunga nokulungela kekwawe Small Enterprise Finance Agency (SEFA) ukusebenzisa umthetho ongunombolo 4 wama2013 wokukhusela iinkcukacha eziyimfihlo. Instusa mabandla yolu phando isungulwe kukufumanisa ukuba emva kokwaziswa koMthetho wokuKhusela linckukacha eziyiMfihlo zoLuntu nombolo 4. Wama 2013 ngomhla we19 kuNovemba wama2013 ukuzokuthi ga ngoku, bekusekuncinane kakhulu okwenziweyo ngamalungu kawonkewonke nabucala ukumilisela iinkqubo ezizizo xa kufikelele ekuphumezeni nasekukhuseleni iinkcukacha eziyimfihlo. Kunikwe ingqwalasela amanye amabakala afana neSolotya le13 leeNkonzo zikaZwelonke zogcino Maxwebhu eMzantsi Afrika, (umthetho Nombolo.43 ka1996 njenkoko ulungisiwe). Umthetho ufuna ukuba amasebe karhulumente aphuhlise, asebenze ze agcine iinkcukacha ezizizo zenkqubo yolawulo. Olu phando lujolise ekuphandeni nge.

Izimvo noluvo lwabo bantu babandakanyeka kulalwulo lweenkcukacha eziyimfihlo ezinokuthi zibenegalelo ekulungeleni okukuko kokusebenza komthetho iPoPI kundlunkulu weSEFA zinikwe ingqalelo kwakunye nezikhewu ezikhoyo ezayanyaniswa nokusebenza koMthetho Nombolo 4 wama2013 woKhuselo lweNkcukacha eziyiMfihlo kwiSEFA. Umphandi uye waphicotha iinkqubo neendlela ezikhoyo ekusebenzeni komthetho iPoPI kunye neendlela zokusebenza zeSEFA kwakunye nemeko yokwenza ngokukuko ukusebenza umthetho iPoPI.

Isampulo ithatyathwe kubasebenzi abangama173 abavela kumasebe angaphakathi alawula iinkcukacha eziyimfihlo kundlunkulu kaSEFA. Udliwano-ndlebe luthathwe kumyinge ozipesenti ezili10 (abasebenzi abali17) wabasebenzi abathathwe kwisebe ngalinye kumasebe ali11. Abasebenzi ngokwahlukana kwabo bavela kwiiNtloko zamaSebe, Abalawuli nabasebenzi abanoxanduva lokulawula iinkcukacha eziyimfihlo zamasebe abo. Ukujonga iinkqubo noMgaqo-nkqubo woLawulo Lugcino Maxwebhu waseSEFA, Umiselo waseSEFA Wokugcina iinkcukacha, Umiselo Wokulungelanisa Amaxwebhu aseSEFA, Igumbi logcino zinkcukacha nokumelana kwalo ne ISO 11799-2003-Umgangatho Wamazwe jikelele Wendlela elindelekileyo Yokugcina Amaxwebhu ekuMgangatho wamazwe jikelele ogcino maxwebhu naMathala encwadi

ibiyeyona ndlela yokuqokelela iinkcukacha kusetyenziswa udliwano- ndlebe noxwebhu lwemibuzo.

Iziphumo zibonakalisa ukuba ayizizo zonke izixhobo eziyimfuneko ezithe zaphuhliswa ezinokuthi zisetyenziswe ukuvala izikhewu ezikhoyo zeSEFA ezayanyaniswa nokusebenza komthetho ongu nombolo 4 wama2013 wePoPI kundlunkulu weSEFA. Kuye kwafumaniseka ukuba i-ofisi ayinalo uhlelo olumisiweyo ukulungiselela ukusebenza komthetho iPoPI. Iziphumo ezingundoqo zibonakalisa ukuba bekungekho migaqo-nkqubo okanye zikhokelo zokusebenza komthetho iPoPI kundlunkulu weSEFA. Nangona kunjalo, umphandi ufumanise ukuba bekukho linkqubo noMgaqo-nkqubo Wamaxwebhu osebenzayo oza kuba yinxalenye yesiseko esikhokelela ekusebenzeni komthetho iPoPI. Kuza kuthi kubandakanywe ii-ofisi zengingqi nezifumaneka kwiindawo ngeendawo ezizezi, Imonti, iKapa, iMafikeng, iBloemfontein, iPolokwana, iNelspruit, iKempton Park, iBraamfontein, iRiversands kunye neTshwane.

Inkcukacha eziyimfihlo, ulawulo lwamaxwebhu, ulawulo lokwenzeka kushishino, igumbi lokugcina, amaxwebhu, imigaqo-nkqubo, iinkqubo, imigaqo-nkqubo, linkonzo zikaZwelonke zogcino Maxwebhu eMzantsi Afrika.

## HANA

Ena ke thuto e tšoanelehang mabapi le Setsi sa Lichelete sa Khoebo e Nyane (SEFA) Ho Itokisetsa ho kenya tšebetsong Molao oa Ts'ireletso ea Boitsebiso (PoPI) No. 4 ea 2013. Tsusumetso ea thuto ena e tla kamora ho tseba ho phatlalatsoa ha phatlalatso ea Ts'ireletso ea Tlhahisoleseling ea Motho Che. No. 4 of 2013 (PoPI) ka la 19 Pulungoana 2013 ho fihlela joale, ho ne ho sa na le ho entsoe hanyane haholo ke mekhatlo ea sechaba le ea poraefete ho theha taolo e ntle ha ho tlua ho ts'ebetsong le ts'ireletso ea tlhahisoleseling ea botho. Ka ho amohela lintlha tse ling tse kang Karolo ea 13 ea National Archives and Record Service of South Africa, (Molao oa Naha 43 oa 1996 joalo ka ha o nchafalitsoe), Molao o hloka hore mafapha a mmuso a ntshe pele, a kenya ts'ebetsong le ho boloka mekhoha e nepahetseng ea taolo ea tlhahisoleseling.

Phuputso ena e ikemiselitse ho fuputsa maikutlo le maikutlo a batho bao ba amehang taolong ea tlhaiso-leseling ea botho ba ka kenyang letsoho ho ikemisetseng ka nepo ho kenya tšebetsong Molao oa PoPI ho Ofisi ea Sehlooho ea SEFA. Likheo tse teng hona joale tse amanang le ts'ebetsong ea Molao oa Ts'ireletso ea Boitsebiso (PoPI) No. 4 ea 2013 ho SEFA lia hlahlojoa. Mofuputsi hape o lekola lits'ebetso le lits'ebetso tse teng bakeng sa ts'ebetsong ts'ebetso ea Molao oa PoPI le bokhoni ba SEFA, le boemo ba hajoale ba ho latela ts'ebetsong Molao oa PoPI.

Mohlala ona o nkuoe ho baahi ba 173 mafapheng a ka hare a Ofisi ea Hlooho ea SEFA ba tsamaisang tlhahisoleseling. Puisano e ile ea etsoa ka 10% (mohlala oa basebetsi ba 17) ho tsoa ho e 'ngoe le e' ngoe ea mafapha a 11. Basebetsi ba ne ba fapane ho tsoa ho Hlooho ea Mafapha, Batsamaisi le Babusi ba ikarabellang bakeng sa ho laola litaba tsa bona tsa lefapha. Ho shebeloa ha Leano le Mekhoa ea Tsamaiso ea Lirekoto tsa SEFA, Setejeke sa Tlhokomelo ea Litlaleho tsa SEFA, Setejeke sa Tlhokomelo ea Litekanyetso tsa SEFA le litsi tsa polokelo tsa litheko tsa SEFA ho latela ISO 11799-2003 - Tekanyetso ea Machabeng ea Tokomane ea Tokomane bakeng sa Li-Archives le Libraries International Standard e ne e le mokhoa oa mantlha oa ho bokella data. lipuisano li sebelisa lipotso.

Liphumano li bonts'a hore ha se lisebelisoa tsohle tse hlokahalang tse ileng tsa hlahisoa tse ka sebelisoang ho koala likheo tsa hona joale tsa SEFA tse amanang le ts'ebetsong ea Molao oa PoPI No. 4 oa 2013 ho Ofisi ea Hlooho ea SEFA. Ho ile ha lemohua hore ofisi ha e na moralo sebakeng sa ho itokisetsa ho kengoa tšebetsong ha Molao oa PoPI. Liphetho tsa bohlokoa li bontša hore ha ho na melaoana kapa tataiso mabapi le ts'ebetsong ea Molao oa PoPI ho Ofisi ea Hlooho ea SEFA. Le ha ho le joalo, mofuputsi o fumane Leano le Tsamaiso ea Tsamaiso ea Rekoto tse tla kenngwa tšebetsong e tla ba karolo ea motheo ho kengoe tšebetsong ha Molao oa PoPI. Boithuto bo bong hape ba ho kenyelletsa liofisi tsa libaka le tsa satellite, e leng; Ho khothalletsoa East London, Cape Town, Mafikeng, Bloemfontein, Polokwana, Nelspruit, Kempton Park, Braamfontein, Riversands, le Tshwane.

Mantsoe a bohlokoa: tlhaiso-leseling ea motho ka mong, taolo ea rekoto, taolo ea litaba tsa khoebo, ntlo ea polokelo, lirekoto, melaoana, lits'ebetso, melaoana, Ts'ireletso ea Naha ea Sechaba le Ts'ebeletso ea Rekoto ea Afrika Boroa.



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Thank you to everyone else who has contributed to the completion of this dissertation.

## **DEDICATION**

This study is solely attributed to my family: my parents, who always believed in me, my father, who passed on while I was completing the final draft of my dissertation, and my 19-year old and 12-year old sons.

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## LIST OF ABBREVIATIONS AND ACRONYMS

AIIM	Association of Information and Image Management
CEO	Chief Executive Officer
CIO	Chief Information Officer
DHA	Department of Home Affairs
DIO	Deputy Information Officer
DPA	Data Protection Act (United Kingdom)
DRM	Documents and Records Management
ECM	Enterprise Content Management
ECT	Electronic Communications and Transactions
EDM	Electronic Documents Management
EU	European Union
ERM	Electronic Records Management
GDPR	General Data Protection Regulation
HANIS	Home Affairs National Identification System
ICA	Council on Archives
ICASA	Independent Communications Associations of South Africa
ICT	Information and Communication Technology
IRMT	International Records Management Trust
IT	Information Technology
OHSF	Only Operational Health and Safety Forum
ISO	International Organization for Standardization
MISS	Minimum Information Security Standards
MoU	Memorandum of Understanding
NARS	National Archives and Records Services of South Africa
PAIA	Promotion of Access to Information (Act 2 of 2000)
PAJA Acts	Promotion of Administrative Justice (Act 3 of 2000)
PoPI	Protection of Personal Information (Act of 2013)
RRS	Records Retention Schedule
SABRIC	South African Banking Risk Information Centre
SAMAF	South African Apex Micro Fund
SAICA	South African Institute of Chartered Accountants
SEFA	Small Enterprise Finance Agency

SLA	Service Level Agreement
SME	Small and Medium Enterprise
SMME	Small, Medium and Micro-Enterprise
SSA	State Security Agency
STO	State-owned entity
UK	United Kingdom
UNISA	University of South Africa
URL	Uniform Resource Locator
USA	United States of America

# CHAPTER 1: BACKGROUND OF THE STUDY

## 1.1 Introduction and background

The acknowledgment of privacy as a necessary human right is preserved in the South African Constitution (Republic of South Africa 1996a). The mechanisms for the protection of this constitutional right only became a reality after the promulgation of the Protection of Personal Information Act (PoPI Act), No.4 of 2013 on 19 November 2013 (Republic of South Africa 2013: Section 2; Heyink 20185:60).

According to Section 14 of the Constitution of the Republic of South Africa (Act No. 108 of 1996), the Government is required to have a high opinion of, safeguard, encourage and fulfil the rights in the Constitution, as per its requirements. It emphasises moral justification to confidentiality for the South Africans by ensuring that their personal information is safeguarded when processed. All citizens of South Africa have legislated rights to privacy. Baker and McKenzie state that the way in which personal information is collected, used, stored, distributed, modified, deleted and/or destroyed is regulated (Information Regulator (South Africa) 2013; Republic of South Africa 2013: Section 107).

The context of this study involves the Protection of Personal Information Act. Section 2 of the PoPI Act specifies the purpose of the Act as to:

- I. Encourage good controls towards the processing and safeguarding private data managed by public and private bodies (Dagada 2014);
- II. Standardise the method by means of which personal information is processed and establish methods of enforcing conditions for the dissemination of private data (Republic of South Africa 2013: Section 107; Information Regulator (South Africa) 2013);
- III. Enable the appointment of the Information Regulator (South Africa) to execute firm regulations and to carry out all identified critical duties, in terms of the PoPI Act;
- IV. Provide for the establishment and distribution of codes of conduct (Heyink 2018);



- V. Provide for the protection of rights of South African citizens and their information; regardless of format, paper and electronic communications, and automated resolution (Information Regulator (South Africa) 2013);
- VI. Regulate the workflow of private data across the government and corporate businesses in South Africa; and
- VII. Make possible for issues associated within the Act (Republic of South Africa 2013: Section 2; Ifacts 2017).

The PoPI Act can generally be defined as an information protection statute intended to stop the careless exposure of private data. It was not completely implemented in full at the time of writing. Full implementation will be determined by the President of South Africa (Fareed 2016) and by the declaration in the Government Gazette (Swales 2016:49). This study intends to focus on SEFA's preparedness for the implementation of the PoPI Act.

All public entities, such as SEFA, have an obligation to comply with the terms of PoPI Act. SEFA is required to comply, as addressed and defined, with the following in terms of Section 4(1) of the PoPI Act (Information Regulator (South Africa) 2013 & Republic of South Africa 2013):

1. **Accountability** – Guaranteeing that the codes stated in the PoPI Act and the processes comply with the time of the determination of the objective and span of preservation.
2. **Processing limitation** – Policies, procedures and process documents will need to be reviewed to ensure that they include a specific consent stating the purpose of collection and what the personal information will be used for (Heyink 2018).
3. **Specific purpose** – The retention and/or destruction plan must be implemented to ensure no information is kept, even when the objective for gathering the private information has been executed (Republic of South Africa 2013).
4. **Further processing limitation** – When working hand-in-hand with service providers, contracts must be signed to ensure there is no disclosure clause of information. No further processing of information must take place outside that contract.

5. **Information quality** – Keeping information up-to-date is the largest contributor to ensuring that the quality of information is maintained and systems within the organisation (both manual and electronic) are integrated
6. **Openness** – There should be more time spent to explain to the employees why particular individual data is gathered and where the data will be sent to.
7. **Security safeguards** – Exposure of personal information to loss and unsecure environment is prohibited.
8. **Data subject participation** – A process needs to be mapped and communicated to the employees on how information can be requested.

The researcher's contribution to the study was to explore SEFA's Head Office preparedness to implement PoPI Act. SEFA's current state was examined, investigating how the agency can learn from other government and corporate businesses in South Africa. According to the PoPI Act, the most suitable maturity level benchmark that can be adopted and followed to ensure compliance must be investigated (Marutha 2018).

The case study that was applied for the purpose of this study provided analysis and connection of the data examined on earlier studies under the following four major themes: personal information management (PIM), legislative requirements; compliance with the Protection of Personal Information (PoPI) Act; No. 4 of 2013, and an act that is similar to the PoPI Act.

## **1.2 Theoretical framework**

This study adopted the National Archives and Record Service of South Africa Act (No. 43 of 1996) as the theoretical framework to investigate Small Enterprise Finance Agency (SEFA) Head Office preparedness to implement the PoPI Act. In South Africa, public bodies are obliged, under National Archives and Record Service of South Africa Act, No. 43 of 1996), to implement an orderly approach to the controlling of information (Marutha 2018). SEFA is a state-owned entity and, therefore, a South African public body, which, in line with the National Archives and Record Service of South Africa Act and the PoPI Act, is required to safeguard personal information (City of Tshwane 2015). SEFA is affected by the PoPI Act, based on the nature its core business. For

instance, SEFA is responsible for the processing of personal information on clients' businesses and they need to ensure the protection of clients' rights to privacy (Small Enterprise Finance Agency 2018).

SEFA was established in April 2012, as a result of a merger of Khula the Enterprise Finance Agency (Khula) and the South African Apex Micro Fund (SAMAF) (Graca Machel Trust 2014). SEFA was established to streamline the provision and access to finance to small, medium and micro-enterprises (SMMEs). The access is inclusive of cooperative enterprises. SEFA's mandate is to function as a wholesale lender, capacitating small, medium and micro-sized enterprises (SMMEs) and financial intermediary institutions, and to lend directly to SMMEs and cooperatives, in support of government economic development. SEFA operates as a public entity and is required to implement the PoPI Act (Small Enterprise Finance Agency 2018).

### **1.3 Problem statement**

The researcher selected this topic because of the concern about SEFA Head Office's capability to implement the PoPI Act and SEFA's capabilities to meet the one-year prescribed period to conform to Section 114(1) of the Act (Marutha 2018). According to Botha, Eloff and Swart (2015b), the challenges for nonexistence of adequate administration of personal information in South African government institutions are serious. SEFA needs to gather the current status of personal information processed within Head Office and identify the gaps in preparing for the desired end state, ensuring PoPI Act compliance within the agency. Furthermore, know which critical areas the organisation must focus on and that will work in order to breach any identified gaps.

In order to ensure preparedness in respect of PoPI Act, the defined PoPI Act principles were analysed. In preparation for the implementation of the PoPI Act, SEFA Head Office will need to put forth plans of action that will be duplicated to other regional and satellite offices (East London, Cape Town, Mafikeng, Bloemfontein, Polokwane, Nelspruit, Kempton Park, Braamfontein, Riversands and Tshwane).

## **1.4 Research aim**

The main purpose of the research is to recommend how the gaps can be bridged for SEFA to be able to implement and comply with the PoPI Act (Kandeh, Botha & Futcher 2018). The results of this study will ensure implementation of processes and procedures, in order to enforce compliance.

## **1.5 Research objectives**

The objectives of this study were to:

1. Identify the current gaps associated with the implementation of the Protection of Personal Information Act (PoPI Act), No. 4 of 2013 in SEFA;
2. Identify existing processes and procedures that are in place for the implementation of the PoPI Act in SEFA;
3. Investigate SEFA capabilities and the current state of compliance to implement the PoPI Act; and
4. Investigate the current state of SEFA to comply with the National Archives and Record Service of South Africa Act (No. 43 of 1996).

Research objective one will be addressed by the following research questions one and two, research objective two by research question three, research objective three by research question four and research objective four will be addressed by research question five.

## **1.6 Research questions**

The study sought to answer the following questions as a measure for achieving the objectives:

1. What tools can be utilised to close the current gaps associated with the implementation of the PoPI Act at SEFA Head Office?
2. How can SEFA Head Office be prepared for the implementation of the PoPI Act?
3. How can the existing processes and procedures to prepare SEFA Head Office for the implementation of the PoPI Act be improved?

4. What are SEFA capabilities and the present state of compliance with the implementation of the PoPI Act (Kandeh, Botha & Futcher 2018)?
5. How is SEFA complying with the National Archives and Record Service of South Africa Act (No. 43 of 1996)?

## **1.7 Significance of the study**

The PoPI Act has only been introduced recently in South Africa and, therefore, the extent of the preparedness of private and public bodies for the implementation of the Act still needs to be investigated (Kandeh, Botha & Futcher 2018). Currently, many organisations are far from being compliant to the PoPI Act and persons' noncompliance must be sanctioned to:

- A payment charge or incarceration for a period not beyond ten years, or to both payment charge or such incarceration (Republic of South Africa 2013: Section 107); or
- A payment charge or incarceration for a period not exceeding twelve months, or together a fine and incarceration (Republic of South Africa 2013: Section 107).

Identifying factors that contribute to the application of the PoPI Act enabled the researcher to recommend aspects that encourage effective readiness to implement the PoPI Act within the prescribe time frame. This will ensure compliance to the above-mentioned PoPI Act principles. Furthermore, other public or governmental bodies should be able to use the findings when implementing the PoPI Act. These finds should assist them when interpreting the PoPI Act requirements; determining what is required to implement it; identifying the challenges encountered, resolutions to personal information matters, the resources required; and the way in which required processes should be utilised.

Because SEFA may not be a best practice organisation, benchmarking and recommendations towards improvements are required. The results also indicated that staff training was required to ensure readiness to implement the PoPI Act. Furthermore, the findings will contribute towards better management of personal information in all formats – i.e. paper and electronic formats. The risks associated with

non-compliance were revealed, as well as the way/s in which they could be avoided to minimise non-compliance by public bodies.

The only related study that the researcher could identify was conducted by Botha, Eloff and Swart (2015b). These scholars examined the effects of the newly adopted PoPI Act on private bodies within South Africa. This study intends to focus on SEFA implementation of the PoPI Act of 2013. According to Section 109 of the PoPI Act, lack of compliance may force the Information Regulator (South Africa) to enforce compliance in the following manner:

1. SEFA could be charged payment of not beyond R10 million. The payment charge is expected to differ, depending on numerous aspects (Botha, Eloff & Swart 2015b).
2. The Chief Executive Officer (CEO) at SEFA, who is responsible and accountable for the agency, may be charged payment of not beyond ten years (Botha, Eloff & Swart 2015b).
3. Information Regulator (South Africa) can instruct SEFA to stop processing personal information. The agency may be unable to fulfil its mandate, which may lead to the closure of the agency.

## **1.8 Definition of key concepts**

Managing personal information encompasses a number of concepts, which are defined in this section. If the concepts are not clearly defined, the content of this study may be affected or misunderstood. Yusof & Chell (1999:9–20) state that, describing terms is critical to enhance knowledge, both for those who are unacquainted with the subject matter and those already acquainted with it. The important conceptions are described in the following subdivisions, in order to bring forth the setting in which they are used.

### **1.8.1 Information**

*Information* is described by Elearn (2005:xiii) as crucial in all aspects of our daily lives. If we mismanage it, our lives will be chaotic. Similar to any organisation, individuals rely on accurate information. Reliable information and the ability to process

information. Information involves the understanding that people perceive through one or more of their sensory faculties (Records Management Apprentice 2016). Information can be stored, disseminated and used when characterised as evidence in a record (International Records Management Trust 1999:5). Information is a category of data that is processed in a purposeful manner in terms of the set standard. It is managed, organised, or offered in each context to make it relevant and valuable. Information makes sense and expands the trustworthiness of the data. The benefit is to guarantee undesirability and decreases doubt. Consequently, when the data is changed into information, it at no time is regarded as useless. Information contains data that hold context, significance, and resolution. It also contains the utilisation of unprocessed data which ultimately turn out to be knowledge (Guru99 2021).

There is a distinction between information, data and knowledge management (KM). Data discussed on Section 1.8.6. Knowledge is a grouping of information, skills and understanding that aids the individual or the institution. It is associated with doing and suggests know-how and understanding. It is influenced by individually and is a result of an individual's experience. It also covers the standards to assess new ideas from individual's surroundings (Guru99 2021). Derived from knowledge, knowledge management (KM) is a teaching that encourages a combined tactic to classifying, recording, assessing, retrieving, and distribution all institution's information resources (Gartner 2008). It includes organising processes to assist individuals in learning and discovering knowledge and understandings, to share and work together with others, and come up with practices and automated means for configuring the content so that it can be accessed, used, and processed. A vital theme in KM is the agile drive to turn implicit knowledge into explicit knowledge. Implicit knowledge is regularly called "know-how": the things we know without being aware of knowing them. This is also referred to as *tacit knowledge* (O'Dell 2015).

These are the most critical differences between information and knowledge, as identified by Guru99 (2021).

Table 1.1: Critical differences between information and knowledge

<b>Information</b>	<b>Knowledge</b>
Information is refined data.	The knowledge is useful information.
Data and context.	Information, experience and intuition.
Comprehension is its outcome.	Understanding is its outcome.
Easily transferable.	To transfer you require learning.
Improves representation.	Increases consciousness.
All information need not be knowledge.	All knowledge is information.
Information can be reproduced.	Knowledge reproduction is not possible.
Information alone is not sufficient to make any predictions.	Prediction is possible if one possesses the required knowledge.
A flow of meaningful messages.	Beliefs and commitments created from these messages.
A message used to change the receiver's perception.	It contains experiences, values, insights, and contextual information.
Text that answers the questions a who, when, what, or where.	Text that answers the questions of why and how.
The information indicates the organised data about someone or something which is obtained from various sources like the internet, newspaper, television, etc.	Knowledge means the awareness or understanding of the subject obtained from the education or experience of a particular person.
Information is a refined form of data that is useful to understand the meaning.	Knowledge is the relevant information that helps in drawing conclusions.
Processing results allow you to improve the representation and ensures an easy interpretation of the information.	Processing results in increased consciousness, therefore, enhance subject knowledge.
Information brings on comprehension of the figure and facts.	Knowledge can lead to an understanding of the subject.
The transfer of information is easy using different means. It can be verbal or non-verbal signals.	The transfer of knowledge is difficult, as it requires learning on the part of the receiver.



### **1.8.2 Personal information**

*Personal information* refers to data pertaining to recognisable, personal and natural living (Republic of South Africa 2013: Section1), e.g. information concerning race, gender, sex, pregnancy, marital status, ethnic group or social origin, colour, sexual orientation, generation, physical or mental health, well-being, disability, faith, conscience, belief, culture, mother tongue and the birth of the person (Republic of South Africa 2013: Section 1). Information pertaining to a person's financial status, academic qualification/s, criminal cases, medical history and employment history is also regarded as personal information. A personal identifiers, such as an identity numbers, passport numbers, addresses and any other location-based information, must be protected from unauthorised disclosure. People's names appearing in minutes of meetings or any other formal gatherings, where their views and opinions are recorded, is also categorised as personal data (Republic of South Africa 2013: Section1).

### **1.8.3 Information management**

Information management is the process of preparing, monitoring and utilising the information assets – personal or organisational – of an institution, in support of its business (International Records Management Trust 1999:56). According to Elearn (2005:xiii), information management reinforces the key activities of planning, analysis, action, learning and development. It involves how a manager processes the influences on decision-making, organisational, strategic and operational objectives – i.e. how a manager uses and administers information.

### **1.8.4 Record keeping**

Record keeping comprises creating and preserving comprehensive, correct and trustworthy proof of business dealings in the form of recorded information (Yusof & Chell 1999:10). In support of the objective of the research, *record keeping* is demarcated as the creation and the preservation of complete, correct and trustworthy proof of SEFA personal information communications.

### **1.8.5 Records management**

Records management involves the access of data carried in records without hesitation in support of management (Nurul, Ramlee & Yatin 2018). It is simple to accomplish the discard of unwanted records and the retention of treasured data (International Records Management Trust 1999:9). Section 13 in the National Archives and Record Service of South Africa Act (Republic of South Africa 1996b) provides detailed requirements for effective information and records keeping in governmental bodies that need to be adhered to. Records management is the task of general classification and the standardised processing and maintenance of information for efficiency. In line with the International Records Management Trust (1999:9), it involves the formation, preservation, usage, retention, destruction of information, and maintenance through the complete development. It also makes it possible to align available data with organisational operational requirements (International Records Management Trust 1999:9).

### **1.8.6 Data**

Data refers to separate bits of information, generally configured and kept in a method that is coherent with an explicit purpose. Data can be in numerous forms, as numbers or text recorded on paper, as bits or bytes stored in electronic memory, or as facts living in a person's mind. However, after the introduction of Computer Science in the mid-1900s, data most generally refers to information that is communicated or kept electronically (Norton Internet Security 2020).

Data is presently regarded as vital like 'new oil'. Furthermore, the regulations governing privacy and data protection are not only appropriate but critical to protecting customers and ultimately your organisation's accomplishment. Fulfilling data protection regulations and protecting customers from harm are important in organisations. Michalsons (2019) is certain that working towards data compliance is like exercising for a marathon.

## **1.9 Literature review**

### **1.9.1 Personal information management (PIM)**

Personal information management (PIM) refers to the practice and examination of the actions individuals exercise in order to effectively manage data. Data can be presented in numerous forms, i.e. in electronic or paper format (Jones 2015:22). In his study, Jones (2012) examined personal information management (PIM) effectiveness. His conclusion was that PIM could lead to enhanced productivity in an organisation. He further argued that organisations should develop tools and techniques for employees to be able to understand the importance of effective management of personal information and learning from their shortcomings and faults of similar legislation.

The trials of PIM are particularly experienced by individuals fighting a terminal disease like cancer (Jones 2008). This is particularly difficult as they attempt to balance their parts as father or mother, wife or husband, and associate as they attempt to preserve their occupations and associated tasks (Jones 2008). Improved PIM can support patients achieve in their treatments and contribution to their being as a whole (Jones 2015:23). According to Kubheka and Dzanibe (2013), a patient died after his hospital file was swapped with that of another patient bearing the same surname and initial. Due to poor management of personal information, according to Ngoepe (2015:288), litigation delayed as a result of absent dockets, or litigation lodged were not appropriately recorded. On some occasions, records were recreated causing mockery of the justice system, if records are not accounted for, lawyers, prosecutors and magistrates can disagree with the legitimacy of the case (Ngoepe & Makhubela 2015). Victims can ultimately lose litigation, while offenders are not arrested. The literature review displays how effective management of personal information management (PIM) can improve the organisation's productivity and efficiency. Public bodies also have a critical role to play with regard to Section 15(a)(h)) of the PoPI Act (Republic of South Africa 2013).

### **1.9.2 Legislative requirements: compliance with the Protection of Personal Information (PoPI) Act No.4 of 2013**

Botha, Eloff and Swart (2015b) examined the consequence of the PoPI Act on South African private bodies (small and medium enterprises). Their study revealed that the majority of SMEs in South Africa are not yet compliant with the PoPI Act, due to the lack of awareness regarding their legal obligations, and other reasons (Kubone 2019). The PoPI Act will be beneficial to clients, in that they will have additional control regarding people processing their personal information and for whatever drives its use. Furthermore, the Act provides guarantee to the right to know when personal information has been processed (who the responsible parties are and if the information has been retrieved by unauthorised parties) (Luck 2014). Moreover, according to Section 3 of the PoPI Act, companies can only keep clients' personal information for a particular reason and once that reason has been accomplished, the companies must destroy the particular records (Coetzee 2015; Republic of South Africa 2013: Section14). Another benefit is that clients can indicate for their private information not to be disseminated for advertising purposes. Prior consent is required before organisations can send direct marketing material to a consumer, based on an opt-in model (Coetzee 2015; Republic of South Africa 2013: Section 69).

The researcher uncovered no literature on the way in which public bodies have prepared and implemented the PoPI Act. Botha, Eloff and Swart (2015a & 2015b) argue that PoPI Act implementation in South Africa is highly beneficial to most individuals. Non-adherence to the PoPI Act will result to a number of risks, such as harm of an organisation's reputation, decrease of clients and the inability to attract new clients (Botha, Eloff & Swart 2015b).

The researcher established that there is tension between the Promotion of Access to Information Act (PAIA), No. 2 of 2000 and the Protection of Personal Information (PoPI) Act, No. 4 of 2013, pertaining to making information accessible to the public. That tension has a direct impact on SEFA's processes and procedures of protecting and making personal information available.

### **1.9.3 Data Protection Act 2018 (DPA) of the United Kingdom**

In the United Kingdom (UK), the Data Protection Act 2018 (DPA), which came into effect from the 23 May 2018 is an Act of Parliament, which defines the regulation on the preservation of information of human beings and is the key legislation overseeing the processing and safety of personal data in the United Kingdom. De Bruyn (2014:37) argues that the South African PoPI Act is highly similar to the United Kingdom Data Protection Act (DPA), adopted in 1998 and amended in 2018. This implies that South Africa can learn a great deal from the United Kingdom Data Protection Act 2018 (DPA) concerning the application of best practices.

The United Kingdom Data Protection Act 2018 (DPA) provides a comprehensive and current outline for data protection in the UK. Intense penalties for misconduct were implemented, in order to ensure that UK businesses and organisations remain consistent in supporting global investigation, fiscal facilities, journalism and lawful facilities (Hancock 2018). It also ensures that UK data protection legislation is suitable for the technological era, in which large quantities of information are being handled (United Kingdom. Department for Digital, Culture, Media & Sport 2018).

De Bruyn (2014:37) further argues the United States of America (USA) has no sole all-inclusive legislation for regulating the dissemination and usage of private data. As an alternative, they have a system created by the Federal Government and state laws of each separate USA state that overlap (Botha, Eloff & Swart 2015b).

As pointed out by De Bruyn (2014:37), subsequent to the public and litigation that may be taken against non-complaint companies, the effect of potential reputational damage could be even more destructive for the future of companies. De Bruyn (2014) also established a conceivable benefit for companies to safeguard and promote transparency in terms of the preservation of personal data.

### **1.9.4 PoPI Act relationship with effective records management practices in Africa with focus on South Africa**

Makhura (2005) argues that an operative records management plan is a main component of control of any company. There is an agreement between scholars that

many companies, including government departments, ignore the administration of information (Ngoepe 2008). South African government departments have a legal responsibility to implement an efficient and organised method to the administration of information. According to the National Archives and Record Service of South Africa Act (1996), it is mandatory for government departments to create, apply and sustain appropriate information management systems (Republic of South Africa 1996b). Procedurally, consultation with the National Archivist's office is mandatory regarding records management procedures. The National Archivist's decision is essential for the adoption and implementation of electronic records management systems.

Section 13(2) of the National Archives and Record Service of South Africa Act (1996) further stipulates that the National Archivist must regulate records organisation schemes to be functional for governmental bodies. Only a subject-based file plan accepted by the National Archivist must be implemented for hard-copy and automated information and will place an organisation in a good position to implement an electronic information management system (National Archive and Records Service of South Africa 2003:1). According to Ngoepe (2008), systems used to organise or categorise public records play an important part in the capability of a government department to preserve and manage its business information in the future. Recently, there has been an increasing interest within the public sector records management profession to apply function-based classification systems as a tool to link business context, instead of categorising it into organisational structures that are constantly changing (Ngoepe 2009).

In line with the National Archives and Records Service of South Africa (2007:21–22), prior to records being destroyed, a disposal authority letter from the National Archivist is a requirement for all public bodies. SEFA needs to control and manage its record in accordance with this requirement. This means that processes regarding record lifecycles are documented, from conception to their eventual destruction or transfer to an archive's repository (International Organization for Standardization 2016). According to the Minimum Information Security Standards (MISS), SEFA has a responsibility to maintain the reliability of classified information, in order to fulfil its legal obligation (Republic of South Africa 1996c). According to Thurston (2005) and Bhana (2008:3), the availability of trustworthy and manageable information ensures

institutional accountability. Appropriate, effective and well-organised records controlling in public bodies enables accurate explanation as informed by accessible records.

According to the Minimum Information Security Standards (MISS) of 1996, the availability of classified information shall be limited to those who need to use or access the information to do their professional work (Republic of South Africa 1996c). This is commonly referred to as the *need-to-know value*. It shall be the personal responsibility of all those, who use or access classified information, to apply the need-to-know value to their formal responsibilities. On no account must the classified information be declassified or disclosed without the authorisation of the Deputy Information Officer or his/her delegate and the structure that originally classified the information, i.e. compiler, Head of the Department or the Executive Manager (Republic of South Africa 1996c: Chapter 1).

The public bodies planning the management of records in Africa are plagued by various problems resulting from inadequate records management plans and national archival institutions (Mnjama 2005; Ngulube & Tafor 2006:122). In accordance with Chachage and Ngulube (2006), the administration of business records involves numerous confrontations. The following factors are responsible for the major challenges to managing business records in general and in Tanzania particularly (Chachage & Ngulube 2006):

- Policies for the management of records and management support for the records programme;
- Managing electronic records;
- Compliance and standards;
- Staffing and professionalism;
- Vital records protection programmes;
- Disposition and retention of records;
- Disaster management and control; and
- Managing access.

Numerous companies in East and Southern Africa are required to retain information for a specific term, in line with the regulations of tax law, company and customs and excise regulations. The preservation and management of accurate and reliable information may aid organisations in avoiding pointless penalties and litigation charges (Chachage & Ngulube 2006). Moreover, information would afford evidence of transparency and accountability of private business to stakeholders. In some countries, the passing of the freedom of information legislation underscores the need for business records to be managed, so that they are available when citizens request access to them in terms of the law (Chachage & Ngulube 2006).

## **1.10 Research methodology**

In this section, the following elements of the research methodology will be outlined: the research approach, design, population and sample, data collection and data analysis. The methodology of this research will present and detail the investigation plan and procedure. Furthermore, describe the data collected techniques used and the manner they were utilised and the explanations for utilising them. The qualitative approach utilised in the research will be outlined and widely discussed as well as the data collection process, the sampling methods and the interview and questionnaire design. A detailed methodology will be found and discussed in Chapter 3.

### **1.10.1 Research approach**

There are various research approaches. As indicated by Cooper and Schindler (2014:146), methodologies range from quantitative, qualitative and mixed methods. Qualitative research is a broad approach to the study of social phenomena and, therefore, the approach, which is naturalistic and interpretive, is directed by numerous approaches of inquiry (Rossman & Rallis 2003). It is preferably run in normal locations, rather than measured locations, which makes it suitable for this study, as the researcher intends to embark on action research.

In this study, the researcher followed a qualitative research approach, which observes the relations of participants in the relevant activity (Creswell 2009:3). The researcher's justification for choosing qualitative research was that it observes the practices involved in the research and allows the researcher to study patterns of activities to



determine the meaning of phenomena to participants. A qualitative research method is suitable for the description of small groups, organisations and communities, such as SEFA (Welman et al. 2005:188). Therefore, the approach was chosen to identify the processes and procedures executed to prepare SEFA Head Office for the implementation of Protection of Personal Information (PoPI) Act, No. 4 of 2013.

A qualitative study occurs in a natural setting and attempts to make sense of the real scenario to acquire the tangible results (Denzin & Lincoln 2005:3). Cooper and Schindler (2014:134–135) argue that the purpose of a qualitative study is to expose the reality of certain circumstances, settings, procedures, interactions, systems, or individuals in a descriptive manner. They also observe that a qualitative study enables the researcher to acquire first-hand awareness about a specific occurrence and to develop original concepts or theoretical viewpoints about the occurrence.

Cooper and Schindler (2014:134–135) further argue that a qualitative study enables a researcher to investigate the legitimacy of certain standards, norms and philosophies and link it to reality as they occur in real life. Qualitative investigation permits the researcher to judge the effectiveness of specific policies and practices (Cooper & Schindler 2014:134–135). Pandey and Pandey (2015:11) state that qualitative research is conducted when information is collected and presented in the form of qualitative data.

The necessity to investigate the viewpoint and judgement of those people entrusted with the administration of personal information that may contribute towards effective readiness to implement the PoPI Act at SEFA Head Office, steered the researcher to the adoption of a qualitative approach (Henning, Van Rensburg & Smit 2012). Cooper and Schindler (2014) argue that the fact that the research problem to be studied is a phenomenon that cannot be quantified, which also led to the appropriateness of qualitative approach for this study.

The basic advantage of a qualitative methodology, which also constitutes the basic difference with quantitative research, is that it offers complete description and analysis of a research subject – without restrictions to the scope of the research and the nature of participants' responses (Collis & Hussey 2009). Leedy and Ormrod (2010) give

particulars that qualitative information, such as the information obtained through interviews, is analysed by building explanatory narratives from this information. In the data analysis in this study, information was organised thematically and in line with the main research objectives (Kau 2018).

A disadvantage of qualitative research method is that it does not allow the researcher the chance to identify the cause of a particular occurrence or phenomenon, or to have an effective relationship with the participants, in order to answer questions.

### **1.10.2 Research design**

The research design is essentially a strategy for conducting research. As observed by Creswell (2009:3), the research design refers to strategies and processes that comprise the research results, from wide expectations to comprehensive techniques of data collection and examination. As observed by Ngulube (2009:62), the research design is the overall strategy that leads a researcher in gathering, examining and interpreting data and giving meaning to it.

Designs that are used in the qualitative research approach comprise inspection, interviews, historic description, ethnography, the case study, written examination and activity enquiry. Ngoepe (2012) observes that, as a qualitative research design, the case study involves a specific person, programme or occurrence being deliberated thoroughly for a definite time. According to Creswell and Poth (2018:99), case study research involves studying current cases that are occurring in real-life situations for in-depth understanding.

Qualitative case study methodology equips researchers to examine composite phenomena within their situations. If the method is used properly, it grows into a valuable method for social science research to establish theory, evaluate programmes and establish interventions (Baxter & Jack 2008). Based on the insight and opinion of these scholars, the researcher decided on the case study design to investigate readiness at SEFFA Head Office to implement the conditions and requirements of the PoPI Act.

SEFA makes for an ideal case study considering processing a large amount of personal information on a regular basis. The processing is regulated by the Financial Intelligence Centre Act, 38 of 2001 (FICA). Considering the information contained in a loan application as well as deal making and how those documents are processed, negligence or ignorance will be punished by PoPI Act. Non-compliance with PoPI Act as well as with FICA may result in precipitous fines and/or imprisonment. It is imperative to SEFA as a financial institution to adequately be informed of the requirements set out by PoPI Act to avoid penalties and reputational damage.

Deliberation of a case study design is taken when (Baxter & Jack 2008):

- The emphasis of the research is to respond to “how” and “why” questions;
- The behaviour of those involved in the study cannot be manipulated;
- The researcher believes certain contextual conditions to be relevant to the phenomenon being studied and, therefore, need to be covered; or
- There are no clear boundaries between the phenomenon and the context.

As recommended by Baxter and Jack (2008), the selection of the case study design was guided by the overall study purpose. The researcher sought to define and investigate a particular case. Yin (2014) classifies case studies as explanatory, exploratory, or descriptive and, in this study, the explanatory case study was utilised. This form of case study was adopted to investigate the circumstances whereby the mediation assessed has no traditional and sole category of results (Yin 2014).

The researcher compiled a questionnaire to determine SEFA’s Head Office preparedness to implement PoPI Act. The questionnaire was used to conduct interviews with staff members responsible for managing personal information. On-site visits to SEFA storerooms located at Head Office internal departments were also administered. The data collection methods are discussed in more detail in Section 1.10.4.

### 1.10.3 Target population and sampling

Cooper & Schindler (2014:338) reveal that a population is the total collection of fundamentals from which the researcher wishes to draw conclusions. These authors further describe a population element as a contributor or thing on which the quantity is selected, it is the unit of study. This is advantageous especially if the population is unlimited.

Sampling is the practice of choosing elements of a population for inclusion in a study (O'Leary 2010:162). – A small group is nominated to represent the entire population with the objective to obtain precise and trustworthy data about the population without spending too much budget (Tuckman 1994:237). Sampling makes a comprehensive and rigorous study possible with much less time, money and other resources (Pandey & Pandey 2015:40). Pandey and Pandey (2015:41) observe that the initial step in sampling is to describe the target population and, without wasting time and energy, to set out the parameters of truthfulness.

Out of the total population of 173 employees at the SEFA Head Office, the researcher's primary step was to define the sampling units, e.g. the individuals in all SEFA internal departments), who were to be sampled. The units needed to be defined clearly in terms of their characteristics. The following stage was to draw up a sampling frame, which is a list of all the sampling units in the target population. The sampling frame should be comprehensive and current, so as to keep selection bias to a minimum (Cooper & Schindler 2014:347).

In this study, which involves qualitative data collection, the researcher applied purposeful sampling (Bryman 2012), which is also known as *purposive sampling*, *nonprobability sampling*, or *qualitative sampling* (Teddlie & Yu 2008; O'Leary 2010). Purposeful sampling makes it possible to select a sample from specialists required to provide comprehensive knowledge of the research purpose (Teddlie & Yu 2008:107).

In order to qualify for participation in this research, the respondents had to be SEFA employees at the Head Office and responsible for processing personal information as part of their daily duties, as well as ensuring good governance. The sampling units for

this study were SEFA Head Office internal departments (business units) – in particular the staff members responsible and accountable for processing personal information at SEFA in the following departments: Human Capital, Finance, Wholesale Lending, Direct Lending, Post-Investment Monitoring, Compliance, Internal Audit, Risk Management, Legal Services, Corporate Secretariat and Records Management. These are the internal departments mostly responsible for processing personal information and staff, who have knowledge of and information on matters being investigated (Johnson & Christensen 2008:239; Kumar 2005:179).

The SEFA internal Human Capital staff list of all employees was used in the sampling process. Staff members' designations were drawn as a sampling frame to choose the sample with similarities and respondents, who could deliver meaningful contributions – such as stimulating ideas and useful perceptions – to the research (Teddlie & Yu 2008:107).

The overall population size was 173 employees at SEFA Head Office internal departments managing personal information. Interviews were conducted with 10% (sampled 17 employees) of personnel from each of the 11 departments indicated above. The officials varied from Heads of Departments, Managers and Administrators responsible for managing their departmental personal information. This enabled an appropriate information gathering to enrich the legitimacy of the outcomes of the study.

#### **1.10.4 Data collection methods**

Cooper & Schindler (2014:150) identify two sources of information that are renowned in social science research: primary data (data received directly from unique sources, such as interviews, observation or questionnaires) and secondary information (data consisting of materials which come from someone other than the original source; for example, a published book). As secondary information always involves someone else's interpretation of primary data, secondary information must be carefully cross-checked for accuracy. Cooper and Schindler (2014:150) declare that a third basis of information can be distinguished – tertiary information (information consisting of interpretation of, or comments on, secondary source, e.g. book reviews). For that purpose, and as the researcher intended to investigate the impact of non-compliance

to the Protection of Personal Information (PoPI) Act in SEFA, interviews were conducted for data collection. Cooper and Schindler (2014:152) argue that an interview is a primary data gathering technique for obtaining data in qualitative methodologies. Punch (2014) and O' Leary (2014) reveal three types of interviews, namely structured, semi-structured and unstructured interviews.

In spite of their usefulness, interviews do have a number of weaknesses, in that they:

- Can only be used to explore a small community;
- Are time consuming for the investigator/researcher;
- The researcher may struggle to honour meetings;
- May produce misleading results that are not entirely trustworthy;
- Require good interviewing skills (Creswell 2007; Singleton & Straits 2010:267).

In order to single out the current breaches associated with the implementation of the PoPI Act at SEFA Head Office, the researcher chose a structured interview approach, utilising detailed questions in a questionnaire to guide the interview. The questionnaire consisted of questions with uniform wording and a fixed sequence of presentation, as well exact indications of how to answer each (Punch, 2014; O' Leary 2014). Interviews were a logical and easy way of collecting information from SEFA Head Office employees, who were responsible for processing and/or managing personal information and for implementing the PoPI Act.

Each interview/meeting was pre-scheduled and planned to be completed in two hours. Mechanical recording was used to record the interviews. Before the interview, the interview plan was tested. A structured questionnaire was distributed to the chosen respondents in advance via email, and their responses reflected the full scope of the study. The analyses of the results will contribute to preparing SEFA Head Office for the implementation of PoPI Act.

### **1.10.5 Data presentation and analysis**

According to Daniel and Russell (2012:217), collected data is analysed to describe the characteristics of the units of analysis, and to make predictions about specific relationships and tested relationships.

Once the responses had been collected the results were broken down and guidelines were used to screen, relate and present findings to identify trends and patterns in the collected data. Collected data was organised and summarised so that the salient features of the data are more easily understood. Filter focused on an essence of information that was collected during interviews, based on certain criteria, such as question and answer, contributor's metadata, or investigator.

### **1.11 Ethical considerations**

Research ethics are norms or standards of behaviour that guide the researcher's moral choices. In this way, the researcher ensures that no individual is hurt or suffers consequences from research actions (Cooper & Schindler 2014:28). Welman et al. (2005:201) describe the following four ethical considerations to which the researcher should adhere to:

1. Informed approval: Participants must acknowledge the determination of the research and grant their consent.
2. Right to confidentiality: This was done by ensuring that respondents' personal information pertaining to responses remained anonymous. Their information would only be used for the purpose it was proposed.
3. Safeguard from reputational damage: Participants were protected from emotional and physical hurt.
4. Contribution of the researcher: The researcher was not biased and did not influence the results of the study in any way.

It was imperative for the researcher to ensure that contributors in the study were protected accordingly in terms of confidentiality during the process of data collection and analysis (Esterberg 2002:53–54). The ethical consideration of discretion was stringently sustained. The information accessed will be kept confidential. Informed

consent was requested from the participants, consent to undertake the study was sought from the CEO of SEFA, as well as the Company Secretariat and Legal Division. The researcher also adhered to the procedures for Master's and doctoral degrees in the Policy on Research Ethics of University of South Africa (2007). An ethical clearance certificate in terms of the research proposal was submitted to the College of Human Sciences at UNISA.

### **1.12 Scope and delimitations of the study**

The delimitations refer to restrictions of the study (Best & Kahn 1993:40). The research focused on the preparedness of the Small Enterprise Finance Agency (SEFA) to implement the Protection of Personal Information Act (PoPI Act), No. 4 of 2013. As a result, the rest of SEFA satellite offices namely (East London, Cape Town, Mafikeng, Bloemfontein, Polokwane, Nelspruit, Kempton Park, Braamfontein, Riversands and Tshwane) were excluded from the study. The study focused on examining the gaps associated with the implementation of the PoPI Act and determining whether there were existing tools that could be used to close those gaps. The study also focused on the existing policies or guidelines on the implementation of PoPI Act at the SEFA Head Office, focusing on collecting data from people responsible for managing personal information, namely Head of Departments, Managers and Administrators. The number of respondents involved in the research was limited to 17 (10%) out of the population of 173 employees at the internal departments at SEFA Head Office.

### **1.13 Organisation of the dissertation**

#### **Chapter 1: Introduction**

The positioning of the research is presented in this chapter, which includes the overview of SEFA and the PoPI Act, No. 4 of 2013. It seeks to introduce what the researcher planned to examine in the duration of this study; the focus and background of the problem; and how the researcher planned to solve the problem statement. The research objectives, research questions, scope and delimitations of the study are also presented in this chapter. Finally, the researcher explains the significance of the research present the research methodology (i.e. research approach, design, population and sampling, data collection methods and ethical considerations.



## **Chapter 2: Theoretical framework and literature review**

Chapter 2 comprises of the theoretical framework for records and information management, as perceived the basis for the effective implementation of the PoPI Act. The researcher reviews the work done by other researchers and written material on the subject (PoPI Act preparedness). The literature review examines prior studies on four themes and the different authors' insights are discussed under each theme.

## **Chapter 3: Research design and methodology**

Apart from presenting the research approach, design and the target population and sampling, Chapter 3 presents an inclusive discussion on the data collection process employed for the study, as well as the interview design.

## **Chapter 4: Data analysis and interpretation**

The analyses of the collected data are presented and interpreted in Chapter 4.

## **Chapter 5: Summary, conclusion and recommendations**

Chapter 5 concludes the study by briefly discussing the contributions of the study; making recommendations for the PoPI Act implementation preparedness at SEFA Head Office; and highlighting areas of possible future research.

### **1.14 Conclusion**

Chapter 1 provided the background of the study; stated the research problem, purpose and research objective and the significance of the study; and defined key concepts involved in the study. The chapter also outlined the structure of the dissertation and briefly described the content of each chapter.

Chapter 2 presents the literature review, examining prior studies on four of the major themes of the study – i.e. personal information management (PIM); legislative requirements of and compliance to the Protection of Personal Information (PoPI) Act; and an assessment of the Data Protection Act 1998 (DPA) of the United Kingdom as an act that is similar to the PoPI Act; and the relation of the PoPI Act with effective

records management practices in Africa, focusing in South Africa. The chapter will also cover related studies from different authors' insights under each theme.

## CHAPTER 2: THEORETICAL FRAMEWORK AND REVIEW OF LITERATURE

### 2.1 Introduction

The previous chapter introduced the background to the study, as well as the contextual setting and the essence of the research; presented the affirmation of the research problem, the research purpose and questions, importance of the study; an outline of the research methodology, and definitions of the fundamental terms involved in the study (Stephen 2016).

Chapter 2 evaluates the literature related to this research. A review of literature is considered as a rational analysis of interrelated written works that constructs a sound structure for the study and contextualises it in a known practice of the investigation and factors of associated research (Marshall & Rossman 2006:42). The literature helps the researcher to clarify the scope of the research by creating a story of what is, and is not, what is known regarding the subject matter at hand, and whether there are areas of dispute (Avni, Burley, Casey, Cherney, Christiansen & Saunders 2015). Concepts, statements and theoretical frameworks were used as the structure to identify and analyse the articles used in prior studies.

The researcher discusses and reviews of the work conducted by other researchers and written material in the subject matter (i.e. the public bodies' preparedness to implement the PoPI Act). This is why it is true that readiness for SEFA to implement the PoPI Act involves the improvement of procedures and processes that are in place to prepare the institution for this Act.

The chapter further analyses prior studies on the following four themes four themes derived from the objectives of this study. The different authors' insights were argued under each theme:

- Personal information management (PIM), which enhances the core business and daily operations of any institution;
- Legislative requirements: compliance to the PoPI Act, No.4 of 2013;

- The Data Protection Act 1998 (DPA) of the United Kingdom, which is similar to the South African PoPI Act; and
- PoPI Act relationship with effective records management practices in Africa, with the focus on South Africa.

The literature review also relates to the PoPI Act legislative requirements; how PoPI relates to the DPA of the United Kingdom, as well and its relationship to effective records supervision to the enhancement of service delivery in South Africa.

In this study, the researcher discussed the National Archives and Record Service of South Africa Act (No. 43 of 1996), in order to address the research objective on how SEFA is complying with the NARS Act and investigate the preparedness of SEFA's Head Office to implement the PoPI Act. It is believed that, in order for any organisation to implement PoPI Act effectively, they must implement an orderly methodology to the management of information by applying the recommendations of the National Archives and Record Service of South Africa Act (Ngoepe 2008). The National Archives and Record Service of South Africa Act (No. 43 of 1996) is used to assist the researcher in ensuring SEFA's readiness.

Hounsome (2001:1) observes that a significant element of best practice in organisations is an operative records management programme. Iyamu and Ngqame (2017) state that records perform a significant part in preserving treasured resources of an institution. Therefore, all information is considered valuable. These resources include all information that is managed by any organisation. Furthermore, Iyamu and Ngqame (2017) argue that private data about people is preserved by institutions and state-owned entities (SOEs).

Data is proposed to remain personal and solely utilised for its main and genuine motive, although that has not continuously remained the situation in numerous South African public institutions and state-owned entities (Iyamu & Ngqame 2017). In recent years, unlawful sharing of private data about people and clusters and utilised for various reasons, some of which are highly damaging. Even after the PoPI Act was made public and such wrongdoing was forbidden, data shared unlawfully has not

ceased or decreased (Iyamu & Ngqame 2017). Consequently, stricter and appropriate techniques are essential for the adoption of the PoPI Act in South Africa, in order to enhance stability pertaining to the management and application of private data. Davis and Squibb (2014) and Von Solms and Van Niekerk (2013) declare that, if not, non-compliance and misuse of private data will have a negative effect for many citizens of South Africa.

The National Archives and Record Service of South Africa Act (No. 43 of 1996) and an appropriate records and information management framework include a number of diverse components, which are discussed in the following sections.

### **2.1.1 Standards, guidelines, procedures and policies**

As pointed out by Urey (2015), the basic concept involved in these activities is that the application of standards, guidelines, procedures and policies is fundamental in reducing the danger of data contravention (Urey 2015): it increases the governance of data security (D'arcy, Hovav & Galletta 2008) and improves the integrity of client information (De Koker & Jentzsch 2013). D'arcy, Hovav and Galletta (2008) state that policies, guidelines and standards ensure that records and information are obtainable in the direction of allowing the creation of up-to-date resolutions. Information and records must remain preserved and safeguarded from disaster and damage; they must be kept in a location that allows entry and in a suitable environment that makes physical security possible (D'arcy, Hovav & Galletta 2008).

According to Du Toit (2011), a records management policy provides comprehensive guidelines for sound organisational records management and can be used as an instrument for training and assessment of staff (Chachage & Ngulube 2006). A comprehensive records and information management plan for hard copy and automated records must comprise the establishment of a policy on records management (Du Toit 2011). It must be recommended by the senior staff in government bodies, the executive management team and the National Archives and Records Service of South Africa. Records management procedures must re-enforce the policy. Du Toit (2011) indicates that proper records management provides

precedence, consistence and uniformity, even if the current employees are no longer with the organisation.

### **2.1.2 Legislation and regulations**

The National Archives and Record Service of South Africa (2007) states that the following regulatory documents have reference, a reliable and clear regime to records and information administration matters, and has a direct bearing on the effective management within organisations:

- Constitution of the Republic of South Africa, Act No 106 of 1996;
- Electronic Communication and Transactions Act, No. 25 of 2002;
- National Archives and Record Service of South Africa Act, No. 43 of 1996;
- Promotion of Access to Information Act, No. 2 of 2000;
- Promotion of Administrative Justice Act, No. 3 of 2000;
- Protection of Personal Information Act, No. 4 of 2013;
- Public Finance Management Act, No. 1 of 1999;
- ISO 27002: Information Technology: Security techniques: Code of Practice for Information Security Management;
- King Report on Governance for South Africa, 2009 (King Report);
- Minimum Information Security Standards, 1996;
- SANS 11799: Document Storage Requirements for Archives and Libraries;
- SANS 15489: Information and Documentation: Records Management. Part 1: General and Part 2: Guidelines;
- SANS 15801: Electronic Imaging: Information Stored electronically: Recommendations for trustworthiness; and
- SANS 23081: Information and Documentation: Records Management Processes: Metadata for records. Part 1: Principles.

### **2.1.3 Records management professionals**

Section 13(5) of the National Archives and Record Service of South Africa Act requires public institutions to employ a Records Manager. He/she must be responsible for the administration of the institution's records. According to the Performance Criteria for Records Managers of Governmental Bodies of the National Archives and Records

Service of South Africa (2006), the Records Manager is in control of all features of records management. The most important features include the development, implementation and preservation of records categorisation structure and record systems and for training all employees. Section 13(5) of the National Archives and Record Service of South Africa Act also requires the Records Manager to be accountable for determining the skills that are essential for all staff (Republic of South Africa 1996b).

#### **2.1.4 Training and support**

Preliminary process involved in training and support includes keeping all personnel up-to-date about standards, procedures, guidelines, processes and policies. Therefore, it is particularly significant to guarantee uniformity of application among personnel and to ensure that they are confident and comfortable with the records and information management technique. The accomplishment of the records and information management technique will be explained by the preparedness of personnel to apply it. Workshops or seminars with related records experts, and through informal conversation among personnel are other methods of introducing the subject.

In future, it is likely that information and records management systems will become more dependent on technology. Furthermore, all staff members must acquire a set of wide-ranging skills related to the optimal use of appropriate technology in all business processes (University College Cork, Ireland 2019). According to Mukwevho (2011), designating an official in each business unit as champions enhances compliance. Similarly, Morelli (2007) discusses internal champions, who are capable and familiar with practical filing, so that they can explain it to others. Also, according to Mukwevho (2011), records management personnel should be assigned to support each champion. Bedford and Morelli (2006) describe it as floor walking, following the training sessions – i.e. to be offered internal assistant personnel responsible for opening files (Mukwevho 2011). Morelli (2007:30) states that the assistance is management sponsorship; i.e. enough “enlightened” assistance for practical filing from within the senior management personnel. The establishment of an internal records management forum, which includes pertinent role players, ensures continuous and reliable

communication (Morelli 2007:29). Education and training are vital, because they convey new skills and stretch confidence to personnel (Wamukoya 2012; Ugwunze 1992:43).

These activities are combined with a cohesive recordkeeping structure, with the similar purpose of assuring the trustworthiness, validity and comprehensiveness of information (Iwhiwhu 2009). The adopted structure offers mutual opinions, reliable standards, united best technique standards, and multidisciplinary methods to appropriate records management and archiving procedures for hard copy and for the electronic environment (Rogoff 2003).

The records management activities and principles discussed in the earlier writing may be incorporated for the management of personal information (Chachage & Ngulube 2006). Similarly, archival and records management activities and ideologies are progressively becoming appropriate and significant at an operational magnitude and business records management (Bilotto & Guercio 2003).

The literature review describes the academic findings resulting from the researcher's investigation of various sources. The literature review involves a specific topic and assists the researcher mastering or solving the problem (Leedy & Ormond 2005:65). The function of a literature review is to put investigations and findings associated with the topic at hand into perspective. According to Leedy & Ormond (2005:79), writing a solid review is vital, particularly for the reader. The investigator should conduct the proper thinking needed to achieve a clear view of the topic. Having a plan, emphasising related literature, and giving credit to the work of others' ideas is critical (Leedy & Ormond 2005:79–78).

A literature review classifies and matches earlier studies. The advantage of the literature review is to avoid duplication of the same research. Existing researchers and other knowledge bodies have already investigated the same problem. Researchers learn from them and how they have been presented (Welman, Kruger, Mitchell & Huysamen 2005:38). After examining earlier studies conducted by Welman at al. (2005:38), the researcher broke down the key theories guiding the study into four themes and the different scholars' insights are discussed under each theme.



## **2.2 Theoretical framework**

In this section, the theoretical foundation, which is a comprehensive foundation that supports a study (Creswell 2009), for this research is explained.

The term “theory” has numerous descriptions, dependent on the domain of research (Leedy & Ormrod 2005; Creswell 2007; McMillan & Schumacher 2001). On a fundamental level, a theory can be regarded as an exclusive perception of truth that expresses someone’s prominent insight into a particular phenomenon. Leedy and Ormrod (2005:4) opine that a theory is a form of interconnected ideas, values and plans that describe or projects phenomena. As observed by Creswell (2012:121), theory clarifies and forecasts the probable connection between independent and dependent variables. Creswell also emphasises that theories are essentially a wide-range of explanations of what we would anticipate to discover when we relate variables (Creswell 2012:121). McMillan and Schumacher (2001) agree that theories clarify associations among phenomena or predict by what means one phenomenon influences another or others. They also observe that theories are a collection of structured plans that may define a specific phenomenon (McMillan & Schumacher 2001).

The theoretical framework is an arrangement of interrelated theories and, as a collective, it makes complete recognition of a phenomenon or phenomena available (Jabareen 2009). Kandeh, Botha and Futcher (2018) observe that the theoretical framework presents the method for an instrument to explore connected theories. It is clear, or narrated, pieces of data that explain important factors, concepts or variables, as well as the associations among them (Miles & Huberman 1994). Bordage (2009) states that theoretical frameworks symbolise ways of thinking about a problem – its complexities, processes, variables, outcomes and its inter-relatedness. This enables researchers to build on one another’s work for the purpose of reaching depth of a problem to guide the development of possible solutions. According to Anfara (2012), the researcher would be unable conduct research, if they lack theoretical framework, whether clear or not. In other words, it is the frame of the study. He further argues that it can be basic, explicit, speculation-driven or graphic, fundamental, but describes the key focus areas of the research and the assumed associations between them (Anfara

2008). The theoretical framework is created from assumptions and practices that the investigator presents to and utilises in conceptualising the study. These assumptions – explicit and implicit – contain symbolic interactionism and middle-range ideas like culture, prejudices, character, settings and pretentious custom according (Anfara 2008).

In this study, the researcher adopted the communication privacy management (CPM) theory, as a theoretical framework to investigate the preparedness of SEFA's Head Office to implement the PoPI Act.

### **2.2.1 Communication Privacy Management (CPM) Theory**

Communication privacy management (CPM), initially identified as communication boundary management, is a methodical research theory intended to develop a proof-based understanding of the way in which individuals reach conclusions about disclosure and hide private information. CPM theory proposes that people preserve and manage privacy boundaries (the restrictions of what they are prepared to share) with numerous communication partners liable on the apparent gain and prices of information disclosure (Petronio 1991). As the theoretical framework, the CPM theory is used to support the researcher in ensuring SEFA's readiness.

### **2.2.2 CPM theory elements**

The communication privacy management (CPM) theory involves a number of elements. These elements are discussed in the following sections.

#### **2.2.2.1 Private information**

Private information involves the content of disclosure and hiding. Petronio (2002) prefers the term "private information" over the term "self-disclosure", because there are numerous qualifications essential to private information disclosure that are not existing with self-disclosure. Primarily, the inspirations associated with sharing are various, including sharing a burden, righting a wrong and persuading others (Petronio 1991). Subsequently, private information can be about yourself or others, the conclusion as to what is confidential and with whom to share it is critical when considering the knowledge of boundaries (Matthews, Derlega and Morrow 2006) The

decision to share is eventually left up to the method of the privacy rule management system, which, in turn, links the rules for coordination of information, characteristics of disclosure and the qualities of the nature of boundaries.

#### **2.2.2.2 Private boundaries**

To appreciate CPM theory, it is significant to adopt the metaphor of the boundary. Private boundaries are the partition between private information and public information (Petronio, Ellmers, Giles & Gallois 1998). When private information is shared, there will be a co-operative boundary. When private information remains with an individual and is not revealed, the boundary is named a personal boundary. An individual's private information is protected by their boundaries. The penetrability of these boundaries is evolving. Boundaries can be relatively penetrable (easy to cross) or relatively impregnable (rigid and problematic to cross) (Petronio et al. 1998).

#### **2.2.2.3 Control and ownership**

Petronio and Durham (2008) argue that the CPM theory understands information, as well as boundaries as something that is owned, with each titleholder deciding whether they are prepared to have a companion – i.e. a co-titleholder – to that information. In some instances, it is better for the titleholder to have another person share the private information, although this may not be the case for the confidant. Co-co-title ownership of information is measured by two things: heavy responsibility and a knowledge of the rules for a disclosure. Nevertheless, ownership can be handled to dissimilar grades, and the understanding of sharing rules may be different from titleholder to titleholder. Additionally, the act of disclosure is attached to the understanding that boundaries have extended and that they may never return to their unique state. It is the obligation of co-titleholders to choose if, when and how information can or should be disclosed to others (Petronio & Durham 2008).

#### **2.2.2.4 Rule-based management system**

As the framework for understanding the individuals' choices regarding private information, this system permits for management of the individual and collective stages through three processes: privacy rule characteristics, boundary coordination and boundary turbulence (Petronio & Durham 2008).

### **2.2.2.5 Management dialectics**

Petronio and Reiersen (2009) focus their deliberation on privacy management on the awareness of a dialectic existing when the decision is made to disclose or hide private information. Therefore, expenses and advantage require assessment and deliberation must be given to how such information will be preserved, used and shared (Petronio & Reiersen 2009).

The definition of *dialectic*, from which Petronio and Reiersen (2009) borrow can be found in Leslie Baxter and Barbara Montgomery's theory of relational dialectics in which various approaches to the contradictory instincts of interpersonal life are deliberated. The theory focuses on the notion that there are not only two contradictory stances within a relationship, when multiple viewpoints are weighed (Baxter & Montgomery 1996).

## **2.3 Personal information management (PIM)**

Over the years, there have been several definitions of *personal information management (PIM)*. The studies that the researcher decided to cite, are outlined in the following paragraphs.

*Personal information management (PIM)* is regarded as the exercise and the study of the actions people perform to obtain, organise, preserve, save, use, control and disseminate information pieces (paper-based and digital). Websites and email communication in institutions are used to perform work-related and personal activities (Jones & Teevan 2007:3).

Buechler (2010) states that email is still the greatest method of social company correspondence in the workplace. As a result, numerous specialists in the information technology (IT) environment predict that community interaction will overtake email as the primary method of business correspondence in the next ten years, although they also further predict that, in some institutions, this change will likely occur sooner. Numerous corporate communication investigators and teachers have embraced the transition and the impact of electronic community networks in the workplace (Buechler 2010). The most respected company in the IT environment, Gartner Inc., is the world's

most important information technology research and advisory organisation. It focuses on technology-related programmes necessary for their clients, and provides support to CIOs and senior IT leaders in public and private bodies regarding high technology and telecommunications (Gartner 2018). Gartner predicted that, by the year 2014, social networking will progress more rapidly than email by 20% (Gartner 2018).

A great deal of personal information is in mismatched digital formats, produced and consumed by a range of separate devices and applications. These devices and applications may individually provide support for PIM that is not integrated. Work in any institution requires that information be created, managed and retrieved effectively across all systems.

### **2.3.1 Electronic personal information management**

Due to the dynamic nature and the rapid rate at which technology is progressing, there has to be standards on the way in which electronic personal information is secured. Institutions have to develop the PoPI Act checklist and must address the information security issues concerning automated records, which is vital for adhering to the PoPI Act (De Stadler & Esselaar 2015:60).

Electronic records management software for records in public and private environments – accepted by the International Council on Archives (ICA 2008) and the National Archives and Records Service of South Africa – recommend that an electronic records management software should be reliable for managing personal information (Ngulube & Tafor 2006).

The requirements that should be adopted when purchasing electronic records management software are outlined in the following sections.

#### **2.3.1.1 Capture process**

According to the International Council on Archives (ICA) (2008), capturing is the method of channelling a record or an electronic item into a record-keeping system and allocating metadata to label the record and place it in a framework, thereby permitting the accurate management of the record in the future. The ICA (2008) states that “Electronic records management systems must catch the content, construction and

setting of records to ensure their reliability and original illustrations of the company's actions and communications".

*The system must:*

- Permit the worker to file a record to the file plan (classification system) from the authoring application, such as MS Word or Excel;
- Indicate when an individual record has been captured in the repository;
- Enable editable documents and declared records to be allocated to the folders in the file plan;
- Capture the fact that the status of a record was changed from editable document to declared record in the audit trail;
- Not allow the content of a declared record to be edited;
- According to ICA (2008), allow the identification of automated records and permit names to be different from the present file name, without altering the present file's name; and
- Allow an authorised user to manually alter metadata for declared records to enable a record profile to be corrected (ICA 2008).

#### **2.3.1.2 Metadata for records**

The ISO 23081 (Part 1 and Clause 4) allow for the formation, capture, retrieval, administration, use and preservation of records by organised or semi-organised data (International Organization for Standardization 2017).

*The system must:*

- Capture the NARS minimum mandatory metadata by default;
- Ensure that the metadata linked to the record and management is persistently maintained over time;
- Enable selected metadata fields to be mandatory;
- Be able to facilitate viewing and printing of all the metadata and audit logs or selected metadata for each record, subject to the access rights of the records;
- Prevent manually entered metadata from being edited after a record has been declared; and
- Enable additional metadata to be added to a record after declaration (ICA 2008).

### **2.3.1.3 Version management**

Version management is the process of converting records from primary arrangement to a secondary arrangement. Alteration includes the modification of the arrangement of the record, but guarantees that it maintains the unique principal data (International Organization for Standardization 2016 (ISO 15489-1 2016: Clause 3.7; ISO 15489-2 2016: Clause 4.3.9.2)).

*The software must:*

- Ensure that a record that has been changed, is checked in as a new record or a new version; and
- Enable users to view all versions of a record

### **2.3.1.4 Bulk importing**

According to ICA (2008), bulk importing involves receiving electronic records unpackaged and related metadata between systems, within or outside (ICA 2008).

*The system must:*

Allow the bulk import of records from other systems without degradation of content, together with the records metadata and audit log, maintaining the original context of the records (ICA 2008).

### **2.3.1.5 Formats**

*Format* refers to the physical form or electronic file format in which records are preserved throughout their life cycle (ICA 2008).

*The system must:*

- Store records in its native format;
- According to ICA (2008), be situated to cover the variety of formats it is able to capture and view as new formats are developed; and
- According to ICA (2008), be situated to capture records from additional specialised systems in the organisation.

### **2.3.1.6 Email**

According to ICA (2008), email is utilised for communication in individual and group communication and in sharing records (as attachments), internally and externally (ICA 2008).

*The system must:*

- Be able to file emails into the file plan;
- Enable the user to file emails to the file plan directly from the email application;
- Allow the user to declare an email with the attachment as a single record;
- Be indexed and content searched separately;
- Indicate that a filed email has an attachment embedded;
- Allow attachments to be declared separate from the emails;
- Maintain the link between the email message and the attachment;
- Capture the transmission data of the emails as metadata;
- Include a human readable version of the email address transactions;
- Enable an email to be declared as a record; and
- Prevent changes to an email record once declared as such (ICA 2008).

### **2.3.1.7 Manage websites as records**

*The system must:*

- Succeed in website management of records; and
- Ensure that all links to URLs (uniforms resource locators) outside the system remain active in the archived website.

### **2.3.1.8 Establishing a classification scheme**

The National Archives and Records Service of South Africa (2006) declares that the establishment of a classification system involves a structured documentation and organisation of the institution's functions and records into groups and sub-groups according to a logically organised method and applying procedures and technical guidelines characterised in a classification scheme (ICA 2008).

*The system must:*

- Be able to construct a functional subject file plan;



- Be able to implement more than one functional subject file plan at the same time;
- Be able to populate individual main series with series, sub-series and folders to enable the aggregation of records; and
- According to ICA (2008), support the graphical browsing and graphical navigation of the file plan arrangement, navigation, retrieval, display of folders and records over this instrument.

#### **2.3.1.9 Authentication content and encryption should be added**

According to ICA (2008), this is a method of translating data into a protected cipher, using an encryption formula, for communication over a community system. The numerical solution to the encryption formula is encoded and communicated with the information, thereby supplying the means by which the information can be decrypted at the receiving end and the original information reinstated (ICA 2008).

#### **2.3.1.10 Security control**

According to ICA (2008), security control is a system of protective configurations that may be assigned to personnel, electronic records and record plan entities to control an entry. These controls can comprise of a stratified security class, possibly in combination with a non-stratified qualifier, entry restriction and descriptor. Security controls – which include software monitors overall entry and safety provision, preservation of authenticity, reliability, integrity and usability – must be properly applied (ICA 2008).

*The system must:*

- Enable access controls to be configured for classes, folders and records;
- Enable each user to be allocated to role-based groups;
- Prevent users from accessing classes, folders and records, if they do not have the appropriate access levels; and
- Log unauthorised access attempts (ICA 2008).

#### **2.3.1.11 Audit trails**

*The system must:*

- Capture an audit trail of every activity taken upon records, parts, folders, series, classes and all related metadata; and

- Maintain the audit log as an unalterable record for as long as required (ICA 2008).

#### **2.3.1.12 Backup and recovery**

According to ICA (2008), backup and recovery refer to the fact that it is essential for electronic records management software to have reliable tools to produce systematic support of records and preserved the captured metadata. The measures must permit electronic records management software to re-acquire records quickly in an incident of system disaster, fault or security breach (ICA 2008).

*The system should:*

- Provide automated back-up and recovery procedures for records, metadata and audit data; and
- Provide a facility for users to indicate which records should be considered as vital records (ICA 2008).

#### **i. Tracking**

According to ICA (2008) and Clause 3.19 of ISO 15489-1 (International Standardization Organization 2016) *tracking* means creating, capturing and keeping track of data connected to the management of records. The system should be able to track the movement of electronic and paper-based records (ICA 2018).

#### **ii. Retention and disposal**

National Archives and Record Service of South Africa Act (No. 43 of 1996) revealed that *retention and disposal* refer to the duration of preserving records and allowing consultation or access and ultimately destroying them at the end of their lifecycle. At the end of the lifecycle, a record may be required to be disposed by either destroying it or transferring it to the National Archives for permanent preservation.

*The system should:*

- Enable an authorised user to allocate disposal instructions to folders in the file plan;

- Enable the staged allocation of disposal instructions and retention periods;
- Allow disposal instructions to be updated;
- Update disposal instructions shall be limited to authorised users;
- Capture the allocation of disposal instructions to a file plan or individual folders in the audit trail;
- Ensure all the folders in a series shall inherit the disposal metadata of the series;
- Allow a manual override to facilitate cases where the disposal instructions of sub folders in a series differ from each other;
- Ensure the manual override of disposal metadata is limited to authorised users;
- Ensure the manual override of disposal metadata is logged in the audit trail; and
- Allow records and documents in a folder to have different disposal instructions (ICA 2018).

iii. Disposal holds

The National Archives and Record Service of South Africa Act (No. 43 of 1996) states that *disposal holds* means records that are set aside for the litigation hold are not to be archived and/or destroyed, unless formally released by the person authorised to do so.

*The system should:*

- Be able to place a disposal hold on a folder with a disposal instruction;
- Not be able to delete or destroy the contents of a folder if a disposal hold has been placed on it;
- Capture attempts to delete or destroy the content of a folder on which a disposal hold has been placed;
- Ensure that the destroy functionality shall be limited to authorised users;
- Require a second confirmation before the destruction is executed;
- Distinguish between the normal delete function and the destroy functions;
- Log the normal deletion of record in the audit trail;
- Have both the delete and the destroy function and limited to authorised users;
- Notify the Records Manager that there are alternative copies of a record that should also be destroyed, e.g. controlled copies, renditions and back-ups;

- Keep a metadata stub for all records that were destroyed, containing the following information:
  - Who authorised the destruction;
  - Date of destruction; and
  - Disposal authority in terms of which the destruction was done;
- Create a destruction manifest;
- Allow the disposal instructions to be reviewed and altered after a review; and
- Log all attempts to review a disposal instruction in the audit log (ICA 2018).

#### iv. Searching

According to ICA (2008) *searching* means that records must be reached, presented and retrieved in an expressive method.

*The system should:*

- Allow all metadata to be searchable;
- Offer different searching techniques;
- Never allow a user to retrieve information during a search if the security and access protocols do not allow the user to see the records;
- According to ICA (2008), permit operators to save and re-use queries;
- Permit an operator to see the file plan path of an open record without having to close the record;
- Permit for searching across the electronic, non-electronic and hybrid folders; and
- Permit for searching across multiple file plans (ICA 2008).

If the afore-mentioned, minimum requirements are ignored, it may lead to the negligence of electronic personal information and may result in information leaks and identity fraud. Chapter 2 of the Electronic Communications and Transactions (ECT) Act (No. 4 of 2013) discusses the significance and lawfulness of automation and electronic undertakings. According to Cassim (2015), the Act makes sure that South African institutions develop a safe and protected setting for the management of user, private and public electronic communications. Sections 3, 9 and 11 of the ECT Act provide laws for safety and individuals' rights regarding unwanted automated

transportations (Republic of South Africa 2002). Cassim (2015) points out that the Act provides for explicit circumstances to apply least requirements for the processing of personal information and regulations to allow the flow of personal information across the borders of South Africa.

Fast evolution and the corresponding use of the cyberspace test of the ability of lawmakers to govern it successfully. Cassim (2015) states that computer crime is deliberated in Chapter 13 of the ECT Act, which comprises the anti-breach (or anti-thwarting) and cyberpunk regulation, which forbids the trading, developing or the manufacture safety evading technology, which are presented in Sections 86(4) and 86(3). The confidentiality cyberspace has also contributed in cybercrimes such as identity theft. This occurs when a person's personal information, like identity documents, are unlawfully found and subsequently utilised to carry out theft or fraud. Identity theft could be carried out unaccompanied by technology, through human interaction or outdated behaviours or through post stealing (Cassim 2015). Various reported offenses demonstrate that identity thieves use unauthorised private data to acquire financial status, financial standing and procure products totalling to large amounts under the targets' titles. The identification criminals comprise functioning in a multi-jurisdictional setting, which makes the tracing and legal proceeding of such criminals hard and challenging (South African Revenue Service 2017).

The stealing of identity-related information has evolved. Thieves, such as pickpocketers, used to steal identity-related documents from mailboxes and rubbish bins, in order to misuse the identities. They have now mastered other methods of stealing identities. With the arrival of the data processing and information era, targets and methods of identity offenders have changed (Cassim 2015 & South African Revenue Service 2017). The South African Banking Risk Information Centre (SABRIC) issued caution for South African customers against new fraud approaches planned to trick the public towards safeguarding their private data. SABRIC (2017) states that the thieves target private technology operators and make trunk ring to people pretending to be from reputable service providers (Cassim 2015; South African Revenue Service 2017).

Cassim (2015) states that, on 11 March 2012, the South African Cabinet approved the Cybersecurity Policy Framework, which aims to:

- Enforce web security;
- Standardise public departments' activities on electronic security and to guarantee collaboration among the public departments, the private division and municipal community in dealing with technological terrorisations; and
- Enforce spheres of accountability for public departments and to commission the State Security Agency (SSA) with an inclusive responsibility for the establishing and application of technological terrorisations procedures (South African Government News Agency 2012).

According to Section 69 of the PoPI Act, the implementation of the Act, which protects private data, may be used to address identity theft (Cassim 2015). Commission of deception occurs when the individuality criminal accesses the private data of persons, obtain a financial status and/or gain financial standing to procure products and use the persons' titles to attain unlawful transactions like unlawful migration (Cassim 2015). The PoPI Act lays responsibilities on institutions in terms of taking action of safeguarding their information (Cassim 2015).

On 25 May 2018, the first incident after the commencement in South African subject to the General Data Protection Regulation (GDPR), was reported, when Liberty Holdings Insurance security was breached (Chester 2018). Email data and attachments were compromised and reports revealed that the sensitive data was not encrypted. According to Chester (2018), information included thousands of Liberty investors' financial details. The incident could have been avoided by the application of overall information safety procedures, such as always encoding confidential information; isolating it from susceptible software; and developing difficult entry control rules and observing procedures. Liberty Life management met with the Information Regulator (South Africa) to provide an explanation on the situation (Bizzcommunity 2018).

According to Masweneng (2018), the Information Regulator (South Africa) agreed to work closely with and assist the management of Liberty Holdings to evaluate adherence to the provisions of the PoPI Act. Clients were assured that their personal information and invested products were not at any danger (Siziba 2018). Masweneng (2018) also states that, according to the Head of the Information Regulator (South Africa), Pansy Tlakula, Liberty Holdings's latest occurrences of information violation in South Africa is the highpoint of the significant impact of technological crime doings and their link to safeguarding private data. Masweneng (2018) reveals that the Information Regulator (South Africa) motivates all institutions to be alert of technological theft and to implement acceptable and relevant information safety procedures (Siziba 2018).

### **2.3.2 Paper-based personal information management**

According to Cassim (2015), the South African Revenue Service (2017) states that there is a rise in individuality stealing misconducts in South Africa. Identity thieves operate by taking identities to open credit accounts that are not theirs and leaving victims in debts. Fraudulent tax repayments from the South African Revenue Service (SARS) have also been accessed by identity criminals (Cassim 2015). Reports have been made that retailers, banks, cell phone suppliers and tourism agencies are carelessly disposing customers' confidential private data in waste containers at retail centres, thereby simplifying access to information for individual criminals, who could abuse the data. Cassim (2015) observes that numerous cases were reported where identity thieves used stolen data to open bank accounts, make purchases, unlawfully gain financial status and acquire medical benefits through the targets' titles (South African Revenue Service 2017).

Cassim (2015) also notes that the South African Department of Home Affairs (DHA) is currently enforcing the Home Affairs National Identification System (HANIS), with the purpose of converting from a hard-copy scheme to an electronic scheme, thereby targeting individuality criminals specialising in forging of individuality booklets. Collaboration has correspondingly been initiated Cassim (2015), linking SABRIC and the Department of Home Affairs to allow financial institutions admission to HANIS for

the confirmation of the individuality of the potential and present bank clients (South African Government News Agency 2012).

Cassim (2015) reports that identity criminals in South Africa are criminally placed on trial according to common law. Moreover, an individual at fault of an individuality crime is charged with deception, counterfeit and changing a government or officially approved document and this rests on the conditions surrounding each event (Cassim 2015). According to the Criminal Law Amendment Act, firm least judgements are forced for the crimes of fraudulent misconduct, counterfeit and changing a government or officially approved document, fluctuating from a prison sentence of 15 years to 25 years dependent on the total and the category of offense (Cassim 2015; South African Revenue Service 2017).

## **2.4 Legislative requirements: compliance to the Protection of Personal Information (PoPI) Act, No.4 of 2013**

According to Heyink (2018), the PoPI Act was authorised into legislation by the President on 19 November 2013 and issued in the Government Gazette Notice 37067 on 26 November 2013. The PoPI Act originated from Section 14 of the Constitution of the Republic of South Africa (1996), which makes it clear that everybody is morally justified to confidentiality (Heyink 2018). Moral justification to confidentiality comprises safety against the illegal collection, storage and distribution of private data.

As pointed out by Heyink (2018), it is imperative to note that the PoPI Act will not apply to the:

- Enquiry and trial of criminal matters administered by the highest authority and its boards or the executive council of a province and relating to the judicial functions of a court;
- Utilisation of private data for only private or domestic action that has been de-identified, administered by or on behalf of a public institution for the purposes of safeguarding national security; and
- To the utilisation of private data for the aim of media's activities, truthful or original appearance in well-defined conditions. The elimination for media goals



requires the reporters to be subject to a code of ethics and offers acceptable safety measures for the safety of private data.

The commencement of the PoPI Act has been delayed due to several reasons, the most crucial and clear of which has been the postponement of the appointment of the Information Regulator (Heyink 2018). The Information Regulator (South Africa) was only appointed in 2016 and not yet empowered to recommend to the State President that he can proclaim the instigation of the PoPI Act (Heyink 2018). In accordance to Section 40 of the PoPI Act, the Information Regulator (South Africa) is an independent regulatory body responsible for enforcing governance of the safety of private data. Section 40 continues and states the Information Regulator's authorities as comprising:

- Enforcing and monitoring compliance in accordance to the terms of the PoPI Act;
- Educating and ensuring adherence and reception of the conditions of legitimate administration of personal data;
- The management and investigation of transgressions (Heyink 2018);
- Leading research activities and writing to Parliament on national progress;
- Establishing and monitoring the PoPI Act Codes of Conduct (Heyink 2018);
- Facilitating transboundary collaboration with other authorities; and
- Implementing and promoting principles that protect personal information in South Africa at all costs (Republic of South Africa 2013: Section 40).

The office of the Information Regulator (South Africa) includes Advocate Pansy Tlakula as the chair, Advocate Cordelia Stroom and Mr Johannes Weapond on full-time basis, and Prof Tana Pistorius and Mr Sizwe Snail on temporary basis (Milchasons 2019). According to Section 109 of the PoPI Act, non-compliance will result in the Information Regulator enforcing fines to the public institutions, such as SEFA, and other private institutions. Public and private bodies must have high regard, encourage, guard and achieve morally justification in the Constitution (Republic of South Africa 2013).

The PoPI Act is established to standardise the method pertaining to the processing of private data by setting up regulations recommending least ethics for the legal

utilisation and handling of private data (Republic of South Africa 2013: Section 2(b) (h)). The PoPI Act standardises the handling of private data in South Africa and includes requirements for its use for marketing reasons. While it is expected that the law commencement is upcoming, many institutions are still in the process of applying procedures to adhere to the PoPI Act (Da Veiga, Foster & Pilkington 2017; South African Institute of Chartered Accountants 2018). Institutions will have to enforce proper, comprehensive and organisational procedures to avoid the unofficial utilisation of private data and capitalise in recent software like Cipher and security defences to information (Republic of South Africa 2013: Section 19). Section 21 of the Act puts a responsibility on institutions to alert the data subjects of any unofficial utilisation and exposure of their private data and to allow the data subjects a chance to undertake defence methods. Institutions must employ Information Protection Officers to affirm adherence as mandatory in terms of the requirements of the Act (Republic of South Africa 2013: Section 55).

Section 4 of the Regulations relating to the Protection of Personal Information (Information Regulator (South Africa) 2013) spells out that it is a primary responsibility of Information Officers for each public or private institution to ensure that:

- Compliance structures are established, implemented, maintained and monitored;
- Sufficient norms and standards are in place, in order to comply terms, conditions and necessities for dealing with personal information;
- Preliminary evaluations and gap analyses are conducted;
- A manual for the purpose of PAIA is developed, specifying purpose of processing data;
- A data subjects information processed by the institution, the categories of information relating to the data subjects toward the personal information may be provided;
- Trans-border or cross-border flows of personal information in and out of the institution is regulated; and
- A general assessment describing the appropriateness of data safety procedures applicable and supervised by accountable party.

Research conducted by Dala and Venter (2016) shows the benefits for assessing and examining the state of the PoPI Act compliance readiness in different institutions and contexts. Section 4(1) of the PoPI Act, legislative requirements that eight principles are applicable regarding ensuring legal utilisation of data (Information Regulator (South Africa) 2013). Private and public bodies such as SEFA are required to conform to the following eight principles (Republic of South Africa 2013: Section 4(1)).

- i. **Accountability** – An institution that collects private data must comply with the values for the protection of personal information as available in the Act (Van der Ploeg 2018).
- ii. **Processing limitation** – Private data must be obtained directly from the data subject and may only be utilised with the authorisation of the data subject, or where it is necessary to conform to lawful responsibility, public law duty or contractual responsibility (Van der Ploeg 2018).
- iii. **Specific purpose** – Private data must be obtained for a precise, clearly definite and genuine objective. The data subject must be informed of the objective for which data is requested and who the possible receiver of the data will be (Van der Ploeg 2018).
- iv. **Further processing limitation** – Private data must not be handled more if there is not link with the objective for which data was requested for primarily. Therefore, if data require utilisation for the objective for which it was gathered, it must only be handled more, if proven that the objective for additional utilisation is well-suited and linked to the primarily objective. The PoPI Act offers procedures to support with such instances (Van der Ploeg 2018).
- v. **Information quality** – Private data must not be utilised in a way that is mismatched with the objectives for which the data has primarily been collected. In instances where further processing is required, the purpose of further processing must be proven and compared to the primary objective. The PoPI Act offers regulations to support such evaluation (Van der Ploeg 2018).

- vi. **Openness** – According to Van der Ploeg (2018), private data must only be obtained if the Information Regulator (South Africa) is informed. Also, where private data of a data subject is obtained, the individual or company accountable for the information must guarantee that the data subject is aware of:
- Circumstance that data is being collected;
  - Name and address of the person or institution collecting data;
  - Whether or not the source of data by that data subject is controlled or compulsory and the penalties of non-fulfilment to reply; and
  - Where gathering of data is lawful or legitimate under any legislation, the specific legislation to which gathering is aligned.
- vii. **Security safeguards** – The PoPI Act calls for the application of technological and institutional procedures to protect the truthfulness of private data and to protect private data from the threats of harm and destruction (Van der Ploeg 2018). Furthermore, private data must be safeguarded against any unofficial, illegal dissemination.
- viii. **Data subject participation** – That 0365 Guru from Cape Town (2011) states that data subjects are permitted information of their private data preserved by any company or individual, the titled of any individual that has entry to his/her private data. Permission is granted to data subjects to correct any incorrect information held by another company.

The researcher established that there is tension between the PAIA and the PoPI Act in terms of making information accessible to the public. That tension has a direct impact on SEFA and other institutions' processes and procedures of protecting and making personal information available. The work of information and knowledge workers, such as records managers, is important for the implementation of these acts and, therefore, for the implementation of the constitutional rights of citizens, thereby fulfilling the requirements of Section 14 of the Constitution of the Republic of South Africa (Act No. 108 of 1996), which necessitates every individual to have an entitlement to confidentiality.

As stipulated in the schedule to the PoPI Act, PAIA adjustment is intended to bend the directives of the Act and PAIA and applying significant adjustments anywhere essential. The greatest alteration is the element that PAIA transgressions must be managed by the PoPI Act Information Regulator (South Africa) according to the implementation directives considerably comparable to those stipulated in the Act. It is anticipated that the responsibilities of the implementation of the PoPI Act given to the Information Regulator (South Africa) may stop the exploitations of organisations having data under their authority hampering legitimate access to the information (Heyink 2018).

## **2.5 Act similar to the PoPI Act: Data Protection Act 2018 (DPA) of United Kingdom (UK)**

The Data Protection Act (DPA) in the United Kingdom (UK) was promulgated on 25 May 2018 (DLA Piper 2017). *Personal data* is defined as any information involving a recognised or recognisable human being (United Kingdom 2018: Section 1(e)). Burton (2014) points out that, before it was called the Data Protection Act 1998, it was reviewed in line with the General Data Protection Regulation (GDPR) in 2018. Burton (2014) further points out that in the least institutions or individual who processes private information on people in the European Union (EU) and the UK must implement DPA regulations. It is regarded as a criminal offense to be in breach of the Act. Offenders will be prosecuted and some judgements result in severe penalties (United Kingdom 2018: Section 84).

According to Section 32 of the Act, the purpose of the DPA is to:

- Make the protected transmission of data in the EU possible;
- Stop individuals or companies from exploiting information, which spreads over to data concerning personal existence and institutions;
- Grant the community assurance about how institutions can use their private data;
- Offer data subjects legitimate permission to evaluation the data institutions preserve pertaining to them and may call for the data controller to terminate it;
- Grant data subjects better authority over how data controllers manage their information;

- Put stress on responsibility, whereby institutions need to have procedures to determine the way in which information is secured;
- Ensure that data controllers do not misused the information; and
- Ensure the data user register with the Information Commissioner.

Each person accountable for utilising private information must obey strict instructions, named the data protection principle, which exert to all handling of private information (United Kingdom 2018: Section 5). DLA Piper (2017) affirms that private information must be:

- Administered properly, fairly and in a clear way (the 'lawfulness, fairness and transparency principle');
- Gathered for detailed, clear and authentic objective and not more utilisation in a way that is mismatched with those objectives (the purpose limitation principle);
- Suitable, significant and restricted to what is essential in association to the objectives (the data minimisation principle);
- Correct and where essential reserved current (the accuracy principle);
- Reserved in a way which allow recognition of data subjects for no longer than is essential for the objectives for which the data is preserved (the storage limitation principle); and
- Handled in a way that guarantees proper safety of the private information, by means of suitable technology and organisational procedures (the integrity and confidentiality principle).

According to Burton (2014), all data subjects are morally justified to:

- Obtain trustworthy data regarding what their information will be utilised for;
- Obtain entry to their individual private information;
- Demand for their information to be reviewed if not current or deleted: these are identified as the right to alteration and the right to deletion;
- Demand data regarding the motive behind any electronic choices, e.g. if an electronic system denies them great financial standing for a loan; and

- Stop or interrogates electronic dissemination of their private information (United Kingdom 2018: Section 43).

## **2.6 PoPI Act relationship with effective records management practices in Africa with focus on South Africa**

As pointed out by Iyamu and Ngqame (2017), both public and private institutions gather and preserve private data. The PoPI Act is proposed to keep private information confidential and to ensure that it is stringently utilised for its main and appropriate objective. However, in many South African public and private bodies, that has not always been the case. Iyamu and Ngqame (2017) reveal that, currently private data about people has been unlawfully disseminated for other objectives. The existence of the PoPI Act, which forbids such misconducts, forces effective records management practices to guarantee protection of private data. In addition, to the adoption of the PoPI Act, an extra strict preparedness method is required to improve institutional records management practices in the utilisation and administration of private data (Iyamu & Ngqame 2017).

Records provide proof of resolutions and dealings made by people and companies and are important information assets in any organisation (Garaba 2015; Kalusopa & Ngulube 2012; Kemoni 2007). Records management is a vital administrative instrument in organisations, in that ensures that existing records aid as evidence against which forthcoming actions and outcomes could be projected (Duff 2008; Ngulube 2005; Akotia 2003; Lipchak 2002; McLeod 2002). Kynaston and Deserno (2005) echo interrelated views and notes that records management tasks ensure that important records are processed and simplify their transfer to archival preservation and usage. Ngulube and Ngoepe (2013) and the International Records Management Trust (1999) observe that complete records management upholds business supremacy auditing, bookkeeping and information management. Records management is a critical element in strategic decision-making, which supports the reduction of operational expenses and risks connected with lawsuits, loss of information and reputational damage (Erima & Wamukoya 2012).

According to Ngoepe (2008), there is a harmony between scholars in terms of various organisations, including government departments, ignoring records management. Ngoepe (2008) indicates that, in South Africa, public institutions are under legislative responsibilities to implement an organised method of managing information. Ngoepe (2008) further states that the National Archives and Record Service of South Africa Act calls for public institutions to design, apply and preserve appropriate records management schemes. Procedurally, consultation with the National Archivist's office is mandatory. The National Archivist's decision is essential to rollout and implement the records classification system (file plan).

According to Ngoepe (2008), Section 13(2)(b) of the National Archives and Record Service of South Africa Act states that the National Archivist must regulate records organisation schemes to be implemented by public bodies. According to Directive R1 of the National Archives and Records Service of South Africa, only a function-based file plan permitted by the National Archivist must be applied for hard-copy and automated information, which will put an organisation in a good position to implement an electronic information management system (National Archive and Records Service of South Africa 2003).

According to Ngoepe (2008), schemes utilised for organising or categorising public information perform a significant function in a public institution's capability to transmit and administer its institutional records for the future. Ngoepe (2008) further affirms that, currently there is a growing attention in government institutions regarding records management in utilising function-based classification schemes to connect institutional context, instead of classifying it into groupings reflecting evolving organisational structures. Ngoepe (2008) observes that the file plan implemented within South African government departments is currently the subject-based file plan in which additional usage is made of the alphabetic, numeric and sequential approaches of filing (National Archives and Records Service of South Africa 2003:1).

Once a public body starts to function, records are created as part of corporate memory. Such records become information assets that should be managed well (National Archives and Records Service of South Africa 2003:5). The compilation, implementation and maintenance of an effective file plan are vital for smooth and



efficient functioning of any institution (National Archive and Records Service of South Africa 2003:5). By implementing a filing system (file plan), records management processes are systematically applied and systematic referencing of records and files (National Archives and Records Service of South Africa 2003:5) are enabled.

According to Dione (2009:49–54), numerous institutions experience trials regarding the compilation, implementation and maintenance of the file plan. This is mostly because there is no single method suitable for all of them, when it comes to the development or implementation of a file plan. The simple necessities to which a good file plan must conform, as per the National Archives and Records Service of South Africa directive, are that such a plan must be logical and consistent, which implies that the plan must rest on the records management standards drawn and not be fixed without reason or purpose (National Archives and Records Service of South Africa 2003:5). The fixed pattern decided on how a file plan must be constructed should be followed at all times. Justified deviations must be relevantly recorded and discussed with the National Archives representative. Another underpinning requirement is that the file plan must be flexible and elastic to allow any new or additional topics. The file plan is a living document and, therefore, it has to be planned to accommodate later additions. Additions should be included, so as not to disturb the initial plan structure. Organisations should continuously be supported to prioritise the design of basic methods, as the plan should be as simple as possible (National and Records Service of South Africa 2003:3).

In Africa, public bodies' record management programmes are overwhelmed by numerous difficulties owing to the unsuccessful operation of a register office (registries) and national archival institutions (Mnjama 2005; Ngulube & Tafor 2006:122). The dominant challenge of administering government information circumstances is that historical records and records law are not favourable to information management improvement. In addition, the custom of organisational funding for information management schemes is frail. Therefore, numerous government departments in Africa have encountered record management difficulties (Obudho 1999:2).

As a public body, it is mandatory for SEFA to conform to the National Archives and Record Service of South Africa Act to record and manage their business activities effectively, in order to facilitate accountability, transparency, comprehensive corporate governance, efficiency and effectiveness. This will ensure effective application of the PoPI Act. In terms of this legislation, SEFA needs to safeguard and process information in line with the legislation and the secondary policies and directives. As stipulated in Clause 4.3.4 of ISO 15489-2 2016, information must be preserved from their creation or receipt by the SEFA employees to their eventual destruction or handover to an archival repository (International Organization for Standardization 2016). The aims of records management should further include the formulation of standards, policies, procedures, guidelines for handling records (Government of Northwest Territories (Australia) 2001:1). The design of an organisation schemes (file plan) and retention plans, as well as the formation, usage and custody of organisational records are also vital. *Discovering* refers to the preservation of information as inexpensively and professionally as possible and the safety of information that needs to be preserved and disposed of when it is no longer of any worth to the institution. It is also a fundamental aim of records management.

According to Ngulube and Ngoepe (2013), several studies have brought to the fore issues, such as records management pertaining to efficient business supremacy in institutions. Ngoepe (2008) states that records and record keeping systems are not only to be part of records management, but also contribute to shareholder relationship running and to good corporate governance. Ngulube and Ngoepe (2013) define *corporate governance* as the structures, procedures, values and schemes that revive the effective actions of an institution. Ngulube and Ngoepe (2013) regard corporate governance as the procedure by which the owners and creditors of an organisation exert control and accountability for the resources entrusted to the organisation. The authors further state that, for an institution to be responsible and transparent, numerous corporate-governance mechanisms – such as internal audits, an audit committee, a risk and compliance committee and a records-management programme – should be applied (Ngulube & Ngoepe 2013). Collaboration among these structures can enhance the efficiency of corporate governance, which is one of the drivers of the PoPI Act (Blouin & Rosenberg 2005:183).

The literature reveals that in numerous nations, mainly in emerging nations in Africa, buildings and passages are overflowing with inactive records and storage cabins are overcrowded with outdated records and documents (Thurston & Cain 1995). Records management has been ignored and the existing schemes for handling the formation, usage and preservation of these records are inadequate. Concerns have been raised for officers who rely on files to define and conduct their work (Thurston & Cain 1995). In many developing countries, the poor state of recordkeeping has been reported. The observations of Thurston and Cain (1995) concord with the findings of the International Records Management Trust (1999) and Mnjama (2003). Therefore, it is important that a filing system be organised for convenience. The literature reveals that information specialists must adjust to the automation in the preservation, access and distribution of records.

At UNISA, both on Master's and PhD-level, studies have been conducted on records management in South Africa and other African developing counties, including the following:

- Marutha (2011): *Records management in support of service delivery in the public health sector of the Limpopo Province in South Africa*;
- Schellnack-Kelly (2013): *The role of records management in governance-based, evidence, service delivery and development in South African communities*;
- Matasio (2017): *Records management in Friends Church (Quakers) in Kenya*.

However, these studies do not address the protection of personal information as a key aspect. Also, prior studies did not explore the need to manage personal information; the need for adequate resources for managing personal information; effective records management systems; and policies, procedures, processes and guidelines of personal information management. For that reason, this research seeks to bridge this gap by investigating aspects such as: the identification of the current gaps associated with the application of the PoPI Act at SEFA; the identification of the processes and procedures that are in place for the application of the PoPI Act at SEFA; an investigation into SEFA's current state of compliance the PoPI Act; and an investigation into SEFA's capabilities to implement the PoPI Act. The current study

seeks to recommend how the gaps can be bridged for SEFA to implement and comply with the PoPI Act.

Marutha (2011) observes that the circumstances of records management in the health centres require improvement. The enhancement must cover the design of a scheme for administration of a large number of information searches that takes too long to acquire; the reduction of the number of hard-copies; a guarantee of an appropriate classification or organising scheme; and successful preparation, functional organisation, administration and efficient records tracing scheme to avoid misplaced records resulting from an unknown purpose. Marutha (2011) further states that health centres also require records management automation and modernisation to deal with space constraints; the employment of knowledgeable experts; the prioritisation of records management; and sufficient finances for records management. In addition, Marutha (2011) affirms that a strategy that is clearly focused on the management of patient records must be designed to lead employees and to ensure that they do not use their own judgement or common sense in the management of patient records. The strategy should also cover electronic records management (88%) or, alternatively, a separate strategy for the administration of electronic patient records should be designed.

Similarly, Matasio (2017) discovered that the conditions of records administration and processes in the Friends Church in Kenya required enhancement. This enhancement must focus on the development of a records management framework with well-thought-out guidelines and standards. The Church requires to increase knowledge on the status of records between members and leadership to cultivate the culture of responsibility and good governance. Also, it is essential for the Church to upgrade from hard-copy records management methods to automated software aimed at delivering information timeously (Matasio 2017).

Schellnack-Kelly (2013) observes that The South African National Archives and Records Service is accountable for setting the rules and enforcing records management policies for public bodies. Furthermore, operational adherence with the National Archives Records Management Policy (National Archives and Records Service of South Africa 2007) guarantees that all government departments are

completely complying. Schellnack-Kelly (2013) further reveals that the National Archives and Records Services of South Africa is the administrator of policies and procedures and solely responsible for guiding the public bodies with the application and enforcement.

## **2.7 Conclusion**

This chapter explored the recent studies conducted on the PoPI Act regulatory framework requirements and the lack of security controls and proper records management processes to ensure readiness for the PoPI Act implementation. The next chapter describes the research design and methodology, thereby detailing the way in which the research was conducted. Chapter 3 also gives an inclusive deliberation of the data collection process that was utilised for the study, the sampling methods and the interview design.

## **CHAPTER 3: RESEARCH DESIGN AND METHODOLOGY**

### **3.1 Introduction**

The intention of this study was to recommend the changes that SEFA should adapt to implement and comply with the PoPI Act. Chapter 3 focuses on the research design and approach and the data collection methods that were used to identify processes and procedures that were applied to prepare SEFA Head Office for the implementation of PoPI Act, No. 4 of 2013. By doing so, the chapter gives a comprehensive discussion of the way in which the researcher collected and analysed data. The chapter also explains why data was collected, well as and the sampling method and interview design that were employed.

In order to reach a deep understanding of a case involves interpreting different types of qualitative data, such as observations, interviews, audio or even video data (Creswell & Poth 2018). In this qualitative study, the data collection methods that were employed, included documentary analysis, observation and interviews, based on a questionnaire. Taking heed of the category of the data necessary for the research, the qualitative research approach was applied. According to Creswell (2009:3), the qualitative approach is an approach that the researcher uses to study patterns of behaviour to determine the meaning that respondents or participants attach to a particular phenomenon. Myers (1997) and Ngulube (2009 & 2010) observe that the collection and analysis of qualitative information, like detailed interviews, text and member examination, to understand and describe a community and customs phenomena encompass qualitative research.

### **3.2 Research paradigm and research approach**

Tariq (2017) argues that phenomenology and epistemology are two diverse methods of exploring a research philosophy. It is related to a central question of whether community units should be acknowledged as objective or subjective (Tariq 2017). Therefore, objectivism (or positivism) and subjectivism can be described as two significant aspects of phenomenology, as claimed by Tariq (2017). Objectivism describes the position that social entities exist in a reality external to social actors concerned with their existence (Saunders, Lewis & Thornhill 2012). As maintained by

Tariq (2017) and Bryman (2012), objectivism is a phenomenological situation that declares that social phenomena and their meanings have the presence that is self-sustainable of communal performers. As stated by Bryman (2012), subjectivism (also known as *constructionism* or *interpretivism*) recognises that communal phenomena are created from the perceptions and consequent actions of those social actors concerned with their existence. Officially, *constructionism* can be defined as the ontological position that asserts that social phenomena and their meanings are continually being accomplished by social actors (Bryman 2012).

Dudovskiy (2018) states that interpretivism, otherwise known as the interpretivist paradigm, includes the clarification of segments of the study and, in this way, interpretivism combines human existence in a study. Therefore, interpretivist researchers assuming that the truth is constructed through social constructs, such as language, consciousness, shared interpretations and mechanisms (Dudovskiy 2018; Myers 2008). According to Dudovskiy (2018), the advancement of the interpretivist philosophy is founded on the evaluation of positivism in the social sciences. Therefore, this philosophy stresses qualitative analysis above quantitative investigation. It is associated with the philosophical situation of idealism and is used to cluster various methods (Dudovskiy 2018), including social constructivism, phenomenology and hermeneutics – i.e. approaches that do away with the objectivist opinion that meaning exists in a world independently of consciousness (Collins 2010a).

As stated by Saunders, Lewis and Thornhill (2012) and Dudovskiy (2018), in the interpretivist approach, it is crucial for the researcher as a social performer to recognise diversity among people. Additionally, these scholars uncovered that interpretivism studies regularly concentrate on meaning and may apply multiple methods, in order to expose diverse characteristics of the subject. The interpretivist approach is founded on the naturalistic approach of information gathering, such as interviews and observations. Secondary data research is also favoured in interpretivism philosophy.

Littlejohn and Foss (2009) identify the following beliefs on which the interpretivist approach is founded:

- Relativist ontology: This approach recognises reality as intersubjective, which is based on meanings and understandings of social and experiential levels; and
- According to the transactional or subjectivist epistemology, as identified by Dudovskiy (2018), there is a clear link between the researcher and research subject/s and, therefore, people cannot be separated from their knowledge.

Dudovskiy (2018) indicates that the key disadvantages related to interpretivism pertain to the subjective nature of the approach, which forms a gap for bias in favour of researchers. Primary data generated in interpretivist studies cannot be generalised, as the data is heavily impacted by personal viewpoints and values. Therefore, reliability and representativeness of data are undermined to a certain extent. According to Dudovskiy (2018), the key advantage of interpretivism is that it permits the researcher's topic to be deliberated in unlimited degrees of wisdom. Primary data generated via interpretivist studies may be associated with a high degree of validity, because information in equivalent studies is likely to be truthful and authentic (Littlejohn & Foss 2009).

Ngulube (2013:11) observes that the qualitative research approach relates to constructivism and interpretivism. In this study, it is important to build and analyse the portrayal discovered in the Auditor-General reports pertaining to records management employees and the penalties regarding missing records on authority, assistance rendering and the nation's honour. The researcher's justification for choosing qualitative research was that it locates and observes the practices. Creswell (2005) opines that interpretive researchers presume that understanding and meaning involve separate interpretations. Due to these grounds, Creswell (2005) reveals that interpretivists have a tendency to rely on the participants' views of the situation being studied. Ngulube (2013:11) echoes this viewpoint, when he observes that qualitative research is mainly positioned in interpretive research or constructivism. Reality is socially created – i.e. there is no single apparent truth; rather, there are many realities or interpretations of a sole event. Researchers do not find knowledge; they construct



it. This nature of study is suitable to the explanation involved in this research and, subsequently, the investigator pursued to construct and interpret data from the SEFA Head Office to understand its preparedness to implement the PoPI Act.

Scholars like Welman et al. (2005:188), Hernon and Schwartz (2009:1), Creswell and Poth (2018:99) and Yin (2014) claim that the application of the qualitative research approach gives researchers the chance to investigate little clusters in society and institutions, like SEFA, by exploring the questions as to what has occurred and why such experience has occurred.

### **3.3 Research design**

The researcher applied a case study design that was specifically directed by the overall study purpose. The case study conducted by Creswell and Poth (2018) involves studying current cases that are occurring in real life for in-depth understanding. Therefore, this study chose casing to understand the readiness to implement PoPI Act at SEFA Head Office exploring specifically the following four objectives: identify the current gaps associated with the implementation of the Protection of Personal Information Act (PoPI Act), No. 4 of 2013 in SEFA, Identify processes and procedures that are in place for the implementation of the PoPI Act in SEFA, investigate SEFA capabilities and the current state of compliance to implement the PoPI Act, and investigate the current state of SEFA to comply with the National Archives and Record Service of South Africa Act (No. 43 of 1996).

In the research, the case study that was deployed provided examination and connection of the information explored in earlier studies and under the following four themes from literature review derived from the objectives of this study, specifically: personal information management (PIM), legislative requirements: compliance to the PoPI Act, the Data Protection Act 1998 (DPA) of the United Kingdom, which is similar to the PoPI Act, and the PoPI Act relationship with effective records management practices in Africa in general and in South Africa specifically. The existing studies that were investigated by the researcher applied interpretative and narratives case study designs (Yin 2014). The focus point of the study towards achieving the research objectives involved the exploration of the attitudes and opinions of individuals involved

in personal information management that may contribute to readiness to implement the PoPI Act at SEFA Head Office.

The following employees at the internal departments at the SEFA Head Office were required to answer a series of questions: the staff members responsible for handling and managing personal information in Human Capital, Finance, Wholesale Lending, Direct Lending, Compliance, Internal Audit, Enterprise Risk Management, Legal Services and Corporate Secretariat. The questionnaire, which was designed to determine the readiness of SEFA Head Office to implement PoPI Act, is included in Appendix 2.

Furthermore, the researcher utilised the narrative case study (Elliot 2005). Creswell (2007) distinguishes the narrative case study as a joint description by people supplying information on practices and interpretations. Creswell (2007) states that, when this research is employed, it comprises verbal narration to past experiences (Creswell 2007). Interviews with staff responsible for managing personal information and on-site visits to SEFA storerooms located at Head Office departments were conducted.

### **3.4 Population and sampling**

Cooper and Schindler (2014) regard a population as the overall accumulation of components from which the researcher desires to draw conclusions for research purposes. They define a *population component* as a contributor on which the proportion is drawn; it is the unit of study (Cooper & Schindler 2014:338). This is particularly advantageous if the population is too expansive to include all units of study (Cooper & Schindler 2014:338).

Out of the total population of 173 employees at the SEFA Head Office, who were employed at SEFA when the study was conducted, the researcher's initial stage was to outline the sampling elements, e.g. the individuals in all SEFA internal departments. The next stage was to draw up a sampling frame, i.e. an index of all the sampling elements in the foundation population. According to Cooper and Schindler (2014:347), the sampling frame is required to be extensive, wide-ranging and current to restrict choice bias as far as possible.

Johnson and Christenson (2004:197) reveal that sampling is the practice of selecting a sample from the population, where the characteristics pertaining to a particular matter are chosen from a bigger group. O'Leary (2014:183) regards a sampling as the method of choosing elements of a population for inclusion in a study. Pandey and Pandey, who argue that the first step in sampling is to define the target population, reveal that a small group is selected to represent the entire population and that this is aimed at obtaining accurate and reliable information about the population with least expenses, time and energy and to set out the limits of accuracy of such estimates (Pandey & Pandey 2015:40–41). It makes a comprehensive and rigorous study possible with a considerable reduced amount of time, capital and other resources (Pandey & Pandey 2015:40).

Ritchie and Lewis (2003), Christensen, Johnson and Turner (2011), Bryman (2012), Johnson and Christensen (2008) established that the validity of the research findings was enhanced by the sampling frame. According to Neuman (2011:240), sampling involves a process in which the researcher selects a small sample to represent a bigger population, with the view of conducting a study to understand that big population. In some instances, the researcher conducts his/her study within a limited timeframe and may not have enough time to conduct the research to the bigger population in that selected study. In this study, the internal Human Capital staff list for all SEFA employees and their descriptions was drawn as a sampling frame from which to select the sample of respondents, who could offer valuable suggestions and beneficial perceptions (Cooper & Schindler 2014).

The sampling units for this study were the internal departments (business units) at the SEFA Head Office, staff responsible for records management and for implementing the PoPI Act and those who are managing SEFA personal information in the following departments: Human Capital, Finance, Wholesale Lending, Direct Lending, Post Investment Monitoring, Compliance, Internal Audit, Risk Management, Legal Services, Corporate Secretariat and Records Management. These are the internal departments mostly responsible for processing information and staff members, who have knowledge and information about matters being researched (Johnson & Christensen 2008:239; Kumar 2005:179).

In order to qualify as a respondent, staff members had to be employed at SEFA Head Office and accountable for personal information processing and management. The overall population size was 173 employees at SEFA Head Office internal departments. Interviews were conducted with 10% (sampled 17 employees) of personnel from each of the 11 departments indicated above. The officials varied from Heads of Departments to Managers and Administrators responsible for managing their departmental personal information. This enabled appropriate collection of information associated with the research to improve the results effectiveness.

According to Bryman (2006), purposeful sampling – also referred to as *purposive sampling, non-probability sampling or qualitative sampling* (Teddlie & Yu 2008; O’Leary 2014) – can be applied for qualitative information collection. It is a sample selected from professionals, in order to deliver a detailed understanding of the research purpose (Teddlie & Yu 2008:107). According to Gakuu, Kidombo and Keiyoro (2016), it permits the researcher to guarantee that the selected sample is the most suitable to assist the researcher with meeting the research aims and objectives. The researcher envisaged that the selected sample will not pose any constraints on the study, since the respondents were drawn from an existing group of SEFA employees, rather than assembling them for the purposes of the current research only.

### **3.5 Data collection methods**

The researcher chose this topic because of the concern about SEFA Head Office’s capability to implement the PoPI Act and to meet the one-year prescribed period to comply with Section 114(1) of the PoPI Act. The information was collected by way of questionnaires, field inspections, interviews and the examination of written documents. The qualitative approach, which was used in this research, involves a study that occurs in a natural setting to make sense of the real scenario, in order to acquire the tangible results (Denzin & Lincoln 2005:3). Cooper and Schindler (2014:134–135) argue that the main purposes of a qualitative study is to expose the reality of some circumstances, situations, procedures, associations, structures, or individuals in a descriptive manner. Creswell (2007:109) opines that information gathering tools utilised in qualitative research may well be constructed on examinations and other tools, such as interviews and examination of written

documents. According to Rossman and Rallis (2003), qualitative research studies human behaviour within the context in which it would naturally occur without the researcher's interference.

### **3.5.1 Documentary analysis**

Punch (2009) states that written information, both past and current, is a wealthy source of data for teaching and social research. Educational organisations, such as universities, colleges and schools, regularly produce a vast amount of documentary data. Documentary data is usually gathered in a combination with interviews and observations. In this study, the researcher consulted a range of documents, including processes, procedures and policy documents (Jupp 1996). For this study, personal notes and existing SEFA policy documents pertaining to personal records management will be analysed in Chapter 4, in order to establish SEFA's level of readiness to implement PoPI Act.

### **3.5.2 Interviews**

An interview involves direct interaction with the individuals, who are asked to respond to questions relating to a particular research problem (Bless & Smith 2000:108). It is a method of information gathering that is described as an exchange of ideas among two or more individuals. An interview can be seen as an exceptional event of social communication. In a semi-structured interview, vital questions are asked, in a similar way, to all participants/interviewees. Depending on the answers/responses, the interview is usually followed by additional, continuous questions, in order to obtain more data (Ritchie & Lewis 2003:111).

In this study, formal interview sessions were set up and conducted to gather information related to the research objectives. Personnel from the internal departments at SEFA Head Office – i.e. staff responsible for implementing the PoPI Act and those who manage personal information in Human Capital, Finance, Wholesale Lending, Direct Lending, Compliance, Internal Audit, Enterprise Risk Management, Legal Services and Corporate Secretariat – were involved in the interviews. The officials varied from Heads of Departments to Managers and Administrators responsible for managing their departmental personal information. The

interviews consisted of ten (10) logical and straightforward questions designed for collecting information from SEFA Head Office personnel, who are responsible for managing personal information, as well as the implementers of the PoPI Act.

Marutha (2011) outlines the reasons for using the interview technique as follows:

- Interviews permit the participants the opportunity to explain themselves to the researcher;
- It offers the advantage of clarifying confusion and misconception of questions and answers due to unclear responses;
- The chances of participants preparing to mislead the researcher in their answers are reduced;
- Inclusiveness and fairness in the documentation of data may be improved in the presence of the investigator;
- The interview facilitates the elimination of unnecessary questions and the simplification of ambiguous questions, allowing the discovery of new aspects of the problem by exploring in detailed explanations supplied by participants; and

Additionally, Bless and Smith (2000), point out that the interview allows for the interviewers to guarantee that all matters on the questionnaire have been thought through and that ambiguous questions have not been neglected. These scholars also revealed that the interviewer/researcher should encourage and motivate respondents to continue with and/or expand on their responses.

As a data collection method, the interview involves the following disadvantages, as identified by Bless and Smith (2000):

- Interviews conducted by the researcher/interviewer with individual participants/interviewees, without interference from the others;
- The researcher uses a devoted schedule to ensure that all participants have equal opportunity to respond;
- The exercise is slow and costly;

- The possibility of an increase in the number of participants withdrawing, due to certain reasons, e.g. an unwillingness to communicate freely and revealing what they feel;
- Incorrect capturing of responses may lead in inadequate or unfair data;
- Participants may be biased, if found not to be knowledgeable; they may introduce bias, since data capturing of participant's answers is critical in all areas;
- The excessive variation of answers poses a difficulty; and
- The researcher's attendance may be regarded as threatening.

Marutha (2011) also points out that participants may remain uncomfortable if researcher asks questions involving personal or private matters and that the researcher's personal views on matters involving socialistic, gender and generation issues may influence the interviewees' responses. For instance, feminine researchers may obtain additional and improved answers from female participants compared to male participants on subjects relating to sexual orientation and contraceptives (Bless & Smith 2000:108).

On the other hand, Ngoepe (2012) observes that the interview has several advantages, such as more precise responses because of contextual naturalness; a larger probability of self-generated responses; a proportioned dissemination of interactive power; and greater efficiency with complex issues.

### **3.5.3 Observations**

According to Schmuck (2009), observations are intensely applied in the social sciences, particularly in Education and Psychology. Examinations involved while gathering qualitative information comprise cautiously observing as well as thoroughly documentation of seen and heard information occurring in a specific environment (Schmuck 2009). Similar to interviews, observation can be used to varying degrees as a data collection tool and it can be structured or unstructured. Structured observations naturally require the observer to do nothing but observe, usually looking for specific behaviour, reactions and interactions (Punch 2009). Leedy and Ormrod (2005) and McKinley (2018) state that unstructured observations are more representative of

qualitative data gathering, since they are “free flowing”, thereby permitting the researcher to move his/her attention from one occurrence to alternative.

In this study, an unstructured observation was employed, since the researcher played a dual role by being both an employee at SEFA and the researcher. It would have been one-sided for the researcher to focus only on the observation of participants’ storage and safeguarding personal information in their respective departments only, in that it is mandatory to store records in a storeroom, where there is enough space for the movement of people and trolleys between the shelves.

It is important at this point to note that, inappropriate shelving must be avoided. It can release harmful vapours, contribute to the blow-out of fire, may harbour insects and may collapse when there are floods (National Archives and Records Service of South Africa 2007:47).

Shelves must always be 15–25 centimetres or 6–8 inches off the floor to ensure there is no water damage or flooding occurs (International Records Management Trust 1999 & International Standardization Organization 2003). Building grounds and ceilings must be built of fire-resistant resources, such as brickwork and slab. The entrance must be made from iron and locked appropriately and the windows should be equipped with burglar proofing. Both the windows and doors must be constructed in such a manner that no unauthorised persons can gain access to the records to cause a fire. Electrical installations should be installed in such a way as to prevent electrical faults from causing a fire (International Standardization Organization 2003).

Once the research objects and subjects and the data collection method had been selected, the collection of data by observations was undertaken, prior scheduled interviews.

#### **3.5.4 Questionnaires**

A numerical examination of a sample uses structured questionnaire to establish different elements and features of the population’s lives by means of interrogative questions. (Mavodza 2010:110) observes that a questionnaire involves diverse



queries that are posed in typically flexible questions and used for gathering data for the approximate study of a community's attributes, approaches and opinions.

According to Babbie (2013:231), open or closed questions can be used in a questionnaire. A closed question provides respondents with predetermined answers from which they select their responses.

The questionnaire assisted the researcher in understanding employees at SEFA Head Office responsible for managing personal information to implement the PoPI Act. The researcher kept the questionnaire simple, since the respondents answered the questions on their own. To authenticate the questionnaire results, five follow-up questions were explored.

The motives of the researcher to exercise a questionnaire were that:

- Questionnaires offer respondents a period to reflect on the questions and their responses;
- A questionnaire facilitates the collection of reliable data to which the researcher can relate and reflect on, while analysing the collected data;
- Participants can complete the questionnaire on their own, in the absence of an interviewer/researcher (Bless & Smith 2000:108).

As observed by Bless and Smith (2000:108), the disadvantages of using questionnaires are that they are:

- Time-consuming, in that the researcher has to design the questions, and dispense and collect the questionnaires and analyse the responses;
- Unusable for uneducated individuals; and
- Expensive in relation to other resources that may be employed, e.g. electronic devices; reproduction of the questionnaires; and costs of enclosures to transfer the questionnaires to the contributors.

### 3.5.5 Overview of data, collection instruments

The details of the research's information gathering tools, respondents and environment are logged in Table 3.1.

Table 3.1: Data collection instruments

Type of instrument	Population
<b>Documentary examination</b>	<ul style="list-style-type: none"> <li>• SEFA Records Management Policy &amp; Procedures</li> <li>• SEFA Records Retention Schedule</li> <li>• SEFA Records Classification Schedule</li> <li>• Personal notes</li> </ul>
<b>Interviews (Open-ended)</b>	Heads of Departments, Managers and Administrators from Human Capital, Finance, Wholesale Lending, Direct Lending, Compliance, Internal Audit, Enterprise Risk Management, Legal Services and Corporate Secretariat
<b>Observations</b>	Records storerooms: Human Capital, Finance, Wholesale Lending, Direct Lending, Compliance, Internal Audit, Enterprise Risk Management, Legal Services and Corporate Secretariat.
<b>Questionnaire (Structured)</b>	Head of Departments, Managers and Administrators from Human Capital, Finance, Wholesale Lending, Direct Lending, Compliance, Internal Audit, Enterprise Risk Management, Legal Services and Corporate Secretariat.

### 3.6 Validity and reliability

As illustrated in Figure 3.1, Whitemore, Chase and Mandle (2001) reveal re-conceptualisation – a notion of validity in qualitative research – is demonstrated through the clarification and variation of primary criteria, secondary criteria and techniques. These scholars further observe that credibility, authenticity, criticality and integrity are considered primary criteria, whereas explicitness, vividness, creativity, thoroughness, congruence and sensitivity are considered secondary criteria (Whitemore, Chase & Mandle 2001). Primary criteria, according to Whitemore, Chase & Mandle (2001), are compulsory to all qualitative inquiry, although they are insufficient when applied on their own. Secondary criteria provide additional benchmarks of quality and are considered to be more flexible as applied to specific research (Lincoln 1995:275–289).

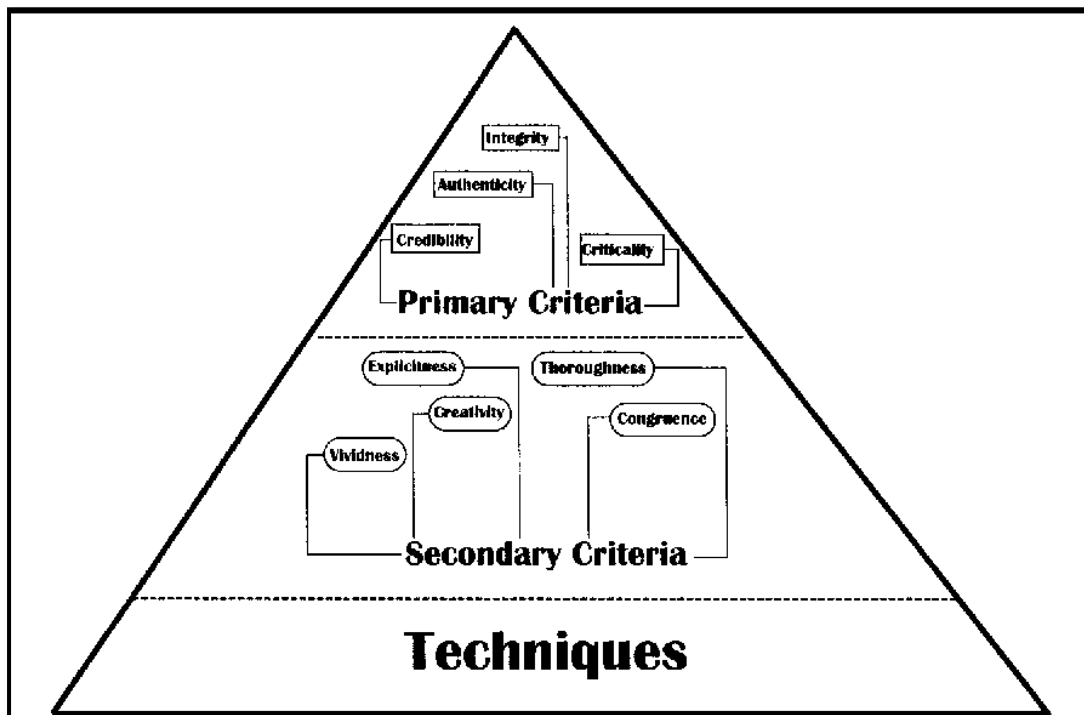


Figure 3.1: Contemporary synthesis of validity criteria in qualitative research

Source: Guba & Lincoln 1994

In this section, the researcher deliberates on validity and reliability, as applied to this study. According to Creswell (2014:201), validity is one of the most significant aspects of a study – particularly for a qualitative research. Guaranteed reliability, genuineness and trustworthiness are vital. Polit, Beck and Hungler (2001), who describe validity as the level of which a tool evaluates what it is intended to evaluate, identify the following three features of validity as vital: specifically; content, criterion-referenced and construct validity.

As confirmed by Creswell (2014:201), this study attempted an ensuring an appropriate guarantee of the specified standards, validity and reliability. The interview schedule was pre-tested before the interviews were conducted. The questions in the questionnaires were assessed and tested to investigate bias, chronological method, to clarify validity and to appraise worth and trustworthiness (Marshall & Rossman 2006). The questionnaire was circulated to all identified participants in advance via email and their responses reflected the full scope of the study.

Burns and Grove (2001:400) define *content-related validity* as the degree to which the method of measurement comprises all the major features related to the theory being measured. These scholars further reveal that the researcher may quote references from the works of others to search for advice, in order to comprehend the phenomenon of research (Burns & Grove 2001). Polit, Beck and Hungler (2001:305) describe reliability in terms of the uniformity with which a tool assesses a particular characteristic. A tool is understood to be trustworthy if it is evaluated correctly, reflecting the exact score of the attribute under investigation (Polit, Beck & Hungler 2001:305).

As suggested by Polit, Beck and Hungler (2001:305), in order to strengthen and evaluate the trustworthiness of questionnaire used in this study, assessing check-recheck trustworthiness was assessed and consistency was examined. Internal consistency was employed, which involves the evaluation of reliability by grouping questions in a questionnaire that measure the same concept. Only single administration of the instrument was used.

Polit, Beck and Hungler (2001:305) identify the following four types of validity, which are regularly examined in social research: conclusion validity, internal validity, construct validity and external validity. In this study, internal validity was used. Internal validity denotes the extent to which the results are attributable to the independent variable and not some other rival explanation of competing clarification (Polit, Beck & Hungler 2001:305).

Polit, Beck and Hungler (2001) declare three key kinds of risks to internal validity, namely: single group, multiple group and social interaction threats. All these risks can be significantly decreased by increasing a control group that is comparable to the group being studied (Polit, Beck & Hungler 2001). Multiple group threats to internal validity involve the comparison of two groups in a study, and whether or not any other factor causes the outcome (Polit, Beck & Hungler 2001:305). These scholars also relate the sole group risks to internal validity – more specifically, to the distinction between reliability and validity.

As observed by Polit, Beck and Hungler (2001), reliability evaluates the reliability of measurement, or, more basically, the degree to which an instrument measures the same way every time it is utilised, experiencing the same circumstances with the same topics (Polit, Beck & Hungler 2001). From another perspective, validity encompasses the degree to which a researcher measures what he/she is supposed to; i.e. the accuracy of the measurement (Babbie 2007:257). There is a perception that validity more crucial than reliability, as, if an instrument does not accurately measure what it is supposed to, there is no reason to use it – even if it measures consistently (Babbie 2007:257).

### **3.7 Ethical considerations**

According to Gildenhuis (2004:286), Ethics is a science of morals in human conduct and it involves the decisions that a person makes in the association with others. As observed by Mertler (2012), research ethics deal with the ethical characteristics leading research, particularly research involving human beings. Mertler (2012) states that the researcher has to consider how participants in the study are treated: it is about doing what is right from a research perspective.

In this research, informed consent and approval were received from the participants. Appendix 1 details the cover letter. Authorisation to resume with the investigation was granted by the CEO of SEFA, Company Secretariat, and Legal Division. As stipulated in Part in UNISA's Processes for Master's research and doctoral degrees: Part 1 (University of South Africa 2011), the Policy on Research Ethics (University of South Africa 2007) was followed. Approval was granted and the researcher complied with the UNISA Policy on research ethics of 2007. The policy is a specific statement about taking ethics into consideration, such as optional contribution, acceptance notification, the risk of abuse, privacy, secrecy and institutional ethical requirements.

### **3.8 Conclusion**

Chapter 3 presented the methodology of this research by elaborating on the investigation plan and procedure. It also explained the data collected techniques used, as well as the way in which they were used and the reasons for using them. The qualitative approach used in the research was highlighted and an extensive discussion

was given on the data collection process, the sampling methods and the interview and questionnaire design. The analyses and interpretation of the collected data are presented in Chapter 4.

## **CHAPTER 4: DATA ANALYSIS AND INTERPRETATION**

### **4.1 Introduction**

The presentation of the results of the collected data is a vital characteristic of any study that supports the portrayal of conclusions and generalisations from the information, as it relays to a problem statement (Creswell 2009:152). According to Blum, Simon, Korrapati, Goes, Morelli, Salerno & Edwards (2006:2), Chapters 4 and 5 in a dissertation offer the results of data collected by the researcher.

Chapter 4 offers an analysis of the results of the collected information by means of documentary analysis, interviews based on questionnaire and observations. This chapter explains various responses that were obtained and the analysis of the content collected by means of the data collection instruments around appropriate themes. Chapter 4 offers the results from the interviews and the observation schedule. Section titles classify the information in a sound way. The results are presented in full, in an adequate and methodical way that narrates the exact application of methodology.

Neuman (2006:219) observes that, in qualitative investigation, researchers should move their focus from the sample's characteristics to way in which the sample actually exposes social life. The themes used to substantiate the qualitative evidence that was collected in this study were thematically analysed and are presented here. The positive reaction of the respondents and participants (i.e. SEFA Head Office Heads of Departments, Managers and Administrators) measured as satisfactory, conforming the declaration of Babbie and Mouton (2011).

Qualitative data from interviews was analysed by using tool such as Microsoft Word to produce a thematic investigation into the content of the interviews. Braun and Clarke (2006), who regard thematic investigation as the method of finding patterns or themes within qualitative information, they point out that it is the initial qualitative method that should be taught, because it offers fundamental skills that will be advantageous for steering numerous other types of examination. Data from questions requiring explanation and comments were analysed and results are presented through written narrative descriptions.

Observations were also conducted of the following: SEFA Records Management Policy and Procedures; SEFA Records Retention Schedule; SEFA Records Classification Schedule; SEFA “records” storerooms adherence with ISO 11799-2003 (The International Standard on Document Storage Requirements for Archives and Libraries). The results are presented in the sections that follow.

## 4.2 Background of participants/respondents

The research sample of 17 SEFA employees was drawn from the 173 employees in the target population the 11 internal departments, listed on the sample frame in the form of internal telephone directory, at SEFA Head Office. As indicated in Chapter 3, the officials varied from Heads of Departments and Managers to Administrators responsible for managing their departmental personal information.

Seventeen (17) scheduled interviews were conducted with Head of Departments, Managers and Administrators during December 2018 and January 2019. The researcher was also interested in identifying the interviewees’ number of years employed at SEFA Head Office. Approximately ten (10) interviewees worked at SEFA for five years; four for three years; two for one year; and one (1) for less than one year.

At the time of the data collection, all the interviews (17 in total) were conducted and all questions were answered, as captured in Table 4.1.

*Table 4.1: Summary of Heads of Departments, Managers and Administrators interviewed*

<b>Name of department</b>	<b>Number of head of departments interviewed</b>	<b>Number of managers interviewed</b>	<b>Number of administrators interviewed</b>	<b>Year of visit</b>	<b>Total number of interviewees in a department</b>
Human Capital	1	–	1	2018	2
Finance	–	1	1	2018	2
Wholesale Lending	1	–	1	2018	2
Direct Lending	1	–	1	2018	2



Name of department	Number of head of departments interviewed	Number of managers interviewed	Number of administrators interviewed	Year of visit	Total number of interviewees in a department
Compliance	–	1	1	2018	2
Internal Audit	1	–	1	2018	2
Enterprise Risk Management	1	1	–	2018	2
Legal Services	1	–	1	2018	2
Corporate Secretariat	–	–	1	2018	1
<b>TOTAL</b>	<b>6</b>	<b>3</b>	<b>8</b>	<b>2018</b>	<b>17</b>

### 4.3 Results of the observation of storeroom facilities

If data is not accessible in a structured procedure, it would overthrow the resolution of donating to the field of knowledge and result in misunderstanding. In order to avoid misconstruction, the preparation of the results and findings was directed by the research objectives. The information analyses were conducted according to the following themes of the research, derived from the objectives of the study:

1. Personal information management (PIM), legislative requirements: compliance to the PoPI Act;
2. The Data Protection Act 1998 (DPA) of the United Kingdom, which is similar to the PoPI Act;
3. The PoPI Act relationship with effective records management practices in Africa in general and in South Africa specifically; and
4. The current state of SEFA to comply with the National Archives and Record Service of South Africa Act, No. 43 of 1996.

Firstly, unstructured observation findings were attained over a period of thirteen days. Observation of personal records or storeroom facilities was conducted at the following internal departments at SEFA Head Office that manage personal information: Human Capital, Finance, Wholesale Lending, Direct Lending, Compliance, Internal Audit,

Enterprise Risk Management, Legal Services and Corporate Secretariat. One representative was nominated by each Head of Department to assist with the visit to the storeroom. The observations were conducted to ensure accuracy and objectivity in the investigation of the application of the PoPI Act at SEFA; existing processes and procedures for the application of PoPI Act at SEFA; the current state of compliance to apply the PoPI Act; and SEFA's capabilities to implement the PoPI Act. The observations assisted the researcher to collect primary information about SEFA preparedness to implement the PoPI Act.

Table 4.2 presents the schedule of the records storerooms observations.

*Table 4.2: Schedule of records storerooms observation*

<b>Total number of days</b>	<b>Name of department</b>	<b>Observed</b>
<b>Two days</b>	Human Capital	<ul style="list-style-type: none"> <li>• Position of the record storeroom</li> <li>• Construction of storeroom</li> <li>• Shelving and cabinets</li> <li>• Fire extinguishers and fire detectors</li> <li>• Temperature and humidity</li> <li>• Security precautions</li> </ul>
<b>Two days</b>	Finance	<ul style="list-style-type: none"> <li>• Position of the record storeroom</li> <li>• Construction of storeroom</li> <li>• Shelving and cabinets</li> <li>• Fire extinguishers and fire detectors</li> <li>• Temperature and humidity</li> <li>• Security Precautions</li> </ul>
<b>Two days</b>	Wholesale Lending	<ul style="list-style-type: none"> <li>• Position of the record storeroom</li> <li>• Construction of storeroom</li> <li>• Shelving and cabinets</li> <li>• Fire extinguishers and fire detectors</li> <li>• Temperature and humidity</li> <li>• Security Precautions</li> </ul>
<b>Two days</b>	Direct Lending	<ul style="list-style-type: none"> <li>• Position of the record storeroom</li> <li>• Construction of storeroom</li> </ul>

Total number of days	Name of department	Observed
		<ul style="list-style-type: none"> <li>• Shelving and cabinets</li> <li>• Fire extinguishers and fire detectors</li> <li>• Temperature and humidity</li> <li>• Security Precautions</li> </ul>
<b>One day</b>	Compliance	<ul style="list-style-type: none"> <li>• Position of the record storeroom</li> <li>• Construction of storeroom</li> <li>• Shelving and cabinets</li> <li>• Fire extinguishers and fire detectors</li> <li>• Temperature and humidity</li> <li>• Security Precautions</li> </ul>
<b>One day</b>	Internal Audit	<ul style="list-style-type: none"> <li>• Position of the record storeroom</li> <li>• Construction of storeroom</li> <li>• Shelving and cabinets</li> <li>• Fire extinguishers and fire detectors</li> <li>• Temperature and humidity</li> <li>• Security Precautions</li> </ul>
<b>One day</b>	Enterprise Risk Management	<ul style="list-style-type: none"> <li>• Position of the record storeroom</li> <li>• Construction of storeroom</li> <li>• Shelving and cabinets</li> <li>• Fire extinguishers and fire detectors</li> <li>• Temperature and humidity</li> <li>• Security Precautions</li> </ul>
<b>One day</b>	Legal Services	<ul style="list-style-type: none"> <li>• Position of the record storeroom</li> <li>• Construction of storeroom</li> <li>• Shelving and cabinets</li> <li>• Fire extinguishers and fire detectors</li> <li>• Temperature and humidity</li> <li>• Security Precautions</li> </ul>
<b>One day</b>	Corporate Secretariat	<ul style="list-style-type: none"> <li>• Position of the record storeroom</li> <li>• Construction of storeroom</li> <li>• Shelving and cabinets</li> <li>• Fire extinguishers and fire detectors</li> </ul>

Total number of days	Name of department	Observed
		<ul style="list-style-type: none"> <li>• Temperature and humidity</li> <li>• Security Precautions</li> </ul>

The storage facility sizes were approximately 30 m<sup>2</sup> and the observations took approximately 30 minutes for each department. The records are safely kept in departmental storerooms. The storerooms are located from the first to the second floor of the building. No storeroom is located in the basement or close to flammable materials, such as paint or petrol. As declared by the National Archives and Records Service of South Africa (2007:199), storing records next to or close to flammables may cause a fire hazard or occurrence. Wherever feasible, the dividers, ground and ceiling are made of fire resistant resources, such as brickwork and cement (National Archives and Records Service of South Africa 2007:199). As shown in Figure 4.1, carpets were removed, in order to ensure compliance with ISO 11799-2003: Document storage requirements for archive and library materials (International Organization for Standardization 2003).



Figure 4.1: SEFA image of Head Office Standard Records Storeroom

The doors are sturdy, made from wood, and they are locked properly. There are no windows and, therefore, no window burglar proofing was necessary. Electrical installations were installed in an efficient manner, so as to avoid the occurrence of an electrical defect triggering a fire. Some storerooms were found to be equipped with bulk filing cabinets for active records; others with open shelves or racks. Enough space is provided for people and trolleys to move freely in between the shelves and the shelves are installed 15–25 centimetres off the floor to guarantee that no water or flooding damage occurs. Fire extinguishers were installed next to each storeroom entrance, and these are inspected annually. No water pipes were observed in the storeroom area and no leaking roofs and water pipes had ever been reported and repaired as a way of salvaging records from being harmed. Only Operational Health and Safety Forum (OHSF) members are adequately trained.

Fumigation, which is coordinated by the Facilities Manager, is conducted annually in the entire building. This assists in ensuring that no pests are found among the records. The storeroom does not have air conditioning equipment to ensure that records are not unprotected from excesses of temperature and humidity in line with the National Archives and Records Service of South Africa (2007). The National Archives and Records Service of South Africa (2007) indicates that the records should not be exposed to direct sunlight shine, so that a person entering the room to switch on the lights in the area in which he/she intends to work only. The researcher observed that records are kept in proper enclosures, files or archival containers and in shelves, as a measure to safeguard them against dirt. The National Archives and Records Service of South Africa (2007) declares that, in order to avoid records from becoming harmed, removed, or destroyed, precautions are implemented to avoid unauthorised individuals from accessing the storerooms. In the SEFA Head Office these requirements are managed by the Departmental Administrators, who manage this by using a register and keeping the storerooms keys.

In terms of SEFA Head Office DRM de-centralised structure, documents and records are preserved in their respective storage area in the respective divisions and must be transferred to the Documents and Records Management (DRM) Unit at a specific period. Other paper-based files are kept within the respective regional storage area,

in terms of SEFA Regional Offices DRM centralised structure. Old records are transferred to an off-site storage facility on a quarterly basis, in order to free space in the in-house storerooms, and the transfer process is facilitated by the DRM Unit.

The findings suggest that available SEFA storerooms, where personal information is stored, were not all compliant with ISO 11799-2003: International Standard on Document Storage Requirements for Archives and Libraries International Standards which could assist the organisation's readiness to implement the PoPI Act.

#### **4.4 Results of the formal interview sessions**

After the observation of the storerooms in the SEFA Head Office, formal interviews were conducted to obtain more information. Questions provided answers to the following research questions, in order to meeting the research objectives:

1. What tools could be utilised to close the current gaps associated with the implementation of the PoPI Act (No. 4 of 2013) and to prepare the SEFA Head for the implementation of the PoPI Act?
2. How can SEFA Head Office improve existing processes and procedures to prepare for the application of the PoPI Act?
3. What are the capabilities of SEFA for and the current state of compliance with the implementation of the PoPI Act?

The themes of the interview questionnaire were presented as follows:

1. Personal information management (PIM);
2. Legislative requirements: compliance with the PoPI Act;
3. The Data Protection Act 2018 (DPA) of the United Kingdom as an act that is similar to the PoPI Act; and
4. PoPI Act relationship with effective records management practices in Africa in general and in South Africa in particular.

The cover letter and interview questionnaire (Appendices 1 and 2), which aligned with the research objectives, were forwarded to the respondents five days prior to the

scheduled interviews. All interviews were conducted in English, during November and October 2018.

Before the interviewees were conducted, the purpose of the study was narrated to individual respondents. The researcher further emphasised that the session would not take longer than twenty (20) minutes; that participation was entirely voluntary; and that anonymity and confidentiality would be maintained at all times.

#### **4.4.1 Theme1: Personal information management (PIM)**

This section was presented under the following four subheadings:

- Personal information format (paper or electronic format or both);
- The purpose of personal information collection;
- Access to personal information at SEFA Head Office departments/divisions; and
- Personal information dissemination method that is used (manual/electronic).

##### **4.4.1.1 Question 1**

The first question asked under this theme requested the interviewees to indicate whether they collected personal information in their departments or divisions and in what format it was collected. The purpose of this question was to determine whether data subject information is contained; if it was in the custody of SEFA Head Office departments/divisions; and whether it is in paper format, electronic format or both. Interviewees indicated that personal information collected included security bonds, legal agreements, client personal records, supplier records, ITC status of management and major shareholders, physical addresses of management and major shareholders, financials of SEFA and enterprises, board members' information, attorneys'/debt collectors' records, identity copies of major shareholders and management, and personal details of staff. As indicated in Table 4.3, it was uncovered that in eight out of nine SEFA departments/divisions, information is collected in both printed, electronic format and one information department indicated paper format only.

Table 4.3: Format of personal information

Name of department	Personal information collected	Format of personal information (Paper, electronic or both)
Human Capital	ITC status of management and major shareholders, the physical address of management and major shareholders, identity copies of major shareholders and management and personal details of staff	Both
Finance	Financials of SEFA, supplier records	Both
Wholesale Lending	Client personal information including financials	Both
Direct Lending	Client personal information including financials	Both
Compliance	Client personal information including financials	Both
Internal Audit	Appointment of Auditors records, Forensic investigation's information	Both
Enterprise Risk Management	Client personal records, including financials	Paper
Legal Services	Legal agreements, client personal, attorneys/debt collector's information	Both
Corporate Secretariat	Security bonds, Board members personal information	Both

#### 4.4.1.2 Question 2

The second question asked interviewees to indicate the objectives of the collection of personal information. The aim of asking this question was to determine the electronic tools available to guarantee that personal information is acquired, organised, maintained, retrieved, used, controlled and disseminated effectively. As indicated in Table 4.4, most of the interviewees indicated that personal information was collected for easy retrieval, statutory and regulatory compliance, and processing of applications for funding. Some respondents did not know why personal information was collected in their departments/divisions.



Table 4.4: Purpose of collection of personal information

Name of Department	The purpose of collection of personal information
Human Capital	Easy retrieval, statutory and regulatory compliance
Finance	Easy retrieval, statutory and regulatory compliance
Wholesale Lending	Processing of applications for funding
Direct Lending	Processing of applications for funding
Compliance	Statutory and regulatory compliance
Internal Audit	Statutory and regulatory compliance
Enterprise Risk Management	Statutory and regulatory compliance, processing of applications for funding
Legal Services	Statutory and regulatory compliance
Corporate Secretariat	Easy retrieval

Based on the foregoing information, it was evident that personal information was collected at the give SEFA Head Office department/divisions. According to Sections 12 and 13 of the PoPI Act, personal information must be obtained straight from the data subject for an explicit, clearly defined and official goal and actions must be implemented in terms of Section 18(1) to ascertain that the data subject is mindful of the determination of the gathering (Republic of South Africa 2013).

#### 4.4.1.3 Question 3

The third question asked interviewees to indicate the objectives of collecting personal information, with the intention of determining if the internal security control currently measured was in place to protect personal information. Table 4.5 reveals that more interviewees indicated that the personal information was accessed by department/division employees. They even added more information about paper records being stored in a bulk filer. A small number of interviewees specified that personal information was accessed by department/division employees and that paper records were stored in the records storeroom and in bulk filing cabinets of both departments/divisions.

Table 4.5: Access to personal information in the department/division

Name of department	Who has access to personal information in your department/division?
Human Capital	Accessed by the department/division employees and paper stored in the department's/division's records storeroom
Finance	Accessed by the department's/division's employees and paper stored in the department's/division's records storeroom and bulk filer
Wholesale Lending	Accessed by the department's/division's employees and records storeroom
Direct Lending	Accessed by the department/division employees and paper stored in the department's/division's records storeroom
Compliance	Accessed by the department's/division's employees
Internal Audit	Accessed by the department's/division's employees and paper stored in the department's/division's records storeroom
Enterprise Risk Management	Accessed by the department's/division's employees
Legal Services	Accessed by the department's/division's employees and copies stored in cabinets
Corporate Secretariat	Accessed by the department's/division's employees and paper stored in the department's/division's records storeroom

Based on the information given in Table 4.5, it was evident that personal information was accessed by department/division employees (authorised employees) and that paper-based records were stored in the designated records storeroom and bulk files. The National Archives and Records Service of South Africa (2007:22, 79 & 92) indicates that leaders of government institutions must preserve records that are in their custody in terms of the Promotion of Access to Information Act, 2000 and other supporting laws stipulated in the Schedules of the Act. It is further indicated that records management strategy should give clear procedures on generic physical preservation and the governance of records removal from their home of safekeeping or from the management of the accountable person.

#### 4.4.1.4 Question 4

The fourth question asked interviewees to indicate dissemination methods used – i.e. manual or electronic dissemination methods. The intention of this question was to determine the nature of the existing electronic systems used for storing personal records within SEFA.

As outlined in Table 4.6, the findings suggested that some of the interviewees indicated that they used the departmental shared folder and email as a method of disseminating information. Some responded that personal information was disseminated through an application known as Cloud-Based Employee Self Service (ESS); others used an application called Barnowl Audit Software. Numerous interviewees specified that they used electronic record management applications known as the SEFA Loan Administration System (sefaLAS) to store personal information. The researcher also established that there are some departments at SEFA that used electronic record management applications called Enterprise Content Management System (ECM) and SharePoint as methods of managing electronic records. Additionally, some interviewees responded that they were using finance and supply management applications called A Complete and Comprehensive Program for Accounting Control (ACCPAC), Sage VIP Premier Payroll and E-workflow and an only a few indicated that dissemination was conducted manually.

*Table 4.6: Dissemination methods*

Name of department	Which dissemination method do you use: manual/electronic?
Human Capital	Electronic: disseminated through an application known as ESS
Finance	Electronic: used finance and supply management applications called ACCPAC, Sage VIP Premier Payroll & E-workflow
Wholesale Lending	Electronic: used electronic record management applications known as SEFA Loan Administration System (sefaLAS)
Direct Lending	Electronic: used electronic record management applications known as SEFA Loan Administration System (sefaLAS)
Compliance	Electronic: used departmental shared folder and email

Name of department	Which dissemination method do you use: manual/electronic?
Internal Audit	Electronic: used an application called Barnowl Audit Software
Enterprise Risk Management	Electronic: used departmental shared folder and email
Legal Services	Manually
Corporate Secretariat	Electronic: used electronic record management applications known as Enterprise Content Management System (ECM) known as SharePoint

The responses to Question 4 made it clear that personal information was disseminated, either electronically or manually. Section 1 of the Protection of Personal Information Act (Act No. 4 of 2013) states that dissemination is done by means of broadcasting, circulation or generating personal information in any other form (Republic of South Africa 2013). Section 14 of the Constitution of the Republic of South Africa (Act No. 108 of 1996) requires every individual to have an entitlement to confidentiality. Section 14 of the Constitution of the Republic of South Africa further states that, the right to confidentiality consists of a right to protection against the unlawful collection, retention, dissemination and use of personal information (Republic of South Africa 1996a). Section 3(1)(a) of the Protection of Personal Information Act states that recorded personal data administered by public or private bodies can be automated, provided that it is also recorded in their non-automated methods. Its requirement, it must be part of a classification system (Republic of South Africa 2013).

#### **4.4.2 Theme 2: Legislative requirements: Compliance to the Protection of Personal Information (PoPI) Act, No. 4 of 2013**

This section was presented under the following subheadings:

- Knowledge about the existence of the Protection of Personal Information (PoPI) Act No.4 of 2013; and
- Existing processes and procedures to prepare SEFA Head Office for the implementation of the PoPI Act.

#### 4.4.2.1 Question 1

The first question under this theme asked interviewees to indicate their knowledge pertaining to the existence of the Protection of Personal Information (PoPI) Act, No.4 of 2013. The aim of this question was to determine whether the interviewees were aware that SEFA is a state-owned entity and, therefore, a South African public body, which made it mandatory to safeguard personal information in terms of PoPI Act. Interviewed Heads of Departments, Managers and Administrators indicated their awareness pertaining the existence of the PoPI Act and SEFA's regulatory requirement to implement the Act. Based on their responses, it was evident that the interviewees were aware that SEFA preparedness was vital, in order to ensure the sound implementation of the PoPI Act, as required. It also became obvious that, in order for any organisation to implement the PoPI Act effectively, they must implement an orderly and efficient method for the preservation of records, as stipulated by the National Archives and Records Service of South Africa Act, No. 43 of 1996 (Ngoepe 2008).

#### 4.4.2.2 Question 2

The second question asked interviewees to indicate records management processes and procedures that are currently in place, in order to determine whether SEFA Head Office was ready for the implementation of the PoPI Act.

As indicated in Table 4.7, a large number of the interviewed Head of Departments, Managers and Administrators indicated their awareness pertaining to existing records management processes and procedures to prepare SEFA Head Office for the implementation of the PoPI Act. Only a very small portion of the participants were not aware of these procedures.

*Table 4.7: Current records management processes and procedures awareness*

<b>Name of Department</b>	<b>Aware</b>	<b>Not Aware</b>
Heads of Departments	5	1
Managers	2	1
Administrators	7	1

Based on the answers given in Table 4.7, it is evident that the interviewees were aware about records management processes and procedures in place to prepare SEFA Head Office for the implementation of the PoPI Act.

#### 4.4.3 Theme 3: Act similar to the PoPI Act: Data Protection Act 2018 (DPA) of United Kingdom

Interviewees were requested to indicate whether they thought South Africa could benefit from the legislation of other countries that had already implemented acts similar to the Protection of Personal Information (PoPI) Act, No. 4 of 2013. – As pointed out by Botha (2017), privacy legislations worldwide have the same principles as set out by the South African PoPI Act (Botha 2017).

As indicated in Table 4.8, none of the interviewed Heads of Departments, Managers and Administrators were aware of any other country already implementing such legislation. On the other hand, all the respondents were of the opinion that South Africa could actually benefit from lessons learned by other countries.

*Table 4.8: Lessons learned from similar legislation in other countries*

Name of Department	Aware	Not aware	Benefit from other countries	Will not benefit from other countries
Heads of Departments	0	6	6	0
Managers	0	3	3	0
Administrators	0	8	8	0
<b>TOTAL</b>	<b>0</b>	<b>17</b>	<b>17</b>	<b>0</b>

As indicated in these results, the participants were not aware of any other countries that had already implemented legislation similar to the PoPI Act, although they were of the opinion that learning from any other country will assist South Africa to learn from their mistakes and challenges. As observed by Onyekachi (2018), due to the extensive consequences of carelessly or maliciously processing and handling personal information personal information management has become a critical issue for legislators, regulators and consumers internationally. Onyekachi (2018) also points out that, regardless of improved consideration of personal information and the

presence of data protection legislation internationally, data breaches remain a crisis and South Africa can benefit tremendously from other countries.

#### **4.4.4 Theme 4: PoPI Act Relationship with effective records management practices in Africa: Focusing in South Africa**

This section was presented under the following subheadings:

- Does SEFA have a Records Manager?
- Does SEFA have an approved and implemented records management policy, processes and procedures?

##### **4.4.4.1 Question 1**

The first question asked under Theme 4 requested interviewees to indicate whether SEFA has a Records Manager. The intention of this question was to determine SEFA's compliance to Section 13(5) of the National Archives and Record Service Act (1996), 1996 as amended. Such an appointed would support SEFA Head Office to prepare for the implementation of the PoPI Act.

All the interviewed Heads of Departments, Managers and Administrators indicated that SEFA appointed a qualified Records Manager in October 2019, who was responsible for the Head Office and regional offices in the Free State, KwaZulu-Natal, Gauteng (South Western), Gauteng (Kempton Park Office), Gauteng (North Eastern), Gauteng (Riversands Office), Western Cape, East London, Port Elizabeth, Northern Cape, Mpumalanga, Limpopo and North West. The Records Manager reports directly to the Company Secretary, who is also designated with the responsibility of being the organisational Deputy Information Officer (DIO). The DIO, who reports directly to the Chief Executive Officer (CEO), leads the Document and Records Management Unit. The Records Manager is also responsible for ensuring:

- Implementation and monitoring of the records management policy;
- Implementation and monitoring of an acquired Enterprise Content Management (ECM) solution;
- Staff awareness regarding this policy;

- Management of all records according to the records management principles contained in the National Archives and Record Service Act, 1996;
- Determination of retention periods in consultation with the respective business units, considering the functional, legal and historical need of SEFA to maintain records of transactions;
- Development and maintenance of the SEFA file plan;
- Records created and received by SEFA are classified according to the approved file plan, and that a written disposal authority is obtained for from the National Archives and Records Service;
- Instructions regarding the record keeping and records management practices of the SEFA are issued from time-to-time; and
- All staff members are aware of the records management policy and associated procedures, as well as their responsibilities in terms of the policy and are adequately trained to fulfil their required tasks.

As amended, Section 13(5) of the National Archives and Record Service of South Africa Act, 1996 requires each government institution to delegate a Records Manager to take accountability for the management of the records of the institution. According to the Performance Criteria for Records Managers of Governmental Bodies (National Archives and Records Service of South Africa 2006), this individual is accountable for all characteristics of records supervision, including the plan, operation and preservation of records arrangement systems and record structures. The Records Manager is also responsible for training of all personnel about the implementation of wide-ranging records management practices in the governmental body and a skill outline to find the assistance and interventions necessary for all workers (National Archives and Records Service of South Africa 2006).

#### **4.4.42 Question 2**

The second question asked interviewees to indicate whether SEFA had an accepted and implemented records management policy, processes and procedures. The question sought to establish SEFA's compliance with the National Archives and Records Service Act (Republic of South Africa 1996b: Section 13(5)) and determine if such a policy ensured the creation and management of trustworthy, reliable and



operational records, capable of supporting functions and activities for as long as they are required and confirm appropriate classification and application of the PoPI Act. The question also sought to establish whether SEFA would be able to align processes and procedures to ensure compliance with the records management policy.

Participants' responses provided evidence that all of the Heads of Departments, Managers and Administrators were aware that records management policy, processes and procedures were approved and had been implemented, as of 2015. These results showed that procedures for managing records were adequate.

Chinyemba and Ngulube (2005) state that a records management policy offers comprehensive procedures for appropriate records administration in an institution and can be used as a mechanism for training and assessment of employees. Du Toit (2011) observes that a records management policy ensures that records are retrievable to allow the making of well-informed conclusions.

In addition to policies, there is a need to have standards in place that identify the best practices and benchmarks, in order to achieve uniformity in practice. There is also a need for mechanisms to check compliance with policies, rules and procedures. Taylor (2000:241) and Mnjama (2003) suggest that the evidence of the neglect of records management in government is the lack of coordinated and planned programmes within these institutions, as well as an absence of policies, procedures and facilities for managing records. As stated by Cox (2005:277), the approach of the National Archives and Records Service of South Africa in defining the construction and functions of record keeping systems, policies and procedures for public sector records management settings, complies with good governance and best practices.

#### **4.5 Documentary analysis results**

A variety of approved and implemented SEFA documents pertaining to personal records management were presented to the researcher to examine, in order to establish SEFA's level of readiness to implement the PoPI Act.

#### **4.5.1 SEFA file plan**

The file plan was approved by the National Archivist in 2016. The purpose of SEFA's file plan is to offer a common terminology and to assist in the consistent classification of documents and records across the organisation (National Archives and Records Service of South Africa (2007)). According to the National Archives and Records Service of South Africa (2007), this tool is utilised by business areas to set up folder structures – in paper-based and electronic format – in shared drives, shared email folders, etc.

An extensive consultation with representatives from business areas across SEFA was conducted to create an inventory of the documents and records created by each business area, and the preferred terminology for those documents. This was followed by the implementation workshops to provide a chance for all areas of SEFA to view the file plan and the terms to ensure that they were in line with the business requirements of each business area and in line with the National Archives and Records Service of South Africa (2007).

Inspection of the file plan was undertaken by the National Archives representatives on 9 February 2017, in response to a request for evaluation and guidance since the implementation of SEFA's file plan in June 2016. The file plan inspection report was examined by the researcher and the key areas in the report pertained to the following:

- Approval, implementation and awareness of document and records management policy and procedures;
- Resources available to maintain the Document and Records Management function;
- Document and Records Management responsibilities, documentation and awareness;
- Inspection of file plan approval, implementation and maintenance process undertaken by SEFA;
- Inspection of maintenance of the approved file plan to determine whether the system is being implemented properly:
  - Arrangement and consistent description of file covers;

- Opening of the new files;
- Use of file control sheets;
- Recording file movements;
- Termination and archiving of the documents;
- Inspection of the disposal process undertaken for disposing records with a short life span and procedure taken for requesting NARS disposal authorities; and
- Inspection of compliance with the POPI, PAIA, ECT and PAJA Acts.

In terms of records management practices, SEFA was rated the best organisation, out of the 12 institutions that had implemented the PoPI Act.

#### **4.5.2 SEFA records management policy and procedures**

SEFA referred to and named this *Documents and Records Management Policy and Procedures*. These documents were developed, approved and implemented in 2015 in order to:

- Regulate documents and records management practices within SEFA and align them with the requirements of the National Archives and Record Service Act (No. 43 of 1996, as amended), Promotion of Access to Information Act (No. 2 of 2000) and other related legislations;
- Provide advice to SEFA employees on the creation, receipt, access, organisation, use, storage, retrieval and disposal of records;
- Ensure the protection of SEFA's reputation through compliance with legal retention periods of records, as prescribed by legislation;
- Ensure confidentiality, safe custody, integrity, accessibility and easy retrieval of all SEFA documents and records; and
- Provide a framework for proper records and document management practices to cover all SEFA documents and records, both present and future, in whatever format they have been captured, e.g. paper, electronic, optical disks, tapes, photographs, plans, etc.

As a result, it was observed that documents and records created and received by SEFA were managed in line with this policy and records management principles,

stipulated in Section 13 of the National Archives and Record Service Act (Republic of South Africa 1996b), as amended, and other related legislation.

It was further observed that, as part of monitoring compliance to the Documents and Records Management Policy and Procedures, each SEFA Division Regional Offices submitted a DRM Compliance Report to the Records Manager on a monthly basis, and the Records Manager conducted and recorded monthly inspections at SEFA Head Office. This report was compiled and submitted by internally appointed DRM Champions or Administrators. The policy and procedures were reviewed after three years from the date of approval or if necessary, in response to internal changes in operating practice and regulatory environment or standards. No deviation from this policy was permitted without written authorisation by the CEO. Non-compliance with the Documents and Records Management Policy provisions will lead to actions as contained in SEFA disciplinary policy.

#### **4.5.3 SEFA records retention schedule**

The researcher determined that no SEFA records were destroyed, erased or otherwise disposed of without consulting SEFA's Records Retention Schedule (RRS) and Standing Disposal Authority approved by the National Archivist in 2017. This is in align with Section 13(2)(a) of the National Archives and Record Service of South Africa Act (Republic of South Africa 1996b).

According to the National Archives and Records Service of South Africa (2007:21–22), SEFA was granted standing or limited disposal permissions from the National Archivist in 2017 to ensure that no records were destroyed, deleted or then disposed without approval by the National Archivist. On 27 February 2017, the National Archivist issued Authority SEFA file plan Standing Disposal Authority Number D13/16-S1NA to SEFA to determine retention periods for all records allocated with a “D” (“Destroy”), and archive. All records allocated with an “A” symbol (“Archival”) detailing SEFA's file plan with disposal symbols allocated by the National Archives team. A letter from the National Archivist granted SEFA disposal authority to destroy ephemeral records systematically, as per the RRS. When the retention periods of these records were allocated, Documents and Records Management (DRM) staff, in consultation with the

Heads of Departments, considered SEFA's fiscal responsibility, operational requirements, as well as legislative obligations that must be met by the records. Records due for disposal on the RRS can be destroyed and the above disposal authority number D13/16-S1NA will be quoted on the destruction certificate.

After a disposal authority is obtained, a Records Manager, line functionaries, Enterprise Risk and Compliance and Legal Services determined retention periods on the file plan, taking SEFA's legal requirements and explanation of functional needs into consideration. SEFA's RRS is linked to the file plan and is used to ensure that retention periods for each file plan series is allocated and specific triggers for actions to be taken when the records pass their use-by-date are indicated.

The RRS is currently available and published on the SEFA intranet and maintained by the DRM Unit. In terms of these disposal authorities, disposal is executed annually in June. All disposal activities are approved by the Company Secretary prior to their execution to ensure that no archival records are destroyed accidentally. The pointless gathering of records no longer required can delay operational efficiency significantly and may impact seriously on the performance of SEFA. According to the National Archives and Records Service of South Africa (2007:22), public bodies must try to reduce the preservation expenses involved in keeping records that are not necessary for operational requirements and, therefore, they are motivated to implement a methodical disposal plan.

#### **4.6 Conclusion**

The chapter summarised the results of this study according to the following four main themes that emerged in the course of the research:

1. Personal information management (PIM);
2. Legislative requirements: compliance to the Protection of Personal Information (PoPI) Act No.4 of 2013; and
3. An act that is Similar to the PoPI Act: the Data Protection Act 2018 (DPA) of United Kingdom; and

4. PoPI Act relationship with effective records management practices in Africa, with the focus on South Africa.

This chapter also presented the findings of the study, resulting from interviews using questionnaires, observations, as well as documentary assessment of SEFA approved and implemented documents impacting on personal information management at SEFA Head Office. In Chapter 5, the researcher interprets and discusses the research results in accordance with the research objectives and makes recommendations.

## **CHAPTER 5: SUMMARY, CONCLUSION AND RECOMMENDATIONS**

### **5.1 Introduction**

The previous chapter presented the analyses of the research results, whereas this chapter summarises the findings and draws conclusions, based on the research objectives. The chapter also highlights the limitations of the study and makes recommendations for the PoPI Act implementation at SEFA Head Office. Finally, the chapter identifies areas of future research, constructed from the research results and findings of this study.

### **5.2 Summary and conclusion of the research findings**

The research findings and conclusions were based on the following research objectives:

1. Identify the current gaps associated with the implementation of the Protection of Personal Information (PoPI) Act No. 4 of 2013 at SEFA;
2. Identify existing processes and procedures that are in place for the implementation of the PoPI Act at SEFA;
3. Investigate SEFA capabilities and the current state of compliance to implement the PoPI Act; and
4. Investigate the current state of SEFA to comply with the National Archives and Record Service of South Africa Act (No. 43 of 1996).

#### **5.2.1 Identify the current gaps associated with the implementation of the Protection of Personal Information (PoPI) Act, No. 4 of 2013 in SEFA**

According to the findings involved in this research objective, it was evident that data subject information is controlled, or in the custody of SEFA Head Office departments or divisions and in paper format, electronic format, and/or both. Interviewees indicated that personal information collected included: security bonds, legal agreements, client personal records, supplier records, Credit Bureau Clearance status of management and major shareholders, physical address of management and major shareholders, financials of SEFA and enterprises, Board members' information, attorneys/debt collectors' records, identity copies of major shareholders and management and

personal details of staff. As indicated in Chapter 4, it was uncovered that out of nine (9) SEFA departments/divisions, only Enterprise Risk Management was in paper format.

From the responses, it was evident that electronic tools to effectively manage personal information were available through all relevant channels and shared with stakeholders. Interviewees indicated dissemination methods used were both manual and electronic. Some responded that personal information was disseminated through an application known as 'ESS-SAGE', others used an application called Barnowl Audit Software. Several interviewees in Direct Lending and Wholesale Lending revealed that they used electronic record management applications, known as sefaLAS, to store clients' applications and other supporting records used by departments.

With some exceptions, most interviewees pointed out that they collected personal information. The researcher uncovered that existing internal security control measures to safeguard personal information were applied by ensuring that only departmental/or divisional employees had access to the records. Interviewees indicated that paper records were stored in both departmental or divisional records storerooms and bulk filling cabinets. This large-number packing solution, varying from arch lever files to containers or boxes, is optimal for the use of all filling systems. Bulk filling cabinets are particularly intended to store the maximum number of records in the minimum available space.

The Department of the Taoiseach in Ireland (2018) reveals that storage environments and handling processes that consider specific physical and chemical properties are imperative for records. Therefore, records of enduring value, regardless of format, require sophisticated quality storage and handling to preserve them for as long as that value exists. Storage environments and handling processes should be planned to protect records from unauthorised access, loss or destruction and theft (Government of Ireland. Department of the Taoiseach 2018). The storerooms for personal records were not custom-built for records preservation purposes; fire detection and fire suppression systems were inadequate.



When the researcher was conducting storeroom observations, it became clear that SEFA's adherence with SANS 11799–2005 was vital in ensuring sound implementation of the PoPI Act, as required (South African Bureau of Standards 2005).

### **Conclusion**

Based on the findings, the researcher could conclude that all interviewees – i.e. individuals managing personal information – according to Section 12, 13 of the PoPI Act (No. 4 of 2013), should be aware that personal information must be gathered straight from the data subject for a definite, clearly defined and official purpose in compliance with Section 18(1) of the Act (Republic of South Africa 2013). This will ensure that the data subject is aware of the purpose of the collection.

Although there were certain departments at SEFA that did use electronic record management applications, such as an enterprise content management (ECM) system, also known as SharePoint, it became evident that there was no integrated enterprise content management system to manage personal information. It was uncovered that SEFA considered Section 3(1)(a) of the PoPI Act, which states that recorded personal information processed by public or private bodies can be automated, provided that it is also recorded in their non-automated methods (Republic of South Africa 2013). SEFA's non-automated records formed part of a filing system known as a file plan. It was established that the SEFA file plan was approved by the National Archivist and implemented in 2016 and, therefore a lack of a filing system could not be viewed as a gap in terms of implementing the PoPI Act.

The observations of personal records storeroom facilities that the researcher conducted at internal departments at SEFA Head Office revealed there were gaps associated with compliance with SANS 11799–2005 (*South African national standard. Information and documentation: Document storage requirements for archive and library materials*) and, where possible, these risks should be eliminated or reduced. Part 4 of the South African National Standard 1799–2005 states that special provisions should be made in the construction of the building to defend against these threats, if the requirements cannot be met (South African Bureau of Standards 2005).

In addition, the study revealed that a culture of a clean desk needs to be adopted at SEFA Head Office. Whenever an employee is not at their desk, they should ensure that there is no personal information can be found on their desk. Employees should ensure that personal information is always locked away in the lockable cabinets or credenzas after hours. SEFA should ensure that all the employee cabinets are lockable.

### **5.2.2 Identify processes and procedures that are in place for the implementation of Protection of Personal Information (PoPI) Act, No. 4 of 2013 in SEFA**

According to the findings of this research objective, a Documents and Records Management Policy, Documents and Records Management Processes and Documents and Records Management Procedures were developed, approved and implemented in 2015. Based on the evidence provided by the Document and Records Management Compliance Reports submitted monthly to the Records Manager, it was established that documents and records created and received by SEFA were not all managed in accordance with the policy and procedures. The Records Manager evaluated and analysed these reports, in order to offer guidance.

The research results indicated that all the interviewed Heads of Departments, Managers and Administrators were aware that the Records Management Policy, Processes and Procedures were approved and implemented as of from 2015. According to the interviewees, this was going to assist the organisation to align Processes and Procedures and, ultimately, ensure adherence with the SEFA Records Management Policy. The outcomes also showed that procedures for managing records were inadequate: the processes, procedures and policies did not include a PoPI Act clause.

### ***Conclusion***

Based on the responses discussed in Chapter 4, the researcher could conclude that interviewees were aware of the implemented records management policy, processes and procedures in preparation of SEFA Head Office for the implementation of the PoPI Act. It was uncovered that three years after the implementation, and in line with SEFA's

policy review processes, the organisation was in the course of reviewing the Records Management Policy to ensure relevance to organisational administrative needs.

### **5.2.3 Investigate SEFA capabilities and current state of compliance to implement the PoPI Act, No.4 of 2013**

According to the findings involved in this research objective, interviewees pointed out their knowledge pertaining to the existence of the PoPI Act. Most interviewed Heads of Departments, Managers and Administrators indicated they were also aware that SEFA is a state-owned entity and, therefore, a South African public body at which the safeguarding of personal information is mandatory, in terms of PoPI Act. When SEFA's capabilities to implement the PoPI Act were investigated, it was uncovered that interviewees felt strongly that South Africa could benefit from studying the examples of other countries that had already implemented a similar legislation. When the interviewees were asked if they were aware of any other countries implementing a similar legislation, none of the interviewed Heads of Departments, Managers and Administrators were aware of any other country already implementing a legislation similar to PoPI Act.

When SEFA's current state of compliance to the application of the PoPI was investigated, it became evident that the organisation had appointed a Records Manager in 2016, in order to ensure SEFA's compliance to Section 13(5) of the National Archives and Record Service Act (Republic of South Africa 1996b) would enable SEFA to prepare for the implementation of the PoPI Act. Results revealed that not all contracts between SEFA and other operators did meet the PoPI Act requirements. SEFA experienced an influx of paper in different channels and some of the paper-based records were not categorised correctly. This may lead to misplaced records and result in delayed decision-making and transaction processing. Fund approval turn-around times could be also affected because of duplication of effort in obtaining required documentation. SEFA did not have a metadata schema, which resulted in lack of findability, and this meant that employees could search, but might not be able to find the records when needed. Moreover, there was no structured way of storing electronic information on electronic systems that were identified above, which may result in a lack of informed decisions. Document indexing was not

automated, which reduced the quality of information stored. There were no proper business processes in place for documentation flow, which affected current productivity in the organisation, since information was not routed or shared correctly. Searching was limited to SharePoint (at some departments) and sefaLAS (client records), which meant that other systems did not have this functionality. The lack of integration resulted in applications for funding process being delay, including, finding and requesting information.

Based on the presentation of current SEFA documents pertaining to personal records management to the researcher, the following findings could be ascertained:

- Since the **file plan** was implemented, it had been applied by departments to create folder structures – both physical and electronic (shared drives, shared email folders etc.). On 9 February 2017, an inspection was undertaken by the National Archives representatives, in order to evaluate the current use of the file plan and to provide guidance. This effort later experienced challenges and an urgency for managing all SEFA records through a proper electronic records management system was indicated.
- As discussed in Section 5.2.2, all interviewees were aware of the advantages offered by the Documents and Records Management Policy and Documents and Records Management Procedures to employees at SEFA Head Office.
- The records retention schedule (RRS), with allocated retention periods, was compiled and approved by the SEFA Executive Committee on the 6 June 2017. Implementation sessions were undertaken between July and December 2017, in order to initiate a systematic disposal programme, before the document was published on the SEFA intranet.

### ***Conclusion***

As indicated by the research findings, all interviewees felt strongly that South Africa could benefit from other countries and learn from their mistakes and challenges. The appointment of a Records Manager was a first step towards SEFA's preparedness for the application of the PoPI Act. Although at that time, the appointed made to comply

with Section 13(5) of the National Archives and Record Service Act, which requires each governmental body to nominate a Records Manager to take accountability for the management of the organisation's records (Republic of South Africa 1996b). Evidence gathered from the National Archives inspection report for the inspection conducted on 9 February 2017 to evaluate the current state of SEFA's filing system, made it clear that out of twelve (12) institutions that did implement the file plan in 2016 after which it was inspected by the National Archives, SEFA was rated the best organisation in terms of records management practices, but still not all documents and records were managed in accordance with SEFA's Documents and Records Management Policy and Procedures. SEFA did receive an approval letter from the National Archivist, granting the organisation Standing Disposal Authority Number D13/16-S1NA to destroy ephemeral records systematically, as per the RRS. Based on the research results and findings, it was possible to conclude that SEFA's current state, which was investigated, deemed to have taken the first step pertaining to readiness to implement the PoPI Act, No.4 of 2013.

### **5.3 Key recommendations**

In order for SEFA to breach the gaps and to ensure readiness for the implementation of the Protection of Personal Information (PoPI) Act, No. 4 of 2013, the recommendations of the research were based on the research objectives, as discussed in the following sections.

#### **5.3.1 Recommendations regarding identifying the current gaps associated with the implementation of the Protection of Personal Information (PoPI) Act, No. 4 of 2013 at SEFA**

The study recommends SEFA to perform PoPI Act gap analyses and AN impact assessment, which will guide the implementation approach. The findings of these assessments should be used for ongoing compliance monitoring and evaluation. SEFA should also conduct analyses of what and how personal information is processed, in order to understand record types and to enhance their electronic records management solutions to suit business needs. ECM is the latest expansion of the automated records management systems and is measured as the most effective and efficient system for the long-standing protection of digital records. It is an overall

concept covering document management, web content management, searching, collaboration, records management, workflow management, as well as capturing and scanning (Katu 2012:38). The primary objective of ECM is to manage the life cycle of content, from creation, through preservation and archiving, up to disposal. The development and implementation of integrated systems is recommended, in order to streamline SEFA processes as follows:

- Conduct business process analysis to determine the to-be process and highlight current gaps;
- Provide business requirements document that details the functional, non-functional and reporting requirements;
- Determine the architecture and system requirements;
- Appoint a service provider to work with internal SharePoint Developers to implement and rollout technology related to the business requirements;
- Test all technology and process changes in a pilot site; and
- National rollout of the technology.

SEFA Human Capital processes is largely paper-based, thereby increasing the risk of personal information being compromised, as the information in this process is only stored in the storeroom. It was indicated by interviewees that scanning of active employees' personnel records is underway. This process should continue for other personnel records, e.g. payroll and recruitment records.

SEFA should consider installing HFC-227 firefighting systems in all records storerooms. Fire Amour (2019) reveals that HFC-227 firefighting systems are categorised in the class of Clean Agents and is overseen by NFPA 2001: Standard for Clean Agent Fire Extinguishing Systems. According to Fire Amour (2019), efficient fire annihilation involves a concentration of the HFC-227 agent between 6.25% and 9%, depending on the hazard being protected. Its NOAEL level for cardiac sensitisation is 9%. The HFC-227 fire annihilation agent was the first non-ozone depleting and acceptable replacement for Halon 1301. In addition, HFC-227 leaves no residue on treasured apparatus after release (Fire Protection Technologies 2019).

Air-conditioning must operate 24 hours a day and has to be linked to an emergency generator, in case an interruption in the electricity supply occurs. It should also be linked to the fire detection system, so that it switches off as soon as a fire is detected. Enhancement of security measures in the storerooms is essential. Keys should be replaced with biometrics, which will facilitate the monitoring of authorised staff access.

### **5.3.2 Recommendations regarding Identifying processes and procedures that are in place for the implementation of Protection of Personal Information (PoPI) Act, No. 4 of 2013 at SEFA**

In support of SEFA's readiness to implement the PoPI Act, the study recommends that it is critical that the DRM Unit ensures the systematic revision of the Document and Records Management Policy and Document and Records Management Procedures to ensure that they reflect the latest organisational demands. SEFA must prioritise the development and implementation of the PoPI Act compliance policies.

Existing policies have to be reviewed and PoPI Act clauses must be inserted as a mandatory requirement. This should be broadcasted and executed at all levels at SEFA and on a continuous basis. It is also recommended that all employees are made aware of their personal information management responsibilities. Employees' unawareness of personal information record-keeping requirements creates the risk of untimely destruction of records or, conversely, their retention well beyond the demands of the organisation. Procedure must always be relevant to guide employees in terms of adhering to policies, as required.

SEFA Records Retention Schedule must be implemented and kept up-to-date when the file plan is amended. This will improve customer satisfaction, improved use of current and archived personal information, as well as shorter cycle-time, as prescribed by PoPI Act. This will also assist in identifying and eliminating ephemeral records (i.e. records with a brief or short-lived effect) that are no longer required. The disposal of ephemeral records will reduce off-site storage facility costs and cost of physical items, such as boxes, labels, etc., and it will reduce the cost of maintaining file cabinets, bulk files and folders. Internal registers or forms that require the employees to complete

their identity numbers should be reconsidered, e.g. replacing the identity number with the employee number.

### **5.3.3 Recommendations regarding SEFA's capabilities and current state of compliance to implement the PoPI Act, No.4 of 2013**

It is highly recommended to include various components of a file plan implementation – namely, file movement, the establishment of a Central Registry versus the current Decentralised Model, records security, and disaster management. Although it is commendable that SEFA continues to implement the current approved file plan to improve personal information management, it is strongly recommended that the DRM Unit provides support, guidance and advice on a regular and continuous basis. Continuous legible description of file enclosures must be linked to the definition in the file plan at all intervals (National Archives and Records Service (2007)). The movement of records to the correspondence files should be arranged chronologically, according to the date of receipt. Continuous conduct results in records becoming damaged. Records must be kept protected in file enclosures to provide protection from handling (National Archives and Records Service 2007).

The study also recommends that, in order to improve personal information management at SEFA, the Enterprise Risk and Compliance, Legal Services and DRM Units should form a partnership and coordinate forums and committees to inform senior management about the operational consequence of records management and personal information management according to PoPI Act requirements. Such a sensitisation programme should be aimed at inspiring senior management to take explicit and personal accountability for the handling and management of personal information at SEFA. Seminars and workshops should be rolled out to all employees. All contracts, service level agreements (SLAs) and memoranda of understanding (MoUs) with other operators, who process personal information of SEFA personnel, must be reviewed to meet all the PoPI Act requirements.

## **5.4 Further research**

The study investigated the preparedness of SEFA Head Office to implement the Protection of Personal Information (PoPI) Act, No. 4 of 2013. The first limitation of this



research was that it focused the data collection on employees at SEFA Head Office, who were responsible for managing personal information. A sample was drawn from the Heads of Departments, Managers and Administrators. It is recommended that the scope for future research be broadened to include SEFA employees using personal information. It should also include regional and satellite offices, namely those at East London, Cape Town, Mafikeng, Bloemfontein, Polokwane, Nelspruit, Kempton Park, Braamfontein, Riversands and Tshwane.

In this research, it became evident that there were inadequate tools to close the current gaps associated with the implementation of the PoPI Act at SEFA Head Office. The study revealed some of the fundamental issues on the existing processes and procedures and how they can be improved. The current study observed that SEFA requires a strategy to prepare its employees for the implementation of the PoPI Act.

## **5.5 Final conclusion**

This dissertation was organised into five chapters. Chapter 1 was dedicated to setting the tone of the study, introducing SEFA and the Protection of Personal Information (PoPI) Act, No. 4 of 2013. It also sought to introduce what the researcher planned to examine over the duration of this investigation and how the researcher planned to solve the problem statement. Chapter 2 comprised the theoretical framework for records and information management and intensively reviewed the work conducted by other researchers in the subject matter (i.e. preparedness for the implementation of the PoPI Act). The literature reviews examined and discussed different authors' insights into the following four themes: (i) Personal information management (PIM); (ii) Legislative requirements: compliance to the PoPI Act; (iii) An act that is similar to the PoPI Act – the Data Protection Act 2018 (DPA) of the United Kingdom; and (iv) PoPI Act relationship with effective records management practices in Africa, focusing on South Africa. Chapter 3 presented the research approach, research design and methodology, the data collection process involved in the study, the sampling methods, and the interview design. Chapter 4 focused on the analysis and interpretation of the data collected from interviewees. Chapter 5 concluded the study by briefly discussing contributions to the study and by suggesting recommendations for the preparedness of SEFA Head Office to implement the PoPI Act. The conclusion with reference to the

problem corresponded with the research objectives of the study and demonstrated to be the correct image of what was investigated. As the final chapter in the dissertation, it also highlighted areas of possible future research.

In this study, it was established that not all required tools were developed to close the current gaps associated with the implementation of the PoPI Act at SEFA Head Office. This meant that, at the time of the research, the Office did not have a proposed strategy to prepare for the implementation of the PoPI Act. It was also revealed that personal information management processes and procedures at SEFA Head Office required enhancement. SEFA capabilities and current its state of compliance to the implementation of PoPI Act proved to require special attention through the establishment of a Committee with representation from all the relevant stakeholders at the Head Office and Regional Offices.

SEFA should immediately undertake a benchmarking exercise. The organisation will benefit significantly from learning about the approach taken by other public bodies that have already implemented the PoPI Act. Establishment of an ongoing training programme is recommended that includes all members of staff – i.e. all members of management, temporary workers, contractors and any other individuals responsible for creating or capturing personal information. The training programme can also be designed and set up in association with external service providers. The implementation of an ECM solution should also enable SEFA to handle document and records management, capture and workflow. According to International Council on Archives (2008), such a solution must:

- Be scalable to ensure that information is catered for enterprise wide;
- Have a friendly and easy-to-use interface;
- Provide for business rules input and editing;
- Have speedy scanning and automated information extraction;
- Ensure that searching is easy and accurate;
- Provide a seamless integration to the current information systems;
- Manage information according to prescripts and SEFA policies;
- Create the platform to provide mobile content and web content management; and

- Be capable of disposal of ephemeral records.

SEFA needs to offer automated services to relevant stakeholders. Other organisations are moving towards offering a big portion of data on the web; currently there is no web content management solution to cater for this service delivery channel. This lack of collaboration leads to silos of information and decision-making. According to Section 21 of the PoPI Act, it is mandatory for organisations to employ Information Protection Officers to affirm adherence to the Act and to eliminate silos (Republic of South Africa 2013: Section 55).

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## APPENDICES

### Appendix 1: Cover letter of questionnaire

Topic: Small Enterprise Finance Agency (SEFA) Preparedness to Implement the Protection of Personal Information Act (PoPI) No. 4 of 2013

Dear Sir/Madam

I, Noluthando Kwatsha, am a SEFA employee appointed as Document and Records Management Specialist reporting to the Company Secretary. I am studying towards a Master's degree in Information Science at the University of South Africa and I am doing research with Dr. Isabel Schellnack-Kelly, Senior Lecture in the UNISA Department of Information Science. A requirement in my qualification is personnel from SEFA Head Office internal departments, staff responsible and those that are managing personal information in Human Capital, Finance, Wholesale Lending, Direct Lending, Compliance, Internal Audit, Enterprise Risk Management, Legal Services and Corporate Secretariat. These are the internal departments mostly responsible for processing personal information and staff will have knowledge and information about issues under study.

PoPI Act has been partly and not completely promulgated. The South African Information Regulator (South Africa) previously indicated the effective date for full promulgation will likely be early 2018, following which all organisations will have one year to become compliant. SEFA has been selected because the PoPI Act is new in South Africa and the preparedness of private and public bodies still needs to be examined. Currently, many organisations are still far from being PoPI Act compliant. The Act regulates the manner in which personal information is collected, used, stored, distributed, modified, deleted and/or destroyed. SEFA is affected by the PoPI Act due to the nature of the organisation.

The aim of the study is to focus on SEFA's preparedness to implementation the PoPI Act. The researcher's contribution to the study will be to explore SEFA's Head Office

preparedness to implement PoPI Act. SEFA's current state will be examined, investigating how the Agency can learn from other public and private bodies in South Africa.

Kindly take a few minutes and attend the interview session which will consist of ten (10) logical and easy questions designed for collecting information from SEFA Head Office personnel that are responsible for managing personal information, as well as the implementers of the PoPI Act: it should not take longer than twenty (20) minutes. It is important to answer all questions honestly and accurately. Participation in the survey is completely voluntary and anonymity and confidentiality will be maintained.

Should you have any questions, kindly contact the researcher, Noluthando Kwatsha at [Noluthandok@sefa.org.za](mailto:Noluthandok@sefa.org.za)

Your time and support is appreciated.

Regards

Noluthando Kwatsha

**Appendix 2: Interview questions**

Name of Interviewee: .....

Position (Job title): .....

Experience (Duration in the current position): .....

Date: .....

**Question1: Personal Information Management (PIM)**

What personal information do you collect in your department/division? And in What Format (paper, electronic or both)

.....  
.....

What is the purpose of collection of personal information?

.....  
.....

Who has access to personal information in your department/division?

.....  
.....

Please explain current controls available effectively manage personal information:

.....  
.....

Which dissemination method do you use? Manual/Electronic

Please elaborate.

.....  
.....

**Question 2: Legislative requirements: Compliance to the Protection of Personal Information (PoPI) Act No.4 of 2013**

What do you know about Protection of Personal Information (PoPI) Act No.4 of 2013?

.....  
.....

Are there processes and procedures in place to prepare SEFA Head Office for the implementation of Protection of Personal Information (PoPI) Act No. 4 of 2013?

Yes/No

If Yes, please explain.

.....  
.....

**Question 3: Act that is Similar to the PoPI Act: The Data Protection Act 2018 (DPA) of United Kingdom**

Do you think South Africa can benefit from other countries who already implemented a similar legislation: Yes/No

.....  
.....  
.....

**Question 4: PoPI Act relationship with effective records management practices in Africa: Focusing on South Africa**

Does SEFA have a Records Manager?

.....  
.....

Does SEFA have an approved Records Management Policy, Processes and Procedures? Yes/No

If 'Yes', were they implemented?

.....  
.....

Please give a detailed explanation of how personal information is managed in your department/division.

.....  
.....  
.....  
.....  
.....  
.....

*Thank for your assistance*

*Noluthando Kwatsha*

## Appendix 3: Non-disclosure agreement



**sefa**  
Small Enterprise Finance Agency

Eco Fusion 5 | Block D | Eco Park  
1004 Teak Close | Wilsh Hazel Avenue  
Centurion | 0157

PO Box 11011 | Zwartkop | 0051

T +27 12 748 9020  
F +27 12 748 9731  
E [help@sefa.org.za](mailto:help@sefa.org.za)  
[www.sefa.org.za](http://www.sefa.org.za)

Legal Sign-off Sheet

---

27 March 2018

Name of Document:

**CONFIDENTIALITY AGREEMENT BETWEEN NOLUTHANDO KWATSHA AND SMALL ENTERPRISE FINANCE AGENCY SOC LIMITED**

I, Paul Maboa, in my capacity as Interim General Counsel- Legal Services Division, hereby confirm that:

1. I was involved in the drafting and vetting of the Agreement.
2. The Agreement relates to the conducting of a research paper in respect of interviewing of 5 % of personnel from the discloser's Head Office Internal Departments, responsible staff and those that are managing personal information in Human Capital, Finance Department, Wholesale Lending Department, Direct Lending Department, Compliance Department, Internal Audit Department, Enterprise Risk Management Department, Legal Services Department and the Corporate Secretariat Department.
3. The Parties respective obligations are fully stipulated in the Agreement.
4. The Agreement in order for signature.

Thus signed and dated at CENTURION on this the 27 March 2018.



Interim General Counsel  
Paul Maboa

Accessible Development Finance

Small Enterprise Finance Agency (SOE) Ltd. Registration Number 193640120000616 Licensed Credit Provider - NCRCP 160  
Directors: Ms. NI Luswano-Pemba (Chairperson) - Mr. TR Makwhele (Chief Executive Officer) - Mr. NA Dlamini - Ms. NS Dlamini - Ms. C Erasmus - Mr. PM Malinganya - Mr. LB Mavundla - Mr. K. Molewa - Ms. JK Moku - Mr. NA Dlamini - Ms. H Rabinov - Ms. NB Mongal (Company Secretary)

## Appendix 4: Letter of request to conduct a study

### Request for Permission to Conduct Research at sefa

#### Small Enterprise Finance Agency (sefa) Preparedness to Implement the Protection of Personal Information Act (PoPI) No. 4 of 2013

22 February 2018

Mr. Thakhani Makhuvha  
Chief Executive Officer (CEO)  
Small Enterprise Finance Agency (sefa)  
Block D, 1004 Teak Close  
Witch-Hazel Ave  
Centurion

Dear Mr. Thakhani Makhuvha

I, Noluthando Kwatsha, I am a sefa employee appointed as Document and Records Management Specialist reporting to the Company Secretary, Ms Nthabiseng Mongali. I'm studying towards a Master's degree in Information Science at the University of South Africa and I am doing research with Dr. Isabel Schellnack-Kelly, Senior Lecture in the UNISA Department of Information Science. I am requesting permission to interview 5 % of personnel from sefa Head Office internal departments, staff responsible and those that are managing personal information in Human Capital, Finance, Wholesale Lending, Direct Lending, Compliance, Internal Audit, Enterprise Risk Management, Legal Services and Corporate Secretariat. These are the internal departments mostly responsible for processing personal information and staff will have knowledge and information about issues under study.

PoPI Act has been partly and not completely promulgated. The South African Information Regulator previously indicated the effective date for full promulgation will likely be early 2018, following which all organisations will have one year to become compliant.

The aim of the study is to focus on sefa's preparedness to implementation the PoPI Act. The researcher's contribution to the study will be to explore sefa's Head Office preparedness to implement PoPI Act. sefa's current state will be examined, investigating how the Agency can learn from other public and private bodies in South Africa.

sefa has been selected because, the PoPI Act is new in South Africa and the preparedness of private and public bodies still needs to be examined. Currently many organizations are still far from being PoPI Act compliant. The Act regulates the manner in which personal information is collected, used, stored,

Open Rubric

distributed, modified, deleted and/or destroyed. sefa is affected by the PoPI Act due to the nature of the organisation.

The study will entail interviews which will be a logical and easy way of collecting information from sefa Head Office personnel that are responsible for managing personal information, as well as the implementers of the PoPI Act.


The benefits of this study are:

- Identifying the factors that contribute to the implementation of the PoPI Act
- The researcher will be able to recommend major factor that will influence effective readiness to implement PoPI Act within sefa.

In this study, the ethical consideration of confidentiality will be strictly maintained. The information accessed will be kept confidential.

Feedback procedure will entail analysing the findings that will be shared with sefa and hopefully contribute towards preparing sefa for the implementation of the Protection of the PoPI Act.

Yours sincerely



Noluthando Kwatsha

**NOTED AND RECOMMENDED BY**



## Appendix 5: Letter of Approval to Conduct Research at SEFA Head Office



To Whom It May Concern

**MS N KWATSHA: STUDENT NUMBER: 325 487 45**

As requested this communiqué to confirm that Ms Kwatsha is registered for a Masters dissertation. The topic she selected is entitled: Small Enterprise Finance Agency (SEFA) Preparedness to Implement the Protection of Personal Information Act (POPI) no 4 of 2013.

Ms Kwatsha is required to collect data for her Masters dissertation.

The supervisor for her dissertation is Dr IS Schellnack-Kelly. If you have any queries, please contact me directly.

Yours Sincerely

Dr Isabel Schellnack-Kelly  
Department of Information Science

E-MAIL: [schelis@unisa.ac.za](mailto:schelis@unisa.ac.za)  
TEL: 012 429 6936

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think before you link.



University of South Africa  
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[www.unisa.ac.za](http://www.unisa.ac.za)

## Appendix 6: Ethical Clearance Certificate



### DEPARTMENT OF INFORMATION SCIENCE RESEARCH ETHICS REVIEW COMMITTEE

Date: 17 November 2017

Dear N Kwatsha,

**Decision: Ethics Approval**

Ref #:  
2017\_NKwatsha\_32548745\_001  
Name of applicant: N Kwatsha  
Student #:X  
Staff #:

**Name:** Title and name of principle applicant, address, e-mail address, and phone number

N Kwatsha, Unisa Information Science, 32548745@mylife.unisa.ac.za; and 082 219 9663

**Proposal:** Small Enterprise Finance Agency (SEFA) preparedness to implement the Protection of Personal Information act (POPI) No 4 of 2013..

**Qualification:** Masters in Information Science

Thank you for the application for research ethics clearance by the Department of Information Science Research Ethics Review Committee for the above mentioned research. Final approval is granted for 4 year.

**For full approval:** The application was reviewed in compliance with the Unisa Policy on Research Ethics by the Department of Information Science Research Ethics Review Committee on 17 November 2017.

The proposed research may now commence with the proviso that:

- 1) The researcher/s will ensure that the research project adheres to the values and principles expressed in the UNISA Policy on Research Ethics.
- 2) Any adverse circumstance arising in the undertaking of the research project that is relevant to the ethicality of the study, as well as changes in the methodology, should be communicated in writing to the Department of information Science Ethics Review Committee. An amended application could be requested if there are substantial changes from the existing proposal, especially if those changes affect any of the study-related risks for the research participants.



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Pretter Street, Muckleneuk Ridge, City of Tshwane  
PO Box 392 UNISA 0003 South Africa  
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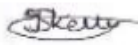
3) *The researcher will ensure that the research project adheres to any applicable national legislation, professional codes of conduct, institutional guidelines and scientific standards relevant to the specific field of study.*

*Note:*

*The reference number 2017\_NKwatsha\_32548745\_001 should be clearly indicated on all forms of communication [e.g. Webmail, E-mail messages, letters] with the intended research participants, as well as with the Department of Information Science RERC.*

Kind regards,

Signature



Dr Isabel Schellnack-Kelly  
Department of Information Science  
Research Ethics Review Committee

012 429 6936

## Appendix 7: Language certificate

10 Jack Nicklaus Drive  
Pecanwood Golf Estate  
Hartbeespoort 0126  
3 June 2020

College of Graduate Studies/Department of Information Science  
University of South Africa (UNISA)  
Muckleneuk Campus  
Preller Street  
Pretoria

TO WHOM IT MAY CONCERN

### **EDITING OF DISSERTATION: MS NOLUTHANDO KWATSHA**

***Please be advised that I edited the following Master's dissertation:***

Student: Ms Noluthando Kwatsha  
Student number: 32548745  
Qualification: Master of Arts in Information Science  
Dissertation title: *Small Enterprise Finance Agency (SEFA) preparedness to implement the Protection of Personal Information (PoPI) Act, No. 4 of 2013*  
Supervisor: Dr. Isabel Schellnack-Kelly

*The editing exercise included:*

- Language checking, correcting and re-writing (if and when necessary);
- Structuring;
- Formatting (according to UNISA requirements and standards); and
- Referencing (text-references and bibliography/references) according to the Harvard Referencing Technique.

I am an experienced academic editor and I have been involved in the higher education environment for approximately 27 years. I also hold a Master's Degree in Information Science, which equips with information handling and referencing skills on an advanced level.

I hope that you will find this information in order. You are welcome to contact me, should you require more information.

Best regards

A handwritten signature in black ink, appearing to read 'EM Geyer' in a cursive style.

EM (Lucia) Geyer

081 368 9014

[Luciageyer2622@gmail.com](mailto:Luciageyer2622@gmail.com)