



## Privacy Statement and Policy

<b>Department</b>	Governance Department
<b>Approving Committee</b>	TBFS Executive Committee
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## **1. INTRODUCTION**

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This statement is aimed at our intermediaries, Policyholders potential Policyholders, or any such related persons whose personal information is or may be held by us.

The Best Funeral Society (Pty) Ltd (TBFS) is an Underwriting Management Agency (UMA), operating within the financial services industry and an authorized financial services provider (FSP) registered with the Financial Sector Conduct Authority (FSCA). We provide specialist administrative services to multiple insurance companies in terms of various binder agreements issued by the respective insurers.

The purpose of this statement is to set out how and why we collect and use personal information and provide details about individuals' rights in relation to such information. This applies to personal information that is provided to us by individual Policyholders through our intermediaries, our underwriters and third parties. We may make use of the personal information provided to us for any of the purposes described in this privacy statement or as otherwise stated and agreed to at the point of collection.

In this statement, we refer to information about you or information that identifies you as "personal information" as per POPIA definition. We may refer to collecting, handling, protecting, or storing your personal information as "processing" such personal information.

We process personal information for numerous purposes and the type of information we collect will depend on the purpose for which it is collected and used. It is our policy to be transparent about why and how we process such information.

As an FSP , we need to process information about our Policyholders relating to their insurance policies and any related benefits, which includes personal information about Policyholders, dependents, nominated beneficiaries and other mandated individuals. The personal information that we process is in accordance with the insurers' requirements and expectations, for example, we must collect details of a person's Identity number, gender, home address, age, etc. However, the extent of our service offerings may result in us determining the purpose of and means for processing personal information, because our overall services may go beyond what we are contracted to do on behalf of our insurers.

## **2. OUR LEGAL GROUNDS FOR PROCESSING YOUR PERSONAL INFORMATION**

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We process personal information in accordance with the following processing conditions:

- To meet relevant regulatory or legal requirements, meaning that we may have a legal obligation to process certain personal information or provide our services in a particular way.
- To perform our obligations under a contractual arrangement with our underwriters. Such obligations will be specified within the binder agreements which are issued by the insurers.

- Our legitimate interests in the effective delivery of information and services to our Policyholders in receiving professional services from us.
- Our legitimate interests in developing and improving our business, services, and offerings (provided these do not interfere with your rights).
- Where no other processing condition is applicable, where you have agreed to us processing your personal information for the relevant and specified purpose/s.

### **3. OUR PROCESSING ACTIVITIES**

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#### **Collection of personal information**

We may collect personal information through various means, for example, from telephone calls, emails, hard copy record (application forms), electronic file transfers, as well as from third parties in our business dealings with you.

Personal information will be collected directly from you i.e., the individual to which the information relates (the “data subject”), except if:

- Your personal information is contained in a public record or has deliberately been made public by yourself.
- You have consented to the collection of the information from another source.
- The collection of the information from another source would not prejudice your legitimate interests.
- Where the collection of the information from another source is necessary for the compliance with any applicable laws, for the conduct of any court proceedings, and/or to maintain our legitimate interests, or
- Where such compliance is not reasonably practicable in the circumstances of the particular case.

We are confident that we only request information that is needed in order for us to perform our contractual obligations, and where we believe that excessive personal information has been willingly provided to us, and where such information does not serve any lawful purpose, we will delete such records/s from our possession without undue delay.

#### **How we use your personal information**

Apart from our core services and our performance obligations in terms of our contracts, we may use your personal information to:

- Communicate with you and others as part of our business.
- Send you important information regarding changes to our policies, other terms and conditions, our website and other administrative information.
- Fraud prevention and detection in conjunction with the relevant insurers.
- Process your premiums and payment of claims or other benefits.
- Carry out customer satisfaction surveys.

- Resolve complaints, and handle requests for data access or correction.
- Audit and record keeping purposes.
- As an accountable institution, we must also comply with our obligations in terms of the Financial Intelligence Centre Act (FICA) which requires us to obtain, use and further process certain personal information. This can include carrying out the relevant sanction screenings as required by FICA.

## **4. TRANSFERRING AND DISCLOSING OF PERSONAL INFORMATION**

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### **4.1. Third Party Providers**

We may transfer or disclose the personal information we collect to third party contractors, service providers and/or consultants, who support our business in providing its services and help provide, run, and manage our IT systems. We have agreements in place with these providers.

The third-party providers we use can include auditors, IT management, data backup, security, cloud storage services. These third-party providers may also use their own third-party subcontractors that in turn have access to your personal information. In such cases, the use of third-party providers will be strictly monitored to take all reasonable steps in ensuring that the subcontractors maintain appropriate levels of security and confidentiality, to process personal information in line with our instructions.

### **4.2. Other instances where personal information may be disclosed**

The following list includes but is not limited to some of the instances where we may disclose the personal information obtained from you:

- When any regulatory authority for the various financial sectors requests same.
- To comply with any regulation passed under relevant legislation, or any legal process.
- To enforce and protect our rights and property (Including intellectual property) and/or where we have a legitimate interest to do so.
- When you have expressly authorized us to do so, or
- If we undergo a change in ownership.

We do not and will not sell or provide personal information to third parties for independent use. We share personal information with our business associates if that information is required to provide the product or services you have requested and our business associates will adhere to using your information only as directed by us.

## **5. SECURITY**

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### **5.1. Protecting your personal information**

We have implemented generally accepted standards of technology and operational security in order to protect personal information from loss, misuse, alteration, or

destruction. We update and test our security technology on a regular basis. Access to your personal information is restricted and only those employees who need to know that information in order to provide services to you, will have access to it. In addition, we have trained our employees about the importance of confidentiality and information security.

Although we use appropriate security measures once we have received your personal information, the transmission of data over the internet (including by email) is never completely secure. We endeavor to protect personal information, but we cannot guarantee the security of data transmitted to or by us.

We at TBFS care about the privacy, security, and online safety of our client's personal information. We make reasonable efforts to maintain the confidentiality of your personal information and comply with the Protection of Personal Information Act 4 of 2013 (POPIA) when processing your personal information. We take our responsibility to protect your personal information very seriously. Please visit our website at [TBFS | The BEST Funeral Society](#). For more information and to learn about the processes and endeavours we take to protect your information.

## **5.2. Retention of your personal information**

We will retain personal information for the period necessary to fulfill the intended and agreed purposes unless a longer retention period is required or permitted by law or agreed to by you.

## **5.3. Your legal rights in relation to personal information**

If you believe you are a data subject and/or we have any of your personal information, you may have a legal right to:

- Request confirmation, free of charge, as to whether or not we hold any personal information about you.
- Receive details of your personal information that we hold and obtain information about the identity of all third parties who have, or have had, access to your information.
- Request for your personal information to be amended or corrected where it is inaccurate or incomplete.
- Request us to delete your personal information in the following cases:
  - The personal information is no longer necessary in relation to the purposes for which it was collected and processed.
  - Our only legal ground for processing is consent, and you withdraw such consent.
  - Your personal information has been unlawfully processed, or
  - Your personal information must be erased to comply with a legal obligation we are subjected to.

Where the Promotion of Access to Information Act (PAIA) sets out grounds for refusal of access to certain records, we may decline to disclose information that has been

requested. You will however be notified in writing should we not be in a position to provide the requested personal information to you.

## **6. CHANGES TO THIS PRIVACY STATEMENT**

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We may update this privacy statement at any time, for any reason and without notice to you, by publishing an updated version on our website, and from the stated revision date our amended privacy statement will then be applicable. We will however communicate any material changes thereto to our Policyholders.

## **7. CONTACT US**

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If you have any questions, or you want to update your personal information or preferences, please contact our office on the details below:

### **Postal Address**

The Best Funeral Society  
PO BOX 62592,  
Marshalltown,  
2107  
(T) +27 11 373 8400

### **Our Physical Address**

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Marshalltown,  
2001  
Email: [compliance@tbfs.co.za](mailto:compliance@tbfs.co.za)