



**CRICKET  
SOUTH AFRICA**

## **Information Technology**

### **POPI COMPLAINTS POLICY & PROCEDURES**

The purpose of this document is to demonstrate Cricket South Africa's ("CSA") commitment to deal with complaints against the organisation, its partners and its employees. This Policy is to assist the organisation, its partners, and its employees in resolving complaints in a professional, timely, and efficient manner.

Consideration was given to all relevant regulations and best practice. Management is required to revise the policy and procedures as and when the need arises.

All CSA employees are responsible for familiarizing themselves with this policy and understanding their positive obligations in relation to complying with this policy.

The policies will be audited by Internal audit on a regular basis to allow for regular updates and flexibility to address any pressing issues and to ensure policies remain relevant with the changing practices with laws and regulations.

The Board will review policies every three years, should no matters arise under normal circumstances.

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## ABBREVIATIONS AND DEFINITIONS

Abbreviation/ Definition	Description
<b>Board</b>	Board of Trustees of Cricket South Africa
<b>Complaint</b>	Means an expression of dissatisfaction by a data subject relating to the breach of the data subject's personal information in terms of relevant CSA' POPI policies as well as the Protection from Personal Information Act
<b>CSA</b>	Means Cricket South Africa
<b>Data subject(s)</b>	Means the person to whom personal information relates. In the context of this document, this may include the member, players or Personnel
<b>Employees</b>	Refer to all full time, part-time and / or contract employees including Executives under the employ of CSA
<b>GM: GRC</b>	General Manager: Governance, Risk and Compliance
<b>Independent Committee Member(s)</b>	Any independent person who serves on the Board or any Committee of the Board
<b>IO</b>	Means the Information Officer
<b>Personal Information</b>	Is all information that relates to an identifiable Data Subject. It carries the same definition as personal information contained in the Protection of Personal Information Act no 4 of 2013.
<b>Personnel</b>	Refers to any person who works for or provides services to or on behalf of CSA and receives or is entitled to receive remuneration and / or any other person who assists in carrying out or conducting the business of CSA and includes, without limitation, Independent Committee Members, all permanent, temporary and part-time employees, as well as contract workers
<b>POPI (Act)</b>	Means Protection of Personal Information Act no 4 of 2013
<b>Trustees</b>	Members of the Board of Trustees of CSA

## 1. REFERENCE LIST

1.1 The following legislative and regulatory framework is relevant to this policy:

- a) Protection of Personal Information Act of 2000
- b) Electronic Communications and Transactions Act 25 of 2003

1.2 The following policies are in place at CSA and should be read in conjunction with this policy :

- a) Information Security Policy
- b) Code of Ethics
- c) Retention of Private Information Policy (POPIA)

1.3 Any references in this policy to an Act, policy and/or agreement shall be to such Act, policy and/or agreement as amended from time to time.

## 2. PURPOSE

The purpose of this document is to provide CSA with a standard to be implemented to manage the Complaints lodgement and handling processes relating to the breach of the Data Subject's Personal Information in terms of relevant CSA' POPI policies as well as the POPI Act.

## 3. SCOPE

CSA is committed to being responsive to the needs and concerns of its Data Subjects or potential Data Subjects and to resolving their Complaint as quickly as possible. This Policy has been designed to provide guidance on the manner in which CSA receives and manages Complaints with regards to the protection of Personal Information. CSA is committed to being consistent, fair, and impartial when handling Complaints.

## 4. ROLES EN RESPONSIBILITIES

To support the implementation of this policy, the below RACI Chart (Responsible, Accountable, Consulted, Informed) shall be applicable.

KEY MANAGEMENT PRACTICES	RACI Chart			
	Information Officer	EXCO	Application Owners	Audit & Risk
Definition and communication of the POPI Complaints Policy and Procedures, Scope and Objectives to CSA.	A	I	R/C	I/C
Review and approval of the POPI Complaints Policy and Procedures	A/R	I/C	I/C	R/I
Maintenance of the POPI Complaints Policy and Procedures for accuracy.	A/I	I	I/C	R
Implementation of POPI Complaints Policy and Procedures across CSA.	A	R	R/C	I/C

## 5. OBJECTIVES

### 5.1 The objective of this Policy is to ensure that:

- 5.1.1 Data Subjects are aware of and understand the Complaint lodgement and handling processes relating to the breach of the Data Subject's Personal Information;
- 5.1.2 Complaints are investigated impartially with a balanced view of all information or evidence;
- 5.1.3 CSA takes reasonable steps to actively protect Personal information; and
- 5.1.4 Complaints are considered on its merits taking into account individual circumstances and needs.

## 6. MANAGEMENT OF THE POLICY

- 6.1 The IO is the custodian of the Policy.
- 6.2 No amendments shall be made to, or any deviation undertaken from, the Policy without the relevant approval from the IO.
- 6.3 The provisions of this Policy shall be strictly followed at all times, subject to paragraph 6.4 below.
- 6.4 In the event of a need or intent to deviate from the Policy, a written motivation must be prepared stating the nature and the reasons for the proposed deviation and submitted to the IO for approval.

## 7. REPORTING OF NON-COMPLIANCE OF THE POLICY

- 7.1 Any act of non-compliance to this Policy must be stopped immediately and reported in writing to the IO and the GM: GRC. When reporting any non-compliant practices to the Policy the exact nature of the non-compliant practice must be accurately described as well

as the corrective action already taken or to be taken in order to eliminate the practice(s) in question in future.

- 7.2 In the case of a contravention of this Policy, the employee(s) who are found guilty of contravening this Policy shall be dealt with in terms of the relevant Human Resources policies and procedures including, where necessary, the Organisation's Disciplinary Policy.

## **8. HOW A COMPLAINT CAN BE MADE**

- 8.1 If a Data Subject is dissatisfied with regards to the protection of Personal Information provided by CSA, the Data Subject can lodge a complaint with the CSA Information Officer / Deputy Information Officer in one of the following ways:

8.1.1 By completing a Complaint form (attach as "Annexure A") and submitting the form to: [servicedesk@cricket.co.za](mailto:servicedesk@cricket.co.za) or the CSA Offices;

8.1.2 By telephoning CSA at 011 880 2810

8.1.3 By writing to CSA on [servicedesk@cricket.co.za](mailto:servicedesk@cricket.co.za); or

8.1.4 In person by speaking to the Information Officer / Deputy Information Officer.

- 8.2 If a Complaint is received verbally and it is considered appropriate, CSA may ask the Data Subject to put their Complaint in writing. The person receiving or managing the Complaint shall provide the Data Subject with any assistance they may need to make the Complaint.

## **9. RECORDING COMPLAINTS**

- 9.1 When taking a Complaint, the Data Subject's name and contact details must be recorded. All details of the Complaint including the facts and the cause/s of the Complaint, the outcome and any actions taken following the investigation of the Complaint shall be recorded.

- 9.2 All dates and times relating to actions taken to resolve the Complaint and communications between the parties shall be recorded. As part of the on-going improvement plan, Complaints shall be monitored for any identifying trends by management and / or rectification/remedial action taken to mitigate any identified issues.

- 9.3 If a Complaint is lodged, the Data Subject's Personal Information shall be processed solely for the purposes of addressing the Complaint. Personal details shall actively be protected from disclosure unless they expressly consent to its disclosure. Where a third-party service provider is involved in the services, it may be required to speak with them to fully investigate the Complaint.

## **10. FORMAL COMPLAINTS**

- 10.1 CSA is committed to resolving the issues at the first point of contact; however, this will not be possible in all circumstances, in which case a more formal complaints process shall be followed. The receipt of the Complaint shall be acknowledged within seven (7) business

days. Once the Complaint has been received, an initial review shall be undertaken of the Complaint.

- 10.2 There may be circumstances during the initial review or investigation of the Complaint where certain aspects of the Complaint may need to be clarified or additional documentation requested in such circumstances, it shall be explained what the purpose of seeking clarification or additional documentation is and provide the Data Subject with feedback on the status of the Complaint at that time.
- 10.3 CSA is committed to resolving the complaint within fourteen (14) business days of lodgement of the Complaint, however, this may not always be possible on every occasion. Where the Complaint has not been able to be resolved within fourteen (14) business days, CSA shall inform the Data Subject of the reason for the delay and specify a date when they shall be in a position to finalise the Complaint.
- 10.4 During the initial review or investigation stage CSA may need to seek further clarification or documentation from the Data Subject to assist them in resolving the Complaint. If additional documentation has been sought and CSA is waiting on the Data Subject to provide this information, CSA may not be able to meet the 10-business day finalisation commitment.

## 11.COMPLAINT PROCESS GUIDE

### 11.1 STEP 1: Acknowledgment

- 11.1.1 Within seven (7) business days of receiving the Complaint receipt shall be acknowledged.

### 11.2 STEP 2: Review

- 11.2.1 CSA undertakes an initial review of the Complaint and determines what if any additional information or documentation may be required to complete an investigation. CSA may need to contact the Data Subject to clarify details or request additional information where necessary.

### 11.3 STEP 3: Investigate

- 11.3.1 Within fourteen (14) business days of receiving the Complaint we shall investigate the Complaint objectively and impartially, by considering the information that has been provided, the actions in relation to the dealings with CSA and any other information which may be available, that could assist in investigating the Complaint.

### 11.4 STEP 4: Response

- 11.4.1 Following the investigation CSA shall notify the Data Subject of its findings and any actions it may have taken in regard to the Complaint.

### 11.5 STEP 5: Action



11.5.1 Where appropriate policies and business practices may be amended.

## 11.6 **STEP 6: Record**

11.6.1 The Complaint shall be recorded for continuous improvement process and monitoring through regular review, the Personal Information shall be recorded in accordance with CSA' POPI policies.

## 12. COMPLAINTS REGISTER

CSA has a Complaints register where all complaints are registered. An example of the complaints register is attached hereto and marked "Annexure B".

## 13. POLICY REVIEW AND MAINTENANCE

The CSA IT Department will issue supporting standards guidelines and procedures on an ongoing basis to assist with implementation of this policy. Employees will be informed of any subsequent changes or updated versions of this policy, standards guidelines, and procedures by way of email or relevant communication media. Employees will then have the obligation to obtain and familiarise themselves with the current policies.

This policy will be reviewed on an annual basis or when organisational / environmental changes require the policy to be reviewed.