



# INFORMATION REGULATOR (SOUTH AFRICA)

*Ensuring protection of your personal information  
and effective access to information*

## **Annual Performance Plan 2023/2024**

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## LIST OF ABBREVIATIONS

AOP	-	Annual Operational Plan
APP	-	Annual Performance Plan
BASA	-	Banking Association of South Africa
CBA	-	Credit Bureau Association
HR	-	Human Resources
ICT	-	Information and Communication Technology
MTSF	-	Medium-Term Strategic Framework
NT	-	National Treasury
PAIA	-	Promotion of Access to Information
PFMA	-	Public Finance Management Act
PESTEL	-	Political, Economic, Social, Technological, Environmental and Legal
POPIA	-	Protection of Personal Information Act

## **FOREWORD BY THE CHAIRPERSON OF THE INFORMATION REGULATOR**

The financial year 2022/23 marked the first year of the second term of the Members of the Information Regulator (Regulator). Having spent the first term on institution building and capacitation, the period under review marked the beginning of the effective implementation of the Regulator's constitutional and legislative mandates. We take pride in the following notable achievements:

1. The Promotion of Access to Information Act (PAIA) public hearing on transparency on the payment of royalties by the music industry was held in August 2022.
2. The approval of the Protection of Personal Information Act (POPIA) codes of conduct for the Banking Association of South Africa (BASA) and the Credit Bureau Association (CBA) in September 2022.
3. The establishment of the Enforcement Committee, which had its inaugural sitting in November 2022.
4. The Taking-The-Regulator-To-The-Communities programme, known as Dikopano Sessions, which were conducted in September, and October 2022 in Orlando East and Ozwathini, respectively, as well as in March 2023 in Greater Giyani.
5. Hosting the International Data Privacy Day in January 2023 in partnership with Media Monitoring Africa (MMA) to create awareness on the protection of personal information of children. Learners from McAuley House in Parktown, Soweto and Tembisa were in attendance. They were educated to be digitally savvy and play an active role in protecting their personal information.

The highlights mentioned above are but the tip of the iceberg. However, a lot still needs to be done to build the Regulator's profile as the premier body for the promotion and protection of the right to privacy as it relates to the processing of personal information of data subjects and the right of access to information.

With regards to the PAIA, the complaints received, investigated, and finalised in accordance with section 77A to 77K and compliance monitoring on prioritised public and private bodies as stipulated in section 83(3) (b) remain fundamental to the execution of the Regulator's PAIA mandate. Compliance assessments have been conducted on private and public bodies. The Regulator will continue to conduct compliance assessments in the new financial year.

Work on the POPIA continues to focus on measuring complaints received, investigated, and finalised and considering a number of applications from responsible parties. These applications include the following: applications for Prior Authorisation by responsible parties who process information which requires such authorisation from the Regulator, applications for Exemption from conditions for the processing of personal information and applications for authorisation to process Special Personal Information and Personal Information of Children.

Security Compromises and their intensifying frequency remain a great concern to the Regulator. The Regulator will continue to pay close attention to these incidents and carry out necessary monitoring and enforcement of compliance. We are in the final stage of issuing a Guidance Note on Security Compromises which will assist responsible parties in complying with the POPIA lawful condition for processing personal information related to security safeguards. Any responsible party whose mechanisms to safeguard the personal information they process are found to be lacking in any way will face the might of the Regulator. The Regulator has prioritised the establishment of the security compromises unit within the POPIA Division. The unit will ensure that the Regulator effectively and systematically addresses the large number of security compromises reported to it.

The Regulator will intensify its awareness and education programmes that aim at raising awareness about the Regulator and understanding of POPIA and PAIA. The children, vulnerable, and marginalised groups will not be left behind.

The Regulator is committed to realising its vision of becoming a world-class institution in the protection of personal information and the promotion of access to information through striving for excellence. In this regard, the Regulator is beginning to gain prominence regionally and internationally. However, excellence demands a great deal from the employees. Therefore, in the previous financial year, the Administration of the Regulator put in place efforts that ensure the wellness of the employees. These efforts will continue to improve in the new financial year not only to improve professionalism and efficiency amongst employees but also to assist them in maintaining a healthy balance between their work and families.

We look forward to another year of intensifying widespread knowledge of POPIA and PAIA and improving the visibility of the Regulator.

A handwritten signature in black ink, reading "Adv. Pansy Tlakula". The signature is written in a cursive style with a horizontal line underlining the first part of the name.

**Adv. Pansy Tlakula**

## **STATEMENT BY CHIEF EXECUTIVE OFFICER**

The 2023-2024 financial year represents the second year of the implementation of the Strategic Plan (SP) 2022-2027. The SP 2022-2027 has been updated, and new outcome and output indicators, have been added to the SP and Annual Performance Plan (APP), respectively to give effect to some of the provisions of POPIA. These indicators range from responsible parties assessed upon request in POPIA, examination of legislation in Legal Services, and finalisation of the recommendations and findings of the Enforcement Committee in the Administration. Heightened communication efforts, education programmes, and stakeholder engagements will be undertaken during this financial year. This will assist the Regulator with more robust engagements with responsible parties in terms of their compliance with both POPIA and PAIA.

In order to support the activities towards the achievement of these indicators, financial, human, ICT, and communication resources will be procured using the appropriated budget and approved procurement plan. The Medium-Term Expenditure Framework (MTEF) budget is included as part of this Annual Performance Plan (APP).

The Regulator has decided to develop more policies and processes which will be approved in the 2023/2024 financial year to further assist it in the enforcement of its mandate. The Regulator has shown increased maturity in the planning and development of indicators and will endeavour to improve monitoring of the implementation of this APP.

The Annual Operational Plan (AOP), which details the activities planned to achieve the indicators, will be finalised at the end of 2022-2023 and will be implemented from 01 April 2023.



**Mosalanyane Mosala**



## PART A: OUR MANDATE

### 1. Constitutional Mandate

- 1.1. The Regulator was established to ensure respect for, and to protect, enforce and fulfil, the right to privacy and the right of access to information.

### 2. Legislative Mandate

- 2.1. The core functions in terms of POPIA are:

- 2.1.1. To provide education by:

- a) Promoting understanding and acceptance of the lawful processing of personal information.
- b) Undertaking educational programmes.
- c) Making public statements; and
- d) Providing advice.

- 2.1.2. To monitor and enforce compliance by:

- a) Public and private bodies.
- b) Undertaking research and monitoring developments in information processing and computer technology.
- c) Examining proposed legislation, subordinate legislation, and policies, and providing a report on the results of the examination to the Minister and to Parliament.
- d) Reporting to Parliament on policy matters affecting the protection of personal information, including the need for legislative, administrative or other measures to enhance the protection of personal information.
- e) Conducting assessments in respect of the processing of personal information.
- f) Monitoring the use of unique identifiers and reporting to Parliament.
- g) Maintaining and publishing copies of the registers prescribed in POPIA; and

- h) Examining proposed legislation that makes provision for the collection and disclosure of personal information and provide the report of the results of the examination to the Minister.

2.1.3. To consult with interested parties by:

- a) Inviting and receiving representations.
- b) Co-operating on a national and international basis with other bodies concerned with the protection of personal information; and
- c) Acting as a mediator between opposing parties.

2.1.4. To handle complaints by:

- a) Receiving and investigating complaints.
- b) Gathering Information.
- c) Attempting to resolve complaints through dispute resolution mechanisms; and
- d) Serving notices.

2.1.5. To conduct research on:

- a) The desirability of acceptance of international instruments relating to the protection of personal information,
- b) Any other matter that should be drawn to Parliament's attention.

2.1.6. In respect of codes of conduct to:

- a) Issue, amend or revoke codes of conduct.
- b) Make guidelines to assist bodies in developing or applying codes of conduct; and
- c) Consider determinations by adjudicators under approved codes of conduct.

2.1.7. The Regulator is mandated to facilitate cross-border co-operation in the enforcement of privacy laws.

2.2. The core functions in terms of PAIA are:

2.2.1. In respect of complaints to:

- a) Consider a complaint after the internal appeal procedures have been exhausted; and
- b) Receive written complaints or to provide assistance to a person who wishes to make a complaint in writing.

2.2.2. In respect of investigations to:

- a) Investigate complaints and, in the course of an investigation, serve an information notice to the information officer or head of a private body.
- b) Refer a complaint to the Enforcement Committee; or
- c) Decide to take no action on the complaint; or
- d) Attempt to settle a complaint through conciliation; and
- e) Issue enforcement notices after considering the recommendation of the Enforcement Committee.

2.3. The Regulator is also mandated in terms of POPIA to,

2.3.1. To issue notices, and

2.3.2. To make assessments on whether public and private bodies comply with the provision of PAIA.

2.3.3. In respect of additional functions to:

- a) Compile and make available a guide in an easily comprehensible form and manner as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- b) The extent that financial and other resources are available-
  - i) develop and conduct educational programmes, in particular for disadvantaged communities, on how to exercise the rights contemplated in this Act.
  - ii) encourage public and private bodies to participate in the development and conduct of educational programmes and to undertake such programmes themselves;
  - iii) promote timely and effective dissemination of accurate information by public bodies about their activities.

- c) Identify gaps in PAIA or any other laws and make recommendations to reform or amend PAIA or any other laws.
- d) Make recommendations for –
  - (i) the development, improvement, modernisation, reform, or amendment of PAIA or other legislation or common law having a bearing on access to information held by public and private bodies, respectively; and
  - (ii) procedures on how private and public bodies make information electronically available.
- e) Monitor implementation of PAIA.
- f) If reasonably possible, on request, assist any person wishing to exercise a right of access to information under PAIA.
- g) Train information officers and deputy information officers.
- h) Recommend to a public or private body to make changes in the manner in which it administers PAIA, as the Regulator considers advisable.
- i) Consult with and receive reports from public and private bodies on problems encountered in complying with PAIA.
- j) Obtain advice from, consult with, and consider proposals or recommendations from parties in connection with the Regulator's functions.
- k) Request the Public Protector to submit to the Regulator a report on the number of complaints processed relating to PAIA and the nature and outcome of those complaints; and
- l) Enquire into any matter, including any legislation, the common law, any practice and procedure related to the objects of PAIA.
- m) Submit, in its annual reports to the National Assembly, information contemplated in section 84 of PAIA.

### **3. Institutional Policies and Strategies Over the Five-Year Planning Period**

3.1. In order to strengthen the work of the Regulator, a Readiness and Separation Project Plan is being implemented. This project plan identifies all the institutional policies and the separation activities which must be completed during the five-year planning period.

### **4. Relevant Court Cases**

- 4.1. My Vote Counts NPC v President of the Republic of South Africa and Others 2018 (2) SACR 644 (WCC).
- 4.2. My Vote Counts NPC v Minister of Justice and Correctional Services and Another 2018 (8) BCLR 893 (CC); 2018 (5) SA 380 (CC)
- 4.3. Black Sash Trust v Minister of Social Development and Others (Freedom Under Law Intervening) 2017 (3) SA 335 (CC); 2018 (12) BCLR 1472 (CC).
- 4.4. Arena Holdings (Pty) Ltd. T/A Financial Mail and Others v South African Revenue Services and Others case number 88359/19
- 4.5. Economic Freedom Fighters v Matamela Cyril Ramaphosa and Others case number 36809/20 [2021] ZAGPPHC 457 (20 July 2021)
- 4.6. Smuts N.O. and Others v Member of the Executive Council: Eastern Cape Department of Economic Development Environmental Affairs and Tourism and Others (1199/2021) [2022] ZAECMKHC 42 (26 July 2022)
- 4.7. Schreiber and Another v African National Congress (2021/26339) [2023] ZAGPJHC 78 (2 February 2023).

## PART B: OUR STRATEGIC FOCUS

### 5. Vision

A world-class institution in the protection of personal information and the promotion of access to information.

### 6. Mission

An independent institution which regulates the processing of personal information and the promotion of access to information in accordance with the Constitution and the law to protect the rights of everyone.

### 7. Values

The Regulator is committed to the values of transparency, accountability, integrity, excellence, impartiality, and responsiveness in each of these dimensions as follows:

#### **Transparency**

We are open about our processes and decisions that affect members of the public and members of staff.

#### **Accountability**

We take accountability by owning the decisions we make, using work resources responsibly and appropriately; using, sharing, and disclosing information as intended in accordance with POPIA and PAIA.

#### **Integrity**

We act honestly, openly, and consultatively in the performance of our work and use our positions fairly and responsibly.

**Excellence**

We strive for excellence by exceeding standards for service delivery to public and private bodies and the public in particular.

**Impartiality**

We act in the best interests of the public and our staff by making fair, unbiased and objective decisions based on facts and without fear, favour, or prejudice.

**Responsiveness**

We strive to respond to all requests timely while being attentive to expressed and unexpressed needs.

## 8. Situational Analysis

### 8.1. External Environmental Analysis

Political, Economic, Social, Technological, Economic and Legal (PESTEL) analysis was also considered in order to give an analysis of external factors or environment which have the potential to impact on the implementation of the APP.

PESTEL <sup>1</sup>	Threats (External)	Implications for the Regulator	Opportunities (External)	Implications for the Regulator
<b>Political</b>	The listing of the Regulator in the PFMA.	Independence could be compromised.	New policies and legislation can influence functional, efficient, and an integrated State.  Policies and Bills that are aligned with the mandate of the Regulator.	Collaboration with other entities to enhance implementation of the Regulator's mandate.
<b>Economic</b>	The increase in the country's national debt.	The increase in the country's national debt may lead to budget cuts which will have implications for the budget of the Regulator.	Government initiatives and programmes to revive the economy.	There would be more work for the Regulator.

<sup>1</sup> PESTEL stands for Political, Economic, Social, Technological, Environmental & Legal.



<b>PESTEL<sup>1</sup></b>	<b>Threats (External)</b>	<b>Implications for the Regulator</b>	<b>Opportunities (External)</b>	<b>Implications for the Regulator</b>
<b>Social</b>	High unemployment levels.  Limitations that arise out of the disasters (e.g.Covid 19).	High security compromise complaints. Inability to execute the Regulator's mandate efficiently. Inaccessibility of the Regulator's services.	Increased advocacy around security measures and building resilience.	Increased resources to increase advocacy.
<b>Technological</b>	Rapidly advancing technology.	Cyber security risks. The Regulator's inability to keep abreast with technologies.	Ability to leverage technology to support access to information and protection of personal information.	Ability to adapt to changes.
<b>Environmental</b>	Global Warming	Create a conducive working environment.	Opportunity to adopt a green posture as an organisation.	Business Continuity Plan.
<b>Legal</b>	Low level of compliance and understanding of the legislation.	Increased number of complaints.	Public awareness programmes and stakeholder engagements should be undertaken.	Improved levels of compliance.

## 8.2. Internal Environmental Analysis

In an endeavour to better understand the environment within which the Regulator operates, the Strengths and Weaknesses are analysed below:

<b>Strengths</b>	<ul style="list-style-type: none"><li>• An approved organisational structure which is aligned with our mandate.</li><li>• Critical vacancies are filled.</li><li>• The Regulator has enforcement powers.</li><li>• Qualified staff.</li><li>• A dual mandate of the Regulator encourages a careful balancing of the rights of privacy and access to information in the execution of its mandate.</li></ul>
<b>Weaknesses</b>	<ul style="list-style-type: none"><li>• Retention of staff.</li><li>• Finalisation of Information and Communication Technology (ICT) resources.</li><li>• Inadequate office space.</li><li>• Inaccessibility of the Regulator.</li><li>• Finalisation of processes.</li></ul>

## **9. Institutional Programme Performance Information**

### **Programme 1: Protection of Personal Information**

#### **Purpose:**

To ensure the promotion and protection of personal information processed by public and private bodies.

#### **The following are sub-programmes within this programme:**

##### **a) Compliance and Monitoring sub-programme is responsible for:**

- The monitoring and enforcement of compliance by public and private bodies in accordance with the provisions of POPIA (sections 40 and 89).
- Conducting assessments in terms of section 89 of POPIA to establish whether a public or private body generally complies with the provisions of POPIA.
- Authorise the responsible party to process Special Personal Information in terms of section 27 of POPIA.
- Authorise the responsible party to process the personal information of children in terms of section 35 of POPIA.
- Authorise responsible parties that plan to process personal information in terms of section 57 of POPIA.
- Issue Codes of Conduct to the responsible parties in terms of section 60 of POPIA.
- Grant exemption to the responsible parties in terms of section 37 or 38 of POPIA.
- Ensuring compliance with an Information Notice.
- Ensuring compliance with an Enforcement Notice.
- Refer non-compliance to Legal Services for criminal action.
- Enforcing the appearance of persons before the Regulator and compelling them to give oral or written evidence on oath and to produce any records and information that the Regulator considers necessary.
- Referring court applications to legal services and monitoring progress.
- Consulting with and receiving reports from public and private bodies on the challenges encountered in complying with POPIA.

- Making general enquiries on any matter, legislation, common law and any practice and procedure concerning the objects of POPIA.
- Monitoring the implementation of POPIA.
- Handling of enquiries related to POPIA.
- Provide inputs in the compilation of the annual report; and
- Provide inputs to the development, improvement, modernisation, reform, or amendment of POPIA or other legislation impacting on the protection of personal information.

**b) The Security Compromise sub-programme is responsible for:**

- The monitoring and enforcement of compliance by public and private bodies in accordance with the provisions of section 22 of POPIA.
- Assessing security compromise notifications in terms of section 22 of POPIA.
- Overseeing and conducting of own initiative assessments as a result of security compromises.
- Overseeing the evidence analysis for security compromises.
- Identification and analysis of trends in relation to security compromises.

**c) Complaints and Investigations is responsible for:**

- Handling of complaints and conducting of investigations in accordance with the provisions of POPIA.
- Providing assistance to any person with submission of their complaints in writing.
- Receiving and investigating complaints about alleged infringements on the right to privacy.
- Initiate own investigation into the interference with the protection of personal information of a data subject.
- Conducting pre-investigation proceedings.
- Resolution of complaints by means of dispute resolution mechanisms.
- Conducting investigations.
- Issuing summons and information notices for the appearance of persons before the Regulator, to give oral or written evidence and to produce any records and information that the Regulator considers necessary to conduct an investigation.
- Conducting search and seizure.
- Referring complaints or other matters to the Enforcement Committee; and
- Issuing of the Regulator's information and enforcement notices.

**Table 1: Performance Matrix Outcome, Outputs, Performance Indicators and Targets**

**9.1. POPIA MTEF Outputs:**

Outcome	Outputs	Outputs indicators	Annual Targets						
			Audited/ Actual performance			Estimated Performance	MTEF Targets		
			2018/19	2019/20	2020/21	2022/23	2023/24	2024/25	2025/26
Personal Information Protected	Complex complaints received, investigated and completed within the prescribed timeframes.	Percentage of complex complaints received, investigated, and completed within the prescribed timeframes.	N/A	N/A	N/A	50%	60% of complex complaints received, investigated, and completed within the prescribed timeframes	70% of complex complaints received, investigated, and completed within the prescribed timeframes	80% of complex complaints received, investigated, and completed within the prescribed timeframes.
	Simple complaints received, investigated, and resolved within the prescribed timeframes.	Percentage of simple complaints received, investigated, and resolved within the prescribed timeframes.	N/A	N/A	N/A	100%	100% of simple complaints received, investigated, and resolved within the prescribed timeframes.	100% of simple complaints received, investigated, and resolved within the prescribed timeframes.	100% of simple complaints received, investigated, and resolved within the prescribed timeframes.
	Responsible parties assessed on compliance with POPIA.	Number of responsible parties assessed on compliance with POPIA.	-	-	-	4	12	18	24

Outcome	Outputs	Outputs indicators	Annual Targets						
			Audited/ Actual performance			Estimated Performance	MTEF Targets		
			2018/19	2019/20	2020/21	2022/23	2023/24	2024/25	2025/26
	Responsible parties assessed upon request within the prescribed period.	Percentage of responsible parties assessed upon request within the prescribed period.	-	-	-	New	50%	60%	70%
	Guidance Note on Direct Marketing developed and approved.	Number of Guidance Notes on Direct Marketing developed and approved.	-	-	-	New	1	-	-

## 9.2. POPIA Quarterly Outputs:

Output Indicators	Annual Targets	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Percentage of complex complaints received, investigated, and completed within the prescribed timeframes.	60% of complex complaints received, investigated, and completed within the prescribed timeframes.	15%	30%	45%	60%
Percentage of simple complaints received, investigated, and resolved within the prescribed timeframes.	100% of simple complaints received, investigated, and resolved within the prescribed timeframes.	25%	50%	75%	100%
Number of responsible parties assessed on compliance with POPIA.	12	3	6	9	12
Percentage of responsible parties assessed upon request within the prescribed period.	50%	20%	30%	40%	50%
Number of	1	Draft Guidance Note	Consultation with	Approval of the	Approval of the Guidance

Output Indicators	Annual Targets	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Guidance Note on Direct Marketing developed and approved.		on Direct Marketing	relevant stakeholders.	Guidance Note by the Administration.	Note by the Members.



## **10. Programme 2: Promotion of Access to Information**

**Purpose:** To ensure the effective promotion, protection, monitoring and implementation of the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights.

### **List of Sub-Programmes (if applicable):**

#### **a) Complaints and Investigations is responsible for:**

The sub-programme is responsible for the handling of complaints and conducting investigations in accordance with the provisions of PAIA. It comprises the following functions:

- Receiving and investigating complaints about alleged violations of the right of access to information.
- Providing assistance to any person with submission of their complaints in writing.
- Conducting pre-investigation proceedings.
- Resolving complaints by means of dispute resolution mechanisms.
- Conducting investigations.
- Issuing summons for the appearance of persons before the Regulator, to give oral or written evidence and to produce any records and information that the Regulator considers necessary to investigate a complaint.
- Referring investigation reports to the Enforcement Committee for a decision or guidance.
- Conducting search and seizure.
- Serving of the Regulator's information and enforcement notices.

#### **b) Compliance and Monitoring is responsible for:**

Monitoring and enforcement of compliance by public and private bodies in accordance with the provisions of PAIA. It comprises the following functions: -

- Compiling and making available a PAIA guide.

- Conducting assessments of whether a public or private body generally complies with the provisions of this Act insofar as its policies and implementation procedures are concerned.
- Drafting of compliance assessment reports to the responsible parties.
- Ensuring compliance with the Information Notice.
- Ensuring compliance with the Enforcement Notice.
- Refer non-compliance to Legal Services for criminal action.
- Ensuring execution of warrants.
- Enforcing the appearance of persons before the Regulator and compelling them to give oral or written evidence on oath and to produce any records and information that the Regulator considers necessary to investigate complaints.
- Referring court applications to Legal Services and monitoring progress.
- Consulting with and receiving reports from public and private bodies on the problems encountered in complying with this Act.
- Collecting of public bodies' reports, in terms of Section 32 of PAIA.
- Collecting of private bodies' reports, in terms of Section 83(4) of PAIA.
- Obtaining a report from the Public Protector regarding the number, nature and outcome of complaints dealt with by the Public Protector.
- Making general enquiries on any matter, legislation, common law and any practice and procedure concerning the objects of PAIA.
- Monitoring the implementation of PAIA.
- Recommending to a public or private body that it makes such changes in the manner in which it administers PAIA, as the Regulator considers advisable.
- Provide inputs in the compilation of the annual report, as contemplated in section 84 of PAIA.
- Provide inputs to the development, improvement, modernisation, reform, or amendment of PAIA or other legislation or common law having a bearing on access to information held by public and private bodies, respectively; and
- Developing and updating of procedures in terms of which public and private bodies make information electronically available.

**Table 1: Performance Matrix Outcome, Outputs, Performance Indicators and Targets**

**10.1. PAIA MTEF Outputs:**

Outcome	Outputs	Outputs indicators	Annual Targets						
			Audited/ Actual performance			Estimated Performance	MTEF Period		
			2018/19	2019/20	2020/21	2022/23	2023/24	2024/25	2025/26
Access to Information Promoted.	Complex complaints received, investigated and completed within the prescribed timelines.	Percentage of complex complaints received, investigated and completed within the prescribed timelines.	N/A	N/A	N/A	50% complex of complaints investigated and finalised.	60% of complex complaints received and investigations completed.	70% of Complex Complaints received, and investigations completed.	80% of Complex Complaints received, and investigations completed.
	Simple complaints received and resolved within the prescribed timelines.	Percentage of simple complaints received and resolved within the prescribed timelines.	N/A	N/A	N/A	100% simple of complaints investigated and resolved	100% of simple complaints and resolved.	100% of Simple complaints and resolved.	100% of simple complaints and resolved.
	Targeted public and private bodies assessed on compliance with the provisions of PAIA.	Number of targeted public and private bodies assessed on compliance with the provision of PAIA.				96 targeted public and private bodies monitored on compliance.	108 targeted public and private bodies assessed on compliance	120 targeted public and private bodies assessed on compliance	132 targeted public and private bodies assessed on compliance

Outcome	Outputs	Outputs indicators	Annual Targets						
			Audited/ Actual performance			Estimated Performance	MTEF Period		
			2018/19	2019/20	2020/21	2022/23	2023/24	2024/25	2025/26
	Public and private Bodies assessed upon request within the prescribed period.	Percentage of public and private bodies assessed upon request within the prescribed period.				New	50% of public and private bodies assessed upon request.	60% of public and private bodies assessed upon request.	70% of public and private bodies assessed upon request.

**Performance Matrix Outcome, Outputs, Performance Indicators and Targets**

**10.2. PAIA Quarterly Outputs:**

<b>Output Indicators</b>	<b>Annual Targets</b>	<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>
Percentage of complex complaints received, investigated and completed within the prescribed timelines.	60% of complex complaints received and investigations completed.	20%	35%	45%	60%
Percentage of simple complaints received and resolved within the prescribed timelines.	100% of simple complaints received and resolved.	25%	50%	75%	100%
Number of targeted public and private bodies assessed on compliance with the provisions of PAIA.	108 targeted public and private bodies assessed on compliance	27	27	27	27
Percentage of public and private bodies assessed upon request within the prescribed period.	50% of public and private bodies assessed upon request.	25%	30%	40%	50%

## 11. Programme 3: Education and Communication

**Purpose:** To provide strategic direction for the promotion of the right of access to information and the right to privacy (through the protection of personal information) by providing quality services in research and policy analysis, education, public awareness, stakeholder engagement, and communication in accordance with the provisions of sections 40(1)(a), 40(1)(b)(iv), 40(1)(b)(vii), 40(1)(b)(viii), 40(1)(c)(i) & (ii), 40(1)(e), 40(2) of POPIA and section 83(2) of PAIA.

### a) **Communication and Media Relations sub-programme:**

This sub-programme is responsible for the provision of communication, media relations, public liaison and branding services.

#### **Functions**

- Liaise with the media in order to influence the narrative of the Regulator's work and promote its key messages for the benefit of keeping the public and stakeholders informed. Build relations with the media to build and sustain favourable media coverage.
- Internal communication initiative to be conducted to build knowledge on the work of the Regulator amongst the staff and keep them abreast on the organisational developments.
- Create content and digital platform management: packaging content into products that will be efficiently accessible to all persons and disseminated through digital and traditional platforms.
- Brand promotion through driving marketing initiatives, advertising and events.

### b) **Policy and Research sub-programme:**

This sub-programme manages the development of policy and the conduct of applied research.

#### **Functions**

- Managing and undertaking research on the desirability of acceptance of international instruments relating to the protection of personal information.

- Managing and undertaking research on any other matter relating to the protection of personal information and access to information that should be drawn to Parliament's attention.
- Managing research to identify gaps in POPIA and PAIA and make recommendations to reform or amend POPIA and PAIA.
- Informing policy guidelines for public and private bodies; and
- Managing reporting to Parliament on any policy matter affecting the protection of personal information, including the need for legislative, administrative or other action necessary to protect the personal information of a data subject.

c) **Stakeholder Management and Engagement sub-programme:**

This sub-programme is responsible for coordinating the Regulator's engagements with stakeholders nationally and internationally.

**Functions**

- Consult with and receive reports from public and private bodies on the problems encountered in complying with POPIA and PAIA.
- Obtain advice from, consult with, or receive and consider proposals or recommendations from any public or private body, an official of such a body or a member of the public in connection with the Regulator's functions in terms of POPIA and PAIA.

d) **Education and Public Awareness sub-programme:**

This sub-programme is responsible for the design, development and provision of education and public awareness activities.

**Functions**

*Functions in terms of the Promotion of Access to Information Act No. 2 of 2000 (PAIA)*

- Develop and conduct educational programmes to advance the understanding of the public, in particular, the disadvantaged communities on PAIA and how to exercise the rights contemplated in the Act;
- Encourage public and private bodies to participate in the development and conduct of programmes referred to in paragraph (i) and to undertake such programmes themselves.
- Promote timely and effective dissemination of accurate information by public bodies about their activities.
- Train information officers and deputy information officers of public bodies.

*Functions in terms of the Protection of Personal Information Act No. 4 of 2013 (POPIA)*

- Provide education by promoting an understanding and acceptance of the conditions for the lawful processing of personal information and of the objects of those conditions.
- Provide education by undertaking educational programmes for the purpose of promoting the protection of personal information on the Regulator's own behalf or in co-operation with other persons or authorities acting on behalf of the Regulator.
- Provide education by giving advice to data subjects in the exercise of their rights.
- Provide education by providing advice, upon request or on its own initiative, to a Minister or a public or private body on their obligations under the provisions, and generally on any matter relevant to the operation, of this Act.
- Provide education by making public statements in relation to any matter affecting the protection of personal information of a data subject or of any class of data subjects.



**Table 1: Performance Matrix with Outcomes, Outputs, Indicators and Targets**

**11.1. EduCom MTEF Outputs:**

Outcome	Outputs	Outputs indicators	Annual Targets						
			Audited/ Actual performance			Estimated Performance	MTEF Targets		
			2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Personal information protected and access to information promoted.	Education programmes Conducted to promote the protection of personal information.	Number of education programmes conducted to promote the protection of personal information	-	-	-	7	9	9	11
	Education programmes conducted to promote access to information.	Number of education programmes conducted to promote access to information.	-	-	-	7	9	9	11
	A public opinion survey on awareness about the right to privacy (as it relates to the protection of personal information) is conducted.	Percentage of the nationally representative sample of the population who are aware of their right to privacy (as it relates to the protection of personal information).	-	-	-	5%	10%	15%	20%

Outcome	Outputs	Outputs indicators	Annual Targets						
			Audited/ Actual performance			Estimated Performance	MTEF Targets		
			2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
	A public opinion survey on awareness about the right of access to information is conducted.	Percentage of the nationally representative sample of the population who are aware of their right of access to information.	-	-	-	5%	10%	15%	20%
	Public Awareness programmes on the right of access to information and the right to privacy (protection of personal information) conducted at a community level.	Number of public awareness on the right of access to information and the right to privacy (protection of personal information) conducted at a community level.	-	9	24	34	34	34	34

## 11.2. EduCom Quarterly Outputs

Output Indicators	Annual Targets 2023/24	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Number of education programmes conducted to promote the protection of personal information	9 Education programmes conducted to promote the protection of personal information.	2 Education programmes conducted to promote the protection of personal information.	3 Education programmes conducted to promote the protection of personal information.	2 Education programmes conducted to promote the protection of personal information	2 Education programmes conducted to promote the protection of personal information
Number of education programmes conducted to promote access to information.	9 Education programmes conducted to promote access to information.	2 Education programmes conducted to promote access to information.	3 Education programmes conducted to promote access to information.	2 Education programmes conducted to promote access to information.	2 Education programmes conducted to promote access to information.
Percentage of the nationally representative sample of the population who are aware of their rights to privacy (as it relates to the protection of personal information).	10%	Draft research proposal	Approved research proposal detailed literature review, research methodology (including data collection instrument), and commencement of data collection.	Data collection (fieldwork) and data analysis	10% of the nationally representative sample aware of their right to privacy (as it relates to the protection of personal information)

Output Indicators	Annual Targets 2023/24	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Percentage of the nationally representative sample of the population who are aware of their right of access to information.	10%	Draft research proposal	Approved research proposal  Detailed literature review, research methodology (including data collection instrument), and commencement of data collection.	Data collection (fieldwork) and data analysis	10% of the nationally representative sample aware of their right of access to information
Number of public awareness programmes on the right of access to information and the right to privacy (protection of personal information) conducted at a community level	34 public awareness programmes on the right of access to information and the right to privacy (protection of personal information) conducted at a community level	9 public awareness programmes on information rights conducted at a community level	9 public awareness programmes on information rights conducted at a community level	8 public awareness programmes on information rights conducted at a community level	8 public awareness programmes on information rights conducted at a community level

## **12. Programme 4: Legal Services**

**Purpose:** To promote the improvement of the right of access to information and the right to privacy by examining any proposed legislation or policy of the Government that the Regulator considers may affect the protection of personal information of data subjects and reporting to the Minister of Justice and Correctional Services and Parliament on the results of that examination, in terms of sections 40(1)(b)(iii) and 40(1)(b)(ix) of POPIA.

### **Functions**

- Examine any proposed legislation or policy of the Government that may affect the protection of personal information of data subjects and reporting thereon in terms of section 40(1)(b)(iii) of POPIA.
- Examine any proposed legislation that makes provision for the collection or disclosure of personal information by a public or private body in terms of section 40(1)(b)(ix) of POPIA.
- Examine legislation in terms of section 40(1)(b)(ix) by having regard to section 44(2) of POPIA, in any case where the Regulator considers that the information might be used for the purposes of an information matching programme.
- Provide effective and efficient legal and litigation support services to all the Divisions of the Regulator, including but not limited to the drafting of legal opinions, contract vetting and drafting, and conducting litigation matters for and against the Regulator.

**Table 1 Performance Matrix Outcomes, Outputs, Output Indicators and Annual Targets**

**12.1. Legal Services MTEF Outputs**

Outcome	Outputs	Outputs indicators	Annual Targets						
			Audited/ Actual performance			Estimated Performance	MTEF Period Targets		
			2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Personal Information protected and access to Information promoted	Section 40 (1) (b) (iii) of POPIA implemented	Number of proposed legislation or policy of Government examined, and reports submitted to the Minister	N/A	N/A	N/A	4 proposed relevant legislation or policy of Government examined, and reports submitted	6 of the proposed relevant legislation or policy of the Government examined, and reports submitted	8 of the proposed relevant legislation or policy of the Government examined, and reports submitted	10 of the proposed relevant legislation or policy of the Government examined, and reports submitted
	Section 32 (6) of POPIA implemented.	Rules concerning the application of Section 32 (1)(b) and (f) of POPIA.	N/A	N/A	N/A	New	Draft Rules concerning the application of Section 32 (1)(b) and (f) of POPIA approved.	Rules concerning the application of Section 32 (1)(b) and (f) of POPIA tabled and gazetted.	-

## 12.2. Legal Service Quarterly Outputs

Output Indicators	Annual Targets 2023/24	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Number of proposed legislation or policy of Government examined, and reports submitted to the Minister.	6 proposed legislation or policy examined, and reports submitted	-	-	-	6 proposed legislation or policy examined, and report submitted.
Approved rules concerning the application of Section 32(1)(b) and (f) of POPIA.	Draft rules concerning the application of Section 32(1)(b) and (f) of POPIA approved.	Draft rules concerning the application of Section 32(1)(b) and (f) of POPIA finalised by the Division.	Consultation with the sector	Draft rules concerning the application of Section 32(1)(b) and (f) of POPIA presented to the Working Sessions for approval.	Draft rules concerning the application of Section 32(1)(b) and (f) of POPIA presented to the Ordinary Meeting for approval.

### **13. Programme 5: Administration**

**Purpose:** To provide effective and efficient leadership, corporate and financial support services in the Regulator.

**List of Sub-Programmes** The following are sub-programmes within this programme:

- a) **The Office of the Chief Executive Officer** Sub-programme is responsible for providing effective and efficient strategic leadership in the financial and administrative functions of the Regulator.

**Purpose:** To provide effective and efficient strategic leadership in the financial and administrative functions of the Regulator.

- b) **Corporate Services** Sub-programme is responsible for providing support services in relation to Human Resources, Administrative Services and Information and Communication Technology (ICT).

**Purpose:** To ensure the provision of Corporate Services and Administrative Support

- c) **Finance** Sub-programme is responsible for providing Financial Management and Supply Chain Management services.

**Purpose:** To provide efficient and effective governance, ethical leadership, corporate and financial management in the Information Regulator.



**Table 1: Performance Matrix with Outcomes, Outputs, Indicators and Targets**

**13.1. Office of the Chief Executive Officer MTEF Output:**

Outcome	Outputs	Outputs indicators	Annual Targets							
			Audited/ performance			Actual	Estimated Performance	MTEF Period		
			2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	
Personal information protected.	Recommendations and findings of the Enforcement Committee considered and finalised.	Percentage of recommendations and findings of the Enforcement Committee considered and finalised.	-	-	-	New	100% of recommendations and findings of the Enforcement Committee considered and finalised.	100% of the recommendations of the Enforcement Committee considered and finalised.	100% of recommendations of the Enforcement Committee considered and finalised.	

**13.1.2. Office of the Chief Executive Officer MTEF Output:**

Output Indicator	Annual Target	Quarterly Targets			
	23/24	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Percentage of recommendations and findings of the Enforcement Committee considered finalised.	100% of recommendations and findings of the Enforcement Committee considered and finalised.	-	-	-	100% of recommendations and findings of the Enforcement Committee considered and finalised.

### 13.2. Corporate Services MTEF Output

Outcome	Outputs	Outputs indicators	Annual Targets						
			Audited/ Actual performance			Estimated Performance	MTEF Period		
			2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Personal Information protected.	Research on technological changes affecting the protection of personal information conducted.	Number of research on technological changes affecting the protection of personal information conducted.	N/A	N/A	N/A	1	1	1	1

### 13.2.1. Corporate Services Quarterly Output

Output Indicators	Annual Targets 2023/24	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Number of research on technological changes affecting protection of personal information conducted.	1	Draft the research proposal	Approval of research proposal	Conduct research	Present research report for adoption.

### 13.3. Finance MTEF Output

Outcome	Outputs	Outputs indicators	Annual Targets						
			Audited/ Actual performance			Estimated Performance	MTEF Targets		
			20189/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Personal Information Protected and Access to Information promoted.	Allocated budget for goods and services and capital assets spent	Percentage expenditure on allocated budget annually for goods, services and machinery and equipment spent.	N/A	N/A	N/A	95%	95%	95%	95%
	Goods and Services and Capital assets procured.	Percentage of Goods and Services and Capital Assets procured against approved procurement plan.	N/A	N/A	N/A	95%	95%	95%	95%

### 13.3.1. Finance Quarterly Output

Output Indicators	Annual Targets	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Percentage expenditure on allocated budget annually for Goods, and Services and Capital Assets spent.	95 % Annual expenditure reports indicating expenditure on Goods and Services and Capital Assets spent.	25% of the budget allocation for the quarter spent on Goods and Services and Machinery and Equipment.	65% of the budget allocation for the quarter spent on Goods and Services and Machinery and Equipment.	85% of the budget allocation for the quarter spent on Goods and Services and Machinery and Equipment.	95% of the budget allocation for the quarter spent on Goods and Services and Machinery and Equipment.
Percentage of Goods and Services and Capital Assets procured against approved procurement plan.	95 % of planned procurement completed.	80% of the planned procurement for the quarter.	85 % of the planned procurement for the quarter.	90 % of the planned procurement for the quarter.	95 % of planned procurement for the year completed.

## **14. Contribution of outputs towards outcomes and impact**

### **14.1. Programme 1 & Programme 2: Protection of Personal Information & Promotion of Access to Information:**

The outputs are chosen to reflect the mandate of the Regulator as provided for in Section 40 of POPIA and Section 83(2), 83(3)(e), (f) and (g) of PAIA. Collectively the provisions require the Regulator to be the chief promoter of rights affecting the protection of personal information and promotion of access to information.

### **14.2. Programme 3 Education & Communication:**

The focus on creating awareness and providing educational programmes will assist the Regulator in enforcing the laws it has a mandate over and empower all persons to assert their rights. The research conducted will indicate how successful the Regulator is in achieving its outcomes and impact.

### **14.3. Programme 4, Legal and Policy:**

The subdivision will focus on the provision of support to the Regulator to ensure the proper application and interpretation of POPIA, PAIA and PFMA.

### **14.4. Programme 5 Administration:**

Plays a crucial role by providing leadership and support to the Divisions in their respective core mandates.

## 15. Programme Resource Allocation

Table: Budget Allocation for sub-programmes.

### PROGRAMME RESOURCE ALLOCATIONS

	2022/23	2023/24	2024/25	2024/26
Economic Classification	R'000	R'000	R'000	R'000
<b>Current payments</b>	<b>94 904</b>	<b>106 190</b>	<b>110 950</b>	<b>115 700</b>
Compensation of Employees	71 875	78 087	81 510	85 077
Goods and Services	23 029	28 103	29 440	30 623
<b>Payments for Capital Assets</b>	<b>5 705</b>	<b>3 119</b>	<b>3 185</b>	<b>3 462</b>
Machinery and Equipment	5 705	3 119	3 185	3 462
<b>TOTAL</b>	<b>100 609</b>	<b>109 309</b>	<b>114 135</b>	<b>119 162</b>
<b>Year-on-Year Growth</b>	<b>13%</b>	<b>8%</b>	<b>4%</b>	<b>4%</b>



## 16. Updated key risks and mitigation actions.

OUTCOME	KEY RISKS	RISK MITIGATION
Personal Information protected and access to information promoted	Inadequate processes and Standard Operating Procedures	Processes and Standard Operating Procedure Manuals to be developed for each Division.
	Inadequate compliance with the communication protocol (when imparting Information to the public)	<ul style="list-style-type: none"> <li>• Implementation of approved Standard Operating Procedures</li> <li>• Implementation of approved Communication Policy</li> </ul>
	Governance failures	<ul style="list-style-type: none"> <li>• To develop and approve the Governance Guide</li> <li>• To hold a workshop on the Governance Guide with each Division</li> <li>• To validate documentation submitted by programmes</li> <li>• To provide compliance reports</li> <li>• Performance information to be included as a chapter in the Governance Guide</li> </ul>
	Inadequate implementation of mitigation plans	<ul style="list-style-type: none"> <li>• Reporting on high-level comparative reports</li> <li>• Combined Assurance Value Chain to be included in the Governance Guide</li> </ul>
	Non-listing of Regulator	<ul style="list-style-type: none"> <li>• Interventions by the Portfolio Committee</li> </ul>
	High Staff Turnover	<ul style="list-style-type: none"> <li>• Implementation of Employee Wellness</li> </ul>

		<p>Programme</p> <ul style="list-style-type: none"> <li>• People Management Training</li> <li>• Coaching and Mentoring Managers</li> <li>• Adherence to the values of the Regulator</li> <li>• Implementation of Workplace Skills Plans (WSP)</li> </ul>
	Heightened Security Compromises	<ul style="list-style-type: none"> <li>• Implementation of ICT Security policy</li> <li>• Security controls such as Firewalls with Intrusion Detection System (IDS), Intrusion Prevention System (IPS), Encryption, and</li> <li>• Patch Management solution</li> <li>•</li> </ul>
	Inadequate office space	<ul style="list-style-type: none"> <li>• Procurement of additional office space.</li> <li>• Implementation of Remote work (verify with mam Shube the correct name)</li> </ul>
	Unauthorised, irregular, fruitless and wasteful expenditure	<ul style="list-style-type: none"> <li>• Training of all staff in Financial Management and SCM</li> <li>• Monitor procurement practices.</li> <li>• Develop Financial Manuals.</li> <li>•</li> <li>• Establishment of SCM committees, i.e. Bid Specification Committee</li> </ul>

		<p>(BSC), Bid Evaluation Committee (BEC) and Regional Control Committee (RCC).</p> <ul style="list-style-type: none"> <li>• The Loss and Theft committee to enforce the implementation of the Debt Management policy and ensure the implementation of Irregular, Fruitless and Wasteful expenditure guidelines.</li> <li>• Enhance the effectiveness of internal controls.</li> </ul>
	Loss of assets (theft, damage, negligence)	<ul style="list-style-type: none"> <li>• Implement a manual assets management system.</li> <li>• Implement effective asset management practices.</li> </ul>
	Under/overspending of the budget	<ul style="list-style-type: none"> <li>• Develop a detailed procurement plan.</li> <li>• Drive procurement from Finance Division.</li> <li>• Fill funded and vacant posts timeously.</li> </ul>
	Delays in processing tenders (above 1 million)	<ul style="list-style-type: none"> <li>• Delegation of increased approval threshold for procurement</li> <li>• Procurement plans to be approved by the end of March of each financial year.</li> <li>• Train officials on Bid Committees.</li> </ul>
	Inability to appoint service	<ul style="list-style-type: none"> <li>• Procurement plans to be</li> </ul>

	providers timeously	<p>approved by the end of March of each financial year.</p> <ul style="list-style-type: none"> <li>• Establishment of SCM committees, i.e. BSC, BEC and RCC.</li> <li>• Issue Request For Quotations (RFQs) to not less than 10 prospective bidders for submission of quotations.</li> <li>• Monitor the procurement plans and demand plans.</li> </ul>
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17. Infrastructure projects

**N/A**

18. Public Private Partnerships (PPPs)

**N/A**

**PART D: TECHNICAL INDICATOR DESCRIPTION TABLE (TID)**

**19. Protection of Personal Information Act (POPIA) Technical Indicator Descriptions (TIDs)**

<b>Indicator title</b>	<b>Percentage of complex complaints received, investigated, and completed within the prescribed timeframes.</b>
<b>Definitions</b>	The indicator measures the percentage of complex complaints received, investigated, and completed within the turnaround period of 12 months, as prescribed in the Standard Operating Procedure.
<b>Source data</b>	<ul style="list-style-type: none"> <li>• Submitted Complaint Form.</li> <li>• Complaints Register.</li> <li>• Standard Operating Procedure for handling complaints.</li> <li>• Report on complaints investigated and completed.</li> <li>• Case files.</li> </ul>
<b>Method of calculation/assessment</b>	Number of complex complaints received, investigated, and completed divided by the total number of complaints received multiplied by 100.
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>• Complaints register.</li> <li>• Investigation Reports.</li> <li>• Settlement certificates.</li> <li>• Enforcement Notices.</li> <li>• Outcome letters.</li> </ul>
<b>Assumptions</b>	The Regulator will receive complaints.
<b>Disaggregation of beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation Type</b>	Cumulative
<b>Reporting Cycle</b>	Quarterly
<b>Desired performance</b>	Exceed the annual target.
<b>Indicator Responsibility</b>	Executive POPIA

<b>Indicator title</b>	<b>Percentage of simple complaints received, investigated, and resolved within the prescribed timeframes.</b>
<b>Definitions</b>	The indicator measures the percentage of simple complaints received, investigated, and resolved within the turnaround period of 3 months, as prescribed in the Standard Operating Procedure.
<b>Source data</b>	<ul style="list-style-type: none"> <li>• Submitted Complaint Form.</li> <li>• Complaints Registers.</li> <li>• Standard Operating Procedure for handling complaints.</li> <li>• Case files.</li> </ul>
<b>Method of calculation/assessment</b>	Number of simple complaints resolved divided by number of complaints received multiplied by 100.
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>• Complaints register.</li> <li>• Investigation Reports.</li> <li>• Settlement certificates.</li> <li>• Enforcement Notices.</li> <li>• Outcome letters.</li> </ul>
<b>Assumptions</b>	The Regulator will receive complaints.
<b>Disaggregation of beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation Type</b>	Cumulative
<b>Reporting Cycle</b>	Quarterly
<b>Desired performance</b>	Achieve the annual target.
<b>Indicator Responsibility</b>	Executive POPIA

<b>Indicator title</b>	<b>Number of responsible parties monitored on compliance with POPIA.</b>
<b>Definitions</b>	The indicator measures the number of responsible parties monitored in accordance with the annual approved monitoring plan.
<b>Source data</b>	<ul style="list-style-type: none"> <li>• POPIA Compliance, Monitoring and Enforcement Framework.</li> <li>• Annual approved monitoring plan.</li> <li>• Compliance and Monitoring register.</li> <li>• Monitoring reports.</li> </ul>
<b>Method of calculation/assessment</b>	Simple count
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>• Annual approved monitoring plan.</li> <li>• Attendance registers.</li> <li>• Compliance monitoring files.</li> </ul>
<b>Assumptions</b>	The annual monitoring plan is approved.
<b>Disaggregation of beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation Type</b>	Cumulative
<b>Reporting Cycle</b>	Quarterly
<b>Desired performance</b>	Achieve annual target.
<b>Indicator Responsibility</b>	Executive: POPIA

<b>Indicator Title</b>	<b>Percentage of responsible parties assessed (monitoring) upon request within the prescribed period</b>
<b>Definition</b>	This indicator measures the percentage of requests for assessment received and assessment reports completed within the turnaround period, as prescribed in the Standard Operating Procedures.
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Request for compliance assessment.</li> <li>• Compliance and Monitoring register.</li> </ul>
<b>Method of calculation or assessment</b>	Number of requests for assessment received divided by the number of assessment reports completed multiplied by 100.
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>• Compliance Assessment Reports.</li> </ul>
<b>Assumptions</b>	The Regulator will receive request(s) for assessment.
<b>Disaggregation of beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Achieve annual target.
<b>Indicator responsibility</b>	Executive: POPIA



<b>Indicator Title</b>	<b>Number of Guidance Note on Direct Marketing developed and approved</b>
<b>Definition</b>	This indicator measures the approval of the Guidance Note on Direct Marketing.
<b>Source of data</b>	<ul style="list-style-type: none"> <li>Report on the development of the Guidance Note</li> </ul>
<b>Method of calculation or assessment</b>	Simple count.
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>Approved Guidance Note.</li> </ul>
<b>Assumptions</b>	The Guidance Note will be developed and approved.
<b>Disaggregation of beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	The Guidance Note will be developed and approved.
<b>Indicator responsibility</b>	Executive: POPIA

**20. Promotion of Access to Information Act (PAIA) Technical Indicator Descriptions (TIDs)**

<b>Indicator Title</b>	<b>Percentage of complex complaints received, investigated and completed within the prescribed timelines (PAIA)</b>
<b>Definition</b>	This indicator measures the percentage of complex complaints received in the past 12 months and investigations completed within the turnaround period of 12 months, as prescribed in the Standard Operating Procedures.
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Complaints form.</li> <li>• Complaints Register.</li> <li>• Investigation file.</li> <li>• Standard Operating Procedure.</li> </ul>
<b>Method of calculation or assessment</b>	Number of complex complaints investigated and completed divided by number of complex complaints received multiplied by 100.
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>• Investigation Reports and referral forms to the Enforcement Committee.</li> <li>• Rejection letter.</li> <li>• Pre-investigation report.</li> <li>• Settlement certificates.</li> <li>• Conciliation certificates.</li> <li>• Closing report.</li> </ul>
<b>Assumptions</b>	The Regulator will receive complaints.
<b>Disaggregation of beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	100% of the annual target.
<b>Indicator responsibility</b>	Executive: PAIA

<b>Indicator title</b>	<b>Percentage of Simple Complaints received and resolved within the prescribed timelines.</b>
<b>Definitions</b>	The indicator measures the percentage of simple complaints received in the past 3 months and resolved within the turnaround period of 3 months, as prescribed in the Standard Operating Procedure.
<b>Source data</b>	<ul style="list-style-type: none"> <li>• Complaints form</li> <li>• Complaints Register</li> <li>• Investigation file.</li> <li>• Standard Operating Procedure.</li> </ul>
<b>Method of calculation/assessment</b>	Number of simple complaints resolved divided by number of simple complaints received multiplied by 100.
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>• Complaints register.</li> <li>• Rejection letter.</li> <li>• Pre-investigation report.</li> <li>• Settlement certificates.</li> <li>• Conciliation certificate.</li> <li>• Closing report.</li> </ul>
<b>Assumptions</b>	The Regulator will receive complaints.
<b>Disaggregation of beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation Type</b>	Cumulative
<b>Reporting Cycle</b>	Quarterly
<b>Desired performance</b>	Exceed the annual target.
<b>Indicator Responsibility</b>	Executive PAIA

<b>Indicator Title</b>	<b>Number of targeted public and private bodies assessed on compliance with the provision of PAIA.</b>
<b>Definition</b>	This indicator measures the number of targeted public and private bodies monitored on compliance with the relevant provision of PAIA in accordance with an approved Compliance Monitoring & Enforcement Framework.
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Annually Approved Assessment Plan</li> <li>• Compliance and monitoring register.</li> <li>• Compliance and Monitoring &amp; Enforcement Framework.</li> <li>• Assessment file.</li> </ul>
<b>Method of calculation or assessment</b>	Simple count
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>• Compliance Assessment Reports.</li> <li>• Attendance register.</li> </ul>
<b>Assumptions</b>	The Annual Assessment Plan will be approved.
<b>Disaggregation of beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Non-Cumulative
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	All targeted public and private bodies assessed.
<b>Indicator responsibility</b>	Executive: PAIA

<b>Indicator Title</b>	<b>Percentage of Public and Private Bodies assessed upon request within the prescribed period.</b>
<b>Definition</b>	This indicator measures the percentage of requests for assessment received and assessment reports completed within the turnaround period.
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Compliance and Monitoring Register.</li> <li>• Request for assessment form.</li> </ul>
<b>Method of calculation or assessment</b>	Number of requests for assessment completed divided by the number of assessment requests received multiplied by 100.
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>• Compliance Assessment Reports.</li> <li>• Pre-assessment report</li> </ul>
<b>Assumptions</b>	The Regulator will receive request for assessment.
<b>Disaggregation of beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Assessment reports issued on all requests for assessment received.
<b>Indicator responsibility</b>	Executive: PAIA

## 21. Education and Communication (Educom) Technical Indicator Descriptions (TIDs)

<b>Indicator Title:</b>	<b>The number of education programmes conducted for the public to promote the protection of personal information</b>
<b>Definition:</b>	This indicator measures the number of education programmes conducted for the public to promote the protection of personal information.
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Approved global training programme.</li> <li>• Approved quarterly training plans.</li> <li>• Education materials developed and approved.</li> </ul>
<b>Method of Calculation / Assessment</b>	Simple count
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>• Training reports.</li> <li>• Attendance registers for each programme conducted.</li> </ul>
<b>Assumptions</b>	The targeted audience will be responsive to the sessions scheduled and conducted.
<b>Disaggregation of Beneficiaries (where applicable)</b>	Rural organised civic structures, and public officials will be targeted as priority groups for the programmes.
<b>Spatial Transformation (where applicable)</b>	All nine provinces will be targeted for the delivery of education programmes. There will be a special focus on rural areas.
<b>Calculation Type</b>	Non-Cumulative
<b>Reporting Cycle</b>	Quarterly
<b>Desired performance</b>	Education programmes planned will be effective and will promote compliance by responsible parties and empower the public to take active measures to protect personal information.
<b>Indicator Responsibility</b>	Executive: Education & Communication

<b>Indicator Title:</b>	<b>The number of education programmes conducted for the public to promote access to Information</b>
<b>Definition:</b>	This indicator measures the number of education programmes conducted for the public to promote access to information.
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Approved global training programme.</li> <li>• Approved quarterly training plans.</li> <li>• Education materials developed and approved.</li> </ul>
<b>Method of Calculation / Assessment</b>	Simple count
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>• Training reports.</li> <li>• Attendance registers for each programme conducted.</li> </ul>
<b>Assumptions</b>	The targeted audience will be responsive to the sessions scheduled and conducted.
<b>Disaggregation of Beneficiaries (where applicable)</b>	Rural organised civic structures, and public officials will be targeted as a priority group for the programmes.
<b>Spatial Transformation (where applicable)</b>	All nine provinces will be targeted for the delivery of education programmes. There will be a special focus on rural areas.
<b>Calculation Type</b>	Non-cumulative
<b>Reporting Cycle</b>	Quarterly
<b>Desired performance</b>	Education programmes planned will be effective and will promote compliance by responsible parties and empower the public to take active measures to promote access to information.
<b>Indicator Responsibility</b>	Executive: Education & Communication

<b>Indicator Title</b>	<b>Percentage of the nationally representative sample of the population who are aware of their right to privacy (as it relates to the protection of personal information).</b>
<b>Definition</b>	This indicator measures the percentage of respondents within a nationally representative sample of the population that indicate awareness about their rights to privacy.
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Approved Research proposal</li> <li>• Fieldwork report</li> </ul>
<b>Method of Calculation / Assessment</b>	The total number of respondents that indicate awareness about their rights to privacy divided by the total number of the sample population multiplied by one hundred (100).
<b>Means of verification</b>	Survey Research Report in line with the approved research proposal.
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Potential respondents will be willing to participate in the survey.</li> <li>• Approved research proposal.</li> <li>• Availability of sufficient budget.</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	Disaggregation of beneficiaries as expressed in the approved research proposal.
<b>Spatial Transformation (where applicable)</b>	Spatial transformation considerations to be addressed, as in the approved research proposal.
<b>Calculation type</b>	Cumulative
<b>Reporting Cycle</b>	Annually
<b>Desired performance</b>	Half of the sampled respondents will indicate awareness about their rights to privacy by FY 2026/2027.
<b>Indicator Responsibility</b>	Executive: Education & Communication



<b>Indicator Title:</b>	<b>Percentage of the nationally representative sample of the population who are aware of their right of access to information.</b>
<b>Definition:</b>	This indicator measures the percentage of respondents within a nationally representative sample of the population that indicates awareness about their right of access to information.
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Approved Research proposal.</li> <li>• Fieldwork report.</li> </ul>
<b>Method of Calculation / Assessment</b>	The total number of respondents that indicate awareness about their right of access to information divided by the total number of the sample population multiplied by one hundred (100).
<b>Means of verification</b>	Survey Research report undertaken in line with the approved research proposal.
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Potential respondents will be willing to participate in the survey.</li> <li>• Approved research proposal.</li> <li>• Availability of sufficient budget.</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	Disaggregation of beneficiaries as expressed in the approved research proposal.
<b>Spatial Transformation (where applicable)</b>	Spatial transformation considerations to be addressed as in the approved research proposal.
<b>Calculation Type</b>	Cumulative
<b>Reporting Cycle</b>	Annually
<b>Desired performance</b>	Half of the sampled respondents will indicate awareness about their rights of access to information FY 2026/2027.
<b>Indicator Responsibility</b>	Executive: Education & Communication

<b>Indicator Title:</b>	<b>The number of public awareness programmes on the right of access to Information and the right to privacy (protection of personal information) conducted at a community level</b>
<b>Definition:</b>	This indicator measures the number of high-level events, a public campaign, activations, community meetings and provincial Dikopanos conducted to raise awareness about the right of access to information (through PAIA) and the right to privacy (protection of personal information) (through POPIA) conducted at a community level.
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Approved public awareness concept notes and plans.</li> </ul>
<b>Method of Calculation / Assessment</b>	Simple count
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>• Activity Reports.</li> <li>• Photographs.</li> <li>• Attendance registers.</li> </ul>
<b>Assumptions</b>	The targeted audience will be responsive to the sessions scheduled.
<b>Disaggregation of Beneficiaries (where applicable)</b>	Rural and disadvantaged communities (individuals and organised civic structures) will be targeted as priority groups for the programmes.
<b>Spatial Transformation (where applicable)</b>	The Northern Cape, Limpopo, North West, Free State, Eastern Cape, KZN, Western Cape and Mpumalanga provinces will be targeted for the delivery of public awareness programmes. There will be a special focus on rural areas.
<b>Calculation Type</b>	Non-cumulative
<b>Reporting Cycle</b>	Quarterly
<b>Desired performance</b>	To reach as many people as possible in raising awareness about POPIA and PAIA,  Half the activities conducted will be with communities beyond finalised areas.
<b>Indicator Responsibility</b>	Executive: Education & Communication

## 22. Legal Services Technical Indicator Descriptions (TIDs)

<b>Indicator Title</b>	<b>Number of Proposed Legislation or policy of Government examined, and reports submitted to the Minister in terms of Section 40(1)(b)(iii) of POPIA.</b>
<b>Definition</b>	This indicator measures the number of proposed legislation or policy of the Government that may affect the protection of personal information of data subjects, that have been examined and reports submitted to the Minister in terms of Section 40(1)(b)(iii).
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Parliament Monitoring Group Website.</li> <li>• Government of South Africa website.</li> <li>• Government Gazette website.</li> <li>• Register of proposed legislation or policy of Government.</li> </ul>
<b>Method of calculation or assessment</b>	Simple count
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>• Report on the outcome of the examination of proposed legislation or policy.</li> <li>• An approved memorandum to the Minister.</li> </ul>
<b>Assumptions</b>	It is assumed that there will be proposed legislation or policy of the Government.
<b>Disaggregation of beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative
<b>Reporting cycle</b>	Annually
<b>Desired performance</b>	The recommendation will ensure the alignment of the proposed legislation or policy with POPIA. The recommendations will influence the improvement of POPIA.
<b>Indicator responsibility</b>	Chief Legal Officer

<b>INDICATOR TITLE</b>	<b>Rules concerning the application of Section 32 (1)(b) and (f) of POPIA approved.</b>
<b>Definition</b>	This indicator measures Rules developed and approved by the Regulator in terms of section 32 (1) (b) and (f) read with section 32 (6) of POPIA.
<b>Source of data</b>	Draft Rules
<b>Method of calculation or assessment</b>	Simple count
<b>Means of verification</b>	An approved set of Rules
<b>Assumptions</b>	It is assumed that the Rules will be approved by the Regulator.
<b>Disaggregation of beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative
<b>Reporting cycle</b>	Annually
<b>Desired performance</b>	Draft Rules will be approved by the Regulator.
<b>Indicator responsibility</b>	Chief Legal Officer

### 23. Chief Executive Officer Technical Indicator Description (TIDs)

Indicator title	Percentage of recommendations and findings of the Enforcement Committee considered and finalised.
<b>Definition</b>	This indicator measures the percentage of recommendations of the Enforcement Committee made to the Regulator considered and finalised in terms of section 93 of POPIA.
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Register of recommendations made by the Enforcement Committee</li> <li>• Report of the Enforcement Committee recommendations</li> </ul>
<b>Method of calculation or assessment</b>	Number of finalised recommendations by the Regulator divided by the number of recommendations submitted by the Enforcement Committee multiplied by one hundred (100).
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>• Outcome report.</li> <li>• Enforcement Notice.</li> <li>• Rejection notice.</li> <li>• Take no action notice.</li> </ul>
<b>Assumptions</b>	The Enforcement Committee will make recommendations to the Regulator.
<b>Disaggregation of beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative
<b>Reporting cycle</b>	Annually
<b>Desired performance</b>	Finalisation of all recommendations made by the Enforcement Committee.
<b>Indicator responsibility</b>	Chief Executive Officer

## 24. Corporate Services Technical Indicator Descriptions (TIDs)

<b>Indicator title</b>	<b>Number of research on technological changes affecting the protection of personal Information conducted.</b>
<b>Definition</b>	This indicator measures the number of research conducted on developments in information processing and technological changes that impact the processing of personal information.
<b>Source of data</b>	Research Proposal
<b>Method of calculation or assessment</b>	Simple count
<b>Means of verification</b>	Research Report
<b>Assumptions</b>	Efficient procurement processes and approval processes. Availability of budget.
<b>Disaggregation of beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative
<b>Reporting cycle</b>	Annually
<b>Desired performance</b>	Full research on technological changes affecting the protection of personal information conducted.
<b>Indicator responsibility</b>	Executive Corporate Services

## 25. Finance Technical Indicator Description (TIDs)

<b>INDICATOR TITLE</b>	<b>Percentage expenditure on annual allocated budget on Goods and Services and Capital assets spent</b>
<b>Definition</b>	This indicator measures the percentage of the annual allocated budget on Goods and Services and Capital assets against actual expenditure.
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Quarterly Budget Reports.</li> <li>• Expenditure report.</li> </ul>
<b>Method of calculation or assessment</b>	Actual expenditure incurred divided by projected annual allocated budget on Goods and Services and Capital assets targets multiplied by 100 or (Actual Expenditure /Total projected X 100).
<b>Means of verification</b>	Quarterly Expenditure Reports.
<b>Assumptions</b>	N/A
<b>Disaggregation of beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	100% expenditure of the annual allocated budget on Goods and Services and Capital assets.
<b>Indicator responsibility</b>	Chief Financial Officer

<b>INDICATOR TITLE</b>	<b>Percentage of Goods and Services and Capital Assets procured against approved procurement plan</b>
<b>Definition</b>	This indicator measures the percentage of Goods and Services, and Capital Assets procured against the actual Procurement Plan.
<b>Source of data</b>	<ul style="list-style-type: none"> <li>• Commitment report.</li> <li>• List of orders</li> <li>• Award letters</li> <li>• SCM Batches</li> <li>• Contractual agreements</li> <li>• Approved procurement plan</li> </ul>
<b>Method of calculation or assessment</b>	Actual procurement divided by projected Goods and Services and Capital Assets targets multiplied by 100 or Actual Procurement/ Total Projected X 100
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>• Commitment Report</li> <li>• Concluded contracts</li> <li>• Award letters</li> <li>• Purchase order</li> </ul>
<b>Assumptions</b>	Timely submissions of requests (approved memos and detailed specifications) by Divisions.
<b>Disaggregation of beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	100% of Goods and Services and Capital Assets procured.
<b>Indicator responsibility</b>	Chief Financial Officer