



# SUMMARY REPORT

A Public Opinion Survey on Awareness about the Right to Privacy  
as it relates to the Protection of Personal Information Act 4 of 2013



**INFORMATION  
REGULATOR**  
(SOUTH AFRICA)



[www.inforegulator.org.za](http://www.inforegulator.org.za)

# SUMMARY REPORT

March 2023

A Public Opinion Survey on Awareness about  
the Right to Privacy as it relates to the Protection of Personal  
Information Act 4 of 2013<sup>1</sup>

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<sup>1</sup> Undertaken on behalf of the Information Regulator by the Developmental, Capable and Ethical State (DCES) research division of the Human Sciences Research Council (HSRC).

## 1. INTRODUCTION AND BACKGROUND

Section 39 of the Protection of Personal Information Act 2013 (POPIA) establishes the Information Regulator (the Regulator) as a juristic person. Section 30(1)(a) requires the Regulator to provide education to data subjects and responsible parties on the lawful processing of personal information, and to give data subjects advice in the exercise of their rights. However, the concepts of *lawful processing of personal information* or the *protection of personal information* are relatively new in the South African landscape. This reality is reflected in the relative paucity of literature on POPIA.

## 2. STUDY PURPOSE AND RESEARCH OBJECTIVES

As POPIA came into full effect only in mid-2021, there is limited literature available on the subject, and no specific studies could be identified concerning levels of awareness amongst both data subjects and responsible parties. There is thus a need to conduct primary research in order to ascertain awareness levels amongst both responsible parties and data subjects. The evidence-based results of a scientifically credible research study will enable the Regulator to implement relevant awareness and educational programmes aimed at increasing awareness levels on POPIA for different groups in society, thereby contributing to increased compliance and exercising of rights by responsible parties and data subjects, respectively.

With this purpose in mind the **specific objectives** of the study were –

- a) To assess data subjects<sup>2</sup> and responsible parties<sup>3</sup> awareness and knowledge levels of privacy rights and personal information protection measures in terms of POPIA.
- b) To assess data subjects' attitudes towards the protection of their personal information.
- c) To assess responsible parties' attitudes towards POPIA compliance.
- d) To determine how data subjects and responsible parties' awareness levels of POPIA can be improved.

Based on these objectives, the study's **main research questions** were as follows –

- a) What are data subjects' and responsible parties' levels of awareness and knowledge of privacy rights and personal information protection measures (POPIA)?
  - b) What attitudes do data subjects have to the protection of their personal information?
  - c) What attitudes do responsible parties have towards POPIA compliance?
  - d) What can be done to improve South Africans awareness and knowledge levels?
- The study design, protocols, questionnaire, and other relevant materials were reviewed and approved by the HSRC Research Ethics Committee.

<sup>2</sup> Amongst the sample population surveyed.

<sup>3</sup> Amongst the sample surveyed.

### 3. SURVEY SAMPLE

- A non-probability, convenience (also ‘accidental or haphazard’) sampling approach was used in this study.
- The study population (‘respondents’) for the public survey was selected from the Datafree Moya platform’s regular users, comprising South Africans across a wide range of demographic profiles, including age, gender, population group, education level, economic participation, geographic location, etc.
- Respondents were selected on the basis of convenience, that is their accessibility, geographical proximity, availability at the given time and/or their willingness to participate in the study.
- Since the sample universe is largely unknown and undocumented, this sampling approach is deemed most relevant. The respondent selection criteria are thus not pre-determined. The approach is also favoured as its relatively less expensive, most convenient and least time-consuming compared to other approaches. This sampling approach does however bear higher risk of sampling bias, as not all individuals (data subjects and responsible parties) have a chance of being selected. To increase the reliability of inferences about the population, the non-probability sample was designed to be as representative as possible.
  
- The online survey was designed with the following in mind –
  - **Inclusion criteria:** provincial level and demographic information (population group (Black African, Coloured, Indian/Asian, White), gender (M/F), age (18 years+), education, economic participation and dis-/abled).
  - **Targeted sample size:** 0.01% of the number of residents of South Africa per province.
  
- Results are based on respondents to the online Moya survey (**number = 5 143**) collected online **from 24 to 30 November 2022 that gave informed consent to participate and met the age criterion (18+)**, as well as respondents from select underrepresented subgroups<sup>4</sup> (**number = 212**) targeted during a supplementary telephone booster survey between **1 and 14 February 2023**. The total combined sample size was there 5,335.
- Results have been weighted and weighted by race, education and gender to match Stats SA's demographic data, making them broadly indicative of the knowledge and awareness, attitudes, preferences behaviours of South Africans.

<sup>4</sup> The following subgroups were targeted in the telephone booster survey to address certain underrepresentation emanating from the Moya survey, especially in relation to an intersection of the three core variables used for weighting purposes (age group, population group, and education level): (a) 99 black Africans in three age bands of 55-84 years with less than a matric; (b) 6 black Africans in three age bands of 55-84 years with more than matric; (c) 12 Coloureds in three age bands 55-84 years with less than matric; (d) 6 Coloureds in three age bands 55-84 years with more than matric; (e) 5 Indian/Asian in two age bands 35-54 years with matric; (f) 4 Indian/Asian in two age bands 35-54 years with more than matric; (g) 6 Indian/Asian in three age bands 55-84 years with less than matric; (h) 3 Indian/Asian in three age bands 55-84 years with matric; (i) 9 Whites in three age bands 55-84 years with less than matric; (j) 27 Whites in six age bands 18-84 years with matric; and (k) 6 Whites in three age bands 55-84 with more than matric.

# PART A: PUBLIC OPINION SURVEY RESULTS

## 4. NATIONAL SURVEY RESULTS

### 4.2 Sources of information

#### 4.1.1 Main source of information for news and current affairs

- The majority of the general public indicated social media (56%) as their main source of information for news and current affairs, followed by television (53%), radio (38%), and news sites (internet or newspapers) (33%). Significantly fewer persons indicated that they rely on flyers or pamphlets (8%) and on government (5%).
- The relative emphasis on social media is probably a slight over-estimation given that the survey data was almost exclusively collected via an online data-free platform, implying that the surveyed population is more likely to be online than the general adult population in the country. However, the figures provide a good indication of the diversity of information sources relied upon.
- In terms patterns of variation in information sources, regression analysis confirmed that television is commonly relied on by the public in general across a range of socio-demographic attributes, with a slightly increased reliance among older persons and those who are materially better-off. Online news sites were more likely to be reported by women, older persons, the tertiary educated and suburban residents. A greater reliance on social media information was evident among younger individuals and the tertiary educated. Radio usage increased with age and was more common among the less educated and male adults. Little variation was evident among the public in relation to sourcing information from flyers and pamphlets or from government.
- The diverse reliance on different information sources based on class, generation (age) and gender speaks to the need for any POPIA related information campaigning to rely on a targeted approach with a differentiated media strategy.

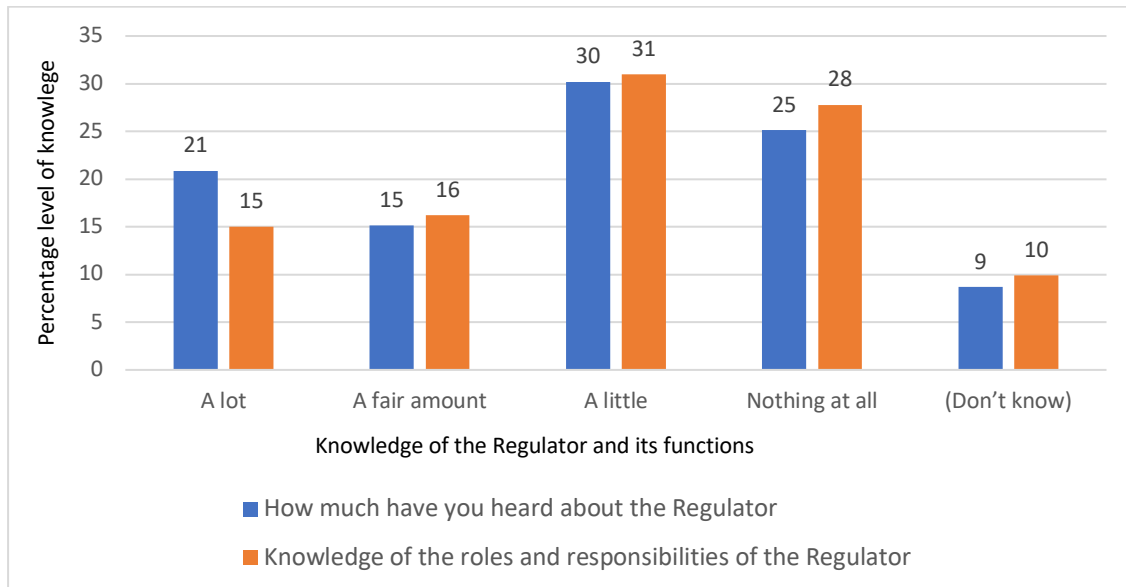
#### 4.1.2 Daily internet usage

- Recognising that the sample was primarily conducted via an online data-free app, the expectation was that there would at least be some degree of internet usage among participants. In asking about the frequency of usage, the most common response, mentioned by 28% of the public, was that they spend between 1 and 3 hours each day using the internet. A further 22% reported spending between 15 and 60 minutes, while 21% spend less than 15 minutes. At the other end of the frequency scale, 15% spend between 3 and 8 hours a day online, while slightly more than a tenth (13%) of the population spend more than 8 hours a day on the internet.
- Regression analysis confirmed that internet usage was more frequent among younger and better educated persons, and was higher among employed and male adults.

## 4.1 Awareness of and knowledge about the Regulator

### 4.2.1 Awareness of the Regulator

- 25% of the general public said they have heard nothing at all about the Regulator, while 30% indicated that they have heard a little. However, 36% indicated that they have heard either 'a lot' or 'a fair amount' about the Regulator.



- Controlling for other factors, awareness of the Regulator was found to be higher on average among 18-19 year-olds, as well as among female, tertiary-educated, employed and better-off citizens.

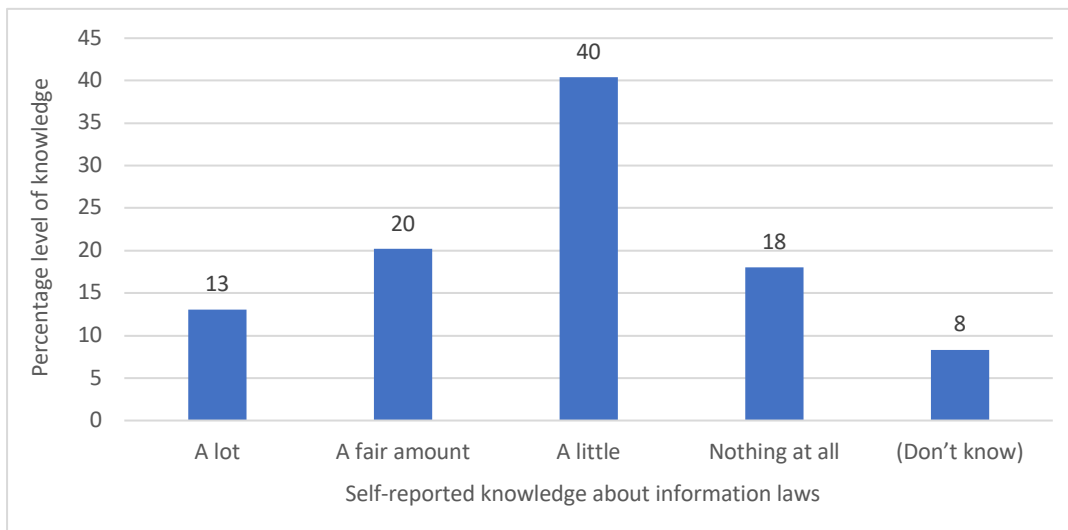
### 4.2.2 Knowledge about the roles and responsibilities of the Regulator

- 28% of the populace felt that they knew nothing at all about the roles and responsibilities of the Regulator, while 31% indicated that they knew a little. On the other hand, 15% of the population said that they knew a lot about the roles and responsibilities of the Regulator and 16% mentioned a fair amount of knowledge.
- Similar to awareness of the Regulator in general, awareness of the Regulator's roles and responsibilities was higher on average among 18-19-year-olds, in addition to women, tertiary-educated, employed and better-off citizens, controlling for other factors.

## 4.3 Awareness of and knowledge about information laws

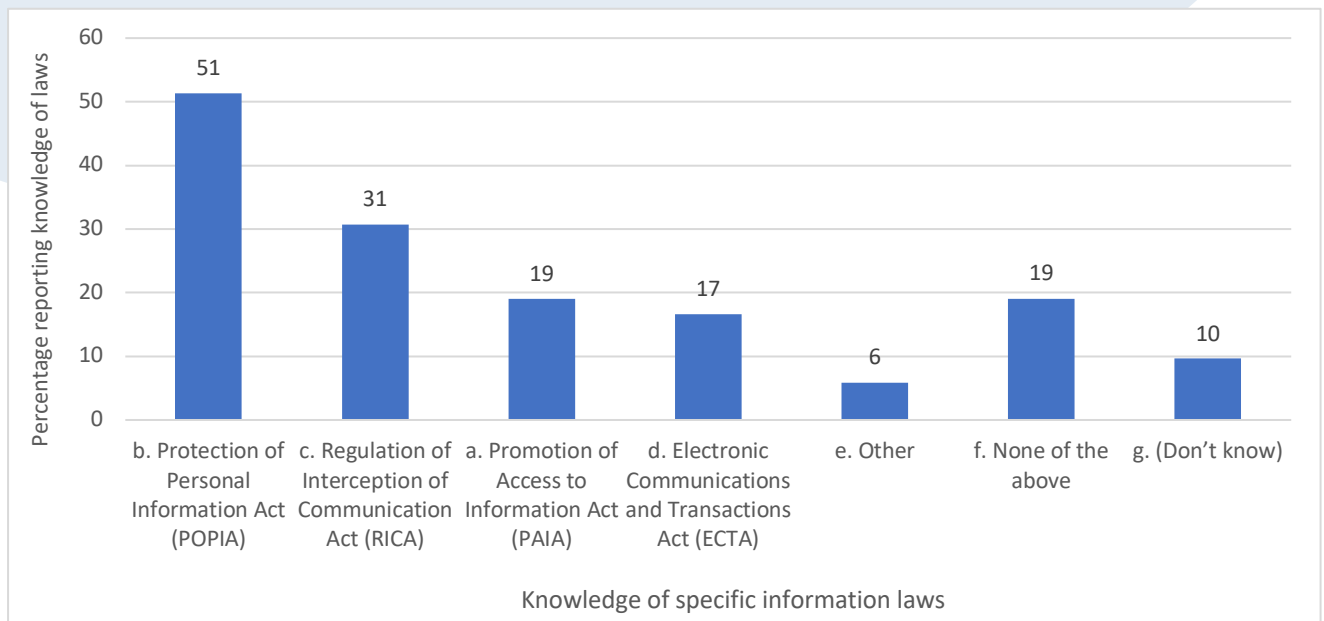
### 4.3.1 Awareness of information laws

- 18% of population indicated that they know nothing about information laws and 40% said that they know a little. 20% felt they know a fair amount and 13% of the populace indicated that they know a lot about information laws.
- In common with the awareness of the Regulator and its mandate, awareness of information laws was higher on average among 18–19-year-olds, in addition to among male, tertiary-educated, employed and better-off citizens, controlling for other factors. This speaks to the recurring influence of gender, age, education and class attributes in shaping levels of awareness and knowledge of information laws and their regulation.



### 4.3.2 Awareness of particular information laws

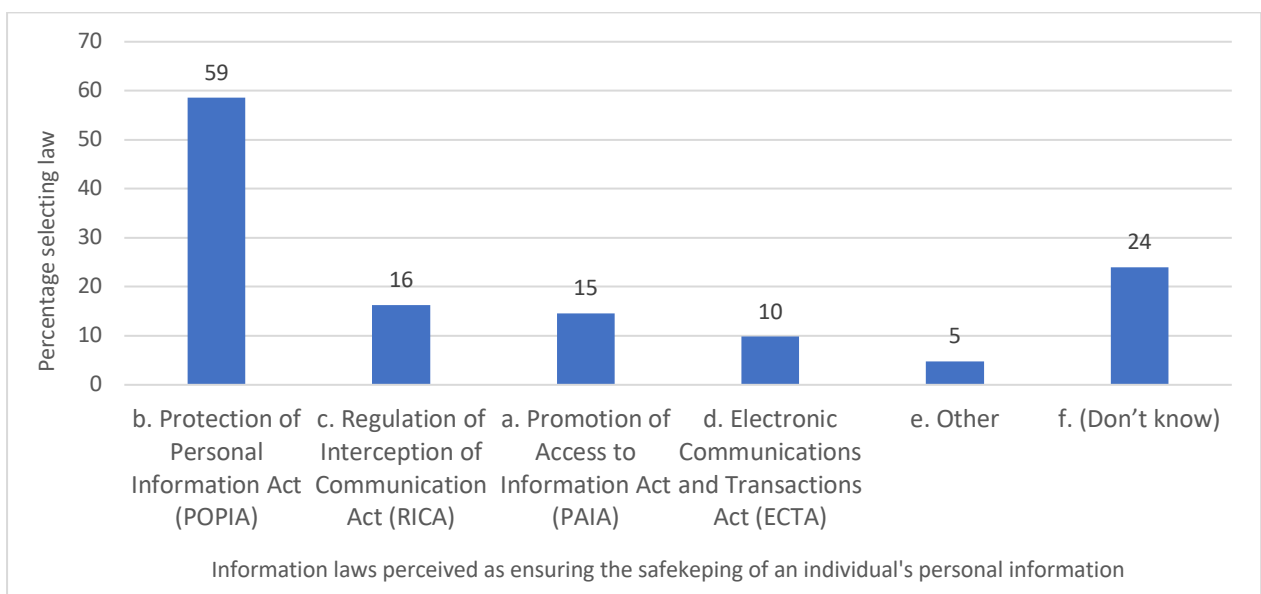
- A slim majority indicated that they were aware of the Protection of Personal Information Act (POPIA) (51%), and 31% indicated awareness of the Regulation of Interception of Communication Act (RICA). Only 19% reported awareness of the Promotion of Access to Information Act (PAIA) and 17% indicated awareness of the Electronic Communications and Transactions Act (ECTA). A total of 10% indicated that they did not know any of these laws.
- Regression analysis confirmed that POPIA is better known among women, the better-educated and the self-rated non-poor. These predictors were also common in the cases of awareness of RICA and PAIA. Additional predictors of higher awareness were older age groups, suburban residents in the case of RICA, and white adults, the employed and suburban residents in the case of PAIA. For ECTA, awareness was higher also among 18-19-olds and coloured adults.
- A lack of awareness of any of these information laws was fairly commonly spread along age, gender, racial, and employment status lines, with a lack of statistical significance observed on the basis of these attributes. Nonetheless, lack of awareness was higher among the poor, residents of informal settlements and in the Eastern Cape, and those with primary or no formal education.



## 4.4 Awareness of and knowledge about the Protection of Personal Information Act

### 4.4.1 The information law(s) that help protect personal information

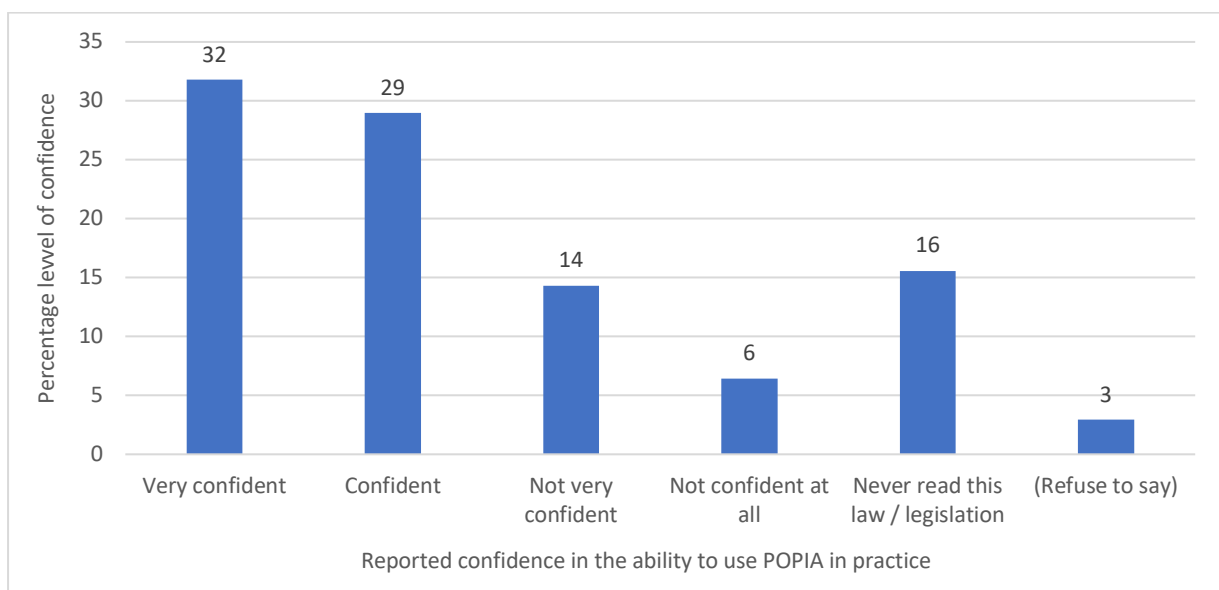
- 59% of the public indicated that POPIA ensures the safekeeping of an individual's personal information in South Africa, while 16% said RICA, 15% felt that PAIA provides this protection, and 10% was recorded for ECTA. 24% of the populace did not know how to respond to the question.
- A greater likelihood of correctly identifying POPIA (versus other incorrect responses) as the law safekeeping an individual's personal information was found among 18-19-year-olds (relative to those 50+), women, the tertiary-educated, and the self-rated non-poor. No provincial or geographic location differences were apparent.





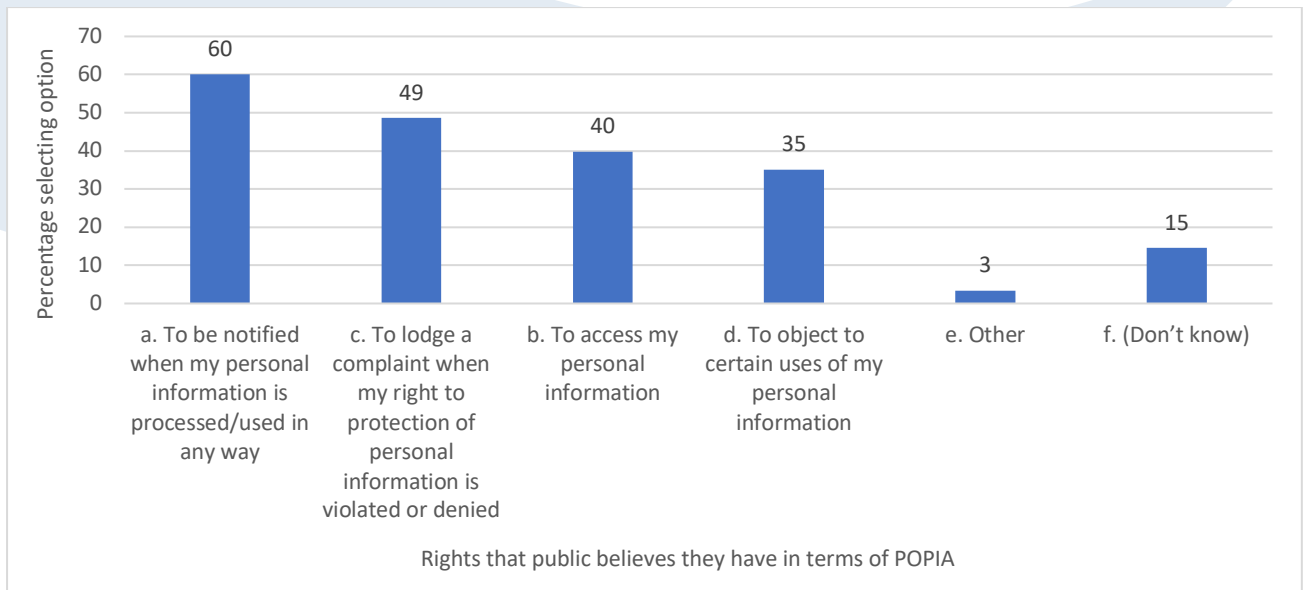
#### 4.4.2 Confidence in using POPIA to protect personal information

- A significant majority felt 'very confident' (32%) or 'somewhat confident' (29%) in using POPIA to protect their personal information. By contrast, 14% of the general public were 'not very confident' and 6% were 'not confident at all', while 16% of the population declared that they had never read this law/ legislation.
- Among those who had read or are familiar with POPIA, greater confidence in using POPIA was evident among younger adults, as well as black African, tertiary-educated, employed, and rural-based adults (controlling for other factors).
- The likelihood of never having read the POPIA legislation was more common among older, female, black African, less-educated and poor adults, as well as those not in the labour market. Again, for the most part, this replicates what was found in relation to the determinants of never having read the PAIA.



#### 4.4.3 Rights in terms of POPIA

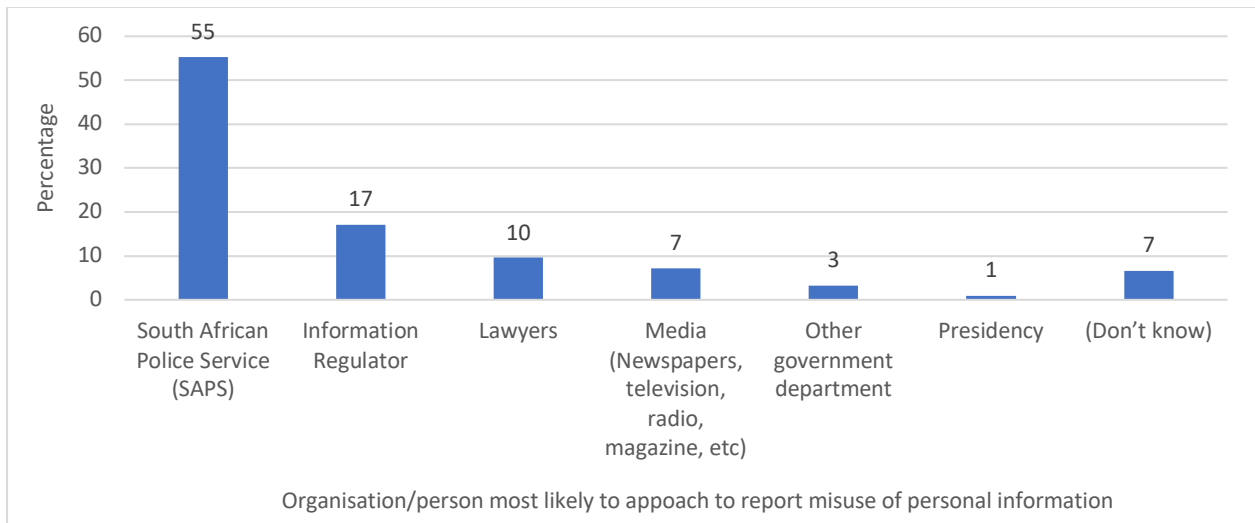
- A notable majority (60%) recognise that they have the right to be notified when their personal information is processed/used in any way and 49% believe that POPIA can be used to lodge a complaint when that right is violated or denied. A slightly smaller minority recognise that they can object to certain uses of their personal information (35%), while a substantial minority understand that POPIA can be used to access their personal information (40%). A concerning 15% didn't know how to answer the question.



#### 4.4.4 Information misuse victimhood

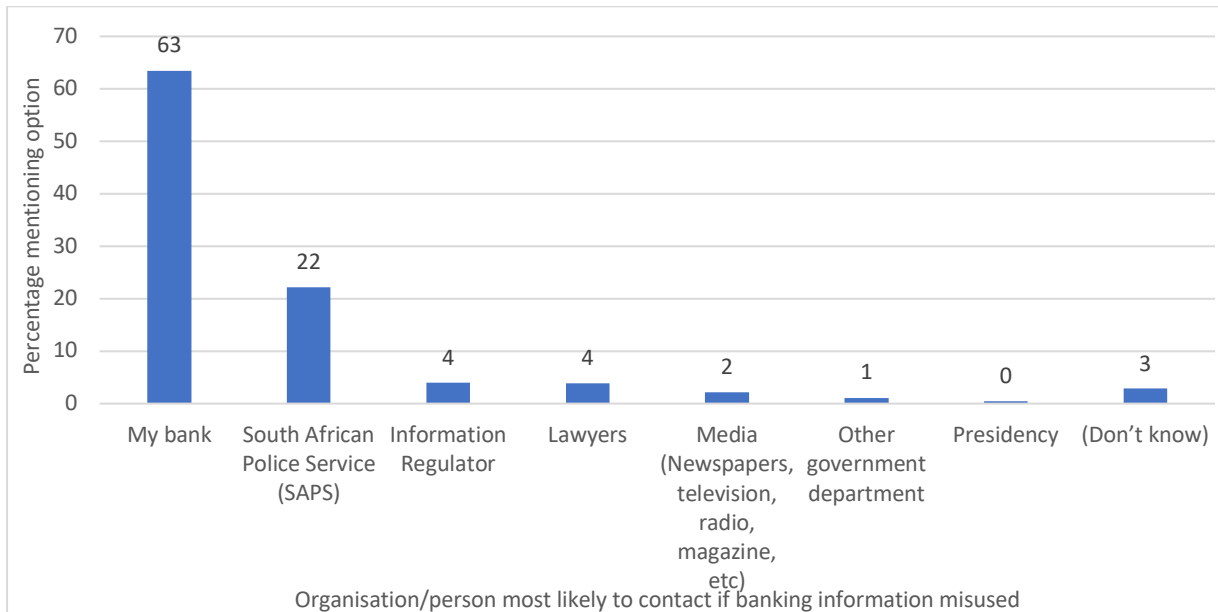
##### 4.4.4.1 *The organisation or person most likely to be approached to report misuse of personal information*

- Similar to the question on PAIA, 55% of general public said they would approach the South African Police Service (SAPS), while only 17% said they would approach the Regulator. Far lower percentages of the populace said they would approach lawyers (10%), the media (newspapers, television, radio, magazine, etc.) (7%), another government department (3%) or the Presidency (1%). 7% said they don't know.



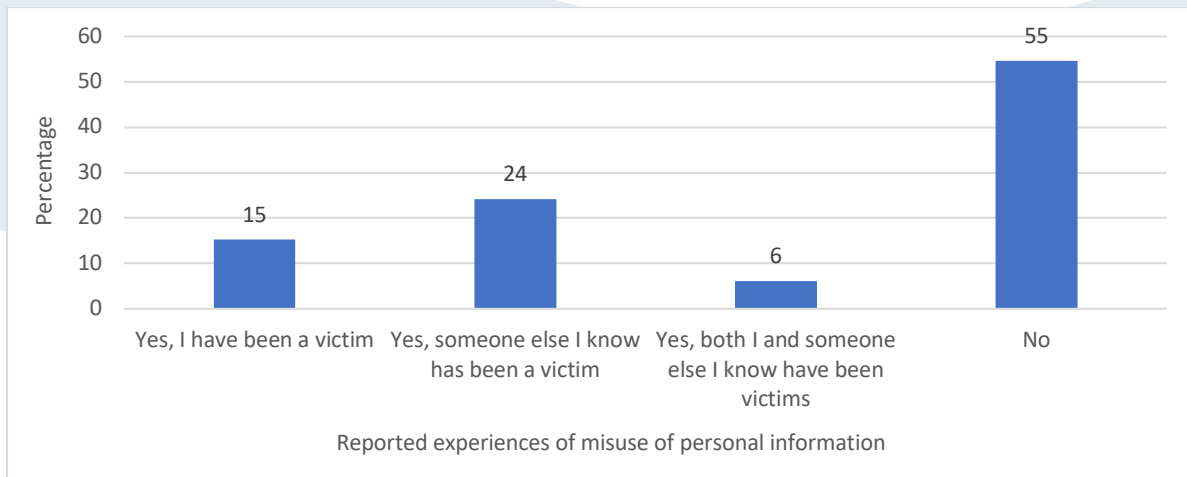
#### 4.4.4.2 *The organisation or person most likely to be contacted if banking information is misused*

- A significant majority (63%) said they would approach their bank directly and 22% indicated that they would ask the South African Police Service (SAPS) for help if their banking information was misused. Only 4% stated that they would contact the Regulator, and the same percentage would rely on a lawyer. Others indicated they would resort to the media (newspapers, television, radio, magazine, etc.) (2%), another government department (1%). No respondent would approach the Presidency, while 3% didn't know what they would do.



#### 4.4.4.3 *Experience of personal information misuse*

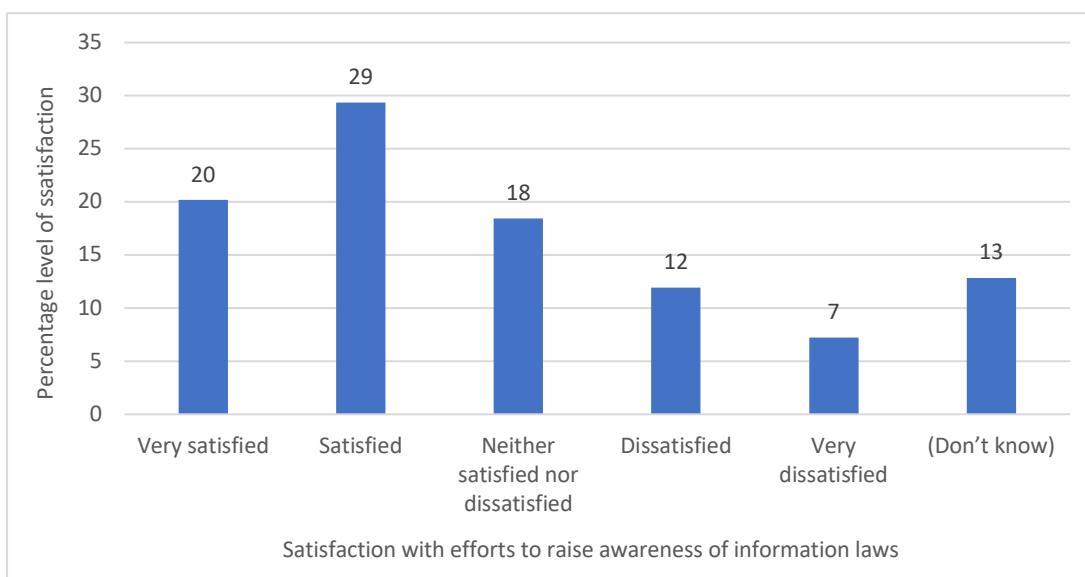
- Notable minorities have had either direct and/or indirect exposure to the misuse of personal information. 15% have been a victim, 24% knew someone else who has been a victim, while 6% indicated that both they and someone else they know have been victims. 55% stated that neither they nor someone else they know have been victims.
- The likelihood of having personally had one's personal information misused was higher among women and persons with a disability, otherwise there was no statistically significant variation based on the other personal attributes examined.
- Knowing someone else that was a victim of misuse of personal information was higher among older persons aged 50 years and above, black African adults, those living in informal urban settlements, and those reporting that they were 'just getting by' financially.



## Satisfaction with awareness programmes

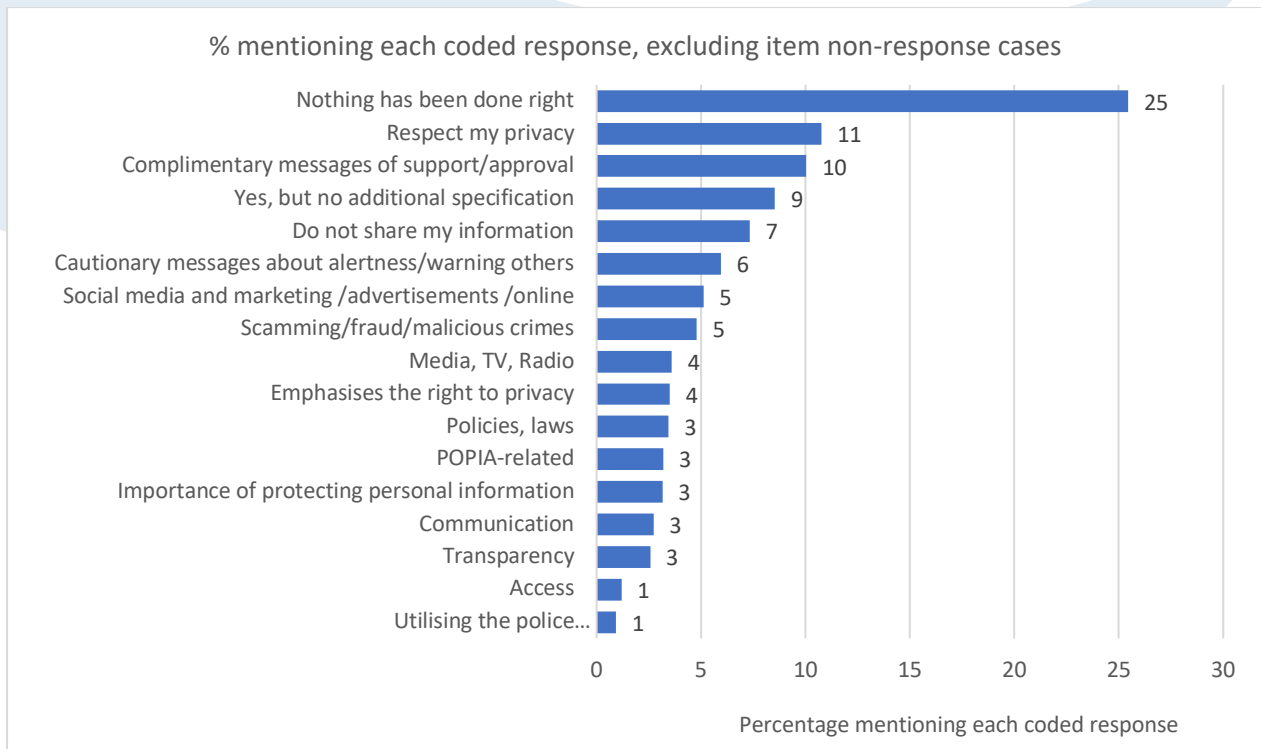
### 4.4.5 Satisfaction with work done to raise awareness of information laws

- 49% of the general public indicated that they are either very satisfied (20%) or satisfied (29%) with efforts to raise awareness of information laws in the country to date, while 18% are neither satisfied nor dissatisfied. 12% of the populace stated that they are dissatisfied or very dissatisfied (7%). Again, a relatively significant percentage (13%) didn't know how to respond to this question.
- For those able to express an opinion (i.e., excluding 'do not know' responses), satisfaction with efforts to raise awareness on information laws in the country was more common among those aged 18-19 years (than those 40+), black African adults, the less-educated, rural residents, as well as the employed and the non-poor, controlling for other factors.
- Knowledge of the Regulator and its mandate, as well as knowledge of information laws in the country, are significant predictors of satisfaction with the work done to raise awareness of information laws in the country. This is true even after controlling for a range of other socio-demographic attributes. It suggests that those receiving knowledge of information laws from the Regulator tend to voice contentment with what is being done to conscientise the public.



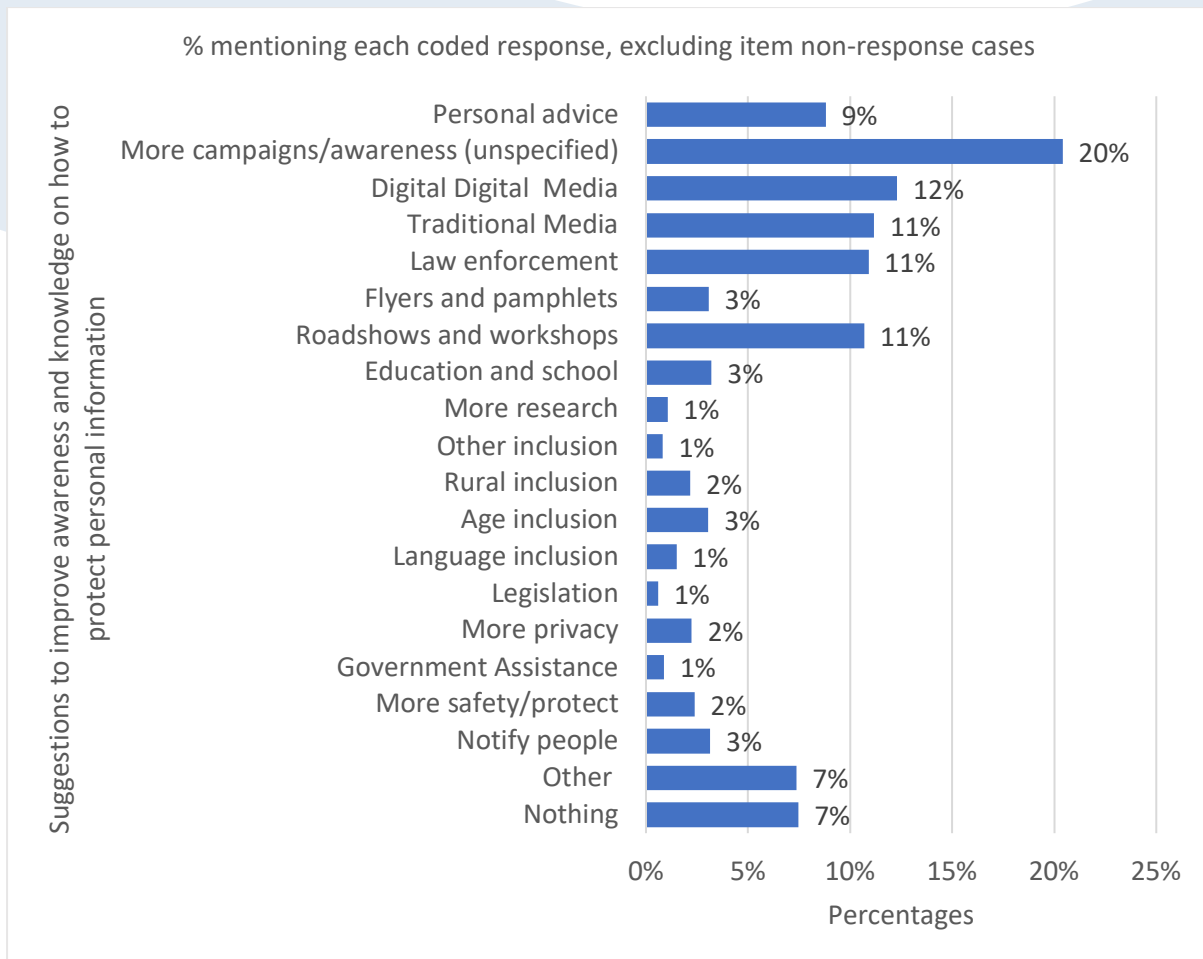
#### 4.4.6 Views on what has been done right in raising awareness and knowledge on how to protect personal information

- Respondents were asked an open-ended question regarding what they deemed had been done 'right' in effectively raising awareness and knowledge 'on how to exercise your right to access information and protect your personal information'. In response 64% of the populace provided different forms of non-response. These included an appreciable 50% providing no answer at all (blank responses), while 3% stated that they had not response to provide. A further 5% provided irrelevant answers while 7% indicated that they did not know how to respond to the question. This difficulty that a sizeable majority had in answering the question speaks volumes about patterns of knowledge and awareness of information laws in the country and the initiatives directed at educating the public in this regard.
- Focusing only on the remaining 36% of adults that could provide detailed answers to the question, by excluding the non-response categories described above, results in a diverse set of messages. The most frequency provided answer was that 'nothing has been done right' (mentioned by 25%). This is indeed worrying and suggests that the public is quite sceptical regarding the scale of efforts to promote public awareness on accessing and protecting information.
- Around a tenth of adults offered responses relating to 'respecting my privacy' (11%), general 'complimentary messages of support' for efforts being undertaken (10%) or said that things were being done right without specification (9%).
- Another group of responses that were slightly less commonly mentioned included messages about 'not sharing my information' (7%), 'cautionary messages of warning' (6%), favourable reviews of social media, marketing and advertisements (5%), and also issues relating to 'scamming, fraud and malicious crimes' (5%). Media sources such as TV and radio were favourably mentioned by 4%, as was messaging 'emphasising the right to privacy'.
- Other lesser supported responses (1-3%) touched on the policy and legislative framework, POPIA specifically, the importance of protecting personal information, communication campaigns, efforts to promote transparency and access to information, as well as police support, protection, accountability, and reporting. Negligible shares mentioned banks and government support (not shown in graph).



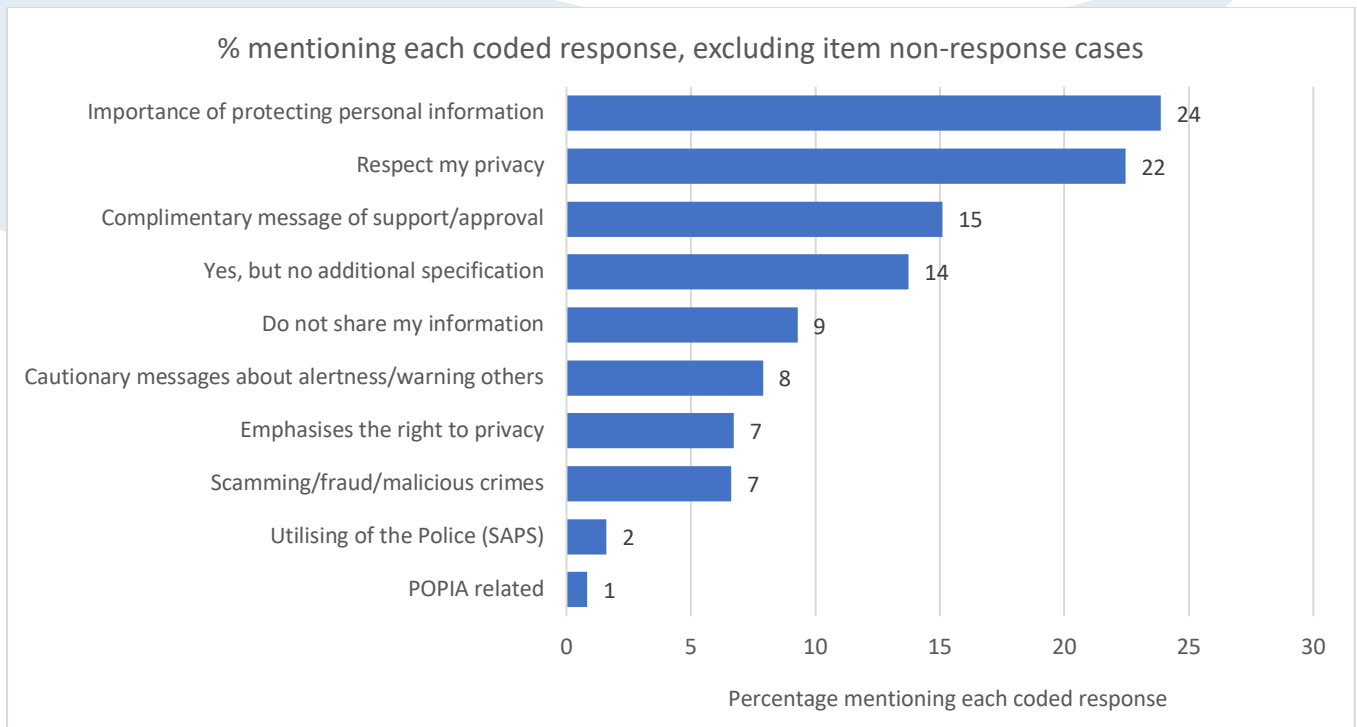
#### 4.4.7 Suggestions to improve awareness and knowledge on how to protect personal information

- Respondents were also asked to complete an open-ended (combined) question about what, in their view, can be done to 'improve awareness and knowledge on how to exercise your right to access information and protect your personal information'. 52% of the general populace provided different forms of non-response. Specifically, 42% failed to provide any response, opting instead to leave the question blank. A further 6% provided irrelevant responses, while 6% expressed uncertainty about how to respond.
- If the focus is restricted exclusively to the 48% who provided a valid answer to the question, we find a broad diversity of responses. The top-ranked responses relate to the need for further advertising awareness campaigns (mentioned by 20%), personal advice (9%) and a demand for the provision for more law enforcement (11%) and more safety for people (2%).
- A large cluster of codes was mentioned by small shares including themes such as strategic use of the social media (12%), and the need for reporting on this issue in the traditional media (11%). In addition, 11% indicated that workshops and roadshows could be a good way to promote knowledge and awareness.
- A long tail of nominally mentioned response categories was mentioned by 2% or less, and these address government and individual responsibilities, a greater focus on inclusion as well as an emphasis on promoting awareness through schools.



#### 4.5 Final messages about the protection of personal information

- Respondents were asked a final open-ended question regarding whether they had a parting message about the protection of their personal information. A total of 76% of the public provided different forms of non-response. 46% of adults said they had 'nothing to say' or simply provided no answer, a further 26% stated that they had no message to provide yet, while 3% provided irrelevant answers and a nominal share (<1%) were unsure how to respond.
- Leaving aside these non-response answers and concentrating on the quarter of the public that was able to provide a substantive response, the predominant responses related to 'the importance of protecting one's personal information' (mentioned by 24%) and the need for one's personal privacy to be respected (22%).
- A second cluster of responses were messages of support and approval, providing complimentary statements about efforts underway to protection personal information (15%), while 14% said that they had a message, but failed to specify what it was.
- A third cluster, mentioned by close to a tenth of those providing substantive responses, related to appeals for personal information to not be shared (9%), general cautionary messages about protecting ones' private information (8%), an emphasis on the right to privacy, as well as concern over scamming and fraudulent activity (both 7%).
- Marginal shares (<5%) referred to making use of the services of the police, and messages specifically addressing POPIA.



## 5 KEY FINDINGS

### 5.1 Sources of news and information

#### 5.1.1 Main source of information for news and current affairs

- Social media (younger adults) and television are the main sources of information for most respondents, while radio is popular among older respondents in rural areas.
- 56% of respondents use social media as their main source of information for news and current affairs, while 33% use news sites (either on the internet or physical newspapers).
- Television (53%) and radio (38%) remain important sources of information about news and current affairs for many respondents.

#### 5.1.2 Daily internet usage

- Internet usage is more frequent among younger and better-educated respondents, and is higher among employed and male adults.



## 5.2 Awareness of and knowledge about the Regulator

- 55% of respondents have heard either nothing at all or very little about the Regulator, while 36% have heard either a lot or a fair amount.
- Awareness of the Regulator was found to be higher on average among 18-19-year-olds, as well as among male, tertiary-educated, employed and better-off citizens. On average, persons with a disability report a higher level of awareness of the Regulator than non-disabled persons.
- Almost 60% of respondents feel that they know nothing at all or very little about the mandate, roles and responsibilities of the Regulator. Only 31% say they know either a lot or a fair amount.
- Similar to general awareness of the Regulator, knowledge of the Regulator's roles and responsibilities was higher on average among 18-19-year-olds, in addition to among male, tertiary-educated, employed and better-off respondents. Persons with a disability again presented with higher levels of knowledge than non-disabled adults.
- Despite fairly widespread awareness of POPIA, respondents generally do not associate the Regulator with the protection of their personal information and their right to privacy. [This association is even less evident in the case of PAIA and the right of access to information.]
- Perhaps because of police presence and visibility in communities across the country, at least compared to the Regulator, the SAPS is likely to be the first institution that most respondents think about when needing help to protect or enforce their rights. It should also be recognised that the Regulator is a relatively new institution without the same historical, extended and permanent physical presence as the SAPS in communities.

## 5.3 Awareness, knowledge and understanding of information laws

### 5.3.1 The information law(s) that ensure the safekeeping of an individual's personal information

- Awareness of POPIA is relatively high. It is in almost daily use for many people, especially for those who spend time on the internet, as they are prompted to take a decision about its implications for their privacy almost every time they log onto a new website. Together with the relative novelty of this legislation, this may explain the higher levels of awareness of this law among respondents.
- The same may be said of RICA, that is referenced each time someone purchases a SIM card for their cellphone or other connected device.
- By contrast, despite being on the statute books for over 20 years, PAIA is far less well-known among respondents.

### 5.3.2 Confidence in using POPIA to protect personal information

- About two-thirds of respondents expressed some level of confidence in their ability to use POPIA to protect their privacy and personal information.

### 5.3.3 Rights in terms of POPIA

- A notable majority of respondents recognise that they have the right to be notified when their personal information is processed/used in any way (60%) and 49% believe that POPIA can be used to lodge a complaint when that right is violated or denied (49%). A slightly smaller minority recognise that they can object to certain uses of their personal information (35%), while a substantial minority understand that POPIA can be used to access their personal information (40%). A concerning 15% didn't know how to answer the question.

#### 5.3.4 The organisation or person most likely to be approached to report misuse of personal information

- Notably, 55% of respondents said they would approach the South African Police Service (SAPS), while only 17% said they would approach the Regulator.

#### 5.3.5 The organisation or person most likely to be contacted if banking information is misused

- A significant majority of respondents (63%) said they would approach their bank directly and 22% indicated that they would ask the South African Police Service (SAPS) for help. Only 4% stated that they would contact the Regulator; the same percentage as would rely on a lawyer.

#### 5.3.6 Experience of personal information misuse

- Notable minorities of respondents have had either direct and/or indirect exposure to the misuse of personal information. 15% have been a victim, 24% knew someone else who has been a victim, while 6% indicated that both they and someone else they know have been victims.
- The likelihood of having personally had one's personal information misused was higher among women and persons with a disability.
- Knowing someone else that was a victim of misuse of personal information was higher among older persons aged 50 years and above, black African adults, those living in informal urban settlements, and those reporting that they were 'just getting by' financially.
- In addition, responses to open-ended questions highlight significant concerns about the safety of personal information and respondents' feelings of vulnerability to scams.
- These findings suggest that the need for the Regulator's services is substantial.

# PART B: RESPONSIBLE PARTIES SURVEY RESULTS

## 6 KEY INFORMANT SURVEY (RESPONSIBLE PARTIES)

### 6.1 Background

- Due to time and budget constraints, the desired comprehensive baseline study wasn't feasible. Hence, a preliminary online stakeholder (i.e., 'responsible parties', as defined in POPIA) opinion survey was undertaken. This entailed excluding some of the ideal research objectives and key research questions from the POPIA study, with a view to undertaking a relatively rapid survey that would nevertheless be scientifically credible and would provide the Regulator with a sound evidence-based set of findings on the basis of which it could assess its impact to date through awareness and education outreach programme, and make critical decisions about possible key changes to its strategy, approach and methodologies.
- This complementary online survey was targeted at selected responsible parties. The survey was administered via the Survey Monkey platform, with a weblink emailed to individual responsible parties.
- By surveying stakeholders who have had some direct interaction with the Regulator, the results of this survey provide a fuller picture of these stakeholders' comparative levels of awareness of and attitudes towards their rights and responsibilities in terms of POPIA, as well as awareness of the Regulator's roles and responsibilities.

### 6.2 Survey sample

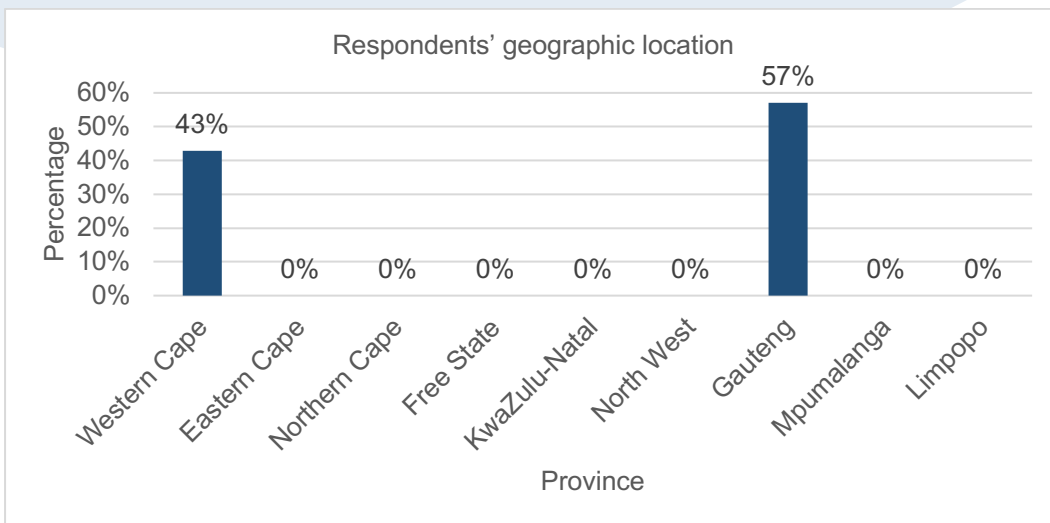
- Thirteen (13) responsible parties were randomly selected from the Regulator's POPIA complaints register comprising all complaints lodged with the POPIA division during the period from July to November 2021.
- The random selection was undertaken per province, although 4 provinces (Limpopo, Mpumalanga, North-West, and Northern Cape) do not form part of the database, and 1 province (Free State) has only one responsible party in the database.
- For these reasons, a non-probability purposive sampling approach was used to ensure a reasonably fair representation of all the provinces included in the database, as well as to ensure a fair mix of the responsible parties comprising individuals and juristic persons.
- During a period of about three weeks, the survey yielded a total of seven (7) responses.

### 6.3 Survey results

In view of the small survey sample available, the results reported below should be regarded as more indicative than definitive. Careful interpretation is therefore recommended and the results should be considered as exploratory and subject to a possible future follow-up study.

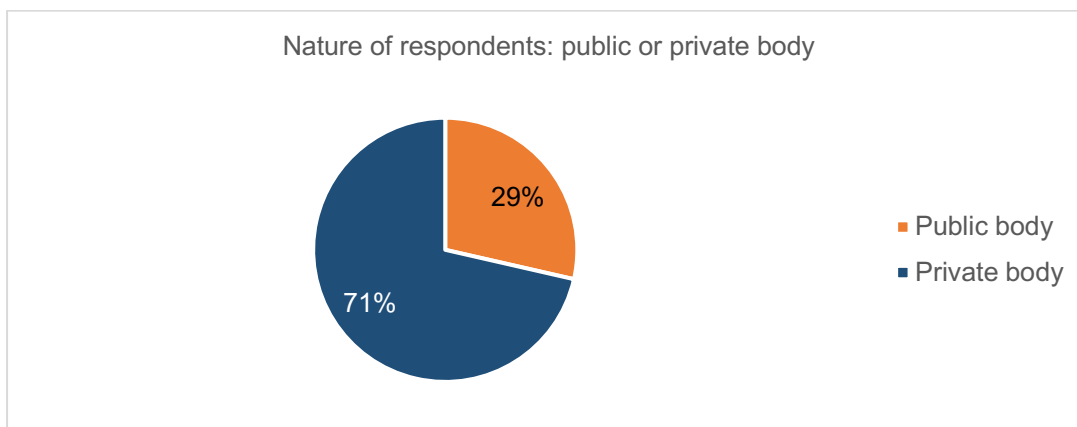
### 6.3.1 Respondents' geographic location

- 57% of respondents were based in Gauteng, while 43% were based in the Western Cape. No responses were received from any other province.



### 6.3.2 Nature of respondents: public or private body

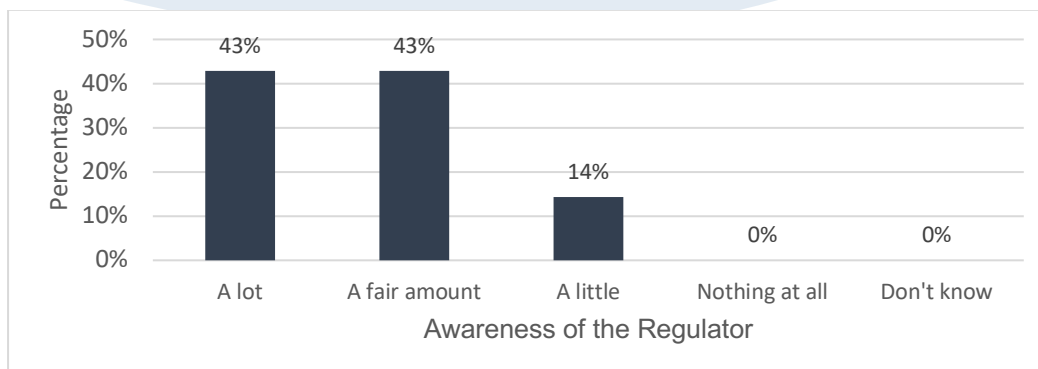
- 71% of respondents were private bodies, while 29% were public bodies.



### 6.3.3 Awareness of and knowledge about the Regulator

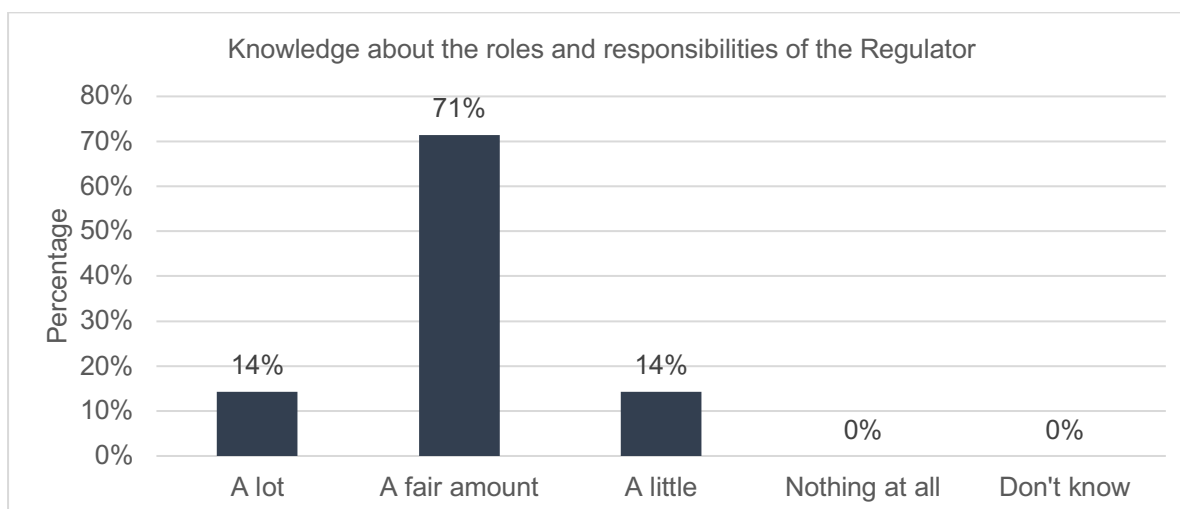
#### 6.3.3.1 Awareness of the Regulator

- Respondents indicated that they had heard either a lot (43%) or a fair amount (43%) about the Regulator, while 14% said they had heard only a little.



#### 6.3.3.2 Knowledge about the roles and responsibilities of the Regulator

- 14% of respondents claimed to know a lot about the Regulator's roles and responsibilities, while 71% indicated that they know a fair amount and 14% said they know a little.



### 6.3.4 Knowledge of and understanding about POPIA

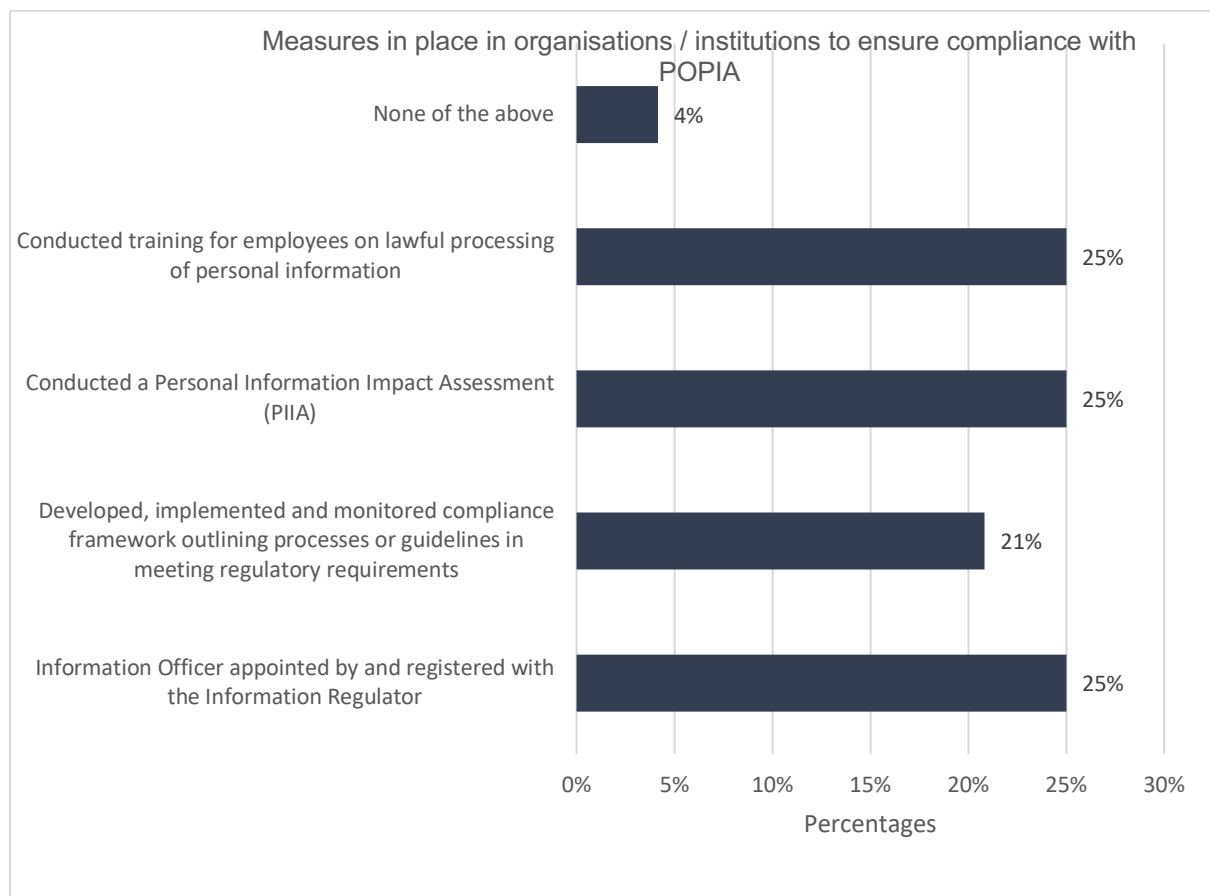
#### 6.3.4.1 Understanding of POPIA's main objectives

- Four respondents indicated succinctly that POPIA's main objective is to safeguard personal information.
- Two quoted verbatim the Preamble to the Act.
- One identified the responsibility placed on an organisation and its service providers to lawfully process personal information.

### 6.3.5 Implementation of POPIA

#### 6.3.5.1 Measures in place in organisations / institutions to ensure compliance with POPIA

- Respondents indicated that the following measures are in place: Training for employees (25%); Personal information impact assessment (25%); Information Officer appointed and registered with the Regulator (25%); Compliance framework developed, implemented and monitored (21%). 4% of respondents stated that none of these measures are in place in their organisations / institutions.
- Although only seven respondents participated in the survey, these measures were mentioned 24 times, indicating that some measures are in place in more than one organisation / institution.



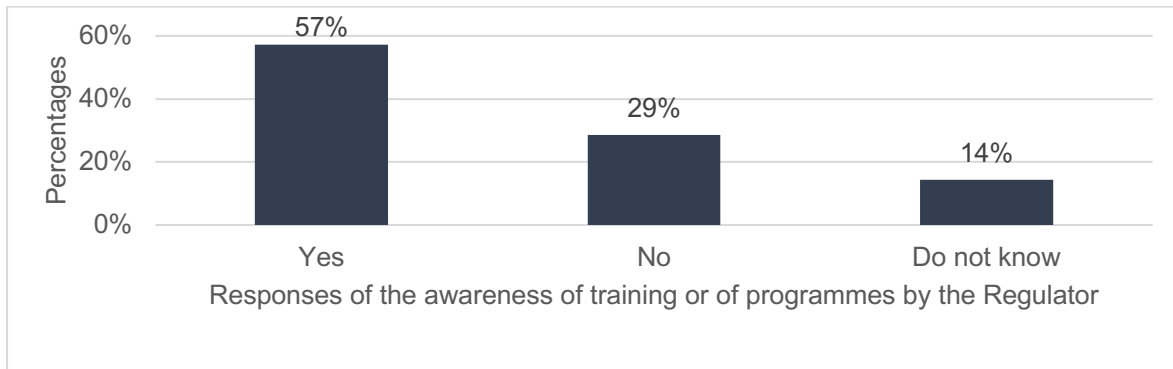
#### 6.3.5.2 Challenges or barriers hindering organisations' compliance with POPIA

- One respondent identified the limited jurisprudence emanating from the courts to date and the limited guidance from the Regulator, which leaves responsible parties to interpret this new legislation as best they can.
- One respondent identified their greatest challenge as monitoring third party service providers to ensure that they "align with our privacy requirements".
- Two respondents expressed their lack of knowledge and capacity to properly implement the Act.
- One respondent stated that there is generally inadequate awareness by "all" of the details of POPIA.
- Two respondents reported that they've not experienced any difficulties.

### 6.3.6 Satisfaction with awareness and training programmes

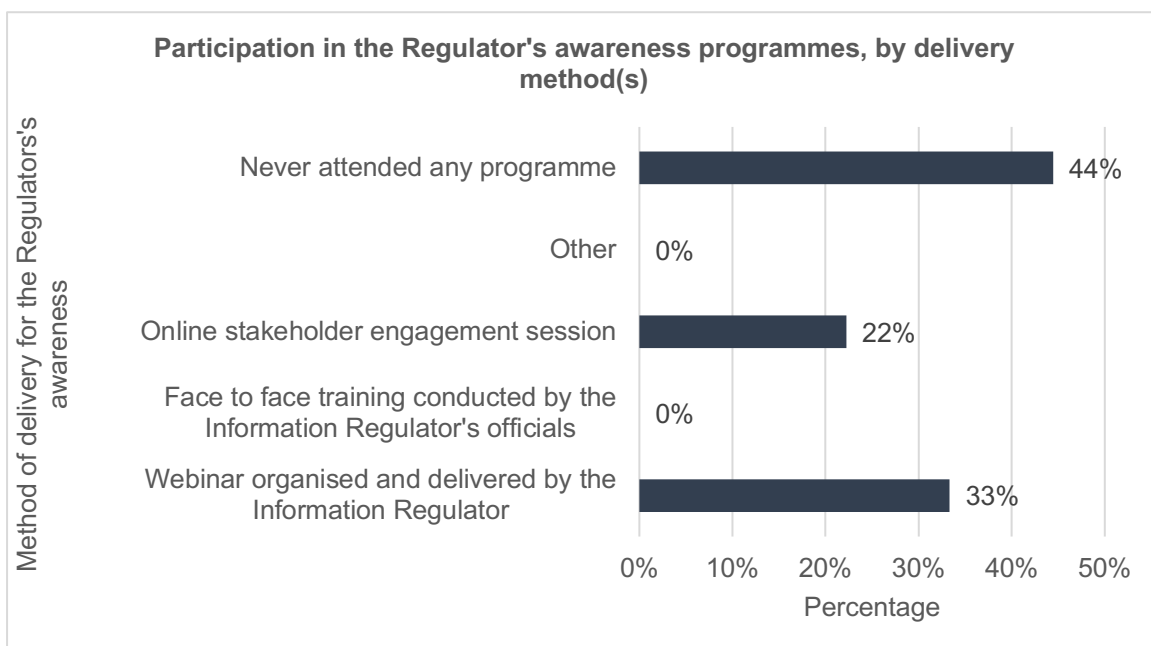
#### 6.3.6.1 Awareness of training or awareness programmes by the Regulator aimed at ensuring compliance by responsible parties

- 57% of respondents indicated awareness of such programmes by the Regulator, 29% said they were not aware of any such programmes, and a surprisingly high 14% did not know how to answer the question.



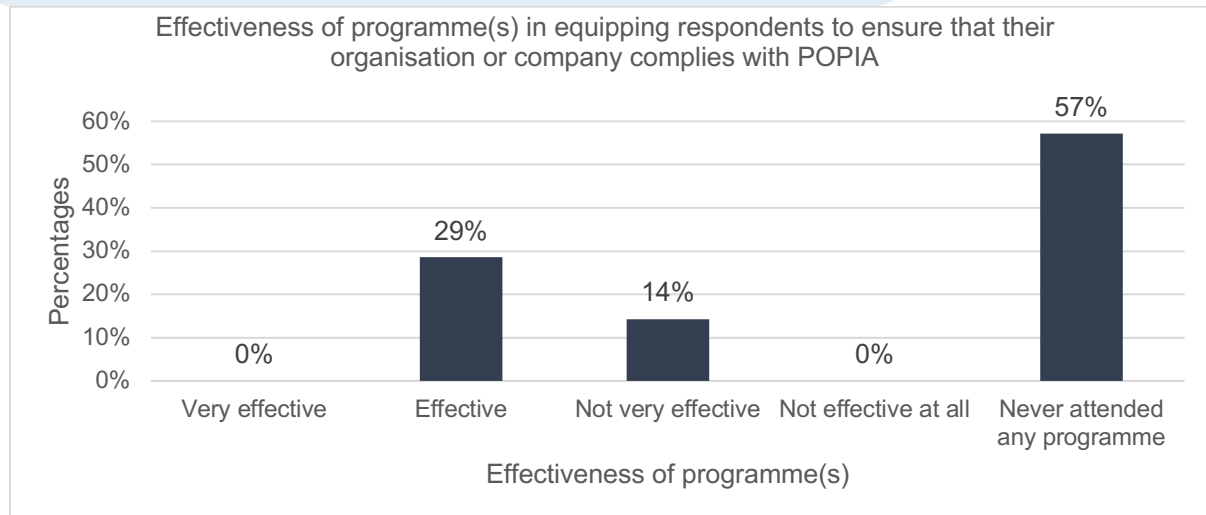
#### 6.3.6.2 Participation in the Regulator's awareness programmes, by delivery method(s)

- 44% of respondents said that they had never attended any awareness programme by the Regulator, 33% had attended a Regulator's webinar, and 22% had attended an online stakeholder engagement session.
- There were 9 responses to this question, which indicated that some respondents had participated in more than one such programme offered by the Regulator.



### 6.3.6.3 Effectiveness of programme(s) in equipping respondents to ensure that their organisation or company complies with POPIA

- 29% of responses indicated that the programmes were effective, 14% felt that they were not very effective, while 57% of responses indicated that respondents had never attended any programme.



### 6.3.6.4 Suggested measures for the Regulator to maximise compliance with POPIA amongst responsible parties

- More practical guidance of how to interpret and apply the complex principles in the Act. Without expecting the Regulator to play a judicial function, more “clarification and certainty” would be welcome.
- Four respondents support an ‘intensification’ of the Regulator’s awareness programme and training to sensitise organisations to POPIA requirements. One respondent suggested this should be “continuous”, while another suggested it could be done through email updates.
- One respondent proposed “comprehensive” communication and training on the Regulator’s approach to enforcement in instances of “abuse or non-compliance”.

## 6.4 Key findings

### 6.4.1 Geographic location and nature of respondents

- Responses were received from only Gauteng and the Western Cape.
- 71% of respondents were private bodies, while 29% were public bodies.

### 6.4.2 Awareness of and knowledge about the Regulator

- A large percentage of respondents (86%) had heard either a lot or a fair amount about the Regulator. This was understandable in view of the sampling approach described above.
- 85% of respondents know a lot or a fair amount about the Regulator’s roles and responsibilities.



### 6.4.3 Knowledge of and understanding about POPIA

- All respondents were able to identify POPIA's main objectives and its essence, which is to safeguard personal information. One exhibited some greater understanding by identifying the responsibility placed on both an organisation and its service providers to lawfully process personal information.

### 6.4.4 Implementation of POPIA

#### 6.4.4.1 *Measures in place in organisations / institutions to ensure compliance with POPIA*

- Respondents indicated that several measures are in place in almost all respondent organisations, but not uniformly. Most measures mentioned were being implemented in around only a fifth or a quarter of organisations.

#### 6.4.4.2 *Challenges or barriers hindering organisations' compliance with the POPIA*

- Five of seven respondents indicated some challenges.
- Three identified a lack of awareness, knowledge and capacity, either within their own organisation or also among other stakeholders, and a fourth identified the limited jurisprudence emanating from the courts and the limited guidance from the Regulator.
- One respondent identified monitoring their third party service providers' compliance as their greatest concern.

### 6.4.5 Satisfaction with awareness and training programmes

#### 6.4.5.1 *Awareness of training or awareness programmes by the Regulator aimed at ensuring compliance by responsible parties*

- 57% of respondents indicated awareness of such programmes by the Regulator, 29% said they were not aware of any such programmes, and a surprisingly high 14% did not know how to answer the question.

#### 6.4.5.2 *Participation in the Regulator's awareness programmes*

- 44% of respondents said that they had never attended any awareness programme by the Regulator, while 55% had attended a webinar or an online stakeholder engagement session.
- Some respondents had participated in more than one such event.

#### 6.4.5.3 *Effectiveness of the Regulator's programmes*

- Just under a third of respondents felt that the programmes were effective, while 14% felt that they were not very effective. A majority of respondents have never attended any programme.

#### 6.4.5.4 *Suggested measures for the Regulator to maximise compliance by responsible parties*

- One relatively large and sophisticated private body would welcome more practical guidance of how to interpret and apply the “complex principles” in the Act, expressing a desire for greater “clarification and certainty”.
- This degree of uncertainty expressed by this type of respondent suggests that other responsible parties feel similarly.
- Broad support for an ‘intensification’ of the Regulator’s awareness and training programmes.
- A desire for “comprehensive” communication and training on the Regulator’s approach to enforcement.

# PART C: FINDINGS ON MAIN RESEARCH QUESTIONS AND RECOMMENDATIONS

## 7 FINDINGS ON MAIN RESEARCH QUESTIONS

In this concluding section, we return to the research questions presented at the beginning of this synthesis document and summarise the study evidence pertaining to each.

- a) **What are data subjects' and responsible parties' levels of awareness and knowledge of privacy rights and personal information protection measures (POPIA)?**
  - General awareness of POPIA: 51%
- b) **Awareness of personal information protection measures:**
  - Right to be notified when their personal information is processed/used in any way - 60%
  - Right to be notified when their personal information is processed/used in any way - 60%
  - Usage of POPIA to lodge a complaint when that right is violated or denied - 49%
  - Usage of POPIA to object to certain uses of their personal information - 35%
  - Usage of POPIA to access their personal information - 40%.
- c) **What attitudes do data subjects have to the protection of their personal information?**
  - Respondents indicated a broad awareness of the need to protect their information, There is substantial demand that more be done to empower them with knowledge of how to do so, and to protect them from scams and theft of personal information.
- d) **What attitudes do responsible parties have towards POPIA compliance?**
  - Responsible parties (KIs) generally expressed sentiments indicating a desire to be compliant, although some said they are already compliant. However, there were several appeals for more comprehensive and detailed training and ongoing support to understand and properly implement this 'complex' law. There is a fear of the consequences of non-compliance, and a request for greater understanding of the Regulator's enforcement approach.
- e) **What can be done to improve South Africans' awareness and knowledge levels?**
  - See the preliminary findings and recommendations below.

## 8 PRELIMINARY FINDINGS AND RECOMMENDATIONS

Preliminary findings and recommendations to emerge from the data analysis include –

1. Awareness of the Regulator was not low, but awareness of the organisation's responsibilities and functions is low. Communication campaigns need to be designed so that people are made more aware of, and better-informed about, the mandate, powers and functions of the Regulator, especially its dispute resolution, adjudicatory, investigative and enforcement roles.
2. Stocks of knowledge about the Regulator in the country are low. The Regulator needs to intensify its efforts to promote public awareness and understanding of the right to privacy as elaborated in POPIA.
3. Knowledge of or trust in the effectiveness of the Regulator is low and the majority of respondents would rather report information misuse to other bodies (e.g., the police, banks), possibly because they are more visible and familiar. Communication campaigns need to be designed so that people know that they can report, and feel comfortable reporting, misuse of personal information to the Regulator.
4. Banks are seen as a source of financial information, the type of information about which concern is high. Many people see the major banks as trusted institutions in South Africa. Working with the banking community can help build awareness of POPIA and understanding data subjects rights as entailed in POPIA.
5. Fear and concern about personal information misuse is high. Promotional material must work to address these fears and use the language of empowerment to make the people more aware and more prepared to use their rights.
6. Many respondents identified the SAPS as the institution they would approach if they need help. Comparatively few respondents are aware of the Regulator. The Regulator should consider using the profile and presence of the SAPS in communities across the country as a resource to help inform, educate and assist the public; the Regulator could do so by informing and educating the SAPS and by making its educational materials and contact details (e.g., a toll-free number) available in police stations. Similar collaborative partnerships may be considered with municipal offices, Thusong centres, local government community development workers, and national networks of community advice offices (CAOs).
7. The Regulator should consider establishing a toll-free number to provide information and guidance to the public. The toll-free service should be properly staffed with well-informed personnel who are fluent in all official languages.
8. The Regulator should make its promotional and educational material available in all official languages, including sign language.
9. Consideration should be given to developing digital resources, such as brief comic strips, animated cartoons, or short and simple YouTube clips, for use by the public and some of the partners suggested below.
10. Many people living in South Africa have low literacy levels, or live with visual or hearing impairments, or are foreign nationals. For these reasons, awareness and educational materials should not be limited to written forms. These materials should also be available in visual and audio formats, as suggested above.
11. For older persons and those in rural communities, the Regulator should promote public awareness and education primarily through traditional media (e.g., television and radio). In addition, roadshows and organised events are valuable for reaching many people in marginalised and disadvantaged communities.
12. To effectively target the youth and younger adults, the Regulator should make greater use of digital platforms (particularly social media).

13. It is further recommended that, in view of the growing online presence of the youth and young adults, as well as the associated increased vulnerability to misuse of personal information, the school curriculum should be updated to include awareness and knowledge about (a) the importance of the right to privacy and (b) the need to protect personal information; as well as imparting (c) knowledge about the mandate and functions of the Regulator and (d) practical skills to protect personal information.
14. To enable broad public access to information about the Regulator, information rights and responsibilities, information laws and guidance about their use, consideration should be given to zero rating the Regulator's online platforms.