

## **Privacy Policy and POPIA Compliance for Open Studio Collective**

### **1. Introduction**

This Privacy Policy explains how Open Studio Collective (Pty) Ltd. t/a '**Open Model Management™**' (Registration Number: 2022/675241/07) collects, processes, shares, and protects personal information in compliance with the Protection of Personal Information Act, No. 4 of 2013 ("POPIA"). This policy applies to all data subjects, including contractors, models, minor children represented by the agency, parents/guardians, and clients.

Notwithstanding a model's age, where the model is under 18 years old, their parent or legal guardian is required to expressly understand and agree to this Privacy Policy. This includes the way **Open Model Management™** processes their own personal information as well as that of their child who engages with **Open Model Management™**.

Accordingly, while this Privacy Policy must be expressly accepted and agreed to by parents or legal guardians (in both their personal and representative capacities), minors are encouraged to review this Policy as well, in order to understand how their personal information is collected, used, and protected.

**Open Model Management™**, as a modelling agency, requires certain personal information - often sensitive in nature - to operate effectively. We process different categories of personal information for all models, including minors, which both parents and minors expressly understand and acknowledge as essential to our operations. Without this information, **Open Model Management™** would be unable to function as a full-service modelling agency.

That said, we want all our data subjects to have peace of mind. We are committed to protecting your personal information, and we handle all data with the utmost care and security. Below, we explain how we do so.

For more information regarding how your personal information is stored & used by **Open Model Management™**, please contact:

Email: [open@openmanagement.co.za](mailto:open@openmanagement.co.za)

### **2. Categories of Personal Information We Collect**

We may collect, store, use and transfer ("**process**") the following types of personal and special personal information:

- **Identity Data:** including full name, ID/passport number, date of birth, birth certificate/ID, gender, ethnicity, nationality, driver's license
- **Contact Data:** including email, phone number, residential and postal address – this includes a next of kin
- **Parental/Guardianship Data:** including relationship to child model, address, full name, contact information
- **Biometric Data:** including photographs, videos, measurements (height, bust, waist, hips, shoe size etc), eye/hair color

- **Financial Data:** including banking details, SARS tax number
- **Digital Data:** including IP address, device type, cookies, browser type, time zone
- **Social media Data:** including links to social accounts, portfolios, or personal pages, and handles/usernames
- **Company Data:** Full legal company names, registration numbers, VAT numbers, PAYE Numbers, physical + postal address, website

### 3. How We Collect Your Data

Data may be collected via:

- Online applications through our website or social media
- Email communication or telephone conversations
- Walk-in applications or scouting sessions
  - Completing data forms
  - Taking digitals/polaroids
- Referrals by third parties or existing clients
  - National & International agencies, Scouts, Clients, Instagram, Facebook, TikTok, Mailchimp, WhatsApp, Website
- Cookies and web analytics tools
- CCTV footage within agency premises

### 4. How we use your personal Data

We process personal data for the following purposes:

- Where we have obtained your **permission and consent**
- To provide and carry out our **modelling agency services**
- Where it is necessary for our **legitimate business interests**
- To comply with **legal and regulatory obligations** under South African law

#### 4.1. To respond to enquiries or applications

- **Type of data:** Identity Data, Contact Data, Digital Data, Parental/Guardianship Data
- **Legal basis:** Consent, Contract, Legitimate Interest
- **Third-party disclosure:** Internal Staff, Scouts, Trainers, Clients

#### 4.2. To provide modelling, casting, or agency services

- **Type of data:** Identity Data, Biometric Data, Parental/Guardianship Data, Contact Data, Social Media Data, Financial Data
- **Legal basis:** Contract, Legal Obligation, Consent, Legitimate Interest
- **Third-party disclosure:** Clients, Casting Agents, Production Companies, Stylists, Partner Agencies (local and international)

#### 4.3. To manage bookings, availability, and contracts

- **Type of data:** Identity Data, Biometric Data, Contact Data, Parental/Guardianship Data

- **Legal basis:** Contract, Legal Obligation, Legitimate Interest
- **Third-party disclosure:** Booking Systems, Clients, Casting Directors, Production companies

#### 4.4. To process payments and manage fees

- **Type of data:** Identity Data, Financial Data, Contact Data, Parental Data
- **Legal basis:** Contract, Legal Obligation, Legitimate Interest
- **Third-party disclosure:** Payment Providers, Accounting Systems, Internal Finance Team, Booking Systems, External Finance Team

#### 4.5. To operate and maintain our website and internal platforms

- **Type of data:** Digital Data
- **Legal basis:** Legitimate Interest
- **Third-party disclosure:** Hosting Providers, Security Partners, Analytics Tools

#### 4.6. To communicate policy updates, changes, or administrative matters

- **Type of data:** Identity Data, Contact Data
- **Legal basis:** Legal Obligation, Legitimate Interest
- **Third-party disclosure:** Internal Admin Team,

#### 4.7. To send direct updates, casting news, or marketing (where opted in)

- **Type of data:** Identity Data, Contact Data, Biometric Data, Social Media Data
- **Legal basis:** Consent, Legitimate Interest
- **Third-party disclosure:** Email Marketing Platforms, CRM Tools

If you'd like a current list of all third-party partners or clients, we share your data with, you're welcome to request this by email.

### 5. Disclosure and Sharing of Personal Information

We may share your personal information with internal and external third parties. Since we have a large network of third parties, we cannot list each of them below. If you'd like a current list of all third-party partners or clients, we may share your data with, you're welcome to request this by email.

- Production companies, casting agents, photographers, stylists, hair and make-up artists, and clients (locally or internationally)
- External service providers (e.g., cloud storage, analytics, IT providers)
- Authorities if required by law or regulation

All third parties are to uphold confidentiality and data protection.

## 6. International Transfers

Where necessary, your information may be transferred outside of South Africa. We ensure that any such transfers are conducted in compliance with POPIA and applicable foreign data protection laws.

## 7. Retention of Information

We retain personal data only for as long as:

- You are represented by the agency, and
- Required for financial, legal, or administrative purposes

Once a model is no longer represented and there is no further legal basis to keep the data, it will be de-identified or securely deleted within 5 years, unless legal or regulatory obligations require a longer retention period.

## 8. Information Security

We implement reasonable physical, electronic, and managerial safeguards to protect your data. Access is restricted to authorized personnel only.

### – **Booking and Scheduling Platforms**

We use secure internal systems supplied by Mainboard and You Me & Co to manage model availability, bookings, castings. These systems are accessible only by authorized staff, and where applicable, models, parents or legal guardians via password-protected portals. This ensures that sensitive scheduling and participation data is handled confidentially and responsibly.

### – **Cloud Storage: Microsoft OneDrive**

Your personal data may be stored on Microsoft OneDrive, a secure cloud-based storage service used by our agency. Microsoft OneDrive employs enterprise-grade encryption, access controls, and security protocols that are compliant with global standards and the Protection of Personal Information Act (POPIA). This ensures the integrity, confidentiality, and availability of the personal information we store.

### – **Emails: Hosted with Microsoft 365 & 1-Grid**

Our email communication is hosted securely through Microsoft 365 and 1-Grid. Both providers use industry-standard encryption and security measures to protect the content of emails, and any personal information shared via email correspondence. Access is limited to authorized personnel and is managed in line with POPIA compliance.

### – **Contracts and Agreements: Sent via Portfolio Pad & Outlook**

All our agreements are issued and signed electronically through Portfolio Pad, a secure digital platform. Portfolio Pad complies with the **Electronic Communications and Transactions Act (ECTA) 25 of 2002**, which recognizes the legal validity of electronic

signatures and digital agreements in South Africa. This ensures that all electronically signed contracts are legally binding, secure, and fully compliant with South African law. Access to signed agreements is restricted to authorized personnel and the relevant parties.

## **9. Your Rights Under POPIA**

You have the right to:

- Access and correct your personal data
- Object to processing for specific purposes
- Withdraw consent at any time
- Request deletion or restriction of your data
- Lodge a complaint with the Information Regulator

All requests must be submitted in writing to [open@openmanagement.co.za](mailto:open@openmanagement.co.za)

We will respond to all legal and legitimate requests; however, please note that complex or detailed requests may take longer than one month to process. In line with our commitment to protecting your privacy, all requests will undergo a strict verification process. You may be required to confirm your identity, and in some cases, provide a physical signature or attend in person to validate your request.

Please note that while you have the right to withdraw your consent under POPIA, there may be other applicable South African laws that require us to continue processing your personal information. This includes, but is not limited to, compliance with legislation relating to anti-corruption, taxation, child protection, and crime prevention. By engaging with **Open Model Management™** you expressly acknowledge and agree that such legal obligations may override your request to withdraw consent in specific circumstances.

## **10. Breach Response**

In the event of a security breach affecting your personal information, we will notify you and the Information Regulator without undue delay and take necessary remedial action.

## **11. Use of Cookies**

Our website uses cookies and similar technologies to enhance user experience and collect aggregated data on website usage. You can manage cookie settings via your browser.

## **12. External Links Disclaimer**

This privacy policy applies only to our website. We are not responsible for the privacy practices of third-party websites linked from our site.

## **13. Updates to this Policy**

We may revise this policy from time to time. Updated versions will be posted on our website with a revised effective date.

## **14. Complaints to the Regulator**

Information Regulator South Africa  
33 Hoofd Street, Forum III, 3rd Floor, Braampark

P.O. Box 31533, Braamfontein, Johannesburg, 2017

Email: [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za) | [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)

## **15. Governing Law and Jurisdiction**

This privacy policy is governed by the laws of the Republic of South Africa. Any disputes arising from this policy shall fall under the exclusive jurisdiction of the courts of South Africa.