Is your Web site POPI compliant?

n today's increasingly digital world, potential customers will be looking for your digital front door long before they coming looking for your physical front door. The POPI Act has widespread implications for the content of most organisations' Web sites, and this article will explore some of the key considerations to make that first touch point a positive experience.

When visitors knock on your digital front door how do you answer?

Across the European Union member states the treatment of cookies has been legislated for several years. The need to explain what personal information is captured and what it is used for has seen the need to obtain consent from Web site visitors become a legal requirement. Local adoption of a "pop-up cookie notice" is mixed, with two of the four big banks in South Africa having implemented it. Although there are some who would claim such pop-ups provide a negative user experience (I am not one of them), the demonstration of good governance and proactive respect for privacy is a strong argument is favour of such a measure.

Where is all that legal stuff?

Depending on the functionality offered by your Web site, you are likely to have a lot to tell your visitors. Typical topics include a formal copyright notice, explanation of terms and conditions, and formal legal statements about BBBEE compliance. With the advent of the POPI Act, even if there's no legal requirement (that is, you are exempt) many organisations are choosing to implement (or update) a Promotion of Access to Information Act (PAIA) manual which is included in the legal stuff people come looking for. Whilst many Web sites in SA have had privacy notices in the past, the need for these and what they say has become clearer with the POPI Act. We always recommend a two-tier approach to such notices, where the simple high-level facts can be dealt with in a positive, user-friendly way, while a further click will produce the full privacy notice should it be required. So, grouping all this together and making it easy to find via key word indexing, help text and FAQs makes a lot of sense.

What's different about POPI?

The POPI Act lays specific emphasis on eight conditions for legal processing of personal information. These conditions include consent, purpose, notification, quality and security. Whereas in the past your Web site may have addressed some or none of these, it now makes sense to do so explicitly. Where and when this happens depends on the functionality of your Web site. You essentially need to actively review every opportunity you give visitors to provide their personal information: subscriptions, contact forms, shopping carts, help requests. Remember also that the POPI philosophy is to "opt-in" and the design of tick boxes and consent buttons should take this into account.

What about security?

The number of hacks via Web sites in South Africa and around the world has grown exponentially over the last few years. Web site security is a specialist area, but even the relative beginner can appreciate the importance of topics such as security certificates (typically seen as an "https" rather than an "http" page address), in addition to a wide range of measures that can be implemented. There's even an ISO standard (ISO27018) which organisations such as Microsoft Azure and Amazon Web Services already promote to their clients.

Craig Noyle, director at Inovocom, an independent marketing dealer group well known to many readers of *My Office*, has been reviewing the design of Inovocom's Web site with POPI in mind.

"We have taken into account not only the advice we have had as a client of IACT-Africa, but are aware of some of the broader requirements coming out of Europe, such as those found on EuroPrise's Web Site for Privacy Certification," says Noyle. "It is disturbing how vulnerable many well-known brand name Web sites are in SA at present, and our research has taught us some valuable lessons."

Chris Stevens is a director at WebSkill, a company who specialise in delivering digital content for customers. "POPI is going to make a lot of our clients rethink their approach to privacy on their Web sites. The good news is that POPI will give a kick-start to a more internationally relevant look and feel, and help our community as a whole to become more attractive trading partners as a result." ∎