

# DESIGN FORMS THAT BUILD TRUST

THE WAY IN WHICH YOU ASK FOR INFORMATION IS IMPORTANT. HERE ARE SOME SUGGESTIONS ON HOW YOU CAN DESIGN POPI-COMPLIANT FORMS THAT MAKE LIFE EASIER FOR YOU AND THE PERSON COMPLETING THE FORM.

<input type="checkbox"/> DOES THE FORM'S TITLE DESCRIBE THE FORM'S PURPOSE?	<p>Try to be as descriptive as possible and avoid using administrative codes in form titles.</p>
<input type="checkbox"/> DO YOU NEED EVERY PIECE OF INFO ON THE FORM? WHY?	<p>Don't just answer 'yes'. Really go through the form to make sure that you only collect info that you need.</p> <ul style="list-style-type: none"> <li>• If there are questions on the form that ask for info you do not need, delete the questions.</li> <li>• If you already know the answer, don't ask the question again.</li> </ul>
<input type="checkbox"/> ARE YOU COLLECTING THE INFO ON BEHALF OF SOMEONE ELSE?	<p>If you are collecting exclusively for another company or the government (e.g. info which you collect for medical schemes or pension funds), it must be clear to the person that they are not giving their info to you, but to someone else. E.g. think of co-branding the form.</p>
<input type="checkbox"/> ARE YOU COLLECTING INFO DIRECTLY FROM THE PERSON?	<p>Info should be collected directly from the person, but when this is not possible, tell the person that you will collect the info from another source (e.g. if you are doing a credit check or getting info from a third party). This should be in your privacy notice (more about that later).</p>
<input type="checkbox"/> WILL IT BE CLEAR TO THE PERSON WHY YOU NEED TO KNOW?	<p>If the reason you are asking for a particular piece of information is not clear from the context or the privacy notice, it should be stated on the form.</p> <p>Why? If people don't know why you are asking, they tend to give false information or no information at all, because they don't trust you to protect their information.</p>
<input type="checkbox"/> DOES THE FORM REFER TO YOUR PRIVACY NOTICE?	<p>Include the following in your form: "Wondering why we need all this information and what we do with it? Find the answers in our Privacy Notice."</p> <p>How you provide the Privacy Notice will depend on whether the form is going to be completed online or by hand. If it is online, it is ok to link to the Privacy Notice if you don't want to put it in the form itself. If it is being filled in by hand, it should be printed on the form itself.</p>
<input type="checkbox"/> HAVE YOU INDICATED COMPULSORY AND OPTIONAL FIELDS?	<p>This is usually done by placing an asterisk (*) next to the compulsory field. You must indicate what the effect of not providing the optional info will have (if any).</p>
<input type="checkbox"/> WHAT ABOUT CHILDREN?	<p>If you are collecting info from or about a minor (under 18) you must obtain consent from a parent or guardian.</p>
<input type="checkbox"/> WILL THE INFO BE SHARED WITH SOMEONE OUTSIDE OF YOUR BUSINESS?	<p>People care about whether their information will be shared. This means that it is important to be transparent about it. If info must be shared with other companies or the government, disclose that fact in your privacy notice or on the form. Also ensure that you have a contract in place with the companies you share with to ensure that they will protect the info.</p> <p><b>This is important:</b> There is a difference between sharing information which you also use for your business and collecting on behalf of someone else. In the second instance, you are just passing the information on. If that is the case, it is better if you say clearly on the form (i.e. by branding it) that it is someone else collecting the information. You will still be responsible to keep that information safe while it is in your possession.</p>
<input type="checkbox"/> WILL THE INFO YOU'RE COLLECTING BE SENT TO ANOTHER COUNTRY?	<p>If you are sending the information to a company in another country (for whatever reason) you have to disclose it in your Privacy Notice and make sure that that country either has data protection laws like ours, or that you sign a contract where they promise to protect the information.</p> <p><b>Remember!</b> If you are using a cloud based service (like Dropbox, Google Drive, or iCloud) you are sending the information overseas. Ask your POPI Pro for some advice, this stuff gets complicated.</p>
<input type="checkbox"/> IS THE INFO SENSITIVE?	<p>Sensitive info includes:</p> <ul style="list-style-type: none"> <li>• medical info,</li> <li>• background info (e.g. credit history or CV's),</li> <li>• info about alleged criminal behaviour,</li> <li>• info about minors,</li> <li>• embarrassing info,</li> <li>• info about race or disability, or</li> <li>• financial info.</li> </ul> <p>This kind of info should be marked 'confidential'. Sometimes info on the form may not be sensitive, but the attachments to the form are.</p>