

PRIVACY NOTICE TO PATIENTS

Personal Information Protection Notice (issued in accordance with Section 5 (a) (i) and 18 of the Protection of Personal Information Act, 4 of 2013 (POPIA)

1. AIM AND PURPOSE OF THIS NOTICE

Mediclinic values your privacy, and with this Privacy Notice, we inform you about the personal information that we collect and process when interacting with you. By being transparent and informing you, we are also fulfilling our legal notification obligation as we are committed to processing your personal data according to the applicable data privacy and information protection law provisions.

This notice applies to current and former patients (in this notice collectively referred to as “patients”) of Mediclinic Southern Africa, its subsidiaries, and affiliates (“the Group”). It does not form part of any contract for treatment or other contract to provide services.

It is important that you read and retain this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information and what your rights are under applicable data protection laws.

Unless otherwise stated, all personal information we request from you is obligatory. If you do not provide and/or allow us to process all obligatory personal information, as requested, we will not be able to keep complete information about you, thus affecting our ability to accomplish the purposes set out below.

2. DEFINITION OF TYPES OF PERSONAL INFORMATION

Depending on our relationship with you, we might hold different categories of personal information, as per the table set out below:

<i>The term “personal information” in this notice refers to information that can identify you as an individual.</i>	
<i>Personal information</i> Personal information is information that enables us to uniquely identify you such as your full names, address, identification number, next of kin, memberships to societies, etc.	<i>Sensitive personal information</i> Sensitive personal information refers to information about your racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic or biometric data, physical or mental health.

3. HOW WE COLLECT YOUR PERSONAL INFORMATION

Much of the *personal information* that we process is information that we have obtained from you or has been authorised by you to be collected from a third party upon becoming a patient at one of our facilities. However, in other instances, we process personal information that we are able to infer about you based on other information which you provide to us or during our interactions with you, or personal information about you that we receive from a third party using a process mentioned below.

Sensitive personal information about you, as defined above, may in law be collected and processed to the extent necessary for your proper treatment and care or for the administration of the institution or professional practice concerned, provided that it may only be processed to the extent permitted by applicable law, or otherwise with your express consent.

Should you have consented to making use of CareConnect to share treatment information across participating healthcare providers, be they funders or healthcare facilities, some clinical information might be collected from that health information exchange too to enrich your clinical information.

Some of our premises may be monitored using closed-circuit television cameras which might record your on-premises conduct, subject to applicable laws.

4. PURPOSE FOR WHICH PERSONAL INFORMATION IS COLLECTED AND USED

We will use your personal information based on the following lawful reasons to process:

Lawful reason to process	Description	Data Elements (not an exhaustive list)
Based on your contract	Manage all aspects of your treatment including, but not limited to, admission process, treatment facilitation, clinical record creation, case management, billing and other general administrative and human resource-related processes related to your treatment.	<p>Name, gender, home address and telephone number, date of birth, biometric information, emergency contact details</p> <p>Copy of passport and national identification document</p> <p>Medical scheme, insurance and other benefits information</p> <p>Employer details and contact information</p> <p>Date of admission, tracking of bed status and theatre usage and date of discharge</p> <p>Height, weight and other detailed health information such as allergies, preferences and special need requirements as well as diagnoses and treatment</p> <p>Physical and mental healthcare records (including results and opinions from third party providers, such as X-rays, scans and blood tests; referrals and second opinions, such as written statements, medical photographs and diagrams and surgical videos)</p> <p>Banking details</p>
We need to comply with a legal obligation.	<p>Comply with applicable laws (e.g. National Health Act, COID Act and other health and safety regulations).</p> <p>Protect the safety and security of Mediclinic employees, patients and visitors and their property (including controlling and facilitating access to and monitoring activity in secured premises and activity using Mediclinic computers, communications and other resources)</p>	<p>Information required to comply with laws, the requests and directions of law enforcement authorities such as communicable disease reporting or occupational injury or disease reporting etc.</p> <p>Video footage of our premises using closed-circuit television cameras which might record your on-premises public space behaviour</p>
We may also use your personal information where we need to protect your interests (or someone else's interests) or it is needed in the public interest.	<p>Maintain emergency contact and beneficiary details (which involves Mediclinic holding information on those you nominate in this respect).</p> <p>Anti-microbial stewardship initiative to reduce antibiotic resistance development</p>	<p>Names, email address, physical address, telephone number of next-of-kin or emergency contact</p> <p>Referring doctor details such as name, email address, physical address, telephone number</p> <p>Antibiotic usage and laboratory results</p>
It is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests; or as otherwise permitted by applicable laws.	<p>Investigate and respond to claims against Mediclinic, its employees, patients and visitors.</p> <p>Investigate incidents where patients were involved</p> <p>Voice recordings used for quality control and training purposes as well as debt collection</p>	<p>Video footage of our premises using closed-circuit television cameras which might record your on-premises public space behaviour</p> <p>Physical and mental healthcare records (including results and opinions from third party providers, such as X-rays, scans and blood tests; referrals and second opinions, such as written statements, medical photographs and diagrams and surgical videos)</p> <p>Collect relevant patient related information to initiate improvement in processes to prevent future harm to patients</p> <p>Recording of telephonic discussions where applicable such as debt collection processes</p>

Based on specific consent you have provided us	<p>Conduct patient satisfaction surveys.</p> <p>Share information through CareConnect.</p> <p>Specific client alliance programs (CAP)</p>	<p>Share your e-mail and other contact details with our service partner conducting independent surveys on our behalf, solely for assessing clinical performance or assessing patient satisfaction. The service partner will generate anonymized aggregated statistical data for measuring operational and clinical performance to improve our service quality.</p> <p>Share discharge information relating to specific event consented to.</p> <p>CAP programs such as Mediclinic Prime and Mediclinic Mother and Baby</p>
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5. CHANGE OF PURPOSE

We will only use your personal information for the purposes for which we collected it, as specified above, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose for which the information was collected. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by applicable laws.

6. DISCLOSURE OF INFORMATION

For the purposes specified in this notice, your personal information may be shared with third parties and other appropriate persons within the Group. We require all such persons to respect the security of your personal information and to treat it in accordance with our Policy and applicable law.

Agents, service providers and suppliers

Like many businesses, from time to time, we outsource the processing of certain functions and/or information to third parties. When we do outsource the processing of your personal information to third parties or provide your personal information to third-party service providers, we oblige those third parties to protect your personal information with appropriate security measures in accordance with our Privacy and Data Protection Policy and to at least the same level that we do.

Business transfers

As we continue to develop our business, we may buy or sell healthcare facilities and other assets. In such transactions, patient information is generally one of the transferred business’ assets and we may include your personal information as an asset in any such transfer. Also, in the event that we (the company or part thereof), or substantially all of our assets, are acquired, patient information may be one of the transferred assets to the entity that acquires us.

Legal requirements

We will disclose any personal information we have concerning you if we are compelled to do so by a court of law, requested to do so by a governmental entity, or if we determine it is necessary or desirable to comply with the law or to protect or defend our rights or property in accordance with applicable laws. We also reserve the right to retain personal information that we collected and to process such personal information to comply with accounting, tax rules, regulations, and any specific record retention laws, even if you are no longer being treated by the Group.

International transfers

Like most international businesses, we have centralised certain aspects of our data processing and clinical resources administration in accordance with applicable laws in order to allow us to better manage our business. That centralisation may result in the transfer of personal information from one country to another. Whenever we do, you can expect a similar degree of protection in respect of your personal information which will be processed in accordance with our Privacy and Data Protection Policy and applicable laws, as you would in expect in the country of treatment.

7. DO WE NEED YOUR CONSENT?

Generally, the company is not required to obtain your consent to collect and use your personal information for the purposes specified in the document, unless specifically required by applicable laws, in which case we will not process your personal information without your consent.

8. USE OF YOUR PERSONAL INFORMATION IN AUTOMATED DECISION MAKING

Mediclinic does not make use of automated decision making that would affect you as the data subject in any significant way, or have any legal consequences attached to it.

9. DATA SECURITY

Your personal information shall be treated as confidential and collected, processed, and stored by Mediclinic and our service providers in a manner that ensures appropriate security thereof, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical and organisational measures, which include:

- identity and access management;
- infrastructure and operations security;
- vulnerability management;
- business continuity planning;
- disaster recovery planning; and
- security awareness.

Further details of these measures are available upon request.

We have put in place procedures to deal with any suspected data security breaches and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

10. DATA RETENTION

We will retain your personal information for no longer than is necessary or permitted by applicable law. Once you are no longer a patient of the Group, we will retain and, once required, securely destroy your personal information in accordance with our data retention policy and applicable laws and regulations.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

11. YOUR RIGHTS OF ACCESS, CORRECTION, ERASURE AND RESTRICTION

It is important that the personal information we hold about you is accurate and current. Please follow the necessary steps to update your personal information should it change during your relationship with us.

Subject to certain exceptions, you may request to access, correct, erase, or restrict our processing of your personal information. We will need specific information from you to help us confirm your identity and ensure your right can be exercised. This is another appropriate security measure to ensure that personal information is not disclosed to or amended by any person who has no right to receive or amend the information.

Once a request is received, the Administration, Legal or Data Protection offices shall provide feedback to you as required by law or internal processes.

You will not have to pay a fee to confirm whether Mediclinic holds personal information about you. We may however charge a fee should you request a copy of your personal information. We may refuse to disclose any information should your request for access clearly be unfounded, repetitive, or excessive.

In the limited circumstances where you may have provided your consent to the collection, processing, and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the relevant locality where you gave consent or send an e-mail with appropriate information to dataprivacy@mediclinic.co.za. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

For any other requests regarding access to information records created by us, refer to our Promotion of Access to Information Act Manual (PAIA Manual) [HERE](#).

12. CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

13. QUESTIONS

If you have any questions about this privacy notice, our lawful reason to process or how we handle your personal information, please contact the Mediclinic Southern Africa Data Protection Officer at dataprivacy@mediclinic.co.za or failing that, the Mediclinic Group Services Data Protection Manager at dataprivacy@mediclinic.com.

14. INFORMATION REGULATOR

Should you believe that the processing of your personal information is in contravention with the applicable data protection laws, you can lodge a complaint with the Information Regulator. The following link has their contact details:
<https://inforegulator.org.za/>