

PRIVACY POLICY

THE PROTECTION OF PERSONAL INFORMATION ACT

This Policy explains how we **obtain**, **use** and **disclose** your personal information, in accordance with the requirements of the Protection of Personal Information Act (“**POPIA**”).

Practice as a health care professional is based upon a relationship of mutual trust between patients and health care practitioners. The term “profession” means “a dedication, promise or commitment publicly made”.

To be a good health care practitioner, requires a life-long commitment to sound professional and ethical practices and an overriding dedication to the interests of one's fellow human beings and society

At **Q Kidney Care (Pty) Ltd** we are committed to protecting your privacy and to ensure that your personal information is **collected** and **used properly, lawfully** and **transparently**. This policy ensures that patients who receive care from this practice are comfortable in entrusting their health (sensitive) information to the practice.

About the Company

Name of Practice: Q Kidney Care (Pty) Ltd
Vat No: 4580295790
Practice Number: 0650447
Registration Number: 2016/144206/07
Director name: Maritza Horn
Director ID: 790724 0056 084
Address of the Practice: 218 Louise Street, Doringkloof, 0157
Information Officer Name: Maritza Horn
Information Officer ID: 790724 0056 084
BHF No.: 0750030650447
HPCSA No.: KTG0005118
Email address: admin@qkidneycare.co.za

www.qkidneycare.co.za

Practice Procedure

- The Practice will:
- Provide a copy of this policy upon request or it can be viewed on our website.
- Ensure staff (medical facilitator and administrative entity) comply with all privacy regulations and deal appropriately with inquiries or concerns.
- Take such steps as are reasonable in the circumstances to implement practices, procedures and systems to ensure compliance and deal with inquiries or complaints.
- Collect personal information for the primary purpose of managing a patient's healthcare and for financial claims and payments.

- Staff Responsibility

The practice staff will take reasonable steps to ensure patients understand:

- What information has been and is being collected.
- Why the information is being collected and whether this is due to a legal requirement.
- How the information will be used or disclosed.
- Why and when their consent is necessary.
- The Practice's procedures for access and correction of information, and responding to complaints of information breaches, including by providing this policy.
- The medical facilitator and administrative entity will in addition to the agreement / contract held with Q Kidney Care (Pty) Ltd sign an Addendum to Agreement to ensure that they agree and comply with the Privacy Policy of Q Kidney Care (Pty) Ltd.

- Patient Consent

- The practice will only interpret and apply a patient's consent for the primary purpose for which it was provided.
- The Practice staff must seek additional consent from the patient if the personal information collected may be used for any other purpose. A patient consent form will be given to you for signature, either manually or electronically.

The Information we collect from our patients

We collect and process your personal information mainly to deliver specific medical services as agreed to with you. This usually happens during registration and your first appointment with us. For this purpose, we will collect contact details, website addresses, email addresses, medical history and access to social media pages if applicable and required by you as the patient. As a health care professional service, we might gather all these information from you according to the POPI Act (*The POPI Act treats all formation about health, well-being and sex lives of individuals as highly sensitive information, meaning Healthcare*).

We collect information directly from you where you provide us with your personal details. In this regard we may collect:

- name and surname
- date of birth
- contact details
- medical number for identification and claiming purposes or directly related business activities
- healthcare identifiers
- medical information (medical history, medications, scripts, allergies, adverse events, immunisations, social history, family history and risk factors.)

Where possible, we will inform you what information you are required to provide to us and what information is optional.

- Practice staff collect patient's personal and demographic information via registration when patients present to the clinic for the first time.
- During the course of providing medical services the practice's healthcare practitioners will consequently collect further personal information.
- Personal Information may also be collected from the patient's guardian or responsible person (where practicable and necessary) or from other involved healthcare specialists.

How we use your information

We may disclose your personal information to other healthcare specialists who are contracted in to deliver services to us as arranged with you, with your consent. These services will be in accordance with the treatment/service we agreed on with you. We do have agreements in place to ensure that they comply with the privacy requirements as required by the Protection of Personal Information Act. An Addendum to Third Party Agreement will be set in place to protect all data subjects and their personal information.

We may disclose your information:

- For medical defence purposes;
- As required by law in instances of mandatory reporting of communicable diseases;
- Necessary to lessen or prevent a serious threat to a patient's life, health or safety or public health or safety, or it is impracticable to obtain patient's consent;
- To assist in locating a missing person;
- For the purpose the patient was advised during consultation with the treating Doctor/Specialist;
- As required during the normal operation of services provided. i.e. for referral/motivation to a medical specialist or other health service provider;
- For the purpose of a confidential dispute resolution process;
- To establish, exercise or defend an equitable claim;
- Some disclosure may occur to third parties engaged by or for the practice for the Practice for business purposes such as accreditation or for the provision of information technology. These third parties are required to comply with this policy. Third parties will be asked to sign an Addendum to their existing contract.
 - The practice will not disclose personal information to any third party other than in the course of providing medical services, without full disclosure to the patient or the recipient, the reason for the information transfer and full consent from the patient.
 - The Practice will not disclose personal information to anyone outside South Africa without need and without patient consent.
 - The Practice will not use any personal information in relation to direct marketing to a patient without that patient's express consent.
 - The practice evaluates all unsolicited information it receives to decide if it should be kept, acted upon or destroyed.

Q Kidney Care (Pty) Ltd will employ all reasonable endeavours to ensure that a patient's personal information is not disclosed without their prior consent. *The POPI Act treats all formation about health, well-being and sex lives of individuals as highly sensitive information, meaning Healthcare.*

Information and data Security:

We are legally obliged to provide adequate protection for the personal information we hold and to stop unauthorised access and use of personal information. We will, on an on-going basis, continue to **review** our security controls and related processes to ensure that your personal information remains secure.

We will also, on an ongoing basis in order to secure our compliancy standards, **update** these records with your consent. We are aware that we are to review past medical history at least every 3 years.

Retention of medical records is for a minimum of **6 years** from the date of last entry into the patient record unless the patient is a child in which case the record must be kept until the patient attains the age of 21 years of age. (Retention periods of keeping patient record (2008), para 9).

Disposal of medical records must be in a safe, secure manner.

Our security policies and procedures cover:

- Computer and network security;
- Access and disposal of information;
- Access to personal information as described on page one “**The Information we collect**”
- Secure communications;
- Security in contracting out activities or services;
- Retention and disposal of information;
- Acceptable usage of personal information for purposes given consent to;
- Governance and regulatory issues;
- Monitoring access and usage of private information;
- Investigating and reacting to security incidents;

A patient’s personal information may be held at the practice in various forms:

- A paper record;
- As electronic records;
- As visual i.e., x-rays, CT scans, videos & photos;
- As audio recordings.

Parent / Guardians and Children

To protect the rights of a child’s privacy, access to a child’s medical information may at times be restricted for parents and guardians. Release of information may be referred back to the treating Doctor where their professional judgement and the law will be applied.

Third parties:

When we contract with third parties, we impose appropriate security, privacy and confidentiality obligations on them to ensure that personal information that we remain responsible for, is kept secure.

We will ensure that anyone to whom we pass your personal information agrees to treat your information with the same level of protection as we are obliged to.

Your rights: Access information:

You have the right to request a copy of the personal information we hold about you. To do this, simply contact us via email: admin@qkidneycare.co.za

And specify what information you require. We will need a copy of your ID document to confirm your identity before providing details of your personal information. We will advise of time of enquiry how to submit your ID document copy.

Please note that any such access request may be subject to a payment of a legally allowable fee for administration services to be rendered.

Correction of information:

According to the Act "personal information" means information relating to an identifiable, living, natural persona and where it is applicable, an identifiable, existing juristic person. Further to the POPI Act, also includes the following personal information:

- All addresses including residential, postal and email addresses. Employment details, which deem to be necessary may also be requested.

How to contact us:

If you have any queries about this notice; you need further information about your privacy practices; wish to withdraw consent; exercise preferences or access or correct your personal information, please contact us at <http://www.qkidneycare.co.za/>

All employees of Q Kidney Care (Pty) Ltd are required to observe the obligations of confidentiality in the course of their employment and are required to sign Confidentiality Agreements.

Signed at Centurion on this 23rd day of November 2021



Maritza Horn

Director: Q Kidney Care (Pty) Ltd