



PRIVACY POLICY

Please read this Privacy Policy carefully to understand how your personal information will be handled by East Coast Radiology. Every term of this Policy is material.

1. ABOUT THE PRACTICE

East Coast Radiology is a private radiology practice, which provides medical services to patients. The practice is subject to various laws and ethical rules protecting the privacy and confidentiality of patients.

Contact details of the practice:

Physical Address: 45 St Marks Road Southernwood, East London, 5200

Postal Address: P.O. Box 7460, East London, 5201

Telephone Number: +27 (0)43 722 2453

Email address: info@eastcoastradiology.co.za

Website address: www.eastcoastradiology.co.za

2. INFORMATION OFFICER

Information Officer of the practice:

Name: Mr. H.L. Cronje

Email: info@eastcoastradiology.co.za

Telephone: +27 (0)43 722 2453

Deputy Information Officer of the practice:

Name: Mr. C. Francis

Email: it@eastcoastradiology.co.za

Telephone: +27 (0)43 722 2453

3. DEFINITION OF TERMS

- 3.1 **“Data subject”** refers to the person (e.g., patient) or entity to whom the personal information relates.
- 3.2 **“Personal information”** has the meaning assigned to it in POPIA and refers to information relating to human beings and certain juristic persons. It includes information such as race, gender, pregnancy, age, health status and medical information, date of birth, identity number, contact details and confidential correspondence.
- 3.3 **“Processing”** has the meaning assigned to it in POPIA and refers to any operation or activity concerning personal information, such as the collection, receipt, recording, storage, updating, alteration, use, distribution, erasure or destruction of the information.
- 3.4 **“POPIA”** means the Protection of Personal Information Act (Act 4 of 2013) and its Regulations.
- 3.5 **“Special Personal Information”** means information about your religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion; health or sex life, or biometric information.
- 3.6 **“We” / “us”** refers to the practice of East Coast Radiology.
- 3.7 **“You” / “your”** refers to the data subject (i.e., the person or entity) whose personal information is processed by the practice.

4. APPLICATION OF THE PRIVACY POLICY

This Privacy Policy applies to personal information that we have in our possession or under our control and personal information that we collect or receive from or about you. It stipulates, amongst others, how we collect the information, the type of information collected, why that information is collected, the circumstances under which that information will be shared with others, the security measures that we have implemented to protect the information and how you may obtain access to and correct your information.

5. OUR COMMITMENT

We understand that your personal information is important to you and that you may be anxious about disclosing it. Your privacy and the security of your information are just as important to us and we want to make sure you understand how your information will be processed. We are committed to conducting our practice in accordance with the law. We will, therefore, only

process, which includes collect, use, store or disclose, your personal information in accordance with the law, in terms of a regulatory duty, or if we have a contract with you to process the information or otherwise as is necessary for the protection of our or your legitimate interests. If the above lawful bases do not apply, we will only process your Personal Information with your consent and will always strive to keep your information confidential.

We take this commitment to look after your personal information seriously. We have implemented a number of processes to make sure that your personal information is used in the right way.

We apply the following principles in order to protect your privacy:

- We only collect the personal information that is necessary;
- We only use personal information for the purposes specified in this Privacy Policy, unless you are advised otherwise;
- We do not keep personal information longer than needed for lawful purposes; and
- We only share your personal information as specified in this Privacy Policy and permitted in terms of the law or otherwise as agreed with you.

6. WHEN YOU PROVIDE INFORMATION ABOUT ANOTHER INDIVIDUAL / ENTITY

You must make sure that if you provide personal information about any individual or entity to us, you may lawfully do so (e.g., with their consent). We will accept that you are acting lawfully. You should make sure that they are familiar with this Privacy Policy and understand how we will use and disclose their information.

7. COLLECTION OF YOUR PERSONAL INFORMATION

We collect personal information directly from you when you become a patient or an employee of the practice, when you engage with us as an independent consultant, when you supply information on our website or when you provide information to us or contact us. Information may also be collected from other sources, depending on the circumstances, when it is, for example, not possible to obtain the information directly from you or to protect your legitimate interests such as ensuring your safety during a medical procedure. The information may be collected from persons, such as your next-of-kin, another healthcare practitioner involved with your care or when you make information publicly available. The information that we collect

about patients is necessary to ensure their safety during procedures and to provide them with the requested medical services. The disclosure of your Personal Information to East Coast Radiology is mandatory and required in terms of the services provided to you or agreements with you unless otherwise indicated as voluntary at the point of collection for example where consent is requested.

8. PROCESSING OF YOUR PERSONAL INFORMATION

There are various laws that permit the processing of personal information of patients such as the National Health Act, POPIA and the Medical Schemes Act. Employment laws permit the processing of employees' information.

We generally process the personal information listed below, if applicable in the circumstances, and retain it as part of our records. Other personal information may be collected and processed, if it is required in the circumstances.

<i>Patients</i>

- Names and surnames, identity numbers, dates of birth, age, contact details, addresses, nationality and gender;
- Photos;
- Names and contact details of next-of-kin;
- Health status, medical information, including medical history and Covid-19 screening information;
- Medical scheme information or information about other relevant funders;
- Procedures performed / treatment provided and relevant reports (e.g., radiological images and reports, pathology results);
- Billing and payment details; and
- Information recorded on practice documentation, such consent forms.

<p><i>Healthcare Practitioners, Employees and Job Applicants</i></p>

- Names and surnames, titles, identity numbers, dates of birth, age, contact details, addresses, HPCSA / statutory council number, position or role in the practice, nationality, gender, race, qualifications, specialisation, interests and other information included on CVs;
- Membership of professional societies;
- Relevant medical and disability information, including Covid-19 screening information;
- Signatures of official signatories of the practice and proof of residence, if required by the bank;
- Employment-related information;
- Bank details;
- Professional indemnity cover;
- Vetting reports of job applicants (qualifications and criminal records); and
- Correspondence.

<p><i>Suppliers, Vendors and Other Persons / Entities, including Public Bodies and Regulators</i></p>
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- Organisation's name and contact details;
- Names, titles and contact details of relevant persons (including next-of-kin of patients and employees and guarantors of patients);
- Agreements and related information;
- Invoices;
- Bank details
- Official documentation, including newsletters and statements;
- Covid-19 screening information of visitors to the practice; and
- Correspondence.
- BEE scoring
- Tender and sustainability measures
- Service quality reports
- Due diligence information
- Commercial and market research information

9. CONSENT

If you consent to the processing of your personal information, you may withdraw your consent at any time. This does not affect the processing of personal information that has already occurred. If you withdraw your consent, your personal information will only be processed as provided for in the law.

10. OBJECTION TO PROCESSING

When we process your personal information to protect your legitimate interests or based on the legitimate interests of the practice or those of a third party to whom we supply the information, you may object to our processing, if it is reasonable to do so. This must occur on the form prescribed by POPIA, available at reception / from the Information Officer. This does not affect your personal information that we have already processed. If you object and we agree with your objection, your personal information will only be processed as provided for in the law.

11. PURPOSES OF PROCESSING OF YOUR PERSONAL INFORMATION

We generally process your personal information of Special Personal Information for the following purposes:

- to conduct and manage the practice in accordance with the law, including the administration of the practice and claiming and collecting payment for services rendered from relevant funders, patients and/or responsible persons / entities;
- for treatment and care of patients;
- for communication purposes (e.g., reminders of patient appointments);
- for the maintenance of practice records and patients' medical records;
- in ensuring we provide quality care and services we may process your information when conducting audits and investigations, or customer satisfaction surveys;
- for contracting and related matters of healthcare practitioners;
- if required as part of any litigation process;
- we process employees' information for job applications, pre employment screening and during onboarding, employment and termination processes;
- for employee training and development;
- for reporting to persons and bodies, including referring practitioners, as required and authorised in terms of the law or by the data subjects;

- when conducting IT system and software maintenance, testing and development subject to adequate safeguards and duties of confidentiality undertakings being in place;
- to share your information with courier companies and other transportation companies for the purposes of transportation;
- to share information with third party service providers for the purpose of storage and confidential destruction;
- to ensure your and our security using CCTV and other security surveillance activities;
- for historical, statistical and research purposes;
- for clinical trials / studies;
- for identification of patients;
- for enforcement of the practice's rights; and/or
- for any other lawful purpose related to the activities of our practice.

In the event that you refuse to provide your Personal Information, and where the purpose for such collection is based on a contractual requirement, legal obligation and/or legitimate interest, it would hinder our ability to perform our duties and responsibilities, and the consequence is the inability for us to assist you.

12. DISCLOSURE OF YOUR PERSONAL INFORMATION

We will share only relevant personal information about you with the persons and entities specified below, if it is necessary and lawful in the circumstances.

<i>Patients</i>

- Treating practitioners;
- Hospitals (in-patients);
- Next-of-kin as may be required and authorised in the circumstances;
- Guarantors for payment of invoices;
- Relevant funders such as the patient's medical scheme;
- Practitioners and employees of the practice and service providers who assist us to provide the services and who perform functions related to the administration of the practice on a need-to-know basis, subject to confidentiality undertakings;
- Debt collectors / attorneys;
- Our insurers;

- Our professional and legal advisers, including our accountants / auditors;
- Law enforcement structures, including courts and tribunals;
- Regulatory and other public or private bodies, persons or entities, as may be required or permitted in terms of the law, including to comply with any legal obligation or to protect the rights, property or safety of our practice, employees, patients, the public or others; and
- The purchaser of the practice, if applicable.

Referring and Other Healthcare Practitioners

- Next-of-kin of patients;
- Relevant funders such as the patient's medical scheme;
- Hospitals;
- Practitioners and employees of the practice and service providers who assist us to provide the services and who perform functions related to the administration of the practice on a need-to-know basis, subject to confidentiality undertakings;
- Our professional and legal advisers, including our accountants / auditors;
- Law enforcement structures, including courts and tribunals;
- Regulatory and other public or private bodies, persons or entities, as may be required or permitted in terms of the law, including to comply with any legal obligation or to protect the rights, property or safety of our practice, employees, patients, the public or others; and
- The purchaser of the practice, if applicable.

Practitioners and Employees (including Job Applicants)

- Practitioners and employees of the practice and service providers who assist us to provide the services and who perform functions related to the administration of the practice on a need-to-know basis, subject to confidentiality undertakings;
- Next-of-kin in emergency situations;
- Funders;
- Our insurers;
- Suppliers and vendors;
- Vetting agencies (if applicable);
- Employment agencies (if applicable);
- Entities performing peer review (practitioners);
- Our professional and legal advisers, including our accountants / auditors;

- Law enforcement structures, including courts and tribunals;
- Regulatory and other public or private bodies, persons or entities, as may be required or permitted in terms of the law, including to comply with any legal obligation or to protect the rights, property or safety of our practice, employees, patients, the public or others; and
- The purchaser of the practice, if applicable.

<p><i>Other Persons and Entities (such as persons responsible for patients' accounts)</i></p>
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- Practitioners and employees of the practice and service providers who assist us to provide the services and who perform functions related to the administration of the practice on a need-to-know basis, subject to confidentiality undertakings;
- Our professional and legal advisers, including our accountants / auditors;
- Debt collectors / attorneys;
- Our insurers;
- Law enforcement structures, including courts and tribunals;
- Regulatory and other public or private bodies, persons or entities, as may be required or permitted in terms of the law, including to comply with any legal obligation or to protect the rights, property or safety of our practice, employees, patients, the public or others; and
- The purchaser of the practice, if applicable.

13. RECORD-KEEPING

We maintain records of your personal information for as long as it is necessary for lawful purposes related to the conducting of our practice, including to fulfil your requests, provide treatment and care to patients, comply with legal obligations, resolve complaints, attend to litigation where instituted against the practice, enforce agreements and for historical, statistical and research purposes subject to the provisions of the law.

14. INFORMATION SENT ACROSS THE BORDERS OF THE REPUBLIC OF SOUTH AFRICA

We process and store your information in records within the Republic South Africa. Personal Information that we collect from you may be transferred to, and stored at, a destination outside of South Africa. It may also be processed by staff operating outside South Africa who work for us or for one of our suppliers. Where we transfer your Personal Information outside South Africa, we will endeavour to ensure that there are adequate protections in place for your rights, in accordance with POPIA. By submitting your Personal Information, and in providing any

Personal Information to us, you agree to this transfer, storing or processing. We will take all steps reasonably necessary to ensure that your information is treated securely and in accordance with this Privacy Notice and POPIA.

15. SECURITY OF YOUR PERSONAL INFORMATION

We are committed to ensuring the security of your personal information in order to protect it from unauthorised processing and access as well as loss, damage or unauthorised destruction. We have implemented and continually review and update our information protection measures to ensure the security, integrity, and confidentiality of your information in accordance with industry best practices. These measures include the physical securing of the offices where information is held, the locking of cabinets with physical records, password control to access electronic records, off-site data back-ups and stringent policies in respect of electronic record storage and dissemination. In addition; only those employees and service providers that require access to your information to discharge their functions and to render services to us are granted access to your information and only if they have concluded agreements with or provided undertakings regarding the implementation of appropriate security measures, maintaining confidentiality and processing the information only for the agreed purposes. We will inform you and the Information Regulator, if any person has unlawfully obtained access to your personal information, subject to the provisions of the law. At your request, we may occasionally transfer Personal Information to you or another healthcare provider at your request via a medium you may choose. If you choose to send or receive such information via a non ECR approved transfer method, you do so at your own risk.

16. RIGHT TO ACCESS YOUR PERSONAL INFORMATION

You have the right to request access to your personal information in our possession or under our control and information of third parties to whom we supplied that information subject to restrictions imposed in legislation. If you wish to exercise this right, please complete the prescribed form, available at reception / from the Information Officer, and submit it to the receptionist / Information Officer. Costs may be applicable to such request, which can be obtained from the receptionist / Information Officer. Please consult our PAIA Manual for further information.

17. ACCURACY OF YOUR PERSONAL INFORMATION

It is important that we always have accurate information about you on record as it could impact on communication with you and your health, if applicable. You must therefore inform us as soon as any of your information has changed. You may also request us to correct or delete any information. Such a request must be made in writing on the prescribed form, available at reception / from the Information Officer, and be submitted to the receptionist / Information Officer. You must provide sufficient detail to identify the information and the correction / deletion required. Information will only be corrected / deleted, if we agree that the information is incorrect or should be deleted. It may not be possible to delete all the information if we may lawfully retain it. Please enquire at reception or contact the Information Officer to discuss how we can assist you with your request. If we correct any information and the corrected information will impact on any decision made or to be made about you, we will send the corrected information to persons to whom the information has been disclosed in the past if they should be aware of the changed information.

18. CHANGES TO THIS PRIVACY POLICY

We reserve the right in our sole and absolute discretion, to revise or supplement this Privacy Policy from time to time to reflect, amongst others, any changes in our practice or the law. We will publish the updated Privacy Policy on our website. It will also be available at reception. Any revised version of the Policy will be effective as of the date of posting on the website, so you should always refer back to the website for the latest version of the Policy. **It is your responsibility to make sure you are satisfied with any changes before continuing to use our services.** If you have any questions concerning this Policy, please contact our Information Officer.

19. CONCERNS AND COMPLAINTS ABOUT THE PROCESSING OF YOUR PERSONAL INFORMATION

Should you, at any time, wish to object, or feel that we are not reasonably processing your personal and health information in a manner that preserves the confidentiality, privacy and security thereof as required by law, you may notify us accordingly, either telephonically or in writing, and we will then ensure that your complaint or query is investigated and dealt with efficiently.

All enquiries, requests or concerns regarding this Policy or relating to the processing of your personal information by the practice should be addressed to the Information Officer. You may also lodge a complaint with the Information Regulator at the Office of the Information Regulator, South Africa at JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001. P.O Box 31533, Braamfontein, Johannesburg, 2017.

Email general – infoereg@justice.gov.za; Complaints – POPIAComplaints.IR@justice.gov.za

We would, however, appreciate the opportunity to address any concern you may have before you approach the Regulator.

20. LAWS APPLICABLE TO THIS PRIVACY POLICY

This Privacy Policy is governed by the laws of the Republic of South Africa.