



# PRIVACY POLICY



## PRIVACY POLICY

National Health Group (Pty) Ltd incorporating Enablemed (Pty) Ltd, hereinafter referred to as National HealthCare Group, recognises the importance of protecting personal information and the constitutional right of its customers to have their personal information kept private, confidential and used only for lawful purposes. As prescribed in the POPI Act (Act 4 of 2013), the National HealthCare Group aims to adhere to all data protection laws and has implemented safeguards to ensure that all the personal information relating to its customers is kept safe from unauthorised access.

**Please read this Privacy Policy carefully to understand how your personal information will be handled by National HealthCare Group.**

### 1. ABOUT THE GROUP

National Health Group (Pty) Ltd is a legally registered Managed Care and Healthcare Administrator that provides healthcare services to low-income Employer groups, Insurers and the Medical-Aid industry. The Group is subject to various South African laws as a healthcare service provider and adheres to the ethical rules that protect the privacy and confidentiality of its member's personal information, namely the POPI Act.

#### Contact details of the Group:

**Physical Address:** Office 0302, Mill House, Boundary Terraces, Corner Campground and Mariendahl Lane, Newlands, 7700, Cape Town

**Postal Address:** PO Box 44331, Claremont, 7700

**Telephone Number:** 021 276 5600

**Email address:** [compliance@nationalhealthcare.co.za](mailto:compliance@nationalhealthcare.co.za)

**Website address:** [www.nationalhealthcare.co.za](http://www.nationalhealthcare.co.za)

### 2. INFORMATION OFFICER

Information Officer of the Group:

**Name:** Patrick Lubbe

**Email:** [compliance@nationalhealthcare.co.za](mailto:compliance@nationalhealthcare.co.za)

**Telephone:** 0860 002 400

### 3. DEFINITION OF TERMS

3.1 **“Data subject”** refers to the person (e.g., member) 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/ POPI Act”** means the Protection of Personal Information Act (Act 4 of 2013) and its Regulations.

3.5 **“We” / “us”** refers to National Health Group (NHG) also known as National Healthcare. This definition includes Enablemed (Pty) Ltd, as the latter is a fully owned subsidiary of NHG.

3.6 **“Member” / “You” / “Customers”** refers to the data subject (i.e., the person or entity) whose personal information is processed by the Group.

3.7 **“Republic”** refers to the Republic of South Africa

#### **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 from our customers. 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 correct your information.

#### **5. OUR COMMITMENT**

We understand the importance of protecting personal information thus we are committed to conducting our business activities lawfully in accordance with the Privacy laws of the Republic. We will, therefore, only process, which includes collect, use, store or disclose, our members personal information in accordance with the law to offer contractually approved healthcare services and we will always strive to keep our members personal information confidential. We have implemented a number of processes to make sure that the personal information of our members that is in our care is used responsibly and protected in the right way.

We apply the following principles in order to protect our members privacy:

- We only collect the personal information that is necessary,
- We only use personal information for the purposes specified in this Privacy Policy,

- We do not keep personal information longer than needed for lawful purposes; and
- We only share our members personal information as specified in this Privacy Policy and as permitted in terms of the law.

## **6. COLLECTION OF PERSONAL INFORMATION**

The Group collects personal information directly from its customers who are Employer groups, Insurers and Medical Aid schemes as part of carrying out its contractual duties. At times, the Group may directly collect personal information from registered members of Employer groups, Insurers/ Medical Aid schemes when they supply information on the Group's website or on the various interactive social media communication platforms.

Personal 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 members or to protect the legitimate interests of members as part of a provision of medical services. The information may be collected from persons, such as the members next-of-kin, other health care practitioners involved in the care or when the members information is publicly available. The information that we collect about members is necessary to ensure they are provided with the contractually required healthcare services.

## **7. PROCESSING OF YOUR PERSONAL INFORMATION**

There are various laws that permit the processing of personal information in the provision of contractual healthcare services such as the National Health Act, POPI Act and the Medical Schemes Act. Employment laws of the Republic permit the processing of employee's information by the employer for the fulfilment of legal administrative obligations.

As far as the Company understands, all personal information is deemed private and attended to according to the POPI Act. We process the personal information listed below, if applicable in the circumstances, and retain it as part of our records:

### **7.1 Records relating to the formation of the company:**

Documents related to the establishment of the company, CIPC documents, memorandum of incorporation, its directors and shareholders records as required in terms of the Companies Act 71 of 2008; a shareholders' agreement; shareholders register, other statutory records; governance documents (e.g., company policies, minutes of meetings); company number registration and other related documents.

## 7.2 **Employment records:**

Employment contracts; conditions of employment and workplace policies; skills development plans and training records; salary register; relevant tax records; leave records; medical scheme membership records; Pension and Provident fund records; performance indicators and other correspondence. In the provision of caring of employees relevant medical and disability information, including Covid-19 screening information may be collected.

In the case of Job applicants, the Group collects information such as titles, identity numbers, dates of birth, age, contact details, addresses, HPCSA / statutory council number, nationality, gender, race, qualifications, specialisation, interests, vetting and other information that may be included on CVs. This information is destroyed should the employment process not move forward with the applicant. In the case of successful employment, the details form part of the employee file which is subject to POPIA protection laws.

## 7.3 **Health administration records:**

In the provision of healthcare services, the National Health Group may collect however not limited to the following: Member medical records; photos, healthcare benefits; patient communication; names and contact details of next-of-kin, billing and payment details, claim related information such as procedures performed / treatment provided and relevant reports (e.g., radiological images and reports, pathology results), and other information on health-related services.

## 7.4 **Referral records:**

Doctor referral notes and other relevant reports.

## 7.5 **Clinical trial / research studies records:**

No records are kept by the company related to clinical trials / research studies.

## 7.6 **Health and safety records:**

Health and safety reports and other regulatory compliance records required by the law.

## 7.7 **Financial records:**

Financial statements; auditors' reports; accounting records; bank statements; invoices, statements and receipts; remittance advices; tax returns and related documentation.

## 7.8 **Records related to assets:**

Asset register; purchase records; licences; financing and lease agreements; sale and

purchase agreements; delivery notes and orders.

**7.9 Agreements:**

Agreements and related documentation with service providers, contractors, consultants, suppliers, vendors, medical schemes, doctors who are approved providers, professional assistants and other business-related agreements.

**7.10 Public and private body (e.g., regulators and medical schemes) records:**

Official accreditation documents; benefit schedules and other healthcare administration related correspondence.

**7.11 Insurance records (including professional indemnity cover):**

Policies, cover, claims and related records.

**8. CONSENT**

The processing of personal information is subject to the consent received through contractual agreements with the various Employer Groups, Insurers and Medical Aid Schemes. Consent of member may be withdrawn at any time. This does not affect the processing of personal information that has already occurred. Should a member withdraw consent through the Employer Group, Insurer and Medical Aid scheme, this will be processed as provided for in the law.

**9. OBJECTION TO PROCESSING**

When we process personal information, it is with the intention to promote our members healthcare interests, to ensure that their healthcare benefits are accessed and processed according to the relevant rules. The members may however object to our processing, if it is reasonable to do so. This must occur on the form prescribed by POPI Act, available at reception / from the Group's Information Officer or from the Information Regulator. This does not affect the personal information that has already processed. Should a member object and the Group agrees with the objection, the members personal information will only be processed as provided for in the law.

**10. PURPOSES OF PROCESSING OF YOUR PERSONAL INFORMATION**

All Information that the Group collects is collected with the aim of providing healthcare services as per our contractual agreements.

**The collected information is used to carry out business activities such as:**

- Information is used for the administration of the contracted healthcare service,
- Information is used for the provision of managed care services on the contracted healthcare plan,
- Information is used for the provision of relevant information to a contracted third party who requires this information in order to provide a healthcare service to members and beneficiaries on our healthcare plan,
- Information is used for reporting to persons and bodies, as required and authorised in terms of the law or by the data subjects,
- Information is used for employment / contracting and related matters of the Groups employees,
- Information may be used, at the request of the regulator for the support of law enforcement structures, including courts and tribunals,
- Information may be used for any other lawful purpose related to the activities of the Group.

**11. DISCLOSURE OF YOUR PERSONAL INFORMATION**

We will share only relevant personal information about our members with our business partners if it is necessary and lawful in the provision of healthcare services. We share this personal information with our service providers that help with our business activities, including but not limited to benefit management, claim processing, bank refunds and other health care administration related services. In adherence to the POPI Act, we require our service providers to keep our members personal information safe and secure. We do not allow our service providers to use or share our members personal information for any purpose other than providing services on our behalf.

We do not sell or provide personal information to third parties for independent use. However, as a healthcare services provider and administrator, we do share personal information with our healthcare business partners and suppliers when that information is required to provide the healthcare service necessary to carry out services.

Our business partners, suppliers and service providers are committed to adhering to the POPI Act and to using the members information only as directed by us and as per our contractual agreements with the relevant Employer Groups, Insurers/ Medical Aid Schemes.

## **12. RECORD-KEEPING**

We maintain the records of our members personal information for as long as legally required for the lawful executing of our business activities, in the provision of healthcare services.

## **13. INFORMATION SENT ACROSS THE BORDERS OF THE REPUBLIC OF SOUTH AFRICA**

We process and store our members information in records within the Republic South Africa. If we must provide personal information to any third party in another country, we will obtain prior consent from members unless such information may be lawfully provided to that third party.

## **14. SECURITY OF YOUR PERSONAL INFORMATION**

We value the information that our members choose to provide us for business purposes and will therefore take reasonable steps to protect this personal information from loss, misuse or unauthorised alteration. The information we maintain concerning our members is stored in databases that have built-in safeguards to ensure the privacy and confidentiality of that information.

We have implemented safeguards, continually review and update our information protection measures to ensure the security, integrity, and confidentiality of the information in accordance with industry best practices. We use industry-standard technology and encryption to prevent any unauthorised access to the personal information. We use security technology to ensure that the health-related transactions and client personal information stored with us are adequately secured and protected at all times. Electronic transactions are held in a secure environment, with controlled staff access subject to the application of appropriate passwords and other computer and software security techniques. Physically the offices are secured through industry standard office locking technology.

We also require our employees and contractors to adhere to our information protection standards, only those employees and service providers that require access to member information to discharge their functions and to render services to us are granted access to the information. In the interest of providing secure healthcare services to our customers, our suppliers and employees 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.

Whilst we will do all things reasonably necessary to protect our members personal information, we cannot guarantee nor do we accept any liability of whatsoever nature for any unauthorised or unlawful disclosure and/or use of the members personal information, either by employees



and/or made by any third parties (including third party service providers) who are not subject to our control, unless such disclosure and/or use is as a result of our gross negligence. We will inform the affected member and the Information Regulator, if any person has unlawfully obtained access to a member's personal information, subject to the provisions of the law.

## **15. RIGHT TO ACCESS YOUR PERSONAL INFORMATION**

Upon a reasonable request and in accordance with the POPI Act, members have the right to request access to the 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. Should a member wish to exercise this right, the prescribed form needs to be completed, available at reception / from the Information Officer and the Information Regulator. This may be submitted to the Group's compliance mail address: [compliance@nationalhealthcare.co.za](mailto:compliance@nationalhealthcare.co.za). Costs may be applicable to such request, which can be obtained from the Information Regulator/ Group receptionist / Group Information Officer. Please consult our PAIA Manual for further information.

## **16. ACCURACY OF YOUR PERSONAL INFORMATION**

It is important that we always have accurate information about our members on record as it could impact our provision of service and reliable communication. Our members must therefore inform us as soon as any of their information has changed. They 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/ Compliance e-mail address. There must be 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 the member, 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.

## **17. CHANGES TO THIS PRIVACY POLICY**

National Health Group reserves 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 business or the law. We will publish the updated Privacy Policy on our website. It will also be available at the company's office 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 our members/customers responsibility to make sure they are satisfied with any changes before continuing to use our services.** If you have any questions concerning this Policy, please contact our compliance e-mail address or the Information Officer.

#### **18. CONCERNS AND COMPLAINTS ABOUT THE PROCESSING OF YOUR PERSONAL INFORMATION**

All enquiries, requests or concerns regarding this Policy or relating to the processing of personal information by the Group should be addressed to the Information Officer. You may also lodge a complaint with the Information Regulator at [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za). We would appreciate the opportunity to respond to your concerns before you approach the Information Regulator.

#### **19. LAWS APPLICABLE TO THIS PRIVACY POLICY**

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