

PRIVACY NOTICE TO DOCTORS AND ALLIED HEALTH PROFESSIONALS

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 what personal information 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 doctors, their employees, other healthcare professionals, including but not limited to dietitians, physiotherapists, etc. and their employees (in this policy collectively referred to as “**Healthcare Professionals**”).

Unless otherwise stated, personal information requested from you is compulsory. If you do not provide and/or allow us to process all obligatory personal information, we may not be able to provide you with access to ICT infrastructure or other necessary systems, thus affecting your ability to accomplish the required services.

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

2. TYPE OF PERSONAL INFORMATION WE POTENTIALLY COLLECT AND PROCESS ABOUT YOU

Depending on our relationship with yourself, we might hold different types of personal information on you.

The term “ personal information ” in this notice refers to information that can identify you as an individual.		
<i>Personal information</i>	<i>Sensitive personal information</i>	<i>Public 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.	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, and sex life or sexual orientation.	This information includes information available on the public domain for example your practice contact details.

The personal information we collect, and process may differ, depending on the purpose of the collection and processing of your personal information.

3. PURPOSE FOR WHICH PERSONAL INFORMATION IS COLLECTED AND USED

The reason why we collect your personal information depends on the activity of the engagement with you. We collect and process your personal information for the following purposes, including, but not limited to:

Lawful reason to process	Collection purpose	Data Elements (not an exhaustive list)
Based on specific consent you have provided us	Provision of admission rights at our hospitals;	Name, Surname, Government Issued Identification, HPCSA Registration Number, Practice Number
Contract	Rental agreements; Billing and payments; Employment equity	Name, Surname, Government Issued Identification, HPCSA Registration Number, Practice Number, Race, Gender, Account Numbers
Legal Obligation	Clinical tracking and performance management; Legal cases;	CPE Reports, Indemnity Insurance Information, Press Ganey Survey Results
Vital Interest	N/A	

Legitimate Interest	Practice establishment; Patient and Colleague referrals; Advertising to potential patients; Distribution of hospital related communication; Relationship building; Complements and complaints.	Name, Government Issued Identification, HPCSA Registration Number, Practice Number, Race, Gender, Practice contact details, Speciality, Qualifications, Fields of interest, Personal cell number, Personal email address, Photo
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4. CHANGE OF PURPOSE

Mediclinic will only use your personal information for the purposes for which it was collected unless it is reasonably considered 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.

5. CONSEQUENCES OF YOUR REFUSAL TO PROVIDE PERSONAL INFORMATION

Should you refuse to provide and allow Mediclinic to collect and process your personal information, where our purpose for processing is based on a contractual requirement, admission rights to our hospitals, access to our systems, legal obligation and/or our legitimate interest, it could hinder our ability to perform our duties and responsibilities in both your and our best interest, which could lead to your disadvantage.

6. DISCLOSURE OF INFORMATION

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

Mediclinic employees will have system and contact related access to your personal information to manage services to patients and to ensure emergency preparedness at our hospitals.

Consent based access will be provided to your colleagues (Doctors and/or other Healthcare Professionals) for referral purposes.

Your public information will be shared with patients for referral purposes.

Doctor Relationship Managers will have access to your personal information to ensure relationship management.

Mediclinic Corporate Staff will have access to your personal information where required to provide systems and database administration functions.

7. PROTECTION AND RETENTION OF YOUR PERSONAL INFORMATION

Your personal information shall be treated as confidential when 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.

These steps will also cover the necessary to ensure the integrity of such data.

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

We will retain your personal information for a period as required to achieve the purpose for which it was collected initially, and for no longer than required or permitted by the applicable law.

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. RECEIPT OF YOUR INFORMATION FROM A THIRD PARTY

In some instances, we receive your personal information (including your personal and public contact details) from a third party, and we will, or have notified you of Mediclinic receiving such information. Such information is utilised for master data management at Mediclinic, and it ensures up to date information.

We may also reference your public HPCSA registration details related to an application from you for admission rights to our hospitals.

Should there be a case where we receive your personal information from another third party, we will endeavour to notify you as soon as reasonably practicable after such information has been collected.

10. 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](#).

11. 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.

12. QUESTIONS

If you have any questions about data privacy and this notice or how we handle your personal information, please contact our Data Protection Officer at dataprivacy@mediclinic.co.za.

13. 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://www.justice.gov.za/inforeg/contact.html>