
Back2Work Privacy Notification.

1. This Privacy Notification lets you know what happens to any Personal Information that you give to us, or any that we may collect from or about you.
2. In terms of the PoPI act, the Practice (including all its employees) acts as the Responsible Party in terms of the processing of personal information.

Collection of Personal Information.

What Personal Information do we collect?

Typically, we may collect, use and store the following categories of personal information about you: (but not limited to)

- Identifying particulars – for example names, identification numbers, company registration numbers
- Contact information – for example addresses, telephone numbers, e-mail address, etc;

This information is required for us to be able to provide you with the direct and indirect services that may reasonably be expected of an occupational therapy practice, including generating accounts, confirming appointments, communicating with other treating team members.

- Personal Information you choose to provide to us related to your personal, medical, social or psychological history, which informs our treatment and allows us to develop an agreed-upon treatment or rehabilitation plan

Automatic: We may also have access / collect personal information automatically when you visit our website.

Third Parties: We may also collect information about you through our trusted third-party sources to assist us in providing product and service offerings to you.

Important:

1. In terms of the POPIA Act we must have accurate and up to date information about you. Please check that your personal details are correct whenever you visit us and inform us of any changes.
2. Personal Information is collected directly from our Data Subjects (any person whose personal information we hold). We may also use other sources, subject to restrictions under applicable law, to assist in obtaining relevant Personal Information about you. Within reason, we will obtain your consent prior to collecting personal information about you from other sources.

Purpose for which the information is being collected.

1. We will **only use your personal information when the law allows us to**. Most commonly, we will use your personal information in the following circumstances:



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- a) To enter into a therapeutic or financial contract with you.
By signing our patient registration and consent forms, you enter into a therapeutic contract with us, agreeing to accept Occupational Therapy services. You also enter into a financial contract, agreeing to pay for such services received, either in person or via a third party funder.
 - b) The processing is necessary for us to comply with a relevant legal obligation.
 - c) The processing is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
 - d) You have consented to the processing.
 - e) We may also use your personal information in the following situations:
 - i Where we need to protect your interests (or someone else's interests).
 - ii Where it is needed in the public interest or for official purposes.
2. We only collect Personal Information for the specific, explicitly defined and lawful purpose of conducting an Occupational Therapy practice.
3. **Direct Marketing**
- 3.1. We may use your personal information to periodically send you direct marketing communications about products or our related services that we think may be of interest to you. This will be in the form of email, post, [SMS or targeted online advertisements]. We limit direct marketing to a reasonable and proportionate level, based on the information we have about you.
 - 3.2. Where opt-in consent is required, we will ask for your consent.
 - 3.3. **You have a right to stop receiving direct marketing at any time** - you can do this by following the opt-out or unsubscribe links located in the electronic communications (such as emails) you receive from us, by contacting us telephonically, or by emailing us.

Is the supply of the information voluntary or mandatory?

In most cases the information supplied is voluntary. However, it is mandatory to provide us with the correct information, and sufficient information to allow us to provide a service and adhere to our legal obligations. This includes information that will be used for billing, and information required for us to design the appropriate treatment.

If your Personal Information is collected in terms of a particular law authorising or requiring the collection of the information, we will take steps to ensure that you are aware of that.



Failure to provide the requested information.

You may refuse to provide us with the requested information. We must inform you of the consequences of this decision, which in most cases will mean that we cannot provide the services you, or your referring practitioner have requested.

Transfer the information to a third country.

If your Personal Information is transferred outside the Republic of South Africa to third party service provider, we will take steps to ensure that your Personal Information receives the same level of protection as if it remained within the Republic.

Recipient or category of recipients of the information

Your Personal Information will be treated as prescribed by the 8 Conditions for the Lawful Processing of Personal Information in the POPIA Act. We may share your Personal Information with:

1. **Partners & Affiliated Companies** - Any partner or affiliated company.
2. **Service Providers** - We may disclose the information we collect from you to third party contractors, technology and other service providers or agents who perform functions on our behalf, or are engaged with us. These service providers are allowed to access and use the information we make available to them only as needed to perform their functions and for no other purposes, subject to appropriate contractual restrictions and security measures.
3. **In Response to Legal Process** - We may disclose the information we collect from you to comply with the law, a legal proceeding, court order, or other legal process, such as in response to a court order or a subpoena.
4. **Third Parties** –
 - a) third parties used to facilitate payment transactions, for example clearing houses, clearing systems, financial institutions, and transaction beneficiaries.
 - b) third parties where you have a relationship with that third party, and you have consented to us sending information (for example your other treating health care practitioners, your family members or your spouse);
 - c) third parties for marketing purposes (e.g., our partners and other third parties with whom we work and whose products or services we think will interest you such as other healthcare providers from whose services you may benefit.
5. **To Protect Us and Others** - We also may disclose the information we collect from you where we believe it is necessary to investigate, prevent, or take action regarding illegal activities, suspected fraud, situations involving potential threats to the safety of any person, violations of this Privacy Notification, or as evidence in litigation in which we are involved.
6. **Government** - Government bodies, regulators and any other third party necessary to meet our legal and regulatory obligations.
7. **Professional Advisors** - our own professional advisors and auditors for the purpose of seeking professional advice or to meet our audit responsibilities.



Your Rights as a Data Subject.

As a Data Subject in terms of the POPIA Act, you do have the following rights:

1. Right to be Notified:

The right to be notified that -

- (i) Personal Information about you is being collected – this notice; and
- (ii) your Personal Information has been accessed or acquired by an unauthorised person in the event of a data breach;

2. Right of Access:

You have the right to establish whether we hold Personal Information of you and to request access to your Personal Information – please request *PAIA Form C_ Request for Access to Record of Private Body* via email @ linda@back2work.co.za ;

3. Right to Correction, Destruction or Deletion:

The right to request, where necessary, the correction, destruction or deletion of your Personal Information – please request our *Request Correction Deletion Personal Information* form via email @ linda@back2work.co.za ;

8. Right to Objection:

The right to object –

- a) on reasonable grounds relating to your particular situation to the processing of your Personal Information;
- b) to the processing of your Personal Information -
 - (i) at any time for purposes of direct marketing; or
 - (ii) for purposes of direct marketing by means of unsolicited electronic communications– please request our *Objection to the Processing of Personal Information* form via email @ linda@back2work.co.za .

9. Right with regards to Automated Processing:

The right not to be subject, under certain circumstances, to a decision which is based solely on the basis of the automated processing of your Personal Information intended to provide a profile of you.



10. Right to Complain:

The right to –

- a) submit a complaint to the Regulator regarding the alleged interference with the protection of the Personal Information of any Data Subject or to submit a complaint to the Regulator in respect of a determination of an adjudicator as; and
- b) to institute civil proceedings regarding the alleged interference with the protection of your Personal Information.

Complaint's Process:

If you believe that this office has not replied to your access request or has not handled your Personal Information in a reasonable manner, please address your concerns first with our Information Officer. You may also choose to make a complaint to the Information Regulator.

Information Officer:

Name:	Linda Hiemstra
Tel No:	0718961324
Email:	linda@back2work.co.za

Information Regulator

Address:	33 Hoofd Street; Forum III, 3rd Floor Braampark
Tel No:	+27 (0) 10 023 5200
Email:	complaints.IR@justice.gov.za
Web Address:	https://www.justice.gov.za/inforeg/contact.html

