

## PRIVACY POLICY

We take your privacy seriously and treat your information with the utmost confidentiality. We've made our policy as clear as possible so you can rest assured that you're in good hands.

Last Updated: 2021/07/17

### 1. Definitions

- 1.1. **Child** any natural person under the age of 18 years, who is not a legally emancipated minor and who is not, according to relevant legislation, legally competent to take any action or decision in respect of any matter concerning him/herself without the assistance and/or explicit or implicit consent of a competent person.
- 1.2. **NHA** means the National Health Act 61 of 2003.
- 1.3. **Personal Information** any information relating to an identifiable, living, natural person, and where it is applicable personal information additionally refers to any identifiable, existing juristic person. This information includes, but is not limited to: information regarding one's race gender, sex, pregnancy, nationality, ethnic origin, well-being, mental or physical health and language.
- 1.4. **POPI** or **POPIA** means the Protection of Personal Information Act 4 of 2013 and regulations published in terms thereof.
- 1.5. **Processing** means the processing of information as defined in POPIA and includes the collection, storage, updating, modification, consultation and transmission of your information.
- 1.6. **Services** means medical services provided by Dr Newham to users, email communication with Dr Newham's practice, communication with

Dr Newham for the purposes of providing medical services and the website <http://www.capetowngynaecologist.co.za/> .

1.7. **User** means any viewer or user of our website, or any person reading this Policy who is, or is contemplating, engaging the services of Dr Andrew Newham.

1.8. **We** or **Us** means the practice of Dr Andrew Newham, a registered medical service provider with practice number 1607707 and health professional number MP0294799, practicing from 18 Wilderness Road, Claremont.

## **2. Introduction**

Protecting user privacy is at the forefront of Dr Newham's practice's core practice principles. We have drafted this privacy policy as an extension of our mandate to protect your (the user's) privacy. This Privacy Policy, referred to as 'the Privacy Policy' or 'our Privacy Policy', explains why we collect certain information and how it is processed. Where we collect information, we do so solely for provision of the services to you.

## **3. Consent**

By using the services, you consent to our processing of your personal information as described in the below provisions and agree to the terms of this Privacy Policy.

## **4. Obligations relating to patient information**

Dr Newham's practice is bound by the NHA, POPI and professional codes of conduct relating to treatment of user personal information. User information will be treated in the manner prescribed by law and with the utmost confidentiality. While there is a general obligation of confidentiality relating to user's personal information, we may disclose personal information in limited circumstances. These include where it is in the legitimate interests of the user in providing medical services, where required for insurance purposes, or with your consent.

## **5. Personal Information Collected**

We may collect the following information from you in the course of providing the services, particularly when providing medical services, in respect of your:

- 5.1. Name
- 5.2. Age
- 5.3. Medical history
- 5.4. Any other physical or biometric information
- 5.5. Address
- 5.6. Contact information

When we collect your personal information we will explain the purposes thereof.

## **6. Use of Your Personal Information**

Your information will be used strictly for medical and associated purposes. Associated purposes includes billing & collections, administration and notifications. Information pertaining to your health and healthcare will be kept strictly confidential and processed in line with our obligations in terms of the NHA and POPI.

You may object to the processing of your personal information at any time, however we may not be able to provide you with the services without this information.

## **7. Information provided on Behalf of Children**

Where you provide information on behalf of a child, you warrant that you are a competent person to do so – a parent, guardian or other person authorised by law. We may request proof of your competency.

## **8. Disclaimer**

- 8.1. Although we take all steps reasonably practicable to ensure the correctness of your information, we encourage users to take care when submitting information to us. Dr Newham's practice will not be held liable for any loss of damages, arising howsoever, for incorrect information supplied by the user.
- 8.2. Although we take precautions in securing your data, information security is a consistent threat. Dr Newham's practice will not be held liable for any loss or damage caused due to a breach in information security, to the maximum extent permitted by law.

## **9. Record Retention, Right of Access & Right of Destruction**

- 9.1. We store all information for as long as required by law or by agreement with you. Retention periods vary based on the information provided and the records themselves, and may range from 6 to 21 years after they become dormant.
- 9.2. You are entitled to request a copy of all your personal information held on record, which we will provide but may charge you a reasonable fee for.
- 9.3. Except for information that we may be required to retain for our insurance purposes or in compliance with other legal obligations, you are entitled to request the destruction of personal information held by us belonging to you, however we may not be able to provide the services without this information.

## **10. Confidentiality**

Your information will be kept confidential and will not be shared with third parties outside of the ordinary course and scope of our duties and in your interests. We may disclose your personal information where required by healthcare insurance and/or as may be permitted or required by law.

## **11. Security**

The security of your Personal Information is important to us. We follow generally accepted industry standards to protect the Personal Information submitted to us, both during transmission and once we receive it. Should we become aware of a breach of the security of your Personal Information, we will inform you as soon as reasonably practicable and as permitted by law.

## **12. Updates and Changes to Privacy Policy**

We may update this Privacy Policy from time to time and will post the updated Policy to our website. Users are encouraged to review this Policy for changes.

## **13. Contacts**

If you have any comments, complaints, concerns or questions about this Privacy Policy, please contact us at [appointments@capetowngynaecologist.co.za](mailto:appointments@capetowngynaecologist.co.za) or,

Tel: (0)21 671 7052

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