

National Health Group (Pty) Ltd



**National
HealthCare**

AFFORDABLE • RELIABLE

PAIA MANUAL

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Directors: R Nauta (Chairman), PJ Lubbe (Chief Executive Officer), M Moyo (Financial Director)
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National Health Group (Pty) Ltd | Reg. No. 2015/130345/07



Incorporating Enabled

THIS MANUAL WAS PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (Act No. 2 of 2000) AND TO ADDRESS THE REQUIREMENTS OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (“POPIA”).

TABLE OF CONTENTS

1.	INTRODUCTION TO THE GROUP	3
2.	CONTACT DETAILS OF THE GROUP	4
3.	GUIDE OF THE SA HUMAN RIGHTS COMMISSION / INFORMATION REGULATOR.....	4
4.	RECORDS HELD BY THE GROUP.....	4
5.	INFORMATION AVAILABLE IN TERMS OF LEGISLATION.....	6
6.	RECORDS AUTOMATICALLY AVAILABLE	6
7.	PURPOSE OF PROCESSING PERSONAL INFORMATION	7
8.	DATA SUBJECTS, THEIR PERSONAL INFORMATION AND POTENTIAL RECIPIENTS OF INFORMATION.....	7
9.	PERSONAL INFORMATION SENT ACROSS THE BORDERS OF THE REPUBLIC OF SOUTH AFRICA 10	
10.	SECURITY MEASURES TO PROTECT PERSONAL INFORMATION	10
11.	PROCEDURE TO OBTAIN ACCESS TO RECORDS OR INFORMATION.....	10
12.	FEES PAYABLE TO OBTAIN THE REQUESTED RECORDS OR INFORMATION	11
13.	AVAILABILITY OF THIS MANUAL.....	12

1. INTRODUCTION TO THE GROUP

National Health Group (Pty) Ltd (NHG) is a legally registered Managed Care and Healthcare Administrator that was established in 2017 to offer affordable and reliable private primary healthcare services to the low-income employer groups. The Group acquired Enabledem (Pty) Ltd* in July 2019 thus extending its service offering to the medical scheme industry and increasing its independent provider network. As a healthcare provider, the National Health Group is fully accredited and subject to the authority of the Council for Medical Schemes (CMS).

This manual intends to promote a culture of transparency and accountability by setting out how the Group protects personal information that is needed to execute its business activities. It will provide a description of the records held by the Group; the various measures taken to protect personal information and the procedure to be followed when requesting access to any of these records.

*Any reference in this manual to “National Health Group” includes Enabledem (Pty) Ltd as the company is a fully owned subsidiary of the National Health Group.

DEFINITIONS

Unless the context clearly indicates otherwise, the following terms shall have the meanings assigned to them hereunder, namely –

- **“Act”** means the Promotion of Access to Information Act, Act 2 of 2000, as amended from time to time;
- **“Group”** means **National Health Group (Pty) Ltd (NHG)** as more fully described in the overview above. The definition incorporates Enabledem (Pty) Ltd as the company is a fully owned subsidiary of NHG;
- **“Information Officer”** means the person acting on behalf of the Group and discharging the duties and responsibilities assigned to the head of the Company by the Act. The Information Officer is duly authorised to act as such, and such authorisation has been confirmed by the “head” of the Group in writing;
- **“Manual”** means this manual published in compliance with Section 51 of the Act;
- **“Record”** means any recorded information, regardless of form or medium, which is in the Possession or under the control of the Group, irrespective of whether or not it was created by the Group;
- **“Request”** means a request for access to a Record of the Group;
- **“Requestor”** means any person, including a public body or an official thereof, making a Request for access to a Record of the Group and includes any person acting on behalf of that person; and
- **“SAHRC”** means the South African Human Rights Commission.
- Unless a contrary intention clearly appears, words signifying: -
 - the singular includes the plural and vice versa.
 - any one gender includes the other genders and vice versa; and
 - natural persons include juristic persons.

Unless otherwise stated, terms defined in the Act shall have the same meaning in this Manual.

2. CONTACT DETAILS OF THE GROUP

Company Name:	National Health Group (Pty) Ltd
Registration Number:	2015/130345/07 (NHG) / 2001/016845/07 (Enabled)
Information Officer:	Patrick Lubbe, Chief Executive Officer
Physical Address:	Office 0302 Mill House, Boundary Terraces, Corner Campground and Mariendahl Lane, Newlands, Cape Town, 7700
Postal Address:	Postnet Suite 203, Private Bag X8, Elarduspark, 0047
Telephone Number:	0860 002 400
E-mail address:	compliance@nationalhealthcare.co.za
Website address:	www.nationalhealthcare.co.za

3. GUIDE OF THE SA HUMAN RIGHTS COMMISSION / INFORMATION REGULATOR

The South African Human Rights Commission (“SAHRC”) / Information Regulator compiled a Guide, in terms of Section 10 of the Promotion of Access to Information Act 2 of 2000 (“PAIA”), to assist persons wishing to exercise their rights in terms of this Act. This Guide contains, amongst others, the following information:

- The purpose of PAIA;
- The manner, form and costs of a request for access to information held by a body;
- Legal remedies when access to information is denied;
- When access to information may be denied; and
- The contact details of Information Officers in the national, provincial and local government.

The Guide is available in all the official languages on the website of the SAHRC at <https://www.sahrc.org.za/home/21/files/Section%2010%20guide%202014.pdf> or can be obtained from the Information Regulator at:

Physical address:	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
Postal address:	PO Box 31533, Braamfontein, Johannesburg, 2017
Telephone:	+27 (0) 10 023 5207 / +27 (0) 82 746 4173
E-mail address:	inforeg@justice.gov.za
Website:	https://www.justice.gov.za/inforeg/

The publication of the Guide will become the responsibility of the Information Regulator with effect from 30 June 2021.

4. RECORDS HELD BY THE GROUP

The group holds the following categories of records:

4.1 Records relating to the formation of the group:

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.

4.2 **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.

4.3 **Health administration records:**

Member medical records; healthcare benefits; patient communication; claim payment-related records and correspondence to members and healthcare providers.

4.4 **Referral records:**

Doctor referral notes and other relevant reports.

4.5 **Clinical trial / research studies records:**

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

4.6 **Health and safety records:**

Health and safety reports and other regulatory required records.

4.7 **Financial records:**

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

4.8 **Records related to assets:**

Asset register; purchase records; licences; financing and lease agreements; sale and purchase agreements; delivery notes and orders.

4.9 **Agreements:**

Agreements and related documentation with contractors, consultants, suppliers, brokers/consultants, vendors, medical schemes, insurers; professional assistants and other business-related agreements.

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

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

4.11 Insurance records (including professional indemnity cover):

Policies, cover, claims and related records.

5. INFORMATION AVAILABLE IN TERMS OF LEGISLATION

The Group holds records as may be required in terms of the following legislation subject to the specific protection offered by these laws:

- 5.1 Basic Conditions of Employment Act 75 of 1997;
- 5.2 Broad-based Black Economic Empowerment Act No.53 of 2003;
- 5.3 Children's Act 38 of 2005;
- 5.4 Companies Act 71 of 2008;
- 5.5 Compensation for Occupational Injuries and Diseases Act 130 of 1993;
- 5.6 Consumer Protection Act 68 of 2008;
- 5.7 Disaster Management Act 57 of 2002;
- 5.8 Electronic Communications and Transactions Act 25 of 2002;
- 5.9 Employment Equity Act 55 of 1998;
- 5.10 Hazardous Substances Act 15 of 1973;
- 5.11 Health Professions Act 56 of 1974;
- 5.12 Income Tax Act 58 of 1962;
- 5.13 Labour Relations Act 66 of 1995;
- 5.14 Long Term Insurance Act, 1998;
- 5.15 Medical Schemes Act 131 of 1998;
- 5.16 Medicines and Related Substances Act 101 of 1965;
- 5.17 National Health Act 61 of 2003;
- 5.18 Occupational Health and Safety Act 85 of 1993;
- 5.19 Promotion of Access to Information Act 2 of 2000;
- 5.20 Protection of Personal Information Act 4 of 2013;
- 5.21 Short Term Insurance Act, 1998;
- 5.22 Skills Development Levies Act 9 of 1999;
- 5.23 Skills Development Act 97 of 1998;
- 5.24 Trademarks Act, 1993;
- 5.25 Unemployment Contributions Act 4 of 2002;
- 5.26 Unemployment Insurance Act 63 of 2001; and
- 5.27 Value Added Tax Act 89 of 1991.

6. RECORDS AUTOMATICALLY AVAILABLE

No notice has been submitted by the Group to the Minister of Justice and Correctional Services regarding the categories of records, which are available without a person having to request access in terms of Section 52(2) of PAIA. However, the information on the website of the Group is automatically available. Access and usage of the information on the website are subject to the Website Terms and Conditions as well as the Privacy Policy of the Group.

7. PURPOSE OF PROCESSING PERSONAL INFORMATION

The Group processes personal information of data subjects for the following purposes:

- 7.1 to conduct and manage the Group in accordance with the law, including the administration of the Group and claiming and collecting payment for services rendered from relevant employers, medical scheme, insurers and/or responsible persons / entities;
- 7.2 for treatment and administration of patient benefits;
- 7.3 for communication purposes;
- 7.4 for the maintenance of group records and members' medical records;
- 7.5 for employment and related matters of employees;
- 7.6 for reporting to persons and bodies, including practitioners, providers, as required and authorised in terms of the law or by the data subjects;
- 7.7 for historical, statistical and research purposes;
- 7.8 for enforcement of the group's rights; and/or
- 7.9 for any other lawful purpose related to the activities of the group.

8. DATA SUBJECTS, THEIR PERSONAL INFORMATION AND POTENTIAL RECIPIENTS OF INFORMATION

The Group holds the personal information in respect of the categories of data subjects specified below as may be relevant in the circumstances. The potential recipients of this information are also specified. Information and records are only disclosed to recipients as may be necessary in the circumstances and authorised in terms of the law or otherwise with the consent of the relevant data subjects.

8.1 Employees

Categories of personal information:

Full names and surnames; titles; contact details; addresses; identity numbers; race; gender; nationality; qualifications; registered professions and categories of registration; statutory council registration numbers; employment related information; positions and job descriptions; Curriculum Vitae ("CVs") and information included therein; references; relevant health information; COVID-19-related information; health and safety-related incidents; records created in the performance of their duties; leave records; remuneration; employment benefits; absenteeism information; bank details; tax numbers and related tax information; next-of-kin details and correspondence.

Potential Recipients:

Other practitioners; relevant employees; South African Revenue Service ("SARS"); relevant statutory and other public bodies (e.g. Department of Employment and Labour; the Board of Healthcare Funders of SA ["BHF"]; Unemployment Insurance Fund ["UIF"]); medical schemes; insurers; contractors and suppliers; banks; professional societies; bodies performing peer review; legal and professional advisers; attorneys; insurers; law enforcement structures; auditors; executors of estates; potential purchaser of company.

8.2 Job Applicants

Categories of personal information:

Names and surnames; titles; CVs and information included therein; contact details; addresses; identity numbers; race; gender; nationality; qualifications; registered professions and categories of registration; statutory council registration numbers; employment history and related information; relevant health information; COVID-19 screening information; interview notes; references and correspondence.

Potential Recipients:

Practitioners; relevant employees; legal and professional advisers; auditors; law enforcement structures; vetting agencies; recruitment agency; and potential purchaser of company.

8.3 Medical Scheme/Insurer/ Employer Group members

Categories of personal information:

Names and surnames; titles; contact details; addresses; identity numbers / dates of birth; gender; nationality; employers and their contact details; medical history; health information, including diagnoses and procedures performed; photos; COVID-19 screening information; referral notes; participation information; adverse events; next-of-kin / guarantor / authorised person's details; amounts due for services rendered; and correspondence.

Potential Recipients:

Treating and referring practitioners; relevant employees; relevant statutory and other public bodies (e.g., the Compensation Commissioner, the Road Accident Fund); medical schemes; insurers, hospitals; actuaries, legal and professional advisers; auditors; executors of estates; next-of-kin / guarantor / authorised person; debt collectors; attorneys; law enforcement structures; and potential purchaser of the company.

8.4 Referring Practitioners

Categories of personal information:

Names and surnames; titles; contact details; addresses; company registration numbers (including PCNS); registered professions; bank account details and correspondence.

Potential Recipients:

Practitioners; relevant employees; relevant statutory and other public bodies; medical schemes; insurer; auditors; law enforcement structures; legal and professional advisers and potential purchaser of the company.

8.5 Hospitals / Other Health Care Providers

Categories of personal information:

Names; contact details; relevant employees' / office bearer' / contact persons' details; website addresses; company registration numbers (Including PCNS); hospital/facility privilege-related information and correspondence.

Potential Recipients:

Practitioners; providers; relevant employees; auditors; legal and professional advisers and potential purchaser of the company.

8.6 Contractors, Vendors and Suppliers

Categories of personal information:

Names and surnames; titles; organisation names and details; relevant employees' / office bearer' / contact persons' details; contact details; addresses; website addresses; opinions; correspondence; COVID-19 screening information (visitors); market information; price structures; financial arrangements and VAT numbers.

Potential Recipients:

Practitioners; relevant employees; banks; auditors; legal and professional advisers; law enforcement structures and potential purchaser of the company.

8.7 Group Insurers

Categories of personal information:

Names and contact details; premiums; benefits and correspondence.

Potential Recipients:

Practitioners; relevant employees; actuaries, auditors; legal and professional advisers; relevant public bodies; law enforcement structures and potential purchaser of the company.

8.8 Public and private bodies (e.g., regulators, funders)

Categories of personal information:

Names; contact details; office bearers; fee / benefit structures; rules; information published in the public domain (e.g., benefit schedules, policies); payment-related information (e.g., invoices, remittances, statements) and correspondence.

Potential Recipients:

Practitioners; relevant employees; legal and professional advisers; patients; debt collectors; auditors; public; law enforcement structures and potential purchaser of the company.

9. PERSONAL INFORMATION SENT ACROSS THE BORDERS OF THE REPUBLIC OF SOUTH AFRICA

The Group stores electronic information, including personal information of data subjects, in the 'cloud'. Due care is taken in the selection of appropriate 'cloud' service providers to ensure compliance with the law and protect the privacy of data subjects. In the execution of its regular business activities, the Group is not planning to send any personal information about any data subject from the Republic of South Africa to any other third party in a foreign country. Should this be required, relevant data subject consent will be obtained, if required, unless the information may be lawfully transferred across the borders; and transfers of such information will occur in accordance with the requirements of the South African law.

International students and members from/residing outside the Republic of South Africa may in the caring of their healthcare needs require their personal information to be transferred outside the South African borders. This transfer of information will be done with the consent of the member and within the boundaries of the relevant Privacy laws.

10. SECURITY MEASURES TO PROTECT PERSONAL INFORMATION

The Group is committed to ensuring the security of the personal information in its possession or under its control in order to protect it from unauthorised processing and access as well as loss, damage or unauthorised destruction. It continually reviews and updates its information protection measures to ensure the security, integrity and confidentiality of this information in accordance with industry best practices. The measures it adopts to ensure the security of personal information, includes technical and organisational measures and internal policies to prevent unauthorised access, loss or use of personal information, for example, the physical securing of the offices where information is held; locking of cabinets with physical records; password control to access electronic records and off-site data back-ups.

In addition, only those practitioners and employees that require access to the information to assist in the treatment of patients and discharge their functions are permitted access to the relevant information and only if they have concluded agreements with or provided undertakings to the group requiring them to implement appropriate security measures and to maintain the confidentiality of the information. Suppliers and vendors are required to adhere to the strict policies and processes implemented by the group and are subject to sanctions for any security breach. All security breaches are taken seriously and are addressed in accordance with the law.

11. PROCEDURE TO OBTAIN ACCESS TO RECORDS OR INFORMATION

The fact that information and records are held by the Group as listed in this Manual should not be construed as conferring upon any requester any right to that information or record. PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any right. If a public body lodges a request, the public body must be acting in the public interest. Access to records and information is not automatic.

- Any person, who would like to request access to any of the abovementioned records or information, is required to complete a request form, which is available as Annexure A of this

manual, from the Group's reception or the Information Officer of the Group and the Information Regulator at the contact details stipulated above.

- The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester.
- The requester must identify the right he/she is seeking to exercise or protect and explain why the record requested is required for the exercise or protection of that right.
- If a request is made on behalf of another person, the requester must submit proof of the capacity in which the request is made to the satisfaction of the Information Officer.
- Access to the requested records or information or parts of the records or information may be refused in terms of the law. Requesters will be advised of the outcome of their requests.
- The Requestor will be notified, within 30 days, in the manner indicated by him/her of the outcome of his/her Request, alternatively whether an extension not exceeding 30 days is required to deal with the Request.

12. FEES PAYABLE TO OBTAIN THE REQUESTED RECORDS OR INFORMATION

Fees may be charged for requesting and accessing information and records held by the group. These fees are prescribed in terms of PAIA. Details of the fees payable may be obtained from reception or the Information Officer. The fees are also available from the Information Regulator www.justice.gov.za/paia. Should access to records be granted, the actual record requested will be given as soon as reasonably possible.

Provisions of Chapter 4 of the Act outline terms of which the group may refuse, on certain specified grounds, to provide information to a requester. If the request for access is denied, the head of the Group or the request liaison officer shall advise the requester in writing in a notice of refusal.

THE NOTICE OF REFUSAL SHALL STATE;

1. Adequate reasons for the refusal;
2. that the requester may lodge an appeal with a court of competent jurisdiction against the refusal of the request (including the period) for lodging such appeal.

Upon the refusal by the head of the Group or the request liaison officer, the deposit paid by the requester will be refunded. In terms of Section 54 of the PAIA Act, if after all reasonable steps have been taken to find a record requested, the requested record cannot be found or if the records do not exist, the head of the Group or the request liaison officer must by way of an affidavit or an affirmation, notify the requester that it is not possible to give access to the requested record.

13. AVAILABILITY OF THIS MANUAL

A copy of this Manual is available for inspection, free of charge, at the Groups physical address and on its website. A copy of the Manual may also be requested from the Information Officer against payment of a fee as may be advised. The Group will update this manual at regular intervals to maintain alignment with legislative developments.

END

ANNEXURE A: PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

(Section 53 (1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

[Regulation 10]

A. Particulars of National Health Group (Pty) Ltd

Information Officer: Patrick Lubbe, Chief Executive Officer
 Postal Address: Postnet Suite 203, Private Bag X8, Elarduspark, 0047
 Physical Address: Office 0302 Mill House, Boundary Terraces,
 Newlands, Cape Town, 7700
 E-mail: compliance@nationalhealthcare.co.za

B. Particulars of person requesting access to the record

- a) *The particulars of the person who requests access to the record must be given below.*
- b) *The address and/or fax number in the Republic to which the information is to be sent must be given.*
- c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

Full names and surname:.....
 Identity number:
 Postal address:.....
 Fax number:.....
 Telephone number:.....
 Email address:.....

C. Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname:.....
 Identity number:.....
 Capacity in which request is made, when made on behalf of another person:

D. Particulars of record

- a) *Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.*
- b) *If the provided space is inadequate, please continue on a separate folio and attach it to this form.*

The requester must sign all the additional folios.

1. Description of record or relevant part of the record:

2. Reference number, if available:

3. Any further particulars of record:

E. Fees

- a) *A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.*
- b) *You will be notified of the amount required to be paid as the request fee.*
- c) *The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.*
- d) *If you qualify for exemption of the payment of any fee, please state the reason for exemption.*

Reason for exemption from payment of fees:

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:

NOTES:

- a) *Compliance with your request in the specified form may depend on the form in which the record is available*
- b) *Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.*
- c) *The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.*

Mark the appropriate box with an X.

1. If the record is in written or printed form:			
<input type="checkbox"/>	copy of record	<input type="checkbox"/>	inspection of record
2. If record consists of visual images: (This includes photographs, slides, video recordings, computer-generated images, sketches, etc.):			
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images
3. If record consists of recorded words or information which can be reproduced in sound:			
<input type="checkbox"/>	listen to the soundtrack (Audio cassette)	<input type="checkbox"/>	transcription of soundtrack (Written or printed document)
4. If record is held on computer or in an electronic or machine-readable form:			
<input type="checkbox"/>	printed copy of record	<input type="checkbox"/>	printed copy of information derived from the record*
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer readable form (Stiffy or compact disc)
If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?		YES	NO
Postage is payable			

G. Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:

.....

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

.....

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied.

If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

.....
.....
.....

Signed at..... This..... day of.....20

.....
SIGNATURE OF REQUESTER/PERSON ON WHOSE BEHALF REQUEST IS MADE

