

## HOSPITAL ASSOCIATION OF SOUTH AFRICA'S EXTERNAL PRIVACY NOTICE

This Privacy Notice (the “**Privacy Notice**”) sets out how we at the Hospital Association of South Africa (“**HASA**”, “**we**”, “**our**” or “**us**”) handle the personal information that we process when you, as a data subject, visit our webpages, enroll in one of our email services, request information, register for our newsletter on our websites, use any interactive portions of our websites, communicate with us through social media, by phone, through conferences, workshops, or other events, or in connection with an actual or potential business or an employment relationship with us.

### 1 Questions about this Privacy Notice

If you have any questions or queries about this Privacy Notice, HASA’s privacy practices, or if you would like us to update information you have provided to us or exercise any of your other data protection rights, please contact our Information Officer at:

Company:	Hospital Association of South Africa
Name:	Dumisani Sizwe Bomela
Department:	Office of the Chief Executive Officer
Telephone number:	011 784 6828
E-mail address:	<a href="mailto:popia@hasanet.co.za">popia@hasanet.co.za</a>

## 2 Application

This Privacy Notice applies to any and all data subjects who interact with HASA through our website, our email services, our newsletter, social media, telephone, our conferences and other events, workshops, or in connection with an actual or potential business or employment relationship with us.

## 3 Terminology

Please familiarise yourself with the following words and phrases as they have particular meanings in terms of the Protection of Personal Information Act No. 4 of 2013 ("POPIA") and are used throughout this Privacy Notice:

Term	Definition
<b>Consent</b>	Any voluntary, specific and informed expression of will in terms of which permission is given for the processing of personal information.
<b>Data Subject</b>	The person to whom personal information relates.
<b>De-identify</b>	In relation to personal information of a data subject, means to delete any information that – <ul style="list-style-type: none"> <li>• identifies the data subject;</li> <li>• can be used or manipulated by a reasonably foreseeable method to identify the data subject; or</li> <li>• can be linked by a reasonably foreseeable method to other information that identifies the data subject.</li> </ul>
<b>Direct Marketing</b>	To approach a person, either by mail, electronic communication or in person, for the direct or indirect purpose of –

	<ul style="list-style-type: none"> <li>• promoting or offering to supply, in the ordinary course of business, any goods or services; or</li> <li>• requesting the person to make a donation of any kind for any reason.</li> </ul>
<p><b>Personal Information</b></p>	<p>Information about an identifiable, living, natural person, and in so far as it is applicable, an identifiable, existing juristic person, including –</p> <ul style="list-style-type: none"> <li>• information relating to the race, gender, sex, pregnancy, marital status, national, ethnic, or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language, and birth of the person;</li> <li>• information relating to the education or the medical, financial, criminal or employment history of the person;</li> <li>• any identifying number, symbol, email address, physical address, telephone number or other particular assigned to the person;</li> <li>• the biometric information of the person;</li> <li>• the personal opinions, views, or preferences of the person;</li> <li>• correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;</li> </ul>

	<ul style="list-style-type: none"> <li>• the views or opinions of another individual about the person; and</li> <li>• the name of the person where it appears with other personal information relating to the person or where the disclosure of the name itself would reveal information about the person.</li> </ul>
<p><b>Special personal information</b></p>	<p>Information relating to a data subject's:</p> <ul style="list-style-type: none"> <li>• Racial or ethnic origin;</li> <li>• Political opinions and persuasion;</li> <li>• Religious beliefs or beliefs of a similar nature;</li> <li>• Trade union membership;</li> <li>• Physical or mental health or condition;</li> <li>• Sexual life or sexual orientation;</li> <li>• Offences or alleged offences or information relating to any proceedings for offences committed or allegedly committed; or</li> <li>• Biometric data allowing or confirming the identification of a person.</li> </ul>

<b>Processing</b>	Any operation or activity or set of operations whether or not by automatic means concerning personal information, including the collection, receipt, recording, organisation, storage, updating or modification, retrieval, alteration, consultation or use, dissemination by means of transmission, distribution or making available in any other form, merging, linking, as well as restricting, erasure, or destruction of information.
<b>Records</b>	Any recorded information regardless of the form or medium.
<b>Regulator</b>	The Information Regulator established in terms of section 39 POPIA.
<b>Website</b>	HASA website with the address <a href="https://www.hasa.co.za">https://www.hasa.co.za</a>

#### 4 The type of information that HASA may process about you

The types of personal information, including special personal information we may hold about you include:

NATURE OF INFORMATION	REQUIRED INFORMATION
<b>CONTACT &amp; IDENTIFICATION INFORMATION</b>	<ul style="list-style-type: none"> <li>full name and surname, postal and/or physical address, phone number, email address; ID number/copy; photographs; comments</li> </ul>
<b>BUSINESS CONTACT INFORMATION</b>	<ul style="list-style-type: none"> <li>job title/designation, department, name of organisation</li> </ul>
<b>FINANCIAL INFORMATION</b>	<ul style="list-style-type: none"> <li>credit card information</li> </ul>
<b>THIRD-PARTY PROCESSING</b>	<ul style="list-style-type: none"> <li>Service suppliers to the annual HASA conference may hold certain financial information derived from payments for attendance (including payment card number, expiration date, and billing</li> </ul>

	<p>address). Requests for such information should be directed to the event manager(s), details of which can be obtained from the Information Officer.</p> <ul style="list-style-type: none"> <li>HASA does not hold the financial information pertinent to registration for the annual HASA conference and has a formal contract with the service supplier stipulating the deletion of all personal financial information relating to attendees within one month of the conclusion of each annual conference.</li> </ul>
<b>TECHNICAL INFORMATION</b>	<ul style="list-style-type: none"> <li><b>data relating to the use of HASA's devices or devices you use to access HASA's website:</b> your device type; operating system; browser type; browser settings; IP address; preferences; dates and information clicked on HASA's website; and other relevant technical communications information.</li> </ul>

#### 4.1

Please note that the provision of your personal information, including your special personal information, to HASA is voluntary, however, in certain circumstances a failure to provide us with the requisite information may mean that we are unable to provide you with certain services or goods or process your application for employment with HASA. Further, where HASA processes your special personal information, we will ensure that we do so in the ordinary course of our business, to the extent that is absolutely necessary, and in accordance with

applicable. In some instances, we may request your consent to process your special personal information which consent shall be given freely and voluntarily and subject to withdrawal by yourself at any time and without fear or threat of adverse consequences to you.

## **5 Collection of personal information**

HASA may collect or obtain personal information –

- 5.1 directly from data subjects or from any other source where permitted by law (e.g., publicly available information);
- 5.2 during the course of the data subject's relationship with the HASA;
- 5.3 in the course of providing services to the data subject; and
- 5.4 when the data subject subscribes to HASA electronic newsletter or attends a HASA event, online or in-person.

## **6 Purposes for which we process personal information**

HASA processes personal information for a number of reasons including, but not limited to –

- 6.1 development and implementation of its stakeholder engagement strategy;
- 6.2 conducting issues-based research for the purposes of advocacy;
- 6.3 marketing, advertising and public relations;
- 6.4 managing dispute resolution;

- 6.5 creating and managing supplier and customer relationships;
- 6.6 managing contracts, orders, deliveries, invoices and accounting;
- 6.7 sending quotation estimates;
- 6.8 general human resource and finance functions including those obligations imposed by legislation; and
- 6.9 to allow proper functioning of our website which includes, amongst others, proper display of content, interface personalisation and ensuring that the website is safe and secure to protect against misuse.

## **7 Legal grounds for processing personal information**

In South Africa, POPIA requires us to process personal information we hold about you lawfully and in a reasonable manner that does not infringe your privacy rights as a data subject. The basis for us processing your personal information for the abovementioned purposes may be where –

- 7.1 you have provided your consent (e.g., for the annual HASA conference in circumstances where service suppliers require agreements to process payments and registrations);
- 7.2 it is necessary for the performance of a contract with you (e.g., providing a service which HASA has been contracted to perform);
- 7.3 the processing is necessary for our compliance with our legal obligation (e.g., tax compliance, company law compliance/governance requirements); or

- 7.4 the processing is in our legitimate interests of operating and promoting our business (this means that the processing may not necessarily be required by law, but there's a clear benefit to it, there is a low risk of infringing on data subject privacy, and the data subject would reasonably expect their personal information to be used in the circumstances).

## **8 Disclosure of personal information relating to data subjects**

We intend to keep your personal information, including special personal information, confidential, in compliance with our legal obligations. We do not sell, rent, trade, or otherwise disclose any personal information, including special personal information, to third parties, other than as described in this Privacy Notice, for the purposes described above, or as we disclose to you at the time the information is collected. We may disclose your personal information in accordance with and where permitted by applicable law:

- 8.1 in order for us to comply with our legal obligations, e.g. where we are required to disclose certain information to tax authorities or where we are required to respond to requests by law enforcement;
- 8.2 to protect the security or integrity of our business, including our databases and systems as well as the safety of our employees, customers and website visitors;
- 8.3 to any of our outsourced vendors, suppliers or distributors to facilitate the provision of contracted services or goods or to provide expanded services to our members and website visitors, for example; outsource the processing of certain interactive website functions and administering email services;
- 8.4 for the purposes of facilitating a purchasing transaction with one of our service providers;

- 8.5 for the purposes of a joint venture, collaboration, financing, sale, merger, reorganisation, change of legal form, dissolution or similar event; and/or
- 8.6 to any other third party, where you have provided your consent.

## 9 Security measures used to protect personal information

- 9.1 HASA takes appropriate physical, technical and organisational security measures designed to safeguard and secure any personal information, including special personal information, that you provide to us. Nevertheless, unencrypted transmission to HASA via the internet is not completely secure and we cannot guarantee the security of your personal information during any such unencrypted transmission.
- 9.2 The appropriate physical, technical and organisational security measures, as contemplated above in clause 9.1 include –
- 9.2.1 identifying all reasonably foreseeable internal and external risks to personal information in HASA's possession or control;
- 9.2.2 establishing and maintaining appropriate safeguards against the risks identified above in clause 9.2.1;
- 9.2.3 ensuring password protection on devices;
- 9.2.4 implementing access control measures into and out of HASA's offices;
- 9.2.5 conducting audits of processes, systems and safeguards of service suppliers;
- 9.2.6 migration of physical files to cloud storage;

- 9.2.7           antivirus protection on work devices such as laptops;
- 9.2.8           regularly verifying that the safeguards are effectively implemented; and
- 9.2.9           ensuring that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards.
- 9.3            HASA shall notify the Regulator and the data subject, in writing and as soon as reasonably possible, where there are reasonable grounds to believe that the data subject's personal information has been accessed or acquired by an unauthorised person.

## 10 Data accuracy

- 10.1           You are responsible for providing HASA with personal information that is accurate, complete and up to date. In the event of a change to your personal information, the onus shall be on you to notify HASA of the change and provide HASA with the updated accurate personal information.
- 10.2           We undertake to provide you with access to your personal information and provide mechanisms that any personal information found to be inaccurate or incomplete could be corrected or amended as feasible subject to any requirement or rule for such personal information to be retained by law.
- 10.3           Prior to the amendment, correction, or removal of personal information, we will require you to identify yourself and to identify the portion of information requested to be amended, corrected, or removed. A request for the amendment, correction or removal of personal information may be declined if the process of the request is unreasonably repetitive, require disproportionate technical effort, jeopardise the privacy of others or would be impractical.

- 10.4 The services of access and correction of personal information is done free of charge, except to the extent that it would require disproportionate effort by HASA. Once personal information is deleted, residual copies of the information may take a period of time before they are deleted from our servers and may remain in our backup systems.
- 10.5 It is important that any information you provide directly to us is accurate and correct. Please let us know as soon as you can if any information we hold about you is no longer correct. You can email [popia@hasanet.co.za](mailto:popia@hasanet.co.za)

## 11 Retention of personal information

- 11.1 Your personal information will not be retained for longer than is required to fulfil the purpose for which the personal information was collected or for a period of time thereafter as required by applicable local law or where we have a legitimate and lawful purpose for retaining such information.
- 11.2 HASA may retain records of personal information for periods in excess of those contemplated in clause 11.1 for historical, statistical or research purposes and HASA shall put in place the appropriate safeguards to prevent the records from being used for any other purpose.
- 11.3 HASA shall destroy or delete a record of personal information or de-identify the personal information as soon as reasonably practicable after HASA is no longer authorised to retain the records.
- 11.4 The destruction or deletion of the records of personal information, as contemplated above in clause 11.3, shall be done in such a manner as to prevent the reconstruction of the records in an intelligible form.

## 12 Data subjects' rights

In terms of POPIA, you have the following rights as a data subject -

- 12.1 the right of access to personal information, including special personal information relating to you;
- 12.2 the right to have the processing of your personal information, including your special personal information restricted;
- 12.3 the right to object to the processing of your personal information, including your special personal information;
- 12.4 the right not to be subject to decisions based solely on automated processing of your personal information and/or special personal information;
- 12.5 the right to have inaccurate personal information, including your special personal information, corrected; and
- 12.6 the right to have personal information, including your special personal information destroyed and/or deleted.
- 12.7 If a data subject is dissatisfied with the way in which HASA has processed or is processing their personal information then they may submit a request to our Information Officer seeking to exercise their rights.

## 13 Direct marketing

- 13.1 HASA shall process the personal information of data subjects for the purposes of providing data subjects with information regarding HASA conferences, services, and content which may be of interest or use to the data subject only –

- 13.1.1 if HASA has obtained the contact details of the data subject in the context of providing a service to the data subject;
  - 13.1.2 for the purpose of direct marketing in respect of similar HASA services; and
  - 13.1.3 if the data subject has been given a reasonable opportunity to object, free of charge and in a manner free of unnecessary formality, but has not raised such an objection.
- 13.2 Any other party may subscribe to HASA newsletter and consent to receive marketing information.
- 13.3 If you no longer wish to receive HASA newsletter and/or marketing information, you may unsubscribe for free at any time by notifying HASA by e-mail or telephonically using the details reflected above in clause , or by unsubscribing directly from a newsletter sent to you using the link provided.

## 14 Policy revision

This Privacy Notice is subject to review and amendment without prior notice. However, we undertake to ensure that any amendments hereto are communicated clearly and effectively, for the benefit of our employees and any other persons who may be affected by this Privacy Notice.