



## **Privacy Notice**

last updated 13 December 2022

### **Data protection and disclosure of information**

As part of our day-to-day business of providing audiological services (the “Services”), we need to collect personal information from our clients and potential clients to ensure that we can meet their needs for the provision of or information about the Services.

Your privacy is important to us and it is our policy to respect the confidentiality of information and the privacy of individuals. This notice outlines how we manage your personal information and details your rights in respect of our processing of your personal information.

We process your information in terms of our **Protection of Information Policy** and **Retention of Data Policy**. To review same, kindly send a request to the Information Officer: Nicolize Cass (nicolize.cass@pretoriacochlear.com)

Defined terms herein, where not herein defined, are defined within the **Protection of Personal Information Act, 2013** (as may be amended or substituted from time to time) (“**POPIA**”).

### **Who are we?**

This Privacy Notice applies to the processing activities of the **Pretoria Cochlear Implant Unit (PCIU)** is an association of registered Audiologists, Speech Therapists, Ear, Nose & Throat Specialists, Psychologists and Teachers of the Deaf (the “Health Professionals”), and a Non-Profit Company, (together also referred to as the “Unit”). The Health Professionals are involved in the treatment and care of persons with hearing loss who need medical intervention to be able to hear. The Health

Professionals specifically deal with the fitting of hearing aids, implantation and maintenance of cochlear implant systems and the rehabilitation needed. The Unit is also involved in obtaining and distribution of funds to cochlear implant related activities, including maintenance of clinical services to cochlear implant users, financial assistance to hearing impaired persons, financial support of training to professionals working in hearing impairment, and support of research in hearing impairment and cochlear implants.

The PCIU is the Responsible Party (and Operator in certain instances) for the processing of your Personal Information.

Any reference to ‘us’, ‘our’, ‘we’ in this Privacy Notice is a reference to both PCIU and the Health Professionals respectively. Similarly, any reference to ‘you’, ‘your’, ‘yours’ or ‘yourself’ in this Privacy Notice is a reference to any of our clients and potential clients as a Data Subject, or a Competent Person in respect of such client and potential client that is incompetent, such as a minor child.

Our Privacy Notice will be reviewed from time to time to take account of new obligations and technology, changes to our operations and Units, and to make sure it remains appropriate to the changing environment.

### **What kind of Personal Information do we collect?**

We collect information necessary to fulfil our obligations to our clients in the course of providing the Services.

We currently collect and process the following information:

In terms of the Protection of Personal Information Act (POPIA), the justification ground which we base our processing on consists of the following:

- The data subject or a competent person where the data subject is a child **consents** to the processing. Kindly note that you have the right to withdraw your consent;
- The processing is **necessary** to carry out actions for the conclusion or performance of a contract to which the data subject is a party;
- The processing complies with an **obligation** imposed by law on the business;
- The processing protects a **legitimate** interest of the data subject;
- The processing is necessary for the proper performance of a **public law** duty by the business;
- The processing is necessary for pursuing the legitimate **interests** of the business or of a third party to whom the information is supplied.

If you provide us with any Personal Information relating to a third party (e.g. information of your spouse, children, parents, and/or employees), by submitting such information to us, **you represent to us that you have obtained their consent and/or are a Competent Person in respect to the provision of such Personal Information.**

**The main activities of the Unit are the provision of hearing care for adults and children with hearing loss. In this respect, by submitting Personal Information (including sensitive personal information) to the Unit, you expressly provide your informed consent for the collection, processing and storage of such minor child's Personal Information in respect of such minor child and confirm that you are duly authorised to do so as a Competent Person.**

#### **Types of Personal Data Collected Personal Information:**

While using our Service, we may ask you to provide us with certain personally identifiable information that can be used to contact or identify you ("Personal Information"). Personally identifiable information may include, but is not limited to:

- Email address;
- First name and last name;
- Contact number;
- Physical Address;
- Identity Numbers;
- Biometric Information;
- Medical aid information;
- Products and serial numbers used
- Cookies and Usage Data;

#### **Usage Data:**

We may also process personal information on how the Service is accessed and used ("Usage Data"). This Usage Data may include information such as your computer's Internet Protocol address (e.g. IP address), browser type, browser version, the pages of our Service that you visit, the time and date of your visit, the time spent on those pages, unique device identifiers and other diagnostic data.

#### **Tracking and Cookies Data:**

We use cookies and similar tracking technologies to track the activity on our Service and hold certain information. Cookies are files with small amount of data which may include an anonymous unique identifier. Cookies are sent to your browser from a website and stored on your device. Tracking technologies also used are beacons, tags, and scripts to collect and track information and to improve and analyze our Service. You can instruct your browser to refuse all cookies or to indicate when a cookie is being sent. However, if you do not accept cookies, you may not be able to use some portions of our Service.

#### **Examples of Cookies we use:**

- **Session Cookies:** We use Session Cookies to operate our Service.
- **Preference Cookies:** We use Preference Cookies to remember your preferences and various settings.
- **Security Cookies:** We use Security Cookies for security purposes.

### **What we do with the personal information we obtain?**

We may use information held about you in the following ways:

- To provide and maintain the Service
- To notify you about changes to our Service
- To allow you to participate in interactive features of our Service when you choose to do so
- To provide customer care and support
- To provide analysis or valuable information so that we can improve the Service
- To monitor the usage of the Service
- To detect, prevent and address technical issues

### **Service Providers**

We may employ third party companies and individuals to facilitate our Service (“Service Providers”), to provide the Service on our behalf, to perform Service-related services, provide security or to assist us in analyzing how our Service is used.

These third parties have access to your Personal Information only to perform these tasks on our behalf and are obligated not to disclose or use it for any other purpose. We value your personal information and our service providers are closely selected to ensure that they comply with the relevant safeguards and technical measures in relation to your personal information.

We may also use third-party Service Providers to monitor and analyze the use of our Service.

Our Service may contain links to other sites that are not operated by us. If you click on a third party link, you will be directed to that third party’s site. We strongly advise you to review the Privacy Statement of every site you visit. We have no control over and assume no responsibility for the content, privacy statements or practices of any third party sites or services.

### **Children Information**

We do not knowingly collect personal information from anyone under the age of 18, without the consent of the Parent/Guardian. If we become aware that we have collected Personal Information from children without verification of parental/guardian consent, we take steps to remove that information from our servers and service providers.

### **How we store your personal information**

Safeguarding the privacy of your information is important to us, whether you interact with us personally, by phone, by mail, over the internet or any other electronic medium.

The security of your personal information is important to us but remember that no method of transmission over the Internet, or method of electronic storage is 100% secure. While we strive to use commercially acceptable means to protect your Personal Information, we cannot guarantee its absolute security.

We retain your personal information only for the period necessary for the purposes set out in this Statement or in accordance with the provisions of any applicable legislation.

We will then dispose your information by deleting or shredding your information as soon as we no longer require your information or you objected to us processing your information.

## Management and Safeguarding of Personal Information

We always take appropriate technical and organisational measures to ensure that your information is secure. In particular, we train our employees who handle Personal Information to respect the confidentiality of customer information and the privacy of individuals. We regard breaches of your privacy very seriously and will impose appropriate penalties, including dismissal where necessary. We have appointed an Information Officer to ensure that our management of Personal Information is in accordance with this Privacy Notice, applicable policies, and the applicable legislation.

The internet is an open medium and we cannot guarantee that any information you send to us by email or via our sites will not be intercepted or tampered with; any transmission is **at your own risk**. Once we have received your information, we will use appropriate procedures and security features to prevent unauthorised access.

## Your rights as a data subject

The data protection laws give you certain rights in relation to the data we hold on you. These are:

- **the right to be notified.** This means that we must tell you how we use your Personal Information, and this is the purpose of this Privacy Notice;
- **the right of access.** You have the right to access the Personal Information that we hold on you. To do so, you should make a subject access request;
- **the right for any inaccuracies to be corrected.** If any Personal Information that we hold about you is incomplete or inaccurate, you are able to require us to correct it;
- **the right to have information deleted.** If you would like us to stop processing your Personal Information, you have the right to

ask us to delete it from our systems where you believe there is no reason for us to continue processing it;

- **the right to restrict the processing** of the Personal Information. For example, if you believe the Personal Information we hold is incorrect, we will stop processing it (whilst still holding it) until we have ensured that it is correct;
- **the right to portability.** You may transfer the Personal Information that we hold on you for your own purposes;
- **the right to object to the inclusion of any information.** You have the right to object to the way we use your Personal Information where we are using it for our legitimate interests;
- **the right to regulate any automated decision-making and profiling** of Personal Information. You have a right not to be subject to automated decision making in way that adversely affects your legal rights.

Where you have provided consent to our use of your Personal Information, you also have the unrestricted right to withdraw that consent at any time subject to contractual obligations. Withdrawing your consent means that we will stop processing the Personal Information that you had previously given us consent to use. There will be no consequences for withdrawing your consent; however, in some cases, we may continue to store and use the Personal Information where so permitted by having a legitimate reason for doing so or where required by law, regulation or by any other competent authorities. We may also not be able to continue our services to you.

You can read more about these rights within section 5 of POPIA.

You may request details of personal information which we hold about you under the Promotion of Access to Information Act 2 of 2000 ("PAIA"). Fees to obtain a copy or a description of personal information held

about you are prescribed in terms of PAIA. Confirmation of whether or not we hold personal information about you may be requested free of charge. If you would like to obtain a copy of your personal information held by The PCIU please review our PAIA Manual.

### **Links to external websites**

Our sites may, from time to time, contain links to and from the websites of our partner networks, advertisers and affiliates. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies or how such websites collect and use your data. Please check these policies before you submit any Personal Information to these websites.

### **Access to Personal Information about you**

You have the right to request a copy of the Personal Information we hold about you. If you would like a copy of some or all of this information you may contact us as follows:

- **Information officer contact details**

Full name: Tania Swart

Email address: [tania.swart@pretoriacochlear.com](mailto:tania.swart@pretoriacochlear.com)

Telephone number/s: 012 420 3684 or 079 106 3495

- **The PCIU's head office details**

Physical address: University of Pretoria, R3-32

Communication Pathology Building, Lynnwood

Road, Hatfield, Pretoria, 0002

Contact email address: [admin@pretoriacochlear.com](mailto:admin@pretoriacochlear.com)

Contact telephone number/s: 012 420 3684 or

079 106 3495

If any of the information we hold is inaccurate, you can ask us to make any necessary amendments.

### **Updates to the Privacy Notice**

We reserve the right to update this Notice to reflect any legal changes or changes to the way in which we process your Personal Information. The updated Notice will be delivered to you electronically to the details we hold on file and/or published on our website and it will come into effect at the time of publication generally.

### **Contact Us**

If you have any queries regarding privacy issues or the content of this Privacy Notice, you can email us on [nicolize.cass@pretoriacochlear.com](mailto:nicolize.cass@pretoriacochlear.com); alternatively, by using the contact details provided above.

### **What if you have a complaint?**

If you have a concern about any aspect of our privacy Units, you can make a complaint. This will be acted upon promptly. To make a complaint, please contact us via one of the methods set above. **You undertake to first make a good faith attempt to resolve same with the Unit.** If you are not first satisfied with our response to your complaint, you have the right to then lodge a complaint with our supervisory authority, the Information Regulator.

#### **Their contact details are as follows:**

The Information Regulator (South Africa)

3 Hoofd Street Forum III,

3rd Floor Braampark

P.O Box 31533

Braamfontein

Johannesburg 2017

Complaints email: [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za)