

# PAIA Manual

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## 1. INTRODUCTION TO THE PRACTICE

VW Physiotherapists is a private physiotherapy practice, which is conducted in accordance with the requirements of the Health Professions Act 56 of 1974 and is subject to the authority of the Health Professions Council of South Africa (“HPCSA”). The practitioners practising at the practice are registered at the HPCSA and provide physiotherapy services within the scope and ambit of their registration, competence and training. The practitioners are bound by the Ethical Rules issued by the HPCSA, which include the duty to preserve patient confidentiality.

## 2. CONTACT DETAILS OF THE PRACTICE

**Practice Name:** VW Physiotherapists  
**Practice Number:** 0165972  
**Head of the Practice:** Mrs. Fiona Weyers  
**Physical Address:** 6 Moray Drive, Bryanston, Johannesburg, 2191  
**Postal Address:** P.O. BOX 1534, Jukskei Park, 2153  
**Telephone Number:** +27 (0) 11 7068079  
**E-mail address:** [vwphysio@outlook.com](mailto:vwphysio@outlook.com)  
**Website address:** <https://www.vwphysio.co.za>

## 3. INFORMATION OFFICER OF THE PRACTICE

**Name:** Mrs. Julie Durdey  
**Contact number:** +27 (0) 11 7068079  
**Email address:** [vwphysio@outlook.com](mailto:vwphysio@outlook.com)

## 4. GUIDE OF THE INFORMATION REGULATOR

The 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;

- Assistance that the Information Regulator can provide;
- Mechanisms to obtain the contact details of Information Officers; and
- Relevant legislation.

The Guide is available in all the official languages on the website (<https://www.justice.gov.za/inforeg/>) of the Information Regulator 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

**E-mail address:** [enquiries@inforegulator.org.za](mailto:enquiries@inforegulator.org.za)

The Guide can also be obtained upon request from the Information Officer of the practice. A copy of the Guide is available for public inspection during normal office hours at the practice.

## **5. RECORDS HELD BY THE PRACTICE**

The practice holds the following categories of records:

### **5.1 Records relating to the form of practice:**

Documents related to the establishment of the practice, a partnership agreement; other statutory records; governance documents (e.g., practice policies, minutes of meetings); practice code number registration and other related documents.

### **5.2 Employment records:**

Employment contracts; statutory council registration and related records; conditions of employment and work place policies; skills development plans and training records; salary register; relevant tax records; leave records; medical scheme membership records; essential services' permits and correspondence.

### **5.3 Patient records:**

Medical records; patient forms; payment-related records and correspondence.

### **5.4 Referral records:**

Referral notes and reports.

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

Records related to clinical trials / research studies.

**5.6 Health and safety records:**

Evacuation plan; health and safety incident reports.

**5.7 Financial records:**

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

**5.8 Records related to assets:**

Asset register; purchase records; financing and lease agreements; sale and purchase agreements; registers and records kept in terms of the Medicines and Related Substances Act 101 of 1965; stock sheets; delivery notes and orders.

**5.9 Agreements:**

Agreements and related documentation with contractors, consultants, suppliers, vendors, medical schemes, locums and professional assistants; agreements and documents related to clinical trials.

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

Official documents published; benefit schedules and correspondence.

**5.11 Insurance records (including professional indemnity cover):**

Policies, cover, claims and related records.

**6. INFORMATION AVAILABLE IN TERMS OF LEGISLATION**

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

Applicable Legislation	Category of Records
Basic Conditions of Employment Act 75 of	Employment contracts and related

1997 and Labour Relations Act 66 of 1995	documentation
Children's Act 38 of 2005	Consent forms
Consumer Protection Act 68 of 2008 and Medical Schemes Act 131 of 1998	Invoices related medical treatment provided
Disaster Management Act 57 of 2002	COVID-19 screening records
Electronic Communications and Transactions Act 25 of 2002	Proof of electronic transactions
Employment Equity Act 55 of 1998	Employment equity reports
Health Professions Act 56 of 1974	Proof of registration (practitioners)
Income Tax Act 58 of 1962 and Tax Administration Act 28 of 2011	Employees' tax-related information and payments made to partners, vendors, service providers and suppliers
National Health Act 61 of 2003	Medical records and consent documents, where necessary
Occupational Health and Safety Act 85 of 1993 and Compensation for Occupational Injuries and Diseases Act 130 of 1993	Health and safety incidents; ergonomics records; claims and records related to treatment of occupational diseases and injuries
Promotion of Access to Information Act 2 of 2000	PAIA Manual and PAIA Guide
Protection of Personal Information Act 4 of 2013	PAIA Manual and policies related to the protection of personal information, including a record-keeping policy
Road Accident Fund Act 56 of 1996	Records and invoices related to treatment of injuries sustained in road accidents
Skills Development Levies Act 9 of 1999 and Skills Development Act 97 of 1998	Records related to payment of levies and skills development reports
Unemployment Contributions Act 4 of 2002 and Unemployment Insurance Act 63 of 2001	Records related to payment of UIF contributions and relevant employee records
Value Added Tax Act 89 of 1991	VAT records

## 7. RECORDS AUTOMATICALLY AVAILABLE

The information on the website is automatically available without having to request access by

completing Form 2. 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 practice.

## **8. PURPOSE OF PROCESSING PERSONAL INFORMATION**

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

- 8.1 to conduct and manage the practice in accordance with the law, including the administration of the practice and claiming and collecting payment for services rendered from relevant funders, patients and/or responsible persons / entities;
- 8.2 for treatment and care of patients;
- 8.3 for communication purposes;
- 8.4 for the maintenance of practice records and patients' medical records;
- 8.5 for employment and related matters of employees and other practitioners;
- 8.6 for reporting to persons and bodies, including referring practitioners, as required and authorised in terms of the law or by the data subjects;
- 8.7 for historical, statistical and research purposes;
- 8.8 for clinical trials / research studies;
- 8.9 for enforcement of the practice's rights; and/or
- 8.10 for any other lawful purpose related to the activities of the practice.

## **9. DATA SUBJECTS, THEIR PERSONAL INFORMATION AND POTENTIAL RECIPIENTS OF INFORMATION**

The practice 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.

### **9.1 Practitioners and 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; contractors and suppliers; patients; banks; professional societies; bodies performing peer review; hospitals; members of the public; legal and professional advisers; attorneys; insurers; law enforcement structures; auditors; executors of estates; potential purchaser of practice.

9.2 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 practice.

9.3 Patients

***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; clinical trial / research study; 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; hospitals; legal and professional advisers; auditors; executors of estates; next-of-kin / guarantor / authorised person; debt collectors; attorneys; law enforcement structures; and potential purchaser of practice.

9.4 Referring Practitioners

***Categories of personal information:***

Names and surnames; titles; contact details; addresses; practice code numbers; registered professions; and correspondence.

***Potential Recipients:***

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

9.5 Hospitals / Health Care Facilities

***Categories of personal information:***

Names; contact details; relevant employees' / office bearer' / contact persons' details; website addresses; practice code numbers; hospital/facility privilege-related information and correspondence.

***Potential Recipients:***

Practitioners; relevant employees; auditors; legal and professional advisers and potential purchaser of practice.

9.6 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 practice.

9.7 Insurers***Categories of personal information:***

Names and contact details; premiums; benefits and correspondence.

***Potential Recipients:***

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

9.8 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 practice.

**10. PERSONAL INFORMATION SENT ACROSS THE BORDERS OF THE REPUBLIC OF SOUTH AFRICA**

The practice stores electronic information, including personal information of data subjects, in

the 'cloud,' which may be based outside of South Africa. Due care is taken in the selection of appropriate 'cloud' service providers to ensure compliance with the law and to protect the privacy of data subjects. The practice is not planning to send any personal information about any data subject to any other third party in a foreign country (other than potentially storing the information in a 'cloud'). 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 law.

## **11. SECURITY MEASURES TO PROTECT PERSONAL INFORMATION**

The practice 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 treat 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 practice 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 practice and are subject to sanctions for any security breach. All security breaches are taken seriously and are addressed in accordance with the law.

## **12. PROCEDURE TO OBTAIN ACCESS TO RECORDS OR INFORMATION**

The fact that information and records are held by the practice 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 above records or information, is required to complete a

request form (Form 2), which is available from reception or the Information Officer of the practice 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.

### **13. FEES PAYABLE TO OBTAIN THE REQUESTED RECORDS OR INFORMATION**

Fees may be charged for requesting and accessing information and records held by the practice. 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

### **14. AVAILABILITY OF THIS MANUAL**

A copy of this Manual is available for inspection, free of charge, at the practice 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.