

Pediatric Care Africa – Privacy Notice

Data protection and disclosure of information

As part of the day-to-day provision of our organisation's Services (as described below), we need to collect Personal Information from our clients and potential clients to ensure that these Services, or information about these Services, meet their needs and requirements.

Your privacy is important to us and it is our policy to respect the confidentiality of personal information and the privacy of individuals. **This notice outlines how we manage your Personal Information and/or that of your minor child or child under your legal supervision ("your child") and details your and your child's rights in respect of our processing of that Personal Information.**

We process your information in terms of the **Protection of Personal Information Act, 2013** (as may be amended or substituted from time to time) ("**POPIA**") and our **Protection of Information Policy**. To review same, kindly send a request to our Information Information Officer: **Surika van der Merwe** at info@pediatriccareafrika.org

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

Who are we?

Pediatric Care Africa, a not for profit organization with Registration No. 214-711 NPO ("PCA") and the Responsible Party (and Operator in certain instances) for the processing of your Personal Information in terms of POPIA.

Our organisation primarily provides medical assistance Services to children from poor or underprivileged communities. This involves connecting such children requiring medical treatment with the doctors or medical specialists needed to provide the appropriate medical care. This sometimes includes arranging clinic visits or hospital admissions. The cost of treatment is sponsored by us, including doctors' appointments, medicines and other ancillary processes such as laboratory tests. The majority of children we assist are drawn from orphanages, care centres, schools and through direct contact via SMS, WhatsApp or telephone calls.

We also run a number of other programmes as part of our Services including:

- a surgery programme providing life-changing surgeries for children in need throughout Southern Africa;
- a medical outreach programme that involves a number of medical professionals, including doctors, nurses, occupational therapists and physios, visiting informal settlements to identify and treat children in various states of ill health, including malnourishment and those at risk of stunting;
- an infant and child food supply programme throughout Mpumalanga (again, in underprivileged and poor communities);
- a natural and man-made disaster relief programme that provides victims with critical medical, food and material necessities.

For more information and detail on the Services we provide and the work we have done in the past, kindly contact us using the contact details in this Notice or visit our website at [www.
https://www.pediatriccareafrika.org/](https://www.pediatriccareafrika.org/)

Any reference to 'us', 'our', 'we' in this Privacy Notice is a reference to PCA. 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.

What kind of Personal Information do we collect?

We collect information necessary to fulfil our obligations to our clients as part of providing our Services (as described above), such as contacting you, organizing doctors' appointments and/or hospital admission on your behalf, delivering food parcels to you, creating a database for volunteers or organizing medical outreaches.

We may collect the following types of Personal Information about you and/or your child: *Full name, address and contact details, date of birth and gender, identity number, identity document, health and medical details, bank details, credit card or payment details, any other similar information.*

Nevertheless, we will only collect Personal Information that is necessary for us to provide the requisite Services to you and fulfill our legal and other legitimate obligations.

We will only obtain and process this information with your express, voluntary and informed consent as set out in our **Protection of Personal Information Notice and Consent Form**. Much of this information is collected in order to establish the reasons for your referral or approach to us, assess whether we can provide you with our Services, and, if so, how best to provide those Services according to your needs.

It is your right not to provide the information required, or to withdraw your previously provided consent at any time. You can do this by contacting us using the contact details provided in this Notice. However, your refusal to provide the Personal Information we require may result in us being unable to provide you with the Services you require. Furthermore, your withdrawal of consent may be limited by law or contract or be subject to the completing of a relevant Service or other similar and related activity. Withdrawal of consent will likely necessitate the termination of our Services.

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 of the provision of such Personal Information.**

How do we obtain Personal Information?

The Personal Information we collect is obtained directly from you. We will not collect any Personal Information about you or your child from any 3rd party unless we have obtained your consent to do so. Likewise, we will not obtain any Personal Information from 3rd parties unless they, too, have obtained the requisite consent to share that Personal Information with us.

What Lawful Basis do we rely on?

We may be required to collect and use certain types of Personal Information to comply with the requirements of the law and/or regulations, however we are committed to processing all personal information in accordance with POPIA and any other relevant data protection laws and codes of conduct (herein collectively referred to as “the data protection laws”) which are applicable to PCA.

The data protection laws allow us to only process your data for certain reasons:

- to perform a contract that we are party to;
- to carry out legally required duties;
- for us to carry out our legitimate interests;
- where we obtain your consent;
- to protect your interests; and
- where something is done in the public interest.

All the processing carried out by us falls into the permitted reasons, for example; our use of your or your child’s Personal Information in order to comply with our obligations under contract or provide you with our Services. This includes where a contract is not yet signed but you have requested us to take action as a first step (e.g. provide details of our services).

Disclosure of your personal information

We will never sell, trade, or rent your or your child's Personal Information to others; however, we may share your information with selected third parties including:

- medical professionals, health staff, hospital or clinic administrators, any other medical health practitioners or organisations that we deem necessary in order to provide our Services and fulfil your needs.
- our service providers, suppliers and sub-contractors for the performance of any contract we have entered into with them. They may then process this data on our behalf to help run some of our internal business operations, for example IT services.
- governmental or judicial bodies or agencies to comply with our legal and regulatory obligations;
- advertisers, advertising or social media networks and media outlets that require the data to promote PCA and its Services to you and others and engage in fund raising efforts to support PCA and enhance the provision of its Services. We will only provide your Personal Information for these purposes after obtaining your explicit consent in our **Social Media Release Form**.

Where we share your Personal Information with 3rd parties, we take all reasonable steps to ensure that your Personal Information is transferred to them securely and held by them in accordance with POPIA and any other applicable legislation and security protocols.

How we store 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.

We hold Personal Information in a combination of secure computer storage facilities and paper-based files and other records and take steps to protect the Personal Information we hold from misuse, loss, unauthorised access, modification or disclosure.

When we consider that Personal Information is no longer needed, we will remove any details that will identify you or securely destroy the records. However, we may need to maintain records for a significant period of time in line with our regulatory obligations. For more information on this, contact us using the contact details provided in this Notice.

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 and Deputy Information Officer to ensure that our management of Personal Information is in accordance with this Privacy Notice, our Protection of Information Policy, other applicable policies and data protection laws.

The internet is an open medium and we cannot guarantee that all 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 and reasonable procedures and security features to prevent unauthorised access.

Your rights as a data subject

The data protection laws, such as POPIA, give you (the “data subject”) certain rights in relation to the Personal Information (“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, inaccurate or out-of-date, you can 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 providing our Services to you.

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

Transfers of Personal Information outside of South Africa

Your data may be transferred to, stored at, and processed at a destination outside of South Africa by our service providers (e.g. Facebook, WhatsApp and cloud hosting services). By submitting your Personal Information, **you agree to this transfer, storing or processing**. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with POPIA, other applicable legislation or relevant and appropriate laws.

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, or for any other queries regarding privacy issues or the content of this Privacy Notice, you may contact us as follows:

Information Officer: **Surika van der Merwe**
Email: info@pediatriccareafrica.org
Contact number: 076 299 5663

Responsible Party: **Pediatric Care Africa**

Physical Address: Valley View, Plaston Road
White River, 1240
Mpumalanga
South Africa

Postal Address: PostNet Suite 421
Private Bag X9910
White River
1240

All requests regarding Personal Information, including requests to update, change or delete Personal Information, are subject to an identity verification process to the satisfaction of PCA.

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.

What if you have a complaint?

If you have a concern about any aspect of our privacy practices, you can make a complaint. This will be acted upon promptly. To make a complaint, please contact us via one of the methods set out above.

You undertake to first make a good faith attempt to resolve your complaint or concern with PCA.

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. You can find details about how to do this on their website: <https://www.justice.gov.za/infoereg/>