



**PAIA Manual**

**for**

**Intercare Hospitals**

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## **1. Introduction to the Hospitals**

All the Intercare Hospitals (“the Hospitals”) are registered with the relevant Provincial Health Departments, depending on their location. The Intercare Group of Companies administers the Hospitals. The Hospitals are operated in accordance with the Health Act 63 of 1977 and other relevant national and provincial legislation. Healthcare services are rendered to day, sub-acute and rehabilitation patients and patients with specialised needs at the various hospitals. The healthcare practitioners rendering healthcare services at the Intercare Hospitals are registered at the Health Professions Council of SA (HPCSA) or the SA Nursing Council (SANC). These practitioners provide healthcare services within the scope and ambit of their registration, competence, and training. The Hospitals preserve patient confidentiality in accordance with the law.

## **2. Purpose of the PAIA Manual**

This PAIA Manual aims to inform the public and other persons and entities of the records held by the Intercare Hospitals, the personal information of data subjects they process, and how access can be obtained to these records. Information on the Intercare Hospitals and the Information Regulator is also provided.

## **3. Hospitals and Their Information Officers**

This Manual applies to the Intercare Hospitals listed in the Annexure to this Manual. The details of the Information and Deputy Information Officers of all the Hospitals are also listed in the Annexure.

## **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/infoereg/>) 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:** P O Box 31533, Braamfontein, Johannesburg, 2017

**Email address:** [enquiries@infoeregulator.org.za](mailto:enquiries@infoeregulator.org.za)

**Website:** <https://infoeregulator.org.za/>

The Guide can also be obtained upon request from a Hospital's Information or Deputy Information Officer. A copy of the Guide is available for public inspection during regular office hours at the various Intercare Hospitals.

## 5. Records

The Intercare Hospitals hold the following categories of records on the subjects specified:

Subjects on which the Intercare Hospitals hold records	Categories of records
Intercare Hospitals	Statutory and governance records, financial records, assets, business agreements and engagements, strategic records, insurance and medical indemnity cover records
Patients	Medical records, patient forms, accounts and payment information, referral notes and reports, records related to clinical studies, complaints
Human resources (HR)	HR policies and procedures, healthcare practitioner and employee (including job applicant) records, advertised positions, health and safety records

## 6. Information Available in terms of Legislation

The Intercare Hospitals hold records as may be required in terms of the legislation specified in the table below, subject to the specific protection offered by these laws.

Applicable Legislation	Category of Records
Basic Conditions of Employment Act 75 of 1997 and Labour Relations Act 66 of 1995	Employment contracts and related documentation
Children's Act 38 of 2005	Consent forms

Companies Act 71 of 2008	Memoranda of Incorporation / Articles of Association and other statutory records
Consumer Protection Act 68 of 2008, and Medical Schemes Act 131 of 1998	Invoices related to medical care provided
Electronic Communications and Transaction Act 25 of 2002	Proof of electronic transactions
Employment Equity Act 55 of 1998	Employment equity reports
Health Act 63 of 1977, with specific reference to the following Regulations: <ul style="list-style-type: none"> <li>• Regulations governing private health establishments, Provincial Notice 702 of 2015 of 27 February 2015 (Gauteng); and</li> <li>• Regulations governing private hospitals and unattached operating theatre units, Government Notice R158 of 1 February 1980</li> </ul>	Licensing documents
Health Professions Act 56 of 1974 and Nursing Act 33 of 2015	Proof of registration of healthcare practitioners
Income Tax Act 58 of 1962 and Tax Administration Act 28 of 2011	Tax-related information of directors, employees and the Hospitals
Medicines and Related Substances Act 101 of 1965	Records related to medicine and medical devices
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
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 Intercare website, <https://www.intercare.co.za/>, 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 Intercare Group of Companies.

Patients may obtain access to their records by completing Form 2, subject to the law. Patients' caregivers and parents/guardians of minor children whose identities have been verified may obtain access to relevant patient records by completing Form 2, provided that the access may be granted in terms of the law and patients have consented, where required. Third parties (such as medical schemes) may obtain access to patient records subject to the provisions of the law and patient consent, where required. Third parties may be required to complete Form 2, depending on the circumstances.

## **8. Purpose of Processing Personal Information**

The Intercare Hospitals process the personal information of data subjects for the following purposes:

- 8.1 to conduct, administer and manage the Hospitals in accordance with the law, including claiming and collecting payment for services rendered from patients, their funders and/or persons/entities responsible for payment for services rendered,
- 8.2 for the treatment and care of patients,
- 8.3 for communication purposes,
- 8.4 for the maintenance of records of the Hospitals and patients,
- 8.5 for employment and related matters,
- 8.6 for reporting to persons and bodies 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 or research studies,
- 8.9 for procurement,
- 8.10 for enforcement of the Hospitals' rights, including legal defence purposes and/or
- 8.11 for any other lawful purpose related to the activities of the Hospital.

## **9. Data Subjects, Their Personal Information and Potential Recipients**

The Intercare Hospitals hold personal information concerning the categories of data subjects specified below as may be relevant in the circumstances.

The Intercare Hospitals will share the personal information (including their records) of data subjects in general with the following persons and entities:

- Law enforcement and government agencies (e.g. South African Revenue Service [SARS] and the Companies and Intellectual Property Commission [CIPC]) or other related third parties: From time to time, the Hospitals may be required to provide personal information to a third party to comply with a subpoena, court order, government investigation, reporting obligation, or another legal process. If a Hospital discloses personal information in this way, it will reasonably attempt to provide the relevant data subject with advance notice unless it is prohibited from doing so or it is not appropriate in the circumstances,
- Corporate transactions: If a Hospital becomes insolvent or is involved in a merger, acquisition, reorganisation, or sale of all or a portion of the Hospital or its assets, the Hospital may share or transfer personal information as part of such corporate transaction,
- Administrative and clinical staff of the Hospitals as may be required as part of their roles and functions,
- Service providers (such as IT service providers) who assist the Hospitals in running their businesses - only if it is necessary, subject to confidentiality undertakings and legislation protecting the privacy of the personal information,
- The accountants and/or auditors of the Hospitals,
- Professional advisers (including legal advisers) of the Hospitals and
- The insurers of the Hospitals (including medical indemnity cover providers of healthcare practitioners), if required in the unlikely event of a claim.

Other potential recipients of data subjects' personal information and records are specified below, as may be applicable. Information and records are only disclosed to recipients as necessary in the circumstances and authorised in terms of the law or otherwise with the consent of the relevant data subjects.

#### 9.1 Directors, Shareholders, Employees and Job Applicants

<b>Categories of Personal Information</b>	Names and contact details, title, identity number/date of birth, statutory council number, registered profession, category of registration, position or role at the Hospital, nationality, gender, race, qualifications, specialisation, interests and other information included on CVs, membership of professional societies, relevant medical and disability information, employment-related information, tax-related information, bank details, professional indemnity cover, vetting reports (qualifications and criminal records), references of job applicants, correspondence, signatures of official signatories of the Hospital and FICA documentation.
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<b>Additional Recipients</b>	<b>Potential</b>	Board of Healthcare Funders of SA (BHF), funders, patients, banks, professional societies, peer review bodies, hospitals, members of the public (information on the website), vetting and recruitment agencies, and next-of-kin.
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## 9.2 Patients

<b>Categories of Personal Information</b>	Contact or other identifying information, such as name, address, telephone number, date of birth/identity number, age, gender, nationality, health information including health status, medical history, treatment and care provided, results of special investigations, contact details and other relevant information about the persons who may provide consent on behalf of patients and of those responsible for the payment of accounts, accounts and payment details, employment details, names and contact details of next-of-kin, including parents, guardians and caregivers as applicable, other information recorded on patient forms, clinical trial/research study participation information, adverse events, and correspondence.
<b>Additional Recipients</b>	<b>Potential</b> <ul style="list-style-type: none"> <li>Treating practitioners, practitioners and facilities to whom patients are referred, relevant funders, hospitals for inpatients, persons acting on behalf of patients and their estates, next-of-kin, persons responsible for payment of accounts, employers (occupational diseases and injuries), debt collectors and attorneys, and suppliers of medical devices such as crutches and splints. Mediclinic has access to the personal information of patients previously admitted to an Intercare hospital and subsequently admitted to their facilities. Intercare Group Hospital Holdings (Pty) Ltd, the Intercare Hospitals owner, is a Mediclinic subsidiary. Intercare hospitals and Mediclinic share a common IT platform.</li> </ul>

## 9.3 Treating Practitioners

<b>Categories of Personal Information</b>	Names, surnames, titles, contact details, contact persons, addresses, practice code numbers, registered professions, hospital privileges, information related to patient outcomes and professional misconduct and correspondence.
<b>Additional Recipients</b>	<b>Potential</b> Funders and patients.



#### 9.4 Facilities Receiving Patient Referrals

<b>Categories of Personal Information</b>	Names, surnames, titles, contact details, office bearers, contact persons, addresses, practice code numbers, registered professions, and correspondence.
<b>Additional Potential Recipients</b>	Funders and patients.

#### 9.5 Vendors, Suppliers and Other Third Parties

<b>Categories of Personal Information</b>	Person/entity's name and contact details, titles and contact details of relevant persons/office bearers, agreements and related information, practice code numbers, invoices, official documentation, newsletters and statements, market information, and correspondence.
<b>Additional Potential Recipients</b>	Banks, funders, patients, attorneys, and debt collectors.

### 10. Personal Information Sent Across the Borders of the Republic of South Africa

The Intercare Hospitals do not send any personal information about any data subject to any other third party in a foreign country in general. Should this be required, relevant data subject consent will be obtained, if needed, unless the information may be lawfully transferred across the borders. Transfers of such information will occur in accordance with the requirements of the law.

### 11. Security Measures to Protect Personal Information

The Intercare Hospitals are committed to ensuring the security of the personal information in their possession or under their control to protect it from unauthorised processing and access as well as loss, damage or unauthorised destruction. The Hospitals continually review and update their information protection measures to ensure the security, integrity and confidentiality of this information in accordance with industry best hospitals. The measures they adopt to ensure the security of personal information include technical and organisational measures and internal policies to prevent unauthorised access, loss or use of personal information, for example, securing record storage areas, access control to records, and off-site data back-ups. In addition, only those healthcare practitioners and employees who 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 hospitals requiring them to implement appropriate security measures and to maintain the

confidentiality of the information. Service providers, suppliers and vendors must adhere to the strict policies and processes implemented by the Hospitals 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 Intercare Hospitals 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), subject to the provisions of paragraph 7 above, which is available from reception, the Information or Deputy Information Officer of the relevant Hospitals and the Information Regulator at the contact details stipulated above.

Requesters must provide sufficient detail on the request form to enable the Information Officer to identify the record and the relevant requester. The requesters must identify the right they seek to exercise or protect and explain why the requested record 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/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 Intercare Hospitals. These fees are prescribed in terms of PAIA. Details of the fees payable may be obtained from reception or the Information or Deputy 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 Intercare Hospitals and on the Intercare website. A copy of the Manual may also be requested from the Hospital's Information or Deputy Information Officer against payment of a fee as prescribed.

**Annexure**  
**Intercare Hospitals**

**Intercare Day Hospital Century City (Pty) Ltd**

**Registration Number:** 2014/033777/07  
**Head of the Hospital:** Dr Hendrik Hanekom  
**Physical Address:** Building No 5, Central Park on Park Lane, Cnr Century Way & Park Lane, Grand Central Precinct, Century City, Cape Town, 7441  
**Postal Address:** P O Box 513, Century City  
**Telephone Number:** 021 521 9000  
**Email address:** [dayhospital.cc@intercare.co.za](mailto:dayhospital.cc@intercare.co.za)  
**Website address:** [www.intercare.co.za](http://www.intercare.co.za)  
**Information Officer:** Mario van der Westhuizen  
**Deputy Information Officer:** Rushana Isaacs  
**Email address:** [informationofficer@intercare.co.za](mailto:informationofficer@intercare.co.za)

**Intercare Day Hospital Hazeldean (Pty) Ltd**

**Registration Number:** 2009/005829/07  
**Head of the Hospital:** Dr Hendrik Hanekom  
**Physical Address:** Hazeldean Office Park, Silver Lakes Road, Silver Lakes, Pretoria, 0081  
**Postal Address:** Private Bag X40, Lynnwood Ridge, 0040  
**Telephone Number:** 012 880 0700  
**Email address:** [dayhospital.hz@intercare.co.za](mailto:dayhospital.hz@intercare.co.za)  
**Website address:** [www.intercare.co.za](http://www.intercare.co.za)  
**Information Officer:** Mario van der Westhuizen  
**Deputy Information Officer:** Riëtte Swart  
**Email address:** [informationofficer@intercare.co.za](mailto:informationofficer@intercare.co.za)

**Intercare Day Hospital Irene (Pty) Ltd**

**Registration Number:** 2009/018342/07  
**Head of the Hospital:** Dr Hendrik Hanekom  
**Physical Address:** Southdowns Centre, Cnr John Vorster Drive & Karee Street, Irene, 0157  
**Postal Address:** Private Bag X40, Lynnwood Ridge, 0040  
**Telephone Number:** 012 941 2600  
**Email address:** [dayhospital.ir@intercare.co.za](mailto:dayhospital.ir@intercare.co.za)  
**Website address:** [www.intercare.co.za](http://www.intercare.co.za)  
**Information Officer:** Mario van der Westhuizen  
**Deputy Information Officer:** Riëtte Swart  
**Email address:** [informationofficer@intercare.co.za](mailto:informationofficer@intercare.co.za)

**Sandton Day Hospital (Pty) Ltd**

**Registration Number:** 2010/021552/07  
**Head of the Hospital:** Dr Hendrik Hanekom  
**Physical Address:** 200 Rivonia Road, Morningside, Sandton, 2196  
**Postal Address:** P O Box 650604, Benmore, 2010  
**Telephone Number:** 010 880 1400  
**Email address:** [dayhospital.sn@intercare.co.za](mailto:dayhospital.sn@intercare.co.za)  
**Website address:** [www.intercare.co.za](http://www.intercare.co.za)  
**Information Officer:** Mario van der Westhuizen  
**Deputy Information Officer:** Yashika Maharaj  
**Email address:** [informationofficer@intercare.co.za](mailto:informationofficer@intercare.co.za)

**Intercare SSISA Rehabilitation Hospital (Pty) Ltd**

**Registration Number:** 2010/024133/07  
**Head of the Hospital:** Dr Hendrik Hanekom  
**Physical Address:** Boundary Road, Newlands, Cape Town, 7725  
**Postal Address:** Private Bag X40, Lynnwood Ridge, Pretoria, 0040  
**Telephone Number:** 021 891 0911  
**Email address:** [rehab.ssisa@intercare.co.za](mailto:rehab.ssisa@intercare.co.za)  
**Website address:** [www.intercare.co.za](http://www.intercare.co.za)  
**Information Officer:** Mario van der Westhuizen  
**Deputy Information Officer:** Marguerite Beukman  
**Email address:** [informationofficer@intercare.co.za](mailto:informationofficer@intercare.co.za)

**Intercare Sub-acute Hospital Hazeldean (Pty) Ltd**

**Registration Number:** 2007/012777/07  
**Head of the Hospital:** Dr Hendrik Hanekom  
**Physical Address:** Hazeldean Office Park, Silver Lakes Road, Silver Lakes, Pretoria, 0081  
**Postal Address:** Private Bag X40, Lynnwood Ridge, 0040  
**Telephone Number:** 012 880 0700  
**Email address:** [subacute.hz@intercare.co.za](mailto:subacute.hz@intercare.co.za)  
**Website address:** [www.intercare.co.za](http://www.intercare.co.za)  
**Information Officer:** Mario van der Westhuizen  
**Deputy Information Officer:** Riëtte Swart  
**Email address:** [informationofficer@intercare.co.za](mailto:informationofficer@intercare.co.za)

**Intercare Sub-acute Hospital Irene (Pty) Ltd**

**Registration Number:** 2009/018295/07  
**Head of the Hospital:** Dr Hendrik Hanekom  
**Physical Address:** Southdowns Centre, Cnr John Vorster Drive & Karee Street, Irene, 0157  
**Postal Address:** Private Bag X40, Lynnwood Ridge, 0040  
**Telephone Number:** 012 941 2600  
**Email address:** [subacute.ir@intercare.co.za](mailto:subacute.ir@intercare.co.za)  
**Website address:** [www.intercare.co.za](http://www.intercare.co.za)  
**Information Officer:** Mario van der Westhuizen  
**Deputy Information Officer:** Riëtte Swart  
**Email address:** [informationofficer@intercare.co.za](mailto:informationofficer@intercare.co.za)

**Sandton Sub-acute Hospital (Pty) Ltd**

**Registration Number:** 2015/231896/07  
**Head of the Hospital:** Dr Hendrik Hanekom  
**Physical Address:** 200 Rivonia Road, Morningside, Sandton, 2196  
**Postal Address:** P O Box 650604, Benmore, 2010  
**Telephone Number:** 010 880 1400  
**Email address:** [subacute.sn@intercare.co.za](mailto:subacute.sn@intercare.co.za)  
**Website address:** [www.intercare.co.za](http://www.intercare.co.za)  
**Information Officer:** Mario van der Westhuizen  
**Deputy Information Officer:** Yashika Maharaj  
**Email address:** [informationofficer@intercare.co.za](mailto:informationofficer@intercare.co.za)

**Intercare Sub-acute Hospital Tyger Valley (Pty) Ltd**

**Registration Number:** 2005/011066/07  
**Head of the Hospital:** Dr Hendrik Hanekom  
**Physical Address:** 43 Old Oak Road, Tyger Valley, Bellville, 7530  
**Postal Address:** P O Box 3211, Tyger Valley, 7536  
**Telephone Number:** 021 943 9800  
**Email address:** [subacute.tv@intercare.co.za](mailto:subacute.tv@intercare.co.za)  
**Website address:** [www.intercare.co.za](http://www.intercare.co.za)  
**Information Officer:** Mario van der Westhuizen  
**Deputy Information Officer:** De Wet Herbst  
**Email address:** [informationofficer@intercare.co.za](mailto:informationofficer@intercare.co.za)

**Intercare Medfem Hospital (Pty) Ltd**

**Registration Number:** 1990/005671/07  
**Head of the Hospital:** Dr Hendrik Hanekom  
**Physical Address:** Cnr Nursery Lane & Peter Place, Bryanston, 2021  
**Postal Address:** P O Box 2263, Cramerview, 2060  
**Telephone Number:** 011 463 2244  
**Email address:** [medfem@intercare.co.za](mailto:medfem@intercare.co.za)  
**Website address:** [www.intercare.co.za](http://www.intercare.co.za)  
**Information Officer:** Mario van der Westhuizen  
**Deputy Information Officer:** Yashika Maharaj  
**Email address:** [informationofficer@intercare.co.za](mailto:informationofficer@intercare.co.za)