



BRONWYN LEIGH PHYSIOTHERAPISTS INC

PR No 1294318

PROMOTION OF ACCESS TO INFORMATION

MANUAL

Prepared in accordance with Section 14 of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000)

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OVERVIEW

This manual is published in terms of Section 51 of the Promotion to Access to Information Act, 2000 (Act No.2 of 2000) (“the Act”). The Act gives effect to the provisions of Section 32 of the Constitution, which provides for the right to access to information held by the State and to information held by another person or entity, where such information is required by someone to protect his/her rights.

PURPOSE

The purpose of this manual is to inform members of the public on the services provided Bronwyn Leigh Physiotherapists Inc (the “practice”), the categories of information held by the practice, and how to obtain access to records held by the practice.

ABOUT BRONWYN LEIGH PHYSIOTHERAPISTS INC

Bronwyn Leigh Physiotherapists Inc is a private physiotherapy practice, which is conducted in accordance with the requirements of the Health Professions Act, No. 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.

CONTACT DETAILS FOR THE INFORMATION AND DEPUTY INFORMATION OFFICER

All requests must be directed to the Information Officer.

Information Officer	Mrs Bronwyn Sorour Position: Owner
Telephone Number	082 558 1960
Email Address	bronwyn@blphysio.co.za
Postal Address	The Information Officer Block C Sweet Thorn on Beyers 61 Bosbok Road Randpark Ridge Randburg 2169

GUIDE OF THE SA HUMAN RIGHTS COMMISSION / INFORMATION REGULATOR

The South African Human Rights Commission (“SAHRC”) / Information Regulator compiled a Guide, in terms of Section 10 of the Promotion of Access to Information Act (Act 2 of 2000) (“PAIA”), to assist persons wishing to exercise their rights in terms of this Act. This Guide is available in all the official languages and 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.
- When access to information may be denied.
- The contact details of Information Officers in the national, provincial and local government.

Any person wishing to obtain the Guide may either access it through the website of the SAHRC at <https://www.sahrc.org.za/home/21/files/Section%2010%20guide%202014.pdf>

or should contact the Information Regulator at:

Physical address: 33 Hoofd Street, Forum III, 3rd Floor Braampark, Braamfontein, Johannesburg

Postal address: PO Box 31533, Braamfontein, Johannesburg, 2017

Telephone: +27 (0) 10 023 5207 / +27 (0) 82 746 4173

E-mail address: infoereg@justice.gov.za

Website: <https://www.justice.gov.za/infoereg/>

The publication of the abovementioned Guide will be the responsibility of the Information Regulator with effect from 30 June 2021.

RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Information is available in terms of the following legislation to the persons or entities specified in such legislation, as well as the specific protections offered by such laws. As legislation changes from time to time, and new laws may stipulate new manners and extend the scope of access by persons specified in such entities, this list should be read as not being an exhaustive list.

- Basic Conditions of Employment Act, No. 75 of 1997
- Compensation for Occupational Injuries and Health Diseases Act, No. 130 of 1993
- Consumer Protection Act 68 of 2008
- Employment Equity Act, No. 55 of 1998

- Income Tax Act, No. 58 of 1962
- Labour Relations Act, No. 66 of 1995
- Occupational Health & Safety Act, No. 85 of 1993
- Promotion of Access to Information Act, No. 2 of 2000
- Unemployment Insurance Act, No. 63 of 2001
- Skills Development Levies Act, No. 9 of 1999
- Electronic Communications and Transactions Act, No. 25 of 2002
- Electronic Communications Act, No. 36 of 2005
- Health Professions Act, No. 56 of 1974
- Medical Schemes Act, No. 131 of 1998
- Medicines and Related Substances Act, No. 101 of 1965
- National Health Act, No. 61 of 2003
- Protection of Personal Information Act, No. 4 of 2013
- Skills Development Act, No. 97 of 1998
- Unemployment Contributions Act, No. 4 of 2002

RECORDS KEPT BY BRONWYN LEIGH PHYSIOTHERAPISTS INC

Bronwyn Leigh Physiotherapists Inc hold records in the following categories. The fact that a record type is listed here does not necessarily mean that such records will be disclosed, and all access is subject to the evaluation processes outlined herein, which will be exercised in accordance with the requirements of the Act.

1. Internal records relating to the practice and business: including the business's founding and other documents, minutes and policies, annual and other reports, financial records, operational records, policies and procedures, contracts, licences, trademarks and other intellectual property, production, marketing records, other internal policies and procedures, internal correspondence, statutory records, etc.
2. Personnel records: including records relating to temporary employees, fixed term employees, part-time employees, permanent employees, contractors. It includes personal files and similar records, records a third parties have provided to us about their personnel, employment contracts, conditions of employment, workplace policies, disciplinary records, termination records, minutes of staff meetings, performance management records and systems and all employment-related records and correspondence.

3. Patient records: including patient lists, health records, funding records, agreements, consents, needs assessments, financial and accounts information, research information, evaluation records, profiling, and similar information. It must be noted that, in the health sector, personal and patient information are confidential and protected by legislation and ethical rules, and disclosure can only take place, if at all, within those frameworks.
4. Supplier and service provider records: including supplier registrations, contracts, confidentiality agreements and non-disclosure agreements, communications, logs, delivery records, commissioned work, and similar information, some of which might be provided to us by such suppliers and providers under service and other contacts.
5. Technical records: including manuals, logs, electronic and cached information, product registrations, product dossiers, health professionals' council / statutory body records, approvals, conditions and requirements, trade association information and similar product information.
6. Third party information: which may be in our possession, but which would be subject to the conditions set in relation to such possession.
7. Environment and market information: including information bought, publicly available information and commissioned information which pertains to the specific sector and market of our business and factors that affect the business, professional and healthcare environment.

RECORDS AUTOMATICALLY AVAILABLE

No notice has been submitted by the practice to the Minister of Justice and Correctional Services regarding the categories of records, which are available without a person having to request access in terms of Section 52(2) of PAIA. However, the information on the website of the practice is automatically available without having to request access in terms of PAIA. Access and usage of the information on the website are subject to the Website Terms and Conditions as well as the Privacy Statement of the practice.

PURPOSE OF PROCESSING PERSONAL INFORMATION

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

- 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.

- for treatment and care of patients, including referrals to other practitioners and reporting to referring practitioners.
- for communication purposes.
- for the maintenance of practice records and patients' medical records.
- for employment and related matters of employees and other practitioners.
- for reporting to persons and bodies as required and authorised in terms of the law or by the data subjects.
- for historical, statistical and research purposes.
- for clinical trials.
- for proof.
- for enforcement of the practice's rights.
- for any other lawful purpose related to the activities of a private physiotherapy practice.

DATA SUBJECTS, THEIR PERSONAL INFORMATION AND POTENTIAL RECIPIENTS OF THIS INFORMATION

The practice holds the categories of records and personal information in respect of the categories of data subjects specified below. The potential recipients of the personal information processed by the practice are also specified. Information and records are only disclosed as may be necessary in the circumstances and authorised in terms of the law or otherwise with the consent of the relevant data subjects.

1. Practitioners and employees

1.1. Categories of Records

Names and surnames; Curriculum Vitae ("CVs"); contact details; identity numbers / dates of birth; race; gender; nationality; qualifications; registered professions and category of registration; statutory council registration numbers; employment history and related information; position and job description; bank details; relevant health information; relevant information on criminal behaviour; complaint and disciplinary-related information; records created in the performance of their duties; tax numbers and related tax information; leave records; remuneration; employment benefits; absenteeism information; vetting reports; references; opinions; next-of-kin details; health and safety related incidents; COVID-19-related information; correspondence.

1.2. Potential Recipients

Practice owners; SARS; relevant statutory and other public bodies (e.g. Department of Employment and Labour); the Board of Healthcare Funders of SA (“BHF”); Companies and Intellectual Property Commission (“CIPC”); funders; contractors and suppliers; patients; bodies performing peer review and clinical practice audits; banks; professional societies; vetting agencies; hospitals; members of the public; legal and professional advisers; auditors; executors of estates; purchaser of practice.

2. Job Applicants

2.1. Categories of Records

Names and surnames; Curriculum Vitae (CVs); contact details; identity numbers / dates of birth; race; gender; nationality; qualifications; registered professions and category of registration; statutory council registration numbers; employment history and related information; relevant health information; relevant information on criminal behaviour; vetting reports; interview notes; references; COVID-19-related information; correspondence.

2.2. Potential Recipients

Practice owners and relevant other employees; vetting agencies; legal and professional advisers; auditors; purchaser of practice.

3. Patients

3.1. Categories of Records

Names and surnames; contact details; identity numbers / dates of birth; race; gender; employers and their contact details; medical history; health information, including diagnoses, procedures performed and special investigation reports (e.g. radiology reports, pathology results, etc.); COVID-19-related information; referral notes; complaint-related information; compliments; clinical trial information; opinions; next-of-kin details; correspondence

3.2. Potential Recipients

Relevant statutory and other public bodies (e.g. the Compensation Commissioner of Occupational Injuries and Diseases, the Road Accident Fund); funders (e.g. medical schemes); bodies performing peer review and clinical practice audits; hospitals; legal and professional advisers; auditors; executors of estates; next-of-kin; credit bureaus; debit collectors; purchaser of practice.

4. Referring practitioners

4.1. Categories of Records

Names and surnames; contact details; practice code numbers; practice-related information; qualifications; registered professions; correspondence.

4.2. Potential Recipients

Relevant statutory and other public bodies; funders; bodies performing peer review; hospitals; auditors; purchaser of practice.

5. Hospitals / Health Care Facilities

5.1. Categories of Records

Names; contact details; relevant staff / office bearer details; website addresses; correspondence; market information; group structures; hospital/facility privilege-related information.

5.2. Potential Recipients

Auditors; legal and professional advisers; funders; purchaser of practice.

6. Contractors, Vendors and Suppliers

6.1. Categories of Records

Names and surnames; organisation names and details; relevant staff / office bearer details; contact details; website addresses; opinions; correspondence; COVID-19-related information; market information; price structures; financial arrangements; bank details; VAT numbers; Broad-Based Black Economic Empowerment (BBBEE) related information.

6.2. Potential Recipients

Banks; auditors; legal and professional advisers; funders; purchaser of practice.

7. Insurers

7.1. Categories of Records

Names and contact details; premiums; correspondence

7.2. Potential Recipients

Auditors; legal and professional advisers; relevant public bodies; purchaser of the practice.

8. Public and private bodies (e.g. regulators and funders)

8.1. Categories of Records

Names; contact details; office bearers; fee / benefit structures; rules; information published in public domain; payment-related information (e.g. remittances, statements); correspondence.

8.2. Potential Recipients

Legal and professional advisers; patients; debt collectors; auditors; public; employees; purchaser of the practice.

PLANNED TRANSBORDER FLOWS OF PERSONAL INFORMATION

The practice stores electronic information, including personal information of data subjects, in the 'cloud', the servers of which may be located outside of the borders of the Republic of South Africa. Due care is taken in the selection of appropriate cloud service providers to ensure compliance with the law and protect the privacy of data subjects. The practice is not planning to send any other personal information about any data subject to any other third party in a foreign country. Should this be required, relevant data subject consent will be obtained, where required, and transfers of such information will occur in accordance with the requirements of the law.

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, which passwords are regularly updated; server access control; 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. Contractors 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.

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, which is attached to this Manual as Annexure A, and pay the prescribed fees as referenced below. The request form is also available from:

- the Information Officer of the practice at the contact details stipulated above.
- 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.

FEES PAYABLE TO OBTAIN THE REQUESTED RECORDS OR INFORMATION

The fees for requesting and accessing information and records held by the practice are prescribed in terms of PAIA. The fees payable, which may be amended from time to time in accordance with notices published in the Government Gazette, are attached hereto as Annexure B. Details of the fees payable and any change to such fees may be obtained from the Information Officer. The fees are also available on the website of the Information Regulator. A requester may be required to pay the fees prescribed for searching and compiling the information, which has been requested, including copying charges.

AVAILABILITY OF THIS MANUAL

A copy of this Manual is available for inspection, free of charge, at the practice. A copy of the Manual may also be requested from the Information Officer against payment of the appropriate fee, which may be obtained from the Information Officer.

FORM 2**REQUEST FOR ACCESS TO RECORD**

[Regulation 7]

NOTE:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The Information Officer
 Mrs Bronwyn Sorour
 Sweet Thorn on Beyers Office Park
 61 Bosbok Road
 Randpark Ridge
 2169

E-mail address: bronwyn@blphysio.co.za

Mark with an "X"

☐ Request is made in my own name ☐ Request is made on behalf of another person

PERSONAL INFORMATION				
Full Names				
Identity Number				
Capacity in which request is made (when made on behalf of another person)				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel.		Cell	
Full names of person on whose behalf request is made (if applicable):				
Identity Number				
Postal Address				

Street Address			
E-mail Address			
Contact Numbers	Tel.		Cell

PARTICULARS OF RECORD REQUESTED	
<i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>	
Description of record or relevant part of the record:	
Reference number, if available	
Any further particulars of record	

TYPE OF RECORD (Mark the applicable box with an "X")	
Record is in written or printed form	
Record comprises virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	
FORM OF ACCESS (Mark the applicable box with an "X")	
Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	

Copy of record on flash drive (including virtual images and soundtracks)	
Copy of record on compact disc drive (including virtual images and soundtracks)	
Copy of record saved on cloud storage server	
MANNER OF ACCESS (Mark the applicable box with an "X")	
Personal inspection of record at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language (Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED <i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>	
Indicate which right is to be exercised or protected	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES	
a) A request fee must be paid before the request will be considered. b) You will be notified of the amount of the access fee to be paid. c) The fee payable for access to a record depends on the form in which access is required, and the reasonable time required to search for and prepare a record. d) If you qualify for exemption of the payment of any fee, please state the reason for exemption	
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal Address	Electronic Communication <i>Please specify</i>

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

<i>Reference number:</i>	
<i>Request received by: (State Rank, Name And Surname of Information Officer)</i>	
<i>Date received:</i>	
<i>Access fees:</i>	
<i>Deposit (if any):</i>	

Signature of Information Officer

FORM 3
OUTCOME OF REQUEST AND OF FEES PAYABLE

[Regulation 8]

Note:

1. If your request is granted the— (a) amount of the deposit, (if any), is payable before your request is processed; and (b) requested record/portion of the record will only be released once proof of full payment is received.
2. Please use the reference number hereunder in all future correspondence.

Reference number: _____

TO: _____

Your request dated _____, refers.

1. You requested:

Personal inspection of information at registered address of private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i> is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.	
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OR

2. You requested:

Printed copies of the information <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of information on flash drive (including virtual images and soundtracks)	
Copy of information on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

3. To be submitted:

Postal services to postal address	
Postal services to street address	

Courier service to street address	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language: <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

Kindly note that your request has been:

☐

Approved

☐

Denied, for the following reasons:

4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Request fee, payable by every requester	R140.00		
Photocopy	R2.00 per page or part of the page		
Printed copy	R2.00 per page or part of the page		
For a copy in a computer-readable form on: (i) Flash drive • To be provided by requestor (ii) Compact disc • If provided by requestor • If provided to the requestor	R40.00 R40.00 R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced.		
Copy of visual images	Will depend on the quotation of the service provider		
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record (i) Flash drive • To be provided by requestor (ii) Compact disc • If provided by requestor • If provided to the requestor	R40.00 R40.00 R60.00		

Postage, e-mail or any other electronic transfer:	Actual costs		
For each hour or part of an hour (excluding the first hour) reasonably required to search for, and prepare the record for disclosure The search and preparation fee cannot exceed	R145.00 R435.00		
TOTAL:			

5. Deposit payable (if search exceeds six hours):

☐

Yes

☐

No

Hours of search		Amount of deposit (<i>calculated on one third of total amount per request</i>)	
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The amount must be paid into the following Bank account:

Name of Bank:

Name of account holder:

Type of account:

Account number:

Branch Code:

Reference Nr:

Submit proof of payment to:

Signed at _____ this _____ day of _____ 20 _____

Information officer