



Policy on the Protection of Personal Information Act, 4 of 2013 (“POPI”)

Last updated: 10 February 2023

1. Introduction

HeFSSA is a non-profit company in the field of Heart Failure focusing to promote research and collaboration on heart failure matters in South Africa and around the world.

The Protection of Personal Information Act 4 of 2013, (“POPIA/The Act”) and the Regulations promulgated thereunder give effect to the right to privacy provided by section 14 of the Bill of Rights of the Constitution of the Republic of South Africa 1996. POPIA defines personal information as “information which relates to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person”. This includes, but is not limited to, your name, surname, address, contact details, practice details and health professionals registration number.

The Act and Regulations require the Information Officer of the responsible person as defined under the Act to develop, implement, monitor, and maintain a compliance framework, (Regulation 4 of Regulations published under GG number 42110 dated 14 December 2018).

HeFSSA values your right to privacy and security and has developed this policy to comply with the aforesaid requirements and to further demonstrate commitment to the spirit of the Act in respecting the rights of you as a Data Subject to have your Personal Information protected as set out in the Act.

Please read this Privacy Policy to understand how HeFSSA collects, uses, discloses, retains and protects the personal information of data subjects in accordance with the Protection of Personal Information Act (POPIA) and other relevant laws when our services are used. This policy applies to all situations and business processes where Personal Information is processed, more importantly where such information may be made accessible to service providers. This policy must be read together with HeFSSA’s PAIA Manual.

In keeping compliant with our commitment to providing you with secure access to our services, this Policy may be updated from time to time and we would advise that you revisit it regularly.

2. Interpretation and Definitions

The words of which the initial letter is capitalized have meanings defined under the following conditions. The following definitions shall have the same meaning regardless of whether they appear in singular or in plural.

- 2.1 **“Account”** means a unique account created for you to access our Service or parts of our service.
- 2.2 **“Applicable Legislation”** means all legislation applicable to HeFSSA, including the Act, the Medicines and Related Substances Act 101 of 1965; the National Health Act 61 of 2003; The Health Professions Act ; National Archiving Act, Income Tax Act 58 of 1962; Value Added Tax Act 89 of 1991; Labour Relations Act 66 of 1995;
- 2.3 **“Cookies”** are small files that are placed on your computer, mobile device, or any other device by a website, containing the details of Your browsing history on that website among its many uses. Cookies only store information from your browser, they cannot access data on your hard drive. Cookies are text files that cannot transfer viruses to your computer or mobile device.
- 2.4 **“Country”** refers to the Republic of South Africa
- 2.5 **“Data subject”** means the person to whom personal information relates as defined under the Act;
- 2.6 **“Device”** means any device that can access the Service such as a computer, a cell phone, or a digital tablet.



- 2.7 **“Office-bearer”** means the members of the Board, the Executive Officer, Account Manager, members of Committees, governance secretaries and persons in similar positions.
- 2.8 **“Operator”** means a person who processes personal information for a responsible party in terms of a contract or mandate, without coming under the direct authority of that party.
- 2.9 **“Personal information”** shall mean, for purposes of this policy and as defined under the Act, information about an identifiable, natural person, and in so far as it is applicable, an identifiable, juristic person, including, but not limited to:
- Information relating to the name, gender, address, contact details, identity number, health professionals registration number
 - Well-being, disability, religion, conscience, belief, culture, language and birth of the person;
 - Information relating to the education or medical, criminal or employment history of the person or information relating to the financial transactions in which the person has been involved;
 - Any identifying number, symbol or other particular assigned to the person;
 - The address, of a person;
 - The personal opinions, views or preferences of the person, except where they are about another individual or about a proposal for a grant, an award of a prize to be made to another individual;
 - Correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence’
 - He views or opinions of another individual about the person;
 - The views or opinions of another individual about a proposal for a grant, an award, or a prize to be made to the person, but excluding the name of the other individual where it appears with the views or opinion of the other individual; and
 - The name of the person where it appears with other personal information relating to the person or where the disclosure of the name itself would reveal information about the person;
 - But excludes information about a natural person who has been dead, or a juristic person that has ceased to exist for more than 20 years
- 2.10 **“Policy”** means **this policy developed in terms of the Act and Regulations thereto;**
- 2.11 **“Processing”** means any operation or activity or any set of operations, whether by automatic means,
- concerning personal information, including: the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
 - dissemination by means of transmission, distribution or making available in any other form; or
 - merging, linking, as well as restriction, degradation, erasure, or destruction of information.
- 2.12 **“Purpose”** means The Practice’s purpose to processing of Personal Information as set out under The Practice’s PAIA Manual.
- 2.13 **“Responsible Party”** means, for purposes of this policy, all persons to whom this policy applies, whom, whether alone or in conjunction with others determines the purpose and means of processing Personal Information.
- 2.14 **“Special Personal Information”** means information relating to a person’s i.e., race or ethnic origin of a data subject as defined under the Act.
- 2.15 **“Service”** refers to the Website, all social media platforms e.g. Facebook, Instagram Communication e.g., WhatsApp, email, contacting via cell phone or practice contact number.



- 2.16 **“Service Provider”** means any natural or legal person who processes the personal information on behalf of the society. It refers to third-party companies or individuals employed by the Society to facilitate the Service, to provide the Service on behalf of the Society, to perform services related to the Service or to assist the Society in analysing how the Service is used.
- 2.17 **“Society”** (referred to as either "the ", "We", "Us" or "Our" in this Agreement) refers to the Heart Failure Society of South Africa (HeFSSA); **Third-party Social Media Service** refers to any website or any social network website through which a User can log in or create an account to use the Service.
- 2.18 **“Usage Data”** refers to data collected automatically, either generated using the Service or from the Service infrastructure itself (for example, the duration of a page visit).
- 2.19 **“Website refers”** to HEFSSA, the Heart Failure Society of South Africa (HeFSSA) accessible from <https://www.HeFSSA.co.za/>
- 2.20 **“Third-party” Social Media Service** refers to any website or any social network website through which a User can log in or create an account to use the Service.
- 2.21 **“Usage Data”** refers to data collected automatically, either generated using the Service or from the Service infrastructure itself (for example, the duration of a page visit).
- 2.22 **“Website”** refers to HEFSSA, accessible from <https://www.HeFSSA.co.za/>

3. Collecting and Using Your Personal Data

HeFSSA uses service providers to collect Personal Information from various Data Subjects for varying purposes, but mainly from to provide membership, medical education, guidelines to healthcare professionals and related industries, newsletter, educational events: meetings and congresses and society related information in accordance with the Protection of Personal Information Act(POPI) and other relevant laws.

You are not required to provide any Personal Information on the public areas of this website, and social media platforms. However, you may choose to do so by contacting us or completing the application forms, related to, inter alia:

- Register to attend or participating in educational initiatives
- Request educational material and support
- CPD enrolment forms
- Participate in society activities: submissions, guidelines, developing educational material, coding
- Complete membership application forms
- Complete sponsorship or grant application forms
- Contacting our partners and office
- Publications and newsletter subscription
- Members and other contacts of the organization
- Surveys
- Emails
- Letters sent by students
- Telephone calls

By continuing to make use of our services or use this website: The Data subject agrees that we may "collect, collate, process and/or store" his/her Personal Information and ("process") for, amongst other things, (i) the purposes of providing you with access to the website and the website content and benefits; and (ii) for any other purposes that will enable us to provide a service, without deviating from our legitimate business interests.

“Opt Out” from Communication

Data Subject has the right to decline to receive society related communication through the “Unsubscribe” functionality or inform the society office: info@hefssa.org



4. How we collect personal information:

We collect data as follows:

- Directly from the data subject when completing a membership application form, online registration forms to attend training events or enquiring about services or educational support, electronically telephonically or by way of a hard copy;
- Indirectly from the data subject when interacting with us electronically by way of our website, email, social media channels or service providers.

5. How we use your information:

We use your information to provide our services or to communicate to you about our services through the following electronic communications: Email, telephone, WhatsApp, or other means. The HeFSSA service provider will only process or use personal information about the data subject where they have lawful bases. Lawful bases to process personal information as stipulated above and includes:

- processing membership application
- processing membership payment,
- activate access as member on the member login area.
- sending invoices, any society communication, invitations to educational events, educational material or any other purpose relating to providing services,
- issue a member certificate if applicable or a CPD Certificate for HEFSSA endorsed or invitation to organised CPD accredited meetings
- provide HPCSA or CPD Accredited Service Providers with attendance registers for HEFSSA endorsed/organised CPD accredited meetings attended.
- process of sponsorship agreements, educational and travel grants (additional information of the data subject may be required which will be stipulated in the specific application)
- update service providers communication lists.
- when we have a legal duty to use or disclose personal information

The Service Providers may include:

- Society Management Company.
- Website management company;
- Website hosting and domain service providers
- Vendors and suppliers
- Social media platforms e.g. WhatsApp, LinkedIn, Facebook, Twitter, Instagram
- Council of Medical Schemes
- Information Technology specialists assisting us with data storage, security, processing, analytics, etc;
- Accountants and Auditors of the Organisation;
- Regulatory or governmental authorities;
- BEE Chamber (company collecting B-BBEE certificates)

HeFSSA has created this privacy statement to demonstrate the society's strong commitment to privacy. The following discloses the information gathering and dissemination practices for the HEFSSA website <https://www.HeFSSA.co.za/> ("website") and other Services (refer to definitions).

6. What information is collected

For a data subject to receive heart failure educational material, communication, invitation to attend educational initiatives or be a member or want to become a member, the HEFSSA service provider collects the personal information of the data subject. The information required about the data subject includes: Title, Name, Surname, Email, Contact Number, Speciality, HPCSA number, Hospital -and Health sector affiliation and if the data subject is currently a paid-up member of HEFSSA affiliated societies.

The HeFSSA service provider collects this information of the data subject to provide our services, become a HEFSSA member and to have a member record with the society. This is how we provide all the services as set out in the terms and conditions for HEFSSA membership, to receive educational material and participate educational initiatives.

If a data subject does not share the necessary information with the HeFSSA service provider, he/she will not be able to have access to the services offered by the society.

7. Sharing your information

The HeFSSA Service Provider will only disclose information when lawfully required to do so:

- To comply with any relevant legislation
- To comply with any legal process, and
- By any regulatory authority (for example HPCSA, SARS)

8. Security, access, and personal information

HeFSSA intends to protect the integrity and confidentiality of your personal information and takes all reasonable steps to protect your personal information from loss, misuse, or unauthorised access. The HeFSSA service provider has implemented appropriate physical, technical and organisational information security measures (including, but not limited to, secure firewalls, anti-virus, secure applications and software, secure user access, password secured access, and cloud security to keep your information secure, accurate, current, and complete.

Physical records are kept at the office and are protected by a security system. Records include Society fiduciary and registration documents and vendor & supplier agreements.

Where service providers are required to process your personal information in relation to the purposes set out in this policy and for other lawful requirements, we ensure that they are contractually bound to apply the appropriate security practices.

The Data subjects personal information will be held and used for as long as permitted for legal, regulatory, fraud prevention and legitimate society services. Archiving and Destruction will only take place in accordance with the Document Retention and Destruction policy and guide as required by law, and all archiving and destruction will be documented in the registers kept in cloud security.

9. Notification: Security and Access Breach of Personal Information

When Personal Information relating to the Data Subject is compromised or should there be a suspicion that the Personal Information is compromised, the affected Data Subjects and the Information Regulator/designated Deputy will be notified in writing by the Information Officer of the society.

10. Right of access to information

The Promotion of Access to Information Act (PAIA) coupled with POPIA offer an individual the right to access information held by a public or private body in certain instances. This right can be exercised in accordance with the HeFSSA PAIA manual.



The data subject has a right to be supplied with a copy of the data which we hold about him/her but it will be required of the data subject to provide a copy of his/her identity document and we may make a charge for providing a copy of this data.

11. Correction of your personal information

In accordance with POPIA, a data subject has the right to correct his/her personal information held by HeFSSA. This right should be exercised in accordance with the procedure outlined in the HeFSSA PAIA manual

12. Objection to processing of your information

In accordance with POPIA, a data subject may object to the processing of his/her personal information on reasonable grounds relating to a particular situation, unless legislation provides for such processing.

13. Cookies

We use Cookies and similar tracking technologies to track the activity on our Service and store certain information. Tracking technologies used are beacons, tags, and scripts to collect and track information and to improve and analyse our Service.

A cookie is a small file placed on Your Device. It allows the website to recognise your device and store some information about your preferences or past actions. 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 parts of our Service. Unless you have adjusted Your browser setting so that it will refuse Cookies, our Service may use Cookies.

Tracking Technologies includes:

Flash Cookies. Certain features of our Service may use local stored objects (or Flash Cookies) to collect and store information about Your preferences or Your activity on our Service. Flash Cookies are not managed by the same browser settings as those used for Browser Cookies.

Web Beacons. Certain sections of our Service and our emails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit the Society, for example, to count users who have visited those pages or opened an email and for other related website statistics (for example, recording the popularity of a certain section and verifying system and server integrity).

Cookies can be "Persistent" or "Session" Cookies. Persistent Cookies remain on Your personal computer or mobile device when You go offline, while Session Cookies are deleted as soon as You close Your web browser. There are different types of cookies saving different information and for different periods of time. Period cookies are deleted at the end of web sessions, while persistent cookies have a pre-determined expiry date and will appear until the expiry date is reached.

We use both Session and Persistent Cookies for the purposes set out below:

Necessary / Essential Cookies

Type: Session Cookies

Administered by: Us

Purpose: These Cookies are essential to provide You with services available through the Website and to enable You to use some of its features. They help to authenticate users and prevent fraudulent use of user accounts. Without these Cookies, the services that You have asked for cannot be provided, and We only use these Cookies to provide You with those services.

Cookies Policy / Notice Acceptance Cookies

Type: Persistent Cookies

Administered by: Us

Purpose: These Cookies identify if users have accepted the use of cookies on the Website.

Functionality Cookies

Type: Persistent Cookies



Administered by: Us

Purpose: These Cookies allow us to remember choices You make when You use the Website, such as remembering your login details or language preference. The purpose of these Cookies is to provide You with a more personal experience and to avoid You

14. Links to Other Websites

Our Service may contain links to other websites or platforms that are not operated by Us. If the data subject click on a third party link, he/she will be directed to that third party's site. We strongly advise the data subject to review the Privacy Policy of every site visited.

We have no control over and assume no responsibility for the content, privacy policies or practices of any third party sites or services.

15. Personal Information about children and special personal information

Our Service does not address anyone under the age of 18. We do not knowingly collect personally identifiable information from anyone under the age of 18. If a data subject is a parent or guardian and is aware that his/her child has provided us with Personal information, please contact us.

If we become aware that we have collected Personal information from anyone under the age of 18 , we will take steps to remove that information from our servers.

16. Review and Amendment

We may update our Privacy Policy from time to time effective when posted on the website. To ensure you are aware of the latest version of the Privacy Policy please visit the website: <https://www.hefssa.org/>

17. Training and Communication

All Board & Committee members, Society Management Service provider(Executive Officer, Account Manager & administrative staff authorized to work with such structure/s), Accountant/Auditors and any person who may Process Personal Information for and on behalf of HeFSSA (i.e. Operators), shall be trained on this policy and underlying legal sources on which it is based.

18. Complaints

Any person can object to processing of Personal Information, withdraw a consent to processing, requests amend or deletion of personal Information.

The forms to object, consent to marketing, change or request destruction of personal information must use the forms attached to the Policy, as prescribed by the Regulations to the POPI Act published under GG number 42110 dated 14 December 2018, which forms shall be made available by HeFSSA: info@hefssa.org



FORM 1
OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11 (3) OF THE
PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 2.]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the objection may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/ E-mail address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11 (1) (d) to (f) (Please provide detailed reasons for the objection)

Signed at _____ on this _____ day of _____ 20____ .

Signature of data subject/designated person



FORM 2

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24 (1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 3.]

- Correction or deletion** of the personal information about the data subject which is in possession or under the control of the responsible party.
- Destroying or deletion** of a record of personal information about the data subject which is in possession or under the control of the responsible party **and who is no longer authorised to retain the record of information**

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal, or business address:	
	Code ()
Contact number(s):	
Fax number/E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / registered name of responsible party:	
Residential, postal, or business address:	
	Code ()
Contact number(s):	
Fax number/ E-mail address:	
C	INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED
D	<p>REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24 (1) (a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY; and or</p> <p>REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24 (1) (b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN <i>(Please provide detailed reasons for the request)</i></p>

Signed at _____ on this _____ day of _____

Signature of data subject/designated person



FORM 4

**APPLICATION FOR THE CONSENT OF A DATA SUBJECT FOR THE PROCESSING OF PERSONAL
INFORMATION FOR THE PURPOSE OF DIRECT MARKETING IN TERMS OF SECTION 69 (2) OF THE
PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)**

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 6.]

TO:

(Name of data subject)

FROM:

Contact number(s):

Fax number:

E-mail address:

(Name, address and contact details of responsible party)

Full names and designation of person signing on behalf of responsible party:

Signature of designated person

Date:

PART B

I,

(full names of data subject) hereby:

Give my consent.

To receive direct marketing of goods or services to be marketed by means of electronic communication.

SPECIFY GOODS or SERVICES:

SPECIFY METHOD OF COMMUNICATION:

FAX:

E - MAIL:

SMS:

OTHERS – SPECIFY:

Signed at

on this day of

2

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Signature of data subject/designated person