

Privacy Notice

We are committed to protecting and respecting your privacy when dealing with your Personal Data.

This privacy notice sets out the basis on which any Personal Data we collect from you, or that you provide to us, is used, stored, disclosed and processed by us. Please read the following carefully to understand our practices regarding your Personal Data, how we will treat it and your rights in relation to that Data. By providing your Personal Data to us or by using our services, website or other online or digital platform(s) you are accepting or consenting to the practices as described or referred to in this privacy notice.

When we refer to 'we', 'us' and 'our', we mean Life Gaborone Private Hospital and its subsidiary companies.

Your Personal Data

When we refer to Personal Data in this notice, we mean Data relating to an identifiable, living, natural person, as defined in the Data Protection Act, 2018 ("**DPA**"). We may hold and use Personal Data about you as a customer, supplier, employee, student, a patient or in any other capacity, in accordance with the relevant privacy and national health laws. Depending on what services you receive from us this may include Special Personal Data, as defined in the DPA, such as Data relating to your health. The disclosure of your Personal Data to Life Healthcare is mandatory and required in terms of the services provided to you or agreements with you unless otherwise indicated as voluntary at the point of collection for example where consent is requested.



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When do we collect Personal Data about you?

We may collect Data about you when you:

- are admitted as an in or out patient or register as customer with us or book to receive any of our diagnostic or complementary health services;
- are referred by a doctor, or any other organisation for services;
- visit one of our websites;
- apply for a job with us and as part of the recruitment process;
- enquire about any of our services;
- use or request to use any of our online services;
- fill in a form or survey for us;
- carry out a transaction on our website;
- participate in a competition or promotion or marketing activity;
- make payments to us;
- contact us, for example by email, telephone or social media;
- participate in interactive features on any of our websites;

Please note in the interests of training and continually improving our services, calls to Life Gaborone Private Hospital or any of its subsidiaries may be monitored or recorded.



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Lawful Basis

To process your Data in accordance with the DPA, we must establish a lawful basis for doing so which must be at least one of the following:

- you consent to the processing of your Data;
- processing of the Data is necessary for the performance of a contract or a legal obligation;
- processing is necessary for the protection of our and your legitimate or vital interests;
- processing is necessary in the public interest

In addition, your Special Personal Data, such as Data relating to your health may be processed if such processing is necessary for your proper treatment and care, for the administration of our professional practice or where such processing is necessary for the work conducted by insurance companies, medical schemes, medical scheme administrators and managed healthcare organisations.

The DPA, also permits us to disclose your Personal Data in the following circumstances:

- you consent to this disclosure in writing;
- a court order or any law requires that disclosure; or
- non-disclosure of the Data represents a serious threat to public health.

We process your Personal Data for a number of legitimate interests as set out within this privacy notice having assessed and taken into account your interests, rights and freedoms.



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The security and storage of your Personal Data

Your Personal Data will be kept confidential and secure and will, unless you agree otherwise, only be used for the purpose(s) for which it was collected and in accordance with this our applicable Privacy notice, the DPA and national health laws.

Organisational and Technical Security Measures

We have appropriate organisational and technical security measures in place to prevent unauthorized access or unlawful processing of Personal Data and to prevent Personal Data being lost, destroyed or damaged. We monitor our Data systems in an endeavor to ensure that the ongoing security is robust. All Personal Data you provide to us is stored securely. Where we have given you (or where you have chosen) a password that enables you to access certain parts of our website and Data systems, you are responsible for keeping that password confidential. We ask you not to share a password with anyone. The transmission of Data via the internet cannot be guaranteed as completely secure. Once we have received your Data, we will use strict procedures and security features in an endeavor to prevent unauthorised access.

At your own, or your doctor's request, we may transfer Personal Data including Health Data to you or your doctor via email or instant messaging, specifically including use of WhatsApp, or you may choose to transfer Data to us via email or instant messaging.

While this may be done for the purposes of providing you with appropriate treatment and care, these are not the most secure methods of Data transmission; if you or your doctor choose to send or receive such Data via these methods, you acknowledge and understand that the use, processing and sharing of your Personal Data in this manner will be done at your own risk.



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Some of the risks which should be noted regarding the sharing of Personal Data through instant messaging platforms:

- Instant messaging platforms are not monitored by the Life Healthcare security operations centre, as they are often sent and received on personally owned devices. We have no control over the security of instant messaging platforms or of the instant messages and Data which is shared over these platforms;
- Accountability for Data sent from/to personal devices through instant messaging platforms becomes the responsibility of the recipient and sender in their own capacity as the platform is not owned, managed or monitored by us;
- The storage and back up of data on instant messaging platforms may occur in countries outside of Botswana until it is permanently deleted, resulting in Personal Data being processed outside of the borders of Botswana.”

IP Address

All Data regarding your IP address will automatically be collected and stored as part of your access via the website to Life’s’ server. This website usage Data serves as an indicator of how visitors of the website make use of the website, the amount of times which the website is accessed, the frequency of all users in general to each web page, registered IP addresses together with the time period of each visit and/or access of the website and web pages.

Should there be a security breach, the IP address will be used to identify the user by the internet service provider and contact will be made thereafter. Life endeavors to ensure that your IP address is not processed in a manner that infringes on your privacy.

Transfers of Personal Data outside of Botswana

Personal Data that we collect from you may be transferred to, and stored at, a destination outside of Botswana. It may also be processed by staff operating outside Botswana who work for us or for one of our suppliers. Where we transfer your Personal Data outside Botswana, we will endeavor to ensure that there are adequate protections in place for your rights, in accordance with the DPA. By submitting your Personal Data, and in providing any Personal Data to us, 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 this Privacy Notice.



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Disclosure of your Personal Data

We may disclose your Personal Data (to the extent necessary) to certain third party organisations used to support the delivery of our services during our usual course of business. These may include the following:

The hospital, clinic, facility, its staff and healthcare providers, including but not limited, to doctors, pathologists, oncologists, radiologists and therapists (and other allied healthcare professionals or auxiliary medical professionals), may collect, process and disclose your confidential Data, including Data relating to diagnosis and treatment (referred to herein as “personal and health Data” or “Data”), as is necessary in the following circumstances:

- to enable the hospital or clinical staff to perform their duties;
- for the hospital, clinic, facility, its staff and healthcare providers involved in your treatment, to provide the necessary services to you, for the purposes of your treatment and care. This will apply to services rendered to you during your current admission and any future admissions to any Life Healthcare hospital. This also includes services rendered by our pharmacy staff for the purposes of providing you with suitable pharmaceutical treatment and medicines in relation to your diagnosis and medical condition;
- to facilitate the due and proper administration of the operations of Life Gaborone as a healthcare institution, in order to ensure that you, as our patient, receive quality healthcare;
- to obtain authorisation for treatments and/or payment of your account from a medical scheme, other institution, person or company.

In instances where Life Gaborone does share your personal and health Data with third parties, Life Gaborone undertakes to share only those aspects of your Data which is necessary, or which is necessary to prevent a threat to public health, while preserving the confidentiality, privacy and security of that Data as far as possible. In addition, Life Gaborone may be required to disclose your personal and health Data in terms of a court order or other law. Upon your request, we will notify you of the recipients or category of recipients with whom we share your Personal Data, as well as the category of Data shared (for example, your demographic or health Data);



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- In addition to the above instances, you grant Life Gaborone the right to process your personal and health Data, for the following purposes:
 - to share your Data with our clinical engineering staff, third party clinical equipment suppliers and maintenance technicians to the extent that your Data is stored or recorded on any of the clinical equipment used for the purposes of providing you with proper treatment and care. In these instances, we undertake to ensure the confidentiality, privacy and security of your Data as far as reasonably possible;
 - to share your Data with third parties such as attorneys and other professionals acting on your behalf who may, on your instruction or with your knowledge and authorisation, seek access to your personal and health Data for your benefit either for litigious or non-litigious reasons, or to share your Data with our own attorneys and/ or other professionals for instituting or defending any potential legal and/or medico-legal claims and/ or evaluating any treatment;
 - to share your Data with our relevant internal investigation team in the event that an incident related to your treatment occurs, as part of the hospital's quality, internal complaints and incident investigation process;
 - to share your Data with non-clinical third parties such as our auditors, for the purposes of running and administering our day-to-day operations and subject to them being bound to confidentiality;
 - in respect of any outstanding hospital account, to share your Data with third parties assisting us in recovering payment on the account from you (such as debt recovery agents or attorneys);
 - to share your Personal Data (limited only to your name and contact details) with our third party service providers for the purposes of conducting our post-discharge survey to ensure the ongoing quality of our services. In addition, should you choose not to participate in the post-discharge survey you may select to opt out of participating and we will cease from processing your Data any further for these purposes;
 - to share your Data with business partners, suppliers and sub-contractors for the performance of services we provide to you as set out in the website privacy notice;

- to share your Data with organisations providing IT systems support and software development, and for hosting in relation to the IT systems on which your Data is stored and subject to confidentiality undertakings;
- to share your Data with delivery companies for the purposes of transportation;
- to share your Data with third party service providers for the purposes of storage of Data and confidential destruction;
- to share your Data third party marketing companies for the purpose of sending marketing emails, subject to obtaining appropriate consent;
- Where a third party supplier is used, we shall endeavor to ensure that they operate under contractual restrictions with regard to confidentiality and security, in addition to their obligations under the DPA.
- In the case of independent consultants, the consultant is the responsible party of your Personal Data, and will be required to maintain their own records in accordance with the DPA and applicable clinical confidential guidelines and retention periods;
- Regulators: We may be requested – and in some cases can be required - to share certain Data (including Personal Data and Special Personal Data) about you and your care with regulators. We will ensure that we do so within the framework of the law and with due respect to your privacy;
- In an emergency and if you are incapacitated, we may also process your Personal Data (including Special Personal Data) or make Personal Data available to third parties on the basis of protecting your ‘vital interest’ (i.e. your life or your health);
- We participate in national audits and initiatives to help ensure that patients are getting the best possible outcomes from their treatment and care. Confidentiality will be applied to your Personal Data in accordance with the DPA. Anonymous, pseudonymous or aggregated Data may be used by us, or disclosed to others;

Next of Kin

As a patient or guarantor you may supply Life Gaborone with your next of kin's personal Data – this will only be processed where required to protect your legitimate interests or our legitimate business interests. It is your responsibility to ensure that your next of kin would not object to the provision and or processing of their Personal Data.

Sale of business

We may also disclose your Personal Data to third parties in the event that we sell or buy any business or assets or where we are required by law to do.

CCTV

Many of our premises are surveyed by CCTV for the purposes of security and the safe provision of care. Images and videos may be retained for a limited period.

Statistical and Research purposes

We may also retain your personal and health Data for statistical, historical or research purposes. In such instances, we shall maintain the confidentiality of your Data through adequate security measures such as de-identification or anonymisation of the Data concerned.



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A solid red triangle pointing upwards and to the right, located at the bottom right of the page.

Suppliers and Vendors

We may process your Personal Data as required for our legitimate business interests and in course of running our business. These include but are not limited to: computing sustainability measures; during quality audits; during internal and external investigations; if you submit tender and other proposals to us and for vendor assessments that may be carried out as required. We may also process your Data during a business due diligence; and we may process your Data for commercial and market research purposes.

Your Rights

You have the following rights in relation to your Personal Data, where legally permissible:

- Right of access: the right to make a written request for details of your Personal Data and a copy of that Personal Data;
- Right to rectification: the right to have inaccurate Data about you corrected or removed;
- Right to erasure ('right to be forgotten'): the right to have certain Personal Data about you erased;
- Right to restriction of processing: the right to request that your Personal Data is only used for restricted purposes;
- Right to object: the right to object to processing of your Personal Data in cases where our processing is based on the performance of a task carried out in the public interest or we have let you know the processing is necessary for our or a third party's legitimate interests;
- Right to Data portability: the right to ask for the Personal Data you have made available to us to be transferred to you or a third party in machine-readable formats;



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- Right to withdraw consent: the right to withdraw any consent you have previously given us to handle your Personal Data. If you withdraw your consent, this will not affect the lawfulness of our use of your Personal Data prior to the withdrawal of your consent and we will let you know if we will no longer be able to provide you your chosen product or service;
- Right in relation to automated decisions: you have the right not to be subject to a decision based solely on automated processing which produces legal effects concerning you or similarly significantly affects you, unless it is necessary for entering into a contract with you, it is authorized by law or you have given your explicit consent. We will let you know when such decisions are made, the lawful grounds we rely on and the rights you have.

Please note: Your rights are not absolute: they do not always apply in all cases and we will let you know in our correspondence with you how and whether we will be able to comply with your request.

Should you, at any time, wish to object, or feel that we are not reasonably processing your personal and health Data in a manner that preserves the confidentiality, privacy and security thereof as required by law, you may notify us accordingly, either telephonically or in writing, and we will then ensure that your complaint or query is investigated and dealt with efficiently.

Further to the above, you may contact us in order to determine whether we hold any of your Personal Data and thereafter, to request that we rectify or delete such Data (to the extent that we are not prohibited from doing so by any law), should it be found to be inaccurate or outdated.

Should you wish to exercise any of the above rights you may contact the Gaborone Data Protection Officer at kabelo.lesole@lifehealthcare.co.za

Should you not be satisfied with the outcome, you also have the right to lodge a complaint regarding the processing of your Personal Data with the Data Regulator. In terms of the DPA, you are also entitled to direct a complaint to the Office of the Data Regulator, at krakgati@gov.bw or call 3950998



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Changes to our Privacy Notice

We keep our Privacy Policy under regular review and as a result it may be amended from time to time without notice. As a result, we encourage you to review this Privacy Policy regularly.

This privacy notice was last updated on 8th December 2022. All rights reserved.

Address: Plot 8448, Mica Way, Segoditshane, Gaborone, Botswana

