

HEALTH FUNDERS ASSOCIATION

PAIA Manual

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1. Introduction to HFA

The Health Funders Association (HFA), established in 2015, is a non-profit organisation representing key stakeholders in the private healthcare funding sector in South Africa. Formed by a collective of industry professionals, the HFA advocates for a sustainable and vibrant health funding industry within an equitable healthcare system.

Representing 20 medical schemes and 3 administrators, covering 46% of the private healthcare market (4.1 million beneficiaries), HFA plays a pivotal role in engaging policymakers and shaping public opinion on healthcare funding issues.

HFA proactively fosters an informed and resilient healthcare funding sector through advocacy, expert guidance, and engagement with all stakeholders.

HFA's commitment to its members includes representing their interests in critical industry discussions, providing access to key resources, and ensuring ongoing engagement on regulatory matters through legal submissions and engagement with key stakeholders.

Through a variety of communication channels, HFA ensures members remain informed and equipped to navigate industry challenges in a rapidly changing healthcare environment.

2. Purpose of the PAIA Manual

The primary purpose of this PAIA Manual is to inform members, the public, and other persons and entities about the records held by HFA, the personal information of data subjects processed by HFA, and how access to these records can be obtained. Information on HFA and the Information Regulator is also provided.

3. Contact Details of HFA

Head:

Physical & Postal Address: P.O. Box 1701, Gallo Manor, 2052: Country Club Estate Office Park, 21 Woodlands Drive, Building 2, Woodmead, 2191

Telephone Number: 011 258 8981

Email: heidik@hfassociation.co.za

4. Information and Deputy Information Officers

The Information Officer of HFA is:

Name: Thoneshan Naidoo
Telephone Number: 0848423217
Email: Thoneshann@hfassociation.co.za

The Deputy Information Officer of HFA is:

Name: n/a
Telephone Number: ...
Email: ...

5. Guide of the Information Regulator

The Information Regulator compiled a Guide, in terms of Section 10 of the Promotion of Access to Information Act (“PAIA”), to assist persons wishing to exercise their rights under 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 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 of the Information Regulator, or can be obtained from the Information Regulator at:

Physical address: Woodmead North Office Park, 54 Maxwell Dr, Woodmead, Johannesburg, 2191
Postal address: PO Box 31533, Braamfontein, Johannesburg, 2017
Contact number: 010 023 5200
Email: enquiries@info regulator.org.za
Website: <https://info regulator.org.za/>

The Guide can also be obtained upon request from HFA. A copy of the Guide is available for public inspection during regular office hours at the offices of HFA.

6. HFA's Records

HFA holds the following categories of records:

Subjects on which HFA holds records	Categories of records
HFA	Statutory and governance records, financial records, assets, business agreements and engagements, strategic records, insurance records
Members	Member records
Stakeholders	Stakeholder contact information and related documents
Human resources (HR)	HR policies and procedures, employee (including job applicant) records, advertised positions, health and safety records

7. Information Available in terms of Legislation

HFA holds records as may be required in terms of the legislation listed below, subject to the specific protection offered by these laws:

Legislation	Category of Records
Basic Conditions of Employment Act 75 of 1997 and Labour Relations Act 66 of 1995	Employment contracts and related documentation, and prescribed information in terms of this Act
Electronic Communications and Transactions Act 25 of 2002	Proof of electronic transactions
Income Tax Act 58 of 1962 and Tax Administration Act 28 of 2011	Employees' tax-related information and payments made to vendors, service providers and suppliers
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 the treatment of occupational diseases and injuries and prescribed information in terms of these laws
Promotion of Access to Information Act 2 of 2000	PAIA Manual and Information Regulator's Guide
Protection of Personal Information Act 4 of 2013	PAIA Manual, Privacy Policy and other documentation related to the protection of personal information
Skills Development Levies Act 9 of 1999 and Skills	Records related to the payment of levies

Development Act 97 of 1998	
Unemployment Contributions Act 4 of 2002 and Unemployment Insurance Act 63 of 2001	Records related to the payment of UIF contributions and relevant employee records
Value Added Tax Act 89 of 1991	VAT records

8. Records automatically available

Documents and other information on HFA's website; HFA's members may request HFA's MOI without completing Form 2.

9. Purpose of Processing Personal Information

HFA processes the personal information of data subjects for the following purposes:

- (a) to conduct and manage the business lawfully,
- (b) for member management, including billing of membership fees,
- (c) for marketing and communication purposes,
- (d) for the maintenance of HFA's records,
- (e) for employment/contracting and related matters of employees,
- (f) for procurement of products and services from third party vendors,
- (g) for reporting to persons and bodies, as needed, and/or authorised by the data subject or the law,
- (h) for historical, statistical, and research purposes,
- (i) to enforce the rights of HFA, including legal defence purposes, and
- (j) for any other lawful purpose related to the business.

10. Data Subjects, their Personal Information and Potential Recipients

HFA holds personal information in respect of the categories of data subjects listed below, as applicable in the circumstances.

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

- Law enforcement and government agencies or other related third parties: From time to time, HFA may be required to provide personal information to a third party to comply with a subpoena, court order, government investigation, reporting obligation (e.g. the Companies and Intellectual Property Commission [CIPC]), or another legal process. If HFA 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 HFA becomes insolvent or is involved in a merger or acquisition, HFA may share or transfer personal information as part of such corporate transaction.
- Employees of HFA, as may be required as part of their roles and functions at HFA.
- Service providers (such as IT service providers) who assist HFA in managing the business - only if it is necessary, subject to confidentiality undertakings and legislation protecting the privacy of the personal information.
- HFA's accountant and/or auditor.
- Professional advisers (including legal advisers) of HFA.
- HFA's insurers, if required.

Other potential recipients of data subjects' personal information and records are specified below.

Information and records are only disclosed to recipients as may be necessary in the circumstances and authorised in terms of the law or otherwise with the consent of the relevant data subjects.

10.1 Directors

Categories of personal information	Names, titles, contact details, addresses, telephone numbers, identity numbers, and qualifications.
Other Potential Recipients	Banks.

10.2 Employees and Job Applicants

Categories of personal information	Names, titles, contact details, addresses, telephone numbers, identity numbers, dates of birth, age, race, sex, gender, nationality, language, marital status, qualifications, profession, references and CVs, statutory council number (if applicable), position or role at HFA, job descriptions, bank details, relevant health and disability information, vetting reports (qualifications and criminal records), employment-related information, including all information supplied on the employment contract and in supporting documentation, disciplinary-related information, leave records, absenteeism information, remuneration and employment benefits, tax numbers and related tax information, and designated persons' contact details in an emergency, records created in the performance of their duties, health and safety-related incidents, and correspondence.
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Other Potential Recipients	Banks, vetting and recruitment agencies, and next-of-kin.
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10.3 Members

Categories of personal information	Person or entity's name and contact details, names, titles and contact details of relevant persons or office bearers, application forms and related information, invoices, VAT numbers, official documentation, and correspondence.
Other Potential Recipients	Banks, attorneys and debt collectors.

10.4 Suppliers, Vendors and Other Third Parties

Categories of personal information	Person or entity's name and contact details, names, titles and contact details of relevant persons or office bearers, agreements and related information, invoices, VAT numbers, official documentation, market-related information, and correspondence.
Other Potential Recipients	Banks, attorneys and debt collectors.

11. Personal information sent across the borders of the Republic of South Africa

HFA processes and stores personal information about data subjects in records in the Republic of South Africa. If we must disclose your personal information to any other third party in another country, HFA will obtain your prior consent unless such disclosure is authorised by law.

12. Security Measures to Protect Personal Information

HFA is committed to ensuring the security of personal information in its possession or under its control, protecting 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 following industry best practices. The measures it adopts to ensure the security of personal information include technical and organisational measures, as well as internal policies, to prevent unauthorised access, loss, or use of personal information. For example, this

includes the physical securing of cabinets and offices where records are held, access control to records containing personal information and encryption of laptops. In addition, only those employees who require access to the information to discharge their functions are permitted access to the relevant information, provided they have concluded agreements with or provided undertakings to HFA requiring them to implement appropriate security measures and to maintain the confidentiality of the information. Suppliers and vendors are required to adhere to the strict policies and processes implemented by HFA and are subject to sanctions for any security breach. All security breaches are taken seriously and are addressed in accordance with the law. If any person has unlawfully obtained access to a data subject's personal information, the data subject and the Information Regulator will be informed, subject to the applicable laws.

13. Procedure to obtain Access to Records

The fact that information and records are held by HFA 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, it must be acting in the public interest. Access to records and information is not automatic. Any person who wishes to request access to any of the above records or information must complete a request form (Form 2) (subject to the provisions of paragraph 8 above), which is available from the Information Officer and the Information Regulator at the contact details provided above.

The requester must provide sufficient detail on the request form to enable HFA to identify the record and the requester. The requester must identify the right they are 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 thereof, may be denied in accordance with the law. Requesters will be advised of the outcome of their requests.

14. Fees Payable to obtain the Requested Records

Fees may be charged for requesting and accessing information and records held by HFA. These fees are prescribed in terms of PAIA. Details of the fees payable may be obtained from HFA. The fees are also available from the Information Regulator.

15. Availability of this Manual

A copy of this Manual is available for inspection, free of charge, at HFA's offices during regular office hours. A copy of the Manual may also be requested from HFA, subject to payment of a fee, as advised.