



PAIA MANUAL

PROMOTION OF ACCESS TO INFORMATION ACT (PAIA) MANUAL

Introduction

PAIA (“the Act”) allows persons access to information where it is required to protect their rights. This manual offers a description of the information I retain about my patients, as well as how and under what circumstances such information may be disclosed.

This manual is available on my website www.psychologiststellenbosch.co.za

The manual may be updated from time to time, should my practice circumstances change or to keep abreast of amendments to laws and regulations concerning PAIA.

I am the registered Information Officer for my practice.

Why are your records processed?

I am required to process your personal information so as to render psychological services to you, invoice you and receive payment for the services I provide to you. I am obliged to retain your records by law and the information you share with me is used on an ongoing basis to provide you with psychological services.

How I keep your information secure

Patient files are kept safely in locked cabinets, to which only I have access, at my practice. All electronic records are stored on my password protected personal computer. In order to reduce the risk of unauthorised access to this information, I regularly check my computer for viruses and tampering and regularly update the relevant software. Information regarding your treatment and personal details is electronically backed-up through internet cloud-based services provided by Microsoft and Google.

Records kept by my practice

I keep the following records of your personal and treatment details:

- Informed consent form with the full personal details of the patient, the person responsible for payment, emergency contact person, contact details of these people, postal address, medical aid details and the patient’s signature.
- Electronic account statements and invoices including diagnostic codes, description of treatment and dates and times of services provided.
- First name only in my paper diary.
- Surname on my bank statements when used as a reference for EFT payments.
- Text communications via Whatsapp and email in electronic format and, if relevant to your treatment / professional relationship with me, in printed form in your patient file.
- Written process notes in your patient file (see above).
- Referral letters and reports.

Requesting access to records

The following is automatically and immediately available to my patients without a formal request procedure:

- Copy of completed informed consent.
- Account statements / invoices.

Please note that my patient records remain protected under legislation and the Health Professions Council of South Africa's (HPCSA) ethical code. Disclosure of such information will only be made as permitted by these rules and regulations.

I will refuse a request for information for the following reasons:

- If the request for information is unreasonable.
- If the information was given to me in confidence by a third party.
- If it will breach my confidentiality agreement with a patient.
- If the life or safety of an individual is deemed at risk, should the information be disclosed.

If required for the protection or exercise of any rights, the Act allows a person to request access to the records kept by a private body, such as my practice (see section *Records kept by my Practice*). Requests by a public body are only allowed if they are deemed to be acting in the public interest.

To request access to records, please complete Form 2 (*Request for Access to Record*), which is available at:

<https://www.justice.gov.za/inforeg/docs/forms/InfoRegSA-PAIA-Form02-Reg7.pdf>

Please note the following:

- The person requesting access will need to indicate which right is to be protected and why the information is needed. If the person is requesting information on behalf of another, the Information Officers will need proof that permission has been granted to the requesting person to do so.
- Only the parts of records relevant to the information the person is entitled to, will be made accessible.
- The person will need to stipulate whether the information is needed in hardcopy or electronic format.
- The Information Officer can refuse access to information, such as in the case of confidential information.
- If no answer has been received on the request after 30 days, the person may ask the courts to intervene in the matter.
- If a record cannot be found or is found not to exist and all reasonable steps have been taken to find the requested record, I will notify you and supply an affidavit stating that it is not possible to provide access to the record in question.
- Regarding the above, please note that patient records older than 10 years are destroyed in line with the requirements set by the HPCSA and POPIA.
- A fee of R50 will be charged to complete the request. Other fees include:
 - R2,50 for every electronic copy of a page
 - R1,20 for every printed copy of a page
 - R170 for a copy of a compact disc or flash-disk

Who else may receive your personal information?

By signing the informed consent form, you have given me permission to disclose information relevant to your mental health treatment with other healthcare professionals and parties responsible for payment for my services, including private individuals, organisations and medical aid schemes. Should I refer you to another healthcare professional, I will discuss my reasoning with you and obtain your permission to send a referral letter via email. I only break confidentiality in exceptional circumstances as described in the consent form.

I make use of email and internet cloud-based backup provided by Microsoft and Google, Afrihost is my website host. These companies keep your information safe according to industry standards and it is beyond my means to manage these systems to ensure perfect security of your information.

Information shared beyond the borders of South Africa

For patients who live outside South Africa, the information processed and possibly shared with third parties based in the country where the patient is living, will be limited to information described in this manual (see *Records kept by my practice*).

I, Lisa Padfield, hereby declare the contents of this manual to be correct in terms of my understanding of PAIA and as it relates to the processing of patient information at my private practice:

A handwritten signature in black ink that reads "L Padfield". The signature is written in a cursive style with a large initial "L".

6 December 2021