



**Audiology**  
@Home 

PAIA Manual

July 2021

## INTRODUCTION

Your privacy is very important to Audiology@Home and we are committed to protecting your right to privacy as well as your right to access any information that the practice has on you.

This Access to Information Manual (“Manual”) was established in compliance with the Promotion of Access to Information Act 2 of 2000 (“PAIA”) and the Protection of Personal Information Act 4 of 2013 (“POPIA”). It was compiled with the purpose of providing the public with information regarding the procedure to be followed when requesting information from Audiology@Home for the purpose of exercising or protecting rights.

The Protection of Personal Information Act 4 of 2013 (“POPIA”) promotes the protection of personal information processed by public and private bodies. POPIA amended certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information.

## ACCESS TO THE INFORMATION MANUAL

This Manual serves as Audiology@Home’s information manual, and provides information on both the types and categories of records held by Audiology@Home, including

- A description of the records held by, and on behalf of Audiology@Home;
  - The procedure to be followed; and
  - Any fees payable when requesting access to any of these records.
- This Manual is available for public inspection:
- On the Audiology@Home website;
  - On request by any person; or
  - From the designated Information Officer.

## CONTACT DETAILS OF THE AUDIOLOGY@HOME INFORMATION OFFICER

The responsibility for administration of any information requests lies with the Information Officer and all requests should be directed to the below contact details.

Information Officer: Lee-Anne Hector

Postal and Physical Address:

Office 3

Gabriel Place

Gabriel Road, Plumstead, Cape Town

7800

E-mail Address: [Lee-Anne@audiologyathome.co.za](mailto:Lee-Anne@audiologyathome.co.za)

Website: [www.audiologyathome.co.za](http://www.audiologyathome.co.za)

## THE OFFICIAL GUIDE

In terms of section 10 of PAIA an official guide has been compiled by the South African Human Rights Commission (SAHRC) that contains information reasonably required by a person wishing to exercise or protect any rights in terms of this Act. Where a request is made in terms of PAIA, Audiology@Home is obliged to give access to the requested information, except where the Act expressly provides that the information may not be released.

A copy of this guide is available from the Information Regulator (established in terms of POPIA). Enquiries regarding the guide can be addressed to the SAHRC, the contact details of which are as follows:

Postal address: South African Human Rights Commission PAIA Unit

The Research and Documentation Department

Private Bag X2700

Houghton

2041

Telephone number: +27(0) 11 484 8300

Fax number: +27(0) 11 484 0582

Website: <http://www.sahrc.org.za>

Email address: [paia@sahrc.org.za](mailto:paia@sahrc.org.za)

## INFORMATION AVAILABLE IN TERMS OF THE ACT

Audiology@Home holds the following categories of information:

### PATIENT RELATED RECORDS

“Patient” refers to any person that receives hearing healthcare services or procures products from Audiology@Home. Patient includes prospective patients who provide/submit information to Audiology@Home with the purpose of securing an appointment, but who ultimately did not attend any appointments or receive any service/product from the Practice.

Patient related records include:

- Records of personal particulars, including identity, contact details and medical aid membership details

- Patient's hearing screening test results; diagnostic hearing test results; diagnostic and progress report; clinical notes tracking all clinical session details including history of product acquisition through Audiology@Home
- Transactional records including correspondence with a patient that is implicitly or explicitly of a private or confidential nature
- Patient account information with Audiology@Home, including billed invoices, payments received, age analysis of account and accounts handed over to debt collectors.

#### AUDIOLOGY@HOME COMPANY/PRACTICE RECORDS:

These records include, but are not limited to, the records which pertain to Audiology@Home's own affairs. These include:

- Financial records
- Operational records;
- Information technology;
- Communication;
- Administrative records, such as contracts and service level agreements;
- Product records;
- Internal Policies and procedures; and
- Human resources records.

#### THIRD PARTY RECORDS

Audiology@Home may possess records pertaining to other parties including, but not limited to, contractors, suppliers, and service providers.

#### RECIPIENTS TO WHOM PERSONAL INFORMATION MAY BE SUPPLIED

A requester is any person making a request for access to a record of, or held by, Audiology@Home. The requester is entitled to request access to the requester's own information, or information pertaining to third parties, where the requester has a legitimate interest to protect or is appropriately authorized. The access to information may be subject to a payment of fees in accordance with Annexure A. Subject to the nature of the data, Audiology@Home may supply information or records to the following categories of recipients:

- Patients or family members of patients accessing hearing healthcare services or products through Audiology@home
- Statutory oversight bodies (e.g. Health Professions Counsel of South Africa, HPCSA), regulators or judicial commissions of enquiry making a request for data
- Any court, administrative or judicial forum, arbitration, statutory commission, or ombudsman making a request for data
- South African Revenue Services, or another similar authority;

- A contracted third party who requires this information to make recommendations for or provide appropriate hearing related products.
- Research or academic institutions;
- Auditing and accounting bodies (internal and external);

## PROCESSING OF INFORMATION

In terms of POPIA, data and information must be processed for a specified purpose. This purpose is ordinarily disclosed explicitly or implicitly at the time the data or information are collected.

Audiology@Home processes data to book appointments, assess and claim from patient's medical aid benefits available for services/products to be provided or already provided.

In performing these tasks, Audiology@Home may inter alia collect, collate, process, store and disclose personal information.

Audiology@Home takes reasonable appropriate technical and organizational measures designed to ensure that personal data and information remain confidential and secure against unauthorized or unlawful processing and against accidental loss, destruction or damage.

## PROCEDURE FOR REQUESTING ACCESS TO INFORMATION

If you wish to request access to any of the categories of information, you are required to complete a request form as set out in Annexure B hereto. These forms are also available from:

- The Audiology@Home Information Officer, whose contact details are provided in this manual
- The Audiology@Home website

The prescribed form must be submitted to the Audiology@Home Information Officer at the physical address, or email address recorded this manual.

The request form must be comprehensively completed.

If the request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer and the requester must clearly disclose the right they wish to protect.

If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.

There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are contained in the request form. You may also be required to pay the additional fees prescribed by regulation for searching for and compiling the information which you have requested, including copying charges.

It is important to note that access is not automatic – you must identify the right you are seeking to exercise or protect and explain why the record you request is required for the exercise or protection of that right.

You will be notified in the manner indicated by you on the request form whether your request has been approved. In terms of Chapter 3, section 56 of the Act, Audiology@Home will respond to the request as soon as possible but within 30 (thirty) days as per the provisions prescribed and will notify the requester of the decision made. The 30-day period, within which Audiology@Home must decide whether to grant or refuse the request, may be extended for a further period of not more than 30 days if the information cannot reasonably be obtained within the original 30-day period.

### INFORMATION AUTOMATICALLY AVAILABLE

The following categories of records are automatically available for inspection or photocopying; in other words, you do not need to request this information in terms of PAIA.

- Newsletters
- Booklets
- Pamphlets/brochures
- Other literature intended for public viewing

### RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

In terms of Chapter 3, section 55 of the Act, Audiology@Home will, after all reasonable steps have been taken to find the record requested, notify the requester as prescribed by affidavit or affirmation should the record not be found or not exist.

### GROUNDINGS FOR REFUSAL OF ACCESS TO RECORDS

Audiology@Home may refuse a request for information on the following basis:

1. Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of the personal information of that natural person.
2. Mandatory protection of the commercial information of a third party, if the record contains:
  - Trade secrets of that third party;
  - Financial, commercial, scientific or technical information, which disclosure could likely cause harm to the financial or commercial interests of that third party; and
  - Information disclosed in confidence by a third party to Audiology@Home, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
3. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement or legislation.

4. Mandatory protection of the safety of individuals and the protection of property.
5. Mandatory protection of records which would be regarded as privileged in legal proceedings.
6. The commercial activities of Audiology@Home, which may include:
  - Trade secrets of Audiology@Home;
  - Financial, commercial, scientific or technical information, which disclosure could likely cause harm to the financial or commercial interests of Audiology@Home
  - Information which, if disclosed, could put Audiology@Home at a disadvantage in negotiations or commercial competition; and
7. The research information of Audiology@Home or a third party, if its disclosure would reveal the identity of the institution, the researcher or the subject matter of the research and would place the research at a serious disadvantage.
8. Requests for information that are clearly frivolous or vexatious

## REMEDIES AVAILABLE WHEN AUDIOLOGY@HOME REFUSES A REQUEST FOR INFORMATION

### INTERNAL REMEDIES

Audiology@Home does not have internal appeal procedures. Therefore, the decision made by the Information Officer is final. Requesters who are dissatisfied with a decision of the Information Officer will have to exercise external remedies at their disposal.

### EXTERNAL REMEDIES

A requester or a third party who is dissatisfied with the Information Officer's refusal to disclose information or the disclosed information may apply to the Constitutional Court, the High Court or another court of similar status for relief within 30 days of notification of the decision.

## ANNEXURE A

AN EXPLANATORY NOTE ON FEES TO BE CHARGED BY A PRIVATE BODY WHEN GRANTING A REQUEST FOR ACCESS TO INFORMATION IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000.

The fees chargeable by private bodies are contained in Part III of Annexure A of the Regulations. A copy of Part III is attached for your convenience. The present charges are as follows:

Number	Description	Cost
1	Electronic PDF copy of the Manual	Free
2	Posted paper copy of the Manual	R15,00
3	Request fee (other than a personal requestor)	R50,00
4	Access fee: Electronic record format: Per A4 page Reproduce: Electronic record format: Per A4 page	R0,85 R0,85
5	Access fee: Photocopy record format: Per A4 page  Reproduce: Photocopy record format: Per A4 page	R1,25  R1,25
6	Access fee: Record on stiffy disk  Reproduce: Record on stiffy disk	R8,55  R8,55
7	Access fee: Record on compact disc  Reproduce: Record on compact disc	R79,80  R79,80
8	Access fee: Transcription of visual images: Per A4 page  Reproduce: Transcription of visual images: Per A4 page	R45,60  R45,60
9	Access fee: Copy of visual images  Reproduce: Copy of visual images	R68,40  R68,40

10	<p>Access fee: Transcription of audio record: Per A4 page</p> <p>Reproduce: Transcription of audio record: Per A4 page</p>	<p>R22.80</p> <p>R22.80</p>
11	<p>Access fee: Copy of audio record</p> <p>Reproduce: Copy of audio record</p>	<p>R34,20</p> <p>R34,20</p>

ANNEXURE B

## Request for access to a record

(Section 53(1) of the Promotion of Access to Information Act 2 of 2000)

The Information Officer  
Office 3 Gabriel Place  
Gabriel Road  
Plumstead  
7800

### Request details

#### Particulars of person requesting access to the record

Full names and surname \_\_\_\_\_

Identity number \_\_\_\_\_

Postal address \_\_\_\_\_

Fax number \_\_\_\_\_

Telephone number \_\_\_\_\_

Email address \_\_\_\_\_

Capacity in which request is made, when made on behalf of another person (proof of capacity in which request is made, if applicable, must be attached).

#### Particulars of person on whose behalf request is made

(This section must be completed ONLY if a request for information is made on behalf of another person)

Full names and surname \_\_\_\_\_

Identity number \_\_\_\_\_

#### Particulars of record

(a) Provide full particulars of the record to which access is requested, to enable the record to be located.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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(b) Description of record or relevant part of the record.

Note: If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

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Any further particulars of record:

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Fees:

- A request for access to a record, other than a record containing personal information about you, may be processed only after a request fee has been paid.
- You will be notified of the amount to be paid as a request fee.
- The fee payable for access to a record depends on the form in which access is required and the time reasonably required to search for and prepare a record.
- If you qualify for exemption of the payment of any fee, please state the reason for exemption.

**Reason for exemption from payment of fees:**

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**Form of access to record:**

(If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.)

Disability:

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Form in which record is required:

Compliance with your request in the specified form may depend on the form in which the record is available.

Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.

The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

**Mark the appropriate box with an X**

1. If the record is in written or printed form:

- Copy of record
- Inspection of the record

2. If the record consists of visual images:

- View the images
- Copy of the images\*
- Transcription of the images\*

3. If the record is held on computer or in an electronic or machine-readable form:

- Printed copy of the record\*
- Printed copy of the information from the record
- Copy in computer readable form

\* If you requested a copy or transcription of a record, do you wish the copy or transcription to be posted to you?

- YES
- NO

If YES, postage is payable by you.

**Particulars of right to be exercised or protected:**

*(a) If the provided space is inadequate, please continue a separate folio and attach it to this form.*

*(b) The requester must sign all the additional folios.*

**Indicate which is right to be exercised or protected:**

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**Explain why the record requested is required for the exercise or protection of the said right:**

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**Notice of decision regarding request for access:**

*You will be notified in writing if your request has been approved/denied. If you wish to be advised in another manner, please specify the manner and provide the necessary particular to enable compliance with your request.*

How would you prefer to be informed on the decision regarding your request for access to the record?

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Signed at: \_\_\_\_\_ on this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Signature of requester /

person on whose behalf request is made \_\_\_\_\_ -