

# Privacy Statement

## Definitions

**The Scheme** refers to LA Health Medical Scheme, registration number 1145, registered with the Council for Medical Schemes.

**The Administrator** refers to Discovery Health (Pty) Ltd, registration number 1997/013480/07, an authorised financial services provider, the administrator and managed care organisation for LA Health Medical Scheme.

**We, us, our** refer collectively to the Scheme and the Administrator.

**You and your** refer to:

- the member and the dependants on the Scheme which may include your spouse, children and other dependants, collectively “your dependants” or

**Your personal information** includes information about race, gender, sex, pregnancy, biometrics, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and date of birth of the individual amongst other things.

**Process(ing) (of) information** means the lawful and reasonable automated or manual activity of collecting, recording, organising, using, storing, updating, distributing and removing or deleting personal information to ensure that such processing is adequate, relevant and not excessive given the purpose for which it is processed.

**Competent person** means anyone who is legally competent to consent to any action or decision being taken for any matter concerning a member or dependant for example a parent, legal guardian or a legal representative appointed by a court to manage the finances, property, or estate of another person unable to do so because of mental or physical incapacity.

## How we will process and disclose your personal information and communicate with you

1. The purpose of this Privacy Statement is to set out how we collect, use, share and otherwise process your personal information, in a manner that is compliant, ethical, adheres to industry best practice and applicable protection of personal information legislation as enacted from time to time.
2. This Privacy Statement applies to you if you engage with us physically through our offices, or virtually through our website ([www.lahealth.co.za](http://www.lahealth.co.za)), email, mobile applications such as the Discovery App, social media platforms, over the phone, or otherwise as may be the case from time to time.
3. When you engage with us, you entrust us with personal information about you.
4. We are committed to protecting your right to privacy. We will keep your personal information confidential. We take protecting your personal information seriously and are continuously developing and updating our security systems, processes and data governance policies.

5. We have a duty to take all reasonably practicable steps to ensure your personal information is complete, accurate, not misleading and updated on a regular basis. To enable this, we will always endeavour to obtain personal information from you directly. Where we are unable to do so, we will make use of verifiable independent third-party data sources. Thus, your personal information comprises information you may have given to us yourself or we may have collected from other sources.
6. You have the right to object to the processing of your personal information and have a choice whether or not to accept these terms and conditions. However, it is important to note that we require your acceptance to activate and service your medical scheme membership. If you do not accept these terms and conditions, we cannot activate and service your medical scheme membership.
7. You understand and/or acknowledge that when you include your dependants on your application, we will process their personal information for the activation of the benefit and to pursue their legitimate interest. By submitting your dependants' relevant personal information, you hereby confirm that you are duly authorised to share such information with us.
8. If you are giving consent for a person under 18 (a minor) you confirm that you are their parent or legal their parent or legal guardian and that you give consent for us to process their personal information for the purposes covered in this Privacy Statement.
9. If you share your personal information with any third parties, we will not be responsible for how they use this information nor be responsible for any loss suffered by you.
10. You understand, accept and consent that we may process your personal information for the following purposes:
  - 10.1 to verify the accuracy, correctness and completeness of any information provided to us in the course of processing an application for membership or providing services related to the membership;
  - 10.2 for the administration of your benefit option;
  - 10.3 for the provision of managed care services to you on your benefit option;
  - 10.4 for the provision of relevant information to a contracted third party who requires this information to provide a healthcare service to you on your benefit option;
  - 10.5 to profile and analyse risk;
  - 10.6 to share your personal information with external healthcare providers for them to assess or evaluate certain clinical information, when you are subject to such a clinical assessment;
  - 10.7 to investigate and/or remedy fraud, waste and abuse.
11. By signing this application form, you expressly consent that we can obtain and share information about your creditworthiness, or the creditworthiness of any payer of your contribution, with any credit bureau or credit providers' industry association or industry body. This includes information about credit history, financial history, judgments, default history and sharing of information for purposes of risk analysis, tracing and any related purposes.

12. Examples of when and how we will obtain and share your personal information include:
  - 12.1 Obtaining your personal information from other relevant sources, including medical practitioners, contracted service providers, credit bureaus, entities that are part of Discovery Limited or industry regulatory bodies (“relevant sources”) and further processing of such information to consider your membership application, to conduct underwriting or risk assessments, or to consider a claim for medical expenses. We may (at any time and on an ongoing basis) verify with the relevant sources that your personal information is true, correct and complete;
  - 12.2 If you have joined as a member of an employer group, getting from and sharing with your employer information that is relevant to your application;
  - 12.3 Communicating with you about any changes to your benefit option, including your contributions or changes and enhancements to the benefits you are entitled to on the benefit option you have chosen;
  - 12.4 Transferring your personal information outside the borders of the Republic of South Africa where appropriate, or if you provide an email address which is hosted outside the borders of South Africa, or for processing, storage or academic research.
  - 12.5 Sharing your personal information to be processed by healthcare providers via a health information exchange to improve members’ treatment and healthcare outcomes.
  
13. If a third party asks us for any of your personal information, we will share it with them only if:
  - 13.1 you have already given your consent for the disclosure of this information to that third party; or
  - 13.2 we have a legal or contractual duty to give the information to that third party.
  
14. We will provide your personal information to any Discovery Limited entity for the following purposes only:
  - 14.1 to allow for the administration of your profile/membership/plan with the entity with whom you or your dependant/s already have a relationship; or
  - 14.2 where you or your dependant/s have applied for a product, service or benefit from such an entity for the purposes of underwriting.
  
15. We may process your personal and/or depersonalised information for the following purposes:
  - 15.1 for research and analysis; or
  - 15.2 to support the early identification of medical conditions and/or other lifestyle risks and to encourage you to change your lifestyle to lessen the impact of such conditions; or
  - 15.3 to provide personalised advice to you about risks to your health, how you may become healthier (such as by seeing a healthcare practitioner, having additional tests done or activating benefits) and the rewards and incentives which you may receive as a result of undertaking these activities. We will provide this advice to you based on market and behavioural research and analysis carried out using your personal, special and or depersonalised information. We may communicate this advice to you using the Discovery App or other communication channels.

16. Your personal information may be shared with third parties such as academics and researchers, including those outside South Africa. We ensure that the academics and researchers will keep your personal information confidential and all data will be made anonymous to the extent possible and where appropriate. No personal information will be made available to an academic or research party unless that party has agreed to abide by strict confidentiality protocols that we require. If we and/or the academic and researcher publish the results of this research, you will not be identifiable.
17. You agree that we may transfer your personal information outside South Africa only:
  - 17.1 if you give us an email address that is hosted outside South Africa; or
  - 17.2 to administer certain services, for example, cloud services.
18. When we share your information, we will ensure that, the company, person or regulatory body (in or outside of South Africa) to whom we pass your personal information to agrees to treat your information with the same level of protection as we are obliged to.
19. You consent and agree that:
  - 19.1 we may process your information, including personal and special personal information, to adhere to South African legislative reporting obligations and to perform transaction monitoring activities;
  - 19.2 we may communicate such personal information to local regulatory bodies as well as to other relevant governance structure of Discovery Limited or any of its relevant entities if any Legislative reportable matters are identified.
20. We may process your information using automated means (without human intervention in the decision making process) to make a decision about you or your application for any product or service. You may query the decision made about you.
21. We have the right to communicate with you electronically about any changes on your benefit option, including your contributions or changes and improvements to the benefits you are entitled to on the benefit option you have chosen.
22. We have a duty to keep you updated about any offers and new products that are made available from time to time. We want to send you marketing of products that suit your needs and you can afford. For this reason we may obtain data from third parties, such as credit bureaus, to enrich and analyse your personal information and by agreeing to this privacy statement, you tell us to do so. We, any entity of Discovery Limited and/or any contracted third-party service providers may communicate with you about these.
23. You may opt out of electronic marketing on [www.lahealth.co.za](http://www.lahealth.co.za). We will store your personal information to action this request and action it as soon as reasonably possible.
24. Unless required by law to keep your personal information for a certain period of time or purpose, you agree that we may keep your personal information until you ask us to delete or destroy it. You have the right to ask us to update, correct or delete your personal information, unless the law requires us to keep it. Where we cannot delete your personal information, we will take all practical steps to de-identify it, and for purposes of proof, retain a secure copy of your

request.

25. If we become involved in a proposed or actual amalgamation, transfer or merger, acquisition or any form of sale of any assets, as appropriate, we have the right to share your personal information with third parties in connection with the transaction. In the case of such an event, the new entity will have access to your personal information.
26. Where we are required by law to collect and keep personal information, we shall do so. At a minimum, this includes the following:
  - 26.1 Legislation applicable to us:
    - Medical Schemes Act, 1998
    - The Consumer Protection Act, 2008
    - The Protection of Personal Information Act, 2013
    - Electronic Communications and Transactions Act, 2002
    - Promotion of Access to Information Act, 2002
  - 26.2 Legislation specific to the Administrator only:
    - Financial Advisory and Intermediary Services Act, 2002
27. The Scheme may change this Privacy Statement at any time. It is your responsibility to check our website regularly to ensure that you are aware of these changes. By continuing to be a member you agree that the latest version will apply to you. The current version is available on [www.lahealth.co.za](http://www.lahealth.co.za)
28. You have the right to know what personal information we hold about you. If you wish to receive this information please complete a 'PAIA Form to Request Access to Records' on [www.lahealth.co.za](http://www.lahealth.co.za) and specify the information you would like. We will take all reasonable steps to confirm your identity before providing details of your personal information in respect of this request. We are entitled to charge a fee for this service and will let you know what it is at the time of your request.
29. If you believe that we have used your personal information in a way that is contrary to this Privacy Statement, you have the right to lodge a complaint with the Information Regulator, under POPIA, but we encourage you to first follow our internal escalation and/or disputes process to resolve the matter. We explain the escalation and/or disputes process on the website [www.lahealth.co.za](http://www.lahealth.co.za) or contact the Scheme's Information Officer at [privacy@discovery.co.za](mailto:privacy@discovery.co.za).

If, thereafter, you feel that we have not resolved your complaint adequately kindly contact the Information Regulator at: The Information Regulator (South Africa) | JD House | 27 Stiemens Street | Braamfontein | PO Box 31533 | Braamfontein | 2017 | Tel: +27 (0) 10 023 5200 | [POPIAComplaints@infoeregulator.org.za](mailto:POPIAComplaints@infoeregulator.org.za).