



## PRIVACY POLICY

We are delighted that you have shown interest in our practice. Data protection is of a particularly high priority for **Kim Decina Biokineticist**.

This privacy notice explains how we process your personal information when you visit our website / register for an event / book an appointment and / or if you choose to be a client/patient of ours. It explains how we will protect data subjects (your) information and personal data, and the controls and safeguards we provide for this data. This includes understanding, at all times, precisely what data we are storing for and about you, who (if anyone) can see that data, and whether you give permission for that data to be shared with third parties.

The processing of personal data, such as your name, e-mail address, telephone number and/or medical aid information shall be in line with the Protection of Personal Information Act (POPIA).

By means of this data protection declaration, we would like to inform you of the nature, scope, and purpose of the personal data we collect, use and process. Furthermore, data subjects are informed, by means of this data protection declaration, of the rights to which they are entitled.

### Topics

- **Who we are?**
- **The information we collect about you, why we need it and who it's shared with?**
- **Our website uses cookies, this is what they do, and this is how you can stop them**
- **Access to your personal data and rights to correct, restrict or delete that data**
- **Other websites**
- **How long we keep your data**
- **How to contact us or make a complaint**

## Who are we?

**Kim Decina Biokineticist** is a sole proprietor Biokinetics practice, registered with the Board of Healthcare Funders (BHF) with the practice number: 999 091 000 081 3575, and the practice owner/Biokineticist is registered with the HPCSA with the registration number: BK0026069. Our range of services includes: 1) Biokinetic evaluation of individuals with injuries, chronic conditions and special populations (such as the elderly, children and/or individuals with cardiac and neurological conditions); 2) Prescription of scientifically-based individualised rehabilitative exercise for the previously mentioned individuals/conditions (i.e orthopaedic, cardiac, neurological and special population rehabilitation); 3) Prescription of individualised exercises programs targeted at weight loss and general strength and endurance improvements/maintenance; 4) Individual and group mat-based Pilates sessions; 5) Vitality Fitness Assessments; 6) Deep tissue & sports massage

## The information we collect about you, why we need it and who it's shared with?

The personal data we may collect from you and process is:

Data Type	Source(s)
First Name & Last Name	Online Inquiry Form on our website Online Setmore Booking Form (for an appointment/class/event) Patient file at practice
Email address	Online Inquiry Form Online Setmore Booking Form (for an appointment/class/event) Patient file at practice
Mobile number	Online Inquiry Form Online Setmore Booking Form (for an appointment/class/event) Patient file at practice
ID number and/or D.O.B	Patient file at practice
Medical aid information	Patient file at practice

## **The personal data we collect will be used for the following purposes:**

In order for us to provide you with practice related services and information, we need to collect personal data for correspondence purposes and service provision. In any event, we are committed to ensuring that the information we collect, and use, is appropriate for this purpose and does not constitute an invasion of your privacy.

## **The legal basis for the processing of your personal data:**

- Our legitimate interests as a data controller
- The processing is necessary to fulfil a contract/enter into negotiations for a contract of consent

## **Processing through use of our Legitimate Interests**

Where the processing of personal data is based on the POPI Act, the legitimate interests we pursue are to carry out a service in favor of the well-being of all our clients/patients, employees, and for the good of the Biokinetics sector.

Marketing is generally seen as a useful tool to relay information about Biokinetic services, which is done monthly via an email newsletter. However, we want to respect your wishes, as the recipient of our marketing. Under POPI you have an absolute right to object to direct marketing and therefore if you wish to unsubscribe or object to receiving email newsletters, please contact [info@kimdecinabio.com](mailto:info@kimdecinabio.com).

We will only process your personal data on these grounds if we have determined that our services are 'professionally relevant' to you.

***We believe that the recipients of our marketing have a reasonable expectation that Kim Decina Biokineticist will process their Personal Data.***

**Kim Decina Biokineticist** is in the process of conducting a *Data Protection Impact Assessment*, the outcome being to determine risk mitigation outputs.

***The likelihood of impact and the severity of negative impact of our processing on your data has been preliminary assessed and deemed to be negligible.***

The data we hold about you may have originated from becoming a client/patient of Kim Decina Biokineticist, attending an online class or wellness day event, or requesting further information on our website using the inquiry form.

### **Where we store information collected about you**

Your personal information will be ethically and legally captured, stored and possibly shared using third-party platforms (Gmail, WhatsApp, MailChimp, DropBox, Wave, Setmore, Medical scheme funds), with the purpose of generating financial statements and/or medical aid claims. The PAIA and POPI require that these third-party platforms are located in countries that have similar or better privacy legislation than South Africa. Therefore we may transfer your information to our data processors within and outside the South African Area but will do so with appropriate measures and controls in place to protect that information in accordance with applicable data protection laws and regulations and regulatory guidance. In all instances, we will take into account the nature of the information we are transferring, and the level of protection provided by those processors.

You have the right to consent to or object to disclosing your personal information to / via any third-party for the purpose of generating financial statements and/or medical aid claims. If you wish to object to the storage and sharing of your personal information via third-party platforms, please contact [info@kimdecinabio.com](mailto:info@kimdecinabio.com).

### **Processing using Consent**

There are certain circumstances, particularly in regards electronic marketing communications that fall within the Privacy and Electronic Communication Regulations; where we are likely to need consent from you in order to process your data. If this is the case, we will ensure that the consent that you provide is by a clear affirmative act establishing a freely given, specific, informed and unambiguous indication of your agreement to the processing of personal data relating to you.

You may withdraw consent at any time by either unsubscribing (via the Unsubscribe link on the footer of all emails) or requesting to unsubscribe via the following email address - [info@kimdecinabio.com](mailto:info@kimdecinabio.com).

## Who your information is shared with?

Kim Decina Biokineticist will share your personal data with third parties for the purposes of generating financial statements and/or medical aid claims. The following third parties will receive your personal data for the following purpose(s) as part of the processing activities:

Organisation	Purpose	Country	Retrieve a copy of the safeguards in place here:
Gmail	Email Communication	USA	<a href="https://policies.google.com/privacy?hl=en-US">https://policies.google.com/privacy?hl=en-US</a>
WhatsApp	Mobile phone communication	USA	<a href="https://www.whatsapp.com/security/">https://www.whatsapp.com/security/</a>
MailChimp	Email Communication	USA	<a href="https://mailchimp.com/about/security/">https://mailchimp.com/about/security/</a>
Setmore	Booking of appointments; Appointment reminders via email	USA	privacy@setmore.com
Wave	Processing of client/patient information to generate financial statements and/or medical aid claims	Canada	<a href="https://www.waveapps.com/legal/security-and-privacy">https://www.waveapps.com/legal/security-and-privacy</a>
Dropbox	Storage of client/patient information; Data backups	USA	<a href="https://www.dropbox.com/security#files">https://www.dropbox.com/security#files</a>
Medical Scheme Funders	Processing of client/patient information to process medical aid claims	South Africa (SA)	<a href="mailto:info@kimdecinabio.com">info@kimdecinabio.com</a>

## Our website uses cookies, this is what they do, and this is how you can stop them

You do not have to give us any personal data in order to use our website. However, you may provide us with personal data by completing forms on our website or by contacting us by telephone or email.

When you visit our website, we will automatically collect the internet protocol (IP) address of the device used by you to visit the website as well as the type of the device, browser version and time zone setting.

This will enable us to identify you as a unique user for analytical purposes and to optimize our website for your device. This data does not allow us to, and we will not attempt to use this data to, identify you. Anonymized information relating to website visits may be shared with approved stakeholders.

## Cookies

This website uses small text files, called cookies, which are automatically stored on your device when you access and use certain features of this website. As cookies are unique, we can use them to distinguish you from other users. To find out more about cookies, how to refuse them and how to change your device's cookie settings, you should visit [All About Cookies](#).

*Please note that if you refuse to accept cookies or change your device's cookie settings, you may not be able to use all of our website's features.*

Data collected from the use of cookies does not allow us to, and we will not attempt to use this data to, identify you.

**The categories of cookies used by this website are as follows:**

**Strictly necessary cookies** – cookies that are required for the operation of this website and its features, such as accessing secure areas of this website

**Performance cookies** – cookies that allow us to recognize new and returning users to this website and to track how they navigate around it to help us improve this website

The cookies used by this website are as follows:

### Google Analytics

*These cookies are used by the Google Analytics service to identify unique visitors to this website, where they came from, which pages they visit and how long they spend on it.*

Further information can be found in the [Google Privacy Policy](#).

Source	Cookie	Description
	utma	This cookie creates a unique ID when a new visitor browses our website. It helps us to assess the number of new visitors to our site, and also identify whether we are receiving repeat visitors, too.
	utmb	These two cookies help us measure a visitor's session, giving us data on what time visitors arrive and how long they spend browsing our website.
	utmc	

Google Analytics	utmz	This cookie gives us information about how a visitor got to our site (e.g. Google Search, referral site, social media, direct URL, etc.) and also which pages they viewed after they arrived.
	Double Click	This cookie collects anonymized Ad Views, Analytics, Browser Information, Date/Time, Demographic Data, Hardware/Software Type, Internet Service Provider, Interaction Data, Page Views, Serving Domains)
	Audiences	This cookie collects anonymous data (Ad Views, Analytics, Browser Information, Cookie Data , Date/Time, Demographic Data, Hardware/Software Type, Internet Service Provider, Interaction Data, Page Views , Serving Domains)
	Relic	Anonymous (Analytics, Browser Information, Cookie Data , Date/Time, Demographic Data, Hardware/Software Type, Interaction Data, Page Views , Serving Domains)

## **Most browsers allow you to refuse to accept cookies; for example:**

In **Internet Explorer** you can block cookies using the cookie handling override settings available by clicking "Tools", "Internet Options", "Privacy" and then "Advanced";

In **Firefox** you can block all cookies by clicking "Tools", "Options", "Privacy", selecting "Use custom settings for history" from the drop-down menu, and unticking "Accept cookies from sites"; and

In **Chrome** you can block all cookies by accessing the "Customize and control" menu, and clicking "Settings", "Show advanced settings" and "Content settings", and then selecting "Block sites from setting any data" under the "Cookies" heading.

Blocking all cookies will have a negative impact upon the usability of many websites. If you block cookies, you will not be able to use all the features on our website.

## **Access to your personal data and rights to correct, restrict or delete that data**

At any point while we are in possession of or processing your personal data, you, the data subject, have the following rights:

**Right of access** – you have the right to request a copy of the information that we hold about you free of charge

**Right of rectification** – you have a right to correct data that we hold about you that is inaccurate or incomplete.

**Right to be forgotten** – in certain circumstances you can ask for the data we hold about you to be erased from our records.

**Right to restriction of processing** – where certain conditions apply to have a right to restrict the processing.

**Right of portability** – you have the right to have the data we hold about you transferred to another organisation.

**Right to object** – you have the right to object to certain types of processing such as direct marketing.

**Right to object to automated processing, including profiling** – you also have the right to be subject to the legal effects of automated processing or profiling.

**Right to judicial review** – in the event that <insert organisation name> refuses your request



under rights of access, we will provide you with a reason as to why. You have the right to complain as outlined below

*All of the above requests will be forwarded on should there be a third party involved in the processing of your personal data.*

### **Other websites**

On occasion our website will contain links to other websites. This privacy policy only applies to the Kim Decina Biokineticist website. When you link to other websites you should read their own privacy policies.

### **Changes to our privacy policy**

We keep our privacy policy under regular review, and we will place any updates on this web page. This privacy policy was last updated on 3<sup>rd</sup> July 2021.

### **How long we keep information collected about you**

Any information provided by you will be retained for as long as necessary in connection with the purposes for which it was provided. Adult health records will be kept for 6 years after last visit to practice according to the Health Professions Act 56 of 1974. Financial statements and/or medical aid claims will be kept for 5 years after decline of payment according to the Medical Schemes Act 121 of 1998.

Any information collected about you or your activity through the use of cookies will be retained for the time periods necessary for our marketing team to report thereon.

### **How to contact us in regard to your rights or make a complaint**

In the event that you wish to make a complaint about how your personal data is being processed by Kim Decina Biokineticist (or third parties above), or how your complaint has been handled, you have the right to lodge a complaint directly with our data protection officer at [info@kimdecinabio.com](mailto:info@kimdecinabio.com).