



## LENMED BOKAMOSO PRIVATE HOSPITAL PRIVACY NOTICE

### INTRODUCTION

This Privacy Notice applies to Lenmed Bokamoso Private Hospital (Pty) Ltd (“the Hospital” or “we”), a company duly registered in the Republic of Botswana (“Botswana”) and a subsidiary company of the Lenmed Health Group of Companies (“Lenmed Health”).

We are committed to protecting the confidentiality and privacy of the personal data we process. This Privacy Notice explains how we process and protect your personal data.

As a Botswana registered Company, all our data processing activities are primarily regulated by the Data Protection Act (18 of 2024) (“DPA”) as amended, reenacted our updated from time to time. For the purposes of this Privacy Notice, the terms “personal data” and “processing”, are as defined in the DPA.

### WHO WE ARE

We Lenmed Bokamoso Private Hospital Proprietary Limited (Registration Number: CO2011/4403), a private company duly registered and incorporated in Botswana. We form part of Lenmed Health, a private hospital group of companies that own and operate private hospitals within, *inter alia*, the Republic of South Africa, Mozambique and Botswana.

### WHO THIS PRIVACY NOTICE APPLIES TO

This Privacy Notice applies to all persons (both natural and juristic) that the Hospital collects and processes personal data from or about, including but not limited to:

- Website users;
- Patients and Guarantors;
- Suppliers and service providers;
- Job applicants / job candidates;
- Medical Graduates
- Medical practitioners, medical practices, allied health professionals and other healthcare suppliers and service providers providing medical services at the Hospital;
- Medical Schemes and Administrators, Managed Healthcare Organisations and Medical Insurers; and
- Other general categories of data subjects (for example, but not limited to, shareholders, colleagues and business connections, and companies with whom we intend to do business or conclude transactions with).

### Bokamoso Private Hospital

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**Note:** Employees, consultants and volunteers contracted within the Hospital are referred to a separate employee privacy notice which is available on the Lenmed Health intranet or on request from the Hospital's HR department.

## PERSONAL DATA

The DPA defines personal data as any information relating to an identified or identifiable natural person, or data subject. An identifiable natural person is one who can be identified, directly or indirectly, by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

## WHAT PERSONAL DATA WE MAY COLLECT AND PROCESS; AND THE PURPOSES OF PROCESSING THIS INFORMATION

While using our website or engaging with us for the provision of any of our services, you may be required to provide us with your personal data. In certain instances, you may also be required to provide us with health information and other sensitive information that is classified by the DPA as sensitive personal data.

Given the nature of the services we provide, we are also required to collect and process the personal data of children, for example where the patient being treated at one of our hospitals is under the age of 18 years.

Personal data may be collected and processed by both the Hospital and Lenmed Health in terms of this Privacy Notice. As Lenmed Health is a South African registered group of companies, personal data processed by Lenmed Health will be transferred to and processed in the Republic of South Africa, in compliance with the provisions of the Protection of Personal Information Act, No 4 of 2013 ("POPIA").

The below table sets out i) the categories of personal data we and/or Lenmed Health may collect and process, and ii) the purpose that we may process your personal data for (including, where applicable your sensitive personal data, such as your medical information).

PATIENTS, AND GUARANTORS (WHERE APPLICABLE)	
Categories of personal data collected and processed	Purpose of processing
<ul style="list-style-type: none"><li>Personal Identification details such as name, surname, ID/Passport Number;</li><li>Contact details, such as phone number, email address, physical</li></ul>	<ul style="list-style-type: none"><li>To provide the data subject with our products and services;</li><li>To process a data subject's hospital admission (including pre-admission through our website) or to process any other enquiry that the data subject may</li></ul>

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<p>and postal addresses;</p> <ul style="list-style-type: none"> <li>• Personal details, such as names, family information, ages and next of kin details;</li> <li>• Employment details, such as occupation, employment status and Employer details;</li> <li>• Demographical details, such as gender, race, and age;</li> <li>• Pre-admission information;</li> <li>• Admission information;</li> <li>• Patient Number (assigned unique identifier);</li> <li>• Details of referring medical practitioner (name, practice and contact details);</li> <li>• Health information and other sensitive personal data regarding your medical treatment (historic and current);</li> <li>• Children's personal data, for children (under the age of 18) who receive treatment and care at the hospital;</li> <li>• Biometric information (where applicable and required for the purposes of your treatment and care);</li> <li>• Financial information, such as invoicing details, banking details, credit card details or account numbers, etc.;</li> <li>• Credit information;</li> <li>• Medical Scheme / Medical Insurer information;</li> </ul>	<p>make with the Hospital or Lenmed Health, whether through our website, or directly with the Hospital or any other entity within Lenmed Health;</p> <ul style="list-style-type: none"> <li>• To make an online appointment through our website;</li> <li>• To assess any medical treatment the data subject may require;</li> <li>• To refer a Patient for treatment at the Hospital or one of the other hospitals within Lenmed Health (in respect of patient enquiries and patients seeking treatment from within and/or outside of Botswana);</li> <li>• To provide the data subject with appropriate treatment and care and to enable treating medical practitioners, medical practices (including radiology and pathology practices), Allied health professionals and other medical persons involved in the data subject's treatment and care, to provide the data subject with appropriate treatment and care;</li> <li>• To prepare and process patient invoices, accounts and refunds;</li> <li>• To process any claim that may be made on a data subject's behalf with the data subject's medical aid scheme (including the scheme administrator) or any third party medical insurer that the data subject has contracted with;</li> <li>• To process any medical claim that may be made by us with the Motor Vehicle Accident Fund (under the Motor Vehicle Accident Fund Act, Botswana) or the Workers Compensation Fund (under the Workers Compensation Act, Botswana) or any other similar body, in relation to the data subject's treatment and care;</li> <li>• Where applicable, for general marketing and communication purposes, where the data subject is an existing customer of the Hospital or where we have received the data subject's consent to receive these communications, and in compliance with the provisions of the DPA and other applicable laws. Data subjects will be given the opportunity to unsubscribe</li> </ul>
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<ul style="list-style-type: none"> <li>Background information (where applicable and required for the purposes of your treatment and care);</li> <li>When entering any of our hospitals or offices, CCTV Camera Footage collected in our hospitals or offices which are protected by CCTV cameras for security purposes;</li> <li>Any other information as may be relevant or required to achieve the purpose for which we are collecting and processing the personal data.</li> </ul>	<ul style="list-style-type: none"> <li>from any marketing communications, general communications and/or newsletters at any time, and with each communication received;</li> <li>To improve the Hospital and Lenmed Health's services, the quality of our care, the quality of the medical technology that we have available at the Hospital, and to manage our relationship with our customers, for example by asking for feedback on the services and quality of care a data subject received from us or through the completion of customer experience surveys and through customer experience analysis;</li> <li>For credit checking or credit reporting purposes (through a credit bureau), to assist our decision to provide services to a data subject or to report on any slow or non-payment of a data subject's accounts with us;</li> <li>For reporting (including but not limited to efficiency management and reporting), statistical, analytical, research and historical purposes;</li> <li>For reporting on quality incidents, as required by law;</li> <li>In relation to CCTV camera footage, for various purposes, including (i) to ensure the security of the Hospital premises, the safety of our employees and visitors, and the security of property and information located and/or stored at the Hospital premises; (ii) to prevent, deter, and if necessary investigate unauthorised access to secure premises and protected rooms, IT infrastructure or operational information; (iii) to prevent, detect and investigate theft of equipment, assets or other property at the Hospital premises or threats of safety to persons on the Hospital premises; and (iv) for evidentiary purposes where an incident occurs;</li> <li>For any other purposes as may be specifically set out in our Admission Form concluded with the data subject upon admission to the Hospital;</li> <li>For the general purposes as set out below.</li> </ul>
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<b>SUPPLIERS AND SERVICE PROVIDERS</b>	
<b>Categories of personal data collected and processed</b>	<b>Purpose of processing</b>
<ul style="list-style-type: none"> <li>Where a company, company identification and registration details, details of owners/shareholders/directors;</li> <li>Where an individual, personal identification details such as name, surname, ID/Passport Number;</li> <li>Contact details, such as phone numbers, email addresses, physical and postal addresses;</li> <li>Financial information, such as invoicing details, VAT details, banking details etc.;</li> <li>Any other regulatory information (where required and relevant);</li> <li>Representative/ contact person information (contact details, such as name, telephone number and email address, of persons managing the supplier/service providers services or providing the product and services on behalf of the supplier, or personal data of employees who are entering or accessing the Hospital or office or working on site);</li> <li>Biometric information (only in circumstances where Service Provider / Supplier employees are working on site and/or where security background checks are required);</li> <li>Occupational Health and Safety</li> </ul>	<ul style="list-style-type: none"> <li>To conclude, perform and/or receive performance of a contract with the Supplier or Service Provider, or to take any steps linked to or necessary for the conclusion or performance of a contract with the Supplier or Service Provider, including (but not limited to): <ul style="list-style-type: none"> <li>Authentication of supplier / service provider;</li> <li>Regulatory verification; and</li> <li>Processing of accounts, invoices and payments;</li> </ul> </li> <li>For the purposes of Lenmed Health's annual BBBEE submission and accreditation (where relevant);</li> <li>In relation to CCTV camera footage, for various purposes, including (i) to ensure the security of the Hospital premises, the safety of our employees and visitors, and the security of property and information located and/or stored at the Hospital premises; (ii) to prevent, deter, and if necessary investigate unauthorised access to secure premises and protected rooms, IT infrastructure or operational information; (iii) to prevent, detect and investigate theft of equipment, assets or other property at the Hospital premises or threats of safety to persons on the Hospital premises; and (iv) for evidentiary purposes where an incident occurs;</li> <li>For the general purposes as set out below.</li> </ul>

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<p>medical records held on safety files, in respect of contractors providing building and/or engineering services at the Hospital Site;</p> <ul style="list-style-type: none"> <li>When entering the Hospital or any of our offices, CCTV Camera Footage collected, which is protected by CCTV cameras for security purposes;</li> <li>Information shared or disclosed through the performance of a contract (such as confidential or proprietary information);</li> <li>Any other personal data that may be relevant or required to conclude, perform and/or receive performance of a contract with the Supplier or Service Provider or to achieve the purpose for which we are collecting and processing the personal data.</li> </ul>	
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**MEDICAL PRACTITIONERS, MEDICAL PRACTICES, ALLIED HEALTH PROFESSIONALS, OTHER HEALTHCARE SUPPLIERS AND SERVICE PROVIDERS PROVIDING MEDICAL SERVICES AT THE HOSPITAL**

Categories of personal data collected and processed	Purpose of processing
<ul style="list-style-type: none"> <li>Where an individual, personal identification details such as name, surname, ID/Passport Number;</li> <li>Where a company, Company identification and registration details, details of owners/shareholders/directors;</li> <li>Contact details, such as phone numbers, email addresses,</li> </ul>	<ul style="list-style-type: none"> <li>For reporting (including but not limited to efficiency management and reporting), statistical, analytical, research and historical purposes;</li> <li>To provide a Patient with appropriate treatment and care and to enable treating medical practitioners, medical practices (including radiology and pathology practices), Allied health professionals and other medical persons involved in the Patient's treatment and care, to provide the Patient with appropriate treatment and care;</li> <li>To process any claim that may be made on a Patient's</li> </ul>

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<p>physical and postal addresses;</p> <ul style="list-style-type: none"> <li>Demographical details, such as gender, race, and age;</li> <li>Financial information, such as invoicing details, banking details etc.;</li> <li>Information that may be relevant and/or required for the submission of claims to Medical schemes;</li> <li>Professional body registration information and practice information;</li> <li>Qualification Information and certificates of qualifications;</li> <li>Professional Indemnity and Medical malpractice insurance information;</li> <li>CCTV Camera Footage collected by the Hospitals and our offices, which are protected by CCTV cameras for security purposes;</li> <li>Information shared or disclosed through the performance of a contract (such as confidential or proprietary information);</li> <li>Any other information as may be relevant or required to achieve the purpose for which we are collecting and processing the personal data.</li> </ul>	<p>behalf with the Patient's medical aid scheme (including the scheme administrator) or any third party medical insurer that the Patient has contracted with;</p> <ul style="list-style-type: none"> <li>To process any medical claim that may be made by us, whether with you or on your behalf, with the Motor Vehicle Accident Fund (under the Motor Vehicle Accident Fund Act, Botswana) or the Workers Compensation Fund (under the Workers Compensation Act, Botswana) or any other similar body, in relation to a Patient's treatment and care;</li> <li>Where applicable, for general marketing and communication purposes related to our services and the Hospital;</li> <li>To improve the Hospital and Lenmed Health's services, the quality of our care, the quality of the medical technology that we have available at our Hospital, and to manage our relationship;</li> <li>In relation to Healthcare Suppliers and Service Providers providing medical services at the Hospital, to conclude, perform and/or receive performance of a contract with the Healthcare Supplier or Service Provider, or to take any steps linked to or necessary for the conclusion or performance of a contract with the Healthcare Supplier or Service Provider, including (but not limited to): <ul style="list-style-type: none"> <li>Authentication of Healthcare Supplier / Service Provider;</li> <li>Regulatory verification; and</li> <li>Processing of accounts, invoices and payments (where applicable);</li> </ul> </li> <li>For the purchasing on medicinal and medically related products;</li> <li>In relation to Medical Practitioners, Medical Practices and Allied Health Professionals, qualification information and certificates are required for the purposes of:</li> </ul>
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	<ul style="list-style-type: none"> <li>Confirmation of qualifications;</li> <li>Legal script and drug management; and</li> <li>Recruitment of Medical Practitioners to provide medical services at our Hospitals.</li> <li>In relation to CCTV camera footage, for various purposes, including (i) to ensure the security of the Hospital premises, the safety of our employees and visitors, and the security of property and information located and/or stored at the Hospital premises; (ii) to prevent, deter, and if necessary investigate unauthorised access to secure premises and protected rooms, IT infrastructure or operational information; (iii) to prevent, detect and investigate theft of equipment, assets or other property at the Hospital premises or threats of safety to persons on the Hospital premises; and (iv) for evidentiary purposes where an incident occurs;</li> <li>For the general purposes as set out below.</li> </ul>
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**MEDICAL SCHEMES AND ADMINISTRATORS, MANAGED HEALTHCARE ORGANISATIONS AND MEDICAL INSURERS**

<b>Categories of personal data collected and processed</b>	<b>Purpose of processing</b>
<ul style="list-style-type: none"> <li>Company identification and registration details;</li> <li>Contact details, such as phone numbers, email addresses, physical and postal addresses;</li> <li>Plan and Benefit information;</li> <li>Information shared or disclosed through the performance of a contract (such as confidential or proprietary information);</li> <li>Financial information, such as invoicing details, banking details etc.;</li> </ul>	<ul style="list-style-type: none"> <li>To process a Patient's hospital admission (including pre-admission);</li> <li>To process any claim that may be made on a Patient or member's behalf with the medical aid scheme (including the scheme administrator), managed healthcare organisation or any third party medical insurer that the Patient and/or member has contracted with;</li> <li>For reporting (including but not limited to efficiency management and reporting), statistical, analytical, research and historical purposes;</li> <li>For the general purposes as set out below.</li> </ul>

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<ul style="list-style-type: none"> <li>Representative/ contact person information (contact details, such as name, telephone number and email address) of persons engaging with us on behalf of the medical aid scheme (including the scheme administrator), managed healthcare organisation or any third party medical insurer;</li> <li>Any other information as may be relevant or required in to achieve the purpose for which we are collecting and processing the personal data.</li> </ul>	
<b>JOB APPLICANTS / JOB CANDIDATES</b>	
<b>Categories of personal data collected and processed</b>	<b>Purpose of processing</b>
<ul style="list-style-type: none"> <li>Identification details such as name, surname, ID/Passport Number;</li> <li>Contact details, such as phone numbers, email addresses, physical and postal addresses;</li> <li>Demographical details, such as race, gender, language and age;</li> <li>Qualification information, CV's and other personal data that may be requested throughout the recruitment process to assess and consider the job application (in relation to job applicants);</li> <li>Professional body registration information (where applicable)</li> <li>Background information, including references for reference checking and background searches;</li> </ul>	<ul style="list-style-type: none"> <li>Where a data subject is applying for a vacancy, to process the data subject's application throughout our recruitment process;</li> <li>In relation to CCTV camera footage, for various purposes, including (i) to ensure the security of the Hospital premises, the safety of our employees and visitors, and the security of property and information located and/or stored at the Hospital premises; (ii) to prevent, deter, and if necessary investigate unauthorised access to secure premises and protected rooms, IT infrastructure or operational information; (iii) to prevent, detect and investigate theft of equipment, assets or other property at the Hospital premises or threats of safety to persons on the Hospital premises; and (iv) for evidentiary purposes where an incident occurs;</li> <li>For the general purposes as set out below.</li> </ul>

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- Biometric information, only to the extent required in relation to conducting background checks;
- Financial information, such as banking details and prior payslips, only as and when required within the recruitment process;
- Medical Scheme, Pension / Provident fund information, only as and when required within the recruitment process;
- When entering our Hospital or offices, CCTV Camera Footage collected in our Hospital or offices which are protected by CCTV cameras for security purposes;
- Any other personal data that may be relevant or required to conclude a contract of employment with the candidate (where successful) or to achieve the purpose for which we are collecting and processing the personal data.

#### MEDICAL GRADUATES

Categories of personal data collected and processed	Purpose of processing
<ul style="list-style-type: none"> <li>• Identification details such as name, surname, ID/Passport Number;</li> <li>• Contact details, such as phone numbers, email addresses, physical and postal addresses;</li> <li>• Demographical details, such as race, gender, language and age;</li> <li>• Qualification information;</li> <li>• Any other personal data that may</li> </ul>	<ul style="list-style-type: none"> <li>• Graduate lists are procured from Medical schools to assist us in the recruitment of newly qualified medical practitioners to provide medical services at the Hospital;</li> <li>• To conclude, perform and/or receive performance of a contract with a graduate medical practitioner, or to take any steps linked to or necessary for the conclusion or performance of a contract with a graduate medical practitioner;</li> <li>• For the general purposes as set out below.</li> </ul>

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be relevant or required for the purposes of recruiting graduate medical practitioners to provide medical services at the Hospital;	
<b>OTHER GENERAL DATA SUBJECT CATEGORIES</b>	
Categories of personal data collected and processed	Purpose of processing
<ul style="list-style-type: none"><li>Shareholders:<ul style="list-style-type: none"><li>Where a company or trust, company/trust identification and registration details, details of owners/ shareholders/ directors/ trustees/ beneficiaries;</li><li>Where an individual, personal identification details such as name, surname, ID/Passport Number;</li><li>Contact details, such as phone numbers, email addresses, physical and postal addresses;</li><li>Financial information, such as invoicing details, banking details, tax information, etc;</li><li>BBBEE and other regulatory information (where required and relevant);</li></ul></li><li>Colleagues and business connections: Identification details such as name and surname, and contact details, such as phone numbers, email addresses, physical and postal addresses;</li><li>Companies with whom we intend to do business or conclude transactions with:</li></ul>	<ul style="list-style-type: none"><li>To manage our relationship with our shareholders, for the management and performance of regulatory obligations by and to our shareholders, and for the general purposes as set out below.</li><li>To engage in work related matters and (where applicable) for the general purposes as set out below.</li><li>To enter into discussions for the conclusion of business transactions, to conclude business transaction, and all matters related thereto.</li></ul>

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<ul style="list-style-type: none"> <li>information collected may include (but not be limited to) Company information including ownership information, company data, financial information and shareholders agreements.</li> </ul>	
<b>WEBSITE USERS</b>	
<b>Categories of personal data collected and processed</b>	<b>Purpose of processing</b>
<ul style="list-style-type: none"> <li>When you use one of our Webforms on our website (including general enquiries, online hospital pre-admissions, online appointments) personal data will be requested (depending on the nature of the form) and once submitted will be stored in the database of our website. All data submitted by our Webforms is encrypted;</li> <li>When visiting our website, anonymised data relating to your location and your browser type, browser version, the pages of our website that you visit, the date and time of your visit, the duration of time spent on the website pages and other applicable statistics are recorded by Google Analytics to analyse user behaviour on our website. No personally identifiable information is collected at any point.</li> </ul>	
<b>ALL DATA SUBJECTS</b>	
<b>General purposes in relation to all data subjects that personal data is collected from or about</b>	

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In addition to the specific purposes as set out above, we may collect, use, share and/or generally process your personal data (including, where applicable and relevant, your sensitive personal data) for the following general purposes:

- To comply with all legislative and legal requirements placed on the Hospital and/or Lenmed Health, which may include, but not be limited to, legislative reporting and document retention periods and where the law requires that information regarding certain diseases be notified to the authorities;
- To conclude or perform a contract with a data subject, or to take any steps linked to or necessary for the conclusion or performance of a contract with the data subject;
- Where necessary, for any purposes which are in our, the data subject's or a third party's legitimate interest;
- To perform general administrative, operational, management, financial and performance functions and activities relating to the operation and running of the Hospital and Lenmed Health's business, for the purposes of managing the Hospital and Lenmed Health's legal and operational affairs; and for any purposes relating to the Hospital and Lenmed Health's legal obligations and/or legitimate business needs;
- Where applicable, for general marketing and communication purposes, where the data subject is an existing customer of the Hospital and/or Lenmed Health or where we have received the data subject's consent to receive these communications, and in compliance with the provisions of the DPA. Data subjects will be given the opportunity to unsubscribe from any marketing communications, general communications and/or newsletters at any time, and with each communication received;
- For reporting, statistical, analytical, research and historical purposes;
- For any purposes which are required or authorised by law;
- To respond to requests by government, a court of law, or law enforcement authorities conducting an investigation;
- To detect, prevent or deal with any actual or alleged fraud, security breach or other incident.

The Hospital and Lenmed Health may also **collect, use, share and/or generally process** personal data or data, including health information that has been de-identified and/or aggregated, for example statistical or demographic data, for any purpose. In certain circumstances this aggregated or de-identified data may also be commercialised. Aggregated or de-identified data is not considered personal data in terms of the DPA, as this information is de-identified and does not, directly or indirectly, reveal your identity.

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## WHO WE COLLECT YOUR PERSONAL DATA FROM

Generally, we collect your personal data directly from you.

In certain circumstances we may also collect your personal data from other sources where it is necessary for us to do so, based on the purpose that we are processing the personal data for, such as (but not limited to) when you are admitted to or being treated at the Hospital or one of Lenmed Health's other hospitals. In these circumstances we may, for example, collect your personal data, including your health information, from your treating doctor, the radiology department, the pathology department, your medical aid scheme (including the scheme administrator) or any third-party medical insurer you have contracted with, and other medical practitioners and allied health professionals involved in your treatment and care.

### Is the collection of your personal data voluntary or mandatory?

Generally, the collection of personal data from you and from other sources (where required) is mandatory to achieve the **purposes** that we are collecting it for.

If the personal data that we are asking you for is voluntary, we will let you know.

If you withhold or refuse to provide us with the mandatory personal data (including sensitive personal data) that we require, this could prevent or have a material impact on our ability to:

- provide you with proper treatment or care (where you are a patient or a guarantor on behalf of a patient);
- provide you with our products or services (where we are the service provider);
- receive goods or services from you (where you are a supplier or service provider);
- process your job application (where you are a job applicant / job candidate); or
- generally, conclude or perform under a contract concluded with you.

## WHO WE DISCLOSE OR SHARE PERSONAL DATA WITH

We value and respect the confidentiality and privacy of the personal data that you entrust us with. We are not in the business of selling your personal data and we will not share or disclose your personal data to anyone except as provided in this Privacy Notice and/or any contracts or terms and conditions of service concluded with us.

By using our website and/or engaging with us for the provision of our or your services, you acknowledge and agree that we may share your personal data (including, where applicable your sensitive personal data, for example your medical information) in the following instances:

- If it is necessary to provide you with a service that you have requested or contracted us to provide or source on your behalf;
- If it is necessary to provide you with proper treatment and care;

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- If it is in your legitimate interest;
- If it is necessary for the proper performance of a public law duty by a public body;
- If it is required or authorised by law;
- If you have provided us with your consent;
- With Lenmed Health;
- With third party medical practitioners, medical practices, medical facilities (including pathology and radiology medical practices) and Allied health professionals who are involved in your treatment and care;
- With your medical scheme and its medical scheme administrator, the Motor Vehicle Accident Fund (Motor Vehicle Accident Fund Act, Botswana) or the Workers Compensation Fund (under the Workers Compensation Act, Botswana) or any other similar body, for the purposes of submitting and processing any claims to be made to these Parties associated with the treatment and care provided to you;
- With our and/or Lenmed Health's service providers (including our suppliers, subcontractors, affiliates, partners, agents and professional advisors), to provide you with our services, to provide you with proper treatment and care, for efficiency reporting purposes or generally as required for the administration and management of the Hospital and Lenmed Health's business. In these instances, we will ensure that the necessary security safeguards and confidentiality undertakings are in place to secure your personal data. We will only allow third parties to process your personal data for a specific purpose, in accordance with our instructions and in accordance with the requirements of the DPA and any other applicable data privacy laws;
- With our employees, who may require that information to do their jobs;
- With regulators and government authorities in connection with our compliance procedures and legal obligations;
- With a purchaser or prospective purchaser of all or part of our assets or our business or the shares of our company (or any subsidiary company), and their professional advisers, in connection with the purchase;
- With a third party, to enforce or defend our rights, or to address financial or reputational risks.

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## **SECURING YOUR PERSONAL DATA**

Securing the personal data you give us, or that we receive about you, is a priority for the Hospital. In accordance with the requirements of the DPA, we secure the integrity and confidentiality of personal data in our possession or under our control by taking appropriate and reasonable technical and organisational security measures to prevent:

- Loss of, damage to or unauthorised destruction of personal data; and
- Unlawful access to or processing of personal data.

We have taken reasonable measures to:

- Identify all reasonably foreseeable internal and external risks to personal data in our possession or under our control;
- Establish and maintain appropriate safeguards against the risks identified;
- Regularly verify that the safeguards are effectively implemented; and
- Ensure that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards.

## **HOW LONG WE RETAIN PERSONAL DATA FOR**

We will not retain your personal data longer than necessary. We will retain the personal data you provide to us or that we receive about you for as long as is needed to achieve the purpose that it was collected for, or for an extended period of time, even after the personal data is no longer needed to achieve the purpose that it was collected for, if the retention of your personal data records is:

- required by law or any code of conduct;
- required to meet regulatory requirements;
- needed for evidentiary purposes, to resolve disputes, to prevent or investigate fraud and abuse, or to enforce any contract concluded with you;
- reasonably required for lawful purposes that are related to the Hospital and/or Lenmed Health's functions, operations or activities;
- determined necessary in accordance with our internal document retention and destruction policies;

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- required for historical, research or statistical purposes. In these circumstances we will take measures to de-identify this personal data as far as reasonably possible.

Where applicable, personal data that has been included on our customer database and that is used for marketing and communication purposes will be retained by us and/or Lenmed Health. When you request to unsubscribe from these communications, your contact information contained in our customer communication database will be placed into an unsubscribe list, to enable us to manage and honour your unsubscribe request. Should you require us to delete your information completely from our customer communication data base, you understand that we will no longer be able to manage your unsubscribe request (as we will no longer have a record of your unsubscribe request available in our database).

#### **DIRECT MARKETING**

Generally, the Hospital and Lenmed Health do not use personal data for direct marketing purposes. The Hospital and/or Lenmed Health may however send out informative communications to its patients and other data subjects on its database, from time to time. Any communications sent out by the Hospital and/or Lenmed Health for the purposes of direct marketing would however be done in compliance with the requirements of the DPA.

To ensure that we maintain the quality of our service offering and the quality of our care, we may ask patients to complete customer experience surveys throughout their patient journey with us.

#### **STORAGE AND TRANSFER OF YOUR PERSONAL DATA**

Given the nature of our business, we may store both hard copy and electronic records containing personal data.

Hard copy personal data records may be stored at our facilities or premises, or when archived, at a third-party document retention service provider for the duration of the applicable document retention period. We will take reasonable and appropriate measures to ensure that hard copy personal data records stored or retained by third party service providers is done in compliance with the DPA.

Electronic personal data records may be stored on the Hospital and/or Lenmed Health's servers and/or on third party servers, including servers used for cloud-based software and applications used by the Hospital and/or Lenmed Health for the purposes of providing you with treatment and care at the Hospitals and for the administration and management of our and/or Lenmed Health's business.

While the Hospital endeavours, as far as reasonably possible, to store your personal data locally in Botswana and/or in South Africa, we may be required to transfer to and/or store your personal data on servers located outside of Botswana and/or South Africa. The Hospital may also have third party service providers that are located outside of Botswana and/or South Africa, which

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may result in your personal data being transferred and processed outside of these countries. Given the nature of the Hospital's business, some of this personal data may be health information or other categories of sensitive personal data, and some of this information may include the personal data of children.

The Hospital and Lenmed Health will take reasonable and appropriate measures to ensure that any personal data, sensitive personal data or children's information that is transferred outside of the borders of Botswana and the borders of South Africa is transferred in compliance with the requirements of the DPA and POPIA respectively and that an adequate level of privacy protection is in place between us/Lenmed Health and these third-party service providers/data processors.

#### **PROCESSING OF SENSITIVE PERSONAL DATA AND CHILDREN'S PERSONAL DATA**

Due to the nature of the Hospital's business and Lenmed Health as a hospital group, it is required to collect and process sensitive personal data and children's personal data, particularly in relation to the provision of treatment and care to our patients.

All sensitive personal data and children's personal data collected and processed by the Hospital will be done in compliance with the provisions of the DPA and POPIA, respectively.

#### **WHAT ARE YOUR PRIVACY RIGHTS**

As a data subject, the DPA provides you with a number of rights in relation to how your personal data is used and processed. As a data subject, you are entitled, in the prescribed manner and form, to:

- request access to and/or a copy of the personal data that we hold about you;
- update the personal data you have given to us, if the personal data is inaccurate or outdated;
- request the correction, restriction, destruction or deletion of personal data we hold about you (where legally permissible and subject to our right not to correct or delete the personal data record in certain circumstances);
- object to your personal data being processed by us and/or Lenmed Health (on reasonable and lawful grounds), in instances where you have a legitimate reason to believe that we are not processing your personal data in accordance with the provisions of the DPA; and to
- object to any processing of your personal data for the purpose of direct marketing by electronic communication, in the prescribed manner and form, or to unsubscribe from receiving any marketing or communication emails received from us by clicking the "unsubscribe" link at the bottom of any email; and

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- withdraw your consent to us processing your personal data, where consent is the relied on by us as the lawful basis for the processing that personal data;
- data portability, i.e. to receive personal data that you have provided to the Hospital in a structured, commonly used and machine readable format and have the right to transmit that data to another data controller in circumstances where processing is carried out by automated means and is based on consent of a contract (pursuant to section 26(a) or (b) or section 30(2)(a) of the DPA).

We will make commercially reasonable efforts to provide you reasonable access to any of your personal or other account information that we process and/or retain. In certain circumstances, such as when we are required to retain or withhold the disclosure of certain personal data by law, we may not be able to provide you with access to all your personal data or we may not be able to change, rectify or delete your personal data at your request. In these circumstances, we will provide you with reasons as to why your request cannot be complied with.

Hospital records will only be made available in accordance with the Access to Information Act, 16 of 2024).

#### **ADDRESSING COMPLAINTS, INFORMATION REQUESTS AND CONSENT WITHDRAWAL**

If you have a complaint about how we are processing your personal data, or if you wish to object to us processing your personal data or request the correction, deletion or destruction of any of the personal data records we hold about you please contact our Group Information Officer in writing at [info@lenmed.co.za](mailto:info@lenmed.co.za) (**Attention: Group Information Officer, Jayesh Parshotam**) , in the first instance, so that we can resolve the complaint or attend to your request.

All requests need to be submitted in writing on the prescribed forms, as set out in the DPA Regulations (once promulgated and published, and thereafter as amended from time to time).

Should you wish to request access to, or a copy of, your Medical Records, please contact the Hospital to obtain a copy of our Medical Records Request Form.

Should you wish to **withdraw a consent** that you have provided us with to process your personal data, please contact our Group Information Officer in writing at [info@lenmed.co.za](mailto:info@lenmed.co.za) (**Attention: Group Information Officer, Jayesh Parshotam**). Your consent may be withdrawn where your consent is the sole lawful ground which the Hospital and/or Lenmed Health relies on to process your personal data. You acknowledge that in circumstances where there are other lawful grounds which the Hospital and/or Lenmed Health relies on to process your personal data, the Hospital will still be entitled to process your personal data on those lawful grounds.

In terms of the DPA, you are also entitled to direct a complaint to Information and Data Protection Commission, Botswana ("the Commission") if you feel that your complaint has not been adequately addressed directly with us. Complaints to be addressed to the Commission must be completed in the prescribed manner and form as directed by the Commission from time to time.

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The Office of the Information and Data Protection Commissioner can be contacted at:

**Commissioner of the Information and Data Protection Commission in Botswana**

Private Bag 001  
Government Enclave, State House Drive  
Gaborone  
Botswana  
**Tel.** (+267) 3950800  
**Fax.** (+267) 3911786  
**Email:** op-pr-office@gov.bw

Their website is: <https://gov.bw/ministries/ministry-state-president>

**Note: The Information and Data Protection Commission's contact details are subject to change as it becomes more fully established.**

**CHANGES TO THIS PRIVACY NOTICE**

Changes may need to be made to this Privacy Notice, from time to time. We will endeavour to only make changes to this Privacy Notice where they are material, necessary and/or required because of legislative or regulatory changes or guidance, or any code of conducts published that may be relevant to the industry in which our business operates.

Any changes made to this Privacy Notice will be posted through an updated Privacy Notice that is loaded onto this website page. Please check this page to keep informed of any updated or revised Privacy Notice that may be posted.

**LAWS APPLICABLE TO THIS PRIVACY NOTICE**

This Privacy Notice is governed by the laws of the Republic of Botswana, and you hereby consent to the jurisdiction of the Botswana courts in respect of any dispute which may arise out of or in connection with the formation, interpretation, substance or application of this Privacy Notice.

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