

# PRIVACY NOTICE TO USERS OF ANY AND ALL CAREWORKS WEBSITES

## 1. INTRODUCTION

CareWorks Pty Ltd (“CareWorks”) is committed to ensuring the privacy of personal information by users on all our websites. This Privacy Notice (“this notice”) explains how we use or process your personal data (“personal information”) that we collect through your use of any of our websites or information provided by you through any of these websites.

Any references to “we”, “us” or “our” in this notice shall be to CareWorks; and references to “user”, “you” or “your” in this notice shall be to any user of this website.

## 2. OUR DETAILS

The data controller in respect of our websites is CareWorks Pty Ltd, a private company registered in South Africa, with its registered address at Block B, Regent Square, OB Doncaster Road, Kenilworth, 7708 Cape Town.

## 3. THIRD-PARTY LINKS

Our websites may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our websites, we encourage you to read the privacy notice of every website you visit.

## 4. WHAT PERSONAL INFORMATION WE COLLECT ABOUT YOU

Personal data or personal information means any information relating to a natural person which identifies the person or enables the identification of that person.

We collect information about you when you voluntarily register with us to receive company related alerts, complete our online information request form, and complete any surveys or feedback forms. We use cookies to collect information about your use of our websites (technical data). For more information about how we use cookies, please see our cookie policy below in section 11.

We may collect, use, store and transfer different kinds of personal data about you including:

- first and last name
- title
- date of birth
- gender
- occupation
- address
- e-mail address
- telephone numbers
- feedback and survey responses
- selected communication preferences

We may also collect, use and share aggregated data such as statistical or demographic data for any purpose. Aggregated data may be derived from your personal information but is not considered personal information in law as this information does not, directly or indirectly, reveal your identity. For example, we may aggregate your usage data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect aggregated data with your personal information so that it can, directly or indirectly, identify you, we treat the combined data as personal information which will be used in accordance with this notice.

We do not collect any information about criminal convictions and offences. Our websites are not intended for children, and we do not knowingly collect data relating to children.

## 5. HOW WE COLLECT YOUR PERSONAL INFORMATION

We use different methods to collect personal information from and about you, including through:

- **Direct interactions:** You may provide certain personal information (such as your name, address, telephone and e-mail address) by filling in forms or by corresponding with us by post, phone, e-mail or otherwise. This includes personal data you provide when you register for e-mail alerts on our websites; request information to be sent to you; complete and submit a survey; or provide feedback to us.
- **Automated technologies or interactions:** As you interact with our websites, we may automatically collect technical data about your equipment, browsing actions and patterns. We collect this by using cookies. Please see our cookie policy in section 11 below for further details. Through analytics, we use anonymised aggregated data such as statistical or demographic data.
- **Third parties:** We may receive personal data about you or aggregated technical data from external services providers contracted by CareWorks.

## 6. PURPOSES FOR WHICH WE USE YOUR PERSONAL INFORMATION

As summarised below, we only use your personal information to pursue our legitimate interests (or those of a third party), and your interests and fundamental rights do not override those interests; to comply with a legal obligation; for any other purpose that you have agreed with us; or otherwise permitted by law.

Purpose	Lawful basis for processing
To communicate with you in accordance with your selected preference, such as registering you for alerts; communicating alerts, surveys, financial and other information relating to the Company with you; responding to an information request by you.	To communicate with you in accordance with your preference.

To manage our relationship with you, which may include: notifying you about changes to our terms or privacy policy; asking you to take a survey or provide feedback.	Performance of a contract with you. Necessary to comply with a legal obligation. Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services).
To administer and protect our business and our websites (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data, compliance with legal or regulatory obligations and establishing, exercising or defending our legal rights)	Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise). Necessary to comply with a legal obligation.
To deliver relevant website content to you and measure or understand the effectiveness of the information we present.	Necessary for our legitimate interests (to study how visitors use our websites, to develop them, to grow our business and to inform our communication strategy).
To use data analytics to improve our websites, products/services, marketing, customer relationships and experiences.	Necessary for our legitimate interests (to define types of visitors to our websites and to keep our websites updated and relevant).

## Marketing and advertising

We do not use your personal information for marketing or advertising purposes. We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

## Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## 7. WHO WE SHARE YOUR PERSONAL INFORMATION WITH

We may have to share your personal data with the persons set out below for the purposes set out in section 6 above. We require all such persons to respect the security of your personal information and to treat it in accordance with applicable law.

### Agents or service providers

As set out in section 5 above, we outsource the processing of certain functions and/or information to third parties. When we do outsource the processing of your personal information to third parties or provide your personal information to third-party service providers, we oblige those third parties to protect your personal information with appropriate security measures in accordance with our standards and applicable law.

## Business transfers

Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal information in the same way as set out in this privacy notice.

## Legal requirements

We reserve the right to disclose any personal information we have concerning you if we are compelled to do so by a court of law, requested to do so by a governmental entity, or if we determine it is necessary or desirable to comply with the law or to protect or defend our rights or property in accordance with applicable laws. We also reserve the right to retain personal information collected and to process such personal information to comply with accounting, tax rules, regulations and any specific record retention laws.

We require all third parties to respect the security of your personal information and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal information for their own purposes and only permit them to process your personal information for specified purposes and in accordance with our instructions.

## 8. YOUR RIGHTS IN RELATION TO OUR USE OF YOUR PERSONAL INFORMATION

Subject to certain exceptions, you have rights under relevant data protection law in relation to our use of your personal information, including to:

- **request access to your personal information** held by us, together with an explanation of the categories of personal information being processed, the purposes of such processing, and the categories of third parties to whom the personal information may be disclosed;
- **request a correction of your personal information** if it is inaccurate or incomplete;
- **request restriction of processing or object to certain uses of your personal information** (which includes direct marketing, and processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling) and processing for purposes of scientific or historical research and statistics) on grounds relating to your particular situation;
- **request the erasure of your personal information**, or restrict its use, in certain circumstances (for example you can request that we erase your personal information where the personal information is no longer necessary for the purpose for which it was collected (unless certain exceptions apply); and
- **withdraw any consents** you have provided in respect of our use of your personal information.

If you have any questions about these rights, or you would like to exercise any of them, please contact our Information Officer by sending an e-mail to [info@careworks.co.za](mailto:info@careworks.co.za) or write to us at CareWorks, Block B, Regent Square, OB Doncaster Road, Kenilworth, 7708 Cape Town.

If you believe we process your personal information contrary to this Privacy Policy or in contravention of the law, please contact the Information Officer immediately. You may also lay a complaint with the Information Regulator once the Protection of Personal Information Act (Act 4 of 2013) has been implemented.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal information (or to exercise any of your other rights). This is a security measure to ensure that personal information is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

We endeavour to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

## 9. HOW LONG WE KEEP YOUR PERSONAL INFORMATION

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, or as permitted by law.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal information, the potential risk of harm from unauthorised use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal requirements.

## 10. HOW WE SECURE YOUR PERSONAL INFORMATION

Your personal information shall be treated as confidential and collected, processed and stored by CareWorks and our service providers in a manner that ensures appropriate security thereof, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures, which include:

- identity and access management;
- infrastructure and operations security;
- vulnerability management;
- business continuity planning;
- disaster recovery planning; and
- security awareness.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

While CareWorks will use all reasonable endeavours to ensure the integrity, security and confidentiality of all personal information submitted and/or obtained from a user, it will not be held liable under any circumstances if such information is compromised, disseminated or otherwise disclosed through conduct outside the control of CareWorks such as hacking, infection by “viruses”, “Trojan Horses” or any other computer programming routines or software that are intended to damage, detrimentally interfere with, surreptitiously intercept or expropriate any system, data or personal information.

## **11. COOKIE POLICY**

We collect data about how you interact with our websites and mobile applications through the use of cookies and similar technology.

Cookies are small text files which are downloaded to your computer or mobile device when you access a website or mobile application. Cookies are widely used in order to make such websites or mobile applications work, or work more efficiently, as well as to store some information about your preferences or past actions. You can find out more information about cookies at [www.allaboutcookies.org](http://www.allaboutcookies.org).

We use cookies to enhance the online experience of our users (for example, by remembering your language and/or product preferences) and to better understand how our sites are used. Cookies may tell us, for example, whether you have visited our site before or whether you are a new visitor.

Most browsers are initially set to accept cookies. You have the right to choose whether or not to accept cookies. However, please note that if you do not accept our cookies, you may not be able to use the full functionality of our websites or mobile applications.

You can find more information about how to manage and remove cookies (including how to opt-out) at [allaboutcookies.org/manage-cookies/](http://allaboutcookies.org/manage-cookies/) or by visiting the website relevant to the browser you are using.

## **12. CHANGES TO THIS PRIVACY NOTICE**

We keep this Privacy Notice under regular review and we will place any updates on this webpage. This Privacy Notice was last updated on 7 February 2021.