

**DR LINDA S KANTOR  
PSYCHOLOGIST**

M.A. (Psych) & PhD. U.C.T

**SECTION 51 “PROMOTION OF ACCESS TO INFO MANUAL” OF DR LINDA S KANTOR (Website)  
PRACTICE NO.: 8628726 “PROMOTION OF ACCESS TO INFORMATION” ACT**

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (“the Act”) and the Protection of Personal Information Act, 2013 (Act No 4 of 2013). The Act gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and/or held by a private person or entity where such information is required to protect a requester’s rights.

**LIST OF ACRONYMS AND ABBREVIATIONS**

- “**Guide**” A guide updated and published by the Information Regulator from time to time containing such information, in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in this act.
- “**PAIA**” Promotion of Access to Information Act 02 of 2000
- “**POPI**” Protection of Personal Information Act 04 of 2013
- “**Republic**” Republic of South Africa

**OVERVIEW**

Dr Linda S Kantor is a practice in the field of Psychology as registered at the Health Professions Council of South Africa (“HPCSA”). We specialise in Adult Individual Psychotherapy and Mindfulness Training. We work in the health sector and are healthcare professionals registered under the Health Professions Act of 1974 and are subject to the rules and regulations of the Health Professions Council of SA (HPCSA).

This manual **serves to inform members of the public of the categories of information we hold**, and which may, subject to the grounds of refusal listed in the Act, be disclosed after evaluation of an access application being made in terms of the Act.

This manual serves to inform members of the public of:

- the subjects on which we hold records and the categories of records held on each subject and the description of the categories of data subjects and of the information or categories of information relating thereto;
- the categories of information we hold, that are available without having to submit a PAIA request
- How to request access to records we hold, and which may, subject to the grounds of refusal authorised in the Act, be disclosed after evaluation of a request for access application being made in terms of the Act
- Records we hold which are available in terms of any other legislation
- Contact details of our Information Office
- the Guide and how to access it and how to use PAIA.
- Whether we will process personal information and our purpose of processing such personal information
- The recipients or categories of recipients to whom the personal information may be supplied
- Whether or not we planned transfer of personal information outside the Republic
- The description of the security measures we have in place to secure the personal information we process.

**AVAILABILITY OF THIS MANUAL**

A copy of this manual is available to the information regulator and to any person upon request and payment of the reasonable prescribed fee per A4-size photocopy made in terms of **ANNEXURE B-**

- At our reception desk at our office / offices at Suite 405, The Link, Christiaan Barnard Memorial Hospital, 48 Salazar Plain, Cape Town City Centre, Cape Town, 8000
- On request from our Information Officer, whose details are set out below
- On our website: [www.be-awake.co.za](http://www.be-awake.co.za)

**UPDATING OF THE MANUAL**

This Manual will be updated from time to time, as and when required, and as legislation changes.

**OUR INFORMATION OFFICER**

Our Information Officer is:

**Dr Linda Sara Kantor**

Head of Business: Dr Linda S Kantor

Position: Sole Proprietor

Postal Address: Suite 405, The Link, Christiaan Barnard Memorial Hospital, 48 Salazar Plain, Cape Town, 8001

Physical Address: Suite 405, The Link, Christiaan Barnard Memorial Hospital, 48 Salazar Plain, Cape Town, 8001

Phone Number: +27 83 684 9358

Email Address: [lindakantor@icloud.com](mailto:lindakantor@icloud.com)

Website: [www.be-awake.co.za](http://www.be-awake.co.za)

Our Deputy Information Officer is:

**Ms. Vivienne Sheila Zaacks**

Position: Administrative Officer

Postal address: 105 CPOA Berghof, 44a Hof Street, Gardens, Cape Town, 8001

Physical address: 105 CPOA Berghof, 44a Hof Street, Gardens, Cape Town, 8001

Phone Number: +27 84 47 00047

Email Address: [vszaacks1@gmail.com](mailto:vszaacks1@gmail.com)

### **HOW TO REQUEST ACCESS TO RECORDS HELD BY DR LINDA S KANTOR**

Requests for access to records held by us must be made on the request form that are attached to this Manual or available from our [website](#) or offices, also attached hereto as **Form 2, ("Request Form")**.

When a record is requested, the following will apply:

- Fees may be payable as prescribed by the PAIA Regulations.
- The Request Form must be completed by the Requester.
- **On the Request Form all details must be completed, including the right the requester wants to protect by requesting the information and WHY access to the information is required.**
- If the requester is acting on behalf of someone else, the signature of the other person as the one who has authorised the request, must be provided. In order to verify this, the Practice may require further proof such as an identify document or may call the person whose information it is to verify that s/he has given permission for the other person to access the information on his/her behalf.
- The requester must state in which format (inspection of copy, paper copy, electronic copy, transcript, etc) s/he wants to access the information.
- If the record is part of another record, the requester will only be able to access the part(s) that pertains to the information s/he wants or is entitled to, and not the rest of the record.
- The Request will be acknowledged.
- An answer will be provided within 30 days, and if not granted, state the reasons for the denial with reference to the specific provisions in the Act.

### **THE GUIDE ISSUED BY THE INFORMATION REGULATOR: HOW THE PROMOTION OF ACCESS TO INFORMATION ACT WORKS**

Section 50 of the Act provides that a requester may be provided access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, to access to a record of a private body for the exercise or protection of any rights, other than its rights, it must be acting in the public interest.

Requests under the Act must be made in terms of the procedures prescribed by the Act, at the fee prescribed by the Act.

For further information on the Act and how it works the Information Regulator a Guide amended, updated, and made available from time to time by the Information Regulator will be published by the Information Regulator in each official language and braille from time to time. The Guide can be:

- requested from the Information Officer and is available for inspection or copying during normal office hours in the languages it publishes it in,
- obtained from the website of the Information Regulator on <https://www.inforegulator.org.za/> or inspected and/or copied during normal working hours.

The Guide contains a description of, among others:

- the objects of PAIA and POPIA;
- the postal and street address, phone number and, if available, electronic mail address of-
  - the Information Officer of every public body, and
  - every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA;
- the assistance available from the Regulator in terms of PAIA and POPIA;
- all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
  - a complaint to the Regulator; and
  - an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- the regulations made in terms of section 92, which provide that the Minister may by Gazette make certain regulations, including matters related to fees.

## VOLUNTARY DISCLOSURE

The following information is made known automatically and persons do not have to fill out the request form to request such information:

Category of records	Types of the Record	Available on Website	Available upon request
Product list and product information	Marketing / Sales	Yes	Yes
Price list	Marketing / Sales	Yes	Yes
Information about the Practice, its operations, objectives, and the likes	General Business Information	n/a	Yes
Designation and numbers of key designations for business purposes	Contact Information	n/a	Yes

### RECORDS AVAILABLE IN TERMS OF LEGISLATION

Information is available in terms of the following legislation, subject to conditions set by such laws. As legislation changes from time to time, and new laws may stipulate new matters and extend the scope of access by persons specified in such entities, this list should be read as not being a final and complete list.

Category of Records	Applicable Legislation
PAIA Manual	Promotion of Access to Information Act 2 of 2000
Financial and staff records	Income Tax Act 58 of 1962
Information that must be disclosed to employees under the LRA	Labour Relations Act 66 of 1995
Leave, overtime,	Basic Conditions of Employment Act 75 of 1997
All employment policies and practices and its analyses,	Employment Equity Act 55 of 1998
Submissions and reports	Unemployment Insurance Act 63 of 2001
Claims and reports to the Compensation Fund	Compensation for Occupational Injuries and Disease Act 130 of 1993
Occupational Health and Safety committee records, Health and Safety Officer records.	Occupational Health and Safety Act of 85 of 1993
Electronic records (emails, agreements, financial records)	Electronic Communications and Transactions Act 25 of 2002
All records pertaining to direct consumer interactions or directed to the public as potential consumers	Consumer Protection Act 68 of 2008
Credit records	National Credit Act 34 of 2005
POPI Gap Analysis, POPI Framework/Policy, consents to processing, Data retention, archiving and destruction policy	Protection of Personal Information Act 4 of 2013
Consents, permits, reports by OHSC	National Health Act 61 of 2003
Consents	Children's Act 38 of 2005
Consents and interactions with facilities	Mental Healthcare Act 17 of 2002
Registrations and compliance records	Health Professions Act 56 of 1974
Claims, negotiation records	Medical Schemes Act 181 of 1998
Information submitted to- or requested by the Competition Commission, Health Market Inquiry.	Competition Act 89 of 1998

### DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE PRACTICE

We hold records in the categories listed below. **The fact that we list a record type here does not necessarily mean that we will disclose such records**, and all access is subject to the evaluation processes outlined herein, which will be exercised in accordance with the requirements of the Act.

Subjects on which the body holds records	Categories of records
Internal records relating to our business as a Practice	financial records; claims records; reimbursement records; records submitted to the CMS; scheme application forms, appeals and complaints / disputes; operational records, policies, and procedures; contracts; licences, trademarks and other intellectual property; production, marketing records; other internal policies and procedures; internal correspondence; statutory records; insurance policies and records; etc.
Personnel / HR / employee records	records of temporary/fixed term/part-time/permanent employees, locums, contractors. Records include personal files, records third parties have provided to us about their / our staff; employment contracts, conditions of employment; workplace policies; disciplinary records; termination records; minutes of staff meetings; performance management records and systems and all employment-related correspondence.
Health records	motivations, chronic forms, etc; client/patient lists; medical reports; funding records; consents; needs assessments; financial and accounts information; research information; actuarial information; profiling; and similar information. <b><i>It must be noted that, in the health sector, personal-, health and patient information are protected by legislation and ethical rules, and disclosure can only take place, if at all, within those frameworks.</i></b>
Third party information	which may be in our possession, but which would be subject to the conditions set in relation to such possession and use or purpose limitations.

Subjects on which the body holds records	Categories of records
Business / health sector environment and market information	information bought; publicly available information; commissioned information which pertains to the specific sector and market of our business and factors that affect the business; information relating to professional and healthcare environment.
(Trade / Professional) Association	Information provided by, submitted to, relating to. associations to which the business belongs, and may include membership information, office-bearers information, etc.

**CATEGORIES OF RECIPIENTS OF PERSONAL INFORMATION AND CATEGORIES OF PERSONAL INFORMATION SUPPLIED TO OTHERS**

We may share relevant personal and health information with our Operators, i.e., those who manage parts of our business on our behalf) and may have to supply personal information to entities authorised to receive, request, and process such information:

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Patient details, healthcare provider details	HPCSA
Credit and payment history, for credit information	Credit Bureaus, NCR
For CPD and training accreditation purposes	HPCSA
Claims / invoices	Compensation Fund

**PLANNED TRANS-BORDER FLOW OF PERSONAL INFORMATION**

The Practice does not have any planned trans-border flow of personal information.

**PURPOSE OF THE PROCESSING OF THE RECORDS REFERRED TO**

The purpose of processing the information contained in the records listed above, is:

In relation to **the business/internal records**: For good corporate governance and to comply with business, financial, companies' and tax legislation.

In relation to **employees**: for retention of employment records as legislated and execution of employer/employee agreements and labour legislation.

In relation to our **patients / consumers**: for retention of records as required by law and to provide financial and/or health records, to facilitate obtaining healthcare services and/or products, to facilitate access to health products and for the collection of membership fees for the services so provided.

In relation to **suppliers, vendors, and service providers**: for record retention as legislated and for the execution of the supplier and service level agreements.

**GENERAL DESCRIPTION THE SUITABILITY OF THE INFORMATION SECURITY MEASURES IMPLEMENTED OR TO BE IMPLEMENTED**

The Practice stores information electronically and physically as follows:

- Physical records are kept in locked cupboards at the business, which is locked when not in use, and at the end of each day and only Dr Linda Kantor & Mrs Lina Kantor (Dr Kantor's mother) have access to the keys to the filing and the boxes in storage, and only Dr Linda Kantor has access to the office(s) at and the practice. There is an alarm system, fire alarm and sign-in books at both building's security desks and security cameras are in both buildings.
- Copies of records are kept in a locked cupboard at the home office of Dr Linda Kantor.
- Electronic records are kept on office computers which are password protected, with software regularly updated to protect against hacking, unauthorised access, tampering and the likes, and staff are trained to avoid practices that could place records at risk and on good practices that would keep electronic information reasonably secure.
- Records are archived as per the decision of Dr Kantor. All records are kept in the same place and such archiving facility is secure in that the locked cupboard and the others are in the storage and only Dr Linda Kantor & Mrs Lina Kantor (Dr Kantor's mother) who have keys.

**PRESCRIBED FEES**

The following applies the request other than personal requests:

- The requestor is required to pay the prescribed request fee of **R140 (Please Check [POPI Website Link here](#) for Updated Costing)** before the request will be considered.
- A requestor will be notified if the search and the preparation of the record requested in the opinion of our Information Officer requires more than the prescribed 6 (six) hours, and a deposit of not more than one third of the access fee which would be payable if the access was granted, shall be payable.
- that the requester may lodge a complaint to the Information Regulator or an application with a court against the tender or payment of the request fee or the tender or payment of a deposit, as the case may be.
- Records may be withheld until fees have been paid.
- Prescribed fees will be charged for reproduction of an automatically or voluntarily available record.
- The latest fee structure is available on the website of the Information Regulator and attached hereto as Annexure B.

## OUTCOME OF REQUEST AND COMPLAINTS

- If the Requester is not satisfied, s/he may lodge a complaint to the Information Regulator in terms of the prescribed form or an application with a court within 30 days after the full or partial denial of access to the records.
- Note that the principle of severability may apply, i.e. information that are protected from disclosure (.e.g. third-party confidential information, business financial information, etc.) may be redacted or removed from the copy of the record.

This manual is signed by **Dr Linda Sara Kantor** on the **1st day of December 2021**.

A handwritten signature in black ink, appearing to read 'L. S. Kantor', is written over a horizontal line. The signature is contained within a rectangular box.

Signature: Information Officer

**FORM 2**  
**REQUEST FOR ACCESS TO RECORD**

[Regulation 7]

<b>Note:</b>	
1. Proof of identity must be attached by the requester.	
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.	
TO: The information officer:	
(Address)	
E-mail address:	
<b>Tick a Box Below</b>	
<input type="checkbox"/> Request is made in my own name	<input type="checkbox"/> Request is made on behalf of another person.

PERSONAL INFORMATION		
Full names:		
Identity number:		
Capacity in which request is made (when made on behalf of another person):		
Postal Address:		
Street Address:		
E-mail Address:		
Contact numbers:	Tel. (B):	
	Cellular:	
Full names of person on whose behalf the request is made (if applicable):		
Identity number:		
Postal Address:		
Street Address:		
E-mail Address:		
Contact numbers:	Tel. (B):	
	Cellular:	

PARTICULARS OF RECORD REQUESTED	
<i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>	
Description of record or relevant part of the record:	
Reference number, if available:	
Any further particulars of record:	

**TYPE OF RECORD***(Mark the applicable box with an "X")*

Record is in written or printed form:	
Record comprises virtual images ( <i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i> ):	
Record consists of recorded words or information which can be reproduced in sound:	
Record is held on a computer or in an electronic, or machine-readable form:	
<b>FORM OF ACCESS</b> <i>(Mark the applicable box with an "X")</i>	
Printed copy of record ( <i>including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form</i> ):	
Written or printed transcription of virtual images ( <i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i> ):	
Transcription of soundtrack ( <i>written or printed document</i> ):	
Copy of record on flash drive ( <i>including virtual images and soundtracks</i> ):	
Copy of record on compact disc drive ( <i>including virtual images and soundtracks</i> ):	
Copy of record saved on cloud storage server:	

**MANNER OF ACCESS***(Mark the applicable box with an "X")*

Personal inspection of record at registered address of public/private body ( <i>including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form</i> )	
Postal services to postal address:	
Postal services to street address:	
Courier service to street address:	
Facsimile of information in written or printed format ( <i>including transcriptions</i> ):	
E-mail of information ( <i>including soundtracks if possible</i> ):	
Cloud share/file transfer:	
Preferred language: ( <i>Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available</i> ):	

**PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED**

*If the provided space is inadequate, please continue on a separate page and attach it to this Form.  
The requester must sign all the additional pages.*

Indicate which right is to be exercised or protected:	
Explain why the record requested is required for the exercise or protection of the aforementioned on the right:	

**FEES**

- a) A request fee must be paid before the request will be considered.
- b) You will be notified of the amount of the access fee to be paid.
- c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason:

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address:

Electronic communication (*Please specify*):

Signed at  this  day of  20

Signature of requester / person on whose behalf request is made:

**FOR OFFICIAL USE**

Reference number:

Request received by: (*state rank, name, and surname of information officer*):

Date received:

Access fees:

Deposit (if any):

Signature of information officer:



**ANNEXURE B: FEES (Please Check [POPI WEBSITE Link Here](#) For ALL Updated COSTS Below)**

**Fees in Respect of Private Bodies**

<b>Item</b>	<b>Description</b>	<b>Amount</b>
1.	The Request Fee payable by every requester	R140.00
2.	Photocopy/Printed black & white Copy of A4-size page	R2.00 per page or part thereof.
3.	Printed black & white Copy of A4-size page	R2.00 per page or part thereof.
4.	For a Copy in a Computer-Readable Form on: (iii) Flash Drive (to be provided by requestor) (iv) Compact Disc	R40.00
	• If provided <u>by</u> requestor	R40.00
	• If provided <u>to</u> the requestor	R60.00
5.	For a Transcription of Visual per A4-size page	Service to be outsourced.
6.	Copy of Visual Images	Will depend on quotation from Service Provider.
7.	Transcription of an Audio Record, per A4-size page	R24.00
8.	Copy of an Audio Record on: (v) Flash Drive (to be provided by requestor) (vi) Compact Disc	R40.00
	• If provided <u>by</u> requestor	R40.00
	• If provided <u>to</u> the requestor	R60.00
9.	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.  To <u>not</u> exceed a total cost of:	R145.00  R435.00
10.	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
11.	Postage, E-mail, or any other Electronic Transfer	Actual expense, if any.