



PRIVACY POLICY DOCUMENT

1. INTRODUCTION AND PURPOSE

NeuroVantage ("we", "us", "our", "the Practice") is committed to protecting the privacy and personal information of all clients — including children and their parents or guardians — in full accordance with the applicable laws of the Republic of South Africa. This Privacy Policy explains how we collect, use, store, share, and protect your personal information when you engage with our brain training therapy services, which include HEG (Haemoencephalography) Therapy and Neurofeedback.

By engaging with NeuroVantage, scheduling an appointment, or submitting personal information in any form, you acknowledge that you have read and understood this Privacy Policy and consent to the processing of your personal information as described herein.

This Policy applies to all current and prospective clients, parents and guardians of minor clients, and any other individuals whose personal information we process in connection with the delivery of our services.

2. LEGAL FRAMEWORK

NeuroVantage processes personal information in compliance with the following South African legislation and regulatory frameworks:

- **Protection of Personal Information Act (POPIA), No. 4 of 2013** — the primary data protection law governing the collection, use, storage, and sharing of personal information in South Africa. POPIA sets out eight conditions for lawful processing and provides enhanced protections for special personal information, including health data.
- **National Health Act, No. 61 of 2003** — which governs the confidentiality of patient health records, informed consent for health interventions, and the rights of health service users in South Africa.
- **Constitution of the Republic of South Africa, 1996, Section 14** — which enshrines the right to privacy as a fundamental right.
- **Electronic Communications and Transactions Act (ECTA), No. 25 of 2002** — which governs electronic communications, data messages, and online consent.
- **Consumer Protection Act (CPA), No. 68 of 2008** — which provides rights to clients regarding fair, honest, and transparent service delivery.
- **Children's Act, No. 38 of 2005** — which applies to the collection and processing of personal information relating to minor clients (under 18 years of age).
- **POPIA Health Data Regulations (gazetted March 2026)** — prescribing additional requirements for the processing of health information by responsible parties, in accordance with Section 32(6) of POPIA.

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3. RESPONSIBLE PARTY

Under POPIA, NeuroVantage is the Responsible Party — meaning we determine the purpose of and means by which your personal information is processed. Adri Clayton serves as the designated Information Officer of this practice and is accountable for ensuring compliance with POPIA and all associated regulations.

Contact details of the Information Officer:

- Name: Adri Clayton
- Practice: NeuroVantage
- Address: Buchanan Wellness, 6A Meyrickton Park, Meyrickton Place, Hillcrest, Durban, KwaZulu-Natal, 3610
- Email: info@neurovantage.co.za
- Phone: 068 939 4779

4. PERSONAL INFORMATION WE COLLECT

We collect only personal information that is adequate, relevant, and necessary for the provision of brain training therapy services, in accordance with the minimality principle of POPIA (Section 10).

4.1 General Personal Information

- Full name, date of birth, and identity number
- Contact details: telephone number, email address, and physical address
- Emergency contact information
- Medical aid / health insurance details (where applicable)
- Referral source

4.2 Special Personal Information (Health Data)

Health information constitutes "special personal information" under Section 26 of POPIA and is subject to enhanced protections. We collect and process the following health-related information strictly for the purpose of delivering appropriate brain training therapy:

- Health history and any current or past diagnoses (e.g. ADHD, ASD, anxiety, PTSD, seizure disorders)
- Medication history and current medication
- Psychological or psychiatric assessment reports (where provided by the client or a referring professional)
- Brain mapping (qEEG) and HEG session data
- Session progress notes and treatment outcomes
- School or occupational reports (where relevant to therapy planning)

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4.3 Minor Client Information

Where the client is under 18 years of age, we collect and process their personal information only with the prior written consent of a parent or legal guardian, in accordance with Section 34 of POPIA and the Children's Act, No. 38 of 2005. Parents or guardians retain rights over the minor's personal information until the client reaches the age of 18.

5. HOW WE USE YOUR PERSONAL INFORMATION

We process your personal information for the following specific and lawful purposes:

- Assessment and therapy delivery — conducting initial assessments (including HEG and qEEG brain mapping), designing individualised therapy protocols, and delivering HEG Therapy and Neurofeedback sessions.
- Progress monitoring and record-keeping — maintaining accurate session records and tracking therapeutic outcomes over time.
- Appointment scheduling and practice administration — managing bookings, cancellations, reminders, and billing.
- Communication — contacting clients or guardians regarding appointments, therapy progress, and relevant practice updates.
- Multidisciplinary consultation — sharing relevant information with other healthcare professionals (with your prior consent) to support coordinated care. See Section 7 below.
- Legal and regulatory compliance — fulfilling obligations under POPIA, the National Health Act, and other applicable legislation.
- Safety — responding to emergencies or situations where disclosure is necessary to prevent serious harm to the client or others.

We will not use your personal information for any purpose incompatible with those stated above without first obtaining your explicit consent (Section 15 of POPIA — Further Processing Limitation).

6. LAWFUL BASIS FOR PROCESSING

NeuroVantage processes personal information on the following lawful grounds in terms of Section 11 of POPIA:

- Consent — you have provided explicit, informed consent for us to process your personal information and health data.
- Contractual necessity — processing is necessary for the performance of the service agreement between you and NeuroVantage.

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- Legitimate interest —processing is necessary for the legitimate operational interests of the Practice, provided this does not override your privacy rights.
- Legal obligation —processing is required to comply with a legal obligation, including obligations under the National Health Act and POPIA.
- Protection of vital interests —in limited emergency circumstances, to protect the life or safety of the client.

Health information (special personal information) is processed under the authorisation provided by Section 32(1)(a) of POPIA, which permits processing by practitioners providing health-related care, where necessary for the proper treatment and care of the client or the administration of the practice. Processing is further authorised by the Health Data Regulations gazetted in March 2026 under Section 32(6) of POPIA. All health data is treated with the strictest confidentiality.

7. SHARING YOUR INFORMATION WITH THIRD PARTIES

We do not sell, rent, or trade your personal information. Your information will only be shared in the following limited and controlled circumstances:

7.1 Multidisciplinary Healthcare Team

With your prior written consent, we may consult with or share relevant clinical information with other healthcare professionals involved in your or your child's care. These may include:

- Psychologist
- Psychiatrist
- General Medical Practitioner (GP)
- Occupational Therapist (OT)
- Educational Psychologist
- Speech and Language Therapist
- Neurologist
- Other specialists as relevant to your treatment plan
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Any such sharing will be limited to the minimum information necessary for continuity of care and will be conducted in a manner consistent with the confidentiality obligations under Section 32(2) of POPIA and the National Health Act.

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7.2 Service Providers (Operators)

We may use trusted third-party service providers (operators in terms of POPIA) to assist with practice management, including appointment scheduling software, secure cloud storage, and billing. All operators are required by written contract to handle your information confidentially and in compliance with POPIA (Section 21).

7.3 Legal and Regulatory Disclosure

We may disclose personal information where required by law, court order, or by a directive from the Information Regulator. In emergency situations, we may disclose information without consent where necessary to prevent serious harm to the client or others.

7.4 Cross-Border Transfers

We do not routinely transfer personal information outside the borders of South Africa. If a cross-border transfer becomes necessary (e.g. through a cloud-based service provider), we will ensure that the receiving country or recipient provides adequate protection equivalent to POPIA, as required by Section 72 of POPIA.

8. RETENTION AND DESTRUCTION OF RECORDS

Personal and health information will be retained only for as long as is necessary for the purpose for which it was collected, or as required by law (Section 14 of POPIA). Applicable retention guidelines include:

- **Adult client records** —retained for a minimum of 5 years from the date of the last treatment session, in accordance with South African health record guidelines.
- **Minor client records** —retained until the client turns 21 years of age (i.e. 3 years after the age of majority), or for a minimum of 5 years from the last session, whichever is longer.
- **Financial records** —retained for 5 years as required by the South African Revenue Service (SARS).

Upon expiry of the applicable retention period, personal information records will be securely destroyed, deleted, or de-identified, as appropriate, to prevent any unauthorised access or use.

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9. SECURITY SAFEGUARDS

We implement reasonable and appropriate technical and organisational measures to protect your personal information against loss, damage, unauthorised access, disclosure, or destruction, in accordance with Section 19 of POPIA. These measures include:

- Password-protected and encrypted digital record-keeping systems
- Restricted access to personal information on a need-to-know basis
- Secure physical storage of any paper-based records
- Regular review and updating of security measures
- Contractual obligations imposed on all third-party operators to maintain equivalent safeguards

Data Breach Notification

In the event of a security compromise (data breach), we will notify both the Information Regulator and affected data subjects as soon as reasonably possible after becoming aware of the breach, using the prescribed SCN1 form in accordance with Section 22 of POPIA and the Information Regulator's August 2022 guidelines. Notification will include a description of the breach, what data was affected, steps taken to address it, and recommended protective measures for affected clients. There is no minimum threshold — all security compromises, regardless of perceived risk level, are reportable.

10. YOUR RIGHTS AS A DATA SUBJECT

In terms of Sections 23–25 of POPIA, you have the following rights regarding your personal information:

- **Right of access** —you may request confirmation of whether we hold personal information about you and request a copy or description of that information.
- **Right to correction** —you may request that inaccurate, irrelevant, excessive, out-of-date, incomplete, or misleading information be corrected or updated.
- **Right to deletion/destruction** —you may request that personal information we are no longer authorised to retain be deleted or destroyed.
- **Right to object** —in certain circumstances, you may object to the processing of your personal information, particularly in relation to direct marketing.
- **Right to withdraw consent** —where processing is based on consent, you may withdraw consent at any time, without affecting the lawfulness of processing carried out prior to withdrawal.
- **Right to lodge a complaint** —you have the right to lodge a complaint with the Information Regulator of South Africa if you believe your rights under POPIA have been violated.

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Information Regulator Contact Details:

- Website: www.inforegulator.org.za
- Email: inforeg@justice.gov.za
- Address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
- Phone: 010 023 5207

To exercise any of your rights, please submit a written request to the Information Officer at the contact details provided in Section 3. We will respond within a reasonable timeframe as prescribed by POPIA.

11. SPECIAL PROVISIONS FOR MINOR CLIENTS

The processing of personal information — particularly health information — relating to minor clients (under 18 years of age) is subject to strict additional requirements under Section 34 of POPIA and the Children's Act, No. 38 of 2005.

- Consent for processing a minor's personal information must be obtained from a parent or legal guardian prior to any collection or processing.
- The parent or guardian retains the rights of the data subject on behalf of the minor.
- Minor client health information is classified as both special personal information (health data) and minor data and is therefore subject to the highest level of protection under POPIA.
- A minor client who reaches the age of 18 during the course of therapy will be required to provide their own consent for continued processing of their personal information.
- Records relating to minor clients will be retained as described in Section 8 of this Policy.

12. ELECTRONIC COMMUNICATIONS AND DIRECT MARKETING

In accordance with Section 69 of POPIA and the Electronic Communications and Transactions Act (ECTA), No. 25 of 2002:

- We will only send you electronic communications (such as appointment reminders, newsletters, or practice updates) with your prior consent or within the existing client relationship context.
- You may opt out of any direct marketing communications at any time by contacting us at the details in Section 3, or by following the unsubscribe instructions in any electronic communication.
- We will not share your contact details with third parties for marketing purposes.

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13. UPDATES TO THIS PRIVACY POLICY

NeuroVantage reserves the right to update this Privacy Policy periodically to reflect changes in legislation, regulatory guidance, or practice operations. The current version and effective date will always be displayed at the top of this document. Where changes are material, we will notify existing clients by email or in writing. Continued engagement with our services following notification of changes constitutes acceptance of the updated Policy.

This Policy is reviewed at least annually, with the next scheduled review in July 2027.

14. CONTACT AND COMPLAINTS

For any queries, concerns, or requests relating to this Privacy Policy or the handling of your personal information, please contact the Information Officer:

- Name: Adri Clayton — Information Officer, NeuroVantage
- Email: adri@neurovantage.co.za
- Phone: 068 939 4779
- Address: Buchanan Wellness, 6A Meyrickton Park, St Helier Road, Hillcrest, Durban, KwaZulu-Natal

If you are not satisfied with our response, you have the right to escalate your complaint directly to the Information Regulator of South Africa (see Section 10 for contact details).

CLIENT ACKNOWLEDGEMENT

By signing below, I confirm that I have read, understood, and accept the terms of this Privacy Policy. I consent to the collection and processing of my personal information (or that of my minor child) as described in this Policy, for the purpose of receiving brain training therapy services from NeuroVantage.

Full Name of Client / Parent or Guardian:

Relationship to Client (if signing on behalf of a minor):

Signature:

Date:

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