
Brain Evaluation Solutions and Testing (PTY) Ltd. (BEST) Privacy Policy Terms and Conditions

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The Directors of BEST have attended several CPD accredited workshops on the Protection of Private Information Act of 2013 (POPIA), to ensure company compliance with the Act

Persons accessing www.bestbrainsolutions.co.za website, subject themselves to, and agree to, BEST's terms conditions and privacy policy, as set out in this document.

BEST values personal privacy. To help maintain your privacy and the security of your personal information, we communicate this and all of our privacy policies to BEST employees and service providers, and we internally enforce privacy safeguards. We are endeavoring to implement our compliance with the Protection of Personal Information Act of 2013 (POPIA) for our customers in South Africa.

1. Introduction

Our plan of action for the protection of your personal information follows below. It describes how we **collect, use, disclose, store and destroy** your personal information.

1.1 Application

This policy applies to you when you visit our website, use our software, or any of our services.

1.2 Security

1.2.1 We take the security of personal information very seriously and always do our best to comply with applicable data protection laws.

- 1.2.2 The company that hosts our website will do so in a secure server environment that uses a firewall and other advanced security measures to prevent interference or access from outside intruders.
- 1.2.3 All our personal computers/laptops, and those of our employees are password protected and secured with virus protection software that is frequently updated. All confidential files stored on these computers/laptops are encrypted and backed up in the cloud. We will implement disaster recovery procedures where appropriate.
- 1.2.4 We restrict access of personal information to our employees who are bound by confidentiality obligations and may be subject to discipline, including termination and criminal prosecution, if they fail to meet these obligations.

2. Collection of Personal Information

- 2.1 Personal information (or “Personally Identifiable Information” or “PII”) is information and data that can be used to specifically identify or contact a single person. You may be asked to provide your personal information when you contact BEST for any reason. BEST may share your personal information internally. If we do, we will use it in accordance with this Privacy Policy.
- 2.2 *Accuracy*
We will do our best to keep your personal information that we collect accurate, complete, and up to date.
- 2.3 *Retention*
We will only keep your personal information for as long as is necessary to fulfil our obligations to you.

2.4 *Transfer and Storage of data*

For the purposes of brain evaluation, you consent to us processing, transferring and storing your personal information in the USA, with data protection laws that are recognized by POPIA.

2.5 *Personal Information we collect*

When you make use of our software and services, or request support or download a software update, we may collect a variety of information, including your name, email address and phone number. We may also ask for additional specific information in certain circumstances should it be required by law.

2.6 *How your personal information is used*

Your personal data is stored on the BEST employee's personal computers/laptops, or on the cloud for optimal transborder flow. In addition, personal information will be used for internal purposes such as auditing and data analysis, and to assist us develop, deliver, improve and customize our software, products, services and content, thereby providing a better experience for every user of our software, products, and services.

2.7 If BEST becomes involved in a legal process in connection with any software, products, or services offered, we may be required to disclose your PII to a government authority. Our response(s) to any such legal process will be handled on a case-by-case basis following the advice of our attorneys.

3. Collection of Clinical Information

3.1 Clinical information is broadly defined for the purposes of this policy as information required for the brain evaluation process that informs a neuropsychological report. It includes information about the relevant current clinical status, background medical information, educational background, and the neurocognitive data derived on testing.

- 3.2 The collection of clinical information is used for clinical, occupational, rehabilitation and research purposes relating to brain injury evaluation. As with all personal identifying data, clinical data is stored on the BEST employee's personal computers/ laptops, or on the cloud for optimal transborder flow.
- 3.3 As with all personal identifying information, clinical information will only be retained for as long as is necessary to fill our brain injury evaluation obligations to our customers.

4. Collection of Non-Personal (de-identified) Information

- 4.1 Non-personal information is information of a type or in a form that does not permit direct identification.
- 4.2 We may collect, use, transfer, and disclose non-personal information for specific purposes delineated below.

We may collect non-personal information regarding our customers collectively including information such as age, gender, race, occupation, preferred language, education and geographic location. We use this to improve our software, products, services, communications, support, help, user experiences, and advertising for our customers. We may also use your de-identified clinical information for group and case-based research purposes, training, academic presentations and publications in the scientific forum.

5. Disclosure to Third Parties

- 5.1 At times BEST may make certain personal identifying and/or clinical information available to strategic partners that work with us to provide software, products and services, or that help us service our customers.

6. Service Providers

6.1 To provide its various products or services, BEST works with third party providers, who are located outside of South Africa (currently the USA). At any given time, BEST may work with one or more such providers.

We will only provide personal identifying information and clinical information to these companies when it is required for them to provide their services, or to improve our products or services for our customers. These companies are contractually obligated to protect your information.

6.2 We reserve the right to disclose personal information, including clinical information, if we reasonably believe that disclosure is necessary to protect our users, customers, or the public, prevent fraud or financial wrongdoing, or in any action to enforce our End User License Agreement with our service providers, or any other policies regarding BEST.

7. BEST/POPIA Perspective

7.1 *Disclosure and Use*

BEST will let users know to whom we are disclosing personal identifying and clinical information, and how it is being used, transferred and protected, via a series of consent forms and contractual agreements. Such consent and agreements will cover:

- ***The customer using our services*** (e.g. clinics, schools, sports clubs, organizations);
- ***The participants undergoing brain evaluation assessments*** (e.g. athletes, patients, organizational employees);
- ***BEST's employees working with the clinical data*** (e.g. test administrators and neuropsychologists);

- **External operators appointed by the customer using our services to receive BEST's neuropsychological reports** (e.g. medical doctors, san sisters, school or sports heads, clinic directors);
- **BEST's service providers** (i.e., the companies from whom BEST purchases neurocognitive test software).

8. Access to Your Personal Information

8.1 You can request access to any of your personal identifying and clinical information. However, specific test scores are not normally distributed in the absence of interpretation by a registered neuropsychologist due to possible misuse and/or misinterpretation of the data. Therefore, access to such test scores will be discouraged. You can request that we edit your information if it is inaccurate or delete your personal information. BEST will comply with such requests if they are reasonable. We will delete your data if BEST is not required to retain it by law, and does not require it for legitimate business purposes. We may reserve the right to refuse deletion requests that we believe require undue time, or technical effort, or where not provided by local law.

8.2 BEST will securely destroy your personal identifying data, and the clinical data collected and reported on for the purposes of a brain evaluation, when it is deemed by BEST's directors to be no longer required for strategic business, clinical or research purposes going forward. Clinical data obtained in the brain evaluation process can be useful for the evaluation of future brain injury, or for monitoring a long-term rehabilitation process. It may therefore be considered clinically valuable to retain such information over a period of many years, unless there is a special request for the information to be destroyed.

9. Media Policy including Social Media

BEST will apply all POPI principles in Media and Social Media communication. BEST prefers formal communication platforms such as email rather than the use of social media such as Facebook messenger or WhatsApp.

10. Limitations

- 10.1 Following our signed agreements with our customers, employees and external operators, we are not responsible for them upholding their agreements to protect your personal information in compliance with POPIA, 2013.

11. Updates and Enquiries

This Privacy Policy is subject to change from time to time at BEST's sole discretion. Please check this page periodically for changes. Any such changes to the Privacy Policy will be available on this page. If the policy has been changed in a material way, a notice will be posted on our website along with a link to the updated Privacy Policy.

Please contact us by email if you have any questions about this privacy policy or how we handle your personal information.