

INFORMATION MANUAL

PREPARED IN TERMS OF SECTION 51 OF
THE PROMOTION OF ACCESS TO INFORMATION ACT, No. 2 of 2000
("the ACT")

for

OUR LADY OF FATIMA DOMINICAN CONVENT SCHOOL

(PBO 18/11/13/2807)
("the school")



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TABLE OF CONTENTS

1. Introduction and general information
2. School contact details – Section 51 (1) (a)
3. The Act and Section 10 Guide on how to use the Act – Section 51 (1) (b)
4. Availability of the manual
5. Applicable legislation – Section 51 (1) (c)
6. Schedule of records held by the school – Section 51 (1) (d)
7. Purpose of processing information in records
8. Records that may be requested
9. Request procedure in terms of the Act – Section 51 (1) (e)
10. Fees payable – Section 51 (1) (f)
11. Deposit
12. Grounds for refusal of access to records
13. Right of appeal
14. Prescribed forms
 - Annexure A – Form C

1. INTRODUCTION AND GENERAL INFORMATION

Our Lady of Fatima Dominican Convent School is an independent catholic girl's day school and is registered in terms of the South African Schools Act 84 of 1996 and is registered as a Public Benefit Organisation (18/11/13/2807).

Our Lady of Fatima Dominican Convent School is registered with the Department of Education (EMIS 500245199) and is accredited by Umalusi (16SCH0100240).

This manual informs the requesters of access to information of the procedural and other requirements with which a request must comply with in terms of the Act.

The Act sets out:

Procedural issues attached to requesting information,
The requirements the request must comply with, as well as,
The grounds for refusal of a request for information.

The right to access to information must be balanced against any other rights contained in the Constitution.

2. SCHOOL CONTACT DETAILS – Section 51 (1) (a)

Owners of the school:

The Dominican Sisters of the Third Order of St. Catherine of Siena Newcastle

Great Britain address:

Generalate – Rosary Priory Elstree Road, Bushey, Watford, Hertfordshire, WD2 3RJ

South African address:

Regional House – St. Rose's Convent, Box 1205, Boksburg, Gauteng, RSA, 1460

School Postal and Physical Address:

155 Kenneth Kaunda Road, Durban North, 4051

Telephone Number: 031 563 5390

Facsimile Number: 086 758 6628

Email: fatimacs@fatima.co.za

Website: www.fatima.co.za

Principal: Mrs DA Horsfall

Information Officer: Mrs KD Burgerhoff

kburgerhoff@fatima.co.za

3. THE ACT AND SECTION 10 GUIDE ON HOW TO USE THE ACT – Section 51 (1) (b)

The school has followed the guide as stipulated by the South African Human Rights Commission.

3.1 The Act grants a requester 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, the public body must be acting in the public interest.

3.2 Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

3.3 A guide on how to use the Act to obtain information is available in various languages from the South African Human Rights Commission.

The guide is available from The South African Human Rights Commission, PAIA Unit, The Research and Documentation Department at:

Postal Address: Private Bag X 2700, Houghton, 2041

Telephone Number: +27 11 877 3600

Facsimile Number: +27 11 877 3750

Email: PAIA@sahrc.co.za

Website: www.sahrc.org.za

4. AVAILABILITY OF THE MANUAL

Our Lady of Fatima's manual is available for inspection free of charge at the school's physical address as set out in contact details at 2 above. A copy is also available on the school website.

5. APPLICABLE LEGISLATION – Section 51 (1) (c)

5.1 South African Schools Act 84 of 1996;

5.2 Basic Conditions of Employment Act 75 of 1997;

5.3 Labour Relations Act 66 of 1995;

5.4 Compensation of Occupational Injuries and Disease Act 130 of 1993;

5.5 Employment Equity Act 55 of 1998;

- 5.6 Unemployment Insurance Act 63 of 2001;
- 5.7 Income Tax Act 58 of 1962
- 5.8 Skills Development Act 9 of 1999
- 5.9 Occupational Health and Safety Act 85 of 1993
- 5.10 Medical Schemes Act 131 of 1998
- 5.11 Pension Funds Act 24 of 1956
- 5.12 POPI Act 4 of 2013

6. SCHEDULE OF RECORDS HELD BY THE SCHOOL – Section 51 (1) (d)

The subjects / categories that the school keeps records on, and the description of these records are as follows:

6.1 HUMAN RESOURCES

- 6.1.1 List of employees
- 6.1.2 Employment contracts
- 6.1.3 Statistics regarding employees
- 6.1.4 Personnel records including personal details, disciplinary records, performance and internal evaluation records
- 6.1.5 Unemployment Insurance Fund contributions
- 6.1.6 Pay As You Earn contributions
- 6.1.7 Employee tax information
- 6.1.8 Provident fund records
- 6.1.9 Payroll records
- 6.1.10 Health and safety records
- 6.1.11 Workplace skills plans
- 6.1.12 Correspondence relating to personnel
- 6.1.13 Other policy documents

6.2 PARENTS

- 6.2.1 Personal information as required on application document and enrolment contract:

- Names
- Addresses
- Contact details
- Identity numbers
- Bank account details for debit orders

6.2.2 Circulars

6.2.3 Correspondence

6.3 LEARNERS

6.3.1 Applications for enrolment which includes:

- Names
- Addresses
- Identity number

6.3.2 Personal files for each learner

6.3.3 Academic records / individual report cards

6.3.4 Class lists

6.3.5 Class timetables

6.3.6 Assessment details

6.3.7 Medical information

6.3.8 Photographs

6.4 BOARD OF GOVERNORS

6.4.1 Constitution

6.4.2 Resolutions of the Board of Governors

6.4.3 Minutes of meetings of the Board of Governors

6.5 SCHOOL MANAGEMENT

6.5.1 Internal correspondence

6.5.2 Minutes of meetings of Core Management

6.5.3 Minutes of meetings of Extended Management

6.5.4 Minutes of meetings of Equity Committee

6.6 PROPERTY

6.6.1 Asset registers

6.6.2 Records regarding insurance in respect of movable and immovable property

6.7 INFORMATION TECHNOLOGY

6.7.1 Support and maintenance agreements

6.7.2 Computer software

6.8 SUPPLIERS

6.8.1 Agreements with contractors and suppliers

6.8.2 Supplier lists and details of suppliers

6.8.3 Supplier banking details

6.9 FINANCE

6.9.1 Annual Financial statements

6.9.2 Auditor's reports

6.9.3 Accounting records

6.9.4 Insurance records

6.9.5 Debtors records

6.9.6 Creditors records

6.9.7 Bank statements and other banking and investment records for the school

6.9.8 Billing information related to each parent

7. PURPOSE OF PROCESSING OF INFORMATION IN RECORDS

The purpose of processing the information described in point 6 above is required in order to operate the business of the school and its related activities. The very nature of the business is dependent upon holding and processing personal information. Trans-border flows of personal information generally relate only to the authorized transfer of information in respect of connected persons, such as parents and pupils, who are not ordinarily resident in South Africa.

Information is essentially controlled via restricted access to buildings where appropriate, locked doors, cabinets, computer firewalls and password protection. The entrance is manned by a security guard and the administration block is alarmed after hours. Certain records, such as student records, payroll and accounts have access limited by location and user.

8. RECORDS THAT MAY BE REQUESTED

The following records of the school by be available upon request:

- 8.1 Financial records
- 8.2 Asset records
- 8.3 Employment records
- 8.4 Employment policies
- 8.5 Information technology records
- 8.6 Procurement records

Please note that recording a category or subject in this manual does not imply that a request for access to such records would be honored. All requests for access will be evaluated on a case by case basis on their own merits. The school reserves the right to decline to grant access to records in accordance with the provisions of the Act.

9. REQUEST PROCEDURE IN TERMS OF THE ACT – Section 51 (1) (e)

Any person wishing to gain access to information held by the school in terms of section 50 of the Act must use the prescribed form contained in the Regulations Regarding the Promotion of Access to Information (Form C). A copy of the form is attached as Annexure A to this manual. The request must be made in writing and addressed to the Information Officer at the school contact details as set out in 2 above.

9.1 The requester must:

- 9.1.1 provide sufficient details on the request form to enable the Information Officer to identify the record and the requester: and
- 9.1.2 indicate in which form of access is required; and
- 9.1.3 specify a postal address or fax number within South Africa; and
- 9.1.4 identify the right that the requester is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.
- 9.1.5 If the request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.

- 9.1.6 The Information Officer will make a decision whether to grant the request or to decline the request and must notify the requestor in writing of the decision in relation to the request.
- 9.1.7 If the request is granted, then an access fee must be paid for the search, reproduction and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.
- 9.1.8 If, after reasonable steps have been taken to find a record requested and same cannot be located or does not appear to exist, the school will advise the requester accordingly.

10. FEES PAYABLE – Section 51 (1) (f)

10.1 The fee for a copy of the manual as contemplated in regulation 9 (2) (c) is R1,10 for every photocopy or an A4 page or part thereof.

10.2 The fees for reproduction referred to in regulation 11 (1) are as follows:

- | | |
|--|--------|
| 10.2.1 For every photocopy of an A4 page or part thereof | R1.10 |
| 10.2.2 For every printed copy of an A4 page or part thereof held on a computer or in electronic or machine-readable form | R0,75 |
| 10.2.3 For a copy in a computer readable form on- | |
| 10.2.3.1 Compact disc | R7,50 |
| 10.2.3.2 Flash drive | R70,00 |
| 10.2.4 For transcription of visual images, for an A4 page or part thereof | R40,00 |
| 10.2.5 For a copy of visual images | R60,00 |
| 10.2.6 For a transcription of an audio record, for an A4 page or part thereof | R20,00 |
| 10.2.7 For a copy of an audio record | R30,00 |

10.3 The request fee payable by a requester, other than a personal requester is R50,00

10.4 The access fees payable by a requester referred to in regulation 11 (3) are as follows:

- | | |
|--|-------|
| 10.4.1 For every photocopy of an A4 page or part thereof | R1,10 |
|--|-------|

10.4.2 For every printed copy of an A4 page or part thereof held on a computer or in electronic or machine-readable form	R0,75
10.4.3 For a copy in computer readable form on-	
10.4.3.1 Compact disc	R7,50
10.4.3.2 Flash drive	R70,00
10.4.4.1 For transcription of visual images, for an A4 page or part thereof	R40,00
10.4.4.2 For a copy of visual images	R60,00
10.4.5.1 For a transcription of an audio record, for an A4 page or part thereof	R20,00
10.4.5.2 For a copy of an audio record	R30,00
10.4.6 To search for an prepare a record for disclosure, for each hour or part thereof reasonably required for such a search and preparation	R30,00
10.5 Actual postage is payable when a record must be posted to a requester.	

11. DEPOSIT

In accordance with s54(2) of the Act, the school may require a deposit in cases where searching for a record exceeds 6 hours. The deposit will represent one third of the access fees payable by the requester.

12. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The school may, and must in certain instances, refuse access to records on any of the grounds set out in Chapter 4 of Part 3 of the Act. The information contained in this section is a summary of the grounds upon which refusal of access to records could be raised. The information is intended to provide a requester with clarity to the sections of the Act as to why a request may be refused by the school.

Section 63: Mandatory protection of privacy of a third party who is a natural person

Section 64: Mandatory protection of commercial information of a third party

Section 65: Mandatory protection of certain confidential information of a third party

Section 66: Mandatory protection of safety of individuals, and protection of property

Section 67: Mandatory protection of records privileged from production in legal proceedings

Section 68: Commercial information of a private body

Section 69: Mandatory protection of research information of a third party, and protection of research information of a private body.

Section 70: Mandatory disclosure in the public interest

13. RIGHT OF APPEAL

A requester that is refused or dissatisfied with the Information Officer's refusal to grant access to any information may:

- Within 30 days of being informed that the request was not granted lodge an internal appeal; or
- Within 30 days of notification of the decision apply to court for relief.
- A third party dissatisfied with the Information Officer's decision to grant a request may, within 30 days of notification of the decision, apply to court for relief.

The Court will decide whether the records should be made available or not.

14. PRESCRIBED FORMS

Annexure A – Form C attached

ANNEXURE A

FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000)

[Regulation 10]

A. Particulars of private body

OUR LADY OF FATIMA DOMINICAN CONVENT SCHOOL

The Head: Mrs DA Horsfall
Information Officer: Mrs KD Burgerhoff

B. Particulars of person requesting access to the record

- | | |
|-----|---|
| (a) | The particulars of the person who requests access to the record must be given below. |
| (b) | The address and/or fax number in the Republic to which the information is to be sent must be given. |
| (c) | Proof of the capacity in which the request is made, if applicable, must be attached. |

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made

This section must be completed <i>ONLY</i> if a request <i>for information</i> is made on behalf of <i>another</i> person.
--

Full names and surname:

Identity number:

D. Particulars of record

- | | |
|-----|--|
| (a) | 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. |
| (b) | If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios. |

1 Description of record or relevant part of the record:

2 Reference number, if available:

3 Any further particulars of record:

E. Fees

- | |
|--|
| <p>(a) A request for access to a record, other <i>than</i> a record containing personal information about yourself, will be processed only after a request fee has been paid.</p> <p>(b) You will be <i>notified</i> of the amount required to be paid as the request fee.</p> <p>(c) The fee payable for access to a record depends <i>on</i> the form <i>in which</i> access is required and the reasonable time <i>required</i> to search for and prepare a record.</p> <p>(d) If you qualify for exemption <i>of</i> the payment <i>of</i> any fee, please state the reason for exemption.</p> |
|--|

Reason for exemption from payment of fees:

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required
Form in which record is required:	
Mark the appropriate box with an X.	
<p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.</p> <p>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</p>	

1. If the record is in written or printed form:					
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record		
2. If record consists of visual images this includes photographs, slides, video recordings, computer-generated images, sketches, etc)					
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images"		
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*		
3. If record consists of recorded words or information which can be reproduced in sound:					
<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack* written or printed document		
4. If record is held on computer or in an electronic or machine-readable form:					
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record"		
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)		
'If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.			<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO
YES	NO				

G Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

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

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at..... This..... day of20....

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE