

DAINFERN COLLEGE PAIA* MANUAL

(Promotion of Access to Information Act)

Updated 8 June 2023

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"). 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 to information held by another person that is required for the exercise and/or protection of any right.

The reference to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

CONTENTS

1.	INFORMATION REQUIRED UNDER SECTION 51(1) (a) OF THE ACT	2
2	DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10	2
3	RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION	2
4	RECORDS AUTOMATICALLY AVAILABLE	3
5	SUBJECTS AND CATEGORIES OF RECORDS HELD BY DAINFERN COLLEGE	3
6	PURPOSE OF PROCESSING OF PERSONAL INFORMATION	5
7	DATA SUBJECTS CATEGORIES AND THEIR PERSONAL INFORMATION	6
8	PLANNED RECIPIENTS OF PERSONAL INFORMATION	6
9	PLANNED TRANS-BORDER FLOWS OF PERSONAL INFORMATION	6
10	SECURITY MEASURES TO PROTECT PERSONAL INFORMATION	6
11	DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS.....	6
12	AVAILABILITY OF THE MANUAL	7
	APPENDIX A: FEES IN RESPECT OF PRIVATE BODIES	8

1. INFORMATION REQUIRED UNDER SECTION 51(1) (a) OF THE ACT

Designated Executive Head of Dainfern College:	JC Engelbrecht
Postal address of Dainfern College:	PO Box 3199, Dainfern 2055, Johannesburg, South Africa
Street address of Dainfern College:	96 Broadacres Drive, Dainfern, Johannesburg 2055
Tel no of Dainfern College:	+27 (0)11 469 0635
Email address of Dainfern College:	info@dainferncollege.co.za
Person delegated to deal with requests (for "the designated head"):	Nadine Brown
Email addresses of the delegated person and designated head:	nbrown@dainferncollege.co.za / jc.e@dainferncollege.co.za

2 DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10

A Guide has been compiled in terms of Section 10 of PAIA by the South African Human Rights Commission. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages.

This Guide is available for inspection, inter alia, at the office of the Information Regulator South Africa:

Physical address:	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001, Gauteng, South Africa
Postal address:	PO Box 31533, Braamfontein, Johannesburg 2017
General enquiries email:	inforeg@justice.gov.za

3 RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Records are kept in accordance with other legislation as is applicable to Dainfern College, which includes but is not limited to the following:

- Basic Conditions of Employment Act No. 75 of 1997
- Broad-based Black Economic Empowerment Act No. 53 of 2003
- Children's Act, No 38 of 2005
- Child Care Amendment Act (Act 96 of 1996)
- Child Justice Act, 75 of 2008
- Companies Act No. 71 of 2008 and Applicable Regulations
- Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
- Consumer Protection Act 68 of 2008
- Electronic Communications and Transactions Act No. 25 of 2002
- Employment Equity Act. No. 55 of 1998
- Employment of Educators Act No. 76 of 1998
- Income Tax Act No. 58 of 1962
- Labour Relations Act No. 66 of 1995
- Local Government Municipal Property Rates Act No. 6 of 2004
- Medical Schemes Act No. 131 of 1998
- National Education Policy Act No. 27 of 1996
- Occupational Health and Safety Act No. 85 of 1993
- Pension Funds Act No. 24 of 1956

- Promotion of Access to Information Act No.2 of 2000
- Protection of Personal Information Act No. 4 of 2013
- Regional Services Councils Act No. 109 of 1985
- Sexual Offences Act (previously Immorality Act) 23 of 1957
- Skills Development Act No. 97 of 1998
- Skills Development Levies Act No. 9 of 1999
- South African Council For Educators Act No. 31 Of 2000
- South African Schools Act No. 84 of 1996
- Unemployment Insurance Act No. 63 of 2001
- Unemployment Insurance Contributions Act No. 4 of 2002

4 RECORDS AUTOMATICALLY AVAILABLE

No notice has been submitted by the company to the Minister of Justice and Constitutional Development regarding the categories of records that are available without a person having to request access in terms of Section 52(2) of PAIA. However, the information on the website of the business is automatically available without having to request access in terms of PAIA.

5 SUBJECTS AND CATEGORIES OF RECORDS HELD BY DAINFERN COLLEGE

General information about Dainfern College can be accessed via the internet on www.dainferncollege.co.za, which is available to all persons who have access to the Internet.

Dainfern College is an independent coeducational school catering for children from Grade 0 to Grade 12. The College is situated in the suburb of Dainfern in the north of Johannesburg in South Africa. We are a registered Not For Profit Company (Registration: 1996/016537/08).

The subjects on which the private body holds records and the categories on each subject in terms of Section 51(1)(e) are as listed below. Please note that a requester is not automatically allowed access to these records and that access to them may be refused in accordance with Sections 62 to 69 of the Act:

1. COMPANIES ACT RECORDS

- All trust deeds;
- Documents of Incorporation;
- Memorandum of Incorporation;
- Minutes of meeting of the Board of Governors;
- Minutes of meeting of the Board of Trustees;
- Proxy forms
- Register of debenture-holders;
- Research and development;
- Statutory registers and/or records and/or documents; and
- Special resolutions/Resolutions passed at General and Class meetings.

Records relating to the appointment of:

- Auditors;
- Directors;
- Trustees;
- Board of Governors;
- Prescribed Officer;
- Public Officer; and
- Secretary.

2. FINANCIAL RECORDS

- Accounting records;
- Annual financial reports;
- Annual financial statements;
- Asset registers;
- Bank statements;
- Banking details and bank accounts;
- Banking records;
- Debtors / creditors statements and invoices;
- General ledgers and subsidiary ledgers;
- General reconciliations;
- Invoices;
- Paid cheques;
- Policies and procedures;
- Rental agreements; and
- Tax returns.

3. INCOME TAX RECORDS

- PAYE records;
- Documents issued to employees for income tax purposes;
- Records of payments made to SARS on behalf of employees;
- All other statutory compliances:
 - Regional Services Levies;
 - Skills Development Levies;
 - UIF; and
 - Workmen's Compensation.

4. PERSONNEL DOCUMENTS AND RECORDS

- Accident books and records;
- Address lists;
- Disciplinary code and records;
- Employee benefits arrangements rules and records;
- Employment contracts;
- Employment equity plan;
- Forms and applications;
- Grievance procedures;
- Leave records;
- Medical aid records;
- Payroll reports/ wage register;
- Pension fund records;
- Safety, health and environmental records;
- Salary records;
- SETA records;
- Standard letters and notices;
- Training manuals;
- Training records; and
- Workplace records/agreements.

5. PROCUREMENT DEPARTMENT

- Standard Terms & Conditions for supply of services and products;
- Contractor, client and supplier agreements;
- Lists of suppliers, products, services and distribution; and
- Policies & Procedures.

6. ENROLMENT DEPARTMENT

- Parent/Guardian & Student details;
- Credit application information;
- Internal assessments; and
- Information and records provided by a third party.

7. MARKETING DEPARTMENT

- Advertising and promotional material.

8. RISK MANAGEMENT AND AUDIT

- Audit reports;
- Risk management frameworks; and
- Risk management plans.

9. SAFETY, HEALTH AND ENVIRONMENT

- Complete Safety, Health & Environment Risk Assessment;
- Environmental Management Plans; and
- Inquiries, inspections, examinations by environmental authorities.

10. IT DEPARTMENT

- Computer / mobile device usage policy documentation;
- Disaster recovery plans;
- Hardware asset registers;
- Information security policies/standards/procedures;
- Information technology systems and user manuals;
- Information usage policy documentation;
- Project implementation plans;
- Software licensing;
- System documentation and manuals; and
- Third party/operator license agreements and personal information storage.

6 PURPOSE OF PROCESSING OF PERSONAL INFORMATION

- To support sales and marketing activities;
- To support recruitment and management of staff;
- To support engagement with suppliers;
- To support engagement with the general public;
- To support engagement with investors and the media;
- For enrolment purposes;
- For school, alumni and staff administration purposes; and
- For statutory reporting purposes.

7 DATA SUBJECTS CATEGORIES AND THEIR PERSONAL INFORMATION

- **Employees:** record of employee life cycle;
- **Suppliers:** record of supplier life cycle;
- **Students:** record of student life cycle;
- **Parents:** record of parents life cycle;
- **Alumni:** record of student/Alumni life cycle;
- **General public:** tracking general enquiries and website visits;
- **Investors:** records as maintained by the Company Secretary; and
- **Media:** records of media interactions.

8 PLANNED RECIPIENTS OF PERSONAL INFORMATION

- Statutory authorities;
- Law enforcement;
- Tax authorities;
- Financial institutions;
- Medical schemes;
- Employee pension and provident funds;
- Industry bodies;
- Third party/Operator to assist in statutory requirements; and
- Third party/Operator to assist in operational requirements.

9 PLANNED TRANS-BORDER FLOWS OF PERSONAL INFORMATION

- Flows to service providers/operators including cloud services;
- Flows to business partners;
- Flows to parents, students and alumni;
- Flows to suppliers; and
- Flows through the use of social media.

10 SECURITY MEASURES TO PROTECT PERSONAL INFORMATION

Dainfern College has implemented several security measures to protect personal information processed by Dainfern College as the Responsible Party in terms of the POPI Act, #4 of 2013:

- Physical security measures;
- Cyber security measures;
- Training on all aspects of personal information security;
- Policies in information security; and
- Internal audits of information security.

11 DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS

The requester must complete Form C and submit this form, together with a request fee, to the Executive Head of Dainfern College. The form must be submitted to the Executive Head of Dainfern College at his address or electronic mail address as stated earlier in this manual.

Form of request:

- The requester must use the prescribed form, as attached in terms of Article 8 of this Manual, to make the request for access to a record. This must be made to the designated head. This request must be made to the address or electronic mail address of the body concerned [s 53(1)].
- The requester must provide sufficient detail on the request form to enable the Executive Head of Dainfern College to identify the record and the requester.

- The requester should indicate which form of access is required.
- The requester should indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed [s 53(2)(a) and (b) and (c)].
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [s 53(2)(d)].
- If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the designated head of the private body [s 53(2)(f)].
- A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee.
- Every other requester, who is not a personal requester, must pay the required request fee.
- The Executive Head of Dainfern College must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any), before further processing the request [s 54(1)].
- The fee that the requester must pay to a private body is currently R50,00. The requester may lodge an application to the court against the tender or payment of the request fees 54(3)(b)].
- After the Executive Head of Dainfern College has made a decision on the request, the requester must be notified in the required form.
- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [s 54(6)].

Grounds for refusing a request

Dainfern College has the right to reject any request for information submitted in terms of Sections 62 to 70 of Chapter 4 of the PAIA Act.

12 AVAILABILITY OF THE MANUAL

This manual is available for inspection at the office of Dainfern College and on the College website www.dainferncollege.co.za, free of charge from the SAHRC.



JC ENGELBRECHT

Executive Head of Dainfern College

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APPENDIX A: FEES IN RESPECT OF PRIVATE BODIES

The following is a breakdown of the fees structure for the purposes of determining the manner in which fees relating to a request for access to a record of a private body are to be calculated:

Part III of Regulation 187 published in the Government Gazette on the 15 February 2002:

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 11(1) are as follows:
 - a. For every photocopy of an A4-size page or part thereof R1,10.
 - b. For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form R0,75.
 - c. For a copy in a computer-readable form on compact disc R70,00.
 - d. (i) For a transcription of visual images, for an A4-size page or part thereof R 40,00;
(ii) For a copy of visual images R 60,00.
 - e. (i) For a transcription of an audio record, for an A4-size page or part thereof R 20,00;
(ii) For a copy of an audio record R 30,00.
3. The request fee payable by a requester, other than a personal requester, referred to in Regulation 11(2) is R50,00.
4. The access fees payable by a requester referred to in Regulation 11(3) are as follows:
 - a. For every photocopy of an A4-size page or part thereof R 1,10.
 - b. For every printed copy of an A4-size page or part; thereof held on a computer or in electronic or machine-readable form R 0,75.
 - c. For a copy in a computer-readable form on compact disc - R 70,00
 - d. (i) For a transcription of visual images, for an A4-size page or part thereof R 40,00;
(ii) For a copy of visual images R 60,00.
 - e. (i) For a transcription of an audio record, for an A4-size page or part thereof R 20,00;
(ii) For a copy of an audio record R 30,00.
 - f. To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
5. For purposes of section 54(2) of the Act, the following applies:
 - a. Six hours as the hours to be exceeded before a deposit is payable; and
 - b. One third of the access fee is payable as a deposit by the requester.
6. The actual postage is payable when a copy of a record must be posted to a requester.