



SACRED HEART CHILD &
YOUTH CARE CENTRE

PAIA MANUAL

**Prepared in terms of section 51 of the
Promotion of Access to Information Act
2 of 2000 (as amended)**

DATE OF COMPILATION: 22/02/2022

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1. LIST OF ACRONYMS AND ABBREVIATIONS

- | | | |
|-----|--------------------|--|
| 1.1 | “DIO” | Deputy Information Officer; |
| 1.2 | “IO” | Information Officer; |
| 1.3 | “Minister” | Minister of Justice and Correctional Services; |
| 1.4 | “PAIA” | Promotion of Access to Information Act No. 2 of 2000 (as Amended); |
| 1.5 | “POPIA” | Protection of Personal Information Act No.4 of 2013; |
| 1.6 | “Regulator” | Information Regulator; and |
| 1.7 | “Republic” | Republic of South Africa |
| 1.8 | “SHCYCC” | Sacred Heart Child and Youth Care Centre |

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by the SHCYCC which are available without a person having to submit a formal PAIA request;
- 2.2 have a sufficient understanding of how to make a request for access to a record of the SHCYCC, by providing a description of the subjects on which the SHCYCC holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the SHCYCC which are available in accordance with any other legislation;
- 2.4 access all the relevant contact details of the Information Officer and Deputy Information Officer, who will assist the public with the records they intend to access;
- 2.5 know the description of the Guide on how to use PAIA, as updated by the Regulator, and how to obtain access to it;
- 2.6 know if the SHCYCC will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;

- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if the SHCYCC has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.10 know whether the SHCYCC has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE SACRED HEART CHILD AND YOUTH CARE CENTRE

3.1. Information Officer

Name: Ms Nombulelo P. Khwela

Tel: 039 699 8010

Email: nombulelo.khwela93@gmail.com

3.2. Deputy Information Officer

Name: Ms Rose Cele

Tel: 039 699 8010

Email: mbaliyamandosi@gmail.com

3.3 Access to information general contacts

Email: cosmacira@gmail.com

3.4 Organisation

Postal Address: P.O. Box 958, Hibberdene, 4220

Physical Address: Ward 14, KwaNdelu Tribal Authority, Mthwalume

Telephone: 039 699 8010

Email: cosmacira@gmail.com

Website: www.sacredheartcycc.org.za

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE INFORMATION REGULATOR'S GUIDE

- 4.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible

form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

- 4.2. The Guide is available in each of the official languages and in braille.
- 4.3. The aforesaid Guide contains the description of-
 - 4.3.1. the objects of PAIA and POPIA;
 - 4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-
 - 4.3.2.1. the Information Officer of every public body, and
 - 4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
 - 4.3.3. the manner and form of a request for-
 - 4.3.3.1. access to a record of a public body contemplated in section 11³; and
 - 4.3.3.2. access to a record of a private body contemplated in section 50⁴;
 - 4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
 - 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
 - 4.3.6. 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-
 - 4.3.6.1. an internal appeal;
 - 4.3.6.2. a complaint to the Regulator; and
 - 4.3.6.3. 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;
 - 4.3.7. the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

¹ Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

² Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

³ Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁴ Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁵ Section 14(1) of PAIA- *The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.*

- 4.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
 - 4.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
 - 4.3.10. the regulations made in terms of section 92¹¹.
- 4.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 4.5. The Guide can also be obtained-
- 4.5.1. upon request to the Information Officer;
 - 4.5.2. from the website of the Regulator (<https://www.justice.gov.za/infoereg/>).
- 4.6. A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-
- 3.6.1 English
 - 3.6.2 Zulu

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

5. CATEGORIES OF RECORDS OF THE SACRED HEART CHILD AND YOUTH CARE CENTRE WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO FORMALLY REQUEST ACCESS

| Category of records | Types of the Record | Available on website | Available on request |
|------------------------|--|----------------------|----------------------|
| Legislation | Basic Conditions of Employment Act 75 of 1997 | | X |
| | Children’s Act 38 of 2005 | | X |
| | Employment Equity Act 55 of 1998 | | X |
| | Nonprofit Organisations Act 71 of 1997 | | X |
| | Promotion of Access to Information Act 2 of 2000 | | X |
| | Protection of Personal Information Act 4 of 2013 | | X |
| | Public Finance Management Act 1 of 1999 | | X |
| Policies & Guidelines | PAIA Guide | | X |
| | PAIA Manual | X | X |
| Reports | Annual Reports | X | X |
| Forms | PAIA Request for Access to Record – Form 2 | | X |
| | PAIA Internal Appeal Form – Form 4 | | X |
| Organisational Details | Contact details | X | X |
| | Banking details | X | X |
| | NPO registration number | X | X |
| | VAT registration number | X | X |

6. DESCRIPTION OF THE RECORDS OF THE SACRED HEART CHILD AND YOUTH CARE CENTRE WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION (BY FORMAL REQUEST)

| Category of Records | Applicable Legislation |
|---|---|
| Employment contracts; leave records; PAYE & UIF records; payslips; personnel files | Basic Conditions of Employment Act 75 of 1997 |
| Court orders; progress records & reports; school & medical records; referral letters | Children’s Act 38 of 2005 |
| Constitution; annual narrative reports; audited financial statements; Board membership list | Nonprofit Organisations Act 71 of 1997 |

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE SHCYCC HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE SACRED HEART CHILD AND YOUTH CARE CENTRE

| Subjects on which the SHCYCC holds records | Categories of records |
|--|--|
| Governance | <ul style="list-style-type: none"> • Constitution • Board of Management Manual & records (copies of IDs, telephone numbers, addresses & email addresses); minutes of Board meetings; attendance registers of Board meetings; Board nomination forms; Board role descriptions • NPO registration certificate • PAIA Manual • Business plan • Service level agreements • Annual Reports • Children’s Act |
| Management practices | <ul style="list-style-type: none"> • Organogram • Minutes of management meetings; attendance registers of management meetings • Annual plan • Occupational Health and Safety Manual • Supervision forms • Non-financial data template (NPO-DSD reporting) • Monthly claim forms |
| Human Resources (HR) | <ul style="list-style-type: none"> • HR Policies and Procedures Manual • Contracts of employment • Leave Policy • Personnel records (including ID copies; contact details and addresses) • Proof of registration with professional bodies • Employment Equity Act • Basic Conditions of Employment Act • Grievance Procedures • PAYE and UIF records |

| Subjects on which the SHCYCC holds records | Categories of records |
|--|---|
| Financial Resources | <ul style="list-style-type: none"> • Bank statements • Requisition forms • Bank account records, reflecting electronic transactions • Banking details • Invoices • Finance Policy • Audited financial statements • Public Finance Management Act • Assets register |
| Service Delivery | <ul style="list-style-type: none"> • Individual case files • Individual cottage files |
| External Relations & Marketing | <ul style="list-style-type: none"> • Organisational website • Referral letters for government departments • SHCYCC brochure |
| Sustainability & Funding | <ul style="list-style-type: none"> • Donor list and register • Financial statements and reports • SARS records • Proposals for funding |

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

The processing of a child's personal information is permitted under POPIA, as it is necessary for the proper professional treatment and care of the child. All personal information is used with the purpose of informing the planning and implementation of optimal interventions and care, specific to each child.

8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

The SHCYCC may process records relating to beneficiaries, service providers/suppliers contractors, staff, volunteers and Board members, and donors:

| Categories of Data Subjects | Personal Information that may be processed |
|--------------------------------------|--|
| Beneficiaries | Name; gender; race; age; language; educational history; medical history; birth date/ID number; physical and postal addresses; contact number; details of family members; nationality; physical health; disability; biometric information; confidential reports and correspondence |
| Employees | Name; gender; pregnancy; marital status; race; age; language; education information (qualifications); financial information; employment history; ID numbers; physical and postal address; contact details (contact numbers and email address); criminal record; details of family members; nationality; physical health; disability; biometric information; professional affiliation; and references |
| Volunteers (including Board Members) | Name; contact details (contact numbers, email address); physical and postal addresses; identity number; confidential correspondence |
| Donors | Names of contact persons; name of entity; physical and postal addresses; contact details (contact numbers, fax numbers, email addresses) |
| Service Providers/Suppliers | Names of contact persons; name of entity; physical and postal addresses; contact details (contact numbers, fax number, email address); registration number |

8.3 The recipients or categories of recipients to whom the personal information may be supplied

8.3.1 The SHCYCC may supply the personal information of data subjects to employees, in execution of its mandate.

8.3.2 The SHCYCC may supply relevant personal information of data subjects to the service providers who render the following services:

- 8.3.2.1 Tax and UIF processing;
- 8.3.2.2 Criminal checks;
- 8.3.2.3 Professional registration checks;
- 8.3.2.4 Auditing

- 8.3.3 Law enforcement agencies, such as the National Prosecuting Authority or South African Police Service, for criminal cases
- 8.3.4 Any regulating authority, such as the Children’s Court and the Department of Social Development, in respect of any matter that falls under their jurisdiction

8.4 Planned transborder flows of personal information

The SHCYCC does not transfer personal information across any borders, but does share information with the District Department of Social Development and relevant Children’s Courts for legal compliance, oversight purposes.

8.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

8.5.1 The SHCYCC regularly implements and monitors appropriate, reasonable technical and organisational security measures to prevent:

- 8.5.1.1 loss of, damage to or unauthorised destruction of personal information;
- and
- 8.5.1.2 unlawful access to or processing of personal information

8.5.2 The SHCYCC has taken reasonable measures to:

- 8.5.2.1 identify all reasonable internal and external risks to personal information in its possession or under its control;
- 8.5.2.2 establish and maintain appropriate safeguards against the risks identified;
- 8.5.2.3 regularly verify that the safeguards are effectively implemented; and
- 8.5.2.4 ensure that the safeguards are continually updated in response to new risks or weaknesses in previously implemented safeguards.

8.5.3 Safety measures taken by the SHCYCC include, amongst others:

- 8.5.3.1 Access control;
- 8.5.3.2 Monitoring, auditing and reporting capabilities;
- 8.5.3.3 Data backups
- 8.5.3.4 Anti-virus solutions
- 8.5.3.5 Awareness and vigilance
- 8.5.3.6 Agreements with service providers/suppliers to implement security controls

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

- 9.1.1 on www.sacredheartcycc.org.za;

- 9.1.2 head office of the Sacred Heart Child and Youth Care Centre for public inspection during normal business hours;
 - 9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and
 - 9.1.4 to the Information Regulator upon request.
- 9.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

10. UPDATING OF THE MANUAL

The POPIA Information Officer for the Sacred Heart Child and Youth Care Centre will, on a regular basis, update this manual.