

PROTEA HEIGHTS ACADEMY

PROTEAHOOGTE AKADEMIE

PROMOTION OF ACCESS TO INFORMATION MANUAL



MANUAL PREPARED IN ACCORDANCE WITH SECTION 14 OF THE PROMOTION OF ACCESS TO INFORMATION ACT NO.2 OF 2000

POLICY REGISTER DETAILS

| | |
|----------------------|--|
| TITLE OF POLICY | POPIA/PAIA Guideline |
| COMPILED BY | A Coetzer |
| POLICY NUMBER | 8 |
| DATE APPROVED BY SGB | 6 December 2022 |
| EFFECTIVE DATE | 1 January 2023 |
| EXPIRY DATE | This PAIA Manual remains in force until amended or replaced <u>and</u> approved by the SGB |
| REVIEW DATE | 1 January 2025 |
| AMENDMENT HISTORY | |

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1. OVERVIEW OF THE SCHOOL

Protea Heights Academy is a public school located in the Western Cape, established in 2015. In terms of the South African Schools Act the school is a juristic person whose functions are described in the Act. The professional management of the school is performed by the principal under the authority of the Head of Department of the Western Cape provincial department of education.

Core functions of the school

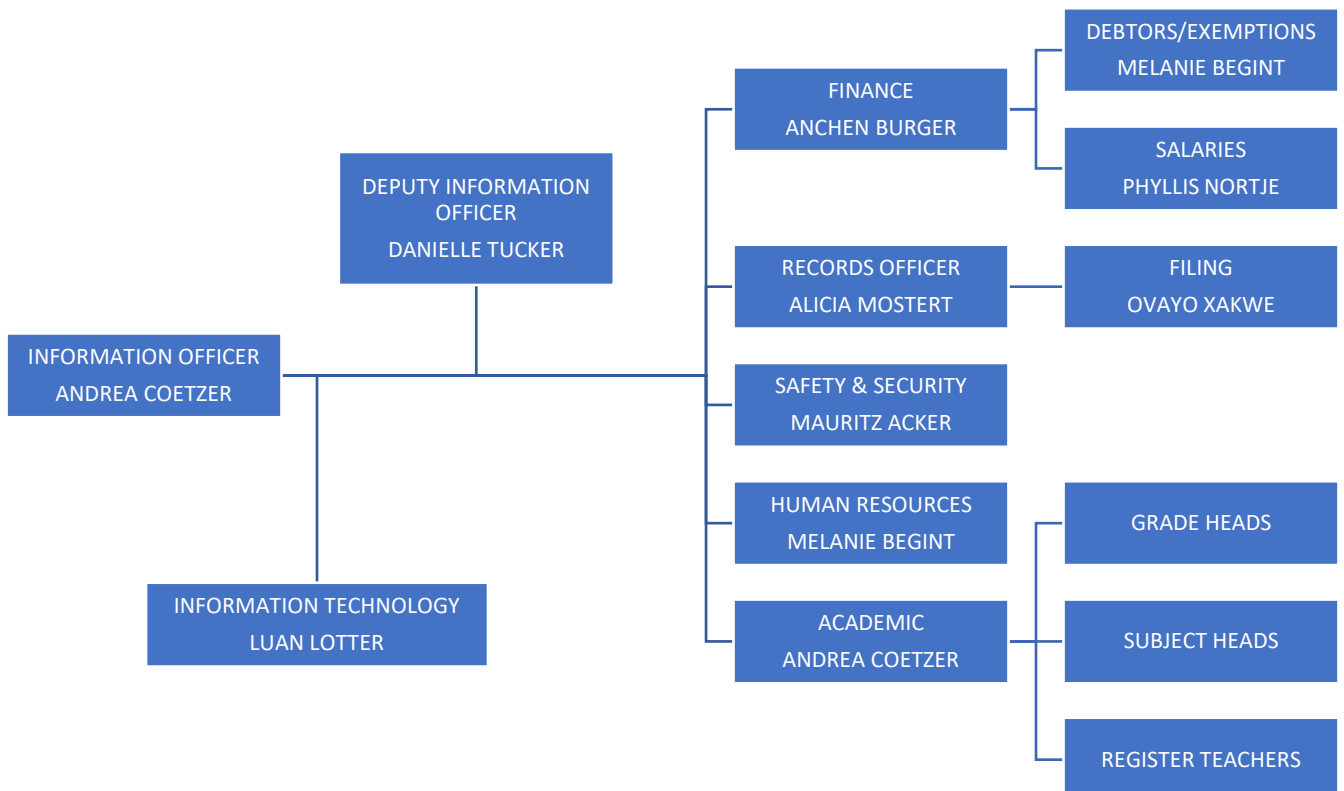
Mission: To provide excellent education to high school learners from the greater Protea Heights area in a dual-medium school with a focus on Mathematics and Science.

Vision: To provide globally superior education, focusing on Mathematics and Science, supported by advanced technology and world-class facilities – creating well-balanced learners who positively impact the community.

Values: Faith, Goodness, Perseverance, Respect

The language of learning and teaching of the school is English and Afrikaans.

Structure/organisation of the school



2. CONTACT DETAILS

Name of school: Protea Heights Academy
Physical address: 33 Helling Street, Protea Heights, Brackenfell, 7560
Postal address: 33 Helling Street, Protea Heights, Brackenfell, 7560
Telephone numbers: 021 981 0021
Website address: www.phahs.org.za
Information Officer: Andrea Coetzer
principal@phahs.org.za
Deputy Information Officer: Andrea Coetzer
principal@phahs.org.za

3. THE ACT AND SECTION 10 GUIDE

In terms of section 14(1)(c) of the Protection of Personal Information Act 4 of 2013 (PAIA), please note that the South African Human Rights Commission has compiled a guide as required by section 10 of PAIA, and to which this manual must refer. The guide is available on the website of the Human Rights Commission at <http://www.sahrc.org.za>

A hard copy of the guide is also available at the school, and an electronic version on the website of the school, at www.phahs.org.za

A printed copy may also be directly obtained from:
The South African Human Rights Commission: PAIA Unit
The Research and Documentation Department
Postal address:
Private Bag 2700
Houghton
2041
Telephone: +27 11 484 8300
Fax: +27 11 484 1360
Website: www.sahrc.org.za
Email: PAIA@sahrc.org.za

4. APPLICABLE LEGISLATION

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

- Basic Conditions of Employment Act 75 of 1997
- Compensation of Occupational Injuries & Diseases Act 130 of 1993
- Consumer Protection Act 68 of 2008
- Constitution of the Republic of South Africa 108 of 1996
- Copyright Act no. 98 of 1978
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act No. 55 of 1998
- Income Tax Act No. 58 of 1962
- Intellectual Property Laws Amendment Act 38 of 1997
- Labour Relations Act 66 of 1995
- Occupational Health and Safety Act 85 of 1993
- Compensation of Occupational Injuries & Diseases Act 130 of 1993
- Promotion of Access to Information Act 2 of 2000
- Protection of Personal Information Act 4 of 2013
- Skills Development Levies Act 9 of 1999
- South African Schools Act of 1996
- Unemployment Insurance Act 30 of 1966
- Unemployment Contributions Act 4 of 2002
- Western Cape School Act

5. SCHEDULE OF RECORDS

Most records are not automatically available. Those that are, are generally placed on the school website.

| | Operational area | Subject | Availability |
|----|-------------------------|--|--|
| a) | Governance | Constitution of the SGB Minutes of meetings Minutes of SBG committees Details of members of the school governing body Language and Admissions Policy | Available on request Available on request Available on request Available on request On the website |
| b) | Finance | Annual audited financial statements Monthly management accounts Invoices Credit notes Receipts Payment schedules PAYE, SDL (Skills Development Levy), UIF reports Insurance policies and claims Petty cash book School fees Applications for exemption from payment of school fees Software licences Assets register | Available on request Available on request Available on request Available on request Available on request Available on request Available on request Available on request Available on request Available on request Available on request Available on request Available on request |
| c) | School policies | Code of Conduct Teachers Code of Conduct Admissions Policy Drug Policy Assessment Policy Finance Policy Language Policy Religious policy ICT policy Educator CCTV policy Technology acceptable use policy (Learners) HIV & Aids Policy Textbook Policy Homework Policy | Available on the website Available on request Available on request Available on request Available on request Available on request Available on request Available on request Available on request Available on request Available on request Available on request Available on request Available on request |

| | Operational area | Subject | Availability |
|----|--|---|--|
| | | Other provincial or national assessment results Academic awards Sports awards Culture awards Other awards | Available on request Available on request Available on request Available on request |
| e) | Staff records | Contracts of employment Personal files Discipline register Staff meeting minutes Attendance register Workman's Compensation claims Appraisals Applications and interview materials | Employees who require their own records may make verbal requests. Available on request Available on request Available on request Available on request Available on request Available for only six months after the appointment process |
| f) | School suppliers/ service providers | Tender documents Contracts Invoices | Available on request Available on request Available on request |
| g) | Statutory compliance | PAIA Manual Skills Development Plan Employment equity plan | Hard copy in reception Available on request Available on request |
| h) | Data base of parents & learners | Application forms and updates Admission register | Available on request Available on request |
| i) | Safety | Safety committee members' details Incident register Accident register Safety committee meeting minutes Safety reports | Available on request Available on request Available on request Available on request Available on request |
| k) | Professional management | Circulars and instructions from the WCED Copies of all examination question papers and accompanying memoranda | Available on request Available on request |
| l) | News | Newsletters Special letters to parents Staffroom | Available on request Available on request |

| | Operational area | Subject | Availability |
|----|-------------------------|--|----------------------|
| | | Yearbook | Available on request |
| m) | Historical records | Building and grounds plans and development | Available on request |
| | | Archive – Newspaper articles | Available on request |

6. FORM OF REQUEST

PAIA provides for records which are automatically available from Protea Heights Academy. Such automatically available records usually do not have information which can reasonably be said to be of a sensitive nature. Most records which fall into this category of information are available to view on Protea Heights Academy's website: www.phahs.org.za

Should a person need to request information of a sensitive nature, the requester will be granted access to information kept by the school if the request(er) comply with all the procedural requirements contained in the Act relating to the request for access to a record.

- requester must use the prescribed form to make the request for access to a record. For ease of reference this prescribed form is attached (Annexure A) to this manual.
- The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required. The requester should further also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed.
- 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.
- 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 head of the private body.

Protea Heights Academy will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information Officer that circumstances dictate that the above time period cannot be complied with.

The requester shall be informed whether access is granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required.

Requests for information which are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources will be refused.

7. FEES

A requester who seeks access to a record containing personal information about him/herself (the requester) is not required to pay a request fee.

Every other requester, who is not a personal requester, must pay the prescribed request fee:

- The Information Officer will notify the requester (other than a personal requester) to pay the prescribed fee (if any) before further processing the request.
- The fee that the requester is required to pay is R50. The requester may lodge an application to the court against the tender or payment of the request fee.
- After the Information Officer has decided on the request, the requester must be notified in the prescribed form.
- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for the time spent that has exceeded the prescribed hours to search and prepare the record for disclosure.
- Records may be withheld until the access fee has been paid.

The fee structure is available on the website of the South African Human Rights Commission at www.sahrc.org.za.

8. APPLICATION AND SCOPE

At Protea Heights Academy we are committed to protecting the privacy of data subjects and to ensure that their personal information is collected and used properly, lawfully and transparently.

The SGB and the Principal of the school are ultimately responsible for ensuring that information security is properly managed. The Information Officer (Ms Andrea Coetzer) is responsible for:

- The development and upkeep of this policy.
- Ensuring this policy is supported by appropriate documentation, such as procedural instructions.

- Ensuring that documentation is relevant and kept up to date.
- Ensuring this policy and subsequent updates are communicated to the SGB, staff and parents where applicable.

The school governing body, the school's employees, volunteers, contractors, suppliers and any other persons acting on behalf of the school are required to familiarise themselves with the policy's requirements and undertake to comply with the stated processes and procedures.

Risk owners and control owners are responsible for overseeing and maintaining control procedures and activities of their particular areas of responsibility overseen by the information officers of the school.

The Information Officers and staff are responsible for adhering to this policy, and for reporting any security breaches or incidents to the Information Officer at popia@phahs.org.za.

This Policy Manual applies to all staff of the School, both permanent and temporary staff, to staff working on a contract basis for the school, coaches, volunteers and others who are authorised to access personal data held by the School. The provisions of the Policy are applicable to both on and off-site processing of personal information. Non-compliance with this policy may result in disciplinary action and possible termination of employment or mandate, where applicable.

This policy applies to personal information collected by the school in connection with the services it offers. This includes information collected offline through the school's telephone lines and online through the school's websites, branded pages on third-party platforms and applications accessed or used through such websites or third-party platforms which are operated by or on behalf of the School. This policy is hereby incorporated into and forms part of the terms and conditions of use of the applicable school web sites and other social media platforms.

Grade Heads within the school are required to ensure that all staff who manage or have access to personal data comply with this guideline. The SGB and Members of the SMT are required to review procedures in their areas to ensure compliance with this guideline and POPIA as part of the annual planning process of the school.

This policy does not apply to:

- the processing of, for example, a photograph of a person who is part of the crowd of spectators at a sports event, because the person had no expectation of privacy when being part of the crowd. The picture can even be published

provided the intention of the publishing does not infringe the rights of the person in the picture, for example to embarrass or harass (offends the right to dignity).

- information collected by third party websites, platforms and/or applications (“Third Party Sites”) which the school/SGB/SMT does not control;
- information collected by Third-Party Sites which a person can access via links on school sites; or banners, competitions and other advertisements, services, or promotions on Third Party Sites that the School may sponsor or participate in or just host advertisements for.
- Information for purely household activities;
- Which has been de-identified;
- Which has been processed by or on behalf of another public body for the purposes of:
 - Safeguarding National Security;
 - The investigation and prosecution of criminal matters;
 - Processed by the cabinet and its committees for the executive council of a province;

Relating to the judicial functions of a court.

The processing of personal information for the purposes of journalistic expression in defined circumstance; The exclusion requires the journalist to be subject to a Code of Ethics and provided adequate safeguards for the protection of personal information. It is important to note that the exclusions referred to above related to the processing by or on behalf of a public body for the purposes of national security and investigation of a crime are only granted to the state if adequate safeguards have been established in the legislation permitting the process of such information.

This policy impacts upon the school’s work practices and data processing for all those who:

- create records including electronic records;
- have access to records;
- have any other responsibilities for records, for example, storage and maintenance responsibilities;

- have a management responsibility for staff engaged in any the activities as stipulated in the policy.

9. AVAILABILITY

- This PAIA Manual is available in hard copy in the Reception and Finance Offices.
- The Manual is published on the school website.
- The Manual can be accessed from the Human Rights Commission.

10. COMMITMENT TO THE PRINCIPLES OF POPIA

- The Information Officer, any authorised operator and staff of the school is committed to the following principles:
- To be transparent with regards to the standard operating procedures governing the collection and processing of personal information.
- To comply with all applicable regulatory requirements regarding the collection and processing of personal information.
- To collect personal information only by lawful and fair means and to process personal information in a manner compatible with the purpose for which it was collected.
- Where required by regulatory provisions, to inform individuals when personal information is collected about them.
- To treat special personal information that is collected or processed with the highest of care as prescribed by regulation.
- Where required by regulatory provisions or guidelines, to obtain individuals' consent to process their personal information.
- To strive to keep personal information accurate, complete and up to date and reliable for their intended use.
- To develop reasonable security safeguards against risks such as loss, unauthorised access, destruction, use, amendment or disclosure of personal information.
- To provide data subjects with the opportunity to access the personal information relating to them and, where applicable, to comply with requests to correct, amend or

delete personal information.

- To share personal information, such as permitting access, transmission or publication, with third parties only with a reasonable assurance that the recipient has suitable privacy and security protection controls in place regarding personal information and are allowed to such access.
- To comply with any restriction and/or requirement that applies to the transfer of personal information nationally and/or internationally.
- All new employees of the school will be made aware during induction, or through training programmes, of their responsibilities under the terms of this Policy and POPIA.

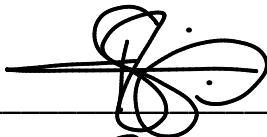
11. APPROVAL AND ADOPTION

This PAIA Manual was approved and adopted by the Protea Heights Academy Governing

Body on 06/12/2022 (date).

SIGNED:

CHAIRPERSON:



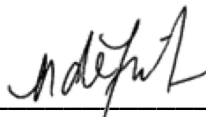
DATE: 6 December 2022

PRINCIPAL:



DATE: 6 December 2022

SECRETARY:



DATE: 6 December 2022

ANNEXURE A: REQUEST FOR ACCESS TO INFORMATION



PROTEAHOOGTE AKADEMIE
PHA
PROTEA HEIGHTS ACADEMY

REQUEST FOR ACCESS TO INFORMATION FROM PROTEA HEIGHTS ACADEMY

(Section 18 (1) of the Promotion of Access to Information Act, 2000, regulation 6)

FOR OFFICE USE ONLY

Reference number: _____ Request received by: _____ on
(date) _____

Request fee (if any): _____ Deposit (if any): _____ Access
Fee _____

Signature of information officer: _____

1. Particulars of the person to whom this request must be sent:

2. Particulars of person requesting access to information

Full names and surname: _____

Identity number: _____

E-mail address: _____

Telephone numbers: _____ and _____

Postal address: _____



MATHEMATICS AND SCIENCE FOCUS

WISKUNDE EN WETENSKAP FOKUS

Request on behalf of another person:

If the request is made on behalf of another person, please indicate the capacity in which you are making this request:

AND

Please complete the following details:

Full names and surname: _____

Identity number: _____

E-mail address: _____

Telephone numbers: _____ and _____

Postal address: _____

3. Particulars of request (basic reference information)

Please provide full particulars of the information to which access is requested, including a reference number, date or some other identifying aspect, so as to enable the record to be located. (If the space provided is inadequate, please attach a separate page to this form.)

4. Description of information (further description of the particular contents required if necessary)

5. Format

Please note that information can be provided only in one of the following formats: please indicate in which format you would like it forwarded to you:

- Printed copy E-mailed copy

Please note further that PROTEA HEIGHTS ACADEMY's records are at this stage all stored only in English.

6. Notice of decision

You will be notified by e-mail whether your request has been approved or not. If you wish to be informed in another manner, please specify the manner, and provide the necessary particulars to enable compliance with your request.

7. Signatures

Signature of requester: _____

Signature of person on whose behalf request was made (if applicable):

Date submitted: _____

ANNEXURE B: PRESCRIBED FEES



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PHA
PROTEA HEIGHTS ACADEMY

The following applies to requests (other than personal requests):

- 1 A requester is required to pay the prescribed fees (R50.00) before a request will be processed.
- 2 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted)
- 3 A requester may lodge an application with a court against the tender/payment of the request fee and/or deposit.
- 4 Records may be withheld until the fees have been paid.
- 5 The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za, or the website of THE DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT (under regulations) at <http://www.doj.gov.za/>

