

PAIA MANUAL

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

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	<u>Signature:</u>

TABLE OF CONTENTS

Contents

1.	LIST OF ACRONYMS AND ABBREVIATIONS.....	3
2.	PURPOSE OF PAIA MANUAL	3
3.	KEY CONTACT DETAILS FOR ACCESS TO INFORMATION	4
3.1	Chief Information Officer	4
3.2	Deputy Information Officer.....	5
3.3	Access to information: general contacts.....	5
3.4	National or Head Office	5
4.	GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE.....	5
5.	CATEGORIES OF RECORDS OF THE SCALABRINI CENTRE OF CAPE TOWN WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS.....	8
6.	DESCRIPTION OF THE RECORDS OF THE SCALABRINI CENTRE OF CAPE TOWN ARE AVAILABLE UNDER ANY APPLICABLE LEGISLATION.....	8
7.	DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE SCALABRINI CENTRE OF CAPE TOWN.....	8
8.	PROCESSING OF PERSONAL INFORMATION.....	9
8.1	Purpose of Processing Personal Information	9
8.2	Description of the categories of Data Subjects and the information or categories of information relating thereto.....	9
8.3	The recipients or categories of recipients to whom the personal information may be supplied	10
8.4	Planned transborder flows of personal information.....	11
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.....	11
9.	AVAILABILITY OF THE MANUAL	11
10.	UPDATING OF THE MANUAL	11

1. LIST OF ACRONYMS AND ABBREVIATIONS

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

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body 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 body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the body 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 body 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 body 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 body 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 SCALABRINI CENTRE OF CAPE TOWN

3.1 Chief Information Officer

Name: Giulia Treves
Tel: 021 465 6433
Email: director@scalabrini.org.za

3.2 Deputy Information Officer

Below are the details of every Deputy Information Officer of the body designated in terms of section 17 (1) of PAIA:

Name: Lolanda van Romburgh
Tel: 021 465 6433
Email: operations@scalabrini.org.za

Name: Ryan Carolissen
Tel: 021 465 6433
Email: ealead@scalabrini.org.za

3.3 Access to information: general contacts

Email: operations@scalabrini.org.za

3.4 National or Head Office

Postal Address:

47 Commercial Street, Cape Town, 8001

Physical Address:

47 Commercial Street, Cape Town, 8001

Telephone: 021 465 6433
Email: info@scalabrini.org.za
Website: www.scalabrini.org.za

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE 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 aforesaid Guide contains the description of

- 4.2.1. the objects of PAIA and POPIA;
- 4.2.2. the postal and street address, phone and fax number and, if available, electronic mail address of:
 - 4.2.2.1. the Information Officer of every public body, and
 - 4.2.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
- 4.2.3. the manner and form of a request for
 - 4.2.3.1. access to a record of a public body contemplated in section 11³; and
 - 4.2.3.2. access to a record of a private body contemplated in section 50⁴;
- 4.2.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 4.2.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 4.2.6. 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-
 - 4.2.6.1. an internal appeal;
 - 4.2.6.2. a complaint to the Regulator; and
 - 4.2.6.3. 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;
- 4.2.7. the provisions of sections 14⁵ and 51⁶ requiring a public body and private

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.*

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.*

- body, respectively, to compile a manual, and how to obtain access to a manual;
- 4.2.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 4.2.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 4.2.10. the regulations made in terms of section 92¹¹.
- 4.3. 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.
- 4.4. The Guide can also be obtained-
- 4.4.1. upon request to the Information Officer;
- 4.4.2. from the website of the Regulator (<https://www.justice.gov.za/infoereg/>).
- 4.4.3. Forms: <https://infoeregulator.org.za/paia-forms/>
- 4.6 A copy of the Guide is available in the following official languages, for public inspection during normal office hours:
- 4.6.1 English

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 SCALABRINI CENTRE OF CAPE TOWN WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

These categories of records held by the body, which are available without a person having to **request access by completing Form C**, include the types of records and how the records can be accessed. These are mostly records that may be available on the website, and a person may download or request telephonically or by sending an email or a letter.

Category of records	Type of records	Available on the Website	Available upon request
Employment	Confirmation of employment		X
Financial	Annual Financial Statements		X
Impact Reports	Annual Reports	X	

6. DESCRIPTION OF THE RECORDS OF THE SCALABRINI CENTRE OF CAPE TOWN ARE AVAILABLE UNDER ANY APPLICABLE LEGISLATION

The below specifies the records which are created and available under the applicable South African legislation.

Category of Records	Applicable Legislation
NPO Constitution	Non-Profit Organisations Act, 1997
PAIA Manual	Promotion of Access to Information Act 2 of 2000

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE SCALABRINI CENTRE OF CAPE TOWN

Below is a description of the subjects, in respect of which the body holds records and the categories of records held on each subject:

Subjects on which the body holds records	Categories of records
Financial and strategic documents	• Annual reports and publications • Strategic plan • Funding proposals • Partnership agreements • Bookkeeping records • Financial statements • Analytic reports by third parties • Rental agreements
Human Resources	• HR policies and procedures • Comprehensive Employee records • Comprehensive Volunteer/internship records • Service Level Agreements • Advertised posts • Job descriptions • Performance review records
Programmatic documents	• Copies of identity documents, visas, permits and passports • Personal client information (biographic) • Case records (social work) • Impact reports • Photos and videos (for media, publication, etc.)

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

Under PAIA (Promotion of Access to Information Act), the purpose for processing personal information is to give effect to the constitutional right of access to information held by the state or another person, when such information is required for the exercise or protection of any right.

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

Description of the nature or categories of personal information to be processed.

Note: The nature or categories of personal information are dependent on the purpose of the body in performing its functions or services.

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	Name & surname, address, permit numbers or identity numbers, country of origin, gender, race and age, in the case of children - immediate family members or caregivers' information, imagery (photos & videos), CCTV footage (for security and safety)
Service Providers	Names, registration numbers, VAT numbers, addresses, relevant service/trade information, bank details
Employees	Address, qualifications, ID/permit/passport numbers, visas, gender and race, salary/Payroll information

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

The person or category of persons to whom the body may disseminate personal information:

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Staff name & surname, identity or permit number, visa, work-related qualifications, relevant registrations, salary information, address, personal contact details, emergency contact details	• South African Police Services (with a warrant) • Department of Home Affairs • Department of Social Development • Department of Labour • Payroll Administrator (external) • SA Revenue Services
Client or beneficiary name & surname, address, permit/identity numbers, country of origin, gender, race and age, personal and alternative contact details	• Salesforce Database (for internal use), • MEL reports (for internal analytics only)
Client or beneficiary demographic profile information	• Funder reports • Financial records
Images (photos and videos, taken with permission)	• Approved presenters of internal or external documentaries and presentations
CCTV camera footage	• SA Police Services

8.4 Planned transborder flows of personal information

Depending on the data storage and back-up systems used, some personal information of staff, stakeholders and clients/beneficiaries may be stored in the cloud (outside the Republic). The country hosting the particular system may differ. The organisation currently uses Google, Microsoft, Salesforce and QuickBooks products.

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

The following security safeguards are implemented or under implementation to ensure the confidentiality and integrity of the personal information under the care of the body. Anti-virus and Anti-malware Solutions: Sophos and ESET. Also, only accredited software and applications may be used. Devices holding sensitive information are managed according to internal safeguarding protocols.

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

- 9.1.1 on the website: www.scalabrini.org.za
- 9.1.2 at the head office of The Scalabrini Centre of Cape Town, 47 Commercial Street, Cape Town, for public inspection during normal business hours;
- 9.1.3 to any person upon request and the payment of a reasonable prescribed fee (if required in printed form); 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 for each A4-size photocopy made.

10. UPDATING OF THE MANUAL

The Information Officers of The Scalabrini Centre of Cape Town will regularly update this manual.



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Issued by

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