



ST PETER'S PREP SCHOOLS

ST PETER'S PREP SCHOOLS PAIA MANUAL

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 (the "Act")

BACKGROUND TO THE PROMOTION OF ACCESS TO INFORMATION ACT

The Promotion of Access to Information Act, No.2 of 2000 (the “Act”) was enacted on 3 February 2000, giving effect to the constitutional right in terms of Section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa 108 of 1996 (the “Constitution”) of access to any information held by the state and any information that is held by another person and that is required for the exercise of the protection of any rights.

In terms of Section 51 of the Act, all private Bodies are required to compile an Information Manual (PAIA Manual).

1. PURPOSE OF THE PAIA MANUAL

- 1.1 The PAIA Manual is intended to ensure that St Peter’s Prep Schools comply with the Act and to foster a culture of transparency and accountability by giving effect to the right to information that is required for the exercise of protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect their rights.
- 1.2 In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.
- 1.3 Section 9 of the Act recognises that the right to access information cannot be unlimited and should be subject to:
 - 1.3.1 Limitations aimed at the reasonable protection of privacy;
 - 1.3.2 Confidentiality; and
 - 1.3.3 Effective, efficient and good governance;In a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

1.4 INTRODUCTION

St Peter’s Prep Schools

- 1.5 St Peter’s Boys Prep School, St Peters Girls Prep School, St Peter’s Pre-Prep and After-School form an independent Anglican Diocesan School. This PAIA Manual of St Peter’s Prep Schools is available to view at its premises and the website: www.stpeters.co.za - 105 Witkoppen Road, Paulshof, Johannesburg

1.6 COMPANY/INSTITUTION CONTACT DETAILS

St Peter’s Prep Schools EMIS Number: 700 151605 (Department of Education)
Postal Address: P O Box 37, Rivonia, 2128
Physical Address: 105 Witkoppen Road, Paulshof, 2191
Telephone: +27 (0)11 705 3423 (Boys Prep and Pre-Prep)
+27 (0)11 367 6631 (Girls Prep)
Website: www.stpeters.co.za
Email: reception@stpeters.co.za (Boys Prep)
girlsreception@stpeters.co.za (Girls Prep)
radams@stpeters.co.za (Pre-Prep)
Rector: Gregory William Royce, +27 (0)11 705 3423
groyce@stpeters.co.za

Information Officer: Vijay Maharaj, +27 (0)11 705 3423, vmaharaj@stpeters.co.za

1.7 THE ACT (Section 51 (1) (b))

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.

Request 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.

1.8 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission are

Postal Address Private Bag 2700, Houghton, 20141

Telephone Number +27 (0)11 877 3600

Fax Number +27 (0) 11 403 0625

Website www.sahrc.org.za

2. APPLICABLE LEGISLATION (Section 51 (1) (c))

| NO. | REF | ACT |
|-----|-----------------|--|
| 1 | No 98 of 1978 | Copyright Act |
| 2 | No 55 of 1998 | Employment Equity Act |
| 3 | No 95 of 1967 | Income Tax Act |
| 4 | No 66 of 1995 | Labour Relations Act |
| 5 | No 75 of 1997 | Basic Conditions of Employment Act |
| 6 | No 30 of 1996 | Unemployment Insurance Act |
| 7 | No 2 of 2000 | Promotion of Access of Information Act |
| 8 | No 53 of 1979 | Attorneys Act |
| 9 | Act 84 of 1996 | Schools Act of South Africa |
| 10 | Act 63 of 2001 | Unemployment Insurance Act |
| 11 | Act 9 of 1999 | Skills Development Act |
| 12 | Act 130 of 1993 | Compensation for Occupational Injuries and Disease Act |
| 13 | Act 85 of 1993 | Occupational Health and Safety Act |
| 14 | Act 108 of 1996 | Constitution of the Republic of South Africa |
| 15 | Act 4 of 2013 | Protection of Personal Information |

3. SCHEDULE OF RECORDS

3.1 Records that are automatically available to either employees only or the general public and employees

3.1.1 personnel records are available to the employee whose file it is

3.1.2 records of disciplinary hearings and related matters are available to the employee concerned

3.1.3 the company's policies and procedures manual.

- 3.2 The following records are *automatically* available to the general public and all employees and need not be requested in accordance with the procedure outlined in paragraph 4
 - 3.2.1 St Peter's Employment Equity Plan
 - 3.2.2 St Peter's Skills Development Plan
 - 3.2.3 Information on the website including applications for admissions and vacancies

- 3.3 The following records are not automatically available without a request in terms of the Act All Statutory returns- Section 51 (1) (d) of the Act
 - 3.3.1 VAT
 - 3.3.2 Workmen's compensation
 - 3.3.3 UIF
 - 3.3.4 Regional Service Levies
 - 3.3.5 Skills development Levies
 - 3.3.6 Documents concerning compliance by St Peter's, insofar as it may be necessary, with legal obligations in terms of the Attorneys Act No. 53 of 1979, The Occupational Health and Safety Act No 85 of 1993 and any other applicable environmental legislation.

- 3.4 Other types of records held by St Peter's as contemplated in Section 51 (1) (c) of the Act. These records are *not automatically* available without a request in terms of the Act. A request in terms of this section is subject to Section 63 (1) of the Act, which provides that the Head of the Institution must refuse a request for access to a record if the disclosure of the record would involve the unreasonable disclosure of personal information about a third party including a deceased individual.

Human Resources Department

- 3.4.1 personnel information including personal information, employment history and health records that St Peter's may hold from time to time
- 3.4.2 training and development information
- 3.4.3 general files containing information on employee benefits and employee recruitment and selection information

Project Management

- 3.4.4 building plans
- 3.4.5 information generally related to projects conducted by St Peter's from time to time

Information Technology

- 3.4.6 usage statistics
- 3.4.7 equipment details
- 3.4.8 costings of hardware and software

Companies Department/Administration

- 3.4.9 St Peter's secretarial records (Minutes)

- 3.4.10 pupil data
- 3.4.11 parent data

Finance/Accounts Department

- 3.4.12 financial records
- 3.4.13 a list of the company's creditors and debtors
- 3.4.14 salary information
- 3.4.15 bank account information
- 3.4.16 fixed assets register

Marketing Department

- 3.4.17 St Peter's brochures and publications
- 3.4.18 documents relating to public relation events
- 3.4.19 St Peter's media releases
- 3.4.20 St Peter's Foundation and Bursary programmes

Support Services

- 3.4.21 delivery and collection sheets
- 3.4.22 list of suppliers and service level agreements
- 3.4.23 function records and related costings
- 3.4.24 stock sheets

4. FORM OF REQUEST (Section 51 (1) (e))

To facilitate the process of your request, kindly:

- 4.1 Use the prescribed form, available on the website of the South African Human Rights Commission at www.sahrc.org.za
- 4.2 Address your request to the Rector or Information Officer of St Peter's Prep Schools
- 4.3 Provide sufficient details to enable St Peter's Prep Schools to identify:
 - 4.3.1 the record(s) requested
 - 4.3.2 the requester (and if an agent is lodging the request, proof of capacity)
 - 4.3.3 the form of access required
 - 4.3.4 the postal address or email address of the requester in the Republic
- 4.3.5 The Rector or Information Officer, as soon as reasonably possible and within 30 days after the request has been received, shall decide whether or not to grant the request
- 4.3.6 The requester shall be notified of the decision of the Rector or Information Officer, indicated by the requester
- 4.3.7 If the request is granted, the requester shall be informed by the Rector or Information Officer in the manner indicated in the prescribed form
- 4.3.8 If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof
- 4.3.9 The right which the requester is seeking to exercise or protect with an explanation of the reason is required to exercise or protect the right

- 4.3.10 Notwithstanding the afore-going, the Rector or Information Officer will advise the requester in the manner stipulated by the requester in the prescribed form of:
 - 4.3.10.1 the access fee to be paid for the information in accordance with paragraph 5
 - 4.3.10.2 the format in which access will be given; and
 - 4.3.10.3 the fact that the requester may lodge an appeal with a court of competent jurisdiction against the access fee charged or the format in which access is to be granted
- 4.3.11 After access is granted, actual access to the record requested will be given as soon as possible
- 4.3.12 If the request for access is refused, the Rector or Information Officer shall advise the requester in writing of the refusal. The notice of refusal shall state:
 - 4.3.12.1 adequate reasons for the refusal
 - 4.3.12.2 that the requester may lodge an appeal with a court of competent jurisdiction against the refusal of the request (including the period) for lodging such an appeal
- 4.3.13 Upon the refusal by the Rector or Information Officer, the deposit paid by the requester will be refunded
- 4.3.14 If the Rector or Information Officer fails to respond within thirty days after a request has been received, it is deemed, in terms of Section 58 read together with Section 56 (1) of the Act, that the Rector or Information Officer has refused the request
- 4.3.15 The Rector or Information Officer may decide to extend the period of thirty days (original period) for another period of not more than thirty days if:
 - 4.3.15.1 the request is for a large number of records
 - 4.3.15.2 consultation among departments, as the case may be, of St Peter's is required
 - 4.3.15.3 the requester consents to such an extension in writing; and
 - 4.3.15.4 the parties agree in any other manner to such an extension
- 4.3.16 Should St Peter's require an extension of time, the requester shall be informed in the manner stipulated in the prescribed form of the reasons for the extension
- 4.3.17 The requester may lodge an appeal with a court of competent jurisdiction against any extension or against any procedure set out in this section

5. PRESCRIBED FEES (as referred to in Section 52 (3) and subject to change by the Information Regulator)

- 5.1 A requester, other than a personal requester, is required to pay the prescribed fees before a request will be processed, currently being R50
- 5.2 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
- 5.3 A requester may lodge an application with a court against the tender/payment of the request fee and/or deposit
- 5.4 Records may be withheld until the fees have been paid
- 5.5 The fee structure is available on the website of the SAHRC at www.sahrc.org.za

6. INFORMATION OR RECORDS NOT FOUND

- 6.1 If all reasonable steps have been taken to find a record, and such a record cannot be found or if the records do not exist, then the Rector or Information Officer shall notify the requester, by way of an affidavit or affirmation, that it is not possible to give access to the requested record
- 6.2 The affidavit or affirmation shall provide a full account of all the steps taken to find the record or to determine the existence thereof, including details of all communications by the Rector or Information Officer with every person who conducted the search
- 6.3 The notice, as set out in 6.1, shall be regarded as a decision to refuse a request for access to the record concerned for the purposes of the Act
- 6.4 If the record in question should later be found, the requester shall be given access to the record in the manner stipulated by the requester in the prescribed form unless access is refused by the Rector or Information Officer
- 6.5 The attention of the requester is drawn to the provisions of Chapter 4 of Part 3 of the Act in terms of which St Peter's may refuse, on certain specified grounds, to provide information to a requester

7. INFORMATION REQUESTED BY A THIRD PARTY

- 7.1 Section 71 of the Act makes provision for information of records about a third party
- 7.2 In considering such a request, St Peter's will adhere to the provisions of Sections 71 to 74 of the Act
- 7.3 The attention of the requester is drawn to the provision of Chapter 5 of Part 3 of the Act in terms of which St Peter's is obliged, in certain circumstances, to advise third parties of requests lodged in respect of information applicable to or concerning such third parties. In addition, the provisions of Chapter 2 of Part 4 of the Act entitle third parties to dispute the decisions of the Rector or Information Officer by referring the matter to the High Court

8. UPDATING OF THE MANUAL

St Peter's may update this manual every six months or at such intervals as may be necessary