



CBC Mount Edmund
FAITH | LEADERSHIP | EXCELLENCE

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CHRISTIAN BROTHERS COLLEGE MOUNT EDMUND

PAIA MANUAL

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

DATE OF LATEST REVISION: 15/12/2021

1. LIST OF ACRONYMS AND ABBREVIATIONS

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|-----|---------------------------|--|
| 1.1 | “CBC MOUNT EDMUND” | Christian Brothers College Mount Edmund
(an independent Catholic school catering for learners from gr RRR to grade 12); |
| 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

The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) gives effect to the provisions of Section 32 of the Constitution, which provides for the right to access information held by another person or entity, whether such information is required by someone to protect his/her rights. The purpose of this manual is to outline the records and information kept by CBC Mount Edmund and the procedure to acquire such records and information from the school.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF CBC MOUNT EDMUND

3.1. College Principal / Information Officer

Name: Bernard Neil Langton
Tel: 012 -804 1801
Email: blangton@cbcpretoria.co.za

3.2. Deputy Information Officer.

Name: Michelina Savides
Tel: 012 – 804 1801
Email: msavides@cbcpretoria.co.za

3.3 Access to information general contacts

Email: info@cbcpretoria.co.za

3.4 Addresses, contact details and website

Postal Address: P. O. Box 912-487
Silverton
Pretoria
0127

Physical Address: Corner of Cussonia and Pretoria Street
Silverton
Pretoria
0184

Telephone: 012-804 1801

Email: info@cbcpretoria.co.za

Website: www.cbcmountedmund.co.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. The Guide can be accessed through the SAHRC or the Information Regulator.

4.2. The contact details of the Human Rights Commission are:

Physical Address	Braampark Forum 3, 33 Hoofd Street, Johannesburg
Postal Address	Private Bag 2700, Houghton
Phone	011 877 3600
Fax	011 403 0668
Email	paia@sahrc.org.za
Website of the SAHRC	www.sahrc.org.za

4.3. The guide can also be obtained from the Information Regulator whose details are the following:

Physical Address	D House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001.
Postal Address	P.O Box 31533, Braamfontein, Johannesburg, 2017
Phone	010 023 5200
Email	inforeg@justice.gov.za enquiries@inforegulator.org.za . PAIAComplaints@inforegulator.org.za

	POPIAComplaints@inforegulator.org.za
Website of the Information Regulator	https://www.justice.gov.za/inforeg/

5. CATEGORIES OF RECORDS OF CBC MOUNT EDMUND WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

5.1 The following information of the School is automatically available:

5.1.1 Information about the School displayed on its website

5.1.2 Information regarding the terms and condition of enrolment of learners in the school, the policies applicable to learners, the contract the school concludes with its parents/guardians/caregivers and the school fee structure.

5.1.3 Marketing material of the School.

6. DESCRIPTION OF THE RECORDS OF CBC MOUNT EDMUND WHICH MAY BE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

6.1 Below is a list of other legislation that may in the appropriate circumstances grant access to information:

Administration of Estates Act 66 of 1965
Basic Conditions of Employment Act 75 of 1997
Broad-Based Black Economic Empowerment Act 53 of 2003
Close Corporations Act 69 of 1984
Companies Act 61 of 1973
Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
Competition Act 89 of 1998
Consumer Protection Act 68 of 2008
Copyright Act 98 of 1978
Debt Collectors Act 114 of 1998

Electronic Communications and Transactions Act 25 of 2002
Electronic Communications Act, 36 of 2005
Employment Equity Act 55 of 1998
Financial Advisory and Intermediary Services Act 37 of 2002
Financial Intelligence Centre Act 38 of 2001
Income Tax Act 58 of 1962
Insolvency Act No. 24 of 1936
Labour Relations Act 66 of 1995
Merchandise Marks Act 17 of 1941
National Credit Act 34 of 2005
Occupational Health & Safety Act 85 of 1993
Pension Funds Act 24 of 1956
Prevention of Organised Crime Act 121 of 1998
Prevention and Combating of Corrupt Activities Act 12 of 2004
Protection of Personal Information Act 4 of 2013

7. DESCRIPTION OF THE SUBJECTS ON WHICH CBC MOUNT EDMUND HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY CBC MOUNT EDMUND

Subjects on which the body holds records	Categories of records
Financial records	Financial statements Creditor invoices, credit notes and statements Debtor statements detailing billing and payments Bank statements Asset registers Payroll information and related reports/returns/forms
Human Resources	HR policies and procedures Advertised posts Employee records
Learner information	Information related to learners
Internal School Records	Financial records Marketing records and the like Statutory records Employment policies and procedures Internal operating policies Minutes of meetings Internal memo and correspondence Employee records and employment details

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

In terms of the Protection of Personal Information Act the School collects information for the following reasons:

- 8.1.1 Information related to the enrolment of a learner at the School;
- 8.1.2 Information pertaining to the learner at the School including for the purposes of assessment of the learner and teaching interventions;

- 8.1.3 credit vetting and history of parent/persons responsible for the account at the school
- 8.1.4 invoicing;
- 8.1.5 for communication purposes to parents/guardians/caregivers including providing information related to the school activities and general information;
- 8.1.6 compliance with other laws and regulatory obligations (such as Department of Education and SARS);
- 8.1.7 for employment purposes including application for employment and records of current employees;
- 8.1.8 reporting to the Board of Governors of the School, the various departments of the School, Christian Brothers Association, ICASA and the Catholic Archdiocese and related intuitions;
- 8.1.9 performing our obligations and enforcing any rights in terms of agreements with parents and service providers;
- 8.1.10 statistical analysis of learner performance;
- 8.1.11 Other non-specified purposes but where such purposes are germane to the running of a school.

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

Categories of Data Subjects	Personal Information that may be processed
Parents and learners	name, address, telephone number, email address, registration numbers or identity numbers, employment status and bank details, credit history and payment history, academic record and disciplinary record of learners.
Service Providers	names, contact detail (telephonic and email) registration number, vat numbers, address, trade secrets and bank details, details of goods and services provided, details of employee of service providers.
Employees	address, telephone number, qualifications, gender and race, employment details, performance and disciplinary records, payslip and banking information.

Categories of Data Subjects	Personal Information that may be processed
Associate Bodies	name, address, telephone number, email address, registration numbers or identity numbers, details of members and representatives.

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

During the course of our operations, we may send information to the following persons or bodies:

- 8.3.1 Any firm, organisation or person that the School uses to collect payments and recover debts or to provide a service on its behalf;
- 8.3.2 The School auditor and accountants or other persons that provide professional services to the School;
- 8.3.3 Any firm, organisation or person that/who provides the School with products or services;
- 8.3.4 Any person who the School has reason to believe to be a data subject's/consumer's parent, carer or helper
- 8.3.5 Any payment system the School uses;
- 8.3.6 Regulatory and governmental authorities or ombudsmen, or other authorities, including tax authorities, where the School has a duty to share information
- 8.3.7 Reporting to the Board of Governors of the School, the various departments of the School, Christian Brothers Association, ICASA and the Catholic Archdiocese and related institutions;
- 8.3.8 Credit bureaux;

8.3.9 Third parties to whom payments are made on behalf of employees and others;

8.3.10 Financial institutions from whom payments are received on behalf of data subjects;

8.3.11 Any other operator not specified;

8.3.12 Employees, contractors and temporary staff; and

8.3.13 Agents and consultants;

8.4 Planned transborder flows of personal information

Information is sent across transborder by the School only in the event that such information is specifically requested by a parent of a learner who is a foreign resident and only to the extent that it relates to that specific learner.

In certain instances, information may be stored on servers that are based outside of the borders of South Africa. This is dependent on service providers used by the School for example Microsoft.

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 School has instituted reasonable security measures to ensure that information is protected including:

8.5.1 Installation of adequate anti-virus software and storing information on secured serves;

8.5.2 Password protections on access to relevant information;

8.5.3 Limiting access to information to only those employees required to have such information; and

8.5.4 Confidentiality restraints implemented for employees.

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

9.1.1 on www.cbcmountedmund.co.za;

9.1.2 the school premises 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. HOW TO ACCESS INFORMATION

10.1 In order to access information held by the School, the following process is to be followed:

10.1.1 A request shall be made on the prescribed form. A copy of the form is attached to this Manual. This request must be made to head of the School and the designated information office at the address or electronic mail address of the School. (Section 53(1))

10.1.2 The requester must provide sufficient detail on the request form to enable the head of the School to identify the record and the requester. Proof of identification must be submitted with the application.

10.1.3 The requester should indicate which form of access is required and specify a postal address or fax number of the requester in South Africa. 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. (Section 53(2)(a),(b),(c) and (e))

10.1.4 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. (Section 53(2)(d))

- 10.1.5 If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the School. (Section 53(2)(f))
- 10.1.6 The fees required to be paid for the information requested is the following:
 - 10.1.6.1 A requester who seeks access to a record containing personal information under the POPI Act about that requester personally is not required to pay the request fee;
 - 10.1.6.2 Every other requester, who is not a personal requester, must pay:
 - 10.1.6.2.1 the required Request Fee; and
 - 10.1.6.2.2 the Access Fees.
- 10.1.7 The head of the School 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. Section 54(1))
- 10.1.8 The Request Fee is as of issue of this manual the amount R 50 and is payable on submission of the request for information. The amount may change from year to year.
- 10.1.9 If the request is granted, then a further prescribed 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. (Section 54(6)). This Fee is payable prior to receipt of the requested information.
- 10.1.10 The fee structure is available on the website of the South African Human Rights Commission at www.sahrc.org.za.

11. TIME LINES FOR REQUEST

- 11.1 In terms of PAIA, requests for information shall be processed with a period of 30 days from the date of request unless the request contains considerations that are of such a nature that an extension of the time limit is needed. PAIA does provide for an extension of the time limits in certain instances.
- 11.2 If a request for access to information affects a third party, then such a third party must first be informed within 21 (twenty one) days of receipt of the request. The third party would then have a further 21 (twenty one) days to make representations and/or submissions regarding the granting of access to the record.
- 11.3 If a decision is made to grant access to the information of a third party, the third party has the right to approach a competent court for the setting aside of such a decision. The third party has 30 days from the date of the decision to do so and the School may not disclose the information until the matter is resolved.

12. GROUNDS FOR REFUSAL

- 12.1 There are various grounds upon which a request for access to a record may be refused. In general access may be refused based on the stipulations of PAIA, other legislation or the common law.

13. RIGHTS IF A REQUEST IS REFUSED

- 13.1 The School does not have an internal appeal process should the decision be to refuse access to the information requested.
- 13.2 If you are dissatisfied with the decision of the School, you may approach a competent court for appropriate relief.

Issued by:

Bernard Langton
College Principal

D. Particulars of record

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record:

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.....

2. Reference number, if available:

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3. Any further particulars of record:

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E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

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F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:
Mark the appropriate box with an X .	
NOTES:	
(a) Compliance with your request for access in the specified form may depend on the form in which the record is available.	
(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.	
(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.	

1. If the record is in written or printed form:					
	copy of record*		inspection of record		
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):					
	view the images		copy of the images*		transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:					
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)		
4. If record is held on computer or in an electronic or machine-readable form:					
	printed copy of record*		printed copy of information derived from the record*		copy in computer readable form* (stiffy or compact disc)

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES	NO
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G. Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:

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2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

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H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

.....

Signed at this day..... ofyear

.....
SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE