

PAIA Manual of Assumption Convent School (hereinafter Assumption)

This document is prepared in Accordance with
Section 51 of the Promotion of Access to
Information Act 2 of 2000 (as amended).

Document use

This document is a public document and is authorised for perusal by any person interested party or stakeholder interested in the Assumption PAIA process.

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Abbreviations/ Acronyms/ Definitions

Abbreviation	Expansion
DIO	Deputy Information Officer
IO	Information Officer
Minister	Minister of Justice and Correctional Services
PAIA	Promotion of Access to Information Act No. 2 of 2000
POPIA	Protection of Personal Information Act No.4 of 2013
Regulator	Information Regulator of South Africa
Republic	Republic of South Africa

Introduction

The Promotion of Access to Information Act (Act) requires Assumption to draft this PAIA manual for the purposes of,

- Informing the public of their right to request access to information, which is a Constitutional right,
- further to inform the public of the type of information Assumption holds in its' business operations, that may be requested for access,
- and to inform the public how to request such access.

About Assumption

Assumption Convent School is a school for girls which provides accessible, high quality education for young people from Pre-grade to Grade 12. A team of dedicated teachers foster self-discipline, respect and responsibility within a Catholic ethos. The school is an associate member of the Catholic Schools Board and a member of the Independent Schools Association of Southern Africa. It follows the three-term year.

Our mission is to

- inculcate Gospel values
- nurture a sense of self-worth
- develop a sensitivity to and understanding of different cultures and religions
- create an environment where full potential can be reached
- provide skills to cope with the challenges of life
- foster the importance of family and community

Thus, we all make a meaningful contribution to the wider South African community. Visit <https://assumptionconvent.co.za> for further details on our school.

About this PAIA Manual

The PAIA Manual is useful for the public to:

- Observe the categories of available records held by a body, without having to submit a formal PAIA request.
- Obtain sufficient understanding of how to make a request to access a record of the body, by describing the subjects on which the body holds records and the categories of records held on each subject.
- View the list of other legislation which require the body to hold records.

- Access all the relevant contact details of the Information Officer (IO) and Deputy Information Officer (DIO), responsible for assisting the public with access to records requests.
- Recognise the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it.
- Understand if the body will process personal information, the purpose of processing of Personal information.
- Recognise the description of the categories of data subjects and of the information or categories of information relating thereto.
- Recognise the recipients or categories of recipients to whom personal information may be supplied.
- Check 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.
- Recognise whether the body has appropriate security measures to ensure the confidentiality, integrity, and availability of personal information to be processed.

Key Details on Information and PAIA for Assumption

i. Guide on How to Use PAIA and How to Obtain Access to the Guide

The regulator has, in terms of section 10(1) of PAIA, amended, updated, and made available the revised guide on how to use PAIA, in an easily comprehensible form and manner. This can reasonably be used by a person to exercise any right contemplated in PAIA and POPIA. The guide is available in each of the 11 official languages.

The guide contains the description of:

- The objects of PAIA and POPIA.
- The postal and street address, phone, and fax number and, if available, electronic mail address of:
 - The Information Officer (IO) of every public body.
 - The Deputy Information Officer (DIO) of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA².

The guide also contains the manner and form of a request for:

- Access to a record of a public body contemplated in section 11³.
- Access to a record of a private body contemplated in section 50⁴.
- Assistance available from the IO of a public body in terms of PAIA and POPIA.
- Assistance available from the Regulator in terms of PAIA and POPIA.

The guide includes 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:

- An internal appeal (available for public bodies).
- A complaint to the Regulator.
- An application with a court against a decision by the information officer of a public body. A decision on an internal appeal or a decision by the Regulator or a decision of the head of a private body.

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.*

- The provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and the process to obtain access to a manual.
- The provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively.
- The notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access.
- The regulations made in terms of section 92¹¹.

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.

The guide can also be obtained by:

- Request to the Information Officer.
- The website of the Regulator (www.inforegulator.org.za).

A copy of the guide is also available for public inspection during normal office hours in the two official languages at any Government building, in English and translations available for other languages upon request.

ii. Availability of this PAIA Manual

A copy of the manual is available:

- To any person upon request and upon the payment of a reasonable prescribed fee.
- To the Information Regulator upon request.
- The website <https://assumptionconvent.co.za/>
- The Physical offices of Assumption Convent School:
C/O Pandora and Millins Road
Germiston

A fee for a copy of the manual, as contemplated in annexure B of the regulations, is payable for each A4-size photocopy made.

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.*

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.”

iii. Assumption Records in Accordance with Other Legislation

The following table describes the legislation that requires Assumption to hold records.

Table 2: Legislation requiring Assumption to maintain records

Legislation requiring Assumption to maintain records – reference to law include sub-regulation	
1.	Basic Conditions of Employment Act No. 75 Of 1997
2.	Companies Act 71 of 2008
3.	Compensation for Occupational Injuries and Diseases Act, No. 130 Of 1993
4.	Employment Equity Act No. 55 Of 1998
5.	Employment Services Act, No. 4 Of 2014
6.	Employment Tax Incentives Act 26 of 2013
7.	Income Tax Act 58 of 1962
8.	Intellectual Property Laws Amendments Act 28 of 2013
9.	Labour Relations Act No. 66 of 1995
10.	National Minimum Wage Act, No. 9 of 2018
11.	Occupational Health and Safety Act 85 Of 1993
12.	Promotion of Access to information Act 2 of 2000
13.	Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
14.	Protection of Personal information Act 4 of 2013
15.	Skills Development Act (SDA), No. 97 of 1998
16.	Skills Development Levies Act, No. 9 Of 1999
17.	Tax Administration Act, No. 28 Of 2011
18.	Unemployment Insurance Act, No. 63 Of 2001
19.	Unemployment Insurance Contributions Act, No. 4 Of 2002
20.	Value Added Tax Act 89 of 1991

iv. Subjects and Categories of Records per Subject Held by Assumption

This table describes the Subjects on which the Body Holds Records and Categories of Records Held on each Subject by Assumption.

Table 3: Records of Assumption available Per category of record

Record Grouping	Record	Length of Time	Accessibility
General Business Records	Registration and Incorporation Documents	Permanently	Not accessible
	Patents, trademark registrations, copyright registrations	Permanently	Not accessible
	Property Records	Permanently	Accessible via PAIA process with justifiable reason.
	Company Documents	Permanently	Accessible via PAIA process with justifiable reason
	Tax Documents	Permanently	Accessible via PAIA process with justifiable reason
Staff Documents	Staff Files – Employment contract, employee personal details, banking details, income tax numbers, etc.	For length of employment and 5 years post termination/retirement/death	Accessible through PAIA process
Financial Business Records	Financial Statements	5 years	Accessible via PAIA process with justifiable reason
	Tax Returns and Filings	5 years	Accessible via PAIA process with justifiable reasons
	Audit Reports	5 years	Accessible via PAIA process with justifiable reason
	Cash books	5 years	Accessible via PAIA process with justifiable reason
	Charts of Accounts	5 years	Accessible via PAIA process with justifiable reason
	Salaries/PAYE/UIF/SDL	5 years	Accessible via PAIA process with justifiable reason
	Bank Reconciliations	5 years	Accessible via PAIA process with justifiable reason
	Client Account Details – invoices, credit notes etc.	5 years	Accessible via PAIA process with justifiable reason
	Bank records and statements	5 years	Accessible via PAIA process with justifiable reason

Insurance Records	Company Insurance Details	Permanently or for length of insurance cover	Accessible via PAIA process with justifiable reason
	Vehicle Insurance Details	Lifetime of vehicle plus 3 years	Accessible via PAIA process with justifiable reason
Policies	Policy Documents	Permanently	Accessible via PAIA process with justifiable reasons
Client Case information	Medical Records, Statements, financial information, case specific documents etc	5 years	Accessible via PAIA process with justifiable reasons
Student Information	Statement of results, portfolio of evidence	5 Years	Accessible via PAIA process with justifiable reason
General company information	Website	Permanently	In the public domain: assumptionconvent.co.za

How Assumption Processes Personal Information

i. The Purpose of Processing Personal Information

Assumption processes Personal Information for the following purposes:

- To manage general queries, compliments, and complaints
- In fulfilling contractual obligations
- In compliance to legal obligation and compliance standards
- Maintaining employees, contractors, third- parties and suppliers services
- Recruitment activities
- Campaigning and marketing activities
- Client Services management
- Business management and planning
- Providing information and communications to media
- Monitor use of resources in compliance with policies
- All other operational functions in the legitimate interests of Assumption and the Data subject

ii. Categories of Data Subjects and the Categories of Information Relating Thereto

The following table describes the description of the categories of data subjects and the categories of information relating thereto.

Table 4: Categories of Data Subjects and of the Information or Categories of Information Relating Thereto

Category of Data Subject	Type of Records
Shareholders/ Directors	<ul style="list-style-type: none">• Memorandum of Incorporation• Documents of Incorporation• Directors Details• Company Structures and Positions• Other Statutory Records
Employees and potential employees	<p>Employees and potential employees</p> <ul style="list-style-type: none">• Contact Information• Name and Surname• Previous Employment History• Identity Information• Educational Certifications and training information <p>Employees only</p> <ul style="list-style-type: none">• Employees Basic Details per labour relations requirements• Employee Statutory Documents• Health and Safety records of employees

Category of Data Subject	Type of Records
	<ul style="list-style-type: none"> • Remuneration and Benefits of Employees Documents • Employee HR records • Correspondences with Employee • Records Provided by Employees
Suppliers (potential/confirmed)	<ul style="list-style-type: none"> • Basic company Contact Information • Company registration details • Payment Information • Sales and services Information • Correspondence

iii. The Categories of Recipients to Whom the Personal Information May be Supplied

The following table describes the recipients or categories of recipients to whom the personal information may be supplied.

Table 5: Categories of Recipients to Whom the Personal Information May be Supplied

Category of Recipients	Type of Records to be supplied
- Employees, Suppliers, Governmental organisations, Courts, or Statutory Institutions, Emergency services, PAIA applicants, valid and vetted 3 rd parties	<ul style="list-style-type: none"> • Employee information • Student information

iv. Planned Transborder Flows of Personal Information

Assumption may transfer the personal information collected about data subjects to countries outside South Africa, through external storage servers hosted outside of South Africa, partnerships with internal companies.

Information can be shared cross border to Assumption third party vendors and sub-contractors operating cross border.

Assumption ensures that personal information transferred out of South Africa is secure and binds recipients through contractual and legal obligations to protect the confidentiality and integrity of personal information.

v. General Description of Information Security Measures implemented by Assumption

Assumption processes personal information under its control with adequate security and privacy technical and organisational measures appropriate to the operational risks and requirements of

the company to ensure the safeguarding of personal information to prevent to unauthorised and/or unlawful loss, disclosure, destruction or use of personal information. Our privacy policy, along with restricted internal policies and procedures further detailed our approach to privacy and security matters. Our privacy policy can be found on our website <https://assumptionconvent.co.za>.

How to Request Information under PAIA from Assumption

This section contains details on how to request information, the key contact details for access to information requests, the applicable fees and exemptions applicable for PAIA requests made to Assumption.

i. Access to Information General Contacts

The prescribed form is to be filled and shared to the Information officer through the contact details specified below. The form must be filled in full, any incomplete form may be rejected immediately or sent back.

Where a requester provides a request verbally, due illiteracy or a disability, the information officer can be contacted detailing this scenario and requested to assistance.

Table 6: Contact Details for PAIA requests

Contact details to request Access to information and submit queries or complaints
<p>Information Officer name: Anthea Weinerlein</p> <p>Email: aweinerlein@assumptionconvent.co.za</p> <p>Contact Number: 011 616 5053</p> <p>Head of the body/ Deputy information Officer: Japie Goosen</p> <p>Email: jgoosen@assumptionconvent.co.za</p> <p>Contact number: 011 616 5053</p>

ii. Fees and fee exemptions

PAIA allows for certain prescribed fee to be charged for the provision of a record under the Act.

Cost estimates for granting access to records will be provided to the requestor before fulfilling a PAIA request, where payment or deposit may be required upfront.

Any exceptions to PAIA fees may require additional information that may be validated against the applicable legislation or regulation stipulating the threshold requirements at that point in time, before exempting the requester.

iii. Rights, obligations and decisions on access to information from Assumption

Assumption has obligations under PAIA, PoPIA amongst other legislation, that will limit the sharing of information. The right to request for access to information is limited in certain regards, and must be balanced against the right being protected or exercised under a PAIA request.

Assumption will endeavour to fully evaluate all requests for access to information and determine the lawful and balanced consideration for access, based on the conflicting rights, on a case by case basis.

Note, when requests for records involves personal information of another party (someone who is different to the requestor), extra steps will be required by us to provide the party who's information is being requested an opportunity to reject the provision of access of records to the requestor. Assumption is obliged to assess any requestors, authorisation materials of third parties to request records on behalf of another person and the person's authorising a third-party requesting records itself, before access to information may be granted.

Where records requested from Assumption may be granted, however cannot be found, are incomplete or have been either destroyed or de-identified beyond recognition and where the identification is required, Assumption will not be able to provide these records, and under PAIA this access request may be deemed a rejection to provide access to records.

All access to information requests will be closed with written response and reason to the requestor to understand the basis of Assumption 's decision on providing access to records.

In the event that the format in which a requestor has requested a record to be accessed in is not possible for us to deliver, Assumption will contact the requestor to arrange alternative provisions, or explain and charge the requestor additional fees to have a third party deliver it in the requested format.

Updating the Manual

Assumption will update this manual on a regular basis as authorized by the appropriate teams.

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