

SOCIAL SURVEYS AFRICA (PTY) LTD
94/04045/07

Manual Compiled In terms of
Promotion of Access of Information ACT 2 OF 2000

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1. INTRODUCTION

This manual has been prepared in accordance with section 51 of the Promotion of Access to Information Act, Act 2 of 2000 which was enacted in March 2001.

The Act evolved from section 32 (1) (a) and (b) of the SA Constitution, which gives effect to the constitutional rights of access to any information held by the State and any information that is held by another person, provided such information is required for the exercise or protection of any rights; and to provide for matters connected therewith. In view of that, the purpose of the Promotion of Access to Information Act (PAIA) is to cultivate transparency and accountability in both public and private bodies by giving effect to the right of access to information and to encourage open democracy which enables the society to freely have access to information validated to protect their rights fully.

The purpose of this manual in compliance with the PAIA Act is twofold:

- To guide potential requesters who intend to request documents and or records from Social Surveys Africa (PTY) LTD in terms of the Act, by declaring the different categories of data we preserve and which can be requested using PAIA; and
- To provide the step by step process to be followed when requesting access to such records.

2. COMPANY PROFILE

Social Surveys Africa (PTY) LTD is a social research and development consulting firm offering in-depth understanding of social development topics critical for decision makers in civil society, government and private sector. The company provides full cycle research services which include concept development, methodology and instrument design, data collection, data management, analysis, reporting and strategic advocacy.

The core functions of the research include collecting, retaining and further processing data from a wide range of sources including members of the public and private institutions. As part of standard business operations, the company also processes personal as defined in the Protection of Personal Information Act, No.4 of 2013, such as employment process documents including recruitment, employment contracts, performance management records etc.

Core business Balancing the protection of personal information and the value of access of information. Knowledge addition and empowering individuals from all walks of life to have access to information that which allows them to engage fully and participate in decisions which affect their lives is core to the company's values. At the same time ethical consideration and legal requirements of protecting confidential and personal information are always central to the organisations practices. . Request of information will be dealt with according to the manual and other handbook or policies and procedures documentation developed for PAIA purposes.

A copy of the manual is available at the office, 2 Upper Park Drive, Forest Town or on request from the designated contact person referred to in this manual.

3. CONTACT DETAILS

In view of Section 51 (1) (a), the compliance officer is Dr Tara Polzer Ngwato who is the Chief Operating Officer (COO). She is tasked to receive and address all requests for information that have been made accordance to the Act, and may delegate her power to a nominated representative from Senior Management whenever required.

All request for information made in terms of the Act, directed to Social Surveys Africa, should be addressed to the COO at:

Physical Address: 2 Upper Park Drive
Forest Town
Johannesburg
2193

Postal Address: P O Box 32656
Braamfontein
Johannesburg
2017

Telephone: +27 11 486 1025
E-mail: tara@socialsurveys.co.za
Website: www.socialsurveys.co.za

4. SECTION 10 GUIDE ON HOW TO USE TO THE ACT

Section 10 of the PAIA requires the South African Rights Commission (SAHRC) to compile and publish an easy to understand guide in all official languages to assist people in accessing records and documents and exercising one's right to information.

The guide is available for inspection, inter alia, at the offices of the SAHRC at the Research and Documentation Department:

Physical address PAIA Unit
2nd Floor, Braampark Forum 3
Braamfontein

Postal address: Private Bag 2700
Houghton
2041

Telephone: +27 11 484 8300
Fax: +27 11 484 1360

E-mail: PAIA@sahrc.org.za
Website: www.sahrc.org.za

5. AUTOMATIC DISCLOSURE

Social Surveys Africa may on a voluntary basis submit to the Minister of Justice and Correctional services a description of record, which can be made available to the requester without having to fill in a request form. The minister may publish any description submitted by notice in the Government Gazette. In terms of Section 52 (2), at this stage, no notice(s) has/ have been published on the categories of records that are automatically available without a person having to request access as set out in PAIA.

6. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

In reference to Section 51 (1) (d), records at Social Surveys Africa are held in terms of the following legislation:

- Value-Added Tax Act, No. 89 of 1991;
- Income Tax Act, No. 58 of 1962;
- Basic Conditions of Employment Act, No. 75 of 1997;
- Employment Equity Act, No. 55 of 1998;
- Labour Relations Act, No. 66 of 1995;
- South African Revenue Services Act, No. 34 of 1997.
- Companies Act, No. 71 of 2008
- Unemployment Insurance Act, No. 63 of 2001
- Skills Development Act, No. 9 of 1999
- Black Economic Empowerment Act, No. 53 of 2003

7. SUBJECTS AND CATEGORIES OF RECORDS HELD BY SOCIAL SURVEYS AFRICA

In reference to section 51 (1) (e), below are records pertaining to the company.

It should be noted that the inclusion of any subject and or category of record, should not be taken as an indication that the information will be made available under the Act. As set out by the Act, certain grounds for refusal with reason may be applicable to the request of certain records (see section 8.3).

7.1 Companies Act Records

- Documents of incorporation
- Memorandum and Articles of association
- Records relating of the appointment of directors
- Share register and other statutory registers

7.2 Human Resource

- Employee contracts
- Policies and procedures
- Employee information (Leave, salaries, payroll)
- Employee recruitment and selection information
- Letters of appointment
- Personal files
- Job Descriptions
- Employment Equity records
- Training records
- Performance evaluations
- Disciplinary records

7.3 Financial and accounting records

- Annual Financial Statements
- Management accounts
- Tax Records
- VAT records
- Bank records (Statements, paid cheques, electronic banking records)
- Asset register
- Rental Agreements
- Contracts and sub contracts
- Invoices (Debtors and Creditors)
- Procurement records

7.4 Income tax records

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payment made to SARS on behalf of employees
- All other statutory compliances

7.5 Regulatory Services

- Internal Audit reports and records
- Compliance audit report and records
- Licences
- Insurance records

7.6 Legal records

- Legal Agreements and Contracts
- Property records and leases
- Legal proceedings and correspondence

7.7 Marketing and business development

- Proposals
- Brochures and advertising materials

7.8 Knowledge Management

- Data collection instruments
- Completed questionnaires and surveys
- Raw dataset
- Consent forms
- Research Reports
- Transcripts
- Media (voice recordings, pictures and videos)
- Publications

8. PROCEDURE FOR REQUESTION ACCESS TO RECORDS

8.1 Application for request

Any person who would like to access mentioned records should do the following:

- Complete the access request form found in Annexure 1. The request form can also be accessed on www.sahrc.org.za. If you need further assistance with obtaining and completing the form, you can contact the referred contact person as specified in section 3 of the manual.
- The completed form together with a request fee should be submitted to Social Surveys Africa using specified address and marked attention to the COO. Which request shall include the following:
 - Completed form in CAPITAL LETTERS;
 - Records requested;
 - Identified right that the requester is seeking to exercise or protect, and provide an explanation of why the requested record is required for the exercise or protection of that right;
 - Identity of the requester;
 - Proof of capacity in which the requester is making the request if the request is made on behalf of another person, to the reasonable satisfaction of the COO
 - Postal address of the requester;
 - if in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be informed in the other manner;

Should an individual be unable to complete the prescribed form because of illiteracy, disability or any other reason, such individual may submit such request orally to the COO.

8.2 Fees

The requester needs to pay and send proof of payment to Social Surveys Africa before any further processing can take place and or access can be granted. If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time, in excess of the prescribed hours, required to search and prepare for the record disclosure. If access to a particular record is denied within 30 working days of the decision being taken, the company will refund the fee in full.

The fees are as part of section 54 as amended by section 110 of Act No.4 of 2013, and are as follows

- Request fee payable by every requester R50, 00
- Fees for reproduction and access payable by the requester are as follows:

	Reproduction	Access
For every photocopy of an A4size page or part thereof	R1.10	R1.10
For every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine - readable form	R0.75	R0.75
For a copy in a computer-readable form at:		
i. Stiffy disc	R7.50	R7.50
ii. Compact disc	R70	R70
iii. For a transcription of visual images, for an A4-size page or part	R40	R40
iv. For a copy of visual images	R60	R60
v. For a transcription of an audio record, for an A4-size page or part	R20	R20
vi. For a copy of an audio record	R30	R30

The fee structure can also be found on the South African Human Rights Commission website at www.sahrc.org.za or the Department of Justice and Constitutional Development website at www.doj.gov.za

8.3 Notification of decision

The requester will be informed about the status of their application within 30 working days. The request to access information from Social Surveys Africa can either be granted or denied.

- Granted application

If access is granted, the requester will be provided with feedback indicating the access fee that should be paid upon gaining access (if any), and the form in which the access will be granted.

- Refusal

The attention of the requester is drawn to the provision of Chapter 3 of Part 3 Section 56 of the Act which stipulates that, the company may legitimately refuse to grant access to requested information that falls within a category. In the case of a refusal, the applicant will be provided with reasons for grounds of refusal. While Social Surveys Africa values the promotion of access to information for the benefit of people, it is also an ethical consideration to protect confidential information if the disclosure would constitute a breach of confidence and or expose the third party to disadvantage or harm. In that event, the applicant will be assisted with information of the process of lodging a complaint to the court of law against the refusal of their request.

- Record not found

In the event that the requested record cannot be found and all reasonable steps have been taken to find a record with fail, the COO will notify the requester by way of an affirmation or letter. The letter will provide full account of the necessary steps taken to find the record including all correspondence between all those involved to find the record.

NOTES

9. ANNEXURE

FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000))

[Regulation 10]

1 A. PARTICULARS OF PRIVATE BODY

Requests can be submitted either via conventional mail, email or fax and should be addressed to the relevant contact person as indicated below:

Social Surveys Africa (PTY)LTD

Contact person: Dr Tara Polzer Ngwato
Postal Address: P O Box 32656 Braamfontein, Johannesburg, 2017
Physical Address: 2 Upper Park Drive, Forest Town, Johannesburg, 2193
Phone Number: +27 11 485 1025
E-mail: tara@socialsurveys.co.za

2 B. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

- | | |
|-----|---|
| (a) | The particulars of the person who requests access to the record must be given below. |
| (b) | The address and/or fax number in the Republic to which the information is to be sent must be given. |
| (c) | Proof of the capacity in which the request is made, if applicable, must be attached. |

Full names and surname: _____

Identity number: _____

Postal address: _____

Fax number: _____

Telephone number: _____ E-mail address: _____

Capacity in which request is made, when made on behalf of another person:

3 C. Particulars of person on whose behalf request is made

This section must be completed *ONLY* if a request *for information* is made on behalf of *another* person.

Full names and surname: _____

Identity number: _____

4 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:

2 Reference number, if available:

3 Any further particulars of record:

5 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:

6 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 hereunder, 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.	
<p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(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.</p> <p>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</p>	

1. If the record is in written or printed form:					
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record		
2. If record consists of visual images this includes photographs, slides, video recordings, computer-generated images, sketches, etc)					
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images"		
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*		
3. If record consists of recorded words or information which can be reproduced in sound:					
<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack* written or printed document		
4. If record is held on computer or in an electronic or machine-readable form:					
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record"		
<input type="checkbox"/>		<input type="checkbox"/>	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.			<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO
YES	NO				

7 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:

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

8 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 of20

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE