



MERRIFIELD
PREPARATORY SCHOOL
& COLLEGE

P.O. Box 66 Homeleigh East London E212

PAIA MANUAL

1 July 2021

Version 2

PAIA MANUAL

1. INTRODUCTION

This manual is compiled in accordance with section 51 of the Promotion of Access to Information Act 2 of 2000 (PAIA). A guide on how to use PAIA is available on the South African Human Rights Commission (SAHRC) website.

Merrifield Preparatory School and College is an independent school, classified as a “private body” in terms of PAIA, which requires us to publish an information manual to advise you of the procedures to follow in order to exercise your right to request access to information held by us, in terms of PAIA.

Furthermore, this manual sets out your rights in terms of the Protection of Personal Information Act 4 of 2013 (POPI Act) relating to your personal information, should we process such personal information. Please read this manual in conjunction with our POPI Act Privacy Notice, both of which are available on our website at www.mpssc.co.za. Alternatively, should a hard copy be needed, both documents are available at our physical address, details of which are supplied below.

2. PURPOSE OF PAIA

The purpose of PAIA is to promote the constitutional right of access to information, and to foster a culture of transparency and accountability in South Africa.

The POPI Act then gives expression to the constitutional values of democracy and openness, recognising the need for economic and social progress within the framework of the information society and the need for the removal of unnecessary impediments to the free flow of information, including personal information.

3. PURPOSE OF PAIA GUIDE

This PAIA Guide, as noted in section 1 above, provides further information on PAIA and will assist you in making requests for information under PAIA. It describes, in each of the official languages:

- The purpose and objectives of PAIA and the PAIA Guide;
- How to find the information that you need from public or private bodies;
- How to make a request for access to information;
- When access to information can/may be refused;
- Key references and other useful information.

The SAHRC may be contacted using the following information:

- The South African Human Rights Commission:
PAIA Unit
The Research and Documentation Department
- Physical Address of Head Office: JD House, 27 Stiemens Street, Braamfontein, Johannesburg
- Postal Address: Private Bag 2700, Houghton, 2041
- Tel: +27 (0) 21 426 2277
- Email: info@sahrc.org.za
- Website: www.sahrc.org.za

4. THE INFORMATION REGULATOR OF SOUTH AFRICA

As of 30 June 2021, the Information Regulator will take over the regulatory mandate functions relating to PAIA. This follows a proclamation, by the President of South Africa, of sections 110 and 114(4) of the POPI Act, which provide for amendment of PAIA and the effective transfer of certain functions currently performed by the SAHRC to the Information Regulator on 30 June 2021.

The Information Regulator may be contacted using the following information:

- Physical Address of Head Office: JD House, 27 Stiemens Street, Braamfontein, Johannesburg
- Postal Address: PO Box 31533, Braamfontein, Johannesburg, 2017
- Tel: +27 (0) 10 023 5200
- Complaints email: complaints.IR@justice.gov.za
- General enquiries email: inforeg@justice.gov.za
- Website: www.justice.gov.za/inforeg

5. DETAILS OF MERRIFIELD SCHOOL

Registration Number: PBO 18/11/13/272
Information Officer: Guy Hartley
Deputy Information Officer: Adele Waechter
Physical Address: c/o Bonza Bay Road and the N6
Homeleigh
East London
5216
Eastern Cape
Postal Address: PO BOX 15681
Beacon Bay
5205
Telephone: +27 43 748 6094
Email Information Officer: headmaster@mpsc.co.za
Email Deputy Information Officer: adele@mpsc.co.za
Nature of the business: Merrifield Preparatory School and College is an independent, co-educational day school, and offers schooling from Grade 000 to Grade 12

6. REGULATORY NEED FOR INFORMATION

Records are kept in accordance with legislation as is applicable to Merrifield, which includes but is not limited to the following:

- The South African Schools Act 84 of 1996
- National Education Policy Act 27 of 1996
- Children's Act 38 of 2005
- Basic Conditions of Employment Act 75 of 1997
- Compensation of Occupational Injuries & Diseases Act 130 of 1993
- Employment Equity Act 55 of 1998
- Income Tax Act 58 of 1962
- Labour Relations Act 66 of 1995
- Criminal Law Amendment Act 105 of 1997
- Occupational Health and Safety Act 85 of 1993
- Skills Development Levies Act 9 of 1999
- Unemployment Insurance Act 63 of 2001
- Pensions Fund Act 24 of 1956
- Companies Act 71 of 2008
- Value Added Tax Act 89 of 1991

- Consumer Protection Act 68 of 2008
- Promotion of Access to Information Act 2 of 2000
- Electronic Communications and Transactions Act 25 of 2002
- Protection of Personal Information Act 4 of 2013

Furthermore, we are required to provide certain information to the following bodies upon request:

- The Department of Basic Education (DBE)
- The Department of Education (DOE)
- The Department of Health (DOH)
- Umalusi: Council for Quality Assurance in General and Further Education and Training
- The Independent Schools Association of South Africa (ISASA)
- Independent Examinations Board (IEB)

7. TYPES OF INFORMATION HELD BY MERRIFIELD

Merrifield processes information in the ordinary course of business. Here are some of the types of information we may request and the reasons relating thereto:

Personal details, ID, contact details of parents/legal guardians	To consider the application, identify and contact the data subject, and to potentially contact persons related to them in case of an emergency.
Personal circumstances and history of the child	Accommodations, care of the child, organisational / educational interest of school.
Health information, remedial information of the child	Care for the child, special needs, Accommodations, emergency assistance.
Banking details of parents/legal guardians	To enable the proper processing of authorised debit orders.
Financial information, e.g. bank statements, payslips, income and expenses	To consider affordability of fees, bursaries, or financial support on application.
Personal details of employees (current and prospective): Name, address, contact details, race, nationality, etc.	To maintain accurate records; to verify identity, to provide accurate statistical data to the relevant regulatory bodies regarding employment equity, to consider if a candidate meets requirements for position, to communicate with employees, etc.
Convictions / criminal record of employees or prospective employees	To make a decision on suitability for employment where the nature of the job justifies investigation into criminal behaviour. To comply with the Criminal Law (Sexual Offences and Related Matters) Amendment Act, No. 32 of 2007 when job allows access to minors or the mentally impaired.
Financial details of employees: Tax number; tax directives, bank details, etc	To comply with relevant tax laws and to enable employees to be paid correctly.
Supplier details including address, contact details and banking details	To ensure the accurate processing and payment of expenses or services, and adequate documentation in accordance with our audit requirements.

CCTV surveillance footage and other images, video or audio footage	For safety and security of our premises, to provide content-rich feedback to the school community on school activities.
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8. HOW YOU CAN REQUEST ACCESS

- 8.1. The requester must use the prescribed form to make the request for access to a record. This request must be addressed to the Information Officer, using either the physical address, or email address of the Information Officer.
- 8.2. The requester must provide sufficient detail on the request form to enable Merrifield to identify the record and the requester. The requester should also indicate which form of access is required, if any other manner is to be used to inform the requester, and state the necessary particulars to be so informed.
- 8.3. 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.
- 8.4. If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.

9. FEES PAYABLE FOR REQUESTS

Requesters are required in terms of PAIA to pay a fee when requesting access to records from public or private bodies.

Request Fees are as follows:

- R35 for requesting records from a public body.
- R50 for requesting records from a private body (applicable to Merrifield).

Note that a requester who seeks access to a record containing their own personal information is not required to pay the Request Fee. However, they will still be liable for the **Access Fee**.

Requesters are also required to pay fees for accessing the records of public and private bodies. This fee covers the cost of searching for the record and copying it.

The **Access Fees** applicable to private bodies are:

ACTIVITY	FEE
Copy per A4 page	R1.10
Printing per A4 page	R0.75
Copy on a CD	R70.00
Transcription of visual image per A4 page	R40.00
Copy of a visual image	R60.00
Transcription of an audio recording per A4 page	R20
Copy of an audio recording	R30
Search and Preparation of the record for disclosure	R30 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation.

Postage fees have to be paid by the requester for the delivery of their records. Further exceptions are listed in the Guide and available on the SAHRC website.

10. FORMS

This manual is available for inspection free of charge at the premises of Merrifield, at its physical address as stated above.

Other relevant forms applicable are:

- Request for correction or deletion of personal information Refer to Form 2, <https://www.justice.gov.za/infoereg/>

- Objection to the processing of personal information

Refer to Form 1, <https://www.justice.gov.za/infoereg/>

- Request for access to record of private body

Refer to document J752, Form C, available at <https://www.justice.gov.za/infoereg/>

ANNEXURE 1

PRESCRIBED FORMS

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]

A. Particulars of private body

Name of Body: _____

The Head: _____

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 another person:

(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: _____

(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:

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) you qualify for exemption of the payment of any fee, please state the reason for exemption. Reason for exemption from payment of fees:

F. Form of access to record

If you are prevented by a disability from reading, viewing or listening 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

NOTES:

- (a) Compliance with your request 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

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:

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approve/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 of _____ 20__

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE

ANNEXURE 2

FEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4 size page or part thereof.
2. The fees for reproduction referred to in regulation 11 (1) are as follows:
 - (a) For every photocopy of an A4 size page or part thereof R 1.10
 - (b) For every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine readable form R 0.75
 - (c) For a copy in a computer-readable form on –
 - (i) stifty disc R 7.50
 - (ii) compact disc R70.00
 - (d) For a transcription of visual images, for an A4 size page or part thereof R40.00
 - (i) For a copy of visual images R60.00
 - (e)
 - (i) For a transcription of an audio record, for an A6 size page or part thereof R20.00
 - (ii) For a copy of an audio record R30.00
3. The request fee payable by a requester, other than a personal requester, referred to in regulation 1 l(2) is R50.00.
4. The access fees payable by a requester referred to in regulation 11 (3) are as follows:
 - (1)
 - (a) For every photocopy of an A4 size page or part thereof R 1.10
 - (b) For every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine readable form R 0.75
 - (c) For a copy in a computer-readable form
 - (i) stifty disc R 7.50
 - (ii) compact disc R70.00
 - (d)
 - (i) For a transcription of visual images, for an A4 size page or part thereof R40.00
 - (ii) For a copy of visual images R60.00
 - (e)
 - (i) For a transcription of an audio record, for an A4 size page or part thereof R20.00
 - (ii) For a copy of an audio record R30.00
 - (f) To search for and prepare the record for disclosure, R30.00 for each hour or part of an hour reasonably required for such search and preparation.
 - (2) For purposes of section 54(2) of the Act, the following applies:

- (a) Six hours as the hours to be exceeded before a deposit is payable; and
 - (b) one third of the access fee is payable as a deposit by the requester.
- (3) The actual postage is payable when a copy of a record must be posted to a requester.