

Access to Information Manual



We respect your right of access to information. This document will help you exercise that right as required by section 51 of the Promotion to Access of Information Act 2 of 2000 (PAIA).

Contents

| | |
|--|-----------|
| Introduction | 2 |
| Our details | 2 |
| Further guidance | 2 |
| Records we hold | 3 |
| Company records..... | 3 |
| Business records | 3 |
| Financial records..... | 4 |
| Insurance records | 4 |
| Income tax records | 4 |
| Personnel records..... | 5 |
| Policies and directives | 5 |
| Agreements or contracts..... | 5 |
| Regulatory documents | 6 |
| Published information | 6 |
| Member information | 6 |
| Reference materials..... | 6 |
| Information we hold to comply with the law | 7 |
| How to request access | 7 |
| Grounds for refusal | 8 |
| How we will give you access | 8 |
| How much it will cost you | 9 |
| How we process and protect personal information | 9 |
| Categories of people..... | 9 |
| Purposes..... | 9 |
| Categories of personal information | 10 |
| Third-party disclosures..... | 10 |
| Cross-border transfers | 10 |
| Security | 10 |
| Other prescribed information | 10 |
| Availability of this Manual | 11 |
| Updates to this Manual | 11 |

Introduction

We are PSA (Public Servants Association of South Africa). We are a registered trade union that represents public sector employees, and this is our 'Access to Information Manual'. Its purpose is to help you access our information and any other information that we have. PAIA requires us to make it available to you so that you:

- know what types of information we have; and
- can request access to it.

Our details

Our details are as follows:

- **Company name:** Public Servants Association of South Africa (NPC)
- **Registration number:** 1942/015415/08
- **Postal address:** PO Box 40404, Arcadia, 0007
- **Physical address:** 563 Belvedere Street, Arcadia, Pretoria, 0007
- **Phone number:** (012) 303-6500
- **Fax number:** (012) 303-6652/3
- **Information officer:** Leon Gilbert
- **Information officer email:** leon.gilbert@psa.co.za
- **Deputy Information officer:** Madelain Müller
- **Deputy Information officer email:** madelain.muller@psa.co.za
- **Contact email:** ask@psa.co.za
- **Website:** <https://www.psa.co.za/>

Further guidance

If you would like further guidance on how you can get access to information under PAIA, you may contact the South African Human Rights Commission (SAHRC) to find out more information about PAIA. They have a guide in each official language of South Africa on how to exercise any right under PAIA. In terms of the Section 110 of the Protection of Personal Information Act 4 of 2013 the functions of the Human Rights Commission in terms of the Act have been transferred to the Information Regulator. Their contact details are as follows:

- **Phone number:** 011 877 3600
- **Fax number:** 011 403 0668
- **Postal address:** P.O Box 31533, Braamfontein, Johannesburg, 2017
- **Physical address:** 33 Hoofd Street, Forum III, 3rd Floor Braampark, Braamfontein, Johannesburg, 2017
- **General e-mail:** inforeg@justice.gov.za
- **Complaints email:** complaints.IR@justice.gov.za
- **Websites:** <https://www.justice.gov.za/inforeg/index.html> and <http://www.sahrc.org.za/index.php/understanding-paia>

Records we hold

We hold the following subjects and categories of records:

- **Company records;**
- **Business records;**
- **Financial records;**
- **Insurance records;**
- **Personnel records;**
- **Policies and directives;**
- **Agreements or contracts;**
- **Regulatory documents;**
- **Published information;**
- **Member information;** and
- **Reference materials.**

Please note that records that are 'not automatically available,' must be requested using the process outlined in the 'How to request access' section on page 6 below.

Company records

Company records are all our records related to the incorporation and administration of our company. Some of them are available from the Companies and Intellectual Property Commission (CIPC).

| | |
|--|------------------------------------|
| Memorandum of incorporation | Automatically available on website |
| Directors' names | Automatically available on website |
| Documents of incorporation | Automatically available from CIPC |
| Minutes of board of directors' meetings | Not automatically available |
| Written resolutions | Not automatically available |
| Records relating to appointment of directors, auditor, secretary, public officer, or other officers | Not automatically available |
| Other statutory records | Not automatically available |

Business records

Business records include any documents that have economic value to the business.

| | |
|--------------------------------|-----------------------------|
| Operational records | Not automatically available |
| Databases | Not automatically available |
| Published works | Not automatically available |
| Internal correspondence | Not automatically available |
| Product records | Not automatically available |

Financial records

Financial records are all our records related to our finances.

| | |
|--|---|
| Financial statements | Not automatically available unless a member |
| Tax returns | Not automatically available |
| Other documents relating to taxation of the company | Not automatically available |
| Auditor's report | Not automatically available unless a member |
| Accounting records | Not automatically available |
| Banking records | Not automatically available |
| Banking details | Automatically available on request |
| Bank statements | Not automatically available |
| Electronic banking records | Not automatically available |
| Paid cheques | Not automatically available |
| Asset register | Not automatically available |
| Rental agreements | Not automatically available |
| Invoices | Not automatically available |
| Financial agreements | Not automatically available |

Insurance records

Insurance records are all our records related to our insurable assets.

| | |
|--|-----------------------------|
| Insurance policies held by the company | Not automatically available |
| Register of all immovable property owned by the company | Not automatically available |

Income tax records

Income tax records are all our records related to our income tax obligations.

| | |
|--|-----------------------------|
| PAYE records | Not automatically available |
| Corporate tax records | Not automatically available |
| Documents issued to employees for income tax purposes | Not automatically available |
| Records of payments made to SARS on behalf of employees | Not automatically available |
| VAT records | Not automatically available |
| Regional services levies | Not automatically available |
| Skills development levies | Not automatically available |
| UIF | Not automatically available |
| Workmen's compensation | Not automatically available |

Personnel records

Personnel records are all our records about anyone who works for us, provides services to us, or provides services on our behalf and who receives or is entitled to receive remuneration, including our employees, contractors, and other personnel.

| | |
|---|-----------------------------|
| List of employees | Not automatically available |
| Employee personal information | Not automatically available |
| Employee employment contracts | Not automatically available |
| Employment policies and procedures | Not automatically available |
| Employment equity plan | Not automatically available |
| Medical aid records | Not automatically available |
| Pension and provident fund records | Not automatically available |
| Salaries of employees | Not automatically available |
| Leave records | Not automatically available |
| Internal evaluations | Not automatically available |
| Disciplinary records | Not automatically available |
| Disciplinary codes | Not automatically available |
| Training records | Not automatically available |
| Operating manuals | Not automatically available |
| Personal records provided by personnel | Not automatically available |
| Other statutory records | Not automatically available |
| Related correspondence | Not automatically available |

Policies and directives

Policies and directives include both internal and external documents.

| | |
|---|-----------------------------|
| Internal relating to employees and the company | Not automatically available |
| External relating to members and other third parties | Not automatically available |
| Information technology systems and documents | Not automatically available |

Agreements or contracts

Agreements or contracts include the documents themselves and all related documents.

| | |
|---|-----------------------------|
| Standard agreements | Not automatically available |
| Contracts concluded with members | Not automatically available |
| NDA's | Not automatically available |
| Letters of intent, MOUs | Not automatically available |
| Third party contracts | Not automatically available |
| Supplier contracts | Not automatically available |

Regulatory documents

Regulatory documents include any documents required to comply with any laws.

| | |
|--------------------|-----------------------------|
| Permits | Not automatically available |
| Licences | Not automatically available |
| Authorities | Not automatically available |

Published information

Published information includes any document that we prepare and produce.

| | |
|--|-----------------------------|
| External newsletters and circulars | Automatically available |
| Internal newsletters and circulars | Not automatically available |
| Information on the company published by third parties | Not automatically available |

Member information

Members information includes any information about anyone that is a member of the trade union.

| | |
|--|-----------------------------|
| Member details | Not automatically available |
| List of members | Not automatically available |
| Communications with members | Not automatically available |
| Member records | Not automatically available |
| Attendance register of meetings | Not automatically available |
| Meeting minutes | Not automatically available |
| Records of subscriptions | Not automatically available |
| Levies paid by members | Not automatically available |
| Transactional information | Not automatically available |
| Marketing records | Not automatically available |

Reference materials

Reference materials include any sources of information that we contribute to.

| | |
|---------------------------|-----------------------------|
| Books | Not automatically available |
| Newsletters | Not automatically available |
| Magazines | Not automatically available |
| Newspaper articles | Not automatically available |

Information we hold to comply with the law

We hold records for the purposes of PAIA in terms of the following main laws, among others:

- Basic Conditions of Employment Act 75 of 1997;
- Broad Based Black Economic Empowerment Act No. 53 of 2003;
- Companies Act 61 of 1973;
- Companies Act 71 of 2008;
- Compensation for Occupational Injuries and Disease Act 130 of 1993;
- Consumer Protection Act 68 of 2008;
- Copyright Act 98 of 1978;
- Electronic Communications and Transactions Act 25 of 2002;
- Employment Equity Act 55 of 1998;
- Financial Intelligence Centre Act 38 of 2001;
- Income Tax Act 58 of 1962;
- Labour Relations Act 66 of 1995;
- Occupational Health and Safety Act 85 of 1993;
- Protection of Personal Information Act 4 of 2013;
- Public Administration Management Act 11 of 2014;
- Public Service Act 103 of 1994;
- Public Service Amendment Act 30 of 2007;
- Public Service Regulations, 2016;
- Regulation of Interception of Communications and Provision of Communication related Information Act 70 of 2002;
- Skills Development Act 97 of 1998;
- Skills Development Levies Act 9 of 1999;
- Unemployment Insurance Act 63 of 2001; and
- Value Added Tax Act 89 of 1991.

How to request access

We have authorised and designated our information officer or deputy information officer to deal with all matters relating to PAIA in order to comply with our obligations in terms of PAIA. To request access to a record, please complete Form C which is available from:

- the SAHRC website at <http://www.sahrc.org.za/index.php/understanding-paia> at this link: <http://www.sahrc.org.za/home/21/files/Form%20C.doc%20August%202013.doc>; or
- the Department of Justice and Constitutional Development website at www.justice.gov.za at this link: http://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf.

Please submit the completed form to our information officer together with the relevant request fee (details here: <http://www.sahrc.org.za/home/21/files/PAIA%20Notice%20on%20fees.pdf>) at our information officer's email address, our physical address, or by fax in terms of our details provided above. Please ensure that the completed form:

- has enough information for the information officer to identify you, the requested records, and which form of access you require;
- specifies your email address, postal address, or fax number;
- describes the right that you seek to exercise or protect;
- explains why you need the requested record to exercise or protect that right;
- provides any other way you would like to be informed of our decision other than in writing; and
- provides proof of the capacity in which you are making the request if you are making it on behalf of someone else (we will decide whether this proof is satisfactory).

If you do not use the standard form we may:

- reject the request due to lack of procedural compliance;
- refuse it if you do not provide sufficient information; or
- delay it.

Grounds for refusal

We may have to refuse you access to certain records in terms of PAIA to protect:

- someone else's privacy;
- another company's commercial information;
- someone else's confidential information;
- the safety of individuals and property;
- records privileged from production in legal proceedings; or
- research information.

We will notify you in writing whether your request has been approved or denied within 30 calendar days after we have received a completed request for access form. If we cannot find any requested record or it does not exist, then we will notify you by way of affidavit that it is not possible to give access to that particular record.

How we will give you access

We will evaluate and consider all requests to us in terms of PAIA. If we approve your request for access to our records, then we will decide how to provide access to you – unless you have asked for access in a specific form. Publication of this manual does not give rise to any rights to access information records, except in terms of PAIA.

How much it will cost you

You must pay us a request fee as required by law when submitting a request for access to information. The prescribed fees are as set out in the Fee Schedule which is available from <http://www.sahrc.org.za/index.php/understanding-paia> at this link: <http://www.sahrc.org.za/home/21/files/PAIA%20Notice%20on%20fees.pdf>. You must pay us the fees before we will hand over any information. You may have to pay a further access fee if we grant the request for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

How we process and protect personal information

We process the personal information of various categories of people for various purposes as set out in this clause.

Categories of people

We process the personal information of the following categories of people:

- members;
- potential members;
- employees, including of contract workers and interns;
- recruiters and medical practitioners providing services related to employees;
- investment company providing services related to employees;
- contractors, vendors, or suppliers;
- debtors and creditors; and
- directors.

Purposes

We process the personal information to:

- provide services to our members;
- better understand our data subjects' (e.g. our members) needs when doing so;
- keep our data subjects' records up-to-date;
- manage employees in general;
- manage supplier contracts in general;
- manage members in general;
- enforce debts;
- market services to prospects;
- process requests or complaints; and
- process personal information of employees for forensic purposes.

Categories of personal information

We process many different categories of personal information, including:

- contact details, such as phone numbers, physical and postal addresses, and email addresses;
- personal details, such as names and ages;
- demographic details, such as races and age groups;
- health information;
- biometric information;
- account numbers;
- background information;
- contract information;
- credit information;
- market intelligence information; and
- debt and debtor information.

Third-party disclosures

We give the following people personal information that we process in the ordinary course of business to fulfil our obligations to our members:

- contractors, vendors, or suppliers;
- agents, distributors, or other resellers;
- operators, other responsible parties, or co-responsible parties; and
- third party vendors (such as software developers) to help us maintain our services.

Cross-border transfers

We do not send personal information outside of South Africa.

Security

We secure our data by maintaining reasonable measures to protect personal information from loss, misuse, and unauthorized access, disclosure, alteration and destruction. We also take reasonable steps to keep personal information accurate, current, complete, and reliable for its intended use.

Other prescribed information

The Minister of Justice and Constitutional Development has not made any regulations prescribing any other information that needs to appear in this manual.

Availability of this Manual

This manual is available in English and will be available on our website, and at our company offices. The manual is also electronically available on our website at: <https://www.psa.co.za/docs/default-source/default-document-library/paia-manual-psa.pdf>

Updates to this Manual

This manual will be updated whenever we make material changes to the current information.