

PUBLIC ACCESS TO INFORMATION FOR CATHOLIC SCHOOLS IN SOUTH AFRICA

Overview

The Catholic Institute of Education (CIE) is an associate body of the Southern African Catholic Bishops' Conference (SACBC) and since 1985 has provided educational services to the Catholic network of schools. The CIE National Schools Office (NSO) represents all Catholic Schools in South Africa of which 95 are Independent Schools according to the South African Schools Act (SASA) 1996 Section 45. This manual is a joint manual on behalf of all Catholic Independent Schools. A full list of the names and addresses of these schools is appended. The CIE NSO Information Officer will be the contact person for these schools.

A. Section 51 (1)(a)

Name:	Catholic Institute of Education
Physical Address:	66 Nelson Road, Booyens
Postal Address:	P.O. Box 2083, Southdale, 2135
Electronic address:	info@cie.org.za
Website:	www.cie.org.za
Information Officer:	Kelsay Hyam

B. Section (51)(1)(b)

To gain access to the Human Rights Commission's guide to the Act, browse using an internet browser to <http://www.sahrc.org.za>, or e-mail: PAIA@sahrc.org.za

Alternatively, call the Human Rights Advice Line on: 086-012-0120

C. Section 51(1)(c)

At this stage no Notice(s) has/have been published

D. Section 51(1)(d)

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

- The South African Schools Act of 1996
- Basic Conditions of Employment Act No. 75 of 1997

- Compensation of Occupational Injuries & Diseases Act No. 130 of 1993
- Electronic Communications and Transactions Act No.25 of 2002
- Employment Equity Act No. 55 of 1998
- Income Tax Act No. 95 of 1967
- Labour Relations Act No. 66 of 1995
- Occupational Health and Safety Act No. 85 of 1993
- Promotion of Access to Information Act No. 2 of 2002
- Skills Development Levies Act No. 9 of 1999
- Skills Development Act No. 97 of 1998
- Unemployment Insurance Act No. 30 of 1966
- Pensions Fund Act No.24 of 1956
- Regional Service Council Act No. 109 of 1985

E. Section 51 (1)(e)

Access to the Records

Categories of records which are available without a person having to request access in terms of this Act in terms of Section 52(2)

1. Annual Reports
2. Information Brochures, Publications, Newspapers
3. Employed staff records (which are only available to the member of staff and employer are not available to third parties without the relevant staff member's consent)

Other possible records which might be requested:

- Employment Contracts: Availability to be determined upon receipt of request
- Schools' Domain Name Registration: Availability to be determined upon receipt of request
- Agreements with Suppliers: Availability to be determined upon receipt of request
- Database of Schools' Staff and Management: Availability to be determined upon receipt of request
- Website Information: Freely available through <http://cie.org.za>
- Annual Financial Statements: Availability to be determined upon receipt of request
- Trust Deeds: Availability to be determined upon receipt of request
- Minutes of all Trust, Board, Management, Parent Teachers Association, School Management Team Executive and Sub-committee meetings: Availability to be determined upon receipt of request
- Schools' Constitutions: Availability to be determined upon receipt of request
- Schools' Documents: Availability to be determined upon receipt of request
- Details of Schools' Trustees/Governors: Availability to be determined upon receipt of request
- Licences: Availability to be determined upon receipt of request

F. Section 51(1)(f)

Fees in Respect of Requests for Information

Fees in respect of Private Bodies

(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.

G. The Request Procedures:

1. The requester must use the prescribed form to make the request for access to a record. This must be made to the Information Officer, designated by the Head of CIE NSO. This request must be made to the address, fax number or electronic mail address of the body concerned [s 53(1)].
2. The requester must provide sufficient detail on the request form to enable the designated person to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed [s 53(2)(a) and (b) and (c)].
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 [s 53(2)(d)].
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 head of the private body [s 53(2)(f)].
5. The designated person will process the request within 30 (thirty) days of having received the request, unless it is not practically possible. Extension of the period to decide on the request shall be placed in writing.
6. The requester shall be informed in writing whether the request for access to information has been granted or not.

H. Grounds for Refusal of Access to Information

1. Any refusal in terms of the Act;
2. Personal information about a third party;
3. Trade secrets of a third party;
4. The disclosure of information which is likely to cause harm to the spiritual or moral interests of a third party;
5. Information which is a computer programme owned by a private body;
6. Information which could be a breach of a confidence owed to a third party;
7. Information which could reasonably be expected to endanger the life or physical safety or spiritual or moral well-being of an individual;

8. A record if access to the record is prohibited in terms of the Criminal Procedure Act, 1977 (Act no, 51 of 1077);
9. Information which is privileged in legal/medical proceedings unless the affected person has waived the privilege, which means the affected person must consent in writing to the release of the information ;
10. Where the request is manifestly frivolous or vexations or the work involved in processing the request would substantially and unreasonably divert the resources of the CIE NSO.

I. Other Information as May be Prescribed [Section 51(1)(f)]

Appealing a decision of the designated person: A requester may lodge an appeal to a court against a refusal of access to information or record within 30 (thirty) days of such notification

J. Availability of the Manual [Section 51(3)]

The manual is available for inspection free of charge at the address of the CIE NSO. Furthermore, a copy is available from the Human Rights Commission (see contact details in B above) and on the CIE web site: www.cie.org.za

K. Prescribed Fees for Private Bodies

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

1. CIE NSO 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 [s 54(1)].
2. The fee that the requester must pay to a private body is R50.
3. After the head of the private body has made a decision on the request, the requester must be notified in the required form.
4. If the request is granted then a further 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 [s 54(6)].
5. Details of fees may be found in Annexure B

L. Prescribed Forms

These may be found in Annexure A

<u>Province</u>	<u>SchoolName</u>
Eastern Cape	Bishop Demont Senior School
Eastern Cape	Holy Cross Primary
Eastern Cape	Keilands Primary School
Eastern Cape	Khanyisa High School
Eastern Cape	Mount Carmel Farm School
Eastern Cape	St Dominic's Priory High School
Eastern Cape	St Dominic's Priory Junior School
Eastern Cape	St Theresa School
Free State	Edmund Rice School
Free State	Ekwaluseni Catholic Intermediate
Free State	Maryvale Primary School
Free State	St Dominic's College
Free State	St Dominic's College Primary
Free State	St Joseph's CBC
Free State	St Joseph's RC School
Free State	St Patrick's P.School
Free State	St Peter Claver School
Gauteng	Assumpta Private School
Gauteng	Assumption Convent Primary School
Gauteng	Assumption Convent School
Gauteng	Brescia House School
Gauteng	CBC Mount Edmund
Gauteng	Christian Brothers College
Gauteng	De La Salle Holy Cross College
Gauteng	Dominican Convent School
Gauteng	Emaromeni Primary School
Gauteng	Holy Cross Primary School
Gauteng	Holy Family College
Gauteng	Holy Rosary School
Gauteng	Holy Trinity Secondary Catholic School
Gauteng	Immaculata Secondary School
Gauteng	Iona Convent
Gauteng	John Martin Catholic School
Gauteng	Kristo Nkosi Primary School
Gauteng	La Salle College
Gauteng	Loreto Convent School
Gauteng	Loreto School Queenswood
Gauteng	Marist Brothers Linmeyer
Gauteng	Maryvale College
Gauteng	Mayfair Convent School
Gauteng	McAuley House Convent School
Gauteng	Sacred Heart College
Gauteng	Sancta Maria Junior School
Gauteng	St Angela's Primary
Gauteng	St Benedict's College
Gauteng	St Catherine's Convent
Gauteng	St Catherine's Dominican Convent
Gauteng	St Columba's School
Gauteng	St David's Marist College

Gauteng	St Dominic's School
Gauteng	St Gemmas Primary
Gauteng	St John Berchman's
Gauteng	St Martin de Porres School
Gauteng	St Matthew's Private Primary
Gauteng	St Matthews Private Secondary
Gauteng	St Paulus Primary School
Gauteng	St Peter Claver School
Gauteng	St Teresa's Mercy School
Gauteng	St Teresa's Mercy School JP
Gauteng	St Theresa's Convent School
Gauteng	St Ursula's School
Gauteng	Veritas College
KwaZulu Natal	Albini High School
KwaZulu Natal	Convent School of Our Lady of Natal
KwaZulu Natal	Holy Childhood Convent School
KwaZulu Natal	Holy Family College
KwaZulu Natal	Inkamana Secondary Private School
KwaZulu Natal	Langsyde Combined School
KwaZulu Natal	Mariannahill Secondary School
KwaZulu Natal	Maris Stella School
KwaZulu Natal	Marist Brothers' College
KwaZulu Natal	Nardini Convent School
KwaZulu Natal	Our Lady of Fatima Convent
KwaZulu Natal	St Benedict School
KwaZulu Natal	St Catherine's High School
Limpopo	Holy Rosary School
Limpopo	Vrederust Primary School
Mpumalanga	St Peter's School
Mpumalanga	St Thomas Aquinas School
North West	Naledi Ya Masa Primary
North West	Selly Park Convent
North West	Selly Park Secondary School
North West	St Conrad's College
Northern Cape	St Anna Privaat Hoer Skool
Northern Cape	St Boniface High School
Northern Cape	St Patrick's College
Western Cape	Christian Brothers' College - St John's
Western Cape	Holy Cross Convent School
Western Cape	Holy Cross High School
Western Cape	Holy Cross Sisters' School
Western Cape	Koelenhof R.C. Primary School
Western Cape	Mary Help of Christians Primary
Western Cape	Springfield Convent of the Holy Rosary
Western Cape	St Joseph's Marist College (Senior)
Western Cape	Star of the Sea Convent Primary

ANNEXURE A: 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

The Information Officer: Kelsay Hyam

B. Particulars of person requesting access to the record

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

Full names and surname:

Identity number:

Postal address:

Fax number: _____

Telephone number: _____

Cell Number: _____

E-mail address:

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

C. Particulars of person on whose behalf request is made

<p><i>This section must be completed ONLY if a request for information is made on behalf of another person.</i></p>

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

Reason for exemption from payment of fees:

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:
<p>Mark the appropriate box with an X.</p> <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 to 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:					
	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* (floppy 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 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 of _____
20_____

SIGNATURE OF
REQUESTER / PERSON
ON WHOSE
BEHALF REQUEST IS MADE

ANNEXURE B: 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 R1.10
 - (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form R0.75
 - (c) For a copy in a computer-readable form on:
 - (i) floppy disc R7.50
 - (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
3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(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 R1.10
 - (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form R0.75
 - (c) For a copy in a computer-readable form on:
 - (i) floppy disc R7.50
 - (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.