



(Registration Number: 2014/263894/07)

GENERATION SCHOOLS MANUAL

in terms of Section 51 of The Promotion of Access to Information Act, 2 of 2000

This Manual provides information on the records held and the process that is to be followed to request access to such records.

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info@generationschools.co.za



+27 (0)21 205 5922

Generation Education (Pty) Ltd | Reg number is 2014/263894/07 | www.generationschools.co.za

Directors: Jevron Epstein | Jacobus Vos | Arnold Shapiro | Nicholas Pearce

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1. INTRODUCTION

Generation Schools is a private education organization operating within South Africa, predominantly the Western Cape. Generation Schools currently operates 7 campuses offering both Primary school and High school experiences.

2. CONTACT DETAILS

Company Information

Name of Business: **Generation Education Pty (Ltd.)**

Directors: Jevron Epstein (CEO and Director)
Arnold Shapiro (Director)
Jacobus Vos (Director)
Nicholas Pearce (Financial Director)

Postal Address: P.O Box 15176 Vlaeberg 8018

Physical Address: 42 Hans Strijdom Ave Ln, Foreshore, Cape Town, 8001

Phone Number: 021 205 5922

Email Address: info@generationschools.co.za

Website: <https://www.generationschools.co.za/>

Information Officer

Name: Tamika de Jager

Position: Information Officer

Postal Address: The Bridge, Unit 204, Block A, 1st Floor, Sandown Square Business Park, Passerina St, Milnerton Rural, CPT, WC, 7441.



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Telephone Number: +27 (0)21 205 5922

Email Address: Informationofficer@generationschools.co.za

3. THE ACT AND SECTION 10 GUIDE

The Promotion of Access to Information Act (the 'Act') gives effect to the constitutional right of access to information held by the State and any information held by another person and that is required for the exercise or protection of any rights.

Specifically, Section 51(1) of the Act requires the head of a private body to compile a Manual containing information regarding the subjects and categories of records held by such private bodies.

In this context, a "private body" is defined as any natural person who carries or has carried on any trade, business or profession, but only in such capacity or any partnership which carries or has carried on any trade, business or profession or any former or existing juristic person., excluding public bodies.

Therefore, Generation Education (Pty) Ltd. (hereinafter referred to as 'Generation Schools') falls within this definition and this Manual has been compiled in accordance with said provisions and to fulfil the requirements of the Act.

In terms of this Act, when a request for information held by a private body is made, there is an obligation on the private body to provide such information, except where the Act provides otherwise. In this context, Section 9 of the Act applies which allows for the limitation of the right to access information. The limitation relates to circumstances whereby allowing access to requested information would pose a threat to the protection of privacy, commercial confidentiality, and the exercising of effective governance.

This Manual provides an overview of the information held by Generation schools and the prescribed procedure to be followed and the fees that apply to access such records. Hard copies of this Manual can be obtained from each campus as well as on the school's website, <https://www.generationschools.co.za/>.



Requesters are referred to the Guide compiled by the South African Human Rights Commission in accordance with Section 10 of the Act. This Guide provides an explanation of the Act and how to access records and documents for the purposes of exercising one's right to information.

The Guide is available from the SAHRC. The contact details for the SAHRC are as follows:

Postal Address: **Private Bag X2700, Houghton, 2041**

Physical Address: **33 Hoofd Street, Braampark Forum 3, Braamfontein,
Johannesburg**

Telephone Number: **011 877 3600**

Fax Number: **011 403 0668**

Website: www.sahrc.org.za

You can also access the latest electronic version of the guide on the SAHRC site by following this link: <https://www.sahrc.org.za/index.php/understanding-paia> or obtain a hard copy version from the school.

4. OUR RECORDS

4.1. RECORDS THAT ARE AUTOMATICALLY ACCESSIBLE

Records which we hold in terms of the following Acts of Parliament are automatically accessible in terms of those laws (Note: This list is not exhaustive):

- Basic Conditions of Employment Act (Act 75 of 1997)
- Companies Act (Act 71 of 2008)
- Close Corporations Act (Act 69 of 1984)
- Compensation for Occupational Injuries and Disease Act (Act 130 of 1993)
- Electronic Communications and Transactions Act 25 of 2002
- Employment of Educators Act (Act 76 of 1998)
- Employment Equity Act (Act 55 of 1998)



- Financial Intelligence Centre Act (Act 38 of 2001)
- Income Tax Act (Act 58 of 1962)
- Labour Relations Act (Act 66 of 1995)
- National Education Policy Act (Act 27 of 1996)
- Occupational Health and Safety Act (Act 85 of 1993)
- Promotion of Access to Information Act 2 of 2000
- The Protection of Personal Information Act 4 of 2013
- Skills Development Act (Act 97 of 1998)
- Skills Development Levies Act (Act 9 of 1999)
- South African Schools Act (Act 84 of 1994)
- Unemployment Insurance Act (Act 63 of 2001)
- Unemployment Contributions Act (Act 4 of 2002)
- Value Added Tax Act (Act 89 of 1991)

Anyone who is entitled to access to any of those records under any of those laws may therefore have access to them.

4.2. VOLUNTARY DISCLOSURE OF RECORDS

The following records and information are freely available on request:

- Everything that appears on our website or has been made publicly available by Generation Schools.

4.3. OTHER RECORDS

We also hold the following records, which are not automatically accessible. If you require access to any of them, you will need to follow the procedure provided in section 6 of this Manual:

Records	Subject	Availability
Financial Department	<ul style="list-style-type: none"> • Client verification records • Reports (if any) submitted to the Financial Intelligence Centre 	Request in terms of PAIA.



	<ul style="list-style-type: none"> • Credit application information • Financial Records, Reports and Statements • Invoices • Credit notes • Receipts • Goods received vouchers • Asset Register • Income-related Reports and Summaries • Insurance Policies and claims • Policies and procedures 	
Human Resources	<ul style="list-style-type: none"> • Staff Recruitment Policies • Staff records and attendance registers • Pension and provident fund rules 	Request in terms of PAIA.
Information Technology	<ul style="list-style-type: none"> • IT Policies and Procedures • User Manuals • Network Diagrams 	Request in terms of PAIA.
Legal	<ul style="list-style-type: none"> • Records of legal matters 	Request in terms of PAIA.
Operational and Administrative	<ul style="list-style-type: none"> • Minutes of meetings • General correspondence • Contracts with third parties • Marketing information 	Request in terms of PAIA.
Personnel	<ul style="list-style-type: none"> • Personnel files for current employees and agents, including Employment Contracts, Remuneration Records, Employment Conditions and Policies, and Records of Disciplinary Hearings • Personnel files for ex-employees and agents who left during the past three years 	Request in terms of PAIA.
Procurement Department	<ul style="list-style-type: none"> • Terms and conditions for the supply of services and products 	Request in terms of PAIA.



	<ul style="list-style-type: none"> • Agreements • List of suppliers, products, services and distribution 	
Property	<ul style="list-style-type: none"> • Records of properties management • Building plans • Leases 	Request in terms of PAIA.
Student Records	<ul style="list-style-type: none"> • Application-related Documentation • Waiting lists for Admissions • Documents related to refusal of admission, and appeals against those • Admissions/enrolment register • Academic records/individual report cards • Personal files for each student and guardian(s) • Class lists • Class timetables and term plans • Assessment details and documents • Disciplinary information 	Request in terms of PAIA.

5. ACCESS TO OUR RECORDS

5.1. YOUR RIGHT OF ACCESS

The Act entitles you to have access to our records, provided that:

- you require access to exercise or protect any of your rights; and
- you apply for access according to the procedure set out in this Manual; and
- we do not have grounds for refusing such access.



5.2. OUR RIGHT TO REFUSE ACCESS

We have the right to refuse you access to our records if any of the following grounds apply:

- The record would unreasonably disclose personal information about a third party, including a deceased individual (unless that third party or a representative of the deceased gives written permission for access);
- The record contains (a) trade secrets, or (b) financial, commercial, scientific or technical information, or (c) information about research by a third party, which could put that third party at a disadvantage in a negotiation or prejudice him in competition (unless that third party gives written permission for access);
- Access would put us in breach of a duty of confidence which we owe to a third party (unless that third party gives written permission for access);
- Access could reasonably be expected to (a) endanger someone's life or physical safety, or (b) prejudice or impair the security of a building, structure, system, means of transport or other property;
- The record is privileged from being produced as evidence in legal proceedings (unless the person protected by the privilege has waived that protection).

5.3. NOTICE IN TERMS OF SECTION 52 OF THE ACT

We have not gazetted any notices in terms of Section 52 of the Act. This means that, except for those items listed in sections 4.1 and 4.2 of this Manual, we will grant access to our records only in terms of this Manual.

6. HOW TO APPLY FOR ACCESS

6.1. FILL IN A REQUEST FORM

Should you wish to obtain access to any of the records listed in this Manual, you should fill in the application form contained in section 7 of this Manual, alternatively, you can obtain the application form (Form 2) from the Information Regulator's website at <https://www.justice.gov.za/inforeg/>.



When completing the form, please provide sufficient details to enable us to identify:

- (a) The record(s) requested;
- (b) The requester (and if an agent is lodging the request, proof of capacity);
- (c) The form of access required;
- (d) (i) The postal address or fax number of the requester in the Republic;
(ii) If the requester wishes to be informed of the decision in a manner (in addition to written), the manner and particulars thereof;
- (e) The right which the requester is seeking to exercise to protect with an explanation of the reason the record is required to exercise or protect the right.

6.2. SUBMIT THE FORM AND THE REQUEST FEE

Completed application forms are to be submitted to the Information Officer either by hand, email or via the post (please see contact details above), together with a non-refundable **request fee** of R50.00 + VAT. No request will be considered until the aforementioned request fee has been received unless provided otherwise.

Current and past employees, guardians and students requesting access to records held by Generation schools that contain personal information about them are excluded from paying a non-refundable request fee.

Should you be unable to submit a completed application form by hand, email or via post, please contact us to make alternative arrangements.

6.3. WE WILL RESPOND

We will consider your request and let you know our decision, in writing, not more than 30 days after we receive your request.

Our response will probably be one of the following:

- Your application does not contain enough information to enable us to search for the record you want. Please provide additional details.



- It is going to take us more than the prescribed hours (six) to search through our records and prepare as requested, therefore you are required to pay us a deposit of R60.00 (plus VAT).
- We have found the record you are looking for, and you may have access to it, on payment of:
 - a) An **access fee** of R30.00 (+ VAT) per hour or part thereof for the time that it took us to find the record (less any deposit which you have already paid), and
 - b) A **reproduction fee** for making photocopies or printouts or copying the record onto a CD or something equivalent- these fees are set out in section 7 of this Manual.

Note: We will not charge fees to a current or ex-employee requesting access to his/her personnel record or a parent, guardian or student requesting access to his/her personal information.

- You may not have access to the record you want, for reasons which we will state in our reply. If you have paid a deposit, we will refund it (but not the request fee).
- You may have access to the record but not in the particular format requested (i.e. printed or electronic format) as this will unreasonably interfere with school activities, may damage the record, or may lead to a copyright infringement.

Note: If, for practical reasons, access cannot be granted in the required format, but in an alternative format, the fee will be calculated based on the format initially requested.

- We have searched for the record and cannot find it. We will give you an affidavit explaining what steps we took to try and find the record. Should the missing record later come to light, we will notify you accordingly.



7. SCHEDULE OF FEES

As per Government Gazette 23119 dated 15 February 2002

A4 photocopy of this Manual	R1.10 per page
Request fee (non-refundable) payable on submission of the Application Form	R50.00
Access fee for searching our records Note: If the search is likely to take longer than six hours (which would cost more than R180), then a deposit of one-third (i.e. R60) is payable in advance.	R30.00 per hour (or part thereof)
Reproduction fee photocopy (A4 page or part thereof)	R1.10
Printout from a computer or other electronic or machine-readable form (A4 page or part thereof)	R0.75
Computer-readable copy of CD	R70.00
Transcription of visual images (A4 page or part thereof)	R40.00
Copy of a visual image	R60.00
Transcription of an audio record (A4 page or part thereof)	R20.00
Copy of an audio record	R30.00

Note: The above fees are not VAT inclusive, therefore VAT must be added to request, access, and reproduction fees.

Postage

If the copy of the record is to be sent by post, then postage must be paid in addition to the request, access and reproduction fees.



8. APPLICATION FORM

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:	_____
Address:	_____ _____ _____

B. Particulars of person requesting access to the record

Notes:

- Please provide particulars of the person who is requesting access to the record.
- Please state the address and/or fax number in the Republic to which the information is to be sent.
- If applicable, attach proof of the capacity in which the request is made.

Full names and surname:	_____
Identity number:	_____



Postal address:	_____ _____ _____
Telephone no:	_____
Fax no:	_____
Email address:	_____

If this application is being made on behalf of another person, please state the capacity in which you are making it, below:

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

Note: This needs to be completed ONLY if the request for information is being made on behalf of another person.

Full names and surname:	_____
Identity number:	_____



D. Particulars of record

Notes:

- Provide full particulars of the record to which access is requested, including a reference number (if you know of one) which will help us to locate the record.
- If there is not enough space on this form for all the particulars, write the remaining particulars on a separate sheet of paper, sign it, and attach it to this form.

1. Description of the record or relevant part of the record:

2. Reference number, if available:

3. Any further particulars of record:

E. Fees

Notes:

- 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.
- You will be notified of the amount to be paid as the request fee.
- The **fee payable for access** to a record depends on the form in which access is required and the reasonable time to search for and prepare a record.
- If you qualify for exemption from payment of any fee, please state the reason for exemption.



Reason for exemption from payment of fees, if any:

F. Form of access to a record

If you have a disability that prevents you from reading, viewing or listening to the record in any of the forms of access listed in sections 1 to 4 hereunder, please state your disability and indicate the form in which you require the record:

Disability:	<hr/> <hr/>
Form in which record is required:	<hr/> <hr/> <hr/> <hr/>

Notes:

- Compliance with your request in the specified form may depend on the form in which the record is available.
- Access in the form requested may be refused in certain circumstances, in which case you will be informed if access will be granted in another form.
- The fee payable for access to the record will partly be determined by the form in which access is requested.



Mark the appropriate box with an X:

1. If the record is in written or printed form:		
<input type="checkbox"/> Copy of the record	<input type="checkbox"/> Inspection of the record	
2. If the record consists of visual images (including photographs, slides, video recordings, computer-generated images, sketches etc.):		
<input type="checkbox"/> View the images	<input type="checkbox"/> Copy the images	<input type="checkbox"/> Transcription of the images
3. If the record consists of recorded words or information which can be reproduced in sound:		
<input type="checkbox"/> Listen to the recording	<input type="checkbox"/> Transcription of the recording (written or printed)	
4. If the record is held on a 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 record	<input type="checkbox"/> Copy in machine-readable form

G. Particulars of right to be exercised or protected

If the space provided is not adequate, please continue on a separate sheet, sign it, and attach it to this form.

1. Indicate which right is to be exercised or protected:

2. Explain why you need the requested record to exercise or protect the aforementioned right:

H. Notice of decision regarding request for access

You will be notified in writing whether your application has been approved or denied. If you wish to be informed in some other manner, please specify it and give details to enable us to comply with your request:

How would you prefer to be informed of our decision regarding your request for access to the record?

SIGNED AT _____ THIS _____ DAY OF _____ 20 _____

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF THE REQUEST IS MADE

