

**Northern Cape
Department of Education**

PAIA MANUAL

**Published in terms of Section 14 of the
Promotion of Access to Information Act 2 of 2000 (PAIA)**

FOREWORD

The Constitution of the Republic of South Africa provides that everyone has the right of access to records or information held by the state and any information held by any other person that is required for the exercise or protection of any rights.

It is because of the hard learned lessons from our history that we all strive for the protection of fundamental rights. We are here to serve our communities and it is through this manual that our service can be made known to the general public.

The Protection of Personal Information Act of 2013 gives effect to the protection of the right to privacy. In line with this Act, the department will ensure that we secure the integrity and confidentiality of the data collected, take appropriate steps to guard against loss, unauthorised destruction or unlawful access to personal information in our control.

I hope by being informed of the information held by the department the public will work hard to protect our democracy. It is through these Acts that government can be held accountable.



Dr. M Ishmail
Information Officer
Northern Cape Department of Education

PART 1 – PURPOSE OF THE MANUAL

This PAIA Manual is useful for the public to:

- 2.1 check the nature of the records which may already be available at the Department of Education, Northern Cape without the need for submitting a formal PAIA request;
- 2.2 have an understanding of how to make a request for access to a record of the Northern Cape Department of Education;
- 2.3 access all the relevant contact details of the persons who will assist the public with the records they intend to access;
- 2.4 know all the remedies available from the (name of the body) regarding request for access to the records, before approaching the Regulator or the Courts;
- 2.5 the description of the services available to members of the public from the Department of Education, and how to gain access to those services;
- 2.6 a description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.7 if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know if the (name of the body) has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.9 know whether the (name of the body) has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

PART 2 – GUIDE OF ALL MANUALS IN THE REPUBLIC

The Information Regulator has published the guide as is prescribed by section 10 of the PAIA.

The guide is available at the offices of the Information Regulator.

Physical Address

JD House
27 Stiemens Street
Braamfontein
Johannesburg

Telephone: +27 (0) 10 023 5200
E-mail: infoereg@justice.gov.za
Website: <https://www.justice.gov.za/infoereg/contact.html>

PART 3 CONTACT DETAILS OF THE INFORMATION OFFICER AND DEPUTIES

Physical Address

IK NKOANE EDUCATION HOUSE
156 Barkly Road
KIMBERLEY
8301

Tel: 053 8396500
Fax: 053 839 6580/1
Website: ncdoe.ncpg.gov.za

Postal Address

Private Bag X5029
KIMBERLEY
8300

INFORMATION OFFICER

Acting Head of Department: Dr. M. ISHMAIL

E-mail: mishmail21@gmail.com

DEPUTY INFORMATION OFFICER(S)

Mr. O. Mogatle (Director: Legal Services)

Cell: 0823753219

Telephone: 053 839 6775
Facsimile: 053 8711118

E-mail: sandramolefi@ncdoe.gov.za
E-mail: amandamoiwa@ncdoe.gov.za

PART 4 DESCRIPTION OF FUNCTIONS

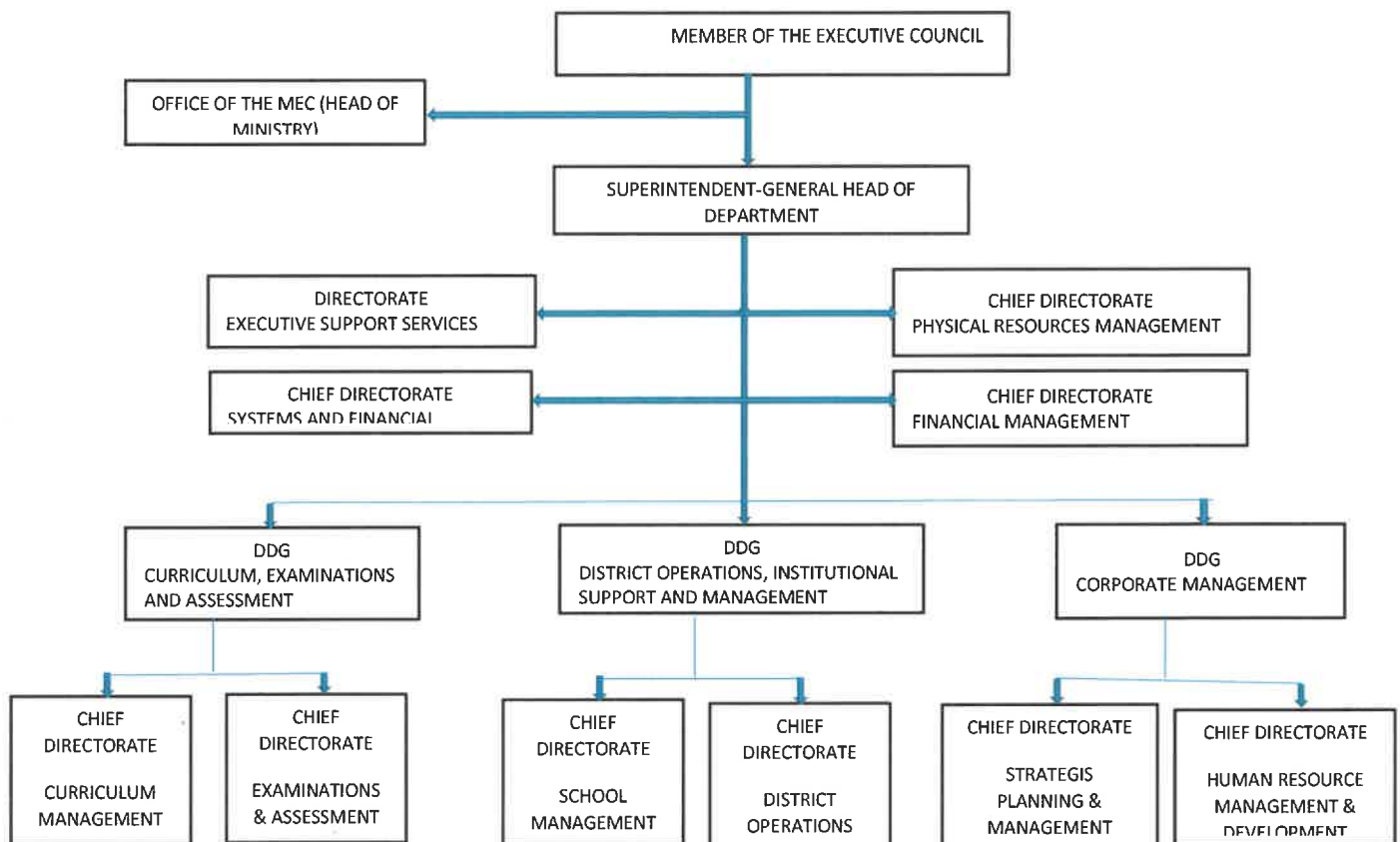
The Northern Cape Department of Education is responsible for Basic Education and provides for Public Ordinary schooling, Early Childhood Development, Special school education and the provision of subsidies to Independent schools. These services are provided to learners in the formal schooling system from grade R to 12.

The Department further provides additional support services including psycho-social services, nutrition and school health services. Included here is specialised support to learners in the form of therapists and educational psychologists.

Extra-curricular activities in the form of sports, arts and culture in schools. These are done to ensure the holistic development of all learners in the schooling system.

Human Resource Development activities include the provision of in-service programmes, learnerships and internships for unemployed youth, also the provision of bursaries for out of school youth as a measure to address the high unemployment rate amongst the youth.

PART 5 STRUCTURE OF THE DEPARTMENT



LIST OF ACRONYMS AND ABBREVIATIONS

- 1.1 "CEO" Chief Executive Officer
- 1.2 "DIO" Deputy Information Officer;
- 1.3 "Department" refers to Department of Education in the Northern Cape
- 1.4 "IO" Information Officer;
- 1.5 "MEC" Member of the Executive Council
- 1.6 "Minister" Minister of Justice and Correctional Services;
- 1.7 "NCDOE" Northern Cape Department of Education
- 1.8 "PAIA" Promotion of Access to Information Act No. 2 of 2000 as Amended;
- 1.9 "PFMA" Public Finance Management Act No.1 of 1999 as Amended;
- 1.10 "POPIA" Protection of Personal Information Act No.4 of 2013;
- 1.11 "Regulator" Information Regulator

PART 6 DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY THE DEPARTMENT OF EDUCATION

- 6.1 Should the Information Officer/Deputy Information Officer refuse or fail to provide access to any record that is held by the NCDOE, the person requesting the information is entitled to appeal the decision.
- 6.2 Should access be granted to a record that involves a third party, the latter is entitled to appeal the decision.
- 6.3 the appeal will be reviewed by the relevant authority in terms of the prescripts of the Promotion of Access to Information Act.
- 6.4 Should it be found that the request was wrongfully denied, the relevant Authority will reverse the initial decision of the Information Officer and grant access to the record. The requester will then be informed of the decision and the necessary fees that are payable for the reproduction of the record or part thereof.
- 6.5 in the event that the relevant authority supports the decision of the Information Officer not to grant access to the record, the requester will be informed of that decision. The requester will also be informed of further remedies.
- 6.6 Once all internal appeal remedies, as identified by the department have been exhausted, the requester has the right to lodge a complaint with the Information Regulator before resorting to judicial remedies.
- 6.7 If after a determination by the Information Regulator, the requester remains dissatisfied with the outcome, the requester may approach a court of law for appropriate relief.
- 6.8 The manner of an internal appeal, appeal fees, complaints procedures and applications to court are prescribed by the Act.

PART 7 GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 7.1. The Regulator has, in terms of section 10(1) of PAIA, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 7.2. The Guide is available in each of the official languages.
- 7.3. The aforesaid Guide contains the description of
 - 7.3.1. the objects of PAIA and POPIA;
 - 7.3.2. the postal and street address, phone and fax number and, if available, electronic mail

address of:

7.3.2.1. the Information Officer of every public body, and

7.3.2.2. every Deputy Information Officer of every public and private body designated
in terms of section 17(1) of PAIA and section 56 of POPIA;

7.3.3. the manner and form of a request for

7.3.3.1. access to a record of a public body contemplated in section 11; and

7.3.3.2. access to a record of a private body contemplated in section 50;

7.3.4. the assistance available from the Information Officer of a public body in terms of PAIA
and POPIA;

7.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;

7.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty
conferred or imposed by PAIA and POPIA, including the manner of lodging

7.3.6.1. an internal appeal;

7.3.6.2. a complaint to the Regulator; and

7.3.6.3. an application with a court against a decision by the information officer of a
public body, a decision on internal appeal or a decision by the Regulator or a
decision of the head of a private body;

7.3.7. the provisions of sections 14 and 51 requiring a public body and private
body, respectively, to compile a manual, and how to obtain access to a manual;

7.3.8. the provisions of sections 15 and 52 providing for the voluntary disclosure
of categories of records by a public body and private body, respectively;

7.3.9. the notices issued in terms of sections 22 and 54 regarding fees to be
paid in relation to requests for access; and

7.3.10. the regulations made in terms of section 92

7.4. Members of the public can inspect or make copies of the Guide from the offices of the public or private bodies, including the office of the Regulator, during normal working hours. The Guide can also be obtained:-

7.4.1 upon request to the Information Officer

7.4.2 from the website of the Regulator (<https://infoeregulator.org.za>)

PART 8 DESCRIPTION OF THE SUBJECT ON WHICH THE BODY HOLD RECORDS AND CATEGORIES OF RECORDS HELD BY THE DEPARTMENT OF EDUCATION, NORTHERN CAPE

There are three types of filing systems in use by the Department in the Provincial Department.

- The personnel filing system which is uniform and in use in all Provincial Departments in the Province and which deals with staff administration within the province.
- The support functions filing system which is also uniform and in use in all Provincial Departments in the Province and which deals with those activities which enable the office concerned to carry out its S
- The line series filing system. It is unique to each department, and it reflects the direct goals and functions of the office concerned, which differentiate it from any other office
- All schools will use the same filing system designed specifically for schools.

MASTER COPY

The master copy of the filing system contains all subjects approved by the Provincial Archivist and indicate how files are to be opened and numbered. No file may be opened unless the file description is recorded in the master copy, and approval obtained from the provincial archivist and records manager. It is a vital control mechanism and is kept safely in the custody of the records manager.

REGISTER OF FILES OPENED

The purpose of this register is to keep a complete record of all files opened. The register should provide next to the description the date of opening (i.e. date of first document)

REGISTER OF FILES FOR DESTRUCTION

A register of closed D files (destroy after the lapse of the number of years, indicated by the number followed by the letter D) must be drawn upon disposal instructions issued by the Provincial Archivist. Once disposal authority is issued by the Provincial Archivist, such instruction must be reflected opposite each file in the disposal column provided in the system

CLOSURE OF IMPORTANT FILES

A20 files (i.e. kept for eventual transfer to the Provincial Archivist) must follow a specific procedure set out in the archive notes

SUBJECT ON WHICH THE BODY HOLDS RECORDS	CATEGORIES OF RECORDS ON EACH SUBJECT
LIST OF MAIN SERIES	
L1	EDUCATION POLICY PLANNING
L2	SCHOOLS ADMINISTRATION
L3	INCLUSIVE EDUCATION
L4	CURRICULUM AND ASSESSMENT SERVICES
L5	ARTS AND CULTURE
L6	TRANSFORMATION IN EDUCATION
SUPPORT FUNCTIONS FILING SYSTEM	
H1	LEGISLATION
H2	ORGANISATION AND CONTROL
H3	FINANCE
H4	ACCOMMODATION
H5	STORES AND SERVICES
H6	TRANSPORT
H7	PUBLICATION AND PUBLICITY
H8	COMPOSITION AND MEETINGS OF BODIES AND OTHER GATHERINGS
H9	REPORTS, RETURNS AND INFORMATION
H10	LEGAL SERVICES
PERSONNEL	
S1	LEGISLATION AND PROCEDURES
S2	POST CONTROL
S3	CONDITIONS OF SERVICE
S4	STAFF RECRUITMENT AND LOSSES
S5	TRAINING
S6	STAFF EVALUATION
S7	PROMOTIONS
S8	STAFF MOVEMENTS
S9	STAFF CONTROL
S10	FINANCE
S11	JOURNEYS AND TRANSPORT
S12	DOMESTIC MATTERS
S13	REPORTS AND RETURNS
S14	LABOUR RELATIONS

PART 9 CATEGORIES OF RECORDS HELD BY THE DEPARTMENT OF EDUCATION, NORTHERN CAPE WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15(1)(a) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000	MANNER OF ACCESS TO RECORDS (e.g. website)(SECTION 15(1)(a))
FOR INSPECTION IN TERMS OF SECTION 15(1)(a)(i):	
- Annual and other progress reports (see records control schedule and register of files opened) - Strategic and operational plans - HR policies - Circulars	Information relating to the above services and access can be obtained from the Head Office and District Offices in the Province. Our contact details are as follows: IK NKOANE EDUCATION HOUSE 156 Barkly Road KIMBERLEY

• Budgets and related documentation • Approved Organogram • Annual financial statements of departments • All other previously published records (eg. brochures, newsletters, photographs, calendars etc.) • All records published on the departmental web-site • List/register of closed schools • List/ register of merged schools • List of no- fees schools • Provincial Public Ordinary School Resource Target list • All records of proceedings of public forums	8301 Private Bag X5029 KIMBERLEY 8300 Tel.: 053 839 6500 Fax: 053 839 6580/1 Web: ncdoe.ncpg.gov.za
FOR PURCHASING IN TERMS OF SECTION 15(1)(a)(ii):	
FOR COPYING IN TERMS OF SECTION 15(1)(a)(ii)	
• Annual and other progress reports (see records control schedule and register of files opened) • Strategic and operational plans • Budgets and related documentation • Approved Organogram • Annual financial statements of departments • All other previously published records (eg. brochures, newsletters, photographs, calendars etc.) • All records published on the departmental web-site • List/register of closed schools • List/ register of merged schools • List of no- fees schools • Provincial Public Ordinary School Resource Target list • All records of proceedings of public forums	Information relating to the above services and access can be obtained from the Head Office and District Offices in the Province. Our contact details are as follows: IK NKOANE EDUCATION HOUSE 156 Barkly Road KIMBERLEY 8301 Private Bag X5029 KIMBERLEY 8300 Tel.: 053 839 6500 Fax: 053 839 6580/1 Web: ncdoe.ncpg.gov.za

AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 15(1)(a)(iii)	
• Annual and other progress reports (see records control schedule and register of files opened) • Strategic and operational plans • Budgets and related documentation • Approved Organogram • Annual financial statements of departments • All other previously published records (eg. brochures, newsletters, photographs, calendars etc.) • All records published on the departmental web-site • List/register of closed schools • List/ register of merged schools • List of no- fees schools • Provincial Public Ordinary School Resource Target list • All records of proceedings of public forums	Information relating to the above services and access can be obtained from the Head Office and District Offices in the Province. Our contact details are as follows: IK NKOANE EDUCATION HOUSE 156 Barkly Road KIMBERLEY 8301 Private Bag X5029 KIMBERLEY 8300 Tel.: 053 839 6500 Fax: 053 839 6580/1 Web: www.ncdoe.ncpg.gov.za

PART 10 SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM THE DEPARTMENT OF EDUCATION AND HOW TO GAIN ACCESS TO THESE SERVICES

PUBLIC ORDINARY SCHOOLS EDUCATION	Provide public ordinary education from Grade R to 12 Provide additional departmentally managed sporting, cultural and reading activities Provide specific public primary and secondary schools (including inclusive education) with resources
INDEPENDENT SCHOOL SUBSIDIES	Support independent schools in accordance the South African Schools' Act
PUBLIC SPECIAL SCHOOLS EDUCATION	Provide compulsory public education in special schools as required by legislation including E-learning and inclusive education
EARLY CHILDHOOD DEVELOPMENT (ECD)	Provide ECD at grade R and Pre-grade R

INFRASTRUCTURE DEVELOPMENT	Provide and maintain infrastructure facilities for public ordinary schools, special schools and ECD.
EXAMINATION AND EDUCATION RELATED SERVICES	Provide education institutions with examination and education related services
NATIONAL SCHOOL NUTRITION PROGRAMME (NSNP)	Provide meals to learners, promote Nutrition Education and promote sustainable food production in school

PART 11 PROCESSING OF PERSONAL INFORMATION

11.1 Purpose for processing personal information in the organisation

The Department of Education in the Northern Cape is required, in the execution of Constitutional mandate to provide Basic Education and exercise its functions and obligations to process personal information of data subjects from time to time,

For the purposes of providing placement of learners, improve learning and teaching outcome, governance and educational delivery. To ensure learner participation in sports, arts and culture. Professionalise education, deliver capacity building programs for employees, increase access to education and employment of people with disabilities. Also address societal issues regarding HIV/AIDS, ensure credible assessment and examinations, integrated service delivery, research and sharing best practises. Further, to support engagement with the media, service providers, statutory bodies, recruitment of staff, to support visits/ international exchange partners and the general public.

11.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data subjects	Personal information that may be processed
Natural persons • Parents and learners • Bursary holders • Applicants	Names and surname; contact details (contact number(s), ID number; physical and personal address; fax number, email address); Residential, postal or business address; Unique Identifier/Identity Number and confidential correspondence
Juristic persons/ Service Providers • SGB • SGB Associations • Sport Councils, Confederations • Arts and Culture Councils • Higher education institutions • SETA • Chapter 9 Institutions • Professional organisations/bodies (SACE, Physio Therapist	Names of contact persons; names of legal entities; physical and postal address; contact details (contact number(s), fax number, email address); registration number, financial, commercial, scientific or technical information and trade secrets and related information)

- Organisations, NGO /interest groups/statutory bodies for learners with special education needs - Audit committee - Other government departments - Community/Faith groups /interest groups focusing on HIV/AIDS/organisation, structures and statutory bodies for the disabled - Umalusi, - GEPF, SARS,etc	
Employees/ Head of department - Permanent employees - Contract employees	Gender, pregnancy marital status, race, age, language, educational information (qualifications); financial information; employment history; Persal number; ID number; physical and personal address; contact details (contact number(s); fax numbers; email address; criminal behaviour well- being and their relatives (family members) race, medical, gender, sex sexual orientation, physical or mental health; disability religion, conscience, belief, culture, language, biometric information of the person nationality financial disclosure information, gifts, donations

11.3 The recipient or categories of recipients to whom the personal information may be supplied

Category of personal Information	Recipients or Categories of Recipients
Identity number, address, bank statement	
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification Verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus, SARS

11.4 planned transborder flow of personal information

The Department of Education does not have plans to transfer personal information outside the Republic of South Africa. In the event such a need arises the Department will ensure that the transfer adheres to the relevant provisions of the Promotion of Personal Information Act (Act No. 2 of 2000), including all other laws and treaties applicable to information that is in the possession of the state.

11.5 General Description of Information security Measures to be implemented by the responsible party to ensure that the confidentiality, integrity and availability of the information

The department of Education employs the following measures to safeguard personal information;

- Restricted access to the Registry
- Surveillance cameras in the buildings
- Anti-virus and Anti-malware solutions
- Overall security to ICT infrastructure including software and hardware
- Access control, tag-in system

- Files and document are filed in a separate storeroom, and only authorised personnel have access
- Only authorised personnel may request files and sign for receipt
- Firewalls,
- Encryption
- Vetting of third party

PART 12 AVAILABILITY OF THE MANUAL

12.1 This manual is made available in the following official language(s)

- English

12.2 A copy of this Manual is available as follows:-

12.2.1 on the website www. Of the public body

12.2.2 at the Head Office of the public body for inspection during normal business hours

12.2.3 to any person upon request and upon payment of a prescribed fee; and

12.2.4 to the Information Regulator upon request

12.3 A fee for a copy of the manual as contemplated in Annexure B of the Regulations, shall be payable per each A4-size photocopy made.

PART 13 UPDATING OF THE MANUAL

The Department of Education, Northern Cape will, when necessary, update the manual

Provincial Office:

156 Barkly Road
Homestead
Kimberley
8301
Tel: (053) 839-6500
Fax: (053) 839-6580

Frances Baard District:

9 Hayston Road
Hadison Park
Kimberley
8301
Tel: (053) 830-1600
Fax: (053) 830-1629

John Taolo Gaetsewe District:

6164 Kgosi Mothibi Road
Mothibistad
8474
Tel: (053) 773-9100
Fax: (053) 773-1804

Namakwa District:

Corner Phillip & Bree Street
Springbok
8240
Tel: (027) 718-8600
Fax: (027) 712-1572

Pixley Ka Seme District:

Alpha Road
Happy Valley
De Aar
7000
Tel: (053) 632-9200
Fax: (053) 631-3250

ZF Mgcawu District:

2 JG Smith Street
Progress
Upington
8801
Tel: (054) 337-6300
Fax: (054) 337-639