



Lalela Project Trust
Registration Number: 090-608-NPO

PAIA MANUAL

**Prepared in terms of section 51 of the
Promotion of Access to Information Act
2 of 2000 (as amended)**

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1. LIST OF ACRONYMS AND ABBREVIATIONS

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|-----|--------------------|--|
| 1.1 | “ED” | Executive Director |
| 1.2 | “DIO” | Deputy Information Officer; |
| 1.3 | “IO” | Information Officer; |
| 1.4 | “Minister” | Minister of Justice and Correctional Services; |
| 1.5 | “PAIA” | Promotion of Access to Information Act No. 2 of 2000 (as Amended); |
| 1.6 | “POPIA” | Protection of Personal Information Act No.4 of 2013; |
| 1.7 | “Regulator” | Information Regulator; and |
| 1.8 | “Republic” | Republic of South Africa |

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by Lalela which are available without a person having to submit a formal PAIA request;
- 2.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which Lalela holds records and the categories of records held on each subject;
- 2.3 know the description of the records of Lalela which are available in accordance with any other legislation;

- 2.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 know if Lalela 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;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if 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
- 2.10 know whether Lalela has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE LALELA PROJECT TRUST

3.1. Chief Information Officer

Name: Firdous Hendricks
Tel: 021 790 1108
Email: firdous@lalela.org
Fax number: -

3.2. Deputy Information Officer *in terms of section 17 (1) of PAIA.*

Name: Sean MacGinty
Tel: 021 790 1108
Email: sean@lalela.org
Fax Number: -

3.3 Access to information general contacts

Email: sean@lalela.org

3.4 National or Head Office

Postal Address:

36 Albert Rd, Hout Bay, Cape Town, 7806

Physical Address:

36 Albert Rd, Hout Bay, Cape Town

Telephone:

021 790 1108

Email:

sean@lalela.org

Website:

www.lalela.org

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

4.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, 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.

4.2. The Guide is available in each of the official languages and in braille.

4.3. The aforesaid Guide contains the description of-

4.3.1. the objects of PAIA and POPIA;

4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-

4.3.2.1. the Information Officer of every public body, and

4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;

4.3.3. the manner and form of a request for-

Access to a record of a private body contemplated in section 50 (1); of PAIA- gives the requester access to any record of a private body if-

4.3.3.1. that record is required for the exercise or protection of any rights;

4.3.3.2. that person complies with the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA, which includes but is not limited to dealing with requests made to Lalela pursuant to POPIA, working with the Regulator in relation to any relevant investigations, providing copies of the manual to anyone who requests;

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

4.3.6. 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 (to be noted that Lalela does not have an internal appeal procedure in light of a denial of a request, and decisions made by the information officer is final), including the manner of lodging-

¹ Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

² Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

- 4.3.6.1. a complaint to the Regulator; and
- 4.3.6.2. an application with a court against a decision by the information officer of a public body, or a decision by the Regulator or a decision of the head of a private body;
- 4.3.7. the provisions of sections 14 and 51³ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 4.3.8. the provisions of sections 15 and 52⁴ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 4.3.9. the notices issued in terms of sections 22 and 54⁵ regarding fees to be paid in relation to requests for access; and
- 4.3.10. the regulations made in terms of section 92⁶.
- 4.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 4.5. The Guide can also be obtained-
 - 4.5.1. upon request to the Information Officer;
 - 4.5.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

³ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁴ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁵ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

⁶ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

4.6 A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-

4.6.1 English and Afrikaans

5. CATEGORIES OF RECORDS OF THE LALELA PROJECT TRUST WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS*

General information can be accessed on our website via the internet on <https://lalela.org/> which is available to all persons who have access to the internet. This includes the information listed below.

Category of records	Types of the Record	Available on Website	Available upon request
Annual Report	PDF Document	X	X
Website	Webpage	X	X

All other information needs to be requested.

* Please note that a request does not automatically mean being granted access to the information requested, as per Section 62 and Section 68 of POPIA.

6. DESCRIPTION OF THE RECORDS OF THE LALELA PROJECT TRUST WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Category of Records	Applicable Legislation
NPO Certificate	Non-profit Organisations Act 71 of 1997
PAIA Manual and Personal Information	Promotion of Access to Information Act 2 of 2000

	Protection of Personal Information Act No 4 of 2013
Staff Contracts and Records	<ul style="list-style-type: none"> - Basic Conditions of Employment Act, No. 75 of 1997 - Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993 - The Criminal Procedure Act, No. 51 of 1977 - Employment Equity Act, No. 55 of 1998 - Financial Intelligence Centre Act, No. 38 of 2001 - Identification Act, No. 68 of 1997 - The Labour Relations Act, No. 66 of 1995 - Unemployment Insurance Act, No. 63 of 2001 - Occupational Health and Safety Act No. 85 of 1993
Beneficiary Enrolment and Indemnity Forms	Children's Act 38 of 2005
Information technology	Electronic Communications Act No 36 of 2005 Electronic Communications and Transaction Act No 25 of 2002 Cybercrimes Act No 19 of 2020

7. DESCRIPTION OF THE SUBJECTS ON WHICH LALELA HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE LALELA PROJECT TRUST

Subjects on which Lalela holds records	Categories of records
Strategic Documents, Plans, Funding Proposals	<ul style="list-style-type: none"> - Annual Reports - Strategic Plans - Funding Proposals.
Human Resources	<ul style="list-style-type: none"> - HR policies and procedures - Advertised posts - Employees records (Employee contracts, Copies of Employee ID Documents,

Subjects on which Lalela holds records	Categories of records
	Employee Police Clearance Certificates, Employee Performance Appraisals, Employee Curriculum Vitae, Minutes of Meetings, Staff Employee Records)
Finance and Business Records	<ul style="list-style-type: none"> - Accounting records, books and documents of the Organisation - Interim and annual financial reports of the Organisation - Details of the auditors of the Organisation - Auditors' reports in respect of audits conducted on the Organisation - Tax returns of the Organisation - Other documents and agreements pertaining to tax - Records pertaining to the Unemployment Insurance Fund - Financial records of the Organisation
Health and Safety Records	<ul style="list-style-type: none"> - Records pertaining to the health and safety of staff (allergies, any special conditions, any previous incidents during working hours) - Records pertaining to the health and safety of beneficiaries (allergies, any special conditions)
Records pertaining to the Appointment of Auditors and Directors	<ul style="list-style-type: none"> - Records in relation to appointment of auditors, directors
Records pertaining to the monitoring and evaluation of the educational impact of Lalela's programmes	<ul style="list-style-type: none"> - Records pertaining to the monitoring and evaluation of the educational impact of Lalela's programmes (including surveys for beneficiaries, interviews with beneficiaries, focus groups with beneficiaries, and

Subjects on which Lalela holds records	Categories of records
	registers of beneficiary attendance to Lalela's programmes) - National Senior Certificate (matric) results of beneficiaries

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

The Organisation processes information for the following purposes:

- 8.1.1 to provide services to its beneficiaries in accordance with terms agreed to by the beneficiaries;
- 8.1.2 to undertake activities related to the provision of services, such as
- 8.1.3 to fulfil domestic legal, regulatory and compliance requirements
- 8.1.4 to verify the identity of beneficiary representatives who contact the Organisation or may be contacted by the Organisation;
- 8.1.5 for risk assessment, information security management, statistical, trend analysis and planning purposes;
- 8.1.6 to assist the Organisation to undertake its educational services, activities and programmes directed at its beneficiaries;
- 8.1.7 to monitor and evaluate the educational impact of our services and programmes (this may include participating in surveys and focus groups);
- 8.1.8 to enforce or defend the Organisation or the Organisation affiliates' rights;

- 8.1.9 to act accordingly should an emergency need arise (such as a medical emergency)
- 8.1.10 to publish content on marketing platforms relating to the Organisation's educational activities and programmes
- 8.1.11 to manage the Organisation's relationship with its beneficiaries, which may include providing information to its beneficiaries and its beneficiaries affiliates about the Organisation's and the Organisation affiliates' products and services;
- 8.1.12 the purposes related to any authorised disclosure made in terms of agreement, law or regulation;
- 8.1.13 any additional purposes expressly authorised by the Organisation's beneficiaries;
- 8.1.14 any additional purposes as may be notified to the beneficiaries or Data Subjects in any notice provided by the Organisation.

8.2 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
Corporate Clients and/or Donors	name, address, registration numbers or identity numbers, employment status and bank details
Service Providers	names, registration number, vat numbers, address, trade secrets and bank details
Employees	ID number/Passport number, bank account details, address, email address, telephone number, tax number, qualifications, gender and race, records of disciplinary processes

Categories of Data Subjects	Personal Information that may be processed
Beneficiaries	address, telephone number, ID number/Passport number, gender
Board Members	address, telephone number, ID number/Passport number, gender

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

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks of all employees	South African Police Services
Qualifications, for qualification verifications of all employees	South African Qualifications Authority
Personal information of all employees (ID number, address) for Payroll	SAW Financial Advisory
Personal information of educators (ID number, SACE number, telephone number, email address)	South African Council for Educators
Personal information of beneficiaries and employees (including but not limited to ID number, age, gender, race, telephone number, qualifications of employees?)	Funders of the Organisation
Personal information of employees (including but not limited to ID	South African National Department of Employment and Labour

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
number, gender, race, telephone number, email address)	
Personal information of employees and service providers (including but not limited to ID number, telephone number, email address)	Mazars South Africa (auditing firm)
Personal information of beneficiaries (first names and age)	Lalela Scarf (separate entity from the Organisation)

8.4 Planned trans-border flows of personal information

The Organisation may share personal information with third parties and in certain instances this may result in cross border flow of the personal information. The personal information will always be subject to protection, not less than the protection it is afforded under the Protection of Personal Information Act No.4 of 2013. As Lalela also has a Board based in the United States of America, information is sent to this Board outside of the Republic. Information is stored via various applications in the virtual cloud outside of the Republic as well, for example, Microsoft 365 is used for work and storing information, which is stored a cloud based in the United States of America. Additional information is stored in Google Drive, Salesforce, Sage Pastel Accounting and Sage VIP and their relevant clouds, all of which are based in the United States of America.

8.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

The Organisation has taken reasonable steps to protect the integrity and confidentiality of personal information. Such security measures that is stored electronically and physically, include:

- 8.5.1.1 Keeping the Organisation's systems secure (like monitoring and usage)

- 8.5.1.2 Storing the Organisation's records securely
- 8.5.1.3 Internet security software
- 8.5.1.4 Virus and malware protection software, firewalls and update protocols
- 8.5.1.5 Controlling the access to the Organisation's buildings, systems and/or records; and
- 8.5.1.6 Safely destroying or deleting records
- 8.5.1.7 Using building security systems with a private security company
- 8.5.1.8 Ensuring compliance with international security standards

8.5.2 The personal information that is stored physically is protected as follows:

- 8.5.2.1 Where physical records of the data exist, such records will be stored in a lockable area as to avoid a breach of the personal information.
- 8.5.2.2 Such physical data records will be 'locked-away' and secured when not in use

8.5.3 The Organisation will conduct an impact assessment of the personal information it retains, and the security of said information annually, relating to the security measures mentioned above.

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

- 9.1.1 on www.lalela.org;
- 9.1.2 head office of The Lalela Project Trust for public inspection during normal business hours;
- 9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

9.1.4 to the Information Regulator upon request.

9.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, may be payable per each A4-size photocopy made.

10. UPDATING OF THE MANUAL

The head of The Lalela Project Trust will on a regular basis update this manual.

Issued by

A handwritten signature in black ink, consisting of a large, stylized initial 'F' followed by a horizontal line extending to the right.

Firdous Hendricks
Executive Director