

POLICY

SECTION 51 PAIA MANUAL

(PROMOTION OF ACCESS TO INFORMATION ACT)

PAIA



KIDS HAVEN

NPC 2000/008607/08

NPO 004 661

("Kids Haven" – "the NPO")

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THE ACT

This manual is published in terms of Section 51 of the Promotion to Access to Information Act, 2000 (Act No.2 of 2000) (“the Act”). The Act gives effect to the provisions of Section 32 of the Constitution, which provides for the right to access to information held by the State and to information held by another person or entity, where such information is required by someone to protect his/her rights. This manual serves to inform members of the public of the categories of information KIDS HAVEN holds. Access to the records and information is not automatic. Any person, who would like to request access to any of the above records or information, is required to complete a request form - **FORM 003**.

INTRODUCTION TO KIDS HAVEN

KIDS HAVEN NPC is a registered Non-Profit Company.

Kids Havens mission is to protect and care for children in crisis and to support families and communities to be safe and caring spaces for children and young people. The organisation strives to facilitate young adults to be included in the economy and to be positively contributing citizens.

ORGANISATIONAL INFORMATION

REGISTERED NAME:	Kids Haven NPC
REGISTRATION NO:	2000//008607/08
DATE OF INCORPORATION:	11/05/2000
COMPANY SECRETARY:	None Appointed
PUBLIC OFFICER CIPC:	Susan Daly
PUBLIC OFFICER SARS:	Thandeka Mekie
PAIA OFFICER:	Sam Mokgopa 0002230/2023-2024-IRRT/PU
REGISTERED OFFICE:	38 Cranbourne Avenue, Benoni, 1501
POSTAL ADDRESS:	38 Cranbourne Avenue, Benoni, 1501
TELEPHONE NO HEAD-OFFICE:	+27 11 421 4222
FUNDRAISING TELEPHONE:	+27 11 706 7959

WHATSAPP:	+27 71 860 0505
TELEPHONE CENTRE:	+27 11 421 4222
TELEPHONE VILLAGE:	+27 11 421 4222
CORPORATE E-MAIL:	hello@kidshaven.co.za
WHISTLE BLOWING: ALERT HOT-LINE MAIL:	Alert.Kids.Haven@gmail.com
SOCIAL MEDIA:	
Website:	www.kidshaven.co.za
Facebook:	https://www.facebook.com/kidshavenhome
Instagram:	https://www.instagram.com/kidshavenbenoni
X:	https://twitter.com/kidshavenhome
Linked In:	www.linkedin.com/company/kids-haven
You Tube:	https://www.youtube.com/@KidsHavenHome

AVAILABILITY OF THIS MANUAL

A copy of this Manual is available -

- On request from the Information Officer: hello@kidshaven.co.za
- On KIDS HAVEN's website: www.kidshaven.co.za

This Manual will be updated from time to time, as and when required.

THE GUIDE OF THE SA HUMAN RIGHTS COMMISSION

The SA Human Rights Commission (SAHRC) has, in terms of section 10 of the Promotion of Access to Information Act (PAIA), developed a guide containing information reasonably required by a person wishing to exercise or protect any right in terms of PAIA. This guide contains amongst others the following information:

- Δ The purpose of PAIA;
- Δ The manner, form, and costs of a request for access to information held by a body;
- Δ Assistance available from Information Officers and the SAHRC;
- Δ Legal remedies when access to information is denied;
- Δ When access to information may be denied; and
- Δ The contact details of Information Officers in the National, Provincial and Local Government.

The Guide is available on the SAHRC's website at www.sahrc.org.za. Copies of the Guide can also be obtained at all the SAHRC's provincial offices of which the contact details are included in the Guide. Enquiries regarding the Guide can be addressed to the SAHRC of which the contact details are as follows:

Postal Address: Private Bag 2700,
Houghton,
2041

Telephone Number: 011 877 3600

Fax Number: 011 403 0625

E-mail: lidlamini@sahrc.org.za

HOW TO REQUEST ACCESS TO RECORDS HELD BY KIDS HAVEN

Requests for access to records held by KIDS HAVEN must be made on the request form "FORM 003" that is available on the KIDS HAVEN website (www.kidshaven.co.za) or from the Information Officer (refer to the contact details stipulated above) or from the SAHRC website (www.sahrc.org.za)

When a record is requested, please note that:

- The fees are prescribed for requesting and accessing information and records held by KIDS HAVEN. A requestor (other than a personal requestor) is required to pay the prescribed fee before a request will be processed. Details of these fees payable may be obtained from the Information Officer. The fees are also available on the website of the SAHRC. A requestor may be called upon to pay the additional fees prescribed by regulation for searching and compiling the information, which has been requested, including copying charges.
- The fact that information and records are held by KIDS HAVEN as listed in this Manual should not be construed as confirming upon any requestor any right to the information or record. Access to the requested records or information or parts of the records or information may be refused in terms of the law.
- On the Request Form all details must be completed, including the right the requestor wants to exercise or protect by requesting the information and an explanation why the record requested is required for the exercise or protection of that right.
- The requestor must provide sufficient detail on the request form to enable the Information officer to identify the record and the requestor.

- If the requestor is acting on behalf of someone else, the requestor must submit proof of the capacity in which the requestor is making the request to the satisfaction of the Information Officer.
- If the record is part of another record, the requestor will only be allowed access to the part(s) that pertains to the information he/she wants or is entitled to, and not the rest of the record.

All requests will be evaluated against the provisions of the Act. The Act allows the Information Officer to refuse access on grounds stipulated in the Act. A requestor can, for example, not access another person's confidential information, or trade or commercial secrets of a business.

An answer on a request for information must be made within 30 days of the request, and if not granted and the requestor is not satisfied with the reasons for the refusal of access, he/she can approach the courts.

VOLUNTARY DISCLOSURE / RECORDS AUTOMATICALLY AVAILABLE

No notice has been submitted by KIDS HAVEN to the Minister of Justice and Constitutional Development regarding the categories of records which are available without a person having to request access in terms of Section 52(2) of the Act.

However, the information on the website of KIDS HAVEN is automatically available without a person having to request access in terms of the Act.

RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATIONS

Information is available in terms of the following legislation to the persons or entities specified in such legislation, as well as the specific protections offered by such laws.

Business legislation (including all amendments and regulations issued in terms of such legislation):

The Companies Act 71 of 2008; Income Tax Act 58 of 1962; Value Added Tax Act 89 of 1991; Labour Relations Act 66 of 1995; Basic Conditions of Employment Act 75 of 1997; Employment Equity Act 55 of 1998; Skills Development Levies Act 9 of 1999; Unemployment Insurance Act 63 of 2001; Electronic Communications and Transactions Act 25 of 2002; Consumer Protection Act 68 of 2008; Broad-based Black Economic Empowerment Act 53 of 2003; National Credit Act 34 of 2005; Compensation for Occupational Injuries and Diseases Act 130 of 1993; Occupational Health and Safety Act 85 of 1993; Promotion of Access to Information Act 2 of 2000; Protection of Personal Information Act 4 of 2013; Road Accident Fund Act 56 of 1996; Skills Development Act 97 of 1998; Unemployment Contributions Act 4 of 2002.

The Child Justice Act, 2008 which came into operation on 1 April 2010 created a separate criminal justice system for children.

RECORDS HELD BY KIDS HAVEN

KIDS HAVEN holds the records in the categories stipulated below. The fact that a record type is listed here does not necessarily mean that such records will be disclosed, and all access is subject to the evaluation processes outlined herein, which will be exercised in accordance with the requirements of the Act.

- 1. Internal records relating to KIDS HAVEN and business**, which includes founding and other documents, minutes and policies; annual and other reports; financial records; operational records, policies and procedures; contracts; licenses, trademarks and other intellectual property; marketing records; other internal policies and procedures; internal correspondence; statutory records; etc.
- 2. Personnel records**, which includes records relating to temporary employees, fixed term employees, part-time employees, permanent employees, contractors, partners, directors, executive directors, non-executive directors. It includes personal files and similar records, records third parties have provided to KIDS HAVEN about their personnel; employment contracts, conditions of employment; workplace policies; disciplinary records; termination records; minutes of staff meetings; performance management records and systems and all employment-related records and correspondence.
- 3. Childrens' records**, which includes personal details, family details, case notes, education records, court records, photographs, and similar information. **It must be noted that, in the Child Care sector, personal information is confidential and protected by legislation and ethical rules, and disclosure can only take place, if at all, subject to that legislation and rules.**
- 4. Supplier and service provider records**, which includes supplier registration; contracts; confidentiality agreements and non-disclosure agreements, communication; logs; delivery records; commissioned work; and similar information, some of which might be provided to KIDS HAVEN by suppliers and providers under service and other contacts.
- 5. Third party information**, which may be in KIDS HAVEN's possession, but which would be subject to the conditions set in relation to such possession.
- 6. Environment and market information**, which include information purchased, publicly available information and commissioned information which pertains to the specific sector and market of KIDS HAVEN and factors that affect the business, professional and healthcare environment.

DATA SUBJECTS	CATEGORIES OF RECORDS
Directors, Volunteers and employees	Proof of registration at and payment of fees to the SACSSP (SA Council of Social Work Professionals) and other statutory councils; Employment contracts and records; Certificates of good standing; Insurance policies; Complaints; Disciplinary and court proceedings; Employment equity records; Pension and retirement fund records; Medical scheme membership records; Membership of professional societies; Salary and payroll records; Tax certificates; PAYE, UIF and SDL returns and related records; Correspondence with the SACSSP, insurers and other persons / bodies; Leave records, including study leave and sick leave; Medical certificates; Continuing Professional Development (CPD) / Training events, certificates and records; Locum records; Skills development plans and records; Performance management records. Also Police clearance, child protection register and sexual offenders register....
Other contractors, vendors and suppliers, e.g. Hardware and software vendors, switching companies, insurers, auditors, legal counsel, consultants, etc.	Agreements with contractors, vendors and suppliers; Non-Disclosure Agreements; Debt collection agreements; Legal opinions and advice; Correspondence
Children	Client records; Invoices; Payment records; Correspondence.
Public Bodies (e.g. Department of Health, RAF, Compensation Commissioner, UIF) and Statutory Councils (e.g. HPCSA, CMS)	Complaints submitted to the relevant statutory councils; Correspondence; Newsletters and circulars issued by these bodies and councils.
Professional Societies e.g. SACSSP	Constitutions; Notices; Correspondence; Payment of fees
Insurers	Insurance policies

Signed on 17/08/2024 at 38 Cranbourne Avenue, Benoni

Signature by the CEO/Information Officer