



LIMPOPO

PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF
EDUCATION

**PROMOTION OF ACCESS TO
INFORMATION [PAIA]
SECTION 14 MANUAL**

2nd VERSION of 2012

| TABLE OF CONTENTS | PAGE |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 1. Introduction | 3 |
| 2. Particulars in terms of Section 14 | 4 |
| A. The functions and the structure of Department of Education [Section 14(1)(a)] | |
| i. Functions of the Department of Education | 4 |
| ii. A schematic diagram of the structure for the Department of Education | 4 |
| B. Contact details [Section 14(1)(b)] Information officer/ deputy information officer | 5 |
| C. The section 10 Guide on how to use the Act [Section 14(1)(c)] | 6 |
| D. Access to the records held by the Department of Education [Section 14(1)(d)] | 6 |
| i. Automatic disclosures [Section 14(1)(e)] | 6 |
| ii. Records that may be requested [Section 14(1)(d)] | 9 |
| iii. The request procedures | 9 |
| E. Services available [Section 14(1)(f)] | 10 |
| i. Nature of services | 10 |
| ii. How to gain access to these services | 11 |
| F. Arrangement allowing for public participation in the formulation of policy and the exercising of the powers of the Department of Education [Section 14(1)(g)] | 11 |
| G. Remedies available if the provisions of this Act are not complied with [Section 14(1)(h)] | 11 |
| H. Other information as prescribed in terms of the Act [Section 14(1)(l)] | 11 |
| I. Updating of the manual [Section 14(2)] | 11 |

| | | |
|-----------|-----------------------------------------------------------------|-----------|
| J. | Availability of the manual [s 14(3)] | 13 |
| 3. | Prescribed fees for public bodies | 13 |
| | Prescribed forms for access to a record of a public body | 15 |

INTRODUCTION

- 1.1 The Promotion of Access to Information Act (Act no. 2 of 2000) came into effect in March 2001
- 1.2 The purpose of the Act is to give effect to the constitutional right of access to any information that is required for the exercise or protection of any rights.
- 1.3 The Act aims to foster a culture of transparency and accountability in the Public and private bodies by giving effect to the right of access to information and actively promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect their rights.
- 1.4 In terms of Section 14(1) of this Act, the “Information Officer of the Department of Education must compile in at least three official languages a manual” that provides information regarding the subjects and categories of records held by such a body.
- 1.5 This manual is intended to fulfil this requirement.
- 1.6 The manual provides an overview of records held by Department of Education and the processes that needs to be adopted to access such records.
- 1.7 All requests for access to information (other than information freely available to the public) should be directed to the Information Officer as provided for in Section 3 of this manual.

2. PARTICULARS IN TERMS OF SECTION 14

A. (i) The functions and the structure of the Department of Education [Section 14(1) (a)]

The functions of the Department of Education

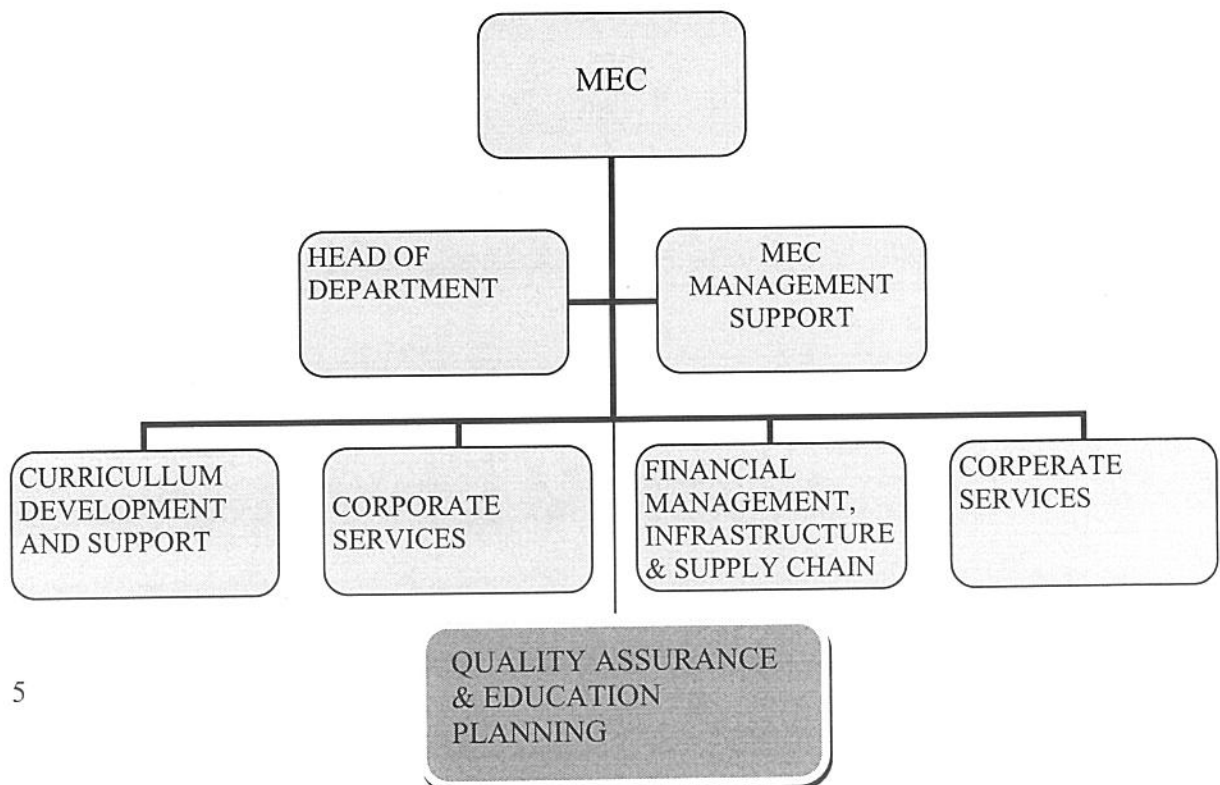
- Develop and deliver relevant and appropriate curriculum.
- Develop skills appropriate for socio economic needs.
- Provide Quality assurance of the system.
- Provide for Governance and District Management.
- Provide financial administration and physical resources.
- Provide human resources and operational support
- Provide for corporate services.
- Provide for enabling ICT environment.

(ii) A SCHEMATIC DIAGRAM OF THE STRUCTURE OF THE DEPARTMENT OF EDUCATION

The political head for Limpopo Department of Education is the Member of Executive Council [MEC] while the administrative head [Accounting Officer] is the Head of Department [HOD].

Department is made up of five (5) Branches and are indicated as follows:

- Corporate Services
- Financial Management Infrastructure and Supply Chain Management
- District Coordination and Institutional Governance
- Curriculum Development
- Quality Assurance and Education Planning



The Department consists of a provincial office that is situated in Limpopo/Polokwane and various District offices that are situated in the Waterberg, Mopani, Capricorn, Sekhukhune and Vhembe Districts.

B. CONTACT DETAILS [SECTION 14(1)(B)]

Information officer

| | |
|----------------------|-----------------------------------------------------------------------------------|
| Mr. M.J Thamaga | Head of Department of Education |
| Physical Adress | Department of Education 113 Biccard & 24 Excelsior Street Polokwane 0700 |
| Postal Adress | Private Bag x 9489 Polokwane 0700 |
| Telephone | 015 290 7702 |
| Fax | 086 586 0116 |
| E-mail | Thamagamj@edu.limpopo.gov.za |
| Website | www.edu.limpopo.gov.za |

C. THE SECTION 10 GUIDE ON HOW TO USE THE ACT [SECTION 14(1)(C)]

The manual is being available from Limpopo Department of Education website. Please direct any queries to:

Limpopo Department of Education:
Information/Deputy Information Officer
Records Management
Private Bag x 9489
POLOKWANE
0700

Telephone: 015 290 7702
Fax: 086 586 0116
Website: www.limpopo.gov.za
E-mail: Thamagamj@edu.limpopo.gov.za

**D. ACCESS TO THE RECORDS HELD BY DEPARTMENT OF EDUCATION
[SECTION 14(1)(D)]**

I. AUTOMATIC DISCLOSURES [SECTION 14(1) (E)]

A notice in terms of section 15(2) describes the categories of records of the Department that are available without a person having to request access in terms of the Act.

**FORM D
AUTOMATICALLY AVAILABLE RECORDS IN TERMS OF SECTION 15
PROMOTION OF ACCESS TO INFORMATION ACT (PAIA)
(Act 2 OF 2000)
[Regulations 5A]**

| DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15 (1) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 | MANNER OF ACCESS TO RECORDS |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE FOR INSPECTION IN TERMS OF SECTION 15 (1) (a) (i) | |
| | LOCATION |
| <ul style="list-style-type: none"> ▪ Approved organizational structure ▪ Departmental file plans ▪ Policies and Procedure Manuals ▪ Employment Equity Reports ▪ Citizen's reports ▪ Statement of Public Service Commitment ▪ Service Delivery Improvement Plan ▪ Service Standards ▪ Acts, Regulations and White Papers ▪ Budget Speech ▪ Audited financial statements ▪ Copies of speeches by MEC ▪ Public Service Forms (Z83, Bursary forms) ▪ Journals and magazines ▪ Departmental Strategic Plans ▪ Departmental Annual Performance Plan ▪ Annual Reports | <p>The records may be inspected at the Department on request in writing addressed to the Limpopo Department of Education</p> <p>Information Officer-Mr. M.J Thamaga 113 Biccard & 24 Excelsior Street Private Bag x 9489, POLOKWANE 0700 Tel. (015) 290 7921 Fax. (086) 586 0116 e-mail: Thamagamj@edu.limpopo.gov.za</p> |

| DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE FOR COPYING INTERMS OF SECTION 15 (1) (a) (ii): | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | LOCATION |
| <ul style="list-style-type: none"> ▪ Approved organizational structure ▪ Departmental file plans ▪ Policies and Procedure Manuals ▪ Employment Equity Reports ▪ Citizen's reports ▪ Statement of Public Service Commitment ▪ Service Delivery Improvement Plan ▪ Service Standards ▪ Acts, Regulations and White Papers ▪ Budget Speech ▪ Audited financial statements ▪ Copies of speeches by MEC ▪ Public Service Forms (Z83, Bursary forms) ▪ Journals and magazines ▪ Departmental Strategic Plans ▪ Departmental Annual Performance Plan ▪ Annual Reports | <p>The records may be inspected at the Department on request in writing addressed to Limpopo Department of Education</p> <p>Information Officer-Mr. M.J Thamaga 113 Biccard & 24 Excelsior Street Private Bag x 9489, POLOKWANE 0700 Tel. (015) 290 7702 Fax. (086)586 0116 e-mail: Thamagamj@edu.limpopo.gov.za</p> |
| DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE FOR PURCHASING IN TERMS OF SECTION 15 (1) (a) (ii) | |
| | LOCATION |
| <ul style="list-style-type: none"> • ABET level 4 certificate • Combined ABET level 4 certificate • Grade 12 certificate • Combined Grade 12 certificate • Diploma certificate • Statement of results • Old examination papers | <p>Records may be accessed on request in writing addressed to Exam Unit: B-50 Help Desk</p> |

| | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> • Tender Documents | Records may be accessed on request in writing addressed to Supply Chain Management: Office No.D-14: cashier counter |
| DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 15 (1)(a)(iii) | |
| | <p style="text-align: center;">LOCATION</p> <p>The records may be inspected at the Department on request in writing addressed to Limpopo Department of Education</p> <p>Information Officer-Mr M.J Thamaga 113 Biccard & 24 Excelsior Street Private Bag x 9489, POLOKWANE 0700 Tel. (015) 290 7921 Fax.(086) 586 0116 e-mail: Thamagamj@edu.limpopo.gov.za</p> |
| <ul style="list-style-type: none"> ▪ Approved organizational structure ▪ Departmental file plans ▪ Policies and Procedure Manuals ▪ Employment Equity Reports ▪ Statement of Public Service Commitment ▪ Service Delivery Improvement Plan ▪ Service Standards ▪ Citizen's Reports ▪ Acts, Regulations and White Papers ▪ Budget Speech ▪ Audited financial statements ▪ Copies of speeches by MEC ▪ Public Service Forms (Z83, Bursary forms) ▪ Journals and magazines ▪ Departmental Strategic Plans ▪ Departmental Annual Performance Plan ▪ Annual Reports | |

ii. RECORDS THAT MAY BE REQUESTED [SECTIONS 14(1) (D)]

DESCRIPTION OF THE SUBJECTS AND CATEGORIES OF RECORDS HELD BY THE DEPARTMENT OF EDUCATION

- Organisation and control
- Financial Management
- Accommodation and facilities
- Supplies and services
- Transport and Journeys
- Management Services
- Support Services
- Composition and meetings of Bodies and other gatherings
- Reports, Returns, Information and Statistics
- Examination and Accreditation Services
- Curriculum Development and Curriculum Support Services
- Further Education and Training (FET)
- Education Management and Teacher Development
- Psychological and Special Education Services
- Education Provisioning Support
- School Management/Governance
- Education Management Information Systems

iii. THE REQUEST PROCEDURES

A REQUESTER MUST BE GIVEN ACCESS TO A RECORD OF A DEPARTMENT IF THE REQUESTER COMPLIES WITH THE FOLLOWING:

- The requester must comply with all the procedural requirements in the Act relating to the request for access to that record; and
- Access to that record is not refused on any ground of refusal mentioned in the Act.

NATURE OF THE REQUEST:

- A requester must use the form that has been printed in the Government Gazette [Govt. Notice R187- 15 February 2002] (Form A).
- The requester must also indicate if is looking for a copy of the record or if the requester wants to come in and look at the record at the offices of the public body. Alternatively if the record is not a document it can then be viewed in the requested form, where possible [s 29(2)].
- If a person asks for access in a particular form then the requester should get access in the manner that has been asked for. This is unless doing so would interfere unreasonably with the running of the public body concerned, or damage the record, or infringe a copyright not owned by the state. If for practical reasons access cannot be given in the required form but in an alternate manner, then the fee must be calculated according to the way that the requester first asked for it [s 29(3) and (4)].

- If, in addition to a written reply to their request for the record, the requester wants to be told about the decision in any other way, e.g. telephone, this must be indicated [s 18(2)(e)].
- If a requester is asking for the information on behalf of somebody else, the capacity in which the request is being made should be indicated [s 18(2)(f)].
- If a requester is unable to read or write, or has a disability, then they can make the request for the record can be made orally. The information officer must then fill in the form on behalf of such a requester and give them a copy [s 18(3)].

THERE ARE TWO TYPES OF FEES REQUIRED TO BE PAID IN TERMS OF THE ACT, BEING THE REQUEST FEE AND THE ACCESS FEE S22:

- 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:
- The information officer 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.
- The request fee payable to the Department is R35. The requester may lodge an internal appeal, where appropriate, or an application to the court against the tender or payment of the request fee.
- After the information officer has made a decision on the request, the requester must be notified of such a decision in the way in which the requester wanted to be notified in.
- If the request is granted then a further access fee must be paid for the search, preparation, reproduction and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

E. SERVICES AVAILABLE [SECTION 14(1) (F)]

i. Nature of the Services

CURRICULUM DEVELOPMENT SERVICES

- Early Childhood Development and GET
- Examination
- Technology and Library
- Psychological services and guidance
- Further Education and Training [FET] and Adult Basic Education and Training [ABET]
- Curriculum Support
- In Schools Sport, Arts and Culture

ii. HOW TO GAIN ACCESS TO THESE SERVICES

To gain access to the services at Department of Education, requests must be made to:

Information Officer

| | |
|------------------|-----------------------------------------------------------------------------------|
| Mr. M.J Thamaga | The Head of Department |
| Physical Address | Department of Education 113 Biccard & 24 Excelsior Street Polokwane 0700 |
| Postal Address | Private Bag x 9489 Polokwane 0700 |
| Telephone | 015 290 7702 |
| Fax | 0865860116 |
| E-mail | Thamagamj@edu.limpopo.gov.za |
| Website | www.edu.limpopo.gov.za |

F. ARRANGEMENT ALLOWING FOR PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY AND THE EXERCISE OF POWER [SECTION 14(1) (G)]

SGB's committee members appointed in terms of South African Schools Act, 1996 (Act no. 84 of 1996 allow public involvement in the formulation of policy and exercise of power. The Act advises the School Governing Bodies and principals on their obligations and administrative procedures for school management.

G. THE REMEDIES AVAILABLE IF THE PROVISIONS OF THIS ACT ARE NOT COMPLIED WITH [SECTION 14(1) (H)]

A situation may arise where the requester is not content with the decision taken by the Information Officer/ Deputy Information Officer, in terms of the act the requester may lodge an appeal to the appointed officer delegated by the Member of the Executive Council (MEC).

H. OTHER INFORMATION AS PRESCRIBED IN TERMS OF THE ACT [SECTION 14(1) (I)]

Where a requester is not satisfied with any decision taken by the information Officer/Deputy Information Officer, a requester may appeal to the MEC.

A third party may lodge an internal appeal against a decision of the information officer or deputy information officer to grant a request for access to information of the Department.

H. UPDATING OF THE MANUAL [SECTION 14(2)]

The Department of Education may, if necessary, update and publish its manual referred to in subsection (1) of section 14, at intervals or after every 12 months.

J. AVAILABILITY OF THE MANUAL [SECTION 14(3)]

Regulation No. R. 187 of 15 February 2002 prescribes in section 4(1) that the manual of a Department is made available in the following manner:

A copy in each of the three official languages must be made available to every place of legal deposit as defined in section 6 of the Legal Deposits Act 1997; the South African Human Rights Commission; and every office of the Department including Head Office, Districts, Circuits and Schools.

The manual is published in three of the official languages in the *Gazette*.

The manual is to be made available on the website of the Department.

3. PRESCRIBED FEES FOR THE DEPARTMENT

PART II OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE 15 FEBRUARY 2002 PRESCRIBES FEES IN RESPECT OF THE GOVERNMENTAL BODIES AS FOLLOWS:

1. The fee for a copy of the manual as contemplated in regulation 5(c) is R0, 60 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 7(1) are as follows:

R

| | |
|----------------------------------------------------------------------------------------------------------------------------|--------------|
| (a) For every photocopy of an A4-size page or part thereof | 0,60 |
| (b) For every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine readable form | 0,40 |
| © For a copy in a computer-readable form on - | |
| 1. stiffy disc | 5,00 |
| 2. Compact disc | 40,00 |
| (d) (i) For a transcription of visual images, for an A4-size page or part thereof | 22,00 |
| (ii) For a copy of visual images | 60,00 |
| (e) (i) For a transcription of an audio record for an A4-size page or | 12,00 |