

**PAIA (PROMOTION OF ACCESS TO INFORMATION ACT) and
POPI (PROTECTION OF PERSONAL INFORMATION) MANUAL**

OF

Play with a Purpose Educational Trust

(herein referred to as “Play with a Purpose”)

TRUST REGISTRATION NUMBER:IT 6379/01

Plot 40, cnr Andries and Abraham van Wyk Road, Muldersdrift

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No. 2000 and to address the requirements of the Protection of Personal Information Act, 2013

A copy of the manual is available for inspection at the Company and is available on the Company Website at
www.preschools4africa.org

Contents

INTRODUCTION	3
WHO ARE WE?	3
OUR DETAILS AND CONTACT PERSON.....	4
HUMAN RIGHTS COMMISSION (HRC) GUIDE.....	5
OUR UNDERTAKINGS TO OUR CLIENTS:	6
INFORMATION AVAILABLE IN TERMS OF THE ACT.....	7
INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION [SECTION51(1) (D)]	12
PROCESSING OF PERSONAL INFORMATION	13
ANNEXURES.....	17

INTRODUCTION

Section 14 of the Constitution of the Republic of South Africa, 1996, provides that everyone has the right to privacy. The right to privacy includes a right to protection against the unlawful collection, retention, dissemination and use of personal information.

The Promotion of Access to Information Act No. 2 of 2000, ('PAIA') came into operation in November 2001. Section 51 of this Act requires Play with a Purpose to compile a manual giving information to the public regarding the procedure to be followed in requesting information from Play with a Purpose for the purpose of exercising or protecting rights. This Manual sets out the framework for our company's compliance with the PAIA and POPI Acts. Where reference is made to the "processing" of personal information, this will include any activity in which the information is worked with, from the time that the information is collected, up to the time that the information is destroyed, regardless of whether the information is worked with manually, or by automated systems.

The Protection of Personal Information Act, 2013 (the "POPI Act") provides for:

- a) the promotion the protection of Personal Information
- b) establishing minimum requirements for the processing of Personal Information;
- c) the establishment of an Information Regulator to exercise certain powers and to perform certain duties and functions in terms of the POPI Act and the PAIA Act;
- d) the rights of persons regarding unsolicited electronic communications and automated decision making;

WHO ARE WE?

HISTORY

1991	The programme Play with a Purpose was developed by Robyn Wienand in Strubens Valley Roodepoort
1994	First Play with a Purpose Preschool opened in Strubens Valley
1999	Second Play with a Purpose preschool opened in Muldersdrift
2002	Registered with the Master of the High Court as Play with a Purpose Educational Trust Play with a Purpose 8 learning areas used by Smile Education to grow their business 20% annually
2003	ETDP SETA registration for NQF ECD qualification
2004	Public Beneficiary Organisation registration with SARS
2005	Registered as an Non-profit Organisation
2006 – 2014	Play with a Purpose concepts used by Robyn Wienand to train on Smile Education educational toys countrywide and in Botswana, Ireland, Ghana, Nigeria, Malaysia, Zimbabwe, Zambia, Singapore, USA, Australia, Mauritius.
2008	Robyn Wienand and the programme certified a Trailblazer by Brand South Africa. The first of the National Play-with-a-Purpose Annual Awards Gala to be held honouring preschools across Southern Africa and this continues yearly
2009	North West training commenced -limited programme license granted to Education Africa
2010	Founder was a Monash University Guest Lecturer specialising in Child Development. Member of Monash Academic Advisory Board for CYD.
2012	TLC Africa Woman of the Year Runner-up 2012 awarded to founder
2012	Rainbow City ECD centre built as a Joint Venture with City of Joburg, Cornell University, Education Africa, Basil Read. Play with a Purpose manages the Rainbow City ECD centre
2014	Play-with-a-Purpose Hub North West Hub started.
2015	Zakhe Gap Year programme instituted Rainbow Valley Christian Nursery School managed Effectiveness of Play with a Purpose programme peer reviewed and published in Relational Child and Youth Care Journal In Honours thesis Monash University
2016	Play-with-a-Purpose turned 25 and launched Preschools 4 Africa, an advocacy preschool network
2016	Management of Orient Hills Daycare

	Western Cape HUB opens
	Eastern Cape HUB opens
2017	Zambia training commences
2017	ISO 9001:2005 accreditation – a world first for an educational organisation
	The organisation is appointed to the national Intersectoral ECD Forum of Department of Social Development
2017	Founder was named a Paul Harris Fellow by the Rotary Foundation of Rotary International <i>“in appreciation of tangible and significant assistance given for the furtherance of better understanding and friendly relations among peoples of the world”</i> . Past recipients of this prestigious honour include: <i>Mother Theresa and Nelson Mandela</i>
2020	Mpumalanga office opens
	Representation on each of 7 committees of National Task Force to re-open ECD centres in the COVID pandemic.
2021	Management of Orient Hills Daycare ceases
2024	Collaborated on Bana Pele with the Department of Basic Education
2024	Mpumalanga office closes
2025	Management of Rainbow City ceases
2025	ISO 21001:2008 accreditation – a South African for an educational organisation
2026	Izinga Assist accreditation

A copy of this manual is available to the public for inspection on the Play with a Purpose website in a PDF version at www.preschools4africa.org or on request from the designated contact person referred to in this manual.

The scope of this manual includes Play with a Purpose Educational Trust trading as Play with a Purpose as well as our managed ECD centres – in Muldersdrift and Strubens Valley. Copies of the manual are available at these ECD centre during office hours.

OUR DETAILS AND CONTACT PERSON

The person responsible for the administration of, and compliance with the Act, has been delegated by the CEO whom is also the Designated Information Officer of Play with a Purpose to the Operations Manager, who is also the Deputy Information Officer

Requests connected to the provisions of the Act should be directed as follows:

Full Name	:	Play with a Purpose Educational Trust t/a Play with a Purpose
Registration Number	:	IT 6379/01
Physical Address	:	Andries Rd, Muldersdrift, Krugersdorp, 1739
Postal Address	:	P O Box 1105,Muldersdrift, 1739
Telephone Number	:	+27 (84) 310 9035
CEO & Designated Information Officer :		Mrs Robyn Wienand
Email address	:	info@pwap.org.za

Deputy Information Officer & Programme Co-ordinator : Michelle-Chanté Wienand

Email address : michelle@pwap.org.za

Website : www.playwithapurpose.org.za

The Information Officer has delegated her powers to the Deputy Information Officer in terms of the POPI and PAIA Acts to handle all requests on the Company's behalf and ensure that the requirements of the Acts are administered in a fair, objective and unbiased manner

HUMAN RIGHTS COMMISSION (HRC) GUIDE

The Human Rights Commission has been tasked with the administration of the PAIA Act. Section 10 of the PAIA Act requires the South African Human Rights Commission (SAHRC) to publish a guide which is intended to assist users in the interpretation of the PAIA Act and how to access the records of private and public bodies and the remedies available in law regarding a breach of any of the provisions of the PAIA Act.

Copies of this guide are available from SAHRC. Enquiries regarding the Guide and relating to the person's rights and in particular their right to access information from a private or public body can be addressed to the SAHRC, the contact details of which are as follows:

Post	:	The South African Human Rights Commission: PAIA (Promotion of Access to Information Act) Unit Research and Documentation Department Private Bag 2700 Houghton 2041
Telephone Number	:	+27 (11) 484 8300/ +27 11 877 3600
Fax	:	+27 (11) 484 7146/ +27 11 403 0625
Email	:	PAIA@sahrc.org.za / section51.paia@sahrc.org.za
Website	:	http://www.sahrc.org.za

OUR UNDERTAKINGS TO OUR CLIENTS:

- a. We undertake to follow the POPI Act at all relevant times and to process personal information lawfully and reasonably, so as not to infringe unnecessarily on the privacy of our clients.
- b. We undertake to process information only for the purpose for which it is intended, to enable us to do our work, as agreed with our clients.
- c. Whenever necessary, we shall obtain consent to process personal information.
- d. Where we do not seek consent, the processing of our client's personal information will be following a legal obligation placed upon us, or to protect a legitimate interest that requires protection.
- e. We shall stop processing personal information if the required consent is withdrawn, or if a legitimate objection is raised.
- f. We shall collect personal information directly from the client whose information we require, unless:
 - the information is of public record, or
 - the client has consented to the collection of their personal information from another source, or
 - the collection of the information from another source does not prejudice the client, or
 - the information to be collected is necessary for the maintenance of law and order or national security, or
 - the information is being collected to comply with a legal obligation, including an obligation to SARS, or
 - the information collected is required for the conduct of proceedings in any court or tribunal, where these proceedings have commenced or are reasonably contemplated; the information is required to maintain our legitimate interests; or
 - where requesting consent is not reasonably practical in the circumstances.
- g. We shall advise our clients of the purpose of the collection of the personal information.
- h. We shall retain records of the personal information we have collected for the minimum period as required by law unless the client has furnished their consent or instructed us to retain the records for a longer period.
- i. We shall destroy or delete records of the personal information (so as to de-identify the client) as soon as reasonably possible after the time period for which we were entitled to hold the records have expired.
- j. We shall restrict the processing of personal information:
 - where the accuracy of the information is contested, for a period sufficient to enable us to verify the accuracy of the information;
 - where the purpose for which the personal information was collected has been achieved and where the personal information is being retained only for the purposes of proof;
 - where the client requests that the personal information is not destroyed or deleted, but rather retained; or
 - where the client requests that the personal information be transmitted to another automated data processing system.
- k. The further processing of personal information shall only be undertaken:
 - if the requirements have been met;
 - where the further processing is necessary because of a threat to public health or public safety or to the life or health of the client, or a third person;
 - where the information is used for historical, statistical or research purposes and the identity of the client will not be disclosed; or
 - where this is required by the Information Regulator appointed in terms of POPIA.
- l. We undertake to ensure that the personal information which we collect and process is complete, accurate, not misleading and up to date.
- m. We undertake to retain the physical file and the electronic data related to the processing of the personal information.

INFORMATION AVAILABLE IN TERMS OF THE ACT

1. **Policy regarding confidentiality and access to information**

Play with a Purpose will protect the confidentiality of information provided to it by third parties, subject to its obligations to disclose information in terms of any applicable law or regulation or a court order requiring disclosure of information. If access is requested to a record that contains information about a third party, Play with a Purpose is obliged to attempt to contact such third party to inform him/her/it of the request.

2. **Records automatically available - [section 51(1) (c)]**

At this stage no notice(s) has/have been published in terms of section 52 of the PAIA on the categories of records that are automatically available without a person having to request access in terms of the PAIA.

Records that are automatically available at the registered office of Play with a Purpose on payment of the prescribed fee for reproduction are:

- Documentation and information relating to Play with a Purpose which is held by the Master of the High Court and on the non-profit webpage.

3. **Subjects and categories of records held by the company: [section 51(1) (e)]**

The list(s) below depict categories of records of information which Play with a Purpose has available in terms of laws applicable to it. Some of this information and the access thereto may be restricted to protect the Privacy and Private information of clients and children:

- a. Statutory Company Information:
- b. Corporate Governance:
- c. Accounts Records:
- d. Statutory Employee Records
- e. Human Resources
- f. Safety and Health Record
- g. Fixed Property
- h. Moveable Property.
- i. Intellectual Property
- j. Agreements and Contracts
- k. Taxation
- l. Legal
- m. Insurance
- n. Information Technology
- o. Sales and Marketing

4. **Records that are not automatically available**

Records of the Company which are not automatically available must be requested in terms of the procedure set out in section 8 of this PAIA Manual or the Regulations as set out in terms of POPIA and which may be subject to the restrictions and right of refusal to access as provided for in the PAIA Act and in POPIA.

No request shall be accepted telephonically nor shall any information be supplied telephonically. Only the Information officer or any Deputy Information officer appointed shall have the mandate to disclose

information in terms of this manual.

5. Procedure for requesting access to the above information

Records held by Play with a Purpose may be accessed, on request, only once the requirements for access have been met. A requester is any person making a request for access to a record of the Company and in this regard, the Act distinguishes between two types of requesters:

- **Personal Requester**
A personal requester is one who seeks access to a record containing the requester's own personal information.
- **Requester**
Any person making a request for access to records of the Company.
- **Other Requester**
Other requesters are those who request access to information pertaining to third parties. A request will not automatically be granted and short reasons for the refusal shall be supplied. It should be noted that a request for access to information can be refused if the application does not comply with the requirement of the Act. Further the completion and submission of a request does not automatically allow the requester access to the requested record.

The requester must comply with all the procedural requirements contained in the PAIA and POPI Acts relating to the request for access to records.

If you wish to request access to any of the above categories of information you are required to complete a request form as set out in Annexure "A" hereto. These forms are available from:

Our Information Officer (whose contact details are in Section A of this manual);

The SAHRC website (www.sahrc.org.za);

The Department of Justice and Constitutional Development website (www.doj.gov.za).

A requester must state that the information is required in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. The requester must also provide an explanation of why the requested record is required for the exercise or protection of that right.

There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are contained in the request form.

You may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information which you have requested, including copying charges and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.

It is important to note that the successful completion and submission of an access request form does not automatically allow the requester access to the requested record. An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within part 3 Chapter 4 of the Act.

Play with a Purpose will process the request within 30 days of receipt of the request and decide whether to grant or decline the request and give notice with reason (if required) to that effect. The 30-day period may be extended for a further period of not more than 30 days, if the request is for a large volume of information, or the request requires a search for information held in another office and the information cannot reasonably be obtained within the original 30-day period. Play with a Purpose will notify the requester in writing should extension be sought.

If it is reasonably suspected that the requester has obtained access to records through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.

The completed Access Request Form together with a copy of the identity document must be submitted via conventional mail or e-mail and must be addressed to the contact person as indicated above.

6. Grounds for Refusal of Access to Records

Play with a Purpose has the right to refuse access to information on legal grounds as set out in POPIA and in PAIA which will mainly be on one or more of the following grounds:

- ***Mandatory protection of the personal information, special personal information or privacy of a third party who is a natural person (including children)***, if such disclosure would involve the unlawful or unreasonable disclosure of Personal Information about a third party, including a deceased individual or child, subject to the provisions of section 63 (2) of PAIA or any section or regulation of POPIA.
- ***Mandatory protection of the personal, confidential or commercial information of the third party (which may be a natural person or legal entity)***, if the record contains:
 - Trade secrets of that party;
 - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interest of that party;
 - Information disclosed in confidence by the third party to Play with a Purpose if the disclosure could put the third party to a disadvantage in negotiations or commercial completion.
 - Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- ***Mandatory protection of certain confidential information of third party***, where the head of a private body must refuse a request for access to a record of the body if its disclosure would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement.
- ***Mandatory protection of the safety of individuals and the protection of property***, where such disclosure could endanger the life or physical safety of an individual, or prejudice or impair the security of:
 - a building, structure or any system
 - a means of transport, or any other property.
- ***Mandatory protection of records which could be regarded as privileged in legal proceedings***, unless the legal privilege has been waived;
- ***Mandatory protection of records and information as laid out in the National Key Point Act***;
- ***Commercial information of private body***, in that a request for access to a record may be refused if the record contains:
 - trade secrets, financial, commercial, scientific or technical information of the institution, which disclosure, could likely cause harm to the financial or commercial interest of the institution;
 - Information which, if disclosed could prejudice or put the institution at a disadvantage in negotiations or commercial competition; and
 - A computer programme which is owned by the institution and which is protected by copyright.
 - An educational programme which is owned by an individual and which is protected by copyright

- ***Mandatory protection of research information of the institution.*** A request will be refused if this disclosure would disclose the identity of the institution, the researcher or the subject matter of the research and would place the researcher at a serious disadvantage.
- ***Mandatory disclosure in public interest.*** Despite any of the protections mentioned above, the Information Officer shall grant a request for access to a record if:
 - a. the disclosure of the record would reveal evidence of-
 - a substantial contravention of, or failure to comply with, the law; or
 - imminent and serious public safety or environmental risk; and
 - b. the public interest in the disclosure of the record clearly outweighs the harm contemplated in the provision in question.
- If disclosure of the record would prejudice or impair the security of property or means of transport;
- If disclosure of the record would prejudice or impair the protection of a person in accordance with a witness protection scheme;
- Disclosure of the record would put the Company at a disadvantage in contractual or other negotiations or prejudice it in commercial competition;
- The record is a computer programme; and the record contains information about research being carried out or about to be carried out on behalf of a third party or the Company.

7. **Remedies Available if Request for Information is refused**

If the request for access is refused, the Deputy Information Officer of the Company must:

- (a) State adequate reasons for the refusal, including the provisions of this Act relied on;
 - (b) Exclude, from any such reasons, any reference to the content of the record; and
 - (c) State that the requester may lodge an application with a court against the refusal of the request, and the procedure (including the period) for lodging the application.
- **Internal Remedies**
 Play with a Purpose does not have an internal appeal procedure. As such, the decision made by the Information Officer and the Deputy Information Officer pertaining to a request is final, and requestors will have to exercise such external remedies at their disposal if a request is refused, and the requestor is not satisfied with the response provided by the information officer.
 - **External Remedies**
 A requestor that is dissatisfied with the information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a court for appropriate relief. For purposes of the Act, courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status. The court will review the request and decide whether in fact the Deputy Information Officer of the Company should give the requester the information requested or not. A court hearing an application in terms of the PAIA Act may grant any order that is just and equitable including orders:
 - (a) Confirming, amending or setting aside the decision which is the subject of the application;
 - (b) Requiring the Deputy Information Officer of the Company or relevant authority of a public body or the head of a private body to take such action or to refrain from taking such action, as the court considers necessary within the period mentioned in the court order;
 - (c) Granting an interdict, interim or specific relief, a declaratory order or compensation; or
 - (d) Granting an order as to costs.

8. Records that cannot be found or do not exist

If Play with a Purpose has searched for a record and it is believed that the record does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record. If after notice is given, the record in question is found, the requester must be given access thereto unless the ground for the refusal of access exists.

If the request is declined for any reason the notice must include adequate reasons for the decision, together with the relevant provisions of the PAIA Act relied upon and provide the procedure to be followed should the requester wish appeal the decision. Section 59 provides that the Deputy Information Officer of the Company may serve a record and grant access only to that portion which the law does not prohibit access to.

9. Fees

9.1 The Act provides for two types of fees, namely:

- A request fee, which will be a standard fee; and
- An access fee, which must be calculated by considering reproduction costs, search and preparation time and costs, as well as postal costs.

9.2 When the request is received by the Deputy Information Officer of the Company, such person shall by notice require the requester to pay the prescribed request fee, if any, before further processing of the request.

9.3 If a requester requires access to records of his/her Personal Information, there shall be no request fee payable. However, the requester must pay the prescribed access and reproduction fees for such Personal Information.

9.4 If the search for the record has been made and the preparation of the record for disclosure including arrangements to make it available in the request form, requires more than the hours prescribed in the regulations for this purpose, the Deputy Information Officer of the Company shall notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.

9.5 The Deputy Information Officer of the Company shall withhold the record until the requester has paid the fees as indicated in Annexure "B" hereto.

9.6 A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the records for disclosure including making arrangements to make it available in the request form.

9.7 If a deposit has been paid in respect of a request for access, which is refused, then the Deputy Information Officer of the Company must repay the deposit to the requester with interest at the prescribed rate.

10. Third parties

10.1 If the request is for the record pertaining to the third party, the Deputy Information Officer must take all reasonable steps to inform the third party of the request. This must be done within 21 (twenty-one) days of receipt of the request. The manner in which this is done must be by the fastest means reasonably possible, but if orally, the Deputy Information Officer of the Company must

thereafter give the third party a written confirmation of the notification.

- 10.2** The third party may within 21 (twenty-one) days thereafter either make representation to Play with a Purpose as to why the request should be refused; alternatively grant written consent to the disclosure of the record.
- 10.3** The third party must be advised of the decision taken by the Deputy Information Officer of Play with a Purpose whether to grant or to decline the request. A third party who is dissatisfied with the Deputy Information Officer of the Company's decision to grant a request for information, may within 30 (thirty) days of notification of the decision apply to a Court for relief.

INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION [SECTION 51(1) (D)]

Where applicable to our operations, records are kept in accordance with the following legislation:

○ Basic Conditions of Employment Act, No. 75 of 1997 ○ Broad Based Black Economic Empowerment Act, No. 53 of 2003 ○ Trust Property Control Act ○ Compensation for Occupational Injuries and Disease Act, No. 130 of 1993 ○ Nonprofit Organisations Act 71 of 1997 ○ Constitution of South Africa Act, No. 108 of 1996 ○ Consumer Protection Act, No. 68 of 2008 ○ Copyright Act, No. 98 of 1987 ○ Electronic Communications and Transactions Act, No. 2 of 2002 ○ Employment Equity Act, No. 55 of 1998 ○ Employment Tax Incentive Act 26 of 2013 ○ Health Act, No 63 of 1998 ○ Income Tax Act, No 58 of 1962	○ Security Industry Regulation Act 56 of 2001 ○ Labour Relations Act, No. 66 of 1995 ○ Children's Act, 2005 [No. 38 of 2005] ○ Occupational Health and Safety Act, No. 85 of 1993 ○ Promotion to Access to Information Act, No. 2 of 2000 ○ Promotion of Equality and Prevention of Unfair Discrimination Act, No 26 of 2000 ○ Private Patents Act, No. 57 of 1987 ○ Prevention and combating of corrupt activities act 2014 ○ Protection of personal information Act (POPI) ○ Protected disclosures act 26 of 2000 ○ Regulation of Interception of Communications and Provisions of Communication Related Information Act, No. 70 of 2002 ○ Skills Development Act, No. 9 of 1997 ○ Unemployment Insurance Act, No. 63 of 2001
---	---

While Play with a Purpose has used its best endeavours to supply you with a list of applicable legislation it is possible that the above list may be incomplete. Particulars in terms of section 51 of the act

- 1.1** On 9 March 2001 the PAIA Act came into effect. The Act seeks to advance a culture of transparency and accountability in both public and private bodies. The legislation was enacted as a direct response to Section 32(2) of the Constitution of South Africa – the right of access to information – which requires that the Government implements laws in an effort to make information pertaining to public and private bodies more accessible to all.
- 1.2** The Act gives effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights. Where a request is made in terms of the PAIA Act, the body to whom the request is made is obliged to release the information, except where the PAIA Act expressly provides that the information may or must not be released.
- 1.3** One of the main requirements specified in the PAIA Act is the compilation of a manual that provides information on both the types and categories of records held by the public or private body. In terms of the PAIA Act, the Company is regarded as a "private body" and therefore the requirements regarding access must be in compliance with the provisions of the PAIA Act relevant to private bodies and more in particular Section 51 of the PAIA Act.

1.4 In compliance with Section 51 of the PAIA Act this PAIA Manual sets out the following details:

- (a) The Company's contact details including, physical and postal addresses, telephone and fax numbers, electronic mail address of the person tasked in terms of this act
- (b) Information on how to obtain and access this act and a guide on how to use it;
- (c) Categories of information held by the Company that is available without a person having to formally request such details in terms of the PAIA Act;
- (d) Categories of information held by the Company that is available in accordance with other legislation and which, subject to the PAIA Act, may be made available by the Company on receipt of and consideration of a formal request, made in terms of the PAIA Act;
- (e) Sufficient information to facilitate a request for access to records and a description of the subjects on which records are available from the Company;

1.5 Adherence to these requirements entails not only compilation of the external manual but also compliance with the general provisions stated in the PAIA Act.

PROCESSING OF PERSONAL INFORMATION

1. Purpose of Processing

Play with a Purpose uses the Personal Information under its care in the following ways:

- Developmentally appropriate education
- Administration of agreements
- Providing products and services to clients
- Marketing and sales
- In connection with legal proceedings
- Staff administration
- Learner administration
- Keeping of accounts and records
- Complying with legal and regulatory requirements

2. Categories of Data Subjects and their Personal Information

Play with a Purpose may possess records relating to parents, learners, suppliers, service providers, staff and clients:

Entity Type	Personal Information Processed
Clients, Parents and learners - Natural Persons	Names; contact details; physical and postal addresses; date of birth; ID number; nationality; gender; confidential correspondence
Contracted Service Providers	Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories; beneficiaries; ultimate beneficial owners; shareholding information; BBBEE information

Employees / Trustees	Gender; driver's license code; marital status; race; age; language; education information; financial information; employment history; ID number; physical and postal address; contact details; opinions; criminal record; well-being
----------------------	--

3. Categories of Recipients for Processing the Personal Information

Play with a Purpose may share the Personal Information with its agents, affiliates, and associated companies who may use this information to send the client information on products and services. It may also supply the Personal Information to any party to whom it may have assigned or transferred any of its rights or obligations under any agreement, and/or to service providers who render the following services:

- Capturing and organising of data;
- Storing of data;
- Sending of emails and other correspondence to parents and clients;
- Conducting due diligence checks;

4. Retention of Personal Information Records

In accordance with section 14 of POPIA, Play with a Purpose shall not retain Personal Information for longer than is necessary for achieving the purpose for which the information was collected or subsequently processed. Personal Information records shall be retained only for the minimum period required by applicable law or for the duration of any contractual obligation with the data subject, after which records shall be destroyed or de-identified. Where no statutory minimum period applies, records shall generally be retained for a period of five (5) years following the end of the relationship, unless a shorter period is appropriate. If the Client requests earlier deletion, Play with a Purpose shall retain the Personal Information records to the extent permitted or required by law.

5. General Description of Information Security Measures

Play with a Purpose employs up to date technology to ensure the confidentiality, integrity and availability of the Personal Information under its care. Measures include:

- Firewalls
- Virus protection software and update protocols
- Logical and physical access control;
- Secure setup of hardware and software making up the IT infrastructure;
- Outsourced Service Providers who process Personal Information on behalf of Play with a Purpose are contracted to implement security controls.

6. Objection to processing of personal information in terms of POPIA

You may object to processing of your personal information at any time by completing **Annexure C – Form 1** attached hereto and by sending it to:

Deputy Information Officer & Preschool Manager : Michelle-Chanté Wienand
Email address : michelle@pwap.org.za

7. Request for correction or deletion of personal information or destroying / destruction thereof in terms of POPIA

You may request for correction or deletion or personal information or destroying / destruction or deletion of a record of personal information at any time by completing **Annexure D – Form 2**, attached hereto and you may request reasonable assistance free of charge to make any request, or objection on any form supplied to you, by contacting the following

Deputy Information Officer & Preschool Manager : Michelle-Chanté Wienand
Email address : michelle@pwap.org.za

8. Withdrawal of consent in terms of POPIA

You may withdraw consent to process your personal information at any time by completing **Annexure E – Form 3**, attached hereto and you may request reasonable assistance free of charge to make any request, or objection on any forms supplied to you by contacting the following:

Deputy Information Officer & Preschool Manager : Michelle-Chanté Wienand
Email address : michelle@pwap.org.za

9. Complaints in terms of POPIA

You may lodge a complaint with the Regulator at the address and contact particulars set out below in clause 11.

A complaint with the Regulator may be about an interference with the protection of your personal information the following regard:

- A breach of any of the conditions for lawful processing of POPIA; or
 - Non-compliance with sections 22, 54, 69, 70, 71, 72 of POPIA; or
 - A breach of a condition of a code of conduct in terms of section 60 of POPIA.

You may also lodge a complaint with the RESPONSIBLE PARTY by contacting the following:

Deputy Information Officer & Preschool Manager : Michelle-Chanté Wienand
Email address : michelle@pwap.org.za

You may also lodge a complaint with the Regulator in terms of section 63(3) if you are unhappy about the determination of an adjudicator as appointed by the Regulator, after the Regulator has investigated your complaint, by using form 5.

The determination will have effect, until such time that the Regulator changes or overrules the determination post your complaint.

The complaint to the Regulator must be made in writing and should you experience any problems, you may contact the office of the Regulator who will provide you with reasonable assistance to make the complaint in writing.

The Regulator has the following powers when a complaint is lodged:

- Consult with the Responsible Party and with the complainant;
- Investigate the complaint by gathering information through subpoenas and warrants or search premises;
- Summons people to appear and testify or compel them to provide written evidence;
- Conduct private interviews with people;
- Conduct any enquiry she sees fit; and
- Resolve the complaint by means of dispute resolution such as mediation and conciliation;
- Apply for fines and penalties to be ordered by a competent court as set out in section 107 and 109 of POPIA;

- Refer the matter to an enforcement committee and issue enforcement notices or information notices;
- Institute civil action for damages.

Compiled with kind reference to MILTONS MATSEMELA Inc

||

ANNEXURES

ANNEXURE "A":

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

FORM C

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]

1. PARTICULARS OF PRIVATE BODY

The Head:

.....

.....

.....

.....

2. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

- | |
|--|
| <p>a. The particulars of the person who requests access to the record must be given below.</p> <p>b. The address and / or email in the republic to which the information is to be sent must be given.</p> <p>c. Proof of the capacity in which the request is made, if applicable, must be attached.</p> |
|--|

Full names and surname:

.....

Identity Number:

.....

Postal Address:

.....

.....

.....

Telephone / Mobile Number:

.....

Email Address:

.....

Capacity in which the request is made, when made on behalf of another person:

.....
.....
.....

3. PARTICULARS OF PERSON ON WHOSE BEHALF THE REQUEST IS MADE

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname:

.....

Identity Number:

.....

4. PARTICULARS OF RECORD

- a. Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- b. If the provided space is inadequate, please continue on a separate folio and attach it to this form. **The requestor must sign all the additional folios.**

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

.....
.....
.....

2. Reference number, if available:

3. Any further particulars of the record:

.....
.....
.....

2. FEES

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

Reason for exemption from payment of fees:

.....

3. FORM OF ACCESS TO RECORD

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:

.....

Form in which record is required:

.....

Mark the appropriate box with an **X**.

NOTES:

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

1. If the record is in written or printed form:			
☐	Copy of record*	☐	Inspection of record
2. If record consists of visual images (includes photographs, slides, video recordings, computer-generated images, sketches etc.)			
☐	View the images	☐	Copy of the images*
☐		☐	Transcript of the images*
3. If record consists of recorded words or information which can be reproduced in sound:			
☐	Listen to the soundtrack (audio cassette)	☐	Transcript of soundtrack* (written or printed document)

4. If record is held on computer or in an electronic or machine-readable form:						
	Printed copy of record*		Printed copy of information derived from the record*		Copy in computer readable form* (CD/DVD)	
* If you requested a copy of transcription of a record above, do you wish the copy or transcription to be posted to you? Postage is payable.					YES	NO

4. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, please continue on a separate folio and attach it to this form.
The requester must sign all the additional folios.

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

.....

.....

2. Explain why the record requested is required for the exercise or protection of the
aforementioned right:

.....

.....

5. NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

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

.....

Signed at this day of20

.....
**SIGNATURE OF REQUESTER/PERSON
ON WHOSE BEHALF REQUEST IS MADE**

ANNEXURE “B”:

EXPLANATORY NOTE ON FEES TO BE CHARGED

AN EXPLANATORY NOTE ON FEES TO BE CHARGED BY A PRIVATE BODY WHEN GRANTING A REQUEST FOR ACCESS TO INFORMATION IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000.

The fees chargeable by private bodies are contained in Part III of Annexure “A” of the Regulations. A copy of Part III is attached for your convenience. The present charges are as follows:

1. COPIES OF A MANUAL

Should an individual require a copy of the private body’s manual, a fee of R1.10 is chargeable for every photocopy of an A4 page or part thereof.

2. REPRODUCTION FEES

Reproduction fees apply to obtaining copies or transcriptions of information which is automatically available from the private body. The fees are listed in paragraph 2 of Part III of Annexure “A” to the regulations.

3. ACCESS FEES

Access fees are chargeable for copies or transcriptions of information requested under this Act. The fees are listed in paragraph 4 of Part III of Annexure “A” to the regulations.

4. OTHER FEES

- 4.1 A request fee of R140,00 is payable by a requester who is seeking access to a record containing information which is not personal to the requester. See paragraph 6 of Part I of this Work.
- 4.2 A search fee may be charged at a rate of R45,00 per hour or part thereof for searching and preparing the record for disclosure provided such time was reasonably required for that purpose.
- 4.3 If the request is not limited to records containing information which is personal to the requester and if the head of the private body is of the opinion that the time taken to give effect to the request will exceed six hours the requester can be called upon to pay a deposit of not more than one third of an estimate of the access fee which will become payable.
- 4.4 If a copy of a record is posted to a requester, the requester is obliged to pay the actual postage payable.

PART III – FEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of the manual as contemplated in regulation 9 (2) (c) is R1,50 for every photocopy of an A4-sized page or part thereof.
2. The fees for reproduction referred to in regulation 11 (1) are as follows:

	R
a. For every photocopy of an A4-sized page or part thereof	R1,50
b. For every printed copy of an A4-sized page or part thereof held on a computer or in electronic or machine-readable form	R1,10
c. For a copy in a computer-readable form on USB flash disc	R100,00
d. (i) For a transcription of visual images, for an A4-sized page or part thereof	R50,00
(ii) For a copy of visual images	R80,00
e. (i) For a transcription of an audio records, for an A4-sized page or part thereof	R30,00
(ii) For a copy of an audio record	R40,00
2.1 The request fee payable by a requester, other than a personal requester, referred to in regulation 11 (2) is	R140,00
3. The access fees payable by a requester referred to in regulation 11 (3) are as follows:

	R
1. (a) For every photocopy of an A4-sized page or part thereof	R1,50
(b) For every printed copy of an A4-sized page or part thereof held on a computer or in electronic or machine-readable form	R1,10
(c) For a copy in a computer-readable form on USB flash disc	R100,00
(d) (i) For a transcription of visual images, for an A4-sized page or part thereof	R50,00
(ii) For a copy of visual images	R80,00
(e) (i) For a transcription of an audio records, for an A4-sized page or part thereof	R30,00
(ii) For a copy of an audio record	R40,00
(f) To search for and prepare the record for disclosure, R45,00 for each hour or part of an hour reasonably required for such search and preparation.	
2. For purpose of Section 54 (2) of the Act, the following applies:	
(a) Six hours as the hours to be exceeded before a deposit is payable; and	
(b) One third of the access fee is payable as a deposit by the requester.	
3. The actual postage is payable when a copy of a record must be posted to requester.	

ANNEXURE “C”:
OBJECTION TO PROCESSING OF PERSONAL INFORMATION
FORM 1

Objection to The Processing of Personal Information in Terms of Section 11(3) Of The Protection of Personal Information Act, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2017
[Regulation 2(1)]

Note:

1. *Affidavits or other documentary evidence in support of the objection must be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*

Reference Number....

A	DETAILS OF DATA SUBJECT
Name and surname of data subject:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number:	
E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name and surname of responsible party <i>(if the responsible party is a natural)</i> :	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number:	
E-mail address:	
Name of public or private body <i>(if the responsible party is not a natural person)</i> :	
Business address:	

	Code ()
Contact number(s):	
Fax number:	
E-mail address:	
C	REASONS FOR OBJECTION <i>(Please provide detailed reasons for the objection)</i>

Signed at this day of..... 20.....

.....
Signature of data subject (applicant)

ANNEXURE "D": CORRECTION OR DELETION OR DESTROYING / DESTRUCTION OF PERSONAL INFORMATION

FORM 2

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD
OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT,
2013 (ACT NO.
4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2017
[Regulation 3(2)]

Note:

1. *Affidavits or other documentary evidence in support of the request must be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*

Reference Number....

Mark the appropriate box with an "x":

Request for:

☐

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

☐

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A DETAILS OF THE DATA SUBJECT	
Surname:	
Full names:	
Identity number:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number:	
E-mail address:	
B DETAILS OF RESPONSIBLE PARTY	
Name and surname of responsible party (if the responsible party is a natural person):	
Residential, postal or business address:	

ANNEXURE “E”:
WITHDRAWAL OF CONSENT NOTICE TO PROCESS PERSONAL INFORMATION
FORM 3

**REQUEST FOR WITHDRAWAL OF CONSENT TO PROCESS PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF
THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO.
4 OF 2013)**

Note:

1. *Affidavits or other documentary evidence in support of the request must be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*

Reference Number....

I wish to withdraw my consent for the collection, use and disclosure (processing) of personal information provided to your company for:

Mark the appropriate box with an "x":

Request for:

☐

All the purposes I had provided my consent for; *or*

☐

For only the following purposes:

State the purpose of withdrawal to be applied to:

.....

.....

I fully understand and agree that the withdrawal of my consent to any or all purposes – depending on the nature of my request – may result in the responsible party not being in a position to continue to provide services, products etc. to me.

A DETAILS OF THE DATA SUBJECT	
Surname:	
Full names:	
Identity number:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number:	
E-mail address:	

28