

# POLYOAK FAMILY EDUCATIONAL FOUNDATION TRUST

Master's Reference No.: [ITI756/2009]

(the "Trust")

## MANUAL

in terms of

Section 51 of

**The Promotion of Access to Information Act 2 of 2000**

<b>Date of Compilation</b>	<b>02/06/2022</b>
----------------------------	-------------------

<b>Date of last revision</b>	
------------------------------	--

### Contents

1.	Introduction .....	2
2.	Contact Details of Information Officer .....	2
3.	PAIA and POPIA.....	2
4.	Requests for Information.....	2
5.	The Guide.....	3
7.	Information Available in terms of any other Legislation .....	3
8.	Schedule of Records of the Trust.....	4
9.	Schedule of Personal Information Processed by the Trust.....	4
10.	Other Prescribed Information.....	4
11.	Availability of Manual .....	4
12.	Reservation of Rights .....	5
	Schedule 1 – Records Available in Terms of PAIA .....	6
	Schedule 2 – Personal Information Processed in Terms of POPIA.....	11

## 1. Introduction

- 1.1. The Polyoak Family Educational Foundation Trust provides financial support, including tertiary education bursaries, for the children of the Polyoak Packaging Group employees as well as children in the community.
- 1.2. The Trust also offers work readiness programmes to prepare learners for the workplace; upliftment projects to assist with school premises and sports facilities; funding of the 'Number Sense' programme to improve primary school mathematical literacy; and accounting improvement projects at local high schools.

## 2. Contact Details of Information Officer

<b>Name of Private Body</b>	Polyoak Family Educational Foundation Trust
<b>Information Officer (head of Trust)</b>	Garron Boshoff
<b>Deputy Information Officer(s)</b>	Lezelle Scholtz
<b>Street Address</b>	Waterford House, Waterford Road, Diep River, 7800
<b>Postal Address</b>	P.O. Box 125, Plumstead, 7801
<b>Telephone Number</b>	021 710 8817
<b>Email</b>	<a href="mailto:Lezelle.Scholtz@polyoak.co.za">Lezelle.Scholtz@polyoak.co.za</a>
<b>Website URL</b>	<a href="http://www.polyoakpackaging.co.za/sustainability/polyoak-foundation">http://www.polyoakpackaging.co.za/sustainability/polyoak-foundation</a>

## 3. PAIA and POPIA

- 3.1. The Promotion of Access to Information Act 2 of 2000 ("PAIA") grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 3.2. The Protection of Personal Information Act 4 of 2013 ("POPIA") gives effect to the constitutional right to privacy. One of the data processing principles under POPIA is that of data subject participation, which allows for data subjects to access and correct their personal information held by a responsible party. This manual provides for data subject to request this information from the Trust.

## 4. Requests for Information

- 4.1. Requests in terms of PAIA must be made in accordance with the prescribed procedures, at the prescribed rates provided. The forms and tariff are dealt with in Regulations 6 and 7 promulgated in terms of PAIA.
- 4.2. Proof of payment of the said prescribed fee must accompany the completed application form.

## 5. The Guide

5.1. Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission (“SAHRC”) and will be updated and made available by the Information Regulator. The Guide contains information for the purposes of exercising Constitutional Rights and is available in all of the official languages.

5.2. The contact details of the Information Regulator are:

<b>Postal Address</b>	P.O. Box 31533, Braamfontein, Johannesburg, 2017
<b>Email Address</b>	<a href="mailto:infoereg@justice.gov.za">infoereg@justice.gov.za</a>
<b>Website</b>	<a href="https://www.justice.gov.za/infoereg/">https://www.justice.gov.za/infoereg/</a>

## 6. Latest notice in terms of Section 52(2) (if any)

6.1. At this stage no notice has been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

## 7. Information Available in terms of any other Legislation

Information is held and maintained by the Trust in compliance with the following legislation:

- Arbitration Act No. 42 of 1965
- Basic Conditions of Employment No. 75 of 1997
- Broad Based Black Economic Empowerment Act No. 53 of 2003
- Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
- Consumer Protection Act No. 68 of 2008
- Copyright Act No. 98 of 1978
- Debt Collectors Act No. 114 of 1998
- Electronic Communications Act No. 36 of 2005
- Electronic Communications and Transactions Act No. 25 of 2002
- Employment Equity Act No. 55 of 1998
- Financial Intelligence Centre Act No. 38 of 2001
- Income Tax Act No. 95 of 1967
- Intellectual Property Laws Amendments Act No. 38 of 1997
- Labour Relations Act No. 66 of 1995
- Medical Schemes Act No. 131 of 1998
- National Credit Act No. 34 of 2005
- Occupational Health & Safety Act No. 85 of 1993
- Pension Funds Act No. 24 of 1956
- Prescription Act No. 68 of 1969
- Prevention and Combating of Corrupt Activities Act No. 12 of 2004
- Prevention of Organized Crime Act No. 121 of 1998
- Protection of Personal Information Act No. 4 of 2013
- Skills Development Act No. 97 of 1998
- Skills Development Levies Act No. 9 of 1999
- South African Schools Act No. 84 of 1996

- Trademarks Act No. 194 of 1993
- Trust Property Control Act No. 57 of 1988
- Unemployment Contribution Act No. 4 of 2002
- Unemployment Insurance Act No. 30 of 1996
- Value Added Tax Act 89 of 1991

## **8. Schedule of Records of the Trust**

The records held by the Trust, both those that can be accessed without an application in terms of PAIA and otherwise, are listed in Schedule 1.

## **9. Schedule of Personal Information Processed by the Trust**

9.1. Schedule of Personal Information. The personal information processed by the Trust in terms of POPIA is set out in Schedule 1.

9.2. Planned and actual transborder flows of personal information. The Trust may use hosting or cloud services to store and process personal information that are not located in the RSA. If it does so, it will ensure that the level of protection given to the personal information is at least as good as that provided for under RSA Law, either by means of a binding contract with the service provider, or by using a service provider located in a country with privacy laws of similar or stronger effect.

9.3. Information Security Measures.

The Trust employs appropriate, reasonable technical and organisational measures to secure the integrity and confidentiality of personal information in its possession or under its control, which include the following:

- 9.3.1. Identifying reasonably foreseeable internal and external risks to personal and other information in its possession or under its control;
- 9.3.2. Establishing and maintaining appropriate safeguards against the risks identified;
- 9.3.3. Regularly verifying that the safeguards are effectively implemented; and
- 9.3.4. Ensuring that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards.

## **10. Other Prescribed Information**

10.1. At the time of the compilation of this manual, no further information has been prescribed.

## **11. Availability of Manual**

11.1. This manual is available free of charge for inspection at the above-mentioned address and at the Information Regulator.

11.2. Copies of the manual may be obtained, subject to the prescribed fees.

11.3. The manual may also be accessed on the Trust's website.

**12. Reservation of Rights**

- 12.1. Nothing in this manual is to be construed as a waiver of the right to the confidentiality of any document or any legal privilege or right of non-disclosure attaching to any document mentioned herein, whether in terms of any statute or under the common law. All rights in this regard are fully reserved.

-----ooOoo-----

### Schedule 1 – Records Available in Terms of PAIA

Category	Subject	Availability
Communication	Public product information	<b>Available</b>
	Media releases	<b>Available</b>
	Promotion of Access to Information Act Manual	<b>Available</b>
	Internal and external correspondence	<b>May not be disclosed</b>
	News and publications	<b>Available</b>
Human Resources	Employment contracts	<b>May not be disclosed</b>
	Disciplinary records	<b>May not be disclosed</b>
	Employment equity plan	<b>Limited disclosure only on request</b>
	Skills development programme	<b>Limited disclosure only on request</b>
	Salaries and wages records	<b>May not be disclosed</b>
	Documents relating to employee benefits	<b>May not be disclosed</b>
	Disciplinary code	<b>Limited disclosure only on request</b>
	Personnel Guidelines, Policies and Procedures	<b>Limited disclosure only on request</b>
	Leave records	<b>May not be disclosed</b>

	<p>Personal information of past, present and prospective employees and officer / directors</p> <p>Banking details</p> <p>PAYE records</p> <p>Documents issued to employees for income tax purposes</p> <p>Records of payments made to SARS on behalf of employees</p> <p>UIF records</p>	<p><b>May not be disclosed</b></p> <p><b>May not be disclosed</b></p> <p><b>May not be disclosed</b></p> <p><b>May not be disclosed</b></p> <p><b>May not be disclosed</b></p> <p><b>May not be disclosed</b></p>
Parents' Records	<p>Records provided by parents, including documentary information required</p> <p>Records provided by a parent to a third party acting for and on behalf of the Trust</p> <p>Records provided by third parties</p> <p>Correspondence with third parties</p> <p>Agreements entered into</p>	<p><b>May not be disclosed</b></p> <p><b>May not be disclosed</b></p> <p><b>May not be disclosed</b></p> <p><b>May not be disclosed</b></p> <p><b>May not be disclosed</b></p>
Children's Records	<p>Records provided by parents on behalf of children, including documentary information required</p> <p>Records provided by a parent to a third party acting for and on behalf of the Trust</p> <p>Records provided by third parties</p> <p>Correspondence with third parties</p>	<p><b>May not be disclosed</b></p> <p><b>May not be disclosed</b></p> <p><b>May not be disclosed</b></p> <p><b>May not be disclosed</b></p>

<p>Immovable and Movable Property</p>	<p>Asset register</p> <p>Agreements for the lease of immovable property</p> <p>Agreements for the lease or sale of movable property</p> <p>Credit sale agreements and/or hire purchase agreements</p> <p>Other agreements for the purchase, ordinary sale, conditional sale or hire of assets</p>	<p><b>Limited disclosure only on request</b></p> <p><b>May not be disclosed</b></p> <p><b>May not be disclosed</b></p> <p><b>May not be disclosed</b></p> <p><b>May not be disclosed</b></p>
<p>Financial Information</p>	<p>Financial and accounting records</p> <p>Banking details</p> <p>Insurance records</p> <p>Tax compliance documents and tax returns</p> <p>Accounting records</p> <p>Bank statements</p> <p>Invoices in respect of creditors and debtors</p> <p>Details of auditors</p> <p>Auditors' reports in respect of audits conducted</p>	<p><b>May not be disclosed</b></p> <p><b>Available upon request</b></p> <p><b>May not be disclosed</b></p> <p><b>May not be disclosed</b></p> <p><b>May not be disclosed</b></p> <p><b>May not be disclosed</b></p> <p><b>May not be disclosed</b></p> <p><b>Available upon request</b></p> <p><b>Limited disclosure only on request</b></p>
<p>Information Technology</p>	<p>Computer software, support and maintenance agreements</p> <p>Other documentation pertaining to computer systems and computer programmes</p>	<p><b>May not be disclosed</b></p> <p><b>May not be disclosed</b></p>

Information relating to legal proceedings	Records relating to legal proceedings involving the Trust	<b>May not be disclosed</b>
General Records	Customer, supplier and document databases  BBBEE Certificate  Commercial agreements  Statutory records  Organisational structure	<b>May not be disclosed</b>  <b>Available upon request</b>  <b>May not be disclosed</b>  <b>Available upon request</b>  <b>Available upon request</b>
Intellectual Property	List of trademarks, copyrights and designs held and pending applications  Records relating to domain names  Licenses relating to intellectual property rights	<b>Available upon request</b>  <b>Available upon request</b>  <b>Limited disclosure only on request</b>
Trust Records	Documents of incorporation  Trust Deed  Letters of Authority  Details on Trustee - names, ID numbers and physical addresses  List of Beneficiaries  Minutes of Trustee meetings	<b>May not be disclosed</b>  <b>Limited disclosure only on request</b>  <b>Limited disclosure only on request</b>  <b>May not be disclosed</b>  <b>Limited disclosure only on request</b>  <b>May not be disclosed</b>

	Records relating to the appointment of directors/ auditor/ secretary/ public officer and other officers	<b>May not be disclosed</b>
--	--	-----------------------------

-----ooOoo-----

## Schedule 2 – Personal Information Processed in Terms of POPIA

Personal Information	Purpose of Processing	Data Subjects it relates to	Valid Recipients
<p>Employee Personal Information, including:</p> <ul style="list-style-type: none"> <li>- Full name</li> <li>- Identity Number and ID copy</li> <li>- Race</li> <li>- Gender</li> <li>- Educational data</li> <li>- Physical address</li> <li>- Cellphone number</li> <li>- Personal Email address</li> <li>- Banking details</li> <li>- Tax information</li> <li>- Trade Union Membership</li> <li>- Next of kin</li> <li>- Criminal history</li> <li>- Biometric data</li> <li>- Certain medical information</li> <li>- Exit interviews</li> </ul>	<p>Managing employment relationship.</p> <p>As required by statutory obligations in terms of the relevant employment legislation.</p> <p>As required by SARS for tax purposes.</p>	<p>Past and current employees of the Trust.</p>	<p>Management of the Trust.</p> <p>Accounts department of the Trust.</p> <p>SARS.</p> <p>Statutory bodies and courts in terms of legislation or court orders.</p>
<p>Supplier and Third-Party Contractors' Personal Information, including:</p> <ul style="list-style-type: none"> <li>- Full name</li> <li>- Identity Number</li> <li>- Company name</li> <li>- Company Registration Number</li> <li>- Physical address</li> </ul>	<p>Managing supplier/contractor relationship for services to be provided.</p> <p>To make payments for services rendered.</p>	<p>Past and current suppliers/contractors of the Trust.</p>	<p>Management of the Trust.</p> <p>Accounts department of the Trust.</p> <p>SARS.</p>

<ul style="list-style-type: none"> <li>- Contact details</li> <li>- VAT number</li> <li>- Banking details</li> </ul>	<p>As required by statutory obligations in terms of the relevant legislation.</p>		<p>Statutory bodies and courts in terms of legislation or court orders.</p>
<p>Parents' Personal Information, including:</p> <ul style="list-style-type: none"> <li>- Full name</li> <li>- Identity Number and copy of ID</li> <li>- Physical address</li> <li>- Contact details</li> <li>- Income Tax number and IRP5s</li> <li>- Payslips</li> <li>- Banking details</li> <li>- Bank statements</li> <li>- Credit information</li> <li>- Documentation / information provided by parents</li> </ul>	<p>Managing relationship with parents.</p> <p>To enable the Trust to assess applications and provide bursaries.</p> <p>As required by statutory obligations in terms of the relevant legislation.</p>	<p>Past and current parents receiving financial aid from the Trust.</p>	<p>Management of the Trust.</p> <p>Relevant employees of the Trust.</p> <p>Accounts department of the Trust.</p> <p>Third party suppliers.</p> <p>SARS.</p> <p>Statutory bodies and courts in terms of legislation or court orders.</p>
<p>Children's Personal Information, including:</p> <ul style="list-style-type: none"> <li>- Full name</li> <li>- Identity Number and copy of ID</li> <li>- Birth Certificate</li> <li>- Physical address</li> <li>- Contact details</li> <li>- Academic results</li> </ul>	<p>To enable the Trust to assess applications and provide bursaries.</p> <p>As required by statutory obligations in terms of the relevant legislation.</p>	<p>Past and current children receiving financial aid from the Trust.</p>	<p>Management of the Trust.</p> <p>Relevant employees of the Trust.</p> <p>Accounts department of the Trust.</p> <p>Third party suppliers.</p>

<ul style="list-style-type: none"> <li>- Documentation / information provided by parents on behalf of children</li> </ul>			<p>Statutory bodies and courts in terms of legislation or court orders.</p>
<p>Personal Information collected from COVID19 sign-in register</p>	<p>Required to be obtained and kept in accordance with the relevant Regulations in terms of the Disaster Management Act.</p>	<p>Any person entering the Trust's office.</p>	<p>Management of the Trust.</p> <p>Statutory bodies and courts in terms of legislation or court orders.</p>
<p>Personal Information obtained from contact requests or queries submitted on the Trust's website, including:</p> <ul style="list-style-type: none"> <li>- Name</li> <li>- Cellphone number</li> <li>- Email address</li> </ul>	<p>Used to contact the prospective customer about the query.</p>	<p>Any person submitting a contact request or query on the Trust's website.</p>	<p>Management of the Trust.</p> <p>Employees dealing with the contact request or query.</p> <p>Statutory bodies and courts in terms of legislation or court orders.</p>

-----ooOoo-----