

Profin HR Practitioners (Pty) Ltd
(Registration Number: 1997/13421/07)

PAIA MANUAL

Published in terms of section 51 of the

Promotion of Access to Information

Act 2 of 2000

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INTRODUCTION

Profin HR Practitioners (Pty) Ltd (the “Company”) conducts business as an advisory and consultancy to clients on issues relating to industrial relations, human resources management, skills development and employment equity.

This Promotion of Access to Information Manual (“Manual”) provides an outline of the type of records and the personal information it holds and explains how to submit requests for access to these records in terms of the Promotion of Access to Information Act 2 of 2000 (“PAIA Act”). In addition, it explains how to **access**, or **object to**, personal information held by the Company, or **request correction** of the personal information, in terms of paragraphs 23 and 24 of the Protection of Personal Information Act 4 of 2013 (“POPI Act”).

The PAIA and POPI Act give effect to everyone’s constitutional right of access to information held by private sector or public bodies, if the record or personal information 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.

Requests shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with below.

Availability of the PAIA Manual

This manual is published on the company’s website at www.profinhr.co.za or alternatively, a copy can be requested from the Information Officer (see contact details below).

Availability of guides to the PAIA and POPI Acts

Guides to the PAIA and POPI Acts can be obtained and queries directed to:

PAIA Act	POPI Act
South African Human Rights Commission Promotion of Access to Information Act Unit Research and Documentation Department Private Bag 2700 Houghton Johannesburg 2041	Information Regulator <ul style="list-style-type: none">P.O Box 31533, Braamfontein, Johannesburg, 2017
29 Princess of Wales Terrace Corner York and St Andrews Street Parktown Johannesburg 2193	<ul style="list-style-type: none">JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
Telephone Number: (011) 484-8300 Facsimile Number: (011) 484-7146/7 Website: www.sahrc.org.za Email: PAIA@sahrc.org.za	Complaints: complaints.IR@justice.gov.za General enquiries: infoereg@justice.gov.za Home Information Regulator SA (justice.gov.za)

COMPANY CONTACT DETAILS

Company contact details in terms of PAIA section 51:

Profin HR Practitioners (Pty) Ltd

PO Box 17298

Sunward Park

1470

113 Nicholson Road

Sunward Village

Sunward Park Ext 3

Boksburg

1459

Telephone Number: (011) 893-1886 / 2542

Website: www.profinhr.co.za

Duly authorised persons:

Information & Deputy Information Officers	Data Privacy Protection Responsible (DPPR)
<p>Corné Erasmus Telephone number: (011) 893-1886 Facsimile number: 0860-713-602 Email: corne@profinhr.co.za</p> <p>Chris Erasmus Telephone number: (011) 893-1886 Facsimile number: 0860-713-602 Email: chris@profinhr.co.za</p>	<p>Chris Erasmus Telephone number: (011) 893-1886 Facsimile number: 0860-713-602 Email: chris@profinhr.co.za</p>

COMPANY RECORDS

Company records availability

Departmental Records	Subject	Classification No
Communications	Product Brochures	1
	Newsletters / Newsflashes	1

Human Resources	Employee Records	3, 4, 7
	Employment Contracts	3, 4
	Personnel Guidelines, Policies and Procedures	12
	Employee Medical Records	3, 4, 6
	Employee Disability Insurance Records	3, 4
	Payroll Records	3, 4
	Recruitment Records	3, 4
Financial	Audited Financial Statements	3
	Tax Records (Company & Employees)	3
	Asset Register	3
	Supplier Records	3, 4
	Management Accounts	3
	Insurance Records	3, 4
Legal & Compliance	General Contract Documentation	5, 8
	Employee, customer and supplier information	8
	Immovable Property Records	3
	Statutory Records	3

Company Record Classification Key

Classification Number	Access	Classification
1	May be Disclosed	Public Access Document
2	May not be Disclosed	Request after commencement of civil proceedings [s7]
3	Limited Disclosure	Personal Information of natural persons that belongs to the requester of that information, or personal information of juristic persons represented by the requestor of that information [s61]
4	May not be Disclosed	Unreasonable disclosure of personal information or of Natural person [s63(1)] or Juristic Person [POPI]
5	May not be Disclosed	Likely to harm the commercial or financial interest of third party [s64(a)(b)]
6	May not be Disclosed	Would breach a duty of confidence owed to a third party in terms of an Agreement [s65]
7	May not be Disclosed	Likely to compromise the safety of individuals or protection of property [s66]
8	May not be Disclosed	Legally privileged document [s67]

PROCESSING OF PERSONAL INFORMATION

Profin HR Practitioners takes the privacy and protection of personal information very seriously and will only process personal information in accordance with the current South African privacy legislation. Accordingly, the relevant personal information privacy principles relating to the processing thereof (including, but not limited to, the collection, handling, transfer, sharing, correction, storage, archiving and deletion) will be applied to any personal information processed by Profin HR Practitioners.

The purpose of processing of personal information by Profin HR Practitioners

We process personal information for a variety of purposes, including but not limited to the following:

- To provide or manage any information and/or services requested by data subjects;
- To help us identify data subjects when they contact Profin HR Practitioners;
- To maintain customer records;
- To carry out analysis of customer information in order to complete statutory returns;
- For recruitment purposes;
- For employment purposes;
- For general administration, financial and tax purposes;
- For legal or contractual purposes;
- To transact with our suppliers and business partners;
- To help us improve the quality of our products and services; and
- To help us recover debts.

Categories of data subjects and personal information processed by Profin HR Practitioners

Categories of data subjects and personal information processed by Profin HR Practitioners include the following:

Categories of Data Subject	Personal Information Processed
Customer and potential Customers	Customer personal information
	Customer contracts
	Customer location information
	Personal performance information
Suppliers	Supplier personal contact information
	Personal contact information of supplier representatives
Employees	Employee personal information
	Employee medical information
	Employee disability information
	Employee provident fund information
	Employee contracts
	Employee performance records
	Payroll records
	Health and safety records
	Training records
	Employment history
Job Applicants	Time and attendance records
	Curriculum vitae and application forms
	Criminal checks
	Background checks

Recipients or categories of recipients with whom personal information is shared

We do not share the personal information of our data subjects with any third parties except if:

- We are obliged to provide such information for legal or regulatory purposes;
- We are required to do so for purposes of existing or future legal proceedings;
- We are selling one or more of our businesses to someone to whom we transfer our rights & responsibilities under any customer agreement we have with customers;
- We are involved in the prevention of fraud, loss, bribery or corruption;
- They perform services and process personal information on our behalf;
- This is required to provide or manage any information, products and/or services to data subjects; or
- Needed to help us improve the quality of our products and services.

We will send our data subjects notifications or communications if we are obliged by law to do so, or in terms of our contractual relationship with them.

We will only disclose personal information to government authorities if we are required to do so by law.

Profin HR Practitioners and its employees and our suppliers, are required to adhere to data privacy and confidentiality principles and to attend data privacy training.

Information security measures to protect personal information

Reasonable technical and organisational measures have been implemented for the protection of personal information processed by Profin HR Practitioners and its operators. In terms of the POPI Act, operators are third parties that process personal information on behalf of Profin HR Practitioners.

We continuously implement and monitor technical and organisational security measures to protect the personal information we hold, against unauthorised access, as well as accidental or wilful manipulation, loss or destruction.

We will take all reasonable steps to ensure that operators that process personal information on behalf of Profin HR Practitioners apply adequate safeguards as outlined above.

Personal information received from third parties

When we receive personal information from a third party on behalf of a data subject, we require confirmation that they have written consent from the data subject that they are aware of the contents of this PAIA manual and the Profin HR Practitioners Privacy Policy, and do not have any objection to our processing their information in accordance with this policy.

PRESCRIBED REQUEST FORMS AND FEES

Form of request

To facilitate the process of your request, kindly:

1. Use the prescribed form available from the Information Officer.
2. Address your request to the Information Officer.
3. Provide sufficient detail to enable the Company to identify:

- a. The record(s) requested;
- b. The requestor (and, if an agent is lodging the request, proof of capacity);
- c. The South African postal address, email address or fax number of the requestor;
- d. The form of access required;
- e. If the requester wishes to be informed of the decision in any manner (in addition to writing) the manner and particulars thereof; and
- f. The right which the requestor is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

Prescribed fees

The following applies to requests (other than personal requests):

1. A requestor is required to pay the prescribed fee (R50-00) before a request will be processed.
2. If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request is granted).
3. A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit.
4. Records may be withheld until the fees have been paid.
5. The detailed Fee Structure is available from the Information Officer.

Access to prescribed forms and fees

Prescribed forms and fees can be requested from the Information Officer (see contact details above).

REMEDIES

The company does not have an internal appeal procedure regarding PAIA and POPI Act requests. As such, the decision made by the duly authorised persons is final. If a request is denied, the requestor is entitled to apply to a court with appropriate jurisdiction, or the Information Regulator, for relief.