

PAIA Manual

**PREPARED IN TERMS OF SECTION 51 OF
THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000
(PAIA)**

Version 2

01 December 2023

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APPROVAL FOR ISSUE

NAME	POSITION	SIGNATURE	DATE
Rachel Kolisi	CEO		01/12/23

1. Purpose of the Manual in terms of PAIA

- 1.1 The purpose of this Manual is to assist people wishing to access information in terms of the PAIA from the Kolisi Foundation.

2. Request for access to information

- 2.1 In the event that a person or entity requires access to information as contemplated in the Act, the requester must contact the Kolisi Foundation Operations Administrator.
- 2.2 Section 25(2) and (3) of the Act states that:
- 2.3 If the request for access is granted, the notice in terms of subsection (1)(b) must state:
 - The access fee (if any) to be paid upon access;
 - The form in which access will be given; and
- 2.4 That the requester may lodge an internal appeal or an application with a court, as the case may be, against the access fee to be paid or the form of access granted, and the procedure (including the period) for lodging the internal appeal or application, as the case may be.
- 2.5 If the request for access is refused, the notice in terms of subsection (1)(b) must:
 - State adequate reasons for the refusal, including the provisions of this Act relied upon;
 - Exclude, from such reasons, any reference to the content of the record; and
 - State that the requester may lodge an internal appeal or an application with a court, as the case may be, against the refusal of the request, and

the procedure (including the period) for lodging the internal appeal or application, as the case may be.

3. Terms used in this document

- 3.1 Terms defined in this Manual shall have the meaning set out therein and reference to Sections shall be a reference to the sections in the Promotion of Access to Information Act, 2 of 2000.

4. Background of the Kolisi Foundation

- 4.1 The Kolisi Foundation was founded by Siya and Rachel Kolisi with a vision to change the stories of inequality, to see thriving communities in South Africa. We unite organisations to mobilise resources and strengthen infrastructure and learning. To help communities thrive, we aim to bring about systemic change through sport and education, addressing gender-based violence, and contributing to food security. We do so by partnering with organisations with a pre-existing footprint in our geographic focus areas.
- 4.2 The Kolisi Foundation's mission is shaped around the following three focus areas: Food Security, Gender-Based Violence, and Education and Sport.
- Food Security: Our food security goals include improving access to safe, nutritious and culturally appropriate food to improve nutrition and physical health in children, and increasing the nutritional value and stabilising the provision of meals in communities in which we work.
 - Gender-Based Violence: Our gender-based violence goals include ensuring children, youth and women affected by gender-based violence are thriving through increased access to support, opportunities, and a sense of safety, facilitated by strengthened organisations with necessary resources.
 - Education and Sport: Our education and sport goals include helping develop healthy, active, emotionally and academically stronger children while contributing to the communities in which they live.
- 4.3 In order to perform these tasks the Kolisi Foundation must collect various forms of information: These include:

- Partner organisation details: To best support and serve the organisations we invest in, to promote collaboration between organisations, and to amplify the work of organisations and individuals as they serve their communities.
- Beneficiary lists: To ensure that social investment is being spent in an effective, efficient, responsible and transparent manner.
- Social investor, donor and supporter details: To promote the work of the Kolisi Foundation and to raise funds to ensure the sustainability of the Kolisi Foundation.

4.4 All information is collected, processed, stored in compliance with the POPI Act 2013.

5. Organisation details

Trading Name: Kolisi Foundation NPC

Postal Address:

146 Campground Road
Newlands
7700 Cape Town

Office Address:

146 Campground Road
Newlands
7700 Cape Town

Website: kolisifoundation.org.za

Email: info@kolisifoundation.org.za

6. Details of the Information Officer(s)

Information Officer: Rachel Kolisi

Deputy Information Officer: Stefanus Nothnagel

All information officers may be contacted through the Kolisi Foundation details listed above.

7. Categories of records

7.1 In terms of Section 51(1)(c), a private body may, on a voluntary and period basis, submit to the Minister a description of categories of records which are automatically available without a person having to request access in terms of the Act. This includes records which are available:

- For inspection;
- For purchase or copying from the private body; and
- From the private body free of charge.

8. Other applicable legislation

8.1 Certain legislation mandates the Kolisi Foundation to allow certain person(s) access to specified information, upon request. Legislation that may be consulted to establish the type of information or record and the person(s) having access thereto is as follows:

- Arbitration Act 42 of 1965
- Basic Conditions of Employment Act 75 of 1997
- Closed Corporation Act 69 of 1984
- Close Corporations Amendment Act 25 of 2005
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Competition Act 89 of 1998
- Consumer Protection Act 68 of 2008
- Copyright Act 61 of 1978
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Income Tax Act 58 of 1962
- Intellectual Property Laws Amendments Act 38 of 1997
- Interception and Monitoring Prohibition Act 127 of 1992
- Labour Relations Act 66 of 1995
- Non-profit Organisations Act 71 of 1997.

- Occupational Health and Safety Act 85 of 1993
- Prevention of Organised Crime Act 121 of 1998
- Protection of Businesses Act 99 of 1978
- Regional Services Councils Act 109 of 1985
- SA Schools Act 84 of 1996
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- The Fund-Raising Act 107 of 1978
- Trade Marks Act 194 of 1993
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contributions Act 4 of 2002
- Value Added Tax Act 89 of 1991

9. General information

- 9.1 General information about the Kolisi Foundation can be accessed through the internet on kolisifoundation.org.za, which is available to all persons who have access to the internet.
- 9.2 The subjects on which the Kolisi Foundation hold records and the categories on each subject in terms of Section 51(1)(e) are as listed below. Please note that a requestor is not automatically allowed access to these records and that access to them may be refused in accordance with Sections 62 to 69 of the Act.
- 9.3 The Kolisi Foundation holds the following categories of information, records and documentation:
 - Accounting Records
 - Information Technology Details
 - Intellectual Property
 - Human Resources Records
 - Marketing Records
 - Statutory Company Records
 - Beneficiary Database and/or other Databases

- Organisational Records
- Internal Phone Lists
- Policies
- Procedures
- Minutes of Meetings
- Administrative Information
- Contracts and Service-Level Agreements
- Memorandums of Understanding
- Monitoring and Evaluation Records
- Social Investor, Donor and Supporter Information

10. Requesting Procedure

- 10.1 A person who wants access to the records must complete the necessary request form, as set out in Annexure 1, and the completed form must be sent to the address or contact details set out in clause 5 of this Manual and marked for the attention of the Information Officer.
- 10.2 The requester must indicate which form of access is required and identify the right that is sought to be exercised or protected and provide an explanation of which the requested record is required for the exercise or protection of that right. Proof of the capacity in which the requester is requesting the information must also be provided.

11. Description of personal information processing in terms of the Protection of Personal Information Act 4 of 3013 (POPIA)

The Kolisi Foundation processes personal information¹ and special personal information² as follows:

Subject	Category
Purpose of processing ³	<ul style="list-style-type: none"> To establish and verify the identity and/or update data subjects' details; to administer and manage our service to clients / beneficiaries; to measure impact, and improve our operations through monitoring, evaluation and reporting; to notify you of news and /or developments that may be of interest to you; to promote the work of the Kolisi Foundation; to receive and process donations or grants;

¹ **"personal information"** means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to-

- (a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
- (b) information relating to the education or the medical, financial, criminal or employment history of the person;
- (c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- (d) the biometric information of the person;
- (e) the personal opinions, views or preferences of the person;
- (f) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- (g) the views or opinions of another individual about the person; and
- (h) the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person;

² **"special personal information"** means personal information concerning-

- (a) the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a data subject; or
- (b) the criminal behaviour of a data subject to the extent that such information relates to-
 - (i) the alleged commission by a data subject of any offence; or
 - (ii) any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings.

³ **"processing"** means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including-

- (a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- (b) dissemination by means of transmission, distribution or making available in any other form; or
- (c) merging, linking, as well as restriction, degradation, erasure or destruction of information

	<ul style="list-style-type: none"> • to comply with any legal and regulatory requirements; and • for other activities and/or purposes which are lawful, reasonable and adequate, relevant and not excessive in relation to the provision of our services, or such other purpose for which it was collected.
<p>Data subject categories and their personal information</p>	<ul style="list-style-type: none"> • Employees: record of employee life cycle, name and job title, contact information, title, birth date, demographic information (post code, preferences, and interests), next of kin, identity number or passport number, SARS income tax number, marital status, dependents, financial and employment history • Volunteers, board members and the general public: name and job title, contact information, title, birth date, demographic information (post code, preferences, and interests), general enquiries and viewing the company website, identity number or passport number; SARS income tax number, financial and employment history • Supporters and benefactors of the Kolisi Foundation: name, address, contact information, record of donations • Service providers: name, registration number, financial information such as bank account details or VAT registration numbers • Beneficiaries of the Kolisi Foundation services/clients: name, age, contact information, title, birth date, demographic information (post code, preferences, and interests), identity number or passport number, national origin, physical or mental health, dependents, photographs
<p>Recipients of personal information</p>	<ul style="list-style-type: none"> • Data subjects • Operators (service providers, including consultants) • Statutory authorities • Beneficiaries of the Kolisi Foundation's services / clients • Employees of the Kolisi Foundation • Financial institutions • Industry bodies • Supporters and benefactors of the Kolisi Foundation • [Medical aid schemes]

	[Employee pension funds]
Expected transnational transfer of personal information	Any transnational transfer of personal information intended by the organisation will be in accordance with the provisions of POPIA
Security measures to protect personal information	<ul style="list-style-type: none"> • Any data collected via paper is processed and entered into the relevant platform for data management and the paper record is destroyed, unless required for legislative reasons. • The organisation regularly reviews its security controls which will include regular testing of protocols and measures put in place to combat cyber-attacks on the organisation’s IT network. • The organisation ensures that all paper and electronic records comprising personal information are securely stored and made accessible only to authorised individuals. • IT infrastructure, filing systems and any other devices used for processing personal information meet acceptable security standards. • All electronically stored personal information is backed-up and tested on a regular basis. • All servers and computers containing personal information are protected by the latest security software. • All back-ups containing personal information are protected from unauthorised access, accidental deletion and malicious hacking attempts.

For more information on how we process personal information, please see our privacy notice available at <https://kolisifoundation.org/wp-content/uploads/2024/05/Kolisi-Foundation-Privacy-Policy-V2-Final.pdf>

12. Availability of the Manual

12.1 This Manual is available for inspection by the general public on kolisifoundation.org.za or upon request during office hours at the office address of the organisation at the address as stated in clause 5 of this Manual. Copies of the Manual may be made available subject to the prescribed fees.

12.2 Copies may also be requested from the South African Human Rights Commission at the address indicated below.

13. Fees

13.1 A requester who seeks access to a record containing personal information about that requester is not required to pay the request fees. Any other requester who is not a personal requester must pay the required fee:

- A fee will be required by the Information Officer before further processing of the request in terms of Section 54 of the Act;
- A requester fee of R250.00 should be paid, this amount will be refunded should the request for access be refused;
- A portion of the access fee (not more than one third) may be required before the request is considered;
- The requester may lodge an application with a court against the payment of the request fee in terms of Section 54(3)(b) of the Act; and
- The Information Officer may withhold a record until the requester has paid the applicable fees.

14. Details of the South African Human Rights Commission

Any queries regarding this Manual should be directed to:
The South African Human Rights Commission; PAIA Unit
Research and Documentation Department
Private Bag 2700
Houghton
2041

Phone: 011 484 8300
Fax: 011 484 0582
Email: PAIA@sahrc.org.za
Website: www.sahrc.org.za

Signed at Cape Town this 01st day of December 2023.



Rachel Kolisi
CEO – Kolisi Foundation Information Officer

Annexure A: Request For Access to Record of the Kolisi Foundation Form

(Section 53 (1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

1. Particulars of the Kolisi Foundation

Trading Name: Kolisi Foundation NPC
 Postal Address:
 146 Campground Road
 Newlands
 7700 Cape Town

Office Address:
 146 Campground Road
 Newlands
 7700 Cape Town
 Website: kolisifoundation.org.za
 Email: info@kolisifoundation.org.za

2. Details of the Information Officer(s)

Information Officer: Rachel Kolisi
 Deputy Information Officer: Stefanus Nothnagel

3. Particulars of person requesting access to the record

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

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.

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.

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

b. Reference number if available:

c. Any further particulars of record:

5. Fees

- 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.
- You will be notified of the amount required to be paid as the request fee.
- 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 a record.
- If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fee:

6. 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 below, state your disability and indicate in which form the record is required.

Disability		Form in which record is required	
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Note:

- Compliance with your request for access in the specified form may depend on the form in which the record is available.
- 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.
- The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

Mark the appropriate box with an X.

1. If the record is in written or printed form:			
	Copy of record *		Inspection of record

2. If record consists of visual images – (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)				
	View images		Copy of the images *	Transcription of the images *
3. If record consists of recorded words or information which can be reproduced in sound:				
	Listen to the soundtrack (audio cassette)		Transcription 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 * (memory stick)

7. 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.

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

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