

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (“the Act”). The Act gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person or entity, whether such information is required by someone to protect his/her rights.

A. OVERVIEW

Bellavista School is an organisation in the field of remedial, primary education. The school caters for learners with mild to moderate learning disabilities between the ages of 5 -14 years, that being grades R-7. Bellavista School sits in the education sector, is registered with the Department of Education and is a member of the Independent Schools Association Southern Africa (ISASA).

This manual serves to inform members of the public of the categories of information we hold, and which may, subject to the grounds of refusal listed in the Act, be disclosure after evaluation of an access application being made in terms of the Act.

B. AVAILABILITY OF THIS MANUAL

A copy of this Manual is available -

- Physically at 35 Wingfield Avenue, Birdhaven, Johannesburg
- On request from our Information Officer
- On our website: www.bellavista.org.za

C. COMPANY CONTACT DETAILS (Section 51 (1) (a))

Information Officer:	Mrs A. Scott (Executive Principal)
Deputy Information Officer:	Mr C. Doyle (IT Manager)
Board of Governors:	Mr W. Marshall (Chairman)
Bursar:	Mrs A. Jacquet
Postal Address:	P.O. Box 55017, Northlands 2116
Street Address:	35 Wingfield Avenue, Birdhaven, Johannesburg
Telephone Number:	0117885454
Email:	bursar@bellavistaschool.co.za

D. THE ACT

More information on how the Act works and all other information can be obtained from the SAHRC – SA Human Rights Commission, at:

Private Bag X2700
Houghton
2041
Tel: 011 877 3600

There are also provincial SAHRC offices in all nine provinces.

- The ACT 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.
- Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.
- Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

E. HOW THE ACT WORKS AND INFORMATION PUBLISHED BY THE SAHRC

- **Voluntary Disclosure**

The following information is made known automatically: website; fees schedule; internal school policies; all marketing brochures and persons do not have to request such information.

- **Records Available In Terms Of Other Legislation**

Information is available in terms of the following legislation to the persons or entities specified in such legislation, as well as the specific protections offered by such laws. As legislation changes from time to time, and new laws may stipulate new manners and extend the scope of access by persons specified in such entities, this list should be read as not being a final and complete list.

- Business legislation (including all regulations issued in terms of such legislation): The Companies Act 71 of 2008; Income Tax Act 58 of 1962; Value Added Tax Act 89 of 1991; Labour Relations Act 66 of 1995; Basic Conditions of Employment Act 75 of 1997; Employment Equity Act 55 of 1998; Skills Development Levies Act 9 of 1999; Unemployment Insurance Act 63 of 2001; Electronic Communications and Transactions Act 25 of 2002; Telecommunications Act 103 of 1996; Electronic Communications Act 36 of 2005; Consumer Protection Act 68 of 2008; Broad-based Black Economic Empowerment Act 53 of 2003; National Credit Act 34 of 2005; Long-term Insurance Act 52 of 1998; etc.
- Health legislation (including all regulations issued in terms of such legislation): *(This legislation is of extreme relevance in the health sector and Requesters should familiarise themselves with it.* The National Health Act 61 of 2003; Medical Schemes Act 121 of 1998; Medicines and Related Substances Act 101 of 1965; Children's Act 38 of 2005; Mental Healthcare Act 17 of 2002; Choice on Termination of Pregnancy Act 92 of 1996; Sterilisation Act 44 of 1998; Health Professions Act 56 of 1974; etc.
- Education legislation (including all regulations issued in terms of such legislation

- **RECORDS HELD BY BELLAVISTA SCHOOL**

We hold records in the categories listed below. *The fact that we list a record type here does not necessarily mean that we will disclose such records*, and all access is subject to the evaluation processes outlined herein, which will be exercised in accordance with the requirements of the Act.

Records	Subject	Availability
Internal records relating to our business	founding and other documents, minutes and policies; annual and other reports; financial records; operational records, policies and procedures; contracts; licenses, trademarks and other intellectual property; production, marketing records; other internal policies and procedures; internal correspondence; statutory records; insurance policies and records; etc.	
Personnel records	records relating to temporary employees, fixed term employees, part-time employees, permanent employees, locums, associates, contractors, partners, directors, executive directors, non-executive directors. It includes personal files and similar records, records a third parties have provided to us about their personnel; employment contracts, conditions of employment; workplace policies; disciplinary records; termination records; minutes of staff meetings; performance management records and systems and all employment-related records and correspondence.	
Client/patient records	client/patient lists; health records; medical reports; funding records; agreements; consents; needs assessments; financial and accounts information; research information; evaluation records; profiling; and similar information. <i>It must be noted that, in the health sector, personal and patient information are protected by legislation and ethical rules, and disclosure can only take place, if at all, without those frameworks.</i>	
Supplier and service provider records	supplier registrations; contracts; confidentiality agreements and non-disclosure agreements, communications; logs; delivery records; commissioned work; and similar information, some of which might be provided to us by such suppliers and providers under service- and other contracts.	
Technical records	manuals, logs, electronic and cached information, product registrations, product dossiers, health professionals council / statutory body records, approvals, conditions and requirements, trade association information and similar product information.	
Third party information	may be in our possession but which would be subject to the conditions set in relation to such possession and use or purpose limitations	
Environment and market information	information bought, publicly available information and commissioned information which pertains to the specific sector and market of our business and factors that affect the business, professional and healthcare environment.	
Financial	AFS	Request in terms of PAIA

	Financial and Tax Records	
	Asset Register	
	Management Accounts	

F. HOW TO REQUEST ACCESS TO RECORDS HELD BY BELLAVISTA SCHOOL

Requests for access to records held by Bellavista School must be made by email request or per forms that are available from our website. When a record is requested, the following will apply:

- Fees may be payable. These fees are prescribed by law, and can change from time to time.
- The prescribed Request Form must be completed. It can be obtained from the Information Officer, on the school's website (www.bellavista.org.za), on the SAHRC website (www.sahrc.org.za) or on the website of the Department of Justice (www.justice.gov.za) under "PAIA" and "forms".
- **On the Request Form all details must be completed, including the right the requester wants to protect by requesting the information**
 - Address your request to the Head of the Company (Executive Principal).
 - Provide sufficient details to enable the COMPANY to identify:
 - The record(s) requested;
 - The requester (and if an agent is lodging the request, proof of capacity); If the requester is acting on behalf of someone else, the signature of the other person as the one who is authorised the request to be made.
 - The form of access required (inspection of copy, paper copy, electronic copy, transcript, etc.);
 - The postal address or fax number of the requester in the Republic;
 - If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
 - The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.
 - If the record is part of another record, the requester will only be access the part(s) that pertains to the information s/he wants or is entitled to, and not the rest of the record.
 - All requests will be evaluated against the provisions of the Act. The Act allows the Information Officer to refuse access on grounds stipulated in the Act. One can, for example, not access another person's confidential information, or trade- or commercial secrets of a business.
 - An answer on a request for information must be made within 30 days of the request, and if not granted and the requester is not satisfied s/he can approach the courts within 30 days.

G. PRESCRIBED FEES

The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.

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

- A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- 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 were granted);
- A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- Records may be withheld until the fees have been paid.

Version Updated: 23 May 2021