

# Allan Gray Orbis Foundation – Access to Information Manual



## MANUAL PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, NO 2 of 2000

We respect your right of access to information. This document will help you exercise that right as required by section 51 of the Promotion to Access of Information Act 2 of 2000 (PAIA).

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### Introduction

Allan Gray Orbis Foundation (RF) NPC (“AGOF” or “We”) is a member of Allan Gray Philanthropies (AGGP), a philanthropic group of companies with a mission to attack poverty by nurturing and empowering entrepreneurs and leaders who benefit society by helping accelerate meaningful employment creation while embodying the values and behaviours of ethical leadership. This is in fulfilment of our vision of an empowered and productively engaged African citizenry thriving in ethical societies with dignity and hope.

We are the Allan Gray Orbis Foundation, we conduct business as a non-profit organisation, and this is our ‘Access to Information Manual’. Its purpose is to help you access our information and any other information that we have. PAIA requires us to make it available to you so that you:

- know what types of information we have; and
- can request access to it.

**This manual exists to tell you what information we have and help you get access to it.**

## **Our Contact Details**

Our details are as follows:

- **Organisation's legal name:** Allan Gray Orbis Foundation (RF) NPC
- **Registration number:**
- **Public Benefit Organisation (PBO) number:** 930073982
- **Postal address:**
  - Cape Town Office: PO Box 21509, Kloof Street, Cape Town, 8008
  - Johannesburg Office: PO Box 781405, Sandton, 2146
- **Physical address:**
  - Cape Town Office: 46 Hof Street, Oranjezicht, Cape Town, 8001
  - Johannesburg Office: 1<sup>st</sup> Floor, Cliffe Dekker Hofmeyr, 1 Protea Place, Cnr Fredman and Protea Place, Sandton, Johannesburg, 2196
- **Phone number:** 021 481 5400/011 290 4940
- **Fax number:** 086 554 0000
- **Head of Legal and Compliance**
  - Allan & Gill Gray Philanthropy (RF) NPC
  - Suite 111, 1st Floor, Clocktower Building, V & A Waterfront, 8001
  - Telephone: +27 21 180 4606
  - Email: [rjulies@allangillgrayphilanthropies.org](mailto:rjulies@allangillgrayphilanthropies.org)
- **Preferred contact email address:** [paia@allangrayorbis.org](mailto:paia@allangrayorbis.org)
- **Website:** <https://www.allangrayorbis.org/>

**These are all our details, but please rather contact us by email at [paia@allangrayorbis.org](mailto:paia@allangrayorbis.org) whenever possible.**

## **The section 10 Guide on how to use PAIA**

Should you require greater clarity on or assistance with the Act, we refer you to the Guide that has been published by the South African Human Rights Commission ('SAHRC') in terms of section 10 of the Act. It includes:

- a. what the objects of this Act are;
- b. the relevant contact details of each public and private body (where possible);
- c. the process that needs to be followed in order to request access to records;
- d. assistance available from the SAHRC and information officers of public bodies;
- e. how to get access to the manual of a private body;
- f. all the remedies available in law to you; and
- g. details on prescribed fees payable in respect of requests for information.

This Guide will be made available in such official language as may reasonably be required by a person who wishes to exercise any right contemplated in the Act.

Please direct any queries to:

**The South African Human Rights Commission  
PAIA Unit**

**The Research and Documentation Department**

Postal address: Private Bag X2700

HOUGHTON

2041

Telephone: +27 11 877 3803

Fax: +27 11 403 0625

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

For further guidance on how you can get access to information, please visit:

<http://www.sahrc.org.za/index.php/understanding-paia>

## Types of records

### a. Records available without requesting access in terms of PAIA

A private body may, on a voluntary and periodic 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 PAIA. The Minister must publish any description so submitted by notice in the Gazette. The identified entities have not submitted any such description for publication in the Gazette. Certain records are however freely available on the Internet at <https://www.allangrayorbis.org/>.

### b. Records available on request

We set out below the subjects and categories of records that are, subject to access being denied as set out in PAIA, available upon request for the purposes of PAIA:

Records are held on the following subjects:

- (i) Personnel records;
- (ii) Private body records; and
- (iii) Records in the possession of or pertaining to other parties.

(i) *Personnel records*

Personnel refers to any person who works for or provides services to or on behalf of the private body and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of the private body. This includes, without limitation, directors, executives, nonexecutives, all permanent, temporary and part-time staff as well as contract workers.

Personnel records include the following:

- Any personal records provided to the private body by their personnel;
- Any records a third party has provided to the private body about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

(ii) *Private body records*

A private body's records relate to the body's own affairs and are considered to include, but not limit to:

- Financial records;
- Operational records;
- Databases;
- Information technology;
- Programme Participants information
- Internal correspondence;
- Donor records
- Statutory records;
- Internal policies and procedures;
- Organisation records

(iii) *Other parties*

The private body may possess records pertaining to other parties, including without limitation contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, service providers.

The following records fall under this category:

- Personnel, client or private body records which are held by another party as opposed to being held by the private body; and
- Records held by the private body pertaining to other parties, including without limitation financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors / suppliers.

**We hold various subjects and categories of records in electronic or physical form that are available automatically or in other ways.**

## **How to request access**

The request form can be accessed as follows:

- the SAHRC website at <http://www.sahrc.org.za/index.php/understanding-paia> at this link: <http://www.sahrc.org.za/home/21/files/Form%20C.doc%20August%202013.doc>; or
- the Department of Justice and Constitutional Development website at [www.justice.gov.za](http://www.justice.gov.za) at this link: [http://www.justice.gov.za/forms/paia/J752\\_paia\\_Form%20C.pdf](http://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf).

If a person needs assistance to obtain the form or on any other matter, please contact the Information Officer at the telephone number provided under the contact details section.

The completed request form must be sent to the address provided under the contact details sections and marked for the attention of the Information Officer.

The Information Officer will process the request and inform the requester of the fees (if any) that are payable and of the different procedures that must be followed until the request is finalised. A copy of the fee structure applicable to private bodies can be accessed on

<http://www.sahrc.org.za/home/21/files/PAIA%20Notice%20on%20fees.pdf>

All the pertinent sections of the request form must be completed fully, failing which the process will be delayed while the Information Officer obtains such additional information.

**NOTE: Access to certain records may be or must be denied on the grounds set out in the PAIA**

Mandatory grounds for refusal include but are not limited to:

- a. Information for the protection of the privacy of individuals;
- b. Information for the protection of commercial information and confidential information of third parties;
- c. Information privileged from production in legal proceedings;
- d. Commercial information of the company; and
- e. Research information.

**You may request information by completing a request for access form and submitting it to our information officer together with a request fee. We may have to refuse you access to a record to protect others.**

We will notify you in writing whether your request has been approved or denied within 30 calendar days after we have received a completed request for access form. If we cannot find any requested record or it does not exist, then we will notify you by way of affidavit that it is not possible to give access to that particular record.

**We may have to refuse you access to a record to protect others.**

## **How we will give you access**

We will evaluate and consider all requests to us in terms of PAIA. If we approve your request for access to our records, then we will decide how to provide access to you – unless you have asked for access in a specific form. Publication of this manual does not give rise to any rights to access information records, except in terms of PAIA.

## **How much it will cost you**

You must pay us a request fee as required by law when submitting a request for access to information.

The prescribed fees are as set out in the Fee Schedule which is available from

<http://www.sahrc.org.za/index.php/understanding-paia> at this link:

<http://www.sahrc.org.za/home/21/files/PAIA%20Notice%20on%20fees.pdf>. You must pay us the fees before we will hand over any information. You may have to pay a further access fee if we grant the request for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

## **How we process and protect personal information**

We process the personal information of various categories of people for various purposes as set out in this clause.

### **Categories of people**

We process the personal information of the following categories of people:

- beneficiaries (programme participants and their guardians);
- donors;
- employees;
- external stakeholders (teachers, principals, assessors and interviewees)
- recruiters and medical practitioners providing services related to employees; and
- contractors, vendors, or suppliers.

### **Purposes**

We process the personal information to:

- provide benefits to our programme participants (which may be in the form of goods or services);
- better understand our data subjects' needs when doing so;
- keep our data subject records up-to-date;
- manage employees in general;
- manage supplier contracts in general; and
- process personal information of employees for forensic purposes.

### **Categories of personal information**

We process many different categories of personal information, including:

- contact details, such as phone numbers, physical and postal addresses, and email addresses;
- personal details, such as names and ages;
- demographic details, such as races and age groups;
- health information;
- biometric information;
- account numbers;
- background information;
- contract information;
- credit information; and
- learner information.

### **Third-party disclosures**

We give the following people personal information that we process in the ordinary course of our operation to fulfil our obligations to our beneficiaries or donors:

- contractors, vendors, or suppliers;
- operators, other responsible parties, or co-responsible parties; and
- third party vendors (such as software developers) to help us maintain our services.

## Security

We secure data by maintaining reasonable measures to protect personal information from loss, misuse, and unauthorized access, disclosure, alteration and destruction. We also take reasonable steps to keep personal information accurate, current, complete, confidential and reliable for its intended use. Where necessary, we conclude NDAs as part of securing the information and ensuring its confidentiality. We also use appropriate software, strong passwords, and endeavour to continually train our employees on the need to secure information.

**We do our best to keep all data in our possession secure and up-to-date.**

## Remedies

If your request for access is denied, you may:

- apply to a court with appropriate jurisdiction, or
- lodge a complaint with the Information Regulator, for the necessary relief.

## Availability of this Manual

Copies of this manual are available for inspection, free of charge, at the offices.

- Cape Town Office: 46 Hof Street, Oranjezicht, Cape Town, 8001
- Johannesburg Office: 1st Floor, Cliffe Dekker Hofmeyr, 1 Protea Place, Cnr of Fredman Drive and Protea Place, Sandton, Johannesburg
- On our website: <https://www.allangrayorbis.org>

## Updates to this Manual

This manual will be updated whenever we make material changes to the current information.