



Learnto**Earn**[®]
Est 1989 A **hand up** not a **hand out**

Learn to Earn
Incorporating the Learn to Earn Trust &
Learn to Earn Development Enterprise Pty Ltd

PAIA MANUAL

**Prepared in terms of section 51 of the
Promotion of Access to Information Act 2 of
2000 (as amended)**

DATE OF COMPILATION: 30/11/2021
DATE OF REVISION: 30/11/2022

1. PURPOSE OF THIS PAIA MANUAL

This PAIA Manual is useful for the public wishing to access information in terms of PAIA from the Learn to Earn Group, including the Learn to Earn Trust (IT001352/2016 ©) and Learn to Earn Development Enterprise (2016/431473/07)

2. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF LEARN TO EARN

2.1. Chief Information Officer

Name: Mr Roché van Wyk
Tel: 021 671 2230
Email: rvw@learntoearn.org.za

2.2. Deputy Information Officer

Name: Barbara Lipp
Tel: 021 671 2230
Email: media@learntoearn.org.za

2.3 Access to information general contacts

Email: info@learntoearn.org.za

2.4 Head Office

Postal Address: PO Box 18123, Wynberg, 7784
Physical Address: 79 Belvedere Road, Claremont, 7708
Telephone: 021 671 2230
Email: info@learntoearn.org.za
Website: www.learntoearn.org.za

3. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

The Regulator has made available the revised Guide on how to use PAIA (“Guide”), in an easily comprehensible form by a person who wishes to exercise any right contemplated in PAIA and POPIA.

The Guide can be obtained upon request to the Information Regulator Information Officer:

Physical Address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001.

Postal Address: PO Box 31533, Braamfontein, Johannesburg, 2017

Telephone number: none

Email address: PAIAComplaints@infoeregulator.org.za

Or from the website of the Regulator (<https://www.justice.gov.za/infoereg/>)

4. ABOUT LEARN TO EARN

‘a hand up – not a hand out,’ since inception in 1989, Learn to Earn’s mission has been to develop people, especially unemployed people socially, economically, emotionally and spiritually. This is done through our training programme offering market-relevant skills, job readiness skills, life skills and a discipleship course. Our vision is ‘to eradicate unemployment and other legacies of injustice in South Africa and Africa’.

Other initiatives include the Ground UP Barista Academy, an initiative to train and equip unemployed people in becoming entry level Baristas. Fashion for Change an innovative social enterprise aimed at equipping unemployed South Africans with practical skills and experience to secure a job and a successful career in the retail industry. Zakhele Manufacturing & Design (ZMD), Ground UP Mobile and Fashion for Change are divisions of Learn to Earn Development

Enterprises (Pty) Ltd (Level 1 BBBEE company).

5. REQUESTS FOR INFORMATION, PROOF OF IDENTITY AND TIMELINES

PAIA provides that a person may only make a request for information if the information is required for the exercise or protection of a legitimate right.

Information will therefore not be furnished unless a person provides sufficient particulars to enable Learn to Earn to identify the right that the requester is seeking to protect as well as an explanation as to why the requested information is required for the exercise or protection of that right. The exercise of an individual's rights is subject to justifiable limitations, including the reasonable protection of privacy, commercial confidentiality and effective, efficient and good governance.

The Information Officer has been delegated with the task of receiving and co-ordinating all requests for access to records in terms of PAIA, to ensure proper compliance with PAIA and POPIA. The Information Officer will be the link and facilitate the internal team on all requests and seek legal advice if needed.

All requests in terms of PAIA and this Manual must be addressed to Learn to Earn's Information Officer as per the details in paragraph 2, using Form C (Request for Access to Record of Private Body (Section 52 (1) of the Promotion of Access to information Act, 2000 (Act No 2 of 2000). Annexure A.

Please note that a request for access to information which does not comply with the formalities as prescribed by PAIA will be returned to you.

POPIA provides that a data subject may, upon proof of identity, request Learn to Earn to confirm, free of charge, all the information it holds about the data subject and may request access to such information, including information about the identity of third parties who have or have had access to such information.

POPIA also provides the right for the data subject to request Learn to Earn to correct or delete personal information about the data subject in its position that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or no longer needed in line with Learn to Earn's Records Retention Policy. As a data subject, should you wish to request a change or deletion of personal information or the destruction of a records of personal information please submit your request to the Information Officer as set out above Form C Access Request Form (Appendix B).

When a decision to grant a request has been taken, the record will not be disclosed until the necessary fees have been paid in full, as per Appendix A.

You will, in addition to the prescribed form, be required to submit acceptable proof of identity such as a certified copy of your identity document or other legal forms of identity.

Requests will be processed within 30 (thirty) days, unless the request contains considerations that are of such a nature that an extension of the time limit is needed. Should an extension be required, you will be notified, together with reasons explaining why the extension is necessary.

6. CATEGORIES OF RECORDS OF Learn to Earn WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Information that is obtainable via the Learn to Earn website and Social Media profiles about Learn to Earn is automatically available and need not be formally requested in terms of this Manual.

The following categories of records are automatically available for inspection via the website or in person:

- brochures
- press releases
- Annual Reports; and
- various other marketing and promotional material.

7. INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

Information is available, upon request, in terms of certain provisions of the following legislation to the person or entities specified in such legislation:

- | | |
|---|---|
| <ul style="list-style-type: none"> • Arbitration Act 42 of 1965 • Basic Conditions of Employment Act 75 of 1997 • Broad-Based Black Economic Empowerment Act 53 of 2003 • Companies Act 61 of 1973 • 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 98 of 1978 • Customs and Excise Act 91 of 1964 • Customs Duty Act 30 of 2014 • 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 • Labour Relations Act 66 of 1995 • Merchandise Marks Act 17 of 1941 • Non-profit Organisations Act 71 of 1997. • Occupational Health & Safety Act 85 of 1993 | <ul style="list-style-type: none"> • Prevention and Combating of Corrupt Activities Act 12 of 2004 • Prevention of Organised Crime Act 121 of 1998 • Promotion of Access to Information Act 2 of 2000 • Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 • Protected Disclosures Act 26 of 2000 • Protection of Businesses Act 99 of 1978 • Protection of Personal Information Act 4 of 2013 • Regional Services Councils Act 109 of 1985 • Skills Development Act 97 of 1998 • Skills Development Levies Act 9 of 1999 • The Fund-Raising Act 107 of 1978 • Trademarks Act 194 of 1993 • Unemployment Contributions Act 4 of 2002 • Unemployment Insurance Act 30 of 1966 • Unemployment Insurance Act 63 of 2001 • Unemployment Insurance Contributions Act 4 of 2002 • Value Added Tax Act 89 of 1991 • Such other legislation as may from time to time be applicable |
|---|---|

8. INFORMATION ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS IN TERMS OF POPIA

In terms of POPIA, personal information must be processed for a specified purpose. The purpose for which data is processed by Learn to Earn will depend on the nature of the data and the particular data subject. This purpose is ordinarily disclosed, explicitly or implicitly, at the time the data is collected. Please see our Privacy Statement for further information.

Employees

- photographs and videos;

- beneficiary and emergency contact information i.e.. next of kin;
- benefit information (including pension fund or medical aid information);
- Biometrics
- confirmations of employment and other disclosures;
- curriculum vitae (CV);
- date of birth;
- Details of payments to third parties (deductions from salary)
- Disciplinary records
- Drivers' license
- Employee number
- Employment contracts
- Employment equity plans
- Employment history and references
- Identity number and identity documents including passports
- information about severe allergies or health conditions that may require us to make special accommodations;
- Job application forms
- Leave records

- Marital status
- Medical aid records
- Contact details (including full name, ID number, home address, contact details – phone numbers, email address)
- Offers and acceptances of employment;
- Payroll information (including identity numbers, salary information, and bank account details);
- Performance appraisals
- Policy acknowledgements or sign-off documents;
- Qualifications
- Race and ethnicity information for the purposes of employment equity and transformation;
- References and interview notes;
- Remuneration/salary records
- Training records
- Other information not specified, reasonably required to be processed for business

Prospective students, students & graduates

- Address Postal & home
- Age
- Contact numbers and/or e-mail address
- Employment History (including remuneration and length of employment)
- Ethnic group
- Gender

- Identity or passport number
- Language
- Nationality
- Next of kin
- Title and name
- Other information not specified, reasonably required to be processed for business

Vendors /suppliers /other businesses:

- Name and contact details
- Identity and/or company information and directors' information
- Banking and financial information
- VAT numbers

- Information about products or services
- Other information not specified, reasonably required to be processed for business

9 PROCESSING OF PERSONAL INFORMATION

9.1 Purpose of Processing Personal Information

We may process your information that you provide to us for the purposes that we indicated when you agreed to provide it to us. Processing includes gathering your personal information, disclosing it, and combining it with other personal information. We use personal information to fulfil our services to you or provide additional services and information to you as we reasonably think appropriate.

We generally collect and process your personal information for various purposes, including:

- goods or services purposes – such as collecting orders or requests for and providing our goods or services i.e. skills training
- marketing purposes – such as pursuing lawful related marketing activities.
- business purposes – such as internal audit, accounting, business planning, and joint ventures, disposals of business, or other proposed and actual transactions; and
- legal purposes – such as handling claims, complying with regulations, or pursuing good governance.

9.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Learn to Earn holds records on categories and subject matters listed below. Please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case by case basis in accordance with the provisions of PAIA. There is no internal appeal procedure after a request to access information has been refused. The decision made by the Information Officer is final. In the event that you are not satisfied with the outcome of the request, you are entitled to apply to a court of competent jurisdiction to take the matter further.

If a third party is affected by the request for access to information and the Information Officer has granted access to the records, the third party has 30 days in which to appeal the decision in a court of competent jurisdiction. If no appeal has been lodged by the third party within the 30 days, access to the records will be granted.

Please note further that many of the records held by Learn to Earn are those of third parties, such as clients, students, graduates and employees, we take the protection of third-party confidential information very seriously. Requests for access to these records will be considered very carefully. Please ensure that requests for such records are carefully motivated.

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| <ul style="list-style-type: none"> • Learn to Earn holds the following categories of information, records, and documentation: • Client Records - Beneficiary Database and/or other Databases • Client Records - Donor and Supporter Information • Client Records - Monitoring and Evaluation Records • Client Records - research information carried out on behalf of a third party • Internal Records - Administrative Information • Internal Records - Contracts and Service Level Agreements • Internal Records - Financial and Accounting Records • Internal Records - Information Technology Details • Internal Records - Intellectual Property • Internal Records - Internal correspondence | <ul style="list-style-type: none"> • Internal Records - Marketing Records • Internal Records - Memoranda and Articles of Association • Internal Records - Minutes of Meetings • Internal Records - Operational Records • Internal Records - Policies and Procedures • Internal Records - Statutory Company Records • Personnel Records - Conditions of employment and other personal-related contractual and quasi legal records • Personnel Records - Employment policies and procedures • Personnel Records - Internal evaluation and disciplinary records • Personnel Records - Other internal records and correspondence • Personnel Records - Personal records provided by all employees, contract workers, consultants |
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9.3 THE RECIPIENTS OR CATEGORIES OF RECIPIENTS TO WHOM THE PERSONAL INFORMATION MAY BE SUPPLIED

- South African Police Services - Identity number and names, for criminal checks
- South African Qualifications Authority - Qualifications, for qualification verifications
- Credit Bureaus - Credit and payment history
- Any payment system that Learn to Earn uses
- Regulatory and governmental authorities or ombudsmen, or other authorities, including tax authorities, where Learn to Earn has a duty to share information;
- Any other operator not specified;
- Employees, contractors and temporary staff

9.4 PLANNED TRANSBORDER FLOWS OF PERSONAL INFORMATION

Personal information may be stored in the cloud (Salesforce CRM) outside the Republic.

9.5 GENERAL DESCRIPTION OF INFORMATION SECURITY MEASURES TO BE IMPLEMENTED BY THE RESPONSIBLE PARTY TO ENSURE THE CONFIDENTIALITY, INTEGRITY AND AVAILABILITY OF THE INFORMATION

We take the security of personal information very seriously and do our best to comply with applicable information security laws. Our data is hosted in a secure server environment that uses a firewall and other advanced security measures to prevent interference or access from outside intruders. We authorize access to personal information only for those employees who require it to fulfil their job responsibilities. We implement appropriate technical and organisational measures designed to ensure that personal data processing remains secure and confidential, with reasonable storage and planned destruction measures in place.

10 FEES CHARGED

Section 54 of PAIA entitles Learn to Earn to levy a charge or to request a fee to enable it to recover the cost of processing a request and providing access to records. The fees that may be charged are set out in Regulation 9(2)(c) PAIA see Annexure B.

11 AVAILABILITY OF THE MANUAL

11.1 A copy of this Manual is available-

11.1.1 on the Learn to Earn website

11.1.2 head office of Learn to Earn for public inspection during normal business hours;

11.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

12 UPDATING OF THE MANUAL

The head of Learn to Earn will on a regular basis update this manual.

Issued by

Roché van Wyk – Information Officer
Learn to Earn Director

APPENDIX B
FEES IN RESPECT OF PRIVATE BODIES

Description		Rand
1	The fee for a copy of the manual as contemplated in regulation 9(2)(c) - for every photocopy of an A4-size page or part thereof.	1,10
2	The fees for reproduction referred to in regulation 11(1) are as follows:	
(a)	For every photocopy of an A4-size page or part thereof	1,10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c)	For a copy in a computer-readable form on -	
(ii)	compact disc	70,00
(d)(i)	For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii)	For a copy of visual images	60,00
(e)(i)	For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii)	For a copy of an audio record	30,00
3	The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2)	50,00
4	The access fees payable by a requester referred to in regulation 11(3) are as follows:	
4.1(a)	For every photocopy of an A4-size page or part thereof	1,10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c)	For a copy in a computer-readable form on -	
(i)	compact disc	70,00
(d)(i)	For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii)	For a copy of visual images	60,00
(e)(i)	For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii)	For a copy of an audio record	30,00
(f)	To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.	
4.2	For purposes of section 54(2) of the Act, the following applies:	
(a)	Six hours as the hours to be exceeded before a deposit is payable; and	
(b)	one third of the access fee is payable as a deposit by the requester.	
4.3	The actual postage is payable when a copy of a record must be posted to a requester.	

Form C: ACCESS REQUEST FORM

REQUEST FOR ACCESS TO THE RECORD OF A PRIVATE BODY

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

[Regulation 10]

A. Particulars of private body

The Head: _____

B. Particulars of person requesting access to the record

- | |
|--|
| <p>a) <i>The particulars of the person who requests access to the record must be given below.</i></p> <p>b) <i>The address in the Republic to which the information is to be sent must be given.</i></p> <p>c) <i>Proof of the capacity in which the request is made, if applicable, must be attached.</i></p> |
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Full names and surname:

Identity number:

Postal address:

Telephone number:

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made

<p><i>This section must be completed ONLY if a request for information is made on behalf of another person.</i></p>

Full names and surname:

Identity number:

D. Particulars of record

- a) 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.
- b) 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.**

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

2. Reference number, if available:

3. Any further particulars of record:

E. Fees

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

Reason for exemption from payment of fees:

F. 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 hereunder, state your disability and indicate in which form the record is required.

Disability:

Form in which record is required:

Mark the appropriate box with an X.

NOTES:

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

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 the 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 (CD)

Transcription of soundtrack*

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 record