



basic education

Department:
Basic Education
REPUBLIC OF SOUTH AFRICA

Manual on the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)

Department of Basic Education

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1. Introduction

The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (PAIA), which flows from section 32 of the Constitution of the Republic of South Africa, 1996, gives effect to the constitutional right of access to any information held by the state and any information held by any other person, provided that such information is required for the exercise or protection of any rights.

Section 31(1)(a) of the Constitution entrenches every person's right to gain access to any information held by the state.

The purpose of the PAIA is twofold:

1. To foster a culture of transparency and accountability in public and private bodies by giving effect to the right of access to information; and
2. to actively promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect all of their rights more fully.

Before 27 April 1994, the system of government in the country resulted in a secretive, unresponsive culture in public and private bodies, which often led to abuse of power and to human rights violations

The PAIA came into effect on 9 March 2001.

2. Vision, mission and values of the Department of Basic Education (DBE)

Vision

Our vision is of a South Africa in which all our people will have access to lifelong learning, education and training opportunities which will, in turn, contribute towards improving the quality of life and the building of a peaceful, prosperous and democratic South Africa.

Mission

Working together with provinces, our mission is to provide relevant and cutting edge quality education for the 21st century.

Values

Placing the interest of our children first, the Department adheres to the following values:

- **People:** Upholding the Constitution, being accountable to the government and the people of South Africa.
- **Excellence:** Maintaining high standards of performance and professionalism by aiming for excellence in everything we do, including being fair, ethical and trustworthy in all that we do.
- **Teamwork:** Cooperating with one another and with our partners in education in an open and supportive way to achieve shared goals.
- **Learning:** Creating a learning organisation in which staff members seek and share knowledge and information, while committing themselves to personal growth.
- **Innovation:** Striving to address the training needs for high-quality service and seeking ways to achieve our goals.

3. Functions and structure of the DBE

3.1 Functions of the DBE

The core functions of the DBE are to develop and maintain the education system. The DBE is therefore responsible for developing the policy and legislative framework on which the education system rests, in order to ensure –

- (1) that all levels of the system adhere to these policies and laws;
- (2) that mechanisms are in place to monitor and enhance quality in the system; and

(3) that the system keeps up to date with developments in education systems.

3.2 Activities that frame the functions

(1) RESEARCH AND POLICY REVIEW

The DBE initiates, commissions, evaluates, reviews and researches all aspects of the education system to assist in developing and maintaining the system.

(2) PLANNING AND POLICY DEVELOPMENT

The DBE initiates and manages processes that lead to the development of policy and legislation to assist the Minister in determining policy, norms and standards as required by the Constitution.

(3) SUPPORT

The DBE provides support to provinces in their implementation of national policy, norms and standards.

(4) MONITORING

The DBE monitors and reports on the implementation of policy, norms and standards to assess their impact on the quality of the education process, and to identify policy gaps.

(5) LEGISLATIVE AND OTHER MANDATES

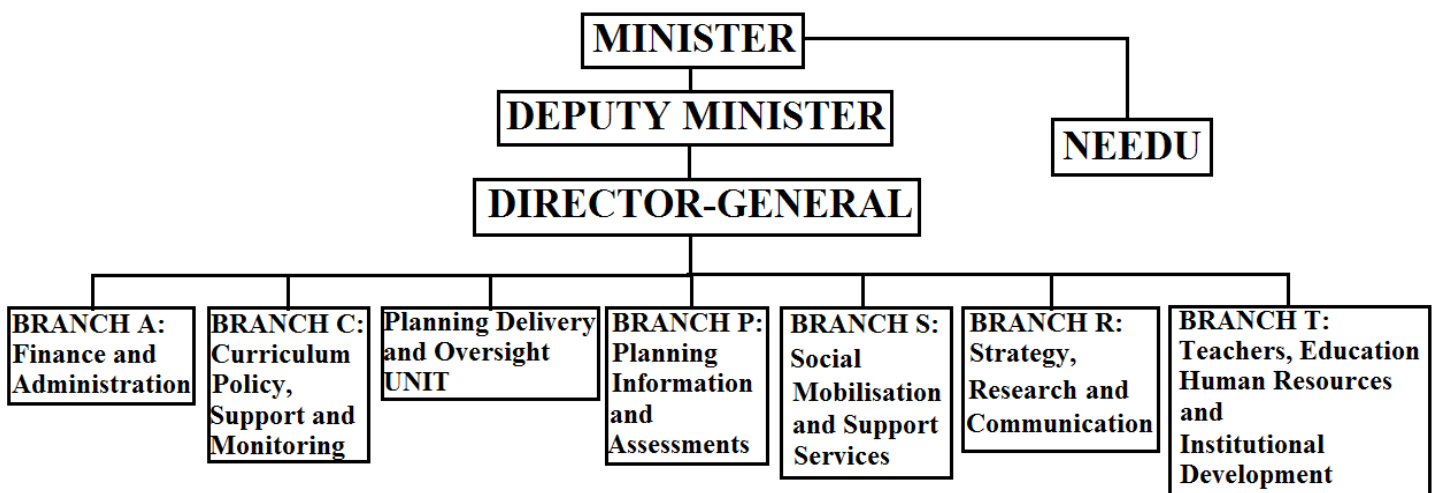
A number of policies have been implemented, and legislation has been promulgated, to create a framework for transformation in education. The following key policies and legislation regulate education (apart from the Constitution, all of the items listed below originated from the DBE):

- (a) The Constitution requires education to be transformed and democratised in accordance with the values of human dignity, equality, human rights and freedom, non-racism and non-sexism. It guarantees access to basic education for all: "everyone has the right to basic education, including adult basic education".
- (b) The fundamental policy framework of the Ministry of Basic Education is stated in the Ministry's first White Paper, *Education and Training in a Democratic South Africa: First Steps to Develop a New System* (February 1995). The 1994 education policy framework of the ANC forms the basis of this document. Cabinet approved it after extensive consultation, negotiation and revision. It has since served as a fundamental reference for policy and legislative development.
- (c) The National Education Policy Act, 1996 (Act No. 27 of 1996) (NEPA), was designed to inscribe in law policies, as well as the legislative and monitoring responsibilities of the Minister of Basic Education, and to formalise relations between national and provincial authorities. It laid the foundation for the establishment of the Council of Education Ministers (CEM) and the Heads of Education Departments Committee (HEDCOM) as inter-governmental forums aimed at collaborating in developing a new education system. As such, it provides for the formulation of national policies in general and further education and training in regard to, inter alia, curriculum, assessment and language.
- (d) The South African Schools Act, 1996 (Act No. 84 of 1996) (SASA), promotes access, quality and democratic governance in the schooling system. It ensures that all learners have access to quality education without discrimination, and it makes schooling compulsory for children aged seven to 15. It provides for independent schools and public schools. It makes provision for democratic school

- governing bodies (SGBs), and SGBs are now in place in public schools countrywide. The school funding norms, outlined in SASA, prioritise redress and target poverty with regard to the allocation of funds for the public school system.
- (e) A whole spectrum of legislation, including the Employment of Educators Act, 1998 (Act No. 76 of 1998), regulates the professional, moral and ethical responsibilities of educators and the competency requirements applicable to educators. The historically divided teaching force is now governed by one act of Parliament and one professional council, the South African Council for Educators (SACE).
 - (f) CAPS (the Curriculum Assessment Policy Statements) is a single, comprehensive and concise curriculum which represents a policy statement for learning and teaching in South African schools. It is a curriculum that underpins the various programmes followed in each grade, from Grade R to Grade 12, and that is, in its turn, underpinned by the following principles:
 - (i) Social transformation;
 - (ii) active and critical thinking;
 - (iii) high knowledge and high skills;
 - (iv) progression;
 - (v) human rights and respect for indigenous knowledge systems;
 - (vi) credibility;
 - (vii) quality and efficiency; and
 - (viii) the provision of an education that, in quality, breadth and depth, is comparable to the education provided in other countries.

3.3 Structure of the DBE

The DBE is divided into sections referred to as "Branches". Each branch, headed by a deputy director-general, is further subdivided into chief directorates. The chief directorates are also subdivided into a number of directorates, which, in turn, are subdivided into subdirectorates. The DBE also has one section that is called a unit, not a branch.



The following list sets out the various branches – and the unit – and their main functions:

(1) **BRANCH A: FINANCE AND ADMINISTRATION**

Provides administrative support to the DBE.

FUNCTIONS:

- (a) Providing personnel recruitment and HR¹ services.
- (b) Providing HR support to provinces.
- (c) Providing a variety of services to the office of the Minister.
- (d) Providing legal and legislative services.
- (e) Taking care of staff training and staff relations.

- (f) Dealing with labour relations matters.
- (g) Providing IT² support through the GITO³.
- (h) Providing logistical services.
- (i) Providing financial services through the office of the Chief Financial Officer.

(2) BRANCH C: CURRICULUM POLICY, SUPPORT AND MONITORING

Develops curriculum and assessment policy and support, and monitors and evaluates curriculum implementation. Supported by Umalusi⁴.

FUNCTIONS:

- (a) Developing curriculum policy for Grades R to 12, including Special Needs Education.
- (b) Implementing policy and maintaining the curriculum for Grades R to 12, including Special Needs Education, to improve learning and teaching.
- (c) Providing policy support for a variety of projects, including Foundations for Learning⁵, Dinaledi⁶, ICTs⁷, NSLA⁸ and QIDS UP⁹.
- (d) Running the Kha Ri Gude Literacy Project.

(3) PLANNING AND DELIVERY OVERSIGHT UNIT

Assists the Ministry and the DBE to meet strategic objectives.

FUNCTIONS:

- (a) Assisting the Ministry and the DBE to meet strategic objectives by identifying and addressing selected areas of challenge.
- (b) Leading and managing a high-level specialist team to address selected challenges so as to bring about effective education delivery.
- (c) Strengthening the participation of stakeholders in the improvement of the quality of education outcomes through the establishment of functional QLTC¹⁰ structures at all levels of the system.

(4) BRANCH P: PLANNING, INFORMATION AND ASSESSMENTS

Promotes quality and effective service delivery in the basic education system through planning implementation and assessment. Supported by NEEDU¹¹.

FUNCTIONS:

- (a) Conducting monitoring and evaluation through research, systemic assessments, national assessments, international assessments and national examinations.
- (b) Managing the basic education sector's financial and physical resource planning.
- (c) Managing the basic education sector's information management systems.

(5) BRANCH S: SOCIAL MOBILISATION AND SUPPORT SERVICES

Mobilises all sectors of society in support of basic education and facilitates the provision of enrichment programmes for the holistic development and well-being of all learners.

FUNCTIONS:

- (a) Promoting public-private partnerships, as well as partnerships with NGOs¹², to ensure that society plays a role in implementing quality education in all public schools.
- (b) Promoting school attendance and achievement among vulnerable learners by providing them with nutritious meals on each school day.
- (c) Creating safe teaching and learning environments at all public schools.
- (d) Contributing to learner retention by increasing the number of schools participating in well-organised school sport activities and music education programmes.
- (e) Facilitating the early identification and treatment of health barriers to learning.

- (f) Improving learner performance and retention by supporting school governing bodies and teacher training programmes to promote human rights, diversity and social cohesion, thereby facilitating education excellence and a reduction in the number of school dropouts.
- (g) Improving gender equity in schools.
- (h) Increasing sexual and reproductive health knowledge, skills and decision-making among learners, educators and school support staff.
- (i) Promoting psychosocial well-being and facilitating access to psychosocial services for schools.
- (j) Mobilising communities and all community stakeholders to support the attainment of quality education.

(6) BRANCH R: STRATEGY, RESEARCH AND COMMUNICATION

Supports coordination and implementation of departmental, sector-wide and cluster programmes of action.

FUNCTIONS:

- (a) Overseeing the implementation of departmental programmes and initiatives.
- (b) Managing coordination with the DG Clusters¹³, Parliament and Cabinet.
- (c) Carrying out strategic planning and reporting relating to Government's programme of action.
- (d) Coordinating services for the Minister, Parliament, CEM, HEDCOM, Senior Management and Broad Management.
- (e) Managing, monitoring and reporting on donor and grant funding.
- (f) Monitoring and reporting on the overall performance of the education system through analytical, research, monitoring and evaluation activities.

(7) BRANCH T: TEACHERS, EDUCATION HUMAN RESOURCES AND INSTITUTIONAL DEVELOPMENT

Promotes quality teaching and institutional performance through effective supply, development and utilisation of human resources in collaboration with the ETDP SETA¹⁴, the ELRC¹⁵ and SACE.

FUNCTIONS:

- (a) Dealing with human resource planning, including HRMIS¹⁶ and HR Management.
- (b) Managing post provisioning for the country's schools.
- (c) Managing recruitment, including Funza Lushaka¹⁷.
- (d) Supporting teachers by means of Continuing Professional Teacher Development and School Management Development.
- (e) Taking care of Teacher Performance Management and the IQMS¹⁸.

(8) NEEDU

The mission of the National Education Evaluation and Development Unit is to facilitate school improvement through systemic evaluation. It will do this by, amongst others, identifying factors that inhibit school improvement and that advance school improvement.

It will also evaluate how the DBE and the PDEs monitor schools; how the DBE and the PDEs support schools; and the quality of leadership, teaching and learning in schools.

It will also make proposals for improving school quality and will publish reports on the state of the education system.

The legislation relating to the NEEDU is currently being processed. Once the process has been finalised and the NEEDU becomes a fully-fledged statutory body, it will no longer appear on the DBE's organogram.

4. Contact details of the DBE

Information Officer

Mr HM Mveli, Director-General

Tom.N@dbe.gov.za

Deputy Information Officer

4.1 Mr Chris Leukes, acting Chief Director: Legal and Legislative Services

Leukes.c@dbe.gov.za;
mokonyane.i@dbe.gov.za

General contact information

Physical address

Sol Plaatje House
222 Struben Street
Pretoria
0001

Postal address

Private Bag X895
Pretoria
0001

Telephone: +27 12 357 3000

Helpline: 0800 202 933

Fax: +27 12 323 0601

Website: www.education.gov.za

5. Guide on how to use the Act

The guide is available from the South African Human Rights Commission. Please direct any queries to:

The South African Human Rights Commission: PAIA Unit
Research and Documentation Department

Postal address:

Private Bag 2700
Houghton
2041

Telephone: +27 11 484 8300

Email: PAIA@sahrc.org.za

Fax: +27 11 484 1360

Website: www.sahrc.org.za

6. Access to records held by the DBE

6.1 Automatic disclosure

The DBE has not, as section 15(2) of the Act requires, officially published a list of the categories of records that are automatically available (i.e., records that can be obtained without the need to follow the PAIA request process). However, a variety of records, reports and documents can be accessed on the DBE's website (<http://www.education.gov.za>). (See 6.2(10) of this Manual.)

6.2 Records that may be requested

(1) RECORDS HELD BY **BRANCH A: THE PERSONNEL SECTION:**

- (a) Personnel file containing all personal particulars, CV, ID, appointment/promotion/transfer details, pension, long service awards, resettlement and medical matters.
- (b) Leave file containing all leave forms.

- (c) Housing file containing bank details of property, stop order forms, housing subsidy approval.
- (d) State guarantee file containing request, approval, and bank approval of guarantee.
- (e) Subsistence and travel file containing all claims and approval for S&T.
- (f) Injury on duty file containing all reports and medical accounts.
- (g) Merit file containing all evaluation forms, results, and approval for payment of merit awards.
- (h) Bursary file containing request for bursary, approval, result of studies and payment of fees.
- (i) Salary file containing all records of allowances, deductions, overtime, bank details and garnishee orders.
- (j) Persal records of all personnel matters, salary details, appointment/promotion/transfer details, leave, housing, state guarantee, S&T, pension, medical, long service awards, merit awards.

(2) RECORDS HELD BY **BRANCH A: THE FINANCE SECTION:**

- (a) Estimates of national expenditure (the budget as tabled in Parliament annually by the Minister of Finance) and the budget of the DBE. Obtainable from the Communication Directorate, National Treasury, Private Bag X115, Pretoria 0001, tel. 012 315 5948. It is also available on www.treasury.gov.za.
- (b) The annual report of the DBE: This includes the financial statements of the DBE and the audit report on these statements, as well as the management report.
- (c) General: Other and more detailed financial information, such as expenditure in respect of a specific project.

(3) **GENERAL REGISTRY**, the custodian of all general records created and received by the DBE (correspondence and documents), keeps all files in a filing system classified according to activities in the DBE. Each of the existing 15 main series has a Policy and Routine Enquiries file. The filing system at present consists of 15 main series, but this number may increase as the DBE grows.

RECORDS HELD BY **BRANCH A: GENERAL REGISTRY:**

- (a) Legislation
- (b) Legal matters
- (c) Organisation and control
- (d) Financial management
- (e) Internal audit and external auditing
- (f) Personnel administration and development
- (g) Corporate Services
- (h) Information technology and information services
- (i) Communication, coordination and marketing
- (j) National/provincial coordination and international relations
- (k) Curriculum implementation and monitoring
- (l) Quality enhancement
- (m) Teacher education, HR and institutional development
- (n) Planning, assessment, monitoring and evaluation
- (o) Social responsibility and auxiliary services

(4) RECORDS HELD BY **BRANCH P: THE EXAMINATIONS AND ASSESSMENT DIRECTORATE**

- (a) Policies, regulations and guidelines relating to examinations.

- (b) Nationally set question papers for the SC¹⁹ and NSC²⁰ (current year and past years).
- (c) Examination candidate information – information of candidates who will be writing the current exam.
- (d) Marks attained by learners in the current examination and in previous examinations, per subject, per paper.
- (e) Final examination results of all candidates; these results include the raw marks as well as the adjusted marks.
- (f) Certification data, including data on all candidates certified in the SC and NSC examinations (current and extending as far back as 1920 for former education departments).
- (g) General examination statistics relating to performance of learners at national, provincial, district and school level.
- (h) Reports on the monitoring of the examination systems and process in the PEDs.
- (i) Technical Report on performance in the NSC examinations.

(5) RECORDS HELD BY **BRANCH P: THE NATIONAL ASSESSMENT DIRECTORATE**

- (a) Annual National Assessment (ANA) tests administered in grades 1 to 6 and 9 (in 2011 and 2012).
- (b) Assessment guidelines for ANA.
- (c) ANA results for 2011 and 2012 (national, provincial, district, school and learner).
- (d) ANA Technical Reports for 2011 and 2012.
- (e) Exemplar tests for grades 1 to 6 and 9 (in 2011 and 2012).
- (f) ANA - Guidelines for the interpretation and use of the ANA results.

(6) RECORDS HELD BY **BRANCH P: THE EMIS²¹ AND MANAGEMENT SYSTEMS DIRECTORATE**

- (a) EMIS provides education statistics for all South African schools (raw data on correct protocol) on the following:
 - (i) School general information: contact details;
 - (ii) School ICT information;
 - (iii) Learner enrolment;
 - (iv) Learner categories by age; grade; population group; provincial migration; home language(HOLT); Language of Teaching and Learning (LOLT);
 - (v) Enrolment of disabled learners;
 - (vi) Pregnant learners;
 - (vii) Learners receiving grants;
 - (viii) Learner mortality;
 - (ix) Learners whose parents are deceased;
 - (x) Learners according to language subjects;
 - (xi) Learner subjects according to population and gender.
- (b) Updated Master-List of schools in SA.
- (c) Facility for implementing surveys in schools. Modules added to the EMIS questionnaire.
- (d) Questionnaire design expertise.
- (e) Data Management and Mining techniques.
- (f) Spatial analysis reports and maps.
- (g) National Education Policy and Regulation for –
 - (i) Dictionary of Education;
 - (ii) Data Quality Standards;
 - (iii) Data Coding Standards;
 - (iv) Data Verification Standards;

- (v) Statistical Publication Standards; and
- (vi) Standards for Maintenance of the Schools Master-List.

(7) RECORDS HELD BY **BRANCH P: THE PHYSICAL PLANNING DIRECTORATE**

- (a) NEIMS²² file containing type and condition of infrastructure in schools.
- (b) EIG²³ files containing information on the management and transfers of the grant.
- (c) Policy, Norms & Standards file containing information on Guidelines Relating to Planning for School Infrastructure and Boarding facilities.

(8) RECORDS HELD BY **BRANCH P: THE ASIDI²⁴ PROJECT**

- (a) ASIDI IPMP²⁵ contains the ASIDI plans.
- (b) Memoranda of Agreement signed with the implementing agents.
- (c) IPIP²⁶ contains the implementing agents plans
- (d) Progress Reports contain information on the progress made at each school, physically and financially.
- (e) Meeting minutes capture the proceedings of all the meeting held by the various ASIDI committees.
- (f) Closeout Reports capture details on all completed projects in terms of immovable infrastructure provided.

(9) RECORDS HELD BY **BRANCH P: THE PROVINCIAL BUDGET MONITORING DIRECTORATE**

- (a) Gazetted funding norms and standards.
- (b) Budget and monthly expenditure for the PEDs.
- (c) Data requested by UNESCO.

(10) THE **DBE'S WEBSITE**, www.education.gov.za²⁷, contains, amongst others, the following information that is automatically available (voluntarily disclosed):

- (a) Reports
- (b) Forms
- (c) Booklets
- (d) Marketing material
- (e) Posters
- (f) Pamphlets
- (g) Leaflets
- (h) News articles
- (i) Speeches
- (j) Media releases
- (k) Information on the DBE's programmes
- (l) Examination papers
- (m) National Curriculum Statements and other curriculum-related material
- (n) Any other literature intended for public viewing which may be published

6.3 **Request procedure**

(1) **GRANTING OR REFUSAL OF REQUEST**

- (a) A requester must be given access to the record of a public body if –
 - (i) the requester complies with all the procedural requirements in the Act relating to the request for access to that record; and
 - (ii) access to that record is not refused on any ground of refusal mentioned in the Act.

(2) HOW TO ACCESS A RECORD (INFORMATION)

- (a) A requester must use the form that has been printed in the *Government Gazette* [Government. Notice R187 of 15 February 2002] (Form A, Annexure B to this Manual).
- (b) The requester must indicate whether the request is for a copy of the record or whether he or she wants to come in and look at the record at the offices of the DBE. Alternatively, if the record is not a document, it can be viewed in the requested form, where possible.
- (c) If a requester asks for access in a particular form, he or she should be given access in the manner that has been asked for, unless doing so would interfere unreasonably with the running of the DBE, damage the record, or infringe a copyright not held by the state. If for practical reasons access cannot be given in the required form but can be given in an alternative manner, the fee must be calculated according to the way originally indicated in the requester's request.
- (d) If, in addition to a written reply to the request for the record, the requester wants to be told about the decision in any other way, e.g. telephone, this must be indicated.
- (e) If a requester is asking for the information on behalf of somebody else, the capacity in which the requester is making the request must be indicated.
- (f) If a requester is unable to read or write, or has a disability, he or she can make the request for the record orally. The information officer or the deputy information officer must complete the form on behalf of such a requester and must give him or her a copy.
- (g) To gain access to information held by the DBE, a request must be submitted to the Director-General, Mr HM Mveli, at the address appearing under point 4 of this Manual.
- (h) Requests should be copied to the following persons:
Mr Chris Leukes, Deputy Information Officer: leukes.c@dbe.gov.za; tel. 012 357 3712.
Ms Tumi Mokonyane, Mr Leukes's secretary: mokonyane.i@dbe.gov.za; tel. 012 357 3710.

(3) FEES PAYABLE FOR A REQUEST AND NOTIFICATION OF DECISION ON ACCESS

- (a) There are two types of fees required to be paid in terms of the Act: the request fee, and the access fee.
- (b) A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Such a requester is called a personal requester. Every other requester must pay the required fee.
- (c) The information officer or the deputy information officer will notify the requester (other than a personal requester) of the amount to be levied for the request, and may require the requester to pay the prescribed fee before the request is processed.
- (d) The request fee payable to the DBE is R35. If the requester is unhappy about the fee, he or she may lodge an internal appeal to the DBE or an application to the court against the payment of the request fee.
- (e) After the information officer or the deputy information officer has made a decision on the request, the requester will be notified of such a decision in the way in which the requester has chosen to be notified.
- (f) If the request is granted, a further fee – the access fee – must be paid for the search for, and preparation or reproduction of, the record. If it takes, or will take, longer than an hour to complete these tasks, the DBE is allowed to levy, as part of the access fee, R15 for each hour spent on preparing the record.
- (g) The full list of prescribed fees to be paid when records are requested from a public body appears at Annexure A to this Manual.

7. Arrangement allowing for public involvement in the formulation of policy and exercise of power

The various laws in education prescribe that consultation must take place with identified persons or bodies. In some cases, the processes of consultation are also prescribed. In the DBE, draft policies are published in the *Government Gazette* for general comment from all role players and from the public at large. In the case of specific policy initiatives, policy will be discussed at meetings with role players or at public hearings. Notice of such meetings or hearings will always be given in advance.

8. Remedies available if the provisions of this Act are not complied with

The following procedures exist for persons to report or remedy alleged irregular, improper or unlawful official acts or omissions by the DBE or any of its employees

8.1 Procedures for reporting or remedying

- (1) Remedies in respect of acts or failures to act in terms of the PAIA, 2000: The internal appeal authority for purposes of this Act is the Minister (Internal Appeal Form appears at Annexure C of this Manual). After exhausting the internal appeal remedy, an application may be lodged with a court (sections 78 – 82).
- (2) A public service employee may lodge a grievance or complaint for investigation by the Public Service Commission concerning an official act or omission (section 35 of the Public Service Act, 1994 [Act 103 of 1994]).
- (3) A person may use labour remedies regarding official acts or omissions of a labour nature – namely, disputes of rights (the Public Service Act, 1994, and the Labour Relations Act, 1995 [Act 66 of 1995]).
- (4) A person may lodge a complaint with a labour inspector concerning any alleged contravention of the Basic Conditions of Employment Act, 1997 (Act 75 of 1997), section 78(1)(a), or the Employment Equity Act, 1998 (Act 55 of 1998), section 34(e).
- (5) A person may lodge a complaint with the Public Protector concerning a suspected unlawful or improper official act or omission (the Constitution and the Public Protector Act, 1994 [Act 23 of 1994]).
- (6) A person may lodge a complaint with the SAHRC concerning an official act or omission that is suspected to constitute a violation of, or a threat to, any fundamental right (Human Rights Commission Act, 1994 [Act 54 of 1994]).
- (7) In order to be protected from reprisals because of a disclosure regarding unlawful or irregular conduct by the employer or a fellow employee, the person in question may follow the disclosure procedures set out in the Protected Disclosures Act, 2000 (Act 26 of 2000).
- (8) A person may use other legal remedies such as the institution of proceedings for the judicial review of an administrative action in terms of the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000).

8.2 Other supportive remedies

- (1) A person may request reasons for an administrative action in terms of the Promotion of Administrative Justice Act, 2000 (section 5).
- (2) A person may request access to records of a government department or other public body in terms of the PAIA, 2000 (section 11).

8.3 Duty to report

- (1) The Code of Conduct for Public Servants, published by the Public Service Commission, states that, if, in the course of his or her official duties, a public service employee encounters fraud, corruption, nepotism, maladministration or any other act which constitutes an offence or which is prejudicial to the public interest, he or she must report such matter to the appropriate authorities. An employee who fails to do so is guilty of misconduct.

- (2) The responsibility of every employer and employee to disclose criminal and any other irregular conduct in the workplace also underpins the Protected Disclosures Act, 2000 (Preamble).

9. Updating of the manual

The DBE endeavours to update its manual at intervals of not more than a year.

10. Availability of the manual

If additional copies of this manual are required, they may be obtained on the DBE's website.

11. Notes

1. Human resource.
2. Information technology.
3. Government Information Technology Officer.
4. The Council for Quality Assurance in General and Further Education and Training, which sets and monitors standards for general and further education and training in South Africa in accordance with the National Qualifications Framework Act, No. 67 of 2008, and the General and Further Education and Training Quality Assurance Act, No. 58 of 2001
5. A campaign aimed at improving learner performance in reading, writing and numeracy in all South African schools.
6. A project aimed at increasing the number of matriculants with university-entrance mathematics and science passes.
7. Information and communications technologies, a project that supports the implementation of the curriculum and teacher development through the use of technology. The project has three subprogrammes: connectivity, infrastructure, and digitised content and its integration into teaching and learning.
8. National Strategy for Learner Attainment.
9. Quality Improvement, Development, Support and Upliftment Programme, a programme aimed at improving infrastructure at the poorest schools, supporting teachers and learners at those schools with resources, and monitoring learning outcomes at the schools.
10. Quality Learning and Teaching Campaign
11. See 3.3(8) on page 6.
12. Non-governmental organisations.
13. Clusters comprised of the directors-general of the same departments as those that form the seven communication clusters of the Government Communication and Information System. The decisions of the DG Clusters inform the programmes of the communication clusters.
14. Education, Training and Development Practices Sector Education and Training Authority.
15. Education Labour Relations Council.
16. Human Resource Information Management System.
17. A multi-year bursary programme that promotes teaching in public schools.
18. Integrated Quality Management System.
19. Senior Certificate, phased out after 2007.
20. National Senior Certificate, which replaced the SC from 2008.
21. Education Management Information Systems
22. National Education Infrastructure Management System
23. Education Infrastructure Grant
24. Accelerated Schools Infrastructure Delivery Initiative, a programme for implementing basic safety norms and standards, in infrastructure, for schools. ASIDI is funded from the Schools Infrastructure Backlog Grant (SIBG).
25. Infrastructure Programme Management Plan
26. Infrastructure Programme Implementation Plan
27. In order to read some of the documents, you will need Acrobat Reader.

Prescribed fees

These fees are stipulated in Part II of Annexure A of the Regulations Regarding the Promotion of Access to Information (published under GN R187 in GG 23119 of 15 February 2002).

1. The **fee for a copy of the manual** as contemplated in regulation 5(c) is R0,60 for every photocopy of an A4-size page or part thereof.
2. Section 15(3) of the Act states: "The only fee payable (if any) for access to a record ... is a prescribed fee for reproduction." These **fees for reproduction** are as follows:

(a) For every photocopy of an A4-size page or part thereof:	<u>R0,60</u>
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form:	<u>R0,40</u>
(c) For a copy in a computer-readable form on—	
(i) stiffy disc	<u>R5,00</u>
(ii) compact disc	<u>R40,00</u>
(d)(i) For a transcription of visual images, for an A4-size page or part thereof	<u>R22,00</u>
(ii) For a copy of visual images	<u>R60,00</u>
(e)(i) For a transcription of an audio record, for an A4-size page or part thereof	<u>R12,00</u>
(ii) For a copy of an audio record	<u>R17,00</u>
3. The **request fee** payable by every requester, other than a Personal Requester, referred to in regulation (7)(2) is R35,00.
4. The **access fees** payable by a requester referred to in regulation (7)(3) are as follows:

(1)(a) For every photocopy of an A4-size page or part thereof	<u>R0,60</u>
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	<u>R0,40</u>
(c) For a copy in a computer-readable form on—	
(i) stiffy disc	<u>R5,00</u>
(ii) compact disc	<u>R40,00</u>
(d)(i) For a transcription of visual images, for an A4-size page or part thereof	<u>R22,00</u>
(ii) For a copy of visual images	<u>R60,00</u>
(e)(i) For a transcription of an audio record, for an A4-size page or part thereof	<u>R12,00</u>
(ii) For a copy of an audio record	<u>R17,00</u>
(f) To search for and prepare the record for disclosure, <u>R15,00</u> for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.	
(2) For purposes of section 22(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.	
(3) The actual postage is payable when a copy of a record must be posted to a requester.	



basic education

Department:
Basic Education
REPUBLIC OF SOUTH AFRICA

FORM A
REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

[Published under GN R187 in GG 23119 of 15 February 2002, in terms of Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).]

FOR DEPARTMENTAL USE	Reference number: _____
Request received by _____ (name, surname and rank of information officer or deputy information officer) at _____ (place) on _____ (date).	
Request fee (if any): R	
Deposit (if any): R	
Access fee: R	
_____ INFORMATION OFFICER OR DEPUTY INFORMATION OFFICER (signature)	

A. Particulars of public body

The Deputy Information Officer:
Mr CA Leukes
Deputy Information Officer
Legal Services
Department of Basic Education
Private Bag X895
Pretoria
0001

Tel.: 012 357 3712/3710
Fax: 012 323 9430
Email: leukes.c@dbe.gov.za; mokonyane.i@dbe.gov.za

B. Particulars of person requesting access to the record

Notes

(a) *The particulars of the person who requests access to the record must be recorded below.*

(b) *Furnish an address and/or fax number in the Republic to which information must be sent.*

(c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

Fax number:

Email address:

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

C. Particulars of person on whose behalf request is made

Note
This section must be completed only if a request for information is made on behalf of another person.

Full names and surname:

Identity number:

D. Particulars of record

Notes
 (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

Notes
 (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 therefore.*

Reason for exemption from payment of fees:

F. Form of access to record

Note
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.

State your disability:

Notes
 (a) *Your indication as to the required form of access depends 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 to the record, if any, will be determined partly by the form in which access is requested.*

Mark the appropriate option below with an "X".

1. If record is in written or printed form –

	copy of record*		inspection of record
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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*
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3. If record consists of recorded words or information that can be reproduced in sound –

	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)
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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*		copy in computer readable form* (stiffy or compact disk)
--	-------------------------	--	--	--	--

* If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? A postal fee is payable.	YES	NO
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In which language would you prefer the record?

(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.)

G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved or denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at (place) on this day of (month) (year)

SIGNATURE OF REQUESTER
OR PERSON ON WHOSE BEHALF REQUEST IS MADE



REPUBLIC OF SOUTH AFRICA

FORM B
NOTICE OF INTERNAL APPEAL
 (Section 75 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
 [Regulation 8]

A. Particulars of public body

The Information Officer or Deputy Information Officer:

Department of Basic Education

Private Bag X895

Pretoria

0001

Tel.: 012 357 3712/3710

Fax: 012 323 9430

Email: leukes.c@dbe.gov.za; mokonyane.i@dbe.gov.za**B. Particulars of the person who is lodging the internal appeal**

If applicable, proof of the capacity in which the appeal is lodged must be attached.

If the person lodging the appeal is not the requester (the person who originally requested the information), the particulars of the requester must be given at C below.

Full names and surname:

Identity number:

Postal address:

Telephone number: Fax number:.....

Email address:

Capacity in which appeal is lodged on behalf of another person:

C. Particulars of requester [To be completed ONLY if a third party, and not the requester, is lodging the appeal.]

Full names and surname:

Identity number:

D. Decision against which the appeal is lodged [Place an X alongside the appropriate option.]

<input type="checkbox"/>	Refusal of request for access.
<input type="checkbox"/>	Decision regarding fees prescribed in terms of section 22 of the Act.
<input type="checkbox"/>	Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act.
<input type="checkbox"/>	Decision in terms of section 29(3) of the Act to refuse access in the form requested.

