

PAIA MANUAL – WEBSITE VERSION

DANTÉ GROUP

P O Box 73073, Lynnwood Ridge, 0040

Angelica Botes | Director | angie@dantesa.co.za

All Branches listed on www.dantesa.co.za - Contact and Address detail available here

INFORMATION MANUAL PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, No. 2 of 2000 ("the Act") for DANTÉ GROUP

1. INTRODUCTION & PURPOSE OF THIS DOCUMENT

The Promotion of Access to Information Act 2 of 2000 ("the Act") gives effect to the right of access to information in records held by public or private bodies that is required for the exercise or protection of any rights as enshrined in the Bill of Rights forming part of The Constitution of the Republic of South Africa, 1996 ("the Constitution"). The Act sets out the requisite procedural issues attached to such request, the requirements with which such a request must comply as well as the grounds for refusal of such request. The manual informs requestors of the procedural and other requirements with which a request must comply in terms of the Act.

The Act recognizes that the right to access of information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at reasonable protection of privacy;
- Commercial confidentiality;
- Effective, efficient, and good governance.

The right to access to information must also be balanced against any other rights contained in the Constitution.

2. CONTACT DETAILS AND GENERAL INFORMATION

The DANTÉ Group ("DANTÉ") is an industry leader in providing quality recruitment, training, skills development, and resourcing services internationally. DANTÉ comprises a number of companies. The provisions of this Information Manual shall apply to each company.

The following details all entities associated with DANTÉ:

The following companies comprise DANTÉ's primary operating and trading divisions: -

- DANTÉ Group – IPP Trust
- DANTÉ Johannesburg
- DANTÉ Midrand
- DANTÉ East Rand
- DANTÉ Cape Town
- DANTÉ Mpumalanga
- Office Gateway

All requests for information from DANTÉ, in terms of the Act must be in writing and addressed to:

The Information Officer of DANTÉ Group

The details of whom are set out below:

Postal Address:

P O Box 73073, Lynnwood Ridge, 0040

Information Officer:

Angelica Botes - Director - angie@dantesa.co.za

CEO:

Sanette Silkstone – sanette@dantesa.co.za

Website:

All Branches listed on www.dantesa.co.za

3. GUIDELINES IN TERMS OF SECTION 10 ON HOW TO USE THE ACT

A guide on how to use the Act to obtain information is available in various languages from the South African Human Rights Commission.

The details of whom are set out below:

Postal Address: P O Box 73073, Lynnwood Ridge, 0040
Information Officer: Angelica Botes - Director - angie@dantesa.co.za
CEO: Sanette Silkstone – sanette@dantesa.co.za
Website: All Branches listed on www.dantesa.co.za

4. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Records available in terms of other legislation, as amended, are as follows:

- 4.1 Labour Relations Act 66 of 1995;
- 4.2 Employment Equity Act 55 of 1998;
- 4.3. Basic Conditions of Employment Act 75 of 1997;
- 4.4. Compensation of Occupational Injuries and Diseases Act 130 of 1993;
- 4.5. Companies Act 71 of 2008;
- 4.6 Unemployment Insurance Act 63 of 2001;
- 4.7. Value Added Tax Act 89 of 1991;
- 4.8 Income Tax Act 58 of 1962;
- 4.9 Skills Development Act 9 of 1999;
- 4.10. Stock Exchanges Control Act 1 of 1985 and the Rules and Listing Requirements of the JSE Securities Exchange issued in terms thereof;
- 4.11. South African Schools Act 84 of 1996;
- 4.12. Further Education and Training Colleges Act 16 of 2006;
- 4.13. Higher Education Act 101 of 1997;
- 4.14. Protection of Personal Information Act 4 of 2013.

5. DANTÉ PRIVACY PRACTICES

5.1 Personal Information that we collect about you:

- 5.1.1. Identity Data;
- 5.1.2. Contact Data;
- 5.1.3. Financial Data;
- 5.1.4. Transaction Data;
- 5.1.5. Service Data;
- 5.1.6. Technical Data;
- 5.1.7. Usage Data;
- 5.1.8. Marketing and Communications Data;

5.2. We collect personal or other information to:

- 5.2.1. Provide our services to you, as well as any services that you may purchase from us (including goods you purchase from our website);
- 5.2.2. Administer our various programs;
- 5.2.3. Operate our facilities;
- 5.2.4. Comply with our statutory obligations, including submissions to the Companies and Intellectual Property Commission, as well as interacting with regulatory authorities;
- 5.2.5. Conduct business case analysis;
- 5.2.6. Conduct DANTÉ's recruitment exercises, including referrals, and hiring processes, including the capturing of a job applicant's details and the providing of status updates to such a job applicant. In this context DANTÉ will conduct criminal record and credit checks;
- 5.2.7. Retain and make information available to you on the website;
- 5.2.8. Provide you with marketing that is relevant to you, or to direct information concerning DANTÉ to you;
- 5.2.9. Maintain and update our customer or potential customer databases;

- 5.2.10. Establish and verify your identity on our website;
- 5.2.11. Diagnose and deal with technical issues and customer support queries and other use queries;
- 5.2.12. Operate, administer, maintain, secure, and develop the website and the performance and functionality of our website;
- 5.2.13. Protect our rights in any litigation that may involve you;
- 5.2.14. Detect, prevent or deal with actual or alleged fraud, security or the abuse, misuse or unauthorized use of our Website and / or contravention of our Privacy Notice or of the terms and conditions that apply to your use of our website;
- 5.2.15. Communicate with you and keep a record of our communications with you and your communications with us;
- 5.2.16. Inform you about changes to our website, Privacy Notice or other changes that are relevant to you;
- 5.2.17. To create user profiles and analyse and compare how you and other users make use of the website, including (without limitation) habits, click-patterns, preferences, frequency and times of use, trends and demographics;
- 5.2.18. To analyse and compare the kinds of access devices that you and others make use of and where you are using them; and
- 5.2.19. For other purposes relevant to our business activities, provided they are lawful.

Further detail on our Privacy Notice may be found on our Website. In addition, the following direct link has been provided for your convenience.

6. ACCESS TO RECORDS

6.1. Request procedures

Any person wishing to gain access to information ("the requestor") must use the prescribed form (see Annexure A hereto) to make the request for access to information.

6.2. This request must be made in writing and addressed to the Information Officer at the contact details set out in 2 above.

6.3. The requestor must –

- Provide sufficient detail on the request form to enable the Information Officer to identify the record and the requestor; and
- Indicate in which form of access is required; and
- Specify a postal address within South Africa; and
- Identify the right that the requestor is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise of that protection.

6.4. If a request is made on behalf of another person, the requestor must submit proof of the capacity in which the requestor is making the request to the satisfaction of the Information Officer.

The Information Officer will decide whether to grant the request or to decline the request and must notify the requestor in the required form. If, after reasonable steps have been taken to find a record requested and same cannot be located or does not appear to exist, DANTÉ will advise the requestor accordingly.

7. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS OF A PRIVATE BODY

See Annexure B attached.

8. RIGHT OF APPEAL

A requestor that is dissatisfied with the Information Officer's refusal to grant access to any information may –

- Within 30 days of being informed that the request was not granted lodge an internal appeal; or
- Within 30 days of notification of the decision apply to court for relief.

Likewise, a third party dissatisfied with the Information Officer's decision to grant a request may, within 30 days of notification of the decision, apply to court for relief.

12. UPDATES TO THIS MANUAL

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

13. PRESCRIBED FORMS

See Annexure A attached.

ANNEXURE A
FORM C**REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY (Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) [Regulation 10]****A. Particulars of Organization requested from:**

The Information Officer: Angelica Botes – angie@dantesa.co.za

B. Particulars of person requesting access to the record

- (a) The particulars of the person who requests access to the record must be given below.
- (b) The address and/or fax number in the Republic to which the information is to be sent must be given.
- (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:

E-mail address:

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

C. Particulars of person on whose behalf request is made

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

- (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 requestor must sign all the additional folios.

Description of record or relevant part of the record:

Reference number, if available:

Any further particulars of record:

E. 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 please state your disability and indicate in which form the record is required.

F. 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 requestor must sign all the additional folios.

1. Indicate which right is to be exercised or protected
2. Explain why the record requested is required for the exercise or protection of the said right

G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/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?

SO AGREED AND SIGNED AT _____ ON THIS _____ DAY OF _____ 20____

SIGNATURE OF REQUESTOR / PERSON ON WHOSE BEHALF REQUEST IS MADE

ANNEXURE B

GROUND FOR REFUSAL OF ACCESS TO RECORDS OF A PRIVATE BODY

The information contained in this section is a summary of the grounds upon which a private body is entitled to raise, as grounds for the refusal of access to its records. The information is intended to provide a requestor with clarity as to the reasons why a request may be refused by the private body.

A. Section 63: Mandatory protection of privacy of a third party who is a natural person

The head of a private body must refuse a request for access to a record of that body if its disclosure would involve the unreasonable disclosure of personal information about a third party, including a deceased individual.

However, a record may not be refused if it consists of information:

- a) About an individual who has consented in writing to the disclosure of the information;
- b) Already publicly available;
- c) Given to the private body by the individual to whom it relates, and that individual was informed by the private body before it is disclosed that the information belongs to a class of information that may already be publicly available;
- d) About an individual's physical or mental health, or well-being, who is under the care of the requestor, and who is under the age of 18 years or incapable of understanding the nature of the request, and further if the disclosure would be in the individual's best interests;
- e) About an individual who is deceased and the requestor is the individual's next of kin, or is making the request with the written consent of the individual's next of kin;
- f) About an individual who is or was an official of a private body, and the information relates to the position or functions of the individual.

B. Section 64: Mandatory protection of commercial information of a third party

1) The head of a private body must refuse a request for access to a record of that private body if it contains:

- a) Trade secrets of a third party;
- b) Financial, commercial, scientific or technical information of a third party, other than trade secrets, where the disclosure thereof would be likely to cause harm to the commercial or financial interests of that third party;
- c) Information supplied to the third party in confidence, and if disclosed would place the third party at a disadvantage in contractual or other negotiations or prejudice the third party in commercial competition.

However, a record may not be refused if it consists of information:

- a) About a third party who has already consented in writing, to its disclosure to the requestor;
- b) About the results of any product or environmental testing or other investigation supplied by the private body or the results of any such testing or investigation carried out on by or on behalf of the private body and its disclosure would reveal a serious public safety or environmental risk.

C. However, a record may not be refused if it consists of information:

- a) About a third party who has already consented in writing, to its disclosure to the requestor;
- b) About the results of any product or environmental testing or other investigation supplied by the private body or the results of any such testing or investigation carried out on by or on behalf of the private body and its disclosure would reveal a serious public safety or environmental risk.

D. Section 65: Mandatory protection of certain confidential information of a third party

- a) The head of a private body must refuse a request for access to a record of that body if its disclosure could reasonably be expected to endanger the life or physical safety of an individual.
- b) The head of a private body may refuse a request for access to a record of that body if its disclosure would be likely to prejudice or impair:
 - i) The security of a building, structure, or system, including a computer or communication system; a means of transport or any other property;

The methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme; the safety of the public or part of the public or the security of a building, structure, or system, including a computer or communication system, a means of transport or any other property.

E. Section 67: Mandatory protection of records privileged from production in legal Proceedings

The head of a private body must refuse a request for access to a record of that body, if the record is privileged from production in legal proceedings unless the person entitled to the privilege has waived such privilege.

F. Section 68: Commercial information of a private body

1) The head of a private body may refuse a request for access to a record of that body if the record:

- a) Contains trade secrets of the private body;
- b) Contains financial, commercial, scientific or technical information, other than trade secrets of the private body, and the disclosure thereof would likely cause harm to the commercial or financial interests of that body;
- c) Contains information, the disclosure of which could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations; or prejudice the body in commercial competition;
- d) Is a computer programme as defined in the Copyright Act, No. 98 of 1978, which is owned by the private body, unless it is required to give access to a record in terms of PAIA.

However, a record may not be refused if it consists of information:

About the results of any product or environmental testing or investigation (excluding the results of preliminary testing or investigations conducted for developing methods of testing), carried out by or for the public body, and the disclosure thereof would reveal a serious public safety or environmental risk.

G. Section 69: Mandatory protection of research information of a third party, and protection of research information of a private body

1) The head of a private body must refuse a request for access to a record of that body, if the record contains information about research being carried out or to be carried out, by or on behalf of a third party, and if this were to be disclosed, it would be likely to:

- a) Expose the third party, or
- b) The person carrying out the research or will be carrying out the research on behalf of the third party, or
- c) The subject matter of the research, to a serious disadvantage.

2) The head of a private body may refuse a request for access to a record of that body, if the record contains information about research being carried out or about to be carried out, by or on behalf of the private body, and if this were to be disclosed it would likely to:

Expose

- a) The private body or
- b) The person carrying out the research or will be carrying out the research on behalf of the private body, or
- c) The subject matter of the research to a serious disadvantage.

H. Section 70: Mandatory disclosure in the public interest

a) Despite the above listed grounds for refusal, the head of a private body must grant a request for access to a record of that body if, the disclosure thereof would reveal evidence of:

- i) A substantial contravention of, or failure to comply with the law; or
- ii) An imminent and serious public safety or environmental risk; and

b) The public interest in the disclosure of the record, outweighs the harm contemplated under the ground for refusal.

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Thank you.

Yours in Recruitment