



HR Evolve Consultancy PAIA Manual

POLICY AND PROCEDURES

Document Title: HR Evolve Consultancy PTY Ltd Promotion of Access to Information (PAIA) Manual

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HR EVOLVE CONSULTANCY PTY LTD

REGISTRATION NUMBER **2020/482404/07**

("The Company" or "HR Evolve Consultancy PTY Ltd")

PAIA MANUAL

Manual prepared in terms of Section 51 of the Promotion of Access to Information Act, No. 2 of 2000, (the "Act") for

HR Evolve Consultancy PTY Ltd ("HR Evolve Consultancy PTY Ltd" or "the Company") and its material subsidiaries.

Board of directors of HR Evolve Consultancy PTY Ltd

Refer to HR Evolve Consultancy PTY Ltd website

1. Introduction

The Act, together with all relevant legislation, provides for the right of access to information held by public and private bodies when such information is requested for the exercise of protection of any rights.

This manual has been compiled to inform and assist any potential requesters of the procedural and other requirements which a request for information must meet as prescribed by the Act.

2. Overview of HR Evolve Consultancy PTY Ltd

HR Evolve Consultancy PTY Ltd is a private company and unlisted, providing HR Consultancy and Coaching services.

Physical and postal address: Goedemoed; Durbanville, 7550

Telephone number: +27 836911375

Email: admin@hrevolve.co.za



3. Section 10 guide

The Act requires the South African Human Rights Commission (“SAHRC”) to compile a guide to be available in each official language, to assist individuals in understanding how to exercise their rights contained in the Act.

Any queries regarding this guide can be addressed directly to the SAHRC at:

The South African Human Rights Commission

PAIA Unit – The Research and Development Department

Braampark Forum 3,

33 Hoofd Street,

Braamfontein

Private Bag x 2700, Houghton 2041

Tel: +27 11 484 8300

Fax: + 27 11 484 0582

Email: paia@sahrc.org.za

Website: www.sahrc.org.za

4. Categories of data subjects and the information the HR Evolve Consultancy PTY Ltd Group may collect

41 Employees

- Name and contact details
- Identity number and identity documents including passports
- Employment history and references
- Banking and financial details
- Details of payments to third parties (deductions from salary)
- Employment contracts
- Employment equity plans
- Medical aid records
- Pension Fund records
- Remuneration/salary records
- Performance appraisals
- Disciplinary records
- Leave records
- Training records



4.2 Consumers and prospective consumers (which may include employees)

- Postal and/or street address
- title and name
- contact numbers and/or e-mail address
- ethnic group
- employment history
- age
- gender
- marital status
- nationality
- language
- financial information
- identity or passport number
- browsing habits and click patterns on HR Evolve Consultancy PTY Ltd Group websites.

4.3 Vendors /suppliers /other businesses:

- Name and contact details
- Identity and/or company information and directors' information
- Banking and financial information
- Information about products or services
- Other information not specified, reasonably required to be processed for business operations

5. Purpose of processing personal information for each category of data subject

5.1 For consumers:

- Performing duties in terms of any agreement with consumers
- Make, or assist in making, credit decisions about consumers
- Operate and manage consumers' accounts and manage any application, agreement or correspondence

consumers may have with the HR Evolve Consultancy PTY Ltd Group

- Communicating (including direct marketing) with consumers by email, SMS, letter, telephone or in any

other way about HR Evolve Consultancy PTY Ltd Group's products and services, unless consumers indicate otherwise



- To form a view of consumers as individuals and to identify, develop or improve products, that may be of interest to consumers
- Carrying out market research, business and statistical analysis
- Performing other administrative and operational purposes including the testing of systems
- Recovering any debt consumers may owe the HR Evolve Consultancy PTY Ltd Group
- Complying with the HR Evolve Consultancy PTY Ltd Group's regulatory and other obligations
- Any other reasonably required purpose relating to the HR Evolve Consultancy PTY Ltd Group business

5.2 For prospective consumers:

- Verifying and updating information
- Pre-scoring
- Direct marketing
- Any other reasonably required purpose relating to the processing of a prospect's personal information reasonably related to the HR Evolve Consultancy PTY Ltd Group's business.

5.3 For employees:

- The same purposes as for consumers (above)
- Verification of applicant employees' information during recruitment process
- General matters relating to employees:
 - Pension
 - Medical aid
 - Payroll
 - Disciplinary action
 - Training
- Any other reasonably required purpose relating to the employment or possible employment relationship.

5.4 For vendors /suppliers /other businesses:

- Verifying information and performing checks;
- Purposes relating to the agreement or business relationship or possible agreement or business relationships between the parties;
- Payment of invoices;
- Complying with the HR Evolve Consultancy PTY Ltd Group's regulatory and other obligations; and



Any other reasonably required purpose relating to the HR Evolve Consultancy PTY Ltd Group's business.

6. Recipients or categories of recipients to whom the personal information may be supplied

Any firm, organisation or person that the HR Evolve Consultancy PTY Ltd Group uses to collect payments and recover debts or to

provide a service on its behalf;

Any firm, organisation or person that/who provides the HR Evolve Consultancy PTY Ltd Group with products or services;

Any person who the HR Evolve Consultancy PTY Ltd Group has reason to believe to be a data subject's/consumer's parent, carer or helper where he/she is unable to handle his/her own affairs because of mental incapacity or other similar issues;

Any payment system the HR Evolve Consultancy PTY Ltd Group uses;

Regulatory and governmental authorities or ombudsmen, or other authorities, including tax authorities, where the HR Evolve Consultancy PTY Ltd Group has a duty to share information;

Credit bureaux;

Third parties to whom payments are made on behalf of employees;

Financial institutions from whom payments are received on behalf of data subjects;

Any other operator not specified;

Employees, contractors and temporary staff; and

Agents.

7. Planned cross border flows of personal information

Storing information electronically; and

Making use of third-party service providers to fulfil a business function on behalf of the HR Evolve Consultancy PTY Ltd Group.

8. Records are kept in terms of the following legislation

Basic Conditions of Employment Act 75 of 1997

Broad-Based Black Economic Empowerment Act 53 of 2003

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

Criminal Procedure Act 51 of 1977



- Customs and Excise Act 91 of 1964
- Customs Duty Act 30 of 2014
- Debt Collectors Act 114 of 1998
- Domicile Act 3 of 1992
- Employment Equity Act 55 of 1998
- Electronic Communications and Transactions Act 25 of 2002
- Electronic Communications Act, 36 of 2005
- Financial Advisory and Intermediary Services Act 37 of 2002
- Financial Intelligence Centre Act 38 of 2001
- Financial Markets Act 19 of 2012
- Johannesburg Stock Exchange listing requirements
- 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
- National Credit Act 34 of 2005
- National Payment System Act 78 of 1998
- Occupational Health and Safety Act 85 of 1993
- Pension Fund Act 24 of 1956
- Prevention of Organised Crime Act 121 of 1998
- Prevention and Combating of Corrupt Activities Act 12 of 2004
- Protection of Personal Information Act 4 of 2013
- 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
- Skill Development Levies Act 9 of 1999
- Skills Development Act 97 of 1998
- Tax Administration Act 28 of 2011
- Tax Administration Laws Amendment Act 44 of 2014
- Trade Marks Act 194 of 1993



- 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

9. Notice in terms of section 51(1)(c)

No notice has been published to date in terms of Section 51(1)(c) of the Act. The following records are however automatically available on HR Evolve Consultancy PTY Ltd's website (as from date of first reporting) to any person requesting this information and it is therefore not necessary to apply for access thereto in terms of the Act:

- Corporate Governance reports and policies

10. Records held by HR Evolve Consultancy PTY Ltd in terms of section 51(1)(e)

Statutory, if applicable

- Memoranda of Incorporation
- Company Registers
- Statutory records and returns
- Agreements
- Trademarks and Patents
- Title Deeds

Admin, Finance and Accounting

- Accounting records
- Policies and procedures
- Banking details and bank statements
- Financial Statements
- Income Tax

Human Resources

- Policies and Procedures
- Employment equity plans
- Pension and Provident Fund details
- Skills development plans
- Records and reports
- Contractor, client and supplier agreements and information



Note that the accessibility of the records may be subject to the grounds of refusal set out in this manual. Amongst others, records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to the normal requirements, before HR Evolve Consultancy PTY Ltd will consider access.

Furthermore, it should be noted that not all records are maintained at a head office level and would need to be sourced from the applicable division/business within the permitted response time.

11. Procedure for request for access (Sections 53 to 57 and 60 of the Act)

11.1 To request a document that does fall within the ambit of the Act, the requester must complete the prescribed form as set out in Annexure A (form C) hereto and submit same to the Information Officer via the contact details listed under B above.

11.2 The prescribed form must be completed with sufficient detail to enable the Information Officer to clearly identify the record/s requested, the requester's identity and which form of access to the records is required, should the request be granted. The requester must explain what other right is being protected or exercised.

11.3 If the request is being made on behalf of another person, the requester must submit proof, to the satisfaction

of the Information Officer, of the capacity in which they are making the request.

11.4 The Information Officer will process the request and notify the requester of its decision whether or not the request has been granted. Should the request be granted, the notice will state the access 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 public and private bodies can be accessed on www.sahc.org.za.

11.5 Should the request be refused; the notice will state adequate reasons for the refusal.

12. Records not found or non-existent

If the company has searched for a record and believe that it either does not exist or cannot be found, the company will notify the requester by way of an affidavit or affirmation that it is not possible to provide access to the requested record due to its inability to locate it. The company will also provide the requester with details on the steps that were taken to try to locate the record and will confirm to the requester that, if at a later stage the record is located, the company will grant the requester access, provided that access is not prohibited in terms of Chapter 4 of Part 3 of the Act.

13. Grounds for refusal of access to records (Sections 63 to 69 of the Act and the Protection of Personal

Information Act No. 4 of 2013)

Access to certain records may be or must be denied on the grounds set out in the Act. This includes:

- Mandatory protection of privacy of a third party who is a natural person;
- Mandatory protection of commercial information of third party;
- Mandatory protection of certain confidential information of third party;
- Mandatory protection of safety of individuals, and protection of property;



- Mandatory protection of records privileged from production in legal proceedings;
- Commercial information of private body;
- Mandatory protection of research information of third party, and protection of research information of privacy body.

ANNEXURE A

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]

FORM C

A. Particulars of private body

The Head:

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:

Fax number:

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 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*

Copy in computer readable

form*(CD)

* If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? (POSTAGE IS PAYABLE) YES NO

G. 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 requester 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 aforementioned right:

H. 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?

Signed at this day of 20

SIGNATURE OF REQUESTER / PERSON ON BEHALF OF WHOM RE