

PAIA MANUAL OF GRIPP ADVISORY (PTY) LTD
company registration 2017/496279/07

*prepared in accordance with
section 51 of the Promotion of Access to Information Act ("PAIA")
2 of 2000 (as amended)*

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INTRODUCTION.

The Promotion of Access to Information Act, No 2 of 2000 (PAIA) came into effect on 9 March 2001. The purpose of PAIA is to (1) foster a culture of transparency and accountability in public and private bodies by giving effect to the right of access to information and to (2) 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.

This manual has been prepared and published in accordance with the requirements of section 51 of the PAIA and takes into consideration the requirements of the Protection of Personal Information Act, 2013 (POPIA). The purpose of POPIA is to respect the constitutional right to privacy, ensuring that personal information is lawfully processed, and when processed by a responsible person, is adequately safeguarded. POPIA further provides rights and remedies to protect personal information from processing not in accordance with the Act.

PAIA Manual	PAIA Section Ref.
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The purpose of this manual is to facilitate access to records held by GRIPP Advisory (Pty) Ltd (GRIPP). It provides reference to the records held and processed by GRIPP, the reasons therefor and the process to request access to such records.

A copy of the Manual is available:

- For inspection on the GRIPP website at www.grippadvisory.co.za
- At the offices GRIPP for public inspection during normal business hours
- To any person upon request and upon the payment of a reasonable prescribed fee
- To the Information Regulator upon request.

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.

GRIPP ADVISORY (PTY) LTD.

GRIPP Advisory Proprietary Limited (GRIPP), is an advisory and consulting firm. As GRIPP, we have defined our purpose as an organisation to be “to improve the governance, risk, and internal control environment of our clients” that we serve. Our vision is to see improved stakeholder confidence through the improvement of governance, risk, and internal control practices that are embedded at the clients we serve. This vision drives our strategy to deliver extraordinary quality services that exceed our clients’ expectations whilst remaining price sensitive. Our culture is that of encouraging continuous learning and being creative enough to seek out new ways of doing things, to improve efficiency and the effectiveness in what we do. We achieve this by embracing feedback from all levels and promoting the lessons learnt.

Our services include:

- Governance and other Board Advisory Services
- Risk Management and ancillary Insurance Services
- Regulatory Compliance Services
- Internal Audit and related Internal Control Services
- Investigation and other Forensic Services
- Information and other Technology Services
- Policy and Process Design Services.

CONTACT DETAILS. PAIA 51(1)(a).

The responsibility for administration of, and compliance with, the PAIA has been delegated by the Chief Executive Officer (CEO) of GRIPP to the Information Officer. The Information Officer also oversees the duties and responsibilities in terms of section 55 of the POPIA.

Information Officer

Contact person: Lynn Sullivan
Address: Unit A077, 3rd Floor, West Wing, The Palms Decor and Lifestyle Centre, 145 Sir Lowry Road, Cape Town, 8000
Contact Details: + 27 087 551 1702
Email: lynn@grippadvisory.co.za

National Office

Contact Details: +27 87 551 1701
Email: info@grippadvisory.co.za
Website: www.grippadvisory.co.za
Address: 2nd Floor, Block E, The Pivot, 1 Montecasino Boulevard Fourways, 2055

PAIA GUIDANCE. PAIA 51(1)(b)(i).

The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA (“Guide”), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

The Guide is available in each of the official languages and in braille.

The aforesaid Guide contains the description of:

- The objects of PAIA and POPIA
- The postal and street address, phone and fax number and, if available, electronic mail address of:
 - The Information Officer of every public body, and
 - Every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²
- The manner and form of a request for:
 - Access to a record of a public body contemplated in section 113
 - Access to a record of a private body contemplated in section 504
- The assistance available from the Information Officer of a public body in terms of PAIA and POPIA
- The assistance available from the Regulator in terms of PAIA and POPIA
- All remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging:
 - An internal appeal;
 - A complaint to the Regulator; and
 - An application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body
- The provisions of sections 145 and 516 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual

¹ Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

² Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

³ Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁴ Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁵ Section 14(1) of PAIA- *The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.*

⁶ Section 51(1) of PAIA- *The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.*

- The provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively
- The notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access
- The regulations made in terms of section 92¹¹
- Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- The Guide can also be obtained:
 - Upon request to the Information Officer
 - from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).
- A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours:
 - English
 - Afrikaans.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

AUTO DISCLOSURE. PAIA 51 (1)(b)(ii).

A section 52(2) notice regarding the categories of records, which are available without having to request access in terms of the PAIA, has to date not been published.

LEGISLATION. PAIA 51 (1)(b)(iii).

Where applicable to its operations, GRIPP retains records and documents as prescribed by the following pieces of legislation. This list is not exhaustive.

- Basic Conditions of Employment Act, No. 75 of 1997
- Broad Based Black Economic Empowerment Act, No 53 of 2003
- Companies Act, No 71 of 2008
- Compensation for Occupational Injuries and Diseases Act, No 130 of 1993
- Constitution of South Africa Act, No 108 of 1996
- Electronic Communications and Transactions Act, No 2 of 2000
- Employment Equity Act, No 55 of 1998
- Income Tax Act, No 58 of 1962
- Labour Relations Act, No 66 of 1995
- Occupational Health and Safety Act, No 85 of 1993
- Promotional of Access to Information Act, No 2 of 2000
- Skills Development Act, No 97 of 1997
- Skills Development Levies Act, No 9 of 1999
- Unemployment Insurance Act, No 63 of 2001
- Value-added Tax Act, No 89 of 1991

RECORDS HELD. PAIA 51 (1)(b)(iv).

Categories of information held by GRIPP include:

- Client Service Records
 - Annual financial statements
 - Correspondence
 - Audit files
 - Fees
 - Contacts
 - Statutory and tax records
 - Business information
 - Finding and recommendation reports
 - Investigative information and material
 - Legal documentation
 - Proposal and tender documents
 - Project plans and risk management
 - Working papers and relevant support

- Corporate Governance
 - Codes of conduct
 - Minutes of meetings
 - Minutes of executive committee meetings
 - Enterprise-wide risk management records
 - Legal compliance records
- Finance & Admin
 - Accounting records
 - Annual financial statements
 - Asset registers
 - Accounting and banking records
 - Supplier invoices and statements
 - Management reports
 - VAT, Tax and PAYE records and returns
- Human Resources
 - Accounting and payroll records
 - BEE statistics
 - Career development records
 - Personnel information
 - Employment equity reports
 - General terms of employment
 - Letters of employment
 - Leave records
 - PAYE records and returns
 - Performance management records
 - Policies and procedures
 - UIF returns
 - Company director information
 - Workplace Skills Development Plans
 - Learnership Programme records
- Information Technology
 - Contracts & agreements
 - Equipment registers
 - IT governance records
 - Information policies, procedures etc
- Learning & Development
 - Training material
 - Training records and statistics

- Marketing
 - Media releases
 - Client proposals
 - New business development
 - Brand information
 - Marketing strategies
 - Communication strategies
 - Client relationship information
 - Marketing brochures
 - Conferencing advertising and branding
- Operations
 - General correspondence
 - Insurance documentation
 - Service level agreements
 - Travel documentation
 - Operational planning and resourcing
- Secretarial Services
 - Applicable statutory documents
 - Corporate structure diagrams
 - Share certificates
 - Shareholder agreements
 - Minutes of meetings
 - Records relating to appointment of directors and auditors

ACCESS REQUESTS. PAIA 51 (1)(b)(iv).

To facilitate the processing of your request, kindly:

- Use the prescribed form attached to this manual as Appendix 1 (also available on the website of the Information Regulator at <https://www.justice.gov.za/inforeg/docs.html>)
- Address your request to the Information Officer
- Provide sufficient details as to enable GRIPP to identify:
 - The records requested
 - The requestor (and if an agent is lodging the request, proof of capacity)
 - The form of access required
 - The postal address or fax number of the requester in the Republic
 - If the requestor wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof
 - The right which the requestor is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

The following applies to requests, **other than personal requests**:

- A requestor is required to pay the prescribed fees before a request will be processed.
- If the preparation of the record requested requires more than the prescribed hours, a deposit shall be paid of not more than one third of the access fee which would be payable if the request were granted.
- A requestor may lodge an application with a court against the tender / payment of the request fee and / or deposit.
- Records may be withheld until the fees have been paid.

The fee structure is available on the website of the Information Regulator at <https://www.justice.gov.za/inforeg/docs.html>.

Requests complying with the requirements set out above, will be processed and considered expeditiously. If the request for access is refused, GRIPP will advise the requestor about the reasons for refusal of access and may, in the absence of an internal appeal process, advise the requestor to lodge an application with the court against the refusal of the request.

Requests for information may be refused on the following grounds:

- Protection of the privacy of a third party who is a natural person
- Protection of commercial information of a third party
- Protection of certain confidential information of a third party
- Protection of safety of individuals and protection of property
- Protection of records privileged from production in legal proceedings
- Commercial information of the private body
- Protection of research information of a third party and of the private body.

GRIPP will give the requestor a written notice of the decision within 30 days after a decision is made on their request to access information. In case of a request being refused, the notification will include the reasons for the refusal.

GRIPP may extend the 30 days' notice period for a further period not exceeding 30 days after receiving the request, due to the nature of the request and the amount of time required to gather the requested information. The requestor will be notified of the extension prior to the expiry of the 30-day notice period.

PROTECTION OF PERSONAL INFORMATION THAT IS PROCESSED BY GRIPP. PAIA 51(1)(C)

GRIPP requires personal information relating to both individual and juristic persons in order to carry out its business and operational functions. GRIPP determines the purpose of and means for processing personal information, and as such, is considered a responsible party.

GRIPP will ensure that personal information of data subjects is processed in line with the following conditions:

- Accountability
- Processing limitation
 - Personal information is lawfully processed, i.e. with data subject consent to processing of personal information and due to a legal basis for processing.
 - Personal information is adequate, relevant and not excessive for the purposes for which it was collected.
 - Data subjects have the right to object to GRIPP's use of their personal information and request deletion of such personal information (subject to GRIPP's record keeping requirements) using the prescribed form attached to this manual as Appendix 2.
 - Data subjects have the right to object to the processing of personal information for purposes of direct marketing by means of unsolicited electronic communications.
- Purpose specification
 - Personal information is processed for only the purpose for which it was collected.
 - Personal information will not be kept for longer than is necessary.
- Further processing limitation
 - Personal information will not be processed for a secondary purpose unless that processing is compatible with the original purpose.
- Information quality
 - Reasonable practical steps will be taken to ensure that personal information is complete, accurate, not misleading and updated where necessary.
- Openness
 - Data subjects have the right to be notified that their personal information is being collected by GRIPP.
- Security safeguards
 - Data will be processed in accordance with integrity and confidentiality principals, this includes physical and organisational measures to ensure that personal information, in both physical and electronic form, are subject to appropriate level of security when stored, used and communicated by GRIPP, in order to protect against access and acquisition by unauthorised person and accidental loss, destruction or damage.
- Data subjects have the right to be notified of security compromises.

- Data subject participation
 - Data subjects have the right to know whether GRIPP holds personal information about them, and to access that information.
 - Data subjects have the right to request the correction or deletion of inaccurate, irrelevant, excessive, out of date, incomplete, misleading or unlawfully obtained personal information using the prescribed form attached to this manual as Appendix 3.

CATEGORIES OF DATA SUBJECTS AND PERSONAL INFORMATION & PURPOSE FOR PROCESSING. PAIA 51(1)(c)(i)(ii).

Personal information may only be processed for a specific purpose. The purposes for which GRIPP processes or will process personal information, as well as the categories of personal information, is set out below.

- Clients and prospective clients
 - Category of personal information
 - CIPC information
 - Tax compliance information
 - Postal / street address
 - Title and name
 - Contact number and / or email address
 - Financial and business or operational information
 - Purpose
 - Performing duties and services in terms of any agreement with its clients
 - Operate and manage client accounts and manage any application, agreement or correspondence clients may have with GRIPP
 - Communicate with clients via email, SMS, letter, telephone or any other way about GRIPP's services, unless clients indicate otherwise
 - Identify, develop or improve services that may be of interest to clients
 - Carry out market research, business and statistical analysis
 - Perform other administrative and operational purposes
 - Comply with GRIPP's regulatory and other obligations
 - Verify and updating information
 - Any other reasonably required purpose relating to the GRIPP business.
- Employees
 - Category of personal information
 - Name and contact details
 - Identify number and identify documents, including passports
 - Ethnic group
 - Age
 - Gender
 - Marital status

- Nationality
- Language
- Employment history and references
- Banking and financial details
- Details of payments to third parties (salary deductions)
- Employment contracts
- Employment equity plans
- Medical aid records
- Pension fund records
- Remuneration / salary records
- Performance appraisals
- Disciplinary records
- Leave records
- Learnership agreements
- Training records
- Purpose
 - Verification of applicant / employees' information during recruitment process
 - General matters relating to employees' pension, medical aid, payroll, disciplinary action and training
 - Comply with GRIPP's regulatory and other obligations
 - Any other reasonably required purpose for relating to the employment or possible employment relationship.
- Suppliers
 - Category of personal information
 - Name and contact details
 - Identity and / or company information and director information
 - BBBEE Certificates
 - Banking and financial information
 - Information about products and services
 - Other information not specified, reasonably acquired to be processed for business purposes.
 - Purpose
 - Verifying information and performing checks
 - Agreement of business relationship or possible agreement of business relationships between the parties
 - Payment of invoices
 - Complying with GRIPP regulatory and other obligations
 - Any other reasonably required purpose relating to the GRIPP business.

RECEIPIENTS OF PERSONAL INFORMATION. PAIA 51(1)(c)(iii).

Recipients of personal information include inter alia:

- Professional advisors, such as law firms, tax advisors or auditors
- Insurers
- Tax and customs, and excise authorities
- Regulatory and other professional bodies
- Public registries of company directors and shareholdings
- Providers of identity verification services
- Credit reference agencies
- The courts, police and law enforcement agencies
- Government departments and agencies
- Service providers
- Support providers.

TRANSBORDER FLOWS. PAIA 51(1)(c)(iv).

Personal information may be transmitted transborder to GRIPP suppliers in other countries, and personal information may be stored in data servers hosted outside South Africa, which have data privacy laws consistent or aligned with the requirements of the POPIA. Comprehensive service level agreements are established with all outsourced IT service providers that provide IT support or software solutions. The Service Level Agreements of the service providers, which deals with, inter alia, key deliverables such as system and user support, system availability, cyber-risk management, virus protection, data protection, telephony and other general controls, is reviewed annually and its compliance monitored.

This may include the use of automated software tool. The software provides a virtual workspace in an online environment hosted and maintained by a third party through a contract with GRIPP. All work product (“data”) is placed in the virtual workspace on dedicated servers, which are based in Europe, with access restricted to GRIPP and the third party.

SECURITY MEASURES. PAIA 51(1)(c)(v).

GRIPP undertakes to implement and maintain data protection measures to accomplish confidentiality, availability and integrity of personal information that is processed and stored.

GRIPP has aligned its information security practices to best practice frameworks to ensure adequate organisational and technological measures are in place to protect any personal information stored and processed; and may use alternative practices to adapt to technological security developments, as needed, provided that the above objectives are achieved. Information security policies are in place throughout GRIPP regulating, inter alia, the processing and protection of own and third-party information. When required, specialist skills are insourced to assist with information technology services.

CONTACT US

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