

ANOVA HEALTH INSTITUTE NPC

2009/014103/08

MANUAL IN TERMS OF

SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION
ACT 2000 (PAIA)

AND

THE PROTECTION OF PERSONAL INFORMATION ACT, 2013
(POPI)

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1 Introduction

- 1.1 Anova Health Institute NPC (Anova) is a non-governmental organisation (**NGO**) that aims to provide healthcare solutions and support for those in need.
- 1.2 Anova is a trusted partner of the Department of Health and is committed to bolstering the public healthcare system through skills building, improved recordkeeping and monitoring, management training and improved client flow. By identifying opportunities to enhance public health, we are making significant contributions to sustainable healthcare infrastructure.
- 1.3 Our teams throughout South Africa are also actively involved in community outreach, support, engagement and awareness, and educational campaigns.
- 1.4 Our areas of medical expertise include surveillance in key populations, clinical and social research, elimination of mother-to-child transmission of HIV, TB and HIV care and treatment (including paediatric, adolescent and adult care), health systems strengthening (mHealth, supply chain management, quality improvement and management training), eye care and mental health. Findings are disseminated through academic journals, training, conferences, seminars and workshops.

2 Contact details of the head (information officer) of Anova (section 51(1)(a)(i))

Head of the private body	Helen Struthers
Registered address	12 Sherborne Rd, Parktown, Johannesburg, 2193
Postal address	Postnet Suite 242, Private Bag X30500, Houghton, 2041
Telephone number	0115815000
Fax number	0114821116
Email address	struthers@anovahealth.co.za
Website	www.anovahealth.co.za

3 PAIA Guide of the Information Regulator / South African Human Rights Commission (section 51(1)(b)(i))

- 3.1 PAIA makes provision for access to information and records of a private body if the record is required for the exercise and protection of any rights. If a public body requests access to a record of a private body for the exercise or protection of any rights, other than its rights, the public body must be acting in the public interest.
- 3.2 Requests in terms of PAIA are to be made in accordance with the prescribed procedures, at the fees provided.

3.3 Section 10 of PAIA requires that the Information Regulator update and make available the PAIA guide compiled by the South African Human Rights Commission. The guide contains information required by a person wishing to exercise any right, contemplated by PAIA. The Guide is currently available for inspection on the South African Human Rights Commission website at www.sahrc.org.za.

3.4 Any enquiries should be directed to:

The Information Regulator (South Africa)
Address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg
Postal address: P O Box 31533, Braamfontein, Johannesburg
Email: infoereg@justice.gov.za

4 Notice in terms of section 52(2) of PAIA (section 51(1)(b)(ii))

4.1 At this stage no notice(s) has/have been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

4.2 Note that certain records are freely available on Anova's website, including, but not limited to a list of its partners, a description of some of its projects and programmes, certain policies, annual reports and some marketing information.

5 Records available in terms of other legislation (section 51(1)(b)(iii))

5.1 Anova retains records and documents in terms of the following legislation:

- (1) Non-Profit Organisations Act, 1997
- (2) Value-Added Tax Act, 1991
- (3) Basic Conditions of Employment Act, 1997
- (4) Occupational Health and Safety Act, 1993
- (5) Skills Development Act, 1998 Skills
- (6) Development Levies Act, 1999
- (7) Unemployment Insurance Act, 2001
- (8) Unemployment Insurance Contributions Act, 2002
- (9) Companies Act, 2008
- (10) Employment Equity Act
- (11) Protection of Personal Information Act, 2013
- (12) Labour Relations Act, 1995 and Codes of good practice
- (13) Compensations for Occupational Injuries and Diseases Act

5.2 It is possible that the above list may be incomplete.

6 Subjects and categories of records held by Anova (section 51(1)(b)(iv))

6.1 Companies Act records

- (1) Memorandum of Incorporation and CIPC related incorporation documents
- (2) Records relating to the appointment of directors/ auditor/ secretary/public officer and other officers

6.2 Financial records

- (1) Annual Financial Statements
- (2) Policies and procedures
- (3) Transactional records

6.3 Income tax records

- (1) VAT
- (2) Regional Services
- (3) Development Levies
- (4) UIF
- (5) Workmen's Compensation

6.4 Personnel documents and records

- (1) Employment Equity Plan
- (2) SETA records
- (3) Disciplinary code
- (4) Employee records in employment lifecycle
- (5) Training records and material

6.5 Media, marketing and communication

- (1) Media releases
- (2) Newsletters, brochures, and advertising material

6.6 Secretarial and governance

- (1) Codes of conduct
- (2) Meetings of minutes

- (3) Legal compliance records
 - (4) Policies and procedures
 - (5) Strategic plans
- 6.7 Funder related records
- (1) Funder contracts
 - (2) Funder reporting (monthly, quarterly, annual)
 - (3) Funder audit reports
- 6.8 Third party records
- (1) Vendor registration form
 - (2) Tax clearance
 - (3) Bank confirmation letter
 - (4) CoR39 Company information
 - (5) BBBEE certificate
 - (6) Trade references
 - (7) Company profile
 - (8) Operating license
 - (9) Directors' identity documentation

7 Procedure for request for access to information (section 51(1)(b)(iv))

- 7.1 The requester must complete Form C enclosed herewith as Appendix A and submit this form together with a request fee, to the head of the private body.
- 7.2 The form must be submitted to the head of the private body at his/ her address, fax number, or electronic mail address.
- 7.3 The requester must provide sufficient details to enable Anova to identify:
- (1) the record(s) requested;
 - (2) the requester (and if an agent is lodging the request, proof of capacity);
 - (3) the form of access required;
 - (4) the postal address or fax number of the requester in the Republic;

- (5) if the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof; and
- (6) the right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

8 POPIA - Purpose of processing of information (section 51(1)(c)(i))

8.1 Anova uses personal information under its care in the following ways:

- (1) rendering services according to contractual agreements;
- (2) marketing and advertising;
- (3) administration;
- (4) staff administration;
- (5) keeping accounts and records;
- (6) compliance with tax laws / fulfilling its statutory obligations in terms of applicable legislation; and
- (7) historical record keeping / recording statistics necessary to fulfil the Anova's business objectives.

9 POPIA - Description of the categories of data subjects and information or categories of information (section 51(1)(c)(ii))

9.1 Categories of data subjects:

- (1) suppliers;
- (2) service providers;
- (3) clients;
- (4) directors and officers of Anova;
- (5) job applicants;
- (6) existing and former employees (including contractors, agents and temporary employees);
- (7) visitors to any premises of Anova.

9.2 Nature of the personal information processed in respect of the above data subjects, includes, in relation to:

- (1) natural persons: name, gender, medical information, medical aid details, pregnancy, marital status, race, age, date of birth, language, education information, financial information, employment history, identity number, physical and postal addresses, contact details, next of kin contact details, criminal behaviour, disability, personal opinions, views, views and opinions of another individual about the data subject., performance reviews, employee disciplinary records, leave applications,

- (2) juristic persons / entities: names of contact persons, name of legal entity, physical and postal addresses, contact details, registration number, founding documents, tax related information, authorised signatories and financial information.
- (3) service providers: names of contact persons, name of legal entity, physical and postal addresses, contact details, registration number, founding documents, tax related information, authorised signatories, and financial information.

10 POPIA - Recipients or categories of recipients to whom personal information may be supplied (section 51(1((c)(iii)))

10.1 Anova may supply personal information to the following recipients:

- (1) regulatory, statutory and government bodies;
- (2) service providers;
- (3) professional advisors;
- (4) employees of Anova;
- (5) shareholders and other stakeholders;
- (6) third party verification agencies and credit bureau;
- (7) a potential acquirer of Anova as part of a due diligence process; and
- (8) banks and other financial institutions.

11 POPIA - Planned transborder flows of personal information (section 51(1((c)(iv)))

11.1 Anova does not intend to do any cross-border transfer of personal information.

12 POPIA - Data protection (section 51(1((c)(v)))

12.1 General description of information security measures:

- (1) Anova has established and maintains appropriate, reasonable technical and organisational measures to ensure the integrity of personal information in its care and control, and to ensure that such personal information is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration or access by having regard to the requirements of POPIA.
- (2) Anova utilises up to date technology to ensure the confidentiality, integrity and availability of personal information, measures used include:
 - (a) firewalls;

- (b) virus protection software and update protocols;
- (c) appropriate access control;
- (d) secure setup of hardware and software forming the IT infrastructure.

13 Prescribed fees

- 13.1 A requestor is required to pay the prescribed fees before a request will be processed.
- 13.2 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- 13.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 13.4 The fee structure is available on the website of the South African Human Rights Commission at www.sahrc.org.za, or the website of The Department Of Justice And Constitutional Development (under regulations) at <http://www.doj.gov.za/>

Duly authorised by Head of Organisation


