



RESPONSE BPO SOUTH AFRICA (PTY) LTD

PAIA MANUAL

**PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION
ACT 2 OF 2000 (AS AMENDED)**

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Schedule of fee's payable in respect of private bodies

1. LIST OF ACRONYMS AND ABBREVIATIONS

1.1	“CEO”	Chief Executive Officer
1.2	“The Company”	Response BPO South Africa (Pty) Ltd
1.3	“DIO”	Deputy Information Officer
1.4	“IO”	Information Officer
1.5	“Minister”	Minister of Justice and Correctional Services
1.6	“PAIA”	Promotion of Access to Information Act No. 2 of 2000, as amended
1.7	“Personal Information”	Personal Information as defined in POPIA
1.8	“POPIA”	Protection of Personal Information Act No.4 of 2013, as amended
1.9	“Regulator”	Information Regulator
1.10	“Republic”	Republic of South Africa.

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to:

- 2.1 have a sufficient understanding of how to make a request for access to a record of the Company, by providing a description of the subjects on which the Company holds records and the categories of records held on each subject;
- 2.2 know the description of the records of the Company which are available in accordance with any other legislation;
- 2.3 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 2.4 know the description of the guide on how to use PAIA, as updated by the Regulator, and how to obtain access to it;
- 2.5 know if the Company will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.6 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.8 know if the Company has planned to transfer or process personal information outside the Republic and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.9 know whether the Company has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE COMPANY

3.1 Chief Information Officer

Name: Aveshan Reddy
Tel: +27 (72) 104 0635
Email: Aveshan@response-bpo.com
Fax number: N/A

3.2 Deputy Information Officer

Name: Shiveer Singh
Tel: +27 (81) 459 8785
Email: Shiveer@response-bpo.com
Fax number: N/A

3.3 Access to information general contacts

Email: compliance@response-bpo.com

3.4 National or Head Office

Postal Address: 24 Meridian Drive Umhlanga Ridge Durban Kwa-Zulu Natal 4019
Physical Address: 24 Meridian Drive Umhlanga Ridge Durban Kwa-Zulu Natal 4019
Email: compliance@response-bpo.com
Website: <https://response-bpo.com/>

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

4.1 The Regulator has, in terms of section 10(1) of PAIA 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.

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

4.3 The aforesaid Guide contains the description of:

4.3.1 the objects of PAIA and POPIA;

4.3.2 the postal and street address, phone and fax number and, if available, electronic mail address of:

(a) the Information Officer of every public body, and

- (b) every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
- 4.3.3 the manner and form of a request for:
- (a) access to a record of a public body contemplated in section 11³; and
 - (b) access to a record of a private body contemplated in section 50⁴;
- 4.3.4 the assistance available from a public body in terms of PAIA and POPIA;
- 4.3.5 the assistance available from the Regulator in terms of PAIA and POPIA;
- 4.3.6 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:
- (a) a complaint to the Regulator; and
 - (b) 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;
- 4.3.7 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;
- 4.3.8 the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 4.3.9 the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 4.3.10 the regulations made in terms of section 92¹¹.

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

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 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

4.4 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.

4.5 The Guide can also be obtained:

4.5.1 upon request to the Information Officer;

4.5.2 from the website of the Regulator (<https://info regulator.org.za/>)

5. CATEGORIES OF RECORDS OF THE COMPANY WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

5.1 All publicly available information that can be accessed from the Company without a request can be found on The Company’s website: <https://response-bpo.com/>.

6. DESCRIPTION OF THE RECORDS OF THE COMPANY WHICH MAY BE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

LEGISLATION	COMPANY RECORDS
Basic Conditions of Employment Act 75 of 1977	Employee details
	Leave records
	Dismissal / Disciplinary records
	Disability records
	Trade union membership or affiliation records
	Employee race, sex, religion records
	Employee next of kind / family contact information
	Declarations made by employee to the Company
	Education / training records
	Health and safety records
	Pension / Provident fund records
	Background check records
Broad-based Black Economic Empowerment Act 53 of 2003	BBBEE status and records of status relating to suppliers
	Supplier employee information
	Agreements: service provider, supplier, contractor etc.
	Service provider, supplier, contractor, lists
Companies Act 71 of 2008	Company Memorandum of Incorporation

	Minutes of meetings
	Other Company records
Compensation for Occupational Injuries and Health Diseases Act 130 of 1993	Records of earnings
	Employee particulars
Employment Equity Act 55 of 1998	Plans and targets
Financial Intelligence Centre Act 38 of 2001	Know-Your Client Documentation / Client due diligence records
	Compliance Programme / Policy
Income Tax Act 58 of 1962	Various tax administration forms and records
	Unemployment Insurance Fund records
	Accounting records
	Banking records
	Invoices
Labour Relations Act 66 of 1995	Arbitration awards
	Labour relations reports
	Disciplinary records
Occupational Health & Safety Act 85 of 1993	Occupational health and safety reports and records.
Prevention and Combating of Corrupt Activities Act	Code of conduct
	Reports on corrupt and fraudulent activities
	Supplier codes of ethics
	Tender awards
PAIA	PAIA Manual, guide and forms
POPIA	Privacy Policies
	Data / Document Retention Policies
	Subject Access Request Policy
	Other POPIA / Data Privacy related policies
Regulation of Interception of Communications and Provision of Communication-related Information Act 70 of 2002	Acceptable Use Policy
	Mobile Device Policy
Value Added Tax Act 89 of 1991	Tax invoices
	Bank statements
	Accounting records

7. **DESCRIPTION OF THE SUBJECTS ON WHICH THE COMPANY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE COMPANY**

TYPES OF PERSONAL INFORMATION AND SPECIAL PERSONAL INFORMATION THAT MAY BE COLLECTED BY THE COMPANY	
1.	Name, address, other contact details (such as email and telephone numbers), gender, marital status, date and place of birth, nationality, employer, job title, financial records and employment history, and family details.
2.	Identification numbers issued by government bodies or agencies, such as identity number, passport number, tax identification number and driving licence number and company registration numbers.
3.	Information relevant to the procurement of products and services from the Company's suppliers.
4.	Bank account or payment card details, income or other financial information.
5.	Information provided by clients to the Company in the course of business.
6.	Special or sensitive personal information as defined in applicable data protection legislation, including information about health, racial or ethnic origin, political opinions, religious or philosophical beliefs and trade union membership; genetic and biometric information; information about someone's sex life.
7.	Information provided to the Company for the purposes of attending meetings and events, including dietary requirements which may reveal information about health or religious beliefs.
8.	Still and video images captured by CCTV at the Company's offices.
9.	Identity data, contact data and special personal information from publicly available sources or third parties, service providers and the like who conduct screening on any of the Company's clients or vendors for anti-money laundering purposes, or third parties with whom any member of the Company's hosts events.

8. **PROCESSING OF PERSONAL INFORMATION**

8.1 **Purpose of Processing Personal Information**

The Company needs Personal Information relating to both individual and juristic persons in order to carry out its business and organisational functions. In general, Personal Information is processed for purposes of engaging clients and suppliers, service or product delivery, record management, security, and employment. The table under section 7 is a list of the types of Personal Information collected by the Company. The table under section 8.2 is a list of the categories of data subject that Personal Information may be collected from, and the categories of the records as they relate to the Data Subject.

8.2 **Data Subject and the Corresponding Categories of Personal Information Collected by the Company**

CATEGORIES OF DATA SUBJECT	CATEGORIES OF RECORDS
The Company's Internal Records	<p>Records relating to the Company's shareholders and directors: name, surname, address (including proof of address), other contact details (e.g. email and telephone numbers), gender, registration number, marital status, date and place of birth, nationality, employer and job title.</p> <p>Financial records</p> <p>Operational records</p> <p>Intellectual property</p> <p>Marketing records</p> <p>BBBEE information</p> <p>Internal correspondence</p> <p>Service records</p> <p>Statutory records</p> <p>Internal policies and procedures</p> <p>Minutes of meetings</p> <p>Insurance records</p> <p>Company life assurance and disability income</p> <p>Provident fund records and rules</p> <p>Information technology, including computer software, support and maintenance agreements.</p>
Employee Records	<p>Any personal records provided to the Company by its employees: name, surname, identity number, address (including proof of address), other contact details (e.g. email and telephone numbers), gender, marital status, date and place of birth, nationality, employer and job title.</p> <p>Conditions of employment and other employee-related contractual and quasi-legal records</p> <p>Employment policies and procedures</p> <p>Internal evaluation</p> <p>Disciplinary records</p> <p>Documents required to be collected by law – such as FICA and KYC documents</p>

Client-related Records	Name, surname, identity number, address (including proof of address), other contact details (e.g. email and telephone numbers), gender, marital status, date and place of birth, nationality, employer and job title.
	Contracts with the client and between the client and other persons
	Details of contracts, sales or leases clients enter into with the Company
	Details of transactions carried out with the Company
	Engagement letters
	Files including pleadings, orders, judgments, and the like
	Financial records
	Indemnities and guarantees
	Intellectual Property
	Memoranda and letters
	Minutes of meetings
Records of correspondence or enquiries from clients or anyone acting on clients' behalf	
Third Party Records	Employee, client, or the Company's records which are held by a third party as opposed to being given to the Company directly
	Records held by the Company regarding third parties, including financial records, correspondence, contractual Records, Records provided by the other party, and Records third parties have provided about the contractors or suppliers.

8.3 The recipients or categories of recipients to whom the personal information may be supplied by the Company

Depending on the nature of the required disclosure, the Personal Information listed at 8.2 may be provided to any of the following recipients, in a lawful manner, including (but not limited to):

RECIPIENTS OR CATEGORIES OF RECIPIENTS TO WHOM THE PERSONAL INFORMATION MAY BE SUPPLIED	
1.	Regulatory bodies
2.	Courts
3.	South African Revenue Service
4.	South African Police Service
5.	Third parties requesting access to records in terms of this PAIA Manual

8.4 No Planned transborder flows of personal information

8.4.1 All documents and Personal Information are retained within the Republic of South Africa. Accordingly, there are no planned transborder flows of personal information.

8.5 Information Security Measures implemented by the Company to ensure the confidentiality, integrity and availability of the information

8.5.1 The Company implements the appropriate technical and organisational measures designed to secure all Personal Information, to ensure that it remains confidential, and to prevent any unauthorised processing.

8.5.2 The Company has implemented the following security measures:

- (a) Defined and documented information security policies, procedures and standards.
- (b) Firewalls to control internet traffic.
- (c) Methods to prevent the loss of data, such as server backups.
- (d) Enforced access control methods on company and network devices.
- (e) Data encryption.
- (f) Monitoring and auditing to detect security incidents.
- (g) Implementation of anti-virus / anti-malware software.
- (h) Gap assessments to detect weak points in network systems.
- (i) Physical security measures to limit access to server hardware.
- (j) VPNs for remote access.
- (k) Cyber security awareness programmes and training.

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available:

- 9.1.1 at <https://response-bpo.com/>;
- 9.1.2 the head office of the Company for public inspection during normal business hours;
- 9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee;
and
- 9.1.4 to the Information Regulator upon request.

10. **UPDATING OF THE MANUAL**

The head of the Company and/or Information Officer will on a regular basis update this manual.

11. **REQUEST PROCEDURE**

- 11.1 If you are entitled to make a request for access to certain information under PAIA, the request procedure outlined below must be utilised.
- 11.2 Any request for access to a Record in terms of PAIA must substantially correspond with Form 2 to Government Notice No. R.757 dated 27 August 2021 published under the PAIA Regulations (“**Form 2**”) and should be specific in terms of the record requested.
- 11.3 All request for access to records should be submitted or emailed to the Information Officer. The relevant details are set out in this PAIA Manual.
- 11.4 A request for access to records which does not comply with the formalities as prescribed by PAIA will be returned to the requester and denied.
- 11.5 Proof of identity is required by the requester at the time of submitting Form 2.
- 11.6 The Company is entitled to charge a fee proportionate to the costs incurred by the Company is preparing a response to an access request, as well as preparing the documents. The fees that may be charged are set out in Annexure B to the Regulations under PAIA.¹² Until the fee has been paid, the Company will be entitled to withhold access to the records sought by the requester. Upon receipt of Form 2 – the Information Officer will send the requester the necessary details to attend to payment.
- 11.7 Requests will be processed within 30 (thirty) days, unless the request contains considerations that are of such a nature that an extension of the time limit is needed. Should an extension be required, the requestor will be notified, together with reasons explaining why the extension is necessary.
- 11.8 A decision of the Company in respect of a request is final.

12. **GROUNDS FOR REFUSAL OF A REQUEST**

- 12.1 The Company may refuse a request for various reasons. These include (but are not limited to):

¹² Attached to this PAIA Manual

- 12.1.1 the protection of Personal Information of a third party from unreasonable disclosure;
 - 12.1.2 the protection of commercial information of a third;
 - 12.1.3 if disclosure would result in the breach of a duty of confidence owed to a third party;
 - 12.1.4 if disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person;
 - 12.1.5 if the Record was produced during legal proceedings, unless that legal privilege has been waived;
 - 12.1.6 if the Record contains trade secrets, financial or sensitive information or any information that would put the Company at a disadvantage in negotiations or prejudice it in commercial competition; and/or
 - 12.1.7 if the Record contains information about research being carried out or about to be carried out on behalf of a third party or by the Company.
- 12.2 In terms of Section 70 of PAIA, the Company will be obligated to grant access to a request if:
- 12.2.1 the disclosure of the record would reveal evidence of:
 - (a) a substantial contravention of, or failure to comply with, the law; or
 - (b) imminent and serious public safety or environmental risk; and
 - 12.2.2 the public interest in the disclosure of the record clearly outweighs the harm contemplated in the provision in question.
- 12.3 If the request for access to information affects a Third Party, then such Third Party must first be informed within 21 (twenty-one) days of receipt of the request. The Third Party would then have a further 21 (twenty-one) days to make representations and/or submissions regarding the granting of access to the Record.

Issued by

Aveshan Reddy
Chief Information Officer

ANNEXURE B TO GNR.757 OF 27 AUGUST 2021: REGULATIONS RELATING TO THE PROMOTION OF ACCESS TO INFORMATION, 2021

FEEES IN RESPECT OF PRIVATE BODIES

ITEM	DESCRIPTION	AMOUNT
1.	The request fee payable by every requester	R140.00
2.	Photocopy/printed black & white copy of A4-size page	R2.00 per page or part thereof.
3.	Printed copy of A4-size page	R2.00 per page or part thereof.
4.	For a copy in a computer-readable form on:	
	(iii) Flash drive (to be provided by requestor)	R40.00
	(iv) Compact disc	
	• If provided by requestor	R40.00
	• If provided to the requestor	R60.00
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from Service provider.
6.	Copy of visual images	
7.	Transcription of an audio record, per A4-size page	R24.00
8.	Copy of an audio record on:	
	(v) Flash drive (to be provided by requestor)	R40.00
	(vi) Compact disc	
	• If provided by requestor	R40.00
	• If provided to the requestor	R60.00
9.	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.	R145.00
	To not exceed a total cost of	R435.00
10.	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any.