



PAIA MANUAL

**PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION
ACT 2 OF 2000 (AS AMENDED) AND THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF
2013**

FOR

XCEDE GROUP ENTERPRISE (PTY) LTD

REGISTRATION NUMBER 2017/074970/07

**DATE OF COMPILATION: 22/12/2021
DATE OF REVISION:**

TABLE OF CONTENTS

1. DEFINITIONS AND INTERPRETATION

1.1	“CEO”	Chief Executive Officer
1.2	“DIO”	Deputy Information Officer;
1.3	“IO”	Information Officer;
1.4	“Minister”	Minister of Justice and Correctional Services;
1.5	“PAIA”	Promotion of Access to Information Act No. 2 of 2000(as Amended;
1.6	“POPIA”	Protection of Personal Information Act No.4 of 2013;
1.7	“Regulator”	Information Regulator; and
1.8	“Republic”	Republic of South Africa

2. INTRODUCTION

PAIA sets out the procedure in terms of which requests may be made to public and private bodies for certain information that is held by them. Section 23, 24 and 25 of POPIA set out the procedure in terms of which the right to access, object to or request correction or deletion of Personal Information held by TechStream can be enforced. This manual sets out the manner in which such requests must be made

3. OVERVIEW OF XCEDE GROUP ENTERPRISES

Xcede Group Enterprise forms part of a global recruitment business which provides work-finding services to its clients and work-seekers both locally and abroad. Xcede Group Enterprise has ____ employees and is based at Office Five, The Business Exchange, Three Bridgeway, Bridgeways Precinct, Century City, Cape Town, SA.

4. PURPOSE

4.1. This PAIA Manual is useful for the public to-

- 4.1.1. check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.1.1 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 2.1.2 know the description of the records of the body which are available in accordance with any other legislation;
- 2.1.3 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;
- 2.1.4 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.1.5 know if the body 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;
- 2.1.6 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.1.7 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.1.8 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.1.9 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE XCEDE GROUP ENTERPRISE.

5.1. Chief Information Officer

Name: Tharien Rambalie
Tel: Tharien.Rambalie@xcedegroup.com
Email:
Fax number:

5.2. Deputy Information Officer

Name: Michaela Le Vatte
Tel: Michaela.levatte@xcedegroup.com
Email:
Fax Number:

3.3 Access to information general contacts

Email: info@xcedegroup.com;

3.4 National or Head Office

Postal Address: Office Five, The Business Exchange, Three Bridgeway,
Bridgeways Precinct, Century City, Cape Town, SA

Physical Address: Office Five, The Business Exchange, Three Bridgeway,
Bridgeways Precinct, Century City, Cape Town, SA

Telephone: 087 237 6830

Email: info@xcedegroup.com

Website: www.xcedegroup.com/

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

- 6.1. 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.
- 6.2. The Guide is available in each of the official languages and in braille.
- 6.3. The aforesaid Guide contains the description of-
- 6.3.1. the objects of PAIA and POPIA;
 - 6.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-
 - 6.3.2.1. the Information Officer of every public body, and
 - 6.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
 - 6.3.3. the manner and form of a request for-
 - 6.3.3.1. access to a record of a public body contemplated in section 11³; and
 - 6.3.3.2. access to a record of a private body contemplated in section 50⁴;

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.*

- 6.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 6.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 6.3.6. 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-
 - 6.3.6.1. an internal appeal;
 - 6.3.6.2. a complaint to the Regulator; and
 - 6.3.6.3. 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;
- 6.3.7. 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;
- 6.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 6.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 6.3.10. the regulations made in terms of section 92¹¹.

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 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;

6.4. 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.

6.5. The Guide can also be obtained-

6.5.1. upon request to the Information Officer;

6.5.2. from the website of the Regulator (<https://www.justice.gov.za/infoereg/>).

4.6 A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-

4.6.1 (SPECIFY THE TWO OFFICIAL LANGUAGES)

7. CATEGORIES OF RECORDS OF XCEDE GROUP ENTERPRISE WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Records available on the Xcede Group Website (www.xcedegroup.com) and public documents are freely available and do not require a formal request in terms of PAIA.

6. RECORDS HELD BY XCEDE GROUP ENTERPRISE IN ACCORDANCE WITH LEGISLATION

Xcede Group Enterprise retains records in accordance with the following legislation:

- 1.1. Companies Act 70 of 2008;
- 1.2. Income Tax Act 58 of 1962;
- 1.3. Labour Relations Act 66 of 1995;
- 1.4. Employment Equity Act 55 of 1998;
- 1.5. Basic Conditions of Employment Act 75 of 1997;

(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."

- 1.6. Compensation for Occupational Injuries and Diseases Act 130 of 1993;
- 1.7. Unemployment Insurance Act 63 of 2001;
- 1.8. Skills Development Act 9 of 1999;
- 1.9. Protection of Personal Information Act 4 of 2013.
- 1.10. Value Added Tax Act 89 of 1991
- 1.11. Occupational Health and Safety Act 85 of 1993
- 1.12. Promotion of Access to Information Act 2 of 2000

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY XCEDE GROUP ENTERPRISE.

Subjects on which the body holds records	Categories of records
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Annual Performance Plan.
Human Resources	<ul style="list-style-type: none"> - HR policies and procedures - Advertised posts - Employees records
Finance	<ul style="list-style-type: none"> - Tax Records - Financial Statements
Company records	<ul style="list-style-type: none"> - Company Registration documents

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

We collect Personal Data for the purpose of providing our Clients with recruitment services. We will collect both personal data (such as names and contact details) and, in some cases, Special Category Personal Data (such as information about health or disability which is needed for the purpose of making reasonable adjustments during the recruitment process or to find out whether

DATE OF COMPILATION: 22/12/2021

DATE OF REVISION:

a candidate would be able to undertake a function which is intrinsic to the job). Depending on the relevant circumstances and applicable local laws and requirements, we may collect:

- 8.1.1 • CVs and Application forms.
- 8.1.2 • Personal details such as name, date of birth and contact information and next of kin details and national insurance number.
- 8.1.3 • Visa details and copies of passports.
- 8.1.4 • Bank account details.
- 8.1.5 • Details of job role and salary including data held on staff organisation charts.
- 8.1.6 • Pension information.
- 8.1.7 • Records concerning appraisal and training.
- 8.1.8 • Sickness and other absence details.
- 8.1.9 • Contracts or terms and conditions of employment.
- 8.1.10 • Correspondence between you and Techstream Group
- 8.1.11 • Correspondence, such as references, between Xcede Group Enterprise and third parties in relation to your Employment.
- 8.1.12 • Visual images, for example if CCTV images are used as part of building security
- 8.1.13 • Records of grievances.
- 8.1.14 • Investigations into breaches of terms and conditions of employment.
- 8.1.15 • Records of disciplinary proceedings.
- 8.1.16 • Health and safety records (including accident reports).
- 8.1.17 • In some departments, workload and work allocation.
- 8.1.18 • Where appropriate, audio and/or video recordings of lectures, presentations and workshops and team incentives.
- 8.1.19 In some jurisdictions, we are restricted from processing some of the data outlined above. In such circumstances, we will not process the data in those jurisdictions.

8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	name, address, registration numbers or identity numbers, employment status and bank details
Service Providers	names, registration number, vat numbers, address, trade secrets and bank details
Employees	address, qualifications, gender and race

Categories of Data Subjects	Personal Information that may be processed
Applicants	Name, address, qualifications, gender, work history, and race

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

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus
	Service Providers.
	sharing data with prospective employers and other third parties
	Internally TechStream Group

8.4 Planned transborder flows of personal information

In order to provide our services, we may need to send your Personal Data outside of South Africa. For example, although part of the Xcede Group Enterprise is based only in South Africa, other divisions of the Xcede Group Enterprise have offices in the United Kingdom and Europe (Spain & Germany) and in Asia and North America. It may therefore be necessary to transfer your Personal Data to our other offices outside the UK and/or the EEA. Also, it may be necessary to send your Personal Data outside of South Africa in order to share it with third parties, such as, your prospective employer.

If we are obligated to transfer your Personal Data to a third party based on a legal obligation or in order to comply with applicable laws and governmental bodies, we will only do so in

accordance with those laws. This may include for example, defending or pursuing legal claims, investigating fraud and co-operating with criminal investigations, such as complying with a subpoena, or similar legal process, or with the data protection supervisory authority.

8.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

In order to protect Personal Data, we have implemented appropriate organisational and technical security measures. These measures include ensuring our internal IT systems are suitably secure and implementing procedures to deal with any suspected data breach.

In the unlikely event of a data breach, we will take steps to mitigate any loss or destruction of data and, if required, will notify you and any relevant supervisory authority of such a breach.

Although we use appropriate security measures once we have received your Personal Data, you will appreciate that the transmission of data over the internet (including by email) is never completely secure. We endeavour to protect Personal Data, but we cannot guarantee the security of data transmitted to or by us.

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

9.1.1 on www.xcedegroup.com

9.1.2 head office of Xcede Group Enterprise 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

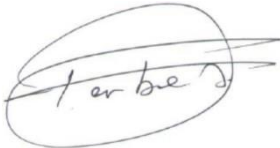
9.1.4 to the Information Regulator upon request.

9.2 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.

10. UPDATING OF THE MANUAL

The head of Xcede Group Enterprise will on a regular basis update this manual.

Issued by

A handwritten signature in black ink, appearing to read 'Forbes', is enclosed within a hand-drawn oval. Two horizontal lines extend from the right side of the oval.

Ryan Gavin Forbes

Regional Managing Director