ACCESS TO INFORMATION MANUAL OF VALENTURE INSTITUTE

Overview	
Purpose	Valenture Institute is a global group with a South African branch. This Manual has been prepared in compliance with South African legal requirements, specifically, the Promotion of Access to Information Act 4 of 2000 (**PAIA**) read with the Protection of Personal Information Act 4 of 2013 (**POPIA**) as amended.
Custodian	Information Officer
Approval Authority	Exco
Version History	Version 1, Approved January 2022

Overview	**1**
Introduction	**3**
Definitions	**3**
Contact Details	**3**
Section 10 Guide: how to use PAIA	**4**
Records available in terms of other legislation	**4**
Subjects and categories of information held by Valenture Institute	**5**
Processing of personal information	**6**
Request Process	**6**
Grounds for refusal	**7**
Remedies should a request be refused	**8**
Fees	**8**
Annexure A: request for a copy of the guide	**10**
Annexure B: request for access to record	**11**

1. Introduction

1.1. Valenture Institute (**VI**) partners with the world's leading educational institutions to evolve what it means to 'go' to school, by transforming physical limitations into digital possibilities. Our mission is to create new opportunities for students to choose an aspirational online learning experience by offering fully-supported online high school programmes and pre-college certificates.

1.2. For the purpose of POPI and PAIA, VI is defined as a private body.

1.3. In accordance with VI's obligations in terms of POPI and PAIA, VI has produced this Manual which sets out all information required by both sets of legislation.

1.4. Amendments may be made to this Manual from time to time, provided that if VI does so, it will ensure that such changes are carried out subject to and published in accordance with the requirements of PAIA and POPIA.

2. Definitions

For the purposes of this Manual:

2.1. **Conditions for Lawful Processing** means the conditions for the lawful processing of Personal Information as fully set out in chapter 3 of POPIA;

2.2. **Data Subject** means the person to whom personal information relates;

2.3. **PAIA** means the Promotion of Access to Information Act 2 of 2000, as amended from time to time including the regulations promulgated in terms of the Act; and

2.4. **POPIA** means the Protection of Personal Information Act 4 of 2013, as amended from time to time including the regulations promulgated in terms of the Act.

Any other terms not defined herein will have the meaning as ascribed to it in terms of PAIA or POPI.

3. Contact Details

VI has delegated the responsibility for the administration of PAIA and POPIA to the Information Officer to whom requests for access to information must be made, as follows:

Valenture Institute

Physical and Postal address:	4 Wandel Street, Gardens, Cape Town, 8001
Tel:	+27 21 207 3894
Website:	https://www.valentureinstitute.com/

Information Officer

Mr. Robert Paddock

Email: privacy@valentureinstitute.com

4. Section 10 Guide: how to use PAIA

4.1. The Information Regulator has, in terms of section 10 of PAIA, made available an explanatory guide that contains information required by an individual who may wish to exercise their rights in terms of PAIA or POPIA.

4.2. The guide has been made available by the Information Regulator in all official languages at the following website: https://www.justice.gov.za/inforeg/docs.html.

4.3. You may also request a copy of the guide from the Information Regulator at the following details:

Information Regulator

Physical Address:	JD House, 27 Stiemens Street, Johannesburg, 2001
Postal Address:	P.O. Box 31533, Braamfontein, Johannesburg, 2017
Telephone:	(010) 023 5200
Website:	www.justice.gov.za/inforeg
Email (general enquiries)l:	inforeg@justice.gov.za
Email (complaints):	complaints.IR@justice.gov.za

4.4. You may further request a copy from the Information Officer by submitting **Annexure A**.

5. Records available in terms of other legislation

5.1. Records maintained by VI in terms of other legislation include but are not limited to:

5.1.1. Basic Conditions of Employment Act, No. 75 of 1997;
5.1.2. Companies Act, No. 71 of 2008;
5.1.3. Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993;
5.1.4. Electronic Communication and Transactions Act, No. 25 of 2002;
5.1.5. Employment Equity Act, No. 55 of 1998;
5.1.6. Financial Intelligence Centre Act, No. 38 of 2001;
5.1.7. Income Tax Act, No. 58 of 1962;
5.1.8. Intellectual Property Laws Amendment Act No.38 of 1997;
5.1.9. Labour Relations Act, No. 66 of 1995;
5.1.10. Occupational Health and Safety Act No. 85 of 1993;
5.1.11. Promotion of Access to Information Act 2 of 2000;
5.1.12. Protection of Personal Information Act 4 of 2013;
5.1.13. Skills Development Levies Act, No. 9 of 1999;
5.1.14. South African Schools Act 84 of 1996;
5.1.15. Unemployment Insurance Act, No. 63 of 2001; and
5.1.16. Value Added Tax Act, No. 89 of 1991.

6. Subjects and categories of information held by Valenture Institute

6.1. The inclusion of any subject or category of records should not be taken as an indication that such records will be made available under PAIA. In particular, certain grounds of refusal set out in PAIA and any other applicable legislation may be applicable to a request for such records.

6.2. The subjects and categories of records held by VI are as follows:

6.2.1. **Products and/or Services:**
- All products and/or services are available freely on VI's website

6.2.2. **Human Resources:**
- Relevant information relating to employees of VI

6.2.3. **Legal:**
- Material contracts

6.2.4. **Company Secretarial:**
- Company secretarial records as required by legislation

6.2.5. **Financial:**
- Accounting records
- Other financial records of VI

6.2.6. **Learners/Students:**
- Relevant information relating to learners/students/ customers of VI

6.2.7. **Intellectual Property:**
- Records relating to Intellectual Property of VI

6.2.8. **Marketing:**
- Published Marketing material

7. Processing of personal information

7.1. We process personal information in accordance with our privacy policy which is available on our website.

8. Request Process

8.1. An individual who wishes to place a request must comply with all the procedures laid down in PAIA.

8.2. The requester must complete **Annexure B**, which is attached hereto, and submit it to the Information Officer at the details specified above.

8.3. The prescribed form must be submitted as well as payment of a request fee and a deposit, if applicable to the information officer at physical or electronic email address.

8.4. The prescribed form must be completed with enough particularity to enable the information officer to determine:

8.4.1. The record(s) requested;

8.4.2. The identity of the requestor;

8.4.3. What form of access is required; and

8.4.4. The contact details of the requestor.

8.5. The requestor must state that the records are required for the requestor to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. An explanation of why the records requested is required to exercise or protect the right.

8.6. The request for access will be dealt with within 30 days from the date of receipt unless the requestor has set out special grounds that satisfy the Information Officer that the request be dealt with sooner.

8.7. The period of 30 days may be extended by not more than 30 additional days, if the request is for a large quantity of information, or the request requires a search for information held at another office of the Company and the information cannot be reasonably obtained within 30 days. The information officer will notify the requestor in writing should an extension be necessary.

8.8. The requestor will be informed in writing whether access to the records have been granted or denied. If the requestor requires a reason for the decision the request must be expressed in the prescribed form, the requestor must further state what particulars of the reasoning the requestor requires.

8.9. If a requester has requested the records on another individual's behalf, the requestor must submit proof of the capacity the requestor submits the request in, to the satisfaction of the information officer.

8.10. Should the requestor have any difficulty with the form or the process laid out herein, the requestor should contact the Information Officer for assistance.

8.11. An oral request can be made to the Information Officer should the requestor be unable to complete the form due to illiteracy or a disability. The Information Officer will complete the form on behalf of the requestor and provide a copy of the form to the request.

9. Grounds for refusal

9.1. The following are grounds upon which the Company may, subject to the exceptions in Chapter 4 of PAIA, refuse a request for access in accordance with Chapter 4 of PAIA:

9.1.1. Mandatory protection of the privacy of a third party who is a natural person, including a deceased person, where such disclosure of Personal Information would be unreasonable.

9.1.2. Mandatory protection of the commercial information of a third party, if the Records contain:

- Trade secrets of that third party;
- Financial, commercial, scientific or technical information of the third party, the disclosure of which could likely cause harm to the financial or commercial interests of that third party; and/or
- Information disclosed in confidence by a third party to The Company, the disclosure of which could put that third party at a disadvantage in contractual or other negotiations or prejudice the third party in commercial competition;

9.1.3. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;

9.1.4. Mandatory protection of the safety of individuals and the protection of property;
9.1.5. Mandatory protection of Records that would be regarded as privileged in legal proceedings;
9.1.6. Protection of the commercial information of the Company, which may include:
9.1.7. Trade secrets;
9.1.8. Financial/commercial, scientific, or technical information, the disclosure of which could likely cause harm to the financial or commercial interests of the Company;
9.1.9. Information which, if disclosed, could put the Company at a disadvantage in contractual or other negotiations or prejudice the Company in commercial competition; and/or
9.1.10. Computer programs that are owned by the Company, and which are protected by copyright and intellectual property laws.

9.2. Research information of the Company or a third party, if such disclosure would place the research or the researcher at a serious disadvantage.
9.3. Requests for Records that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources.

10. Remedies should a request be refused

10.1. VI does not have an internal appeal procedure in light of a denial of a request, decisions made by the information officer are final.
10.2. The requestor may, in accordance with sections 56(3) (c) and 78 of PAIA, apply to a court for relief within 180 days of notification of the decision for appropriate relief.

11. Fees

11.1. The following fees shall be payable upon request by a requestor:

Request fee (payable on every request)	**R140.00**
Photocopy of an A4 page or part thereof	**R2.00**
Printed copy of an A4 page or part thereof	**R2.00**
Hard copy on a flash drive (flash drive to be provided by the requestor)	**R40.00**
Transcription of visual images per A4 page	**As per**

	quotation of service provider
Copy of visual images	**As per quotation of service provider**
Transcription of an audio record per A4 page	**R24.00**
Copy of an audio record on flash drive (flash drive to be provided by requestor)	**R40.00**
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 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 (cannot exceed total cost)	**R435.00**
Postage, email or any other electronic transfer	**Actual expense if any**

Annexure A: request for a copy of the guide

TO: The Information Officer

I,

Full names:				
In my capacity as (mark with "x"):	Information officer		Other	
Name of *public/private body *(if applicable)*				
Postal Address:				
Street Address:				
E-mail Address:				
Facsimile:				
Contact numbers:	Tel:		Cellular:	

Hereby request the following copy/copies of the Guide:

	Language *(mark with "X")*	No of copies		Language*(mark with "X")*	No of copies
	Sepedi			Sesotho	
	Setswana			siSwati	
	Tshivenda			Xitsonga	
	Afrikaans			English	
	isiNdebele			isiXhosa	
	isiZulu				

Manner of collection *(mark with "x"):*

Personal collection	Postal address	Facsimile	Electronic Communication (please specify)

Signed at ..... this ..... day of .....20……..

.....
Signature of the data subject/ designated person

Annexure B: request for access to record

Note: Proof of identity must be attached by the requester. If requests are made on behalf of another person, proof of such authorisation must be attached to this form.

Mark the appropriate box with an "x".

The request is made:

☐ In my own name

☐ On behalf of another person

PERSONAL INFORMATION				
Full names:				
Identity number:				
Capacity in which request is made (*when made on behalf of another person*):				
Postal Address:				
Street Address:				
E-mail Address:				
Contact numbers:	Tel:		Facsimile:	
	Cellular:			
Full names of the person on whose behalf request is made (*if applicable*):				
Identity number:				
Postal Address:				
Street Address:				
E-mail Address:				

Contact numbers:	Tel. (B):		Facsimile	
	Cellular:			

PARTICULARS OF RECORD REQUESTED

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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)

Description of record or relevant part of the record:	
Reference number, if available:	
Any further particulars of record:	

TYPE OF RECORD (*Mark the applicable box with an "X"*)	
Record is in written or printed form	
Record comprises virtual images (*this includes photographs, slides, video recordings, computer-generated images, sketches, etc*)	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	
FORM OF ACCESS (*Mark the applicable box with an "X"*)	
Printed copy of record (*including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form*)	
Written or printed transcription of virtual images (*this includes photographs, slides, video recordings, computer-generated images, sketches, etc*)	
Transcription of soundtrack (*written or printed document*)	
Copy of record on flash drive (*including virtual images and soundtracks*)	
Copy of record on compact disc drive (*including virtual images and soundtracks*)	
Copy of record saved on cloud storage server	
MANNER OF ACCESS (*Mark the applicable box with an "X"*)	
Personal inspection of record at the registered address of public/private body (*including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form*)	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (*including transcriptions*)	
E-mail of information (*including soundtracks if possible*)	

Cloud share/file transfer	
Preferred language: (*Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available*)	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.

Indicate which right is to be exercised or protected:	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES

a) *A request fee must be paid before the request will be considered.*
b) *You will be notified of the amount of the access fee to be paid.*
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:	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:		
Postal address	Facsimile	Electronic communication (*Please specify*)

Signed at ..... this ..... day of ..... 20 .....

.....

Signature of requester / person on whose behalf request is made

FOR OFFICIAL USE	
Reference number:	
Request received by: (*state rank, name and surname of information officer*)	
Date received:	
Access fees:	
Deposit (if any):	

.....

Signature of information officer