social development

Department:
Social Development
REPUBLIC OF SOUTH AFRICA

PAIA MANUAL

Prepared in terms of

section 14 of the Promotion of Access to Information Act 2 of 2000 (as amended)

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LIST OF ACRONYMS AND ABBREVIATIONS

PAIA	Promotion of Access to Information Act No. 02 of 2000(as Amended;
PFMA	Public Finance Management Act No.1 of 1999 as Amended;
POPIA	Protection of Personal Information Act No.4 of 2013;
ICT	Information Communication Technology
HIV & AIDS	Human Immunodeficiency Virus & Acquired Immune Deficiency Syndrome
NGOs	Non Government Organisations
CBOs	Community Based organisations
FBOs	Faith Based Organisations

1. PURPOSE OF PAIA MANUAL

1.1 This PAIA Manual is useful for the public to-

a) check the nature of the records which may already be available at the Department of Social Development, without the need for submitting a formal PAIA request;
b) have an understanding of how to make a request for access to a record of the Department of Social Development;
c) access all the relevant contact details of the persons who will assist the public with the records they intend to access;
d) know all the remedies available from the Department of Social Development regarding request for access to the records, before approaching the Regulator or the Courts;
e) the description of the services available to members of the public from the Department of Social Development, and how to gain access to those services;
f) a description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
g) 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;
h) know if the Department of Social Development 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
i) know whether the Department of Social Development has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

2. ESTABLISHMENT OF THE DEPARTMENT OF SOCIAL DEVELOPMENT

2.1 Objectives/Mandate

The Department of Social Development derives its core mandate from the Constitution of the Republic of South Africa:

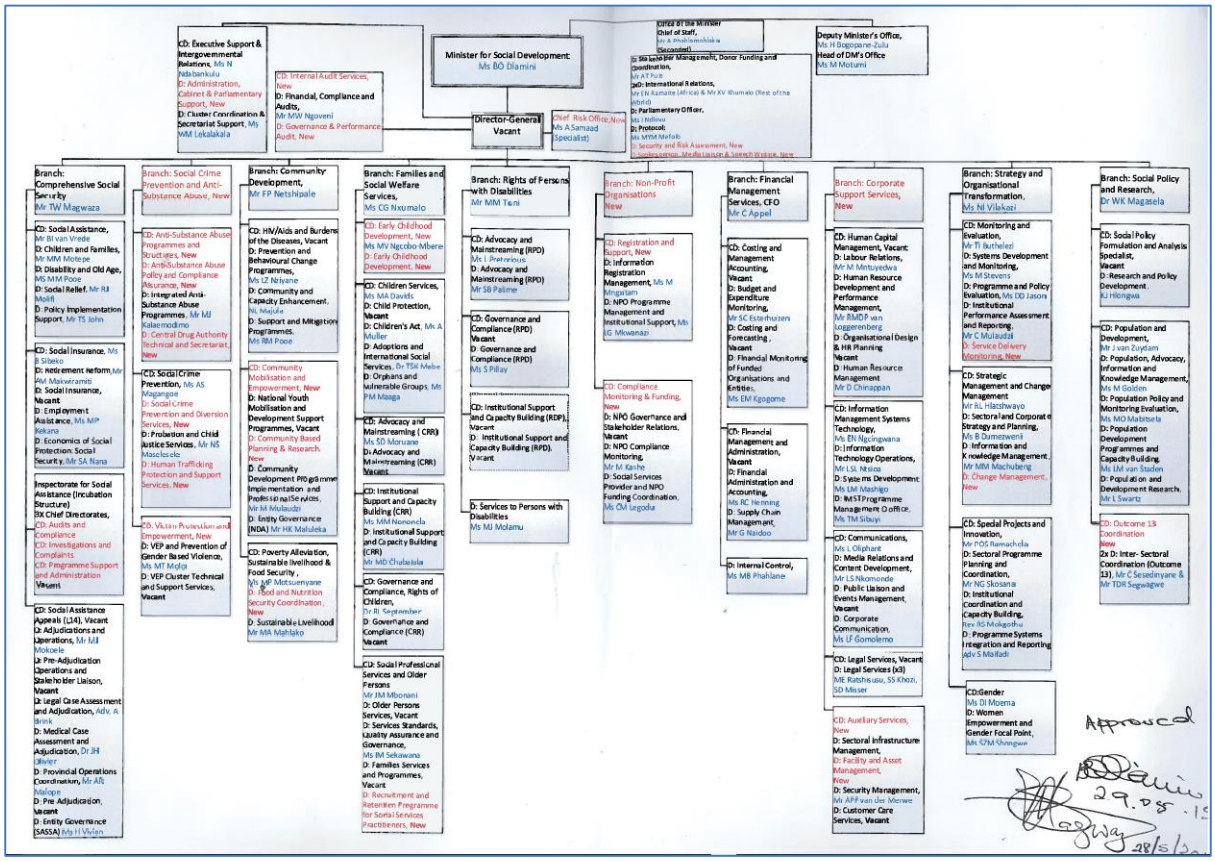
- Section 27 (1)(c) of the Constitution of the Republic of South Africa, 1996, provides for the right of access to appropriate social assistance to those unable support themselves and their dependants.
- In addition, Section 28(1) of the Constitution of the Republic of South Africa sets out the rights of children with regard to appropriate care (basic nutrition, shelter, health care services and social services) and detention.

The following existing laws or parts thereof constitute the legislative mandate of the Department of Social Development:

- Children's Act, 2005 (Act No. 38 of 2005)
- Older Persons Act, 2006 (Act No.2006)
- Social Service Professions Act, 1978 (Act No. 1978)
- Domestic Violence Act, 1998 (Act no. of 1998)
- Prevention and Treatment of Substance Abuse Act, 2008 (Act No. 70 of 2008)
- Non-Profit Organizations Act, 1997 (Act no. of 1997)
- Social Assistance Act, 2004 (Act no. 13 of 2004)
- South African Social Security Agency Act, 2004 (Act No. 09 of 2004)
- National Development Agency Act, 1998 (Act No. of 1998)

3. STRUCTURE OF THE DEPARTMENT OF SOCIAL DEVELOPMENT AND FUNCTIONS

3.1 Structure



3.2 Functions

The Department of Social Development perform the following functions:

- Management and oversight over social security, encompassing social assistance and social insurance policies that aim to prevent and alleviate poverty in the event of life cycle risks such as loss of income due to unemployment, disability, old age or death occurring.
- Developmental social welfare services that provide support to reduce poverty, vulnerability and the impact of HIV and AIDS through sustainable development programmes in partnership with implementing agents such as State-funded institutions, Non-Governmental Organisations (NGOs), Community-Based Organisations (CBOs) and Faith-Based Organisations (FBOs).

4. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE DEPARTMENT OF SOCIAL DEVELOPMENT

Information Officer

Name:	Mr Peter Netshipale
Tel:	012 312 7647
Email:	PeterN@dsd.gov.za

Deputy Information Officer

Name:	Mr Michael Machubeng
Tel:	012 312 7839
Email:	MichaelM@dsd.gov.za

Access to information general contacts

Email: PAIA@dsd.gov.za
POPIA@dsd.gov.za

National

Postal Address:	Private Bag X901 Pretoria 0001
Physical Address:	HSRC Building 134 Pretorius Street Pretoria 0001
Telephone:	012 312 7500
Email:	PAIA@dsd.gov.za
Website:	www.dsd.gov.za

5. DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY THE DEPARTMENT OF SOCIAL DEVELOPMENT

5.1 Internal appeal

a) The requester may lodge an internal appeal against a decision of the Information Officer/Deputy Information Officer on the following grounds:
   (i) Refusal to grant access to the records;
   (ii) Failure to disclose records;

b) The requester may lodge an internal appeal in terms of section 74 of PAIA with the relevant authority (Minister of Social Development).

c) In order to appeal against any decision(s) made by the Information Officer or Deputy Information Officer, referred to in paragraph (a) above, a requester must lodge an internal appeal by completing Form 4. The Form 4, attached hereto, must be submitted to the same Information Officer or Deputy Information Officer that made the original decision, who is then required to forward it to the relevant authority (Minister of Social Development) within ten 10 working days after receipt of an internal appeal.

d) There are remedies available in respect of an act or failure to act by the Department of Social Development in accordance with the provisions of various legislations and or policies.

e) If a client is aggrieved by the decision made by SASSA in relation to his or her grant application or grant review for Older Persons, Disability, Care Dependency, War Veterans, Child Support, Foster Child Grant and Grant in Aid and Social relief of Distress such person may lodge an appeal, within a period of 90 days from the date of SASSA's decision, with the Independent Tribunal for Social Assistance Appeals by submitting an Appeal Form together with the relevant documentation directly to the Independent Tribunal for Social Assistance through the nearest SASSA offices or through email Grantappeals@dsd.gov.za. Any other appeal can be directly addressed to Complaints@dsd.gov.za.

5.2 Period within which to lodge an appeal

a) An internal appeal form must be delivered or sent to the Information Officer or Deputy Information Officer's address, the contact details of which can be found in page 6 within 60 days after the decision was taken; and within 30 days after notice is given to the third party of the decision appealed against.
b) The appeal must be submitted to the Information Officer who must in terms of PAIA, forward it to the Minister of Social Development, within ten (10) working days, together with his or her reasons for the decision concerned and the name, postal address, phone number and electronic mail address, whichever is available, of any third party that must be notified of the request, in terms of section 47(c) 1) of PAIA.
c) The appeal must be delivered or sent to any of the contact information listed in page six (6).
d) The Minister of Social Development may, upon good cause shown, allow the late lodging of the internal appeal. If the Minister of Social Development is not satisfied with the reasons advanced for the late lodging of the appeal, the request will be disallowed on written notice to the person that lodged the internal appeal.
e) The Minister of Social Development must process and decide on the internal appeal within thirty (30) days from the date in which the internal appeal was received by the Information Officer or Deputy Information Officer.

5.3 Process for complaining to the Information Regulator or any regulatory body

A requester or third party may submit a complaint to the Information Regulator after that requester or third party has exhausted the internal appeal procedure against a decision of the Information Officer or Deputy Information Officer.

a) The Information Regulator may reject the complaint if an appeal process to the relevant authority (The Minister of Social Development) has not been completed.
b) A compliant to the Information Regulator by a requester or third party must be lodged within 180 days of receipt of the decision from the body.
c) A requester may lodge a complaint with the Information Regulator, if not happy with the outcome of the internal appeal from the relevant authority (The Minister of Social Development) which can either be as follows:
    (i) A decision of the relevant authority (The Minister of Social Development) to disallow the late lodging of an internal appeal

(ii) A decision of the Information Officer to refuse a request for access; or

(iii) Extend the period to deal with request; or grant access in a particular form

d) A third party may lodge a complaint with the Information Regulator, if not happy with the outcome of an internal appeal to the relevant authority (The Minister of Social Development) which can either be as follows:

(i) A decision of the Information Officer or Deputy Information Officer to grant a request for access

5.4 How does one complain to the Information Regulator

a) The compliant to the Information Regulator must be made in writing and a complaint form must be completed, either manually or online. A complaint form, Form 5, can be downloaded from the Information Regulator's website, https://www.justice.gov.za/inforeg/

5.5 Process for approaching the court with jurisdiction for appropriate relief

The decision made by relevant authority (The Minister of Social Development) pertaining to any of the decisions the requester or third party is aggrieved by, is final and the requester or third party may, by way of an application, within 180 days apply to a court for appropriate relief in terms of section 82.

a) An application to Court under PAIA is done through civil proceedings and should be used as a last resort.

b) Cases for access to information can be heard before the Magistrate's Courts, as a court of first instance and the high Court having jurisdiction.

c) Failure to bring the application within a period of 180 days may be condoned by the Court if one shows that the interests of justice so require. This means that the court may accept the late application if the issue to be adjudicated is found to be in the interests of justice.

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, 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.

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 PAIA and section 56 of POPIA;

The manner and form of a request for access to a record of a public body contemplated in section 11; and

Access to a record of a private body contemplated in section 50;

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 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

The provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

The notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and the regulations made in terms of section 92. Members of the public can inspect or make copies of the Guide from the offices

of the public or 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/).

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD BY THE DEPARTMENT OF SOCIAL DEVELOPMENT

a) The records held by the Department of Social Development are generated through each branch and also through the decisions taken by various committees.

b) Each branch of the Department of Social Development generates substantive records which relate specifically to the outputs of the branch and operational records in the course of the Department of Social Development operations.

c) The categories of records generated in the Department of Social Development are classified in the manner listed below:

   i) According to the file plan for correspondence, files on strategic support, core functions, case files and operational processes of the Department of Social Development.

   ii) The Records Control Schedule for other records including publications and audio-visual records and the electronic information systems of the Department of Social Development.

f) Certain records of the Department of Social Development are acquired in the course of work of the Department of Social Development and in certain instances records are received from individuals and public bodies in accordance with legislative and policy mandates.

g) The Department of Social Development reserves the right to transfer requests for records to relevant bodies where these bodies were the primary holders or generators of the information requested, or where the Department of Social Development no longer has possession of such record.

h) The Department of Social Development reserves the right to create new categories of records where this is necessary.

i) This Manual will be updated to reflect changes in categories of records accordingly.

7.1 Description of the subject on which the Department of Social Development holds records and the categories of records held on each subject.

a) The Department of Social Development holds the following records, which are available from the Department of Social Development and may be requested by way of the PAIA request process. Such records usually do not have information which can reasonably be said to be of a confidential nature.

b) Most records which fall into this category of information are available from the Registry of the Department of Social Development at its Head Office or on the Department of Social Development's website: https://www.dsd.gov.za.

c) Below is the list of records and information that may be formally requested in terms of PAIA or downloaded from the above mentioned website of the Department of Social Development.

Subjects	**Categories of records**	**Request for access**	**Download from website**
Strategic documents, plans, proposals	Strategic plan Annual Performance Plan Annual reports	X	X
Monitoring and Evaluation	Evaluation Reports	X	X
Human Resources	Human Resources policies and procedures Employees records Performance Development Advertised posts Employment Equity Plan and Statistics	X	

Subjects	Categories of records	Request for access	Download from website
Operational Policies, Procedures, Frameworks, Plans	Protocol Agreements Supply Chain Management Tender and Contracts Donations Funds Suppliers Risk Management Audits Reports Information Technology Finance Management Human Resources Marketing and Branding	X	
Legal, Policy, Research	Legal Opinions	X	
Corporate Governance	Memorandum of Understanding Policies and procedures Occupational Health and Safety Plan Executive Committee Management Committee Loss Control Committee	X	
Manual and Guide	Information Regulator's Manual and Guide on How to use PAIA	X	X
Publicity and Marketing Material	Publications Investigations Assessment Reports Frequently Asked Questions	X	

Subjects	Categories of records	Request for access	Download from website
Information Technology	Incidents and Service Requests Asset Issuing and Custodian Information System Event Logs System Performance Logs Systems Maintenance Check Lists Monthly Operations Reports Service Level Agreements ICT Policies and Procedure Manuals Network Maintenance System Development Lifecycle documents	X	
Publications	Booklets, Books, Periodicals, Journals, Reports, Newsletters, Bulletins, DSD Magazine, E-Publications	X	X
Media	Press Release, Radio and TV Interviews, Statements, Official Speeches, Gifts and Awards, Website Content and Corporate Identity and Infographs	X	X
Events, functions, seminars and conferences	Presentations, discussions, documents, reports	X	X
Registers	Internal directories	X	

Subjects	Categories of records	Request for access	Download from website
	File plan Records control schedule Internal registers Register of Donations Received		
Reports/minutes/decisions	Memos and submissions, minutes	X	
Supply chain matters	Bid Documents, contracts, purchase orders, quotations, Tenders, terms of reference and lease agreements, list of applicants for tenders, lists of tenders awarded	X	
Investigation and compliance	Subpoena based hearings, summons, enforcement notices, information notices, Hr Interventions, Public Hearings, Plenary Reports and Investigation Report.	X	
Finances	Financial accounting, financial reporting, contracts and tender administration, Asset Management, Asset Register, Management Accounting, Estimates, Statements, Budgets, Reports, Audit records,	X	

Subjects	Categories of records	Request for access	Download from website
	revenue statements, reports and returns Framework for Conditional Grant.		
Audio visual recording	Slides, Photographs, Films, Videos	X	

7.2 Categories of records that may be subject to the grounds for refusal of access to records

a) The records listed in the categories below may be formally requested, but access to parts of these records or the whole record may be refused on legal grounds listed in section 33 to 46 of PAIA.

b) The Department of Social Development further reserves the right to refuse access to records where the processing of the record will result in a substantial and unreasonable diversion of its resources.

c) Access will also be refused where requests are clearly frivolous and or vexatious.

d) However, the Information Officer or Deputy Information Officer of the Department of Social Development may grant a request for access to a record of the Department of Social Development, if:

   i. The disclosure of the record would reveal evidence of a substantial contravention of, or failure to comply with the law; and

   ii. The public interest in the disclosure of the record clearly outweighs the harm contemplated in any of the grounds for refusal of access to records.

Category of record	On Request Form only
Security related information	X
Records held by Legal Services	X
Executive Management Internal Confidential Correspondence	X

Category of record	On Request Form only
Research output conducted by the Department of Social Development	X
Confidential Client Information	X
Privileged information produced in the course of investigations, information related to national security, third party information	X
Human Resource Personnel Information, including, but not limited to files relating to disciplinary process and records, personal information in general	X
Asset disclosure and asset protection procedures	X
Service level agreements	X
Tender documents	X
Agendas, minutes of meetings and reports	X
Reports, policies and discussions documents	X
Research papers and legal opinions	X
Invoices and proof of payment	X
Forensic reports	X

8. CATEGORIES OF RECORDS OF THE DEPARTMENT OF SOCIAL DEVELOPMENT WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Legislations	Children's Act, 2005 (Act No. 38 of 2005) Older Persons Act, 2006 (Act No.2006) Social Service Professions Act, 1978 (Act No. 1978) Domestic Violence Act, 1998 (Act no. of 1998) Prevention and Treatment of Substance Abuse Act, 2008 (Act No. 70 of 2008) Prevention and Treatment of Drug Dependency Act, 1992 (Act No. of 1992) Social Assistance Act, 2004 (Act no. of 2004) Non-Profit Organisations Act, 1997 (Act no. of 1997) National Development Agency Act, 1998 (Act No. of 1998) Promotion of Access to Information Act, 2000 (Act no. 02 of 2000) National Archives and Records Service of South Africa Act, 1996 (Act no. 43 of 1996 as amended) Protection of Personal Information Act, 2013 (Act no. 04 of 2013)	X

	Promotion of Administrative Justice Act, 2000 (Act, no. 03 of 2000) Public Finance Management Act, 1999 (Act no. 1 of 1999) 3.7. Electronic Communication and Transaction Act, 2002 Act no. 25 of 2002) Basic Conditions of Employment Act, 1997 (Act no. 75 of 1997) Labour Relations Act, 1995 (Act No. 66 of 1995) Employment Equity Act, 1998 (Act No. 55 of 1998)	
Regulations	Children's Act Regulations	X
Forms	PAIA Request Form PAIA Appeal Form POPIA Complaints Form	
Polices, Frameworks, Guidelines,	PAIA Guide PAIA Manual Policy on Website Privacy Policy on Disclosure of Interest White Paper on the Rights of Persons with Disabilities Norms and Standards	X
Strategic Documents (Plans and Reports)	Organisational profile (Overview, Objectives, Functions, Organogram) Strategic Plans Annual Performance Plans Annual Performance Report Annual Operational Plans	X
Communications	Minister's Speech Deputy Minister's Speech	X

	Media Statements DSD News	
Human Resource Management	Public Service Vacancy Application Form (Z83) Circulars for advertisement of posts Recruitment and Selection Policy Employment Equity Policy Employment Equity Plan Performance Management Policy Working Hours Policy Job Evaluation Policy Dress Code Policy Employee Assistance Policy Determination on Leave of Absence Determination on Service Termination Sexual Harassment Policy Study Assistance Policy Resettlement Policy	X

9. SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM THE DEPARTMENT OF SOCIAL DEVELOPMENT AND HOW TO GAIN ACCESS TO THOSE SERVICES

9.1 Child Protection Register

a) In terms of section 111 of the Children's Act 38 of 2005, the Director General must keep and maintain a register to be called a National Child Protection Register. The National Child Protection Register consists of a Part A and a Part B.

b) Part A must have a record of all the reports of abuse or deliberate neglect of a child, all convictions of all persons on charges involving the abuse or deliberate neglect of a child and all findings by a children's court that a child is

in need of care and protection because of the abuse and deliberate neglect of the child (See: Section 114 of the Children's Act 38 of 2005).

c) Part B must have a record of persons who are unsuitable to work with children and to use the information in the register (part B) in order to protect children in general against abuse from these persons (See: Section 118 of the Children's Act 38 of 2005).
d) All children who have been abused and form part of an investigation relating to any form of child abuse which is physical, emotional, sexual or deliberate neglect must be entered onto Part A of the National Child Protection Register.

9.2 Children services

a) The Department of Social Development provides services to children who need care and protection; have special needs (this can include chronic illness, disabilities and those children who display behaviours that are difficult to manage).
b) Through this programme the Department is committed to building families and communities that care and protect children in order to reach their full potential.

9.3 Services to Persons with Disabilities

a) The Department of Social Development design and implement integrated programmes and provide services that facilitate the promotion of the wellbeing and socioeconomic empowerment of persons with disabilities through provision of interventions programmes and services as well as capacity building and support.

9.3 HIV and AIDS

a) The Department of Social Development provides design and implement integrated community based care programmes and services aimed at mitigating the social and economic impact of HIV and AIDS by providing intervention programmes and services, prevention and psychosocial support programmes as well as financial and capacity building of funded organisations.

9.4 Social Relief

a) The Department of Social Development respond to emergency needs identified in communities affected by disasters not declared, and or any other social condition resulting in undue hardship by providing counselling and support to affected individuals and families, developing care plans for short, medium and long term interventions and providing financial and material assistance to individuals or households directly or via suitable approved service delivery partners.

9.5 Home-Based Community Based Care

a) The Department of Social Development provides funding and support to organisations that offer a range of services to individuals and families infected and affected by HIV and AIDs. These organisations provide Home-Based Community Care services to ensure that the basic needs of people living with HIV and AIDS are met.

9.6 Foster Care

a) Foster Care is the placement of a child in the care of a person who is not the parent or guardian of the child as a result of an order of a children's court; or transfer of the child in alternative care.

9.7 Adoptions

a) Adoptions is the placement of a child in the permanent care of a person who is not their biological parent or permanent guardian. Adoptions provides a permanent or stable family life for children who would otherwise be deprived of one.
b) Inter-country adoption is when a child is adopted by a person or persons from another country.

9.8 NPO Registration and Institutional Support Capacity Building

a) The Department of Social Development register and monitor compliance of NPOs. The Department of Social Development provides institutional capacity building and support to the NPOS, CBO, and FBOs who offers a range of services such as Treatment of substance abuse, life skills training and personal development, counselling, HIV and AIDS, Programmes for youth in conflict with the law.

9.9 Funding for NPOs

a) The Department of Social Development provides funding and support to organisations that provide services in the space of social services.

9.10 Services to women and Gender issues

a) The Department of Social Development provides funding and support to organizations that work with Women and Gender issues. These organisations offer a range of services including:
    - Shelter for abused women
    - Victim empowerment
    - Counselling to abused women and their children/families
    - Skills training and development
    - HIV and AIDS

9.11 Population Policy Development and Research

a) The Department of Social Development commission and undertake research on population dynamics and develop, implement and monitor and evaluate Population Policy.

9.12 Care and support to older persons

a) The Department of Social Development empower and protect older persons against abuse. The Department of Social Development further provides programmes and services such as active ageing, assisted living facility and residential facility (old age homes).

9.13 Community Mobilisation

a) Building safe and sustainable communities through the creation of strong community networks, based on the principles of trust and respect for local diversity, and nurturing a sense of belonging and confidence to local people.

9.14 Poverty alleviation and sustainable livelihoods

a) Revitalise local communities and poor households through building their capabilities for sustainable livelihoods and self-reliance.

9.15 Powers, duties and function

a) Management and oversight over social security, encompassing social assistance and social insurance policies that aim to prevent and alleviate poverty in the event of life cycle risks such as loss of income due to unemployment, disability, old age or death occurring.

b) Developmental social welfare services that provide support to reduce poverty, vulnerability and the impact of HIV and AIDS through sustainable development programmes in partnership with implementing agents such as State-funded institutions, Non-Governmental Organisations (NGOs), Community-Based Organisations (CBOs) and Faith-Based Organisations (FBOs).

10. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY DEPARTMENT OF SOCIAL DEVELOPMENT

a) In the exercise of its powers or performance of its duties in terms of section 27 of the Constitution of the Republic of South Africa and other legislations (mentioned on page 5), the members of the public are from time to time invited

to make representations or to participate or influence the development of the Department of Social Development' Bills, White Papers, Policies and Norms and Standards.

b) Members of the public are encouraged to submit proposals for the development of Bills, White Papers, Policies, and Norms and Standards. The members of the public are also encouraged to participate in public consultation and stakeholder's engagement arranged by the Development of Social Development.
c) The platform utilised for public participation may either be through public hearings (physical or virtually), email or written submissions.
d) The inputs and submissions of members of the public are considered intensively during the formulation of the Department of Social Development's bills, white papers, policies, and Norms and Standards.
e) The Department of Social Development disseminates information to the public through electronic and print media, government gazette as well as social media.

11. PROCESSING OF PERSONAL INFORMATION

11.1 Purpose of Processing

1. The Department of Social Development process personal information of data subjects under its care by fulfilling or executing its legislative and policy obligations through –
    i. Child Protection Register
    ii. Registration of NPOs
    iii. Adjudication of grant appeals
    iv. Adoptions
    v. Foster Care
    vi. Register for Older Persons
    vii. Victim Empowerment
    viii. Poverty alleviation and sustainable livelihoods
    ix. Staff administration and Job Applications
    x. Keeping accounts of records

xi. Procurement process

xii. Visitors to any premises of the Department of Social Development

xiii. Complying with other relevant legislations, such as Employment Equity Act and PFMA, Regulations under it and National Treasury Instruction Notes.

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

Below is the template that set out the categories of the data subjects and the description of the nature or categories of the personal information to be processed. Note that the nature of the personal information is dependent on the purpose of the body in performing its functions or services.

Categories of Data Subjects	Personal Information that may be Processed
Beneficiaries of the Department of Social Development: Complainants: Natural Persons	Names and surname; contact details (contact number(s), fax number, email address); Residential, postal or business address; Unique Identifier/Identity Number and confidential correspondence
Complainants: Juristic Persons	Names of contact persons; Name of legal entity; physical and postal address; contact details (contact number(s), fax number, email address); registration number; financial, commercial, scientific or technical information and trade secrets
Employees / Members / Committee Members	Gender, pregnancy; marital status; race, age, language, education information (qualifications); financial information; employment history; ID numbers; physical and postal address; contact details (contact number(s), fax number, email address); criminal record; well-being and family members, medical, nationality, ethnic or social origin, physical or mental health, disability, biometric information of the person,

Categories of Data Subjects	Personal Information that may be Processed
	employment history, professional affiliation and references.
Foreign Persons / Entities	Name; contact details (contact number(s), fax number, email address); physical and postal addresses.
Intermediary / Advisor / Consultants	Names of contact persons; Name of Entity; Physical and Postal address and contact details (contact number(s), fax number, email address); Registration Number.
Contracted Service Providers	Names of contact persons; name of entity; name of directors and shareholders, physical and postal address and contact details (contact number(s), fax number, email address); financial information; registration number; founding documents; tax related information; authorised signatories, broad-based black economic empowerment (B-BBEE) status, affiliates entities, business strategies.

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

a) The Department of Social Development may supply the personal information of data subject to the Employees of the Department of Social Development, as part of executing its legislative mandate.

b) The Department of Social Development may supply the personal information of data subject to the service providers who render the following services:

i. Storing of personal information
ii. Sending of emails and other correspondence to the public
iii. Conducting due diligence checks
iv. Conducting criminal checks
v. Conducting qualification verifications
vi. Vetting of personnel suitable to work with children

vii. Forensic investigation and any other investigation relating to the activities of the Department of Social Development
viii. Auditing
ix. Administration of the Pension Funds and Medical Aid
x. ICT infrastructure

c) The Department of Social Development may also supply the personal information of data subjects to:

i. Any person whom a complaint has been lodged against;
ii. Any person regulatory authority or tribunal , in respect of any matter or part thereof, that falls under their jurisdiction;
iii. Law enforcement agencies, such as the National Prosecuting Authority; South African Police Service (for criminal investigation and prosecution)
iv. Courts, in respect of any matter taken on judicial review.
v. Bodies responsible for personal security checks and verification of qualifications, such as Credit bureaus and South African Qualifications Authority

11.4 Planned transborder flows of personal information

a) The Department of Social Development has entered into Inter-Country Adoption services which is governed by The Hague Convention on the Protection of Children and Cooperation in respect of adoption services and protection of the rights of children.
b) Should it be necessary to transfer any other personal information to another country for any lawful purposes, the Department of Social Development will ensure that anyone to whom it pass personal information is subject to a law, binding corporate rules or binding agreement which provides an adequate level of protection and the third party agrees to treat that personal information with the same level of protection as the Department of Social Development is obliged under POPIA.

c) Any transfer of personal information cross border shall be with data subject's consent, however should it not be reasonably practicable to obtain data subject's consent, the Department of Social Development shall transfer the personal information if:

i. It will be for the data subject's benefit; and
ii. The data subject would have given consent should it have been reasonably practicable to obtain such consent.

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

a) The Department of Social Development continuously establishes and maintains appropriate, reasonable technical and organisational measures by taking appropriate, reasonable technical and organisational measures to prevent:
   i. Loss of damage to or unauthorised destruction of personal information; and
   ii. Unlawful access to or processing of personal information.
b) The Department of Social Development has taken reasonable measures as contained in paragraph (c) below to:
   i. Identify all reasonably foreseeable internal and external risks to personal information in its possession or under its control.
   ii. Establish and maintain appropriate safeguards against the risks identified.
   iii. Regularly verify that the safeguards are effectively implemented.
   iv. Ensure that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards.
c) Measures taken by the Department of Social Development includes, amongst others:
   i. Access control
   ii. Data Encryption
   iii. Defensive Measures
   iv. Robust monitoring, auditing and reporting capabilities
   v. Data backups
   vi. Anti-virus and anti-malware solutions
   vii. Awareness and vigilance
   viii. Agreements are concluded with operators to implement security controls.

c) AVAILABILITY OF THE MANUAL

12.1 This Manual is made available in the following all official languages-

a) English
b) Sepedi
c) Setswana
d) Afrikaans
e) isiZulu
f) isiXhosa
g) isiNdebele
h) Sesotho
i) siSwati
j) Tshivenda
k) Xitsonga
l) Braille

12.2 A copy of this Manual or the updated version thereof, is also available as follows:

a) On www.dsd.gov.za if any, of the public body
b) At the head office of the public body for public inspection during normal business hours.
c) To the Information Regulator upon request.

d) RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

a) Requesters have the right to receive a response in the form of an affidavit or affirmation where records cannot reasonably be located, but to which a requester would have had access had the record been available.
b) Requesters also have the right to receive a response in the form of an affidavit or affirmation where requested records do not exist.

e) DISPOSAL OF RECORDS

a) The Department of Social Development reserves the right to lawfully dispose of certain records in terms of authorities obtained from the National Archives and Records Service.
b) Requesters will be advised whether a particular record has been disposed of where this is relevant to the records requested.
c) In accordance with section 24(1) of POPIA, the Department of Social Development may, upon receipt of the request from a data subject:

i. Correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or
ii. Destroy or delete a record of personal information about the data subject that the Department of Social Development is no longer authorised to retain in terms of section 14 of POPIA.

f) UPDATING OF THE MANUAL

a) The Department of Social Development will, if necessary, update and publish this Manual annually.

Issued by

Mr Peter Netshipale
Director-General