



**eAdvance trading as  
SPARK schools**

**PAIA Manual**

**In compliance with the Promotion of Access to Information Act 2 of 2000**

Prepared in accordance with section 51 of the Promotion of Access to Information Act 2 of 2000  
in terms of which SPARK School is deemed a private body.



[www.sparkschools.co.za](http://www.sparkschools.co.za) | [getinvolved@sparkschools.co.za](mailto:getinvolved@sparkschools.co.za) | Member of eAdvance Group  
PO Box 41157, Craighall 2024

eAdvance Pty Ltd. Directors: Ryan Harrison, Stacey Brewer



## **Preamble**

### **Legal basis and background for the Manual**

#### CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996

The right of access to information is contained in section 33 of the Constitution of the Republic of South Africa, 1996 ('the Constitution'), which provides as follows:

(1) Everyone has a right of access to –

(a) any information held by the state; and

(b) any information that is held by another person and that is required for the exercise or protection of any rights.

(2) National legislation must be enacted to give effect to this right, and may provide for reasonable measures to alleviate the administrative and financial burden on the state.

#### PROMOTION OF ACCESS TO INFORMATION ACT, 2000

As stated above, the Constitution provides that national legislation must be enacted to give effect to the right of access to information. The national legislation that has been enacted to give effect to this right is the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ('PAIA' or 'the Act').

The aim of this manual is to assist potential requesters of information as to the procedure to be followed when requesting access to information and/or documents from eAdvance trading as SPARK Schools (hereinafter referred to as "SPARK Schools") as contemplated in terms of the the Act.





## Contact Details

Information Officer : Nontokoza Setiba

Postal Address : PO BOX 4157  
Craighall  
Johannesburg  
2024

Physical Address : 2nd Floor  
Old Sasol Building  
Corner Sturdee and Baker  
Rosebank  
Johannesburg  
Gauteng  
South Africa, 2196

Telephone number : +27 010 125 0600

Email Address : [info@sparkschools.co.za](mailto:info@sparkschools.co.za)

## General Information





Name of Private body : eAdvance (Pty) Ltd

Head of Private Body : Stacey Brewer

Registration number : eAdvance 2012/105944/07  
SPARK School SPC 2012/188703/08

UIF number : U2145281/6

Postal Address : PO BOX 4157, Craighall, Johannesburg, 2024

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Email : [info@eadvance.co.za](mailto:info@eadvance.co.za)

Website : [www.eAdvance.co.za](http://www.eAdvance.co.za)

**Guide to the PAIA**





Section 10 of the Act stipulates that the South African Human Rights Commission (SAHRC) must prepare a guide to assist people in understanding the Act. A copy of this guide can be found on the South African Human Rights Commission website.

Section 51(1)(b) To gain access to the Human Rights Commission's guide to the Act, browse using an Internet browser to <http://www.sahrc.org.za>, e-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za). Alternatively, call the Human Rights Advice Line on: 086-012-0120

The SAHRC can be contacted at: The South African Human Rights Commission

PAIA Unit

The Research and Documentation Department

Private Bag 2700

Houghton

2041

Telephone : +27 11 484 8300

Facsimile : +27 11 484 0582

Email : [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

Website : [www.sahrc.org.za](http://www.sahrc.org.za)

## Overview





SPARK Schools brochures describing the services offered and the activities undertaken are freely available during office hours at each school. In addition, the SPARK Schools website ([www.sparkschools.co.za](http://www.sparkschools.co.za)) also contains a wealth of information which is updated regularly.

**Section 51(1)(c)**

eAdvance trading as SPARK schools was established in 2012 to incorporate the following Schools:

1. SPARK Bramley- 2015
2. SPARK Carlswald- 2017
3. SPARK Centurion- 2016
4. SPARK Cresta- 2014
5. SPARK Ferndale- 2013
6. SPARK Lynedoch- 2016
7. SPARK Maboneng- 2015
8. SPARK Midrand- 2016
9. SPARK Randpark Ridge- 2017
10. SPARK Rynfield- 2016
11. SPARK Silver Lakes- 2017
12. SPARK Kempton Park - 2018
13. SPARK Turffontein - 2018





14. SPARK Les Marais - 2018
15. SPARK Theresa Park - 2018

### **Schedule of documents**

#### **Incorporation Documents and Records**

- Constitution
- Records of Board Meetings
- Records of Annual General Meetings
- Resolutions
- Minute Books
- Delegation of Authorities
- General Correspondence

#### **Financial Documents and Records**

- Regional Services Council Records
- VAT Records
- Tax Records
- PAYE Records
- UIF Records
- Assets Register
- Quotations
- Order Forms





- Invoices
- Annual Financial Statements
- Debit notes
- Credit notes
- Bank account records and statements
- Petty cash records
- Financial documentation and other accounting records
- Financial reports, budgets and statements

#### **Operational Documents and Records**

- Minutes of management meetings
- Annual Reports
- Legal opinions and documents
- Insurance Records and correspondence
- Contracts and Service Level Agreements documentation
- Fundraising, marketing and events records
- Business plan, policies and procedures
- Permits, licences, consents, approvals, authorizations, applications and registrations
- Work instructions manuals
- Records with regards to the scheduling and supply of goods
- Independent contractors' documentation and records







### **Human Resource Documents**

- Organizational structures
- Staff Establishments
- Personnel Files
- Employment contracts
- Letters of Appointment
- Employment Equity plans
- Salary advice slips
- Remuneration records
- Curriculum Vitae
- Interview records
- Leave records
- Educational history records
- Salary increase records
- Disciplinary records
- Performance management records
- Training records
- Attendance records
- Telephonic and email contact lists for staff





### **Safety, Health and Environmental (SHE) Documents and records**

- SHE mandatory agreements
- Records relating to incidents in the workplace
- Corrective action records
- Occupational Health and Safety minutes and records
- Compensation for Occupational Injuries and Diseases records
- Risk Management Framework
- Policies and Procedures Manual

### **Information Technology Documents and Records**

- Software licences
- Software programmes
- Software applications
- Computer generated databases
- Email communications
- Performance statistics
- General correspondence

### **General Communications**





The website of both organizations can be found at: [www.eadvance.co.za](http://www.eadvance.co.za) and [www.sparkschools.co.za](http://www.sparkschools.co.za)

#### **Section 51(1)(d)**

Records are kept in accordance with such other legislation as is applicable to SPARK Schools and its entities, which includes but is not limited to, the following legislation:

- The South African Schools Act of 1996
- The Companies Act No. 61 of 1973
- Basic Conditions of Employment Act No.75 of 1997
- Compensation of Occupational Injuries & Diseases Act No. 130 of 1993
- Consumer Protection Act
- Copyright Act no. 98 of 1978
- Electronic Communications and Transactions Act No. 25 of 2002
- Employment Equity Act No. 55 of 1998
- Income Tax Act No. 58 of 1962
- Intellectual Property Laws Amendment Act no 38 of 1997
- Labour Relations Act No. 66 of 1995
- Occupational Health and Safety Act No. 85 of 1993
- Promotion of Access to Information Act No. 2 of 2000
- Skills Development Levies Act No. 9 of 1999
- Unemployment Insurance Act No. 30 of 1966
- Unemployment Contributions Act No. 4 of 2002





- Regional Services Council Act No. 109 of 198

Section 51(1)(e)

- Employment contracts: Availability to be determined upon receipt of request
- Domain Name Registration: Availability to be determined upon receipt of request
- School Registration: Availability to be determined upon receipt of request
- Agreements with Suppliers: Availability to be determined upon receipt of request
- Database of Pupils & Parents: Availability to be determined upon receipt of request
- Website Information: Freely available at [www.eadvance.co.za](http://www.eadvance.co.za) and [www.sparkschools.co.za](http://www.sparkschools.co.za)
- Annual Financial Statements: Availability to be determined upon receipt of request
- Memorandum and Articles of Association: Availability to be determined upon receipt of request
- Parent Teachers' Forum Constitution: Availability to be determined upon receipt of request
- School Policy Documents: Availability to be determined upon receipt of request
- School Fees: Availability to be determined upon receipt of request





- Licences: Availability to be determined upon receipt of request
- Minutes of Board of Governors and Schools Council and Management meetings
- Minutes of Parents' Teachers' Forum.
- Minutes of Executive Committee Meetings
- Minutes of Think Tank Committee Meetings
- Minutes of Strategic Planning Committee Meetings
- Minutes of Head of Department Meetings
- Minutes of Building and Grounds Meetings
- Occupational Health and Safety documented findings
- Pupil and Staff records
- Reports
- Minutes of all Board of Directors, Management, and sub-committee meetings
- Details of Members of Board of Directors

### **Information request procedure**

The requester of information must comply with all the procedural requirements contained in the Act relating to the request for access to a record. In this regard:

- The requester must use the prescribed form to make the request for access to a record. For ease of reference this prescribed form is attached as *Form C* (Annexure A) to this manual.





- The requester must provide sufficient detail on the request for to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required. The requester should further also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed.
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body.

SPARK Schools will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information Officer that circumstances dictate that the above time period cannot be complied with.

The requester shall be informed whether access is granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required.

Requests for information which are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.





## **Fees**

Fees will be charged strictly in accordance with the provisions of the Act and Regulations thereto, published in the Government Gazette. For more information on the fees consult the following website: [www.sahrc.org.za](http://www.sahrc.org.za) and [www.doj.gov.za](http://www.doj.gov.za). The guide provided by the SAHRC also provides a section setting out the relevant costs for the requested information.

### **Fees in Respect of Requests for Information**

#### **Fees in Respect of Private Bodies (Section 51(1)(f))**

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4 size or part thereof.
  
2. The fees for reproduction referred to in regulation 11(1) are as follows:
  - (a) For every photocopy of an A4-sized page or part thereof R1,10
  - (b) For every printed copy of an A4-sized page or part thereof held on a computer or in electronic or machine-readable form R0.75
  - (c) For a copy in a computer-readable form on
    - (i) stiffy disk R7,50
    - (ii) compact disk R70,00
  - (d) For a copy of visual images, for an A4-sized page or part thereof R60.00.





3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50.00.

4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

- (1)
  - (a) For every photocopy of an A4-sized page or part thereof R1.10
  - (b) For every printed copy of an A4-sized page or part thereof held on a computer or in electronic or machine-readable form R0.75
  - (c) For a copy in a computer-readable form on:
    - (i) floppy disk R7.50
    - (ii) compact disk R70.00
  - (d) For a copy of visual images, for an A4-sized page or part thereof R60.00
  - (e) To search for and prepare the record for disclosure, for each hour or part of an hour R30.00.
- (2) For purposes of section 54(2) of the Act, the following applies:
  - (a) Six hours as the hours to be exceeded before a deposit is payable; and
  - (b) One third of the access fee is payable as a deposit by the requester.
- (3) The actual postage is payable when a copy of a record must be posted to a requester Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)







### **Form for Application of Information**

The forms prescribed under the Act are available at the website of the Department of Justice and Constitutional Development ([www.doj.gov.za](http://www.doj.gov.za)) under the “regulations” section.

Any application must be in writing and must include at least the following –

- (a) Sufficient particulars to enable the head of the college to identify the record or records requested as well as the requester.
- (b) Indication of which form of access is required.
- (c) A specific postal address or fax number of the requester in the Republic.
- (d) An explanation by the requester of why the requested record is required and for the exercise or protection of that right.
- (e) In addition to a written reply, if the requester wishes to be informed of the decision on the request in any other manner, the state of the manner and the necessary particulars are to be advised.
- (f) Proof of the capacity in which the requester is making the request must be submitted, if in the case of the request being made on behalf of a person, and this is to be to the reasonable satisfaction of the head.





Before Proceeding with a request for access to information:

- The information officer will advise the requester of the relevant costs, if applicable for processing the request
- The requester may lodge an application with the court against having to pay the requested fee
- The Information Officer will then make a decision on the request and notify the requester in the required form
- If the request is granted, then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.





**Availability of the manual**

This manual is available for inspection at SPARK Schools Support Office at the address referred and the website. This manual has also been submitted to the South African Human Rights Commission, a copy of which will be available from this organization.

Signature:

Stacey Brewer (CEO)

Date:

12 December 2016

**ANNEXURE A**

