

Guardian Alliance CC

(Company Registration 2008/170868/23)

trading as

Worktrainer Compliance Solutions

**ACCESS TO
INFORMATION
MANUAL
(PRIVATE BODY)**

**PREPARED IN TERMS OF SECTION 51 OF THE
PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000**



PURPOSE OF THIS MANUAL IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 (“PAIA”)

The purpose of this Manual is to assist people wishing to access information in terms of PAIA from Worktrainer Compliance Solutions

DESCRIPTION OF THIS MANUAL AS PER SECTION 10: SECTION 51(1)(b)

This manual has been compiled in terms of Section 10 of PAIA from the Guide published by the Human Rights Commission. It contains information required by a person wishing to exercise any right contemplated by PAIA.

It is available for inspection, *inter alia*, at the offices of Worktrainer Compliance Solutions at Unit 7, Grand Beverley Estate, 58 Mulbarton Road, Beverley, and on its website at www.worktrainer.co.za.

TERMS USED IN THIS MANUAL

- Terms defined in the Act shall have the meaning set out therein;
- Reference to sections shall be a reference to sections in the Act

DESCRIPTION OF WORKTRAINER COMPLIANCE SOLUTIONS

Guardian Alliance CC, trading as Worktrainer Compliance Solutions, is the the sole licensed distributor in Africa for all Worktrainer Software. Its core product is Worktrainer’s online Health & Safety Compliance Management Programme, and derivatives include two corporate social responsibility programmes: “Safer Schools”, a ground-breaking health and safety initiative for schools, and “Bizpaq”, the complete business toolkit for start-up and small organisations. Core to all three programmes is “Worktrainer”, a best practice online health and occupational safety business process, that supplies customised management solutions to drive operational disciplines which reduce risk and mitigate claims of negligence. Located in Gauteng, South Africa, this internet-based company develops programme content in the USA, and services client sites across Southern Africa,



CONTACT INFORMATION FOR THE HEAD OF WORKTRAINER COMPLIANCE SOLUTIONS, AS PER SECTION 51(1) (a)

- **Postal Address**
P O Box 300, Fourways North, 2086
- **Street Address:**
Unit 7, Grand Beverley Estate, 58 Mulbarton Road, Beverley, 2062
- **Telephone Number:**
+27 (11) 467 4998
- **Fax. Number:**
+27 (86) 670 9384
- **E- Mail Address:**
john@worktrainer.co.za

LATEST NOTICE AS PER SECTION 52(2):

At this stage no notice(s) has/have been published on the categories of records that are automatically available from Worktrainer Compliance Solutions without a person having to request access in terms of PAIA.

RECORDS AVAILABLE OF OTHER LEGISLATION AS PER SECTION 51(1)(d)

Records available in terms of other legislation are as follows:

- Labour Relations Act 66 of 1995
- Employment Equity Act 55 of 1998
- Basic Conditions of Employment Act 75 of 1997
- Compensation for Occupational Injuries and Disease Act 130 of 1993
- Companies Act 61 of 1973
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991
- Income Tax Act 58 of 1962
- Skills Development Act 9 of 1999



SUBJECTS AND CATEGORIES OF RECORDS HELD BY WORKTRAINER COMPLIANCE SOLUTIONS AS PER SECTION 51(1)(e)

1. Companies Act Records

- Documents of incorporation
- Memorandum and Articles of Association
- Minutes of Board of Directors meetings
- Records relating to the appointment of Directors/ Auditor/Secretary/Public Officer and other Officers
- Share Register and other statutory registers

2. Financial Records

- Annual Financial Statements
- Tax Returns
- Accounting Records
- Banking Records
 - Bank Statements
 - Paid Cheques
 - Electronic banking records
- Asset Register
- Rental Agreements
- Invoices

3. Income Tax Records

- PAYE Records
- Documents issued to Employees for income tax purposes
- Records of payments made to SARS on behalf of Employees
- All other statutory compliances:
 - VAT
 - Skills Development Levies
 - UIF
 - Workmen's Compensation

4. Personnel Documents & Records

- Employment contracts
- Medical Aid records



- Disciplinary records
- Salary records
- Disciplinary code
- Leave records
- Training records

5. Other Records

- Information Technology
- Intellectual Property & Licensing Agreements
- Service Level Agreements
- Sales and Marketing
- Client Databases
- Policies
- Directives
- Minutes of Meetings
- Administrative information

DETAILS ON HOW TO MAKE A REQUEST FOR ACCESS AS PER SECTION 51(e)

In the event that a person or entity requires access to information as contemplated in the Act:

- The requester must complete Form C below, and submit this form together with a request fee, to the head of the private body.
- This form must be submitted to the head of Worktrainer Compliance Solutions at the physical address, fax number, or electronic mail address recorded above
- The form must:
 - a) provide sufficient particulars to enable the head of Worktrainer Compliance Solutions to identify the record/s requested and to identify the requester,
 - b) indicate which form of access is required,
 - c) specify a South African email address, postal address or fax number of the requester,



- d) identify the right that the requester is seeking to exercise or protect, and provide a detailed explanation of why the requested record is required for the exercise or protection of that right,
- e) if in addition to a written reply, the requester also wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be informed in the other manner,
- f) if the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the head of Worktrainer Compliance Solutions

FEES APPLICABLE FOR A REQUEST FOR ACCESS AS PER SECTION 54

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fees.

Any other requester who is not a personal requester must pay the required fee, as follows:

- A fee will be required by the head of Worktrainer Compliance Solutions before further processing of the request;
- A requester fee of R50.00 should be paid; this amount will be refunded should the request for access be refused
- One third of the access fee will be required before the request is considered
- The head of Worktrainer Compliance Solutions may withhold a record until the requester has paid the applicable fees

The requester may lodge an application with a court against the payment of the request fee in terms of Section 54(3)(b) of the Act, and/or the form in which access will be given, and/or the procedure (including the period) for lodging the internal appeal or application, as the case may be.

If the request for access is refused, the head of Workplace Compliance Solutions will, in terms of Subsection (1)(b), state adequate reasons for the refusal and exclude from such reasons any reference to the content of the record. The requester may lodge an application with a court against the refusal of the request, and/or the procedure (including the period) for lodging the application, as the case may be.



DETAILS OF THE HUMAN RIGHTS COMMISSION

Any queries with regard to this manual should be directed to:

The South African Human Rights Commission - PAIA Unit
Research and Documentation Department
Private Bag 2700
Houghton
2041
Phone: 011 484 8300
Fax: 011 484 0582
Email: PAIA@sarhc.org.za
Website: www.sahrc.org.za