



**South African Council For Educators**

**Promotion of Access to Information Manual**

## Contents

<b>1</b>	<b>Introduction</b>	<b>3</b>
<b>2</b>	<b>Functions of SACE</b>	<b>3</b>
<b>3</b>	<b>Structure of SACE</b>	<b>5</b>
<b>4</b>	<b>Information Officer</b>	<b>6</b>
<b>5</b>	<b>Human Rights Commission Guide on how to use the Act</b>	<b>7</b>
<b>6</b>	<b>Records of SACE</b>	<b>7</b>
<b>7</b>	<b>Request Procedure</b>	<b>9</b>
<b>8</b>	<b>Section 15(2) notice of categories of records that are automatically available</b>	<b>9</b>
<b>9</b>	<b>Services available to members of the public</b>	<b>9</b>
	<b>Schedule 1</b>	<b>10</b>
	<b>Schedule 2</b>	<b>16</b>

## 1 Introduction

- 1.1 This manual has been compiled by the South African Council for Educators (SACE) in accordance with Section 14 of the Promotion of Access to Information Act No. 2 of 2000 (the Act).
- 1.2 SACE is a public body as defined in the Act and is governed by the provisions of the South African Council for Educators Act No. 31 of 2000 (the SACE Act). SACE is a statutory professional body for educators. Its objects are:
  - 1.2.1 to provide for the registration of educators;
  - 1.2.2 to promote the professional development of educators; and
  - 1.2.3 to set, maintain and protect ethical and professional standards for educators.

## 2 Functions of SACE

The powers and duties of SACE are:

- 2.1 with regard to the registration of educators:
  - 2.1.1 to determine minimum criteria and procedures for registration or provisional registration;
  - 2.1.2 to consider and decide on any application for registration or provisional registration;
  - 2.1.3 to keep a register of the names of all persons who are registered or provisionally registered;
  - 2.1.4 to determine the form and contents of the registers and certificates to be kept, maintained or issued in terms of the SACE Act, the periods within which they must be reviewed and the manner in which alterations thereto may be effected; and
  - 2.1.5 to prescribe the period of validity of registration or provisional registration;
- 2.2 with regard to the promotion and development of the education and training profession:

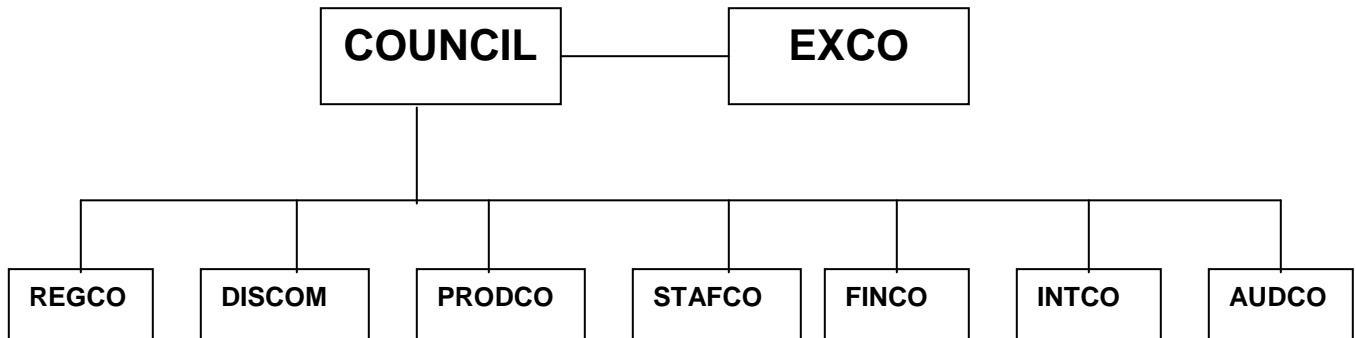
- 2.2.1 to promote, develop and maintain a professional image;
- 2.2.2 to advise the Minister of Education on matters relating to the education and training of educators, including but not limited to:
  - 2.2.2.1. the minimum requirements for entry to all the levels of the profession;
  - 2.2.2.2. the standards of programmes of pre-service and in-service educator education;
  - 2.2.2.3. the requirements for promotion within the education system;
  - 2.2.2.4. educator professionalism;
- 2.2.3 to research and develop a professional development policy;
- 2.2.4 to promote in-service training of all educators;
- 2.2.5 to develop resource materials to initiate and run, in consultation with an employer, training programmes, workshops, seminars and short courses that are designed to enhance the profession;
- 2.2.6 to compile, print and distribute a professional journal and other publications;
- 2.2.7 to establish a professional assistance facility for educators;
- 2.3 with regard to professional ethics:
  - 2.3.1 to compile, maintain and from time to time review a code of professional ethics for educators who are registered or provisionally registered with SACE;
  - 2.3.2 to determine a fair hearing procedure;
  - 2.3.3 to sanction educators who contravene the code of professional ethics;
- 2.4 with regard to fees:

- 2.4.1 in consultation with the Minister, to determine fees payable to SACE by registered educators and educators applying for registration;
  - 2.4.2 to require from the relevant employers to deduct fees from the salaries of educators and to pay it over to SACE;
  - 2.4.3 after a fair hearing, to sanction educators who fail to pay the fees determined by SACE;:
- 2.5 in general:
- 2.5.1 to advise the Minister on any educational aspect which the Minister may request it to advise on;
  - 2.5.2 to appoint staff and determine their conditions of service;
  - 2.5.3 to establish committees and assign duties to them;
  - 2.5.4 to perform any duty which is necessary for the proper functioning of SACE; and
  - 2.5.5 to advise the Minister on any relevant educational aspect.

### **3 Structure of SACE**

- 3.1 SACE consists of members appointed by the Minister of Education with due consideration to representation in respect of race, gender, disability and geographic distribution. In this regard the Minister of Education has appointed:
- 3.1.1 the Chairperson;
  - 3.1.2 18 (eighteen) educators nominated by the organised teaching profession;
  - 3.1.3 5 (five) persons nominated by the Department of Education;
  - 3.1.4 2 (two) persons nominated by national associations representing school governing bodies;
  - 3.1.5 1 (one) person nominated by the Council on Higher Education;

- 3.1.6 1 (one) person nominated by the councils of further education and training institutions;
  - 3.1.7 1 (one) person nominated by national bodies representing independent institutions; and
  - 3.1.8 the Chief Executive Officer.
- 3.2 The SACE Act provides for:
- 3.2.1 an Executive Committee;
  - 3.2.2 a Registration Committee;
  - 3.2.3 a Professional Development Committee; and
  - 3.2.4 a Disciplinary Committee.
- 3.3 In addition, SACE is empowered to establish any other committees to assist in the performance of its functions and to co-opt persons to attend committee meetings on the basis of their expertise.
- 3.4 A graphic representation of the structure of SACE is set out below:



#### 4 Information Officer

- 4.1 The Information Officer of SACE is:

**Mr Rej Brijraj**  
**Chief Executive Officer**  
**South African Council for Educators.**

4.2 His contact details are:

**Postal Address:** Private Bag X127, Centurion, 0046  
**Street Address:** 261 West Street, Centurion, 0046  
**Telephone number:** (012) 663-9517 / 663 0406  
**Telefax number:** (012) 663-9238 / 663 3331  
**E-mail address:** [info@sace.org.za](mailto:info@sace.org.za)

## 5 Human Rights Commission Guide on how to use the Act

5.1 Section 10 of the Act requires the Human Rights Commission to compile in each official language a guide containing such information, in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. The guide must be made available to the Human Rights Commission by 31 August 2003. Its contact details are:

**Human Rights Commission  
PAIA Unit,  
The Research and Documentation Department  
Private Bag 2700  
Houghton, 2041**

**Telephone number:** (011) 484-8300  
**Telefax number:** (011) 484-0582  
**E-mail address:** [paia@sahrc.org.za](mailto:paia@sahrc.org.za)  
**Web-site address:** [www.sahrc.org.za](http://www.sahrc.org.za)

## 6 Records of SACE

SACE has the following subjects and categories of records:

### 6.1 Working records – including:

- 6.1.1 the minutes of SACE and its committees;
- 6.1.2 correspondence between SACE and third parties;
- 6.1.3 operational policies;

- 6.1.4 internal memoranda;
- 6.1.5 contracts between SACE and third parties;
- 6.2 **Personnel records** – including:
  - 6.2.1 contracts of employment;
  - 6.2.2 human resource policies;
  - 6.2.3 personnel files;
- 6.3 **Statutory records:**
  - 6.3.1 all records which SACE is required by law to keep;
- 6.4 **Financial records** – including:
  - 6.4.1 books of account;
  - 6.4.2 financial statements;
  - 6.4.3 audited financial statements;
- 6.5 **Official documents** – including:
  - 6.5.1 brochures, manuals and other promotional materials;
  - 6.5.2 annual reports as contemplated by section 20 of the SACE Act;
  - 6.5.3 registration criteria and procedures;
  - 6.5.4 professional register of educators;
  - 6.5.5 code of professional ethics;
  - 6.5.6 disciplinary procedures;
  - 6.5.7 professional disciplinary records, including the records of disciplinary hearings and decisions of disciplinary structures of SACE



## **7 Request Procedure**

- 7.1 Access to the records of SACE may be requested by:
- 7.1.1 completing the prescribed request form contained in Schedule 1 to this manual;
  - 7.1.2 paying the prescribed fee as stated in Schedule 2 to this manual; and
  - 7.1.3 delivering the request form and applicable payment to the information officer of SACE.
- 7.2 Any requester who is aggrieved by a decision of the information officer to refuse access to a record may appeal in writing against the decision to the Executive Committee of SACE within 60 (sixty) days of the information officer's decision.
- 7.3 Any requester who is aggrieved by the decision of the Executive Committee on appeal may apply to a competent court for appropriate relief as contemplated in Section 78 of the Act.

## **8 Section 15(2) notice of categories of records that are automatically available**

No notice contemplated in section 15(2) of the Act has been published in respect of SACE.

## **9 Services available to members of the public**

SACE is a statutory professional body for educators and does not offer general services to the public. However, any member of the public who believes that an educator has breached the code of professional ethics may lodge a complaint to that effect with the Chief Executive Officer of SACE in accordance with SACE's disciplinary procedures.

**Schedule 1**

**PRESCRIBED FORM FOR ACCESS TO RECORDS**

**REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY  
(Section 18(1) of the Promotion of Access to Information Act, 2000)  
(Act No. 1 of 2000)  
[Regulation 6]**

**FOR SACE USE**

Reference number : \_\_\_\_\_

Request received by \_\_\_\_\_ (information officer)

on \_\_\_\_\_ (date) at

\_\_\_\_\_

(place).

Request fee (if any): R.....

Deposit (if any) : R .....

Access fee: R .....

\_\_\_\_\_ SIGNATURE OF INFORMATION OFFICER

**A. Particulars of public body**

The information Officer:

**B. Particulars of person requesting access to the record**

- (a) The particulars of the person who requests access to the record must be given below.
- (b) The address and/or fax number in the Republic to which the information is to be sent, must be given.
- (c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number: \_\_\_\_\_ E-mail address:

Capacity in which request is made, when made on behalf of another person:

**C. Particulars of person on whose behalf request is made**

This section must be completed ONLY if a request for information is made on behalf of another person.

**D. Particulars of record**

- (a) 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.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. **This requester must sign all the additional folios.**

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

**E. FEES**

- (a) A request for access to a record, other than a record containing personal information about yourself will be processed only after a **request fee** has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (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 for exemption from payment of fees:

**F. Form of access to record**

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4, state your disability and indicate in which form the record is required.

<u>Disability:</u>	<u>Form in which record is required:</u>		
<p>Mark the appropriate box with an <b>X</b></p> <p>NOTES:</p> <p>(a) Compliance with your request for access in the specified form may depend on the form in which the record is available.</p> <p>(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.</p> <p>(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</p>			
<b>1. If the record is in written or printed form:</b>			
	Copy of record*		Inspection of record
<b>2. If record consists of visual images-</b>			
(this includes photographs, slides, video recordings, computer-generated images, sketches, etc):			
view the images			
		Copy of the images*	Transcription of the images*

<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>			
	Listen to the Soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)

<b>4. If record is held on computer or in a electronic or machine-readable form</b>					
	printed copy of record*		Printed copy of Information derived from the record*		Copy in computer readable form* (stiffy or compact disc)
If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?				Yes	No
<b>Postage is payable</b>					
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.					
In which language would you prefer the record?					

**G. Notice of decision regarding request for access**

Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.
--

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 200

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**SIGNATURE OF REQUESTER / PERSON ON  
WHOSE BEHALF REQUEST IS MADE**

**Schedule 2**

**PRESCRIBED FEES SCALES**

**PART II OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE 15 FEBRUARY 2002 FEES IN RESPECT OF PUBLIC BODIES**

1. The fee for a copy of the manual as contemplated in regulation 5(c) is R0,60 for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in regulation 7(1) are as follows:

	<b>R</b>
(a) For every photocopy of an A4-size page or part thereof	0,60
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,40
(c) For a copy in a computer-readable form on:	
(i) stiffy disc	5,00
(ii) compact disc	40,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	22,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	12,00
(ii) For a copy of an audio record	17,00

3. The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) is R35,00.

4. The access fees payable by a requester referred to in regulation 7(3) are as follows:

	<b>R</b>
(1)(a) For every photocopy of an A4-size page or part thereof	0,60
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,40
(c) For a copy in a computer-readable form on:	
(i) stiffy disc	5,00
(ii) compact disc	40,00



- |     |      |   |       |
|-----|------|---|-------|
| (d) | (i)  | For a transcription of visual images, for an A4-size page or part thereof   | 22,00 |
|     | (ii) | For a copy of visual images   | 60,00 |
| (e) | (i)  | For a transcription of an audio record, for an A4-size page or part thereof | 12,00 |
|     | (ii) | For a copy of an audio record   | 17,00 |
- (f) To search for an prepare the record for disclosure, R15,00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.
- (2) For purposes of section 22(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.
5. The actual postage is payable when a copy of a record must be posted to a requester.